

APPROVED
18-2011

Rockville, Maryland
July 7, 2011

The Board of Education of Montgomery County held a business meeting and closed session at the Carver Educational Services Center, Rockville, Maryland, on July 7, 2011, beginning at 8:40 a.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. Joshua Starr, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 362-11 Re: **RESOLUTION FOR CLOSED SESSION**

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Mr. Kauffman, the following resolution, as amended, 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 July 7, 2011, in Room 120 from 8:30 to 9:30 a.m.; and be it further

Resolved, That the Board of Education of Montgomery County discuss the Monthly Human Resources and Development Report and 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 discuss an appointment to the Board's Policy Committee 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, The superintendent will provide the Equal Employment Opportunity Quarterly Report to the Board which is an administrative function and outside the purview of the *Open Meetings Act*; and be it further

Resolved, That the Board of Education of Montgomery County discuss 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*; and be it further

Resolved, That the Board of Education of Montgomery County receive legal advice concerning the Opinion of the Open Meetings Compliance Board and the Open Meetings Act in general as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed session on July 7, 2011, to acquit its administrative functions (discuss superintendent's transition and entry plans) and to receive legal advice as the Board adjudicates and reviews appeals, which is a quasi-judicial function outside the purview of the *Open Meetings Act*; and be it further

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

The Board of Education met in closed session from 8:40 to 9:45 a.m. At 9:50 a.m., the Board of Education reconvened in open session.

To view specific sections or the entire meeting, please watch at <http://www.montgomeryschoolsmd.org/boe/meetings/archive/2011/2011-0707.shtm>

Re: PLEDGE OF ALLEGIANCE

The Board members, staff, and the community members recited the pledge.

Re: WELCOME TO DR. JOSHUA P. STARR, THE NEW SUPERINTENDENT OF SCHOOLS

The Board members welcomed Dr. Starr to his first Board meeting in Montgomery County. Both Board members and Dr. Starr indicated that they looked forward to working together to continue the efforts of Montgomery County Public Schools.

Re: SWEARING IN OF THE STUDENT BOARD MEMBER – MR. ALAN XIE

The deputy clerk of the circuit court administered the oath of office to Mr. Alan Xie. In a brief speech Mr. Xie thanked his colleagues on the Board, Ms. Crawford, Dr. Weast, and the students who helped re-elect him. He looked forward to working with the Board and

staff on issues of importance to students. Members of the Board congratulated Mr. Xie upon his second term.

RESOLUTION NO. 363-11 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for July 7, 2011.

RESOLUTION NO. 364-11 Re: **RECOMMENDATION TO APPROVE THE AMENDED AGREEMENT WITH THE MONTGOMERY COUNTY EDUCATION ASSOCIATION**

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

WHEREAS, Section 6-408 of the Education Article, *Annotated Code of Maryland*, requires the Board of Education to enter into negotiations with designated employee organizations concerning "salaries, wages, hours, and other working conditions"; and

WHEREAS, The Montgomery County Education Association was properly designated as the employee organization to be the exclusive representative for these negotiations; and

WHEREAS, The parties have a negotiated agreement for the 2011–2014 school years and said agreement provides that negotiations may be reopened for Fiscal Year 2012, Fiscal Year 2013, and Fiscal Year 2014, or in the event the Montgomery County Council reduces the budget recommendations of the Board of Education and such action makes it necessary for the Board to reduce one or more items that have been negotiated; and

WHEREAS, The parties each exercised their right to reopen negotiations on that agreement for the 2011–2012 school year; and

WHEREAS, Said negotiations have occurred in good faith, as directed by law; and

WHEREAS, The parties have reached tentative agreement on modification of the agreement to include revised salary and other economic items with specified reopeners, through Fiscal Year 2014; and

WHEREAS, The tentative agreement to amend has been duly ratified by the membership of the Montgomery County Education Association; now therefore be it

Resolved, That the Board of Education approves the amended agreement for the period of

July 1, 2011, through June 30, 2014; and be it further

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to sign the amended agreement, all according to said agreement and to the law.

RESOLUTION NO. 365-11 Re: **RECOMMENDATION TO APPROVE THE
AMENDED AGREEMENT WITH THE
SERVICE EMPLOYEES INTERNATIONAL
UNION LOCAL 500**

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

WHEREAS, Section 6-510 of the Education Article, *Annotated Code of Maryland*, requires the Board of Education to enter into negotiations with designated employee organizations concerning "salaries, wages, hours, and other working conditions"; and

WHEREAS, The Service Employees International Union Local 500 was properly designated as the employee organization to be the exclusive representative for these negotiations; and

WHEREAS, The parties have a negotiated agreement for the 2011–2014 school years and said agreement provides that negotiations may be reopened for Fiscal Year 2012, Fiscal Year 2013, and Fiscal Year 2014, or in the event that the Montgomery County Council reduces the budget recommendations of the Board of Education and such action makes it necessary for the Board of Education to reduce one or more items that have been negotiated; and

WHEREAS, The parties each exercised their right to reopen negotiations on that agreement for the 2011–2012 school year; and

WHEREAS, Said negotiations have occurred in good faith, as directed by law; and

WHEREAS, The parties have reached tentative agreement on modification of the agreement to include revised salary and other economic items with specified reopeners through Fiscal Year 2014; and

WHEREAS, The tentative agreement to amend has been duly ratified by the membership of Service Employees International Union Local 500; now therefore be it

Resolved, That the Board of Education approves the amended agreement for the period of July 1, 2011, through June 30, 2014; and be it further

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to sign the amended agreement, all according to said agreement and to the law.

RESOLUTION NO. 366-11 Re: **RECOMMENDATION TO APPROVE THE AMENDED AGREEMENT WITH THE MONTGOMERY COUNTY ASSOCIATION OF ADMINISTRATORS AND PRINCIPALS**

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

WHEREAS, Section 6-408 and 6-510 of the Education Article, *Annotated Code of Maryland*, requires the Board of Education to enter into negotiations with designated employee organizations concerning "salaries, wages, hours, and other working conditions"; and

WHEREAS, The Montgomery County Association of Administrators and Principals was properly designated as the employee organization to be the exclusive representative for these negotiations for the Montgomery County Association of Administrators and Principals unit; and

WHEREAS, The parties have a negotiated agreement for the 2011–2014 school years and said agreement provides that negotiations may be reopened for Fiscal Year 2012, Fiscal Year 2013, and Fiscal Year 2014, or in the event the Montgomery County Council reduces the budget recommendations of the Board of Education and such action makes it necessary for the Board to reduce one or more items that have been negotiated; and

WHEREAS, The parties each exercised their right to reopen negotiations on that agreement for the 2011–2012 school year; and

WHEREAS, Said negotiations have occurred in good faith, as directed by law; and

WHEREAS, The parties have reached tentative agreement on modification of the agreement to include revised salary and other economic items with specified reopeners through Fiscal Year 2014; and

WHEREAS, The tentative agreement to amend has been duly ratified by the membership of the Montgomery County Association of Administrators and Principals; now therefore be it

Resolved, That the Board of Education approves the amended agreement for the period of July 1, 2011, through June 30, 2014; and be it further

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to sign the amended agreement, all according to said agreement and to the law.

Re: **DISCUSSION**

At this time, the leaders of the employee associations each signed the agreements on behalf of their membership. Members of the Board expressed their appreciation to the leadership and members of each association.

Re: **PUBLIC COMMENTS**

The following people commented before the Board of Education:

<u>Person</u>	<u>Topic</u>
Ms. Krisna Becker	Seneca Creek Charter
Ms. Tonie Marsh	Magnet Schools
Ms. Maliha Balala	Seneca Creek Charter School
Ms. Judy Higgins	Crossway Montessori School
Ms. Angela Edwards	Farquhar Middle School

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Docca commented on Pleasant View and Lincoln Park celebrations which she attended.

Dr. Starr stated that he was honored to be the new superintendent in Montgomery County. He also commented plans for his transition and entry into MCPS.

** Ms. Brandman temporarily left the meeting.

RESOLUTION NO. 367-11 Re: **CONTRACTS OF \$25,000 OR MORE**

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

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

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

750453 0057-AA	Job Order Contract** <u>Awardee</u> Centennial Contractors	\$150,000
1139.3	Actuarial Consulting Services <u>Awardees</u> AON Hewitt Mercer Total	\$107,200 <u>78,950</u> \$186,150
4091.6	Art and School Papers—Extension <u>Awardees</u> AFP Industries, Inc.* DGS Educational Products* Integrity School Supplies* Pyramid Paper Company School Specialty, Inc. Total	\$ 22,463 59,818 217,353 56,845 <u>1,840</u> \$358,319
4142.3	Purchase of Uniforms—Extension <u>Awardee</u> Classic Custom Products*	\$300,000
6805.1	Cheese and Cheese Products—Extension <u>Awardee</u> Land O'Lakes, Inc.	\$193,485
7112.4	Lawn Maintenance Equipment—Extension <u>Awardees</u> BMR, Inc. Gaithersburg Equipment Company Mid Atlantic Turf Equipment, LLC* Total	\$ 90,411 52,205 <u>7,500</u> \$150,116
7131.4	Commodity Product Processing Services—Extension <u>Awardees</u> Advance Pierre Foods Jennie-O Turkey Store Sales, LLC Pilgrim's Pride Corporation Tyson Sales & Distribution, Inc. Total	\$311,504 70,500 229,500 <u>359,230</u> \$970,734
9015.5	Ceiling Board and Grid System Materials—Extension <u>Awardees</u>	

	B & B Concepts*	\$ 2,000
	Capitol Building Supply	<u>66,930</u>
	Total	\$ 68,930
9102.8	Beverages, Chips, and Snacks—A La Carte <u>Awardees</u>	
	Dori Foods, Inc.	\$389,025
	Royalle Dining Services, Inc.*	<u>392,095</u>
	Total	\$781,120
9103.10	Groceries and Staples <u>Awardees</u>	
	Cains Foods	\$ 13,535
	Dori Foods, Inc.	372,739
	Eastern Food Services, Inc.*	48,400
	Feesers, Inc.	54,247
	Interstate Gourmet Coffee Roasters, Inc.	16,260
	Kellogg's Food Away From Home	72,564
	Key Mix Corporation	14,300
	Mr. Enterprises, Inc.*	271,779
	PFG—Carroll County Foods, Inc.*	36,218
	Sysco Food Services of Baltimore, LLC	<u>78,967</u>
	Total	\$979,009
9537.3	Frozen Foods Supplement—Extension <u>Awardees</u>	
	Feesers, Inc.	\$ 7,365
	J. R. Simplot Company	40,800
	Kellogg's Food Away From Home	84,600
	Let's Do Lunch	144,905
	McCain Foods USA	44,400
	Midas Foods International	28,965
	Summers Food Brokers*	<u>37,766</u>
	Total	\$388,801
9567.1	Chicken, Cooked/Frozen—Extension <u>Awardees</u>	
	Ling's*	\$560,540
	Midas Foods, Inc.	10,295
	Pilgrim's Pride Corporation	<u>112,500</u>
	Total	\$683,335
9655.1	On-Call Electrical Services at Various Locations** <u>Awardees</u> (See note below)	

Complete Electrical Systems, Inc.	
Tex/Am Construction Company, Inc.*	
Web Electric, Inc.	
Total	\$ 200,000

TOTAL PROCUREMENT CONTRACTS OVER \$25,000 \$5,409,999

* 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. 368-11 Re: **CONTRACT APPROVAL FOR BID NO. 9101.12, PROCESSED MEATS AND REFRIGERATED AND FROZEN FOODS – EXTENSION**

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

WHEREAS, Funds have been budgeted for the purchase of processed meats and refrigerated and frozen foods through Bid No. 9101.12; now therefore be it

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

9101.12 Processed Meats and Refrigerated and Frozen Foods—Extension

Awardees

Advance Pierre Foods	\$ 318,500
Cargill Kitchen Solutions, Inc.	95,250
Conagra Foods, Inc.	19,074
Dori Foods, Inc.	366,995
Eastern Food Services, Inc.*	57,359
Feesers, Inc.	76,465
Foodco USA*	7,700
H. Schrier & Company, Inc.	1,022,130
Hadley Farms, Inc.	270,780
Karetas Foods, Inc.	184,083
McCain Foods USA	137,280
Muffin Town	100,300
PFG—Carroll County Foods, Inc.*	134,286
RSW Distributors/Culinary Standards	20,480
The J. M. Smucker Company	<u>382,410</u>

Total

\$3,193,092

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

RESOLUTION NO. 369-11 Re: **AWARD OF CONTRACTS – BEVERLY FARMS ELEMENTARY SCHOOL MODERNIZATION**

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

WHEREAS, On February 9, 2010, the Board of Education authorized staff in the Department of Facilities Management 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, On June 27, 2011, the Board of Education awarded contracts for the site work, geothermal, concrete, masonry, steel, carpentry, roofing, glass and glazing, drywall, kitchen equipment, casework, sprinkler, mechanical, and electrical trades for the Beverly Farms Elementary School modernization project; and

WHEREAS, The following bids were received on June 9, 2011, for the Beverly Farms Elementary School modernization project 9B-Flooring trade package:

<u>Bidder</u>	<u>Amount</u>
DeGol Carpet	\$ 172,900
Apartment & Business Flooring Systems, Inc.	178,845

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 construction management contract contains provisions that permit Montgomery County Public Schools to assign the awarded trade contracts to Meridian Construction Company, Inc. as part of a guaranteed price agreement to complete the Beverly Farms Elementary School modernization project; and

WHEREAS, Staff in the Department of Facilities Management has negotiated and

recommends approval of a guaranteed price contract with Meridian Construction Company, Inc. for the completion of the Beverly Farms Elementary School modernization project that includes the assignment of trade work awarded by Montgomery County Public Schools, along with all management and general conditions costs; and

WHEREAS, Meridian Construction Company, Inc. has agreed to accept the assignment of the Beverly Farms Elementary School trade contracts awarded on June 27, 2011, and July 7, 2011, and complete the project for the guaranteed price; and

WHEREAS, The aggregate goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 13 percent; and

WHEREAS, The aggregate Minority Business Enterprise participation submitted is 24.26 percent Maryland Department of Transportation-certified, of which 5.69 percent is African American-owned, 11.33 percent is female-owned, and 7.24 percent is other minority-owned; now therefore be it

Resolved, That a \$172,900 contract be awarded to DeGol Carpet for the 9B-Flooring trade package for the Beverly Farms Elementary School modernization project; and be it further

Resolved, That the trade contracts awarded for the Beverly Farms Elementary School modernization project be assigned to Meridian Construction Company, Inc.; and be it further

Resolved, That a contract in the amount of \$22,740,664, to include the assignment of the trade contract awards, be awarded to Meridian Construction Company, Inc. for the Beverly Farms Elementary School modernization project, in accordance with drawings and specifications prepared by Muse Architects.

RESOLUTION NO. 370-11 Re: **HUMAN RESOURCES AND DEVELOPMENT
MONTHLY REPORT**

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

WHEREAS, The educators and others who are employed by Montgomery County Public Schools are key partners in the important work and achievements of the school system; now therefore be it

Resolved, That the Board of Education approves the monthly Human Resources and Development Report with its listings identifying new employees, employee resignations, and other employee status updates; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting.

RESOLUTION NO. 371-11 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective July 8, 2011:

- Andrea L. Christman, currently media specialist, Rosa M. Parks Middle School, as supervisor, School Library Media Programs

** Ms. Brandman rejoined the meeting.

RESOLUTION NO. 372-11 Re: HUMAN RESOURCES 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 8, 2011:

- Elliot M. Alter, currently assistant principal, Meadow Hall Elementary School, as principal, Beall Elementary School

RESOLUTION NO. 373-11 Re: HUMAN RESOURCES 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 8, 2011:

- Kimberly A. Statham, currently independent education consultant, as principal, Wheaton Woods Elementary School

ACTION ON THE CHARTER SCHOOL APPLICATIONS

Re: **RESOLUTION FOR COMMUNITY
MONTESSORI CHARTER SCHOOL
APPLICATION**

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

WHEREAS, Montgomery County Board of Education Policy CFB, *Public Charter Schools*, sets forth the process for reviewing public charter school applications; and

WHEREAS, Montgomery County Public Schools received a charter school application for Community Montessori, a proposed Grades Pre-K–3 Montessori school; and

WHEREAS, In accordance with Board Policy CFB, *Public Charter Schools*, the technical review, a nonsubstantive review that ensures that the application is complete prior to the substantive review, was completed and the application was deemed complete; and

WHEREAS, An extensive review and examination of the application was conducted by a multistakeholder panel consisting of members with different areas of expertise including, among others, the offices of School Performance, Special Education and Student Services, Curriculum and Instructional Programs, and the Chief Operating Officer; and panelists comprised of representatives from the community, higher education, businesses, and the Montgomery County Public Schools employee associations; and

WHEREAS, The review panel through consensus recommended that the Montgomery County Board of Education approve the application; and

WHEREAS, The superintendent of schools supports the recommendation of the review panel; now therefore be it

Resolved, That for the reasons stated in the superintendent of schools' memorandum dated June 27, 2011, and for the reasons set forth by Board members today, the Board of Education of Montgomery County approves the application of Community Montessori to open a public charter school in Montgomery County, subject to interior modifications for space reconfiguration and kitchen upgrade, compliance with all legal requirements applicable to the facility and contingent upon successful negotiation of the charter agreement.

Re: **AN AMENDMENT TO THE RESOLUTION FOR
COMMUNITY MONTESSORI CHARTER
SCHOOL APPLICATION**

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

Resolved, That for the reasons stated in the superintendent of schools' memorandum dated June 27, 2011, and for the reasons set forth by Board members today, the Board of Education of Montgomery County approves the application of Community Montessori to open a public charter school in Montgomery County, subject to interior modifications for space reconfiguration and kitchen upgrade, compliance with all legal requirements applicable to the facility and contingent upon successful negotiation of the charter agreement **and receipt of an approved waiver from the Maryland State Board of Education for creation of a catchment area for the Community Montessori Public**

Charter School to be defined cooperatively between the school system and the applicant and made a part of the charter agreement; and be it further

Resolved, That the superintendent of schools is directed to complete, execute, and amend as necessary, the charter agreement within the time required by law and in accordance with this approval resolution.

RESOLUTION NO. 374-11 Re: **AN AMENDMENT TO THE RESOLUTION FOR COMMUNITY MONTESSORI CHARTER SCHOOL APPLICATION**

On motion of Mr. Barclay and seconded by Ms. Brandman, the following amendment was withdrawn with Mr. Barclay, Ms. Berthiaume, Ms. Brandman, Dr. Docca, Mr. Durso, Mr. Kauffman, and Mr. Xie voting in the affirmative; Mrs. O'Neill voting in the negative:

Resolved, That for the reasons stated in the superintendent of schools' memorandum dated June 27, 2011, and for the reasons set forth by Board members today, the Board of Education of Montgomery County approves the application of Community Montessori to open a public charter school in Montgomery County, subject to interior modifications for space reconfiguration and kitchen upgrade, compliance with all legal requirements applicable to the facility and contingent upon successful negotiation of the charter agreement **and receipt of an approved waiver from the Maryland State Board of Education for creation of a catchment area for the Community Montessori Public Charter School to be defined cooperatively between the school system and the applicant and made a part of the charter agreement; and be it further**

Resolved, That the superintendent of schools is directed to complete, execute, and amend as necessary, the charter agreement within the time required by law and in accordance with this approval resolution.

RESOLUTION NO. 375-11 Re: **RESOLUTION FOR COMMUNITY MONTESSORI CHARTER SCHOOL APPLICATION**

On motion of Mr. Barclay and seconded by Ms. Berthiaume, the following resolution was adopted unanimously.

Resolved, That the Board of Education table final action until July 25, 2011, and be it further

Resolved, That the Board of Education directs staff to provide clarification on the following issues: (1) will the school be open to all MCPS students; (2) what will be the catchment area, and the justification for the defined catchment area; (3) what is the process for creating a catchment area, i.e., cooperation with MCPS with an approved waiver from

MSBOE; (4) what will be the lottery process for those students in/out of catchment area; (5) will the agreement with the charter school include language regarding the catchment area; (6) will the facility be brought up to code; (7) will the principal and teachers meet certification requirements, and if so, which certification requirements (MCPS, Montessori, etc.); and (8) does the student's vote count?

RESOLUTION NO. 376-11 Re: **RESOLUTION FOR SENECA CREEK
CHARTER SCHOOL APPLICATION**

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 Board of Education Policy CFB, *Public Charter Schools*, sets forth the process for reviewing public charter school applications; and

WHEREAS, Montgomery County Public Schools received a charter school application for Seneca Creek, a proposed Grades K–8 school with an emphasis on using the environment as an integrating context for learning; and

WHEREAS, In accordance with Board Policy CFB, *Public Charter Schools*, the technical review, a nonsubstantive review that ensures that the application is complete prior to the substantive review, was completed and the application was deemed complete; and

WHEREAS, An extensive review and examination of the application was conducted by a multistakeholder panel consisting of members with different areas of expertise including, among others, the offices of School Performance, Special Education and Student Services, Curriculum and Instructional Programs, and the Chief Operating Officer; and panelists comprised of representatives from the community, higher education, businesses, and the Montgomery County Public Schools employee associations; and

WHEREAS, The review panel through consensus recommended that the Montgomery County Board of Education not approve the application; and

WHEREAS, The superintendent of schools supports the recommendation of the review panel to deny the application; now therefore be it

Resolved, That for the reasons stated in the superintendent of schools' memorandum dated June 27, 2011, and for the reasons set forth by Board members today, the Montgomery County Board of Education does not approve the application of Seneca Creek to open a public charter school in Montgomery County.

Re: **DISCUSSION**

For the full discussion of the Board's reasons, please refer to.

<http://www.montgomeryschoolsmd.org/boe/meetings/archive/2011/2011-0707.shtm>

A brief summary of the Board's reasons for denying the charter application are as follows:

- Serious concerns about the staff's ability to operationalize the proposed instructional program;
- Concern that the instructional blueprint is a loose grouping of goals without a developed plan for curriculum implementation and without appropriate assessments;
- Concern that the proposed facility is inadequate including inadequate planning for building safety and security;
- Inadequate plan for professional development of teachers;
- Concern that proposed reliance on cold meals only is not appropriate;
- Concern that the planned reliance on volunteers to supplement instruction in the arts and other non-core courses is problematic.

Re: **WORLD LANGUAGES CURRICULUM
FRAMEWORK**

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

WHEREAS, On February 13, 2001, the Board of Education approved a curriculum policy that guides the development, implementation, and monitoring of curricula throughout the school system; and

WHEREAS, A draft curriculum framework was developed for world languages; and

WHEREAS, The draft curriculum framework was shared with stakeholder groups; and

WHEREAS, Feedback and input from stakeholders have been used to develop and refine the World Languages Curriculum Framework; now therefore be it

Resolved, That the Board of Education grants preliminary approval of the Montgomery County Public Schools World Languages Curriculum Framework as the foundation for developing and disseminating curriculum, instruction, assessment, and professional development resources in an online learning community.

RESOLUTION NO. 377-11 Re: **AN AMENDMENT TO WORLD LANGUAGES
CURRICULUM FRAMEWORK**

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

Resolved, That the draft curriculum framework be made available to the community for appropriate feedback and input before its final adoption in the fall of 2011.

RESOLUTION NO. 378-11 Re: **WORLD LANGUAGES CURRICULUM
FRAMEWORK**

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

WHEREAS, On February 13, 2001, the Board of Education approved a curriculum policy that guides the development, implementation, and monitoring of curricula throughout the school system; and

WHEREAS, A draft curriculum framework was developed for world languages; and

WHEREAS, The draft curriculum framework was shared with stakeholder groups; and

WHEREAS, Feedback and input from stakeholders have been used to develop and refine the World Languages Curriculum Framework; now therefore be it

Resolved, That the Board of Education grants preliminary approval of the Montgomery County Public Schools World Languages Curriculum Framework as the foundation for developing and disseminating curriculum, instruction, assessment, and professional development resources in an online learning community; and be it further

Resolved, That the draft curriculum framework be made available to the community for appropriate feedback and input before its final adoption in the fall of 2011.

RESOLUTION NO. 379-11 Re: **CLOSED SESSION RESOLUTION**

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Dr. Docca, the following resolution was adopted unanimously:

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on Monday, July 25, 2011, 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* 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 all such meetings shall continue in closed session until the completion of business.

RESOLUTION NO. 380-11 Re: **REPORT OF CLOSED SESSIONS**

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Dr. Docca, the following report was adopted unanimously:

On June 21, 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 Board of Education of Montgomery County met in closed session from 9:00 a.m. to 5:40 p.m. in the Director's Conference Room, Rockville Library, Rockville Maryland, and:

1. Discussed employee performance of certain employees, capacity, and promotion and how they impact the administration of the school system, as permitted under Section 10-508(a)(1) of the *State Government Article* and Section 4-107(d) of the *Education Article*.
2. Discussed team building, transition to a new superintendent. In addition, the Board officers reviewed established processes for the upcoming consideration of charter school applications. These topics are matters of an administrative function which are outside the purview of the *Open Meetings Act*.

In attendance at the 9:00 a.m. closed session were Chris Barclay, Laura Berthiaume, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, Patricia O'Neill, Ikhide Roland Ikheloa, Suzann King, Glenda Rose, Laura Steinberg, and Joshua Starr, and Andrew Gelber. At noon, the following staff joined the meeting: Larry Bowers, Brian Edwards, Frieda K. Lacey, and Frank Stetson.

On June 27, 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 closed session on June 27, 2011, from 5:35 to 6:30 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and:

1. Adjudicated Appeals T-2011-17, T-2011-18, T-2011-19, and T-2011-20, in its quasi-judicial capacity outside the purview of the *Open Meetings Act* and received legal

advice regarding these appeals, as permitted under Section 10-508(a)(7) of the *State Government Article*.

2. Discussed background and personnel information on the Human Resources and Development appointments as permitted under Section 10-508(a)(1) of the *State Government Article*.
3. Discussed appointments to the Citizens Advisory Committee on Family Life and Human Development and the Montgomery County Collaboration Board for Career and Technology Education as permitted under Section 10-508(a)(1) of the *State Government Article*.
4. The superintendent discussed his staffing and reorganization of administrative departments and strategy involving matters of school funding which are administrative functions outside the purview of the *Open Meetings Act*.

In attendance at the 5:35 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 Patrick Clancy. At 6:00 p.m., Mr. Clancy left the meeting and the following staff joined the meeting: Larry Bowers, Frieda K. Lacey, and Jerry Weast. At 6:20 p.m., the following staff joined the meeting: Brian Edwards, Carole Goodman, Ursula Hermann, Don Kress, Erick Lang, Bronda Mills, Chris Richardson, Frank Stetson, and Lori-Christina Webb.

RESOLUTION NO. 381-11 Re: **APPOINTMENT OF STUDENT MEMBER OF THE BOARD TO THE POLICY COMMITTEE**

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Dr. Docca, the following resolution was adopted unanimously:

WHEREAS, On November 13, 2001, the Board of Education formally established a Policy Committee when it adopted revisions to Policy BFA (Policysetting); and

WHEREAS, The Policy Committee consists of not less than three members serving staggered terms of three years each; and

WHEREAS, Pursuant to Policy BFA, the Board may appoint the student member to serve as a fourth full member of the Policy Committee; and

WHEREAS, Mr. Alan Xie's term expired on June 30, 2011; now therefore be it

Resolved, That Mr. Alan Xie, student member, be appointed to serve as a member of the Board of Education's Policy Committee until the expiration of his term of office on June 30, 2012.

RESOLUTION NO. 382-11 Re: **APPEALS**

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Dr. Docca, 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:

Appeal Number	Type	Disposition
T-2011-22	Student Transfer	Affirmed
T-2011-23	Student Transfer	Affirmed
T-2011-25	Student Transfer	Affirmed

Re: **BOARD COMMITTEE UPDATES** (IF NEEDED)

There were no committee updates.

Re: **NEW BUSINESS**

There was no new business.

Re: **ITEMS OF INFORMATION**

The following documents were available:

1. Legal Fees Report
2. Construction Progress Report

RESOLUTION NO. 382(a)-11 Re: **ADJOURNMENT**

On recommendation of the Superintendent and on motion of Ms. Brandman seconded by Mr. Kauffman, the following resolution was adopted unanimously:

Resolved, That the Board of Education adjourn its meeting of July 7, 2011, at 12:55 p.m.

PRESIDENT

SECRETARY

JPS:gr

Resolution	Barclay	Berthiaume	Brandman	Docca	Durso	Kauffman	O'Neill	Xie
Community Montessori Charter School (tabled)	A	A	A	A	A	A	A	A
Seneca Creek Charter School	A	A	A	A	A	A	A	A
World Languages Curriculum Framework	A	A	A	A	A	A	A	A

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

Re: **LUNCH**

The Board of Education had lunch from 1:00 to 1:50 p.m. in Room 120.