

APPROVED
33-2011

Rockville, Maryland
December 6, 2011

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, Rockville, Maryland, on December 6, 2011, beginning at 8:36 a.m.

Present: Ms. Shirley Brandman, President
in the Chair
Mr. Christopher Barclay
Ms. Laura Berthiaume
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.

With a quorum present, the Board of Education met in open session at 8:36 a.m.

RESOLUTION NO. 533-11 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 by members present:

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on December 6, 2011, in Room 120 from 8:30 to 10:00 a.m. and 12:15 to 1:30 p.m.; and be it further

Resolved, That the superintendent of schools brief the Board on the Monthly Human Resources and Development Report and Appointments, with a subsequent vote in open session, which is an administrative function outside the purview of the *Open Meetings Act* and, to the extent any individual employee is discussed, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the superintendent of schools brief the Board on changing the structure and assignments of his professional assistants and other staff, which is an administrative function outside the purview of the *Open Meetings Act* and, to the extent any individual employee is discussed, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board receive legal advice and discuss legal implications of recent *Open Meetings Act* opinion regarding the superintendent search, as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board receive legal advice and consult with staff and individuals about *S.C. et al., vs. Jerry D. Weast, et al.*, as permitted under Section 10-508(a)(7) and Section 10-508(a)(8), respectively, of the *State Government Article*; and be it further

Resolved, That the Board receive legal advice and consult with staff and individuals about litigation pending in Montgomery County Circuit Court, as permitted under Section 10-508(a)(7) and Section 10-508(a)(8), respectively, of the *State Government Article*; and be it further

Resolved, That the Board receive a briefing by staff and discuss ongoing collective bargaining negotiations and matters that relate to the negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article*; and be it further

Resolved, That the Board receive legal advice as the Board adjudicates appeals, which is a quasi-judicial function outside the purview of the *Open Meetings Act* and as permitted under Section 10-508(a)(7) 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 8:41 to 9:46 a.m. After an eight-minute break, the Board of Education reconvened in open session at 10:02 a.m.

To view specific sections or the entire meeting, please watch at <http://www.montgomeryschoolsmd.org/boe/meetings/archive/2011/2011-1206.shtm>

Re: **ELECTION OF OFFICERS**

Dr. Starr announced that, as secretary/treasurer of the Board of Education, he would preside until the election of the president. To be elected president or vice president, a member needed five votes, and all members were in nomination. The votes for president were as follows:

Mr. Xie voted for Ms. Brandman
Mr. Kauffman voted for Ms. Brandman

Mrs. O'Neill voted for Ms. Brandman
Dr. Docca voted for Ms. Brandman
Ms. Brandman voted for Ms. Brandman
Ms. Berthiaume voted for Ms. Brandman
Mr. Durso voted for Ms. Brandman
Ms. Brandman voted for Ms. Brandman

Ms. Brandman assumed the chair and presided over the election of the vice president.

Mr. Kauffman voted for Mr. Barclay
Mr. Xie voted for Mr. Barclay
Dr. Docca voted for Mr. Barclay
Mr. Durso voted for Mr. Barclay
Ms. Berthiaume voted for Mr. Barclay
Mr. Barclay voted for Mr. Barclay
Mrs. O'Neill voted for Mr. Barclay
Mr. Barclay voted for Mr. Barclay

Re: **PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance.

RESOLUTION NO. 534-11 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its December 6, 2011, agenda.

RESOLUTION NO. 535-11 Re: **NATIONAL INCLUSIVE SCHOOLS WEEK**

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

WHEREAS, The Urban Special Education Leadership Collaborative and Education Development Center, Inc. has designated the week of December 5-9, 2011, as National Inclusive Schools Week; and

WHEREAS, Montgomery County Public Schools is committed to providing a high quality, world class education that ensures every student can achieve success in an inclusive environment that provides effective instruction for diverse learners, regardless of race, gender, socio-economic status, cultural heritage or disability; and

WHEREAS, Montgomery County Public Schools, recognized for promoting excellence for all students, serves the most diverse student population in the state of Maryland and the second largest group of students with disabilities and strives to provide equitable

instructional practices by embracing the principles of Universal Design for Learning; and

WHEREAS, The administrators, educators, staff members, and families of Montgomery County Public Schools continue their collaborative efforts to ensure that classrooms and schools exemplify high standards, inclusive practices, and success for all; and

WHEREAS, Montgomery County Public Schools is committed to a stronger and more inclusive community within our schools and classrooms through professional development opportunities that promote co-teaching, collaborative planning, differentiated instruction, and the use of technology to enable students with disabilities to access the curriculum; and

WHEREAS, The educators and families of Montgomery County Public Schools celebrate students' progress and continuously and collaboratively seek to improve practices that foster equity and excellence for all students; now therefore be it

Resolved, That the Montgomery County Board of Education and the superintendent of schools join with the Urban Special Education Leadership Collaborative and Education Development Center, Inc. in declaring the week of December 5th, 2011, as National Inclusive Schools Week in Montgomery County Public Schools and supporting schools and classrooms across the county in promoting inclusion by sponsoring appropriate learning and community-building activities.

RESOLUTION NO. 536-11 Re: **IN APPRECIATION OF DR. HARRY PITT**

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

WHEREAS, The Montgomery County Board of Education is deeply saddened by the death on December 3, 2011, of Dr. Harry Pitt, an exemplary leader who retired from Montgomery County Public Schools on June 30, 1991, as superintendent of schools; and

WHEREAS, For three decades, Dr. Pitt served the students of Montgomery County in a variety of positions from assistant principal at Walt Whitman High School to superintendent of schools; and

WHEREAS, Under Dr. Pitt's dynamic leadership, Montgomery County Public Schools continued to strive for improvement in the recruitment and retention of new teachers, early childhood education, minority student achievement and participation, and parental involvement; and

WHEREAS, Dr. Pitt cared deeply for children and devoted his career in Montgomery County to their achievement; and

WHEREAS, Dr. Pitt's command of budgetary matters and his passionate vigor in defending budgets to support the educational needs of children were unequalled; and

WHEREAS, Dr. Pitt's thorough knowledge of the programs and community of Montgomery County Public Schools and his energy in directing the school system were key factors in his successful tenure as superintendent of schools; now therefore be it

Resolved, That on behalf of the staff, students, and citizens of Montgomery County, the Board of Education extends its condolences to Dr. Pitt's family on his passing; and be it further

Resolved, That a copy of this resolution be sent to the family of Dr. Pitt.

Re: **PUBLIC COMMENTS**

The following people commented before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Ilene Freedman	National Inclusive Schools Week
2. Victoria Cowles	National Inclusive Schools Week
3. Sara Shor	National Inclusive Schools Week
4. Rebecca Rodriguez	National Inclusive Schools Week
5. Anita Seckinger	National Inclusive Schools Week
6. Peggy Dennis	Nick's Organic Farm
7. Delores Milnow	Nick's Organic Farm
8. Naomi Block	Nick's Organic Farm
9. Caleb Douglas	Nick's Organic Farm
10. Maria Fusco	Nick's Organic Farm
11. Eric Lewis	Nick's Organic Farm
12. Sabine Dorn	Nick's Organic Farm

Re: **BOARD/SUPERINTENDENT COMMENTS**

Board members took the opportunity to congratulate the newly elected officers, and they looked forward to working with them in the coming year.

Mr. Xie added that he attended the local bills hearing for board student member voting rights. There were a number of students from across the county that testified in favor of the bill. Also, there is an upcoming student advisory council, and he encouraged students to attend.

Dr. Docca commented on attending (1) the George B. Thomas Learning Academy held its 25th Anniversary Celebration, (2) the Community Foundation awarded Jeffrey Slavin the Philanthropist of the Year, (3) Scholarship and Donor Recognition luncheon, (4) Latino Dance Competition, (5) 38th Anniversary of Organization of Chinese Americans Awards Dinner, and (6) Madeline Hanington, an English teacher at Gaithersburg Middle

School, was named a Milken Educator of the Year by the Milken Family Foundation.

Mr. Barclay and Ms. Brandman thanked their colleagues for their support and confidence in electing them officers for the coming year.

Mr. Barclay noted the upcoming retirement of Dr. Frieda Lacey and her many dedicated years to children in the county. Also, he reported on his courtesy trip to Japan and the sharing of information with educational colleagues.

Dr. Staff congratulated the new officers, acknowledged the lifelong work of Dr. Lacey, the Milken Educator Award, Listen and Learn Report, Superintendent's Book Club, the upcoming operating budget presentation, and the recognition of Dr. Harry Pitt.

Re: **UPDATE ON SEVEN KEYS TO COLLEGE
AND CAREER READINESS 2011 DATA
POINTS**

Mr. Adrian Tally, associate superintendent of the Office of Shared accountability, reported that each year the Montgomery County Board of Education reviews the school district's progress on important data points. These data points span all five goals of *Our Call to Action: Pursuit of Excellence*, the strategic plan for Montgomery County Public Schools (MCPS) and provide a panoramic view of system progress. Of all the data points, seven instructional data points have been identified as having heightened importance for student success. The Seven Keys to College and Career Readiness (Seven Keys), launched by MCPS in 2008, is a pathway that identifies benchmarks for evaluating if students are on the trajectory for college and career readiness. The Seven Keys begin with Key 1, advanced reading in kindergarten and end with Key 7, 1650 SAT, 24 ACT, at the high school level. MCPS developed the Seven Keys based on Office of Shared Accountability research, which identified key data points in a student's school career that are reliable predictors of whether a student will be fully ready for college-level work. The Seven Keys also are predicated upon an abundance of national research that consistently indicates that the rigor of a student's high school curriculum is one of the prime factors in predicting whether a college freshman will go on to complete a bachelor's degree.

In order to ensure that every student is college and career ready, MCPS did not rely on the Maryland state high school graduation requirements. The Seven Keys are more demanding than the Maryland State high school graduation requirements—which may not be sufficient to prepare students to take and do well in college-level classes or prepare them for success in the workplace, where higher-level skills are necessary. The Seven Keys are embedded in the strategic plan, which identifies the key performance targets that raise expectations and standards in an effort to realize the goal that student and school performance will not be predictable by race/ethnicity, language proficiency, disability or socioeconomic status. The performance targets reflect the requirements of national, state, and local accountability mandates for high school graduation. Although all of the performance targets are rigorous, performance standards that place students

on track for high school graduation are not rigorous enough to place students on a trajectory for success in college or competitiveness in a global workforce.

The Literacy Keys

Key 1: Advanced reading in Grades K–2. This first key is intended to ensure that students obtain a strong foundation in literacy in the early years. In the early grades, students read and comprehend levels of text that are of increasing difficulty. To be academically ready for college or a career, MCPS students are expected to read and understand passages at the advanced level on the MCPS primary reading assessments from kindergarten to Grade 2. In kindergarten, students who can read Level 6 text by the end of the year are reading at advanced levels. By the end of Grade 1, students should be reading Level 16 books. In Grade 2, students who score in the 70th percentile or higher on a national test, the *TerraNova Second Edition (TN/2)* are reading at advanced levels. Scoring at the 70th percentile means that they perform better than 70 percent of students nationwide. Our 2011 data show that 76 percent of kindergarten students are reading at Text Level 6, and 44 percent of MCPS Grade 2 students scored at or above the 70th percentile on the TN/2. Although we continue to make consistent progress with our kindergarten students reaching Text Level 6, our success rate with the percentage of students reaching the 70th percentile on TN/2 remains relatively flat. This is an area that continues to require monitoring as well as to initiate discussions about practices that will enhance teaching and learning to address the advanced reading needs of our Grade 2 students.

Key 2: Advanced reading on MSA in Grades 3–8. This key identifies where students need to be in upper elementary school and middle school. Maryland School Assessment (MSA) results are scored as “basic,” “proficient,” or “advanced.” Students who score “advanced” demonstrate more complex reading, thinking, writing, and creative problem-solving skills. In Grades 3–8, MCPS students are expected to score at the advanced level on the MSA in reading.

The Math Keys

Key 3: Advanced math in Grade 5. Students can be accelerated in math as early as kindergarten. In Grade 5, students are provided the opportunity to experience advanced level mathematics work. This key monitors proficiency at the advanced level. For Grade 5 students participating in higher level mathematics courses, successful performance means meeting one of two possible criteria. For the majority of students, success was determined by meeting or exceeding the established proficiency level on the Math Unit Assessment for the course in which they were enrolled: Mathematics 6, Mathematics 7, or Algebra Prep. For a limited number of Grade 5 students enrolled in Investigations into Mathematics (IM) or Algebra 1 or enrolled outside of their elementary school and not participating in MCPS unit assessments, success was determined by passing the course with a final letter grade of “D” or higher. There has been ongoing discussion related to mathematics, mathematics instruction, and mathematics acceleration. This constructive and inclusive discussion may have implications for this

key. The current discussion is focused on exactly what our students need as they leave elementary school and move to middle school.

Key 4: Algebra 1 by Grade 8 with a “C” or higher. Research has indicated that Algebra 1 provides an important gateway to academic success. Students who complete Algebra 1 with a “C” or higher by the end of Grade 8 are more likely to be successful in science and higher level mathematics courses in high school, as well as on entrance exams for college. Since 2001, MCPS has seen a steady increase in the percentage of Grade 8 students achieving Key 4, from 41 percent in 2001 to 63 percent in 2011. The Seven Keys originally looked at students earning a “C” or higher, while the district target in the Annual Report was based on a student earning a “D” or higher. A grade of “C” represents an acceptable level of performance whereas a grade of “D” represents a minimal level of performance. In order to align all reporting with the rigorous Seven Keys, it was necessary to change our system’s business rules to review the Algebra 1 data through the lens of students earning a “C” or higher in all data reported.

Key 5: Algebra 2 by Grade 11 with a “C” or higher. Research indicates that students who complete Algebra 2 by the end of Grade 11, with a “C” or higher, will perform better on the SAT and ACT college entrance exams and are less likely to have to take remedial mathematics courses in college. Students who complete Algebra 2 also are more than twice as likely to graduate from college than are students with less mathematical preparation. Prior to establishing Algebra 2 as a critical key on the pathway to college and career readiness, student achievement remained relatively flat at slightly more than 50 percent of students completing Algebra 2 by Grade 11 with a “C” or higher. Subsequent to this heightened focus, including the initiation of an M-Stat team to examine the Key 5 data, almost 60 percent of students attained Key 5 in 2011. Performance for all racial/ethnic subgroups, in addition to all services groups except English for Speakers of Other Languages students, improved and the successful completion data increased in 2011.

The High School Keys

Key 6: Score of 3 on an AP exam or 4 on an IB exam. Advanced Placement (AP) courses are offered in all MCPS high schools and International Baccalaureate (IB) courses are available in eight MCPS high schools; both are college-level courses. It is important for students to take the AP and IB exams that are offered at the end of these courses. Students who take the exams perform better in college than those who do not. Students who score a 3 or higher (on a scale of 1-5) on an AP exam or a 4 or higher (on a scale of 1-7) on an IB exam may earn advanced standing in college or college credit. Each college sets its own criteria for awarding credit. Many students take AP and IB exams across their high school years. The data indicate the percentages of graduates who took at least one AP and/or IB exam at any time during high school. The method MCPS uses for calculating AP/IB exam performance changed in 2011 to include among “graduates” all students graduating throughout the period beginning July of the previous year and ending in June, not just those students graduating in June, as reported in previous years. Of graduates in the MCPS Class of

2011, 50.3 percent earned a score of 3 or higher on at least one AP exam or 4 or higher on at least one IB exam, which is a slight increase from 50.1 percent in 2010.

Key 7: Score of 1650 on the SAT or 24 on the ACT. Scoring at least 1650 on the SAT (maximum score 2400) or 24 on the ACT (maximum score 36) college entrance exams helps students gain acceptance to the colleges of their choice. It minimizes the chance that students will have to take remedial courses in college, and it also increases their chances of earning a college degree. In preparation for the SAT, MCPS offers all Grade 10 students the opportunity to take the PSAT (preliminary SAT) free of charge. While the SAT has historically been the test most commonly taken by MCPS high school students in preparation for applying to college, increasing numbers of MCPS high school students have taken the ACT over the past several years in addition to, or in lieu of, the SAT.

In 2011, the method MCPS used for calculating the performance rate changed from methods used in previous years in three ways: the calculation included ACT (not just the SAT); it considered the highest score in one test administration (not the score from the most recent test administration); and it only included those test takers graduating during the 2010-2011 school year (as opposed to all test takers during the school year). Using the new calculation method, the SAT/ACT performance rate decreased from 51.9 percent in 2010 to 50.4 percent in 2011.

As we look at improving student success, we have focused our monitoring of the keys through our M-Stat process. Currently, we have an M-Stat team directly linked to each of the Seven Keys. These cross-functional teams carefully and systematically gather and analyze data, determine practices that may be taken to scale, and address teaching and learning processes that will improve student results. The work of the SAT M-Stat team is an example of how a team can impact the system's responsiveness when the data indicate the need for action. Through the work of the SAT M-Stat team, a new SAT/ACT Monitoring Tool was created, which allowed school staff members to monitor students' SAT scores more carefully. Specific training was provided to high school staff regarding use of the tools. An SAT summit was held, through the efforts of a cross-functional team, to share best practices used at schools, provide a common understanding of what schools need to do to affect change positively, and reestablish system expectations. The M-Stat teams galvanize our resources and create a focused approach to system issues.

Re: **DISCUSSION**

The following comments were made by Board Members:

- Dr. Docca was pleased that college and career readiness was part of the data.
- Mr. Durso noted that the literacy keys predict success when MCPS has the students for the earlier grades, but the success is not as high with students who join the school system in secondary school.
- Mr. Kauffman inquired on why the ESOL and special education data was not

included in the data.

- Mr. Kauffman wanted to know why the predictor of a grade "C" in algebra in grade 8 was chosen. Is it a causation or correlation?
- Mrs. O'Neill commented that the Seven Keys is a manageable number of targets and keeps students focused on their education and future plans.
- Regarding the data collected on African-American males, Mr. Barclay asked for the current graduation rate and trend data for 10 years.
- Ms. Berthiaume thought that ESOL and special education should be included in the data using additional indicators.
- Mr. Barclay thought it was important for the Board to ask questions to ascertain alignment, improved instruction, and operating budget requests and advocacy.
- Ms. Brandman remarked that the Board struggles with accountability and developing strategies for budget support for effective instruction.
- Mr. Kauffman thought it was important for the Board and staff to set the right targets that signal student success.

Re: **LUNCH AND CLOSED SESSION**

At 12:14 p.m., the Board of Education recessed for lunch and closed session (12:27 to 1:29 p.m.).

Re: **OPEN SESSION**

After an eight-minute break, the Board of Education reconvened in open session at 1:37 p.m.

RESOLUTION NO. 537-11

Re: **CONTRACTS OF \$25,000 OR MORE**

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

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

WHEREAS, It is recommended that RFP No. 9436.1, Emergency Storm Services, be rejected due to costs that were higher than anticipated and cannot be accommodated in this year's budget; now therefore be it

Resolved, That RFP No. 9436.1, Emergency Storm Services, be rejected due to costs that were higher than anticipated and cannot be accommodated in this year's budget; 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:

935200 Reproduction and Copying of Engineering Drawings—Extension

0033	<u>Awardee</u> American Reprographics, Inc.	\$250,000
10CM-204	Football and Lacrosse Equipment Reconditioning <u>Awardee</u> Schutt Reconditioning	\$ 65,000
B5000 1344	Computer Hardware, Software, and Related Services <u>Awardee</u> En Net Services	\$123,500
1062.4	Software Training Services-Extension <u>Awardees</u> (see note) Answer Quest Technologies, Inc. Knowlogy Corporation Learning Tree International Officepro, Inc. Personalized Computer Training Softek Services, Inc. Total	\$143,000
1080.3	Auditing Services-Extension <u>Awardee</u> Clifton Gunderson, LLP	\$128,500
4022.5	On-Call Painting Contractors** <u>Awardees</u> (see note) Colossal Contractors* Hann & Hann JNA Painting Company, Inc. OMF Contractors, Inc.* Tito Contractors* Unisource Services, LLC* Total	\$150,000
4058.5	Office Furniture-Extension <u>Awardees</u>	

	Douron, Inc.*	\$256,320
	Glover Equipment, Inc.	<u>23,496</u>
	Total	\$279,816
4114.4	Classroom Furniture Extension	
	<u>Awardees</u>	
	American Design Associates	\$ 7,961
	Douron, Inc.*	776,526
	Glover Equipment, Inc.	458
	Maryland Correctional Enterprises	44,358
	School Specialty, Inc.	<u>34,326</u>
	Total	\$863,629
4273.2	Academic Service Providers Extension	
	<u>Awardees</u> (see note)	
	Asian American LEAD	
	Peer2Peer Tutors	
	The George B. Thomas, Sr. Learning Academy, Inc.	
	Total	\$100,000
7006.6	Handheld Calculators and CBL Data Collection System	
	<u>Awardees</u>	
	AFP Industries, Inc.*	\$ 30,977
	D&H Distributing Company	460,371
	VWR International	<u>35,352</u>
	Total	\$526,700
9175.4	Latex Running Track Renovations and Repairs Extension**	
	<u>Awardee</u>	
	American Tennis Courts*	\$310,000
9345.4	Portable Classroom Re-roofing at Various Locations Extension**	
	<u>Awardee</u>	
	Interstate Corporation*	\$150,000
9398.2	Retaining Walls and Stormwater Management Modifications**	
	<u>Awardee</u>	
	Walker Willis/T/A Custom Masonry	\$ 200,000
	TOTAL PROCUREMENT CONTRACTS OVER \$25,000	\$3,290,145

* 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. 538-11 Re: **AWARD OF CONTRACTS—GLENALLAN
ELEMENTARY SCHOOL MODERNIZATION**

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

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 Glenallan Elementary School modernization project and awarded a contract for preconstruction services to Dustin Construction, Inc.; and

WHEREAS, The following responsive low bids were received on November 3, 2011, for the Glenallan Elementary School modernization project:

<u>Low Bidders</u>	<u>Amounts</u>
2A-Site Work—Urban N. Zink Contracting, Inc.	\$4,221,150
3A-Concrete—Chevy Chase Contractors, LLC	882,000
4A-Masonry—KaRon Masonry of Maryland, Inc.	1,923,500
5A-Steel—R& R Fabrication, Inc.	1,243,650
6A-Carpentry—Keller Brothers, Inc.	1,204,000
7A-Roofing—Orndorff & Spaid, Inc.	1,040,096
8A-Windows & Glazing—Zephyr Aluminum, LL	995,000
9A-Drywall & Acoustical—Can-Am Contractors, Inc.	532,500
15A-PHVAG—R.W. Warner, Inc.	3,482,600
16A-Electrical—Bandenburg Electric, Inc.	2,027,140

and

WHEREAS, On November 3, 2011, Dustin Construction, 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 Dustin Construction, Inc. as part of a guaranteed price agreement to complete the Glenallan

Elementary School modernization project; and

WHEREAS, Staff in the Department of Facilities Management has negotiated and recommends approval of a guaranteed price contract with Dustin Construction, Inc. for the completion of the Glenallan 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, Dustin Construction, Inc. has agreed to accept the assignment of the Glenallan Elementary School trade contracts awarded on December 6, 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 17.40 percent Maryland Department of Transportation-certified, of which 5.14 percent is African American-owned, 6.63 percent is women-owned, and 5.63 percent is other minority-owned; now therefore be it

Resolved, That the following trade contract packages be awarded to the low bidders for the construction of the Glenallan Elementary School modernization:

<u>Low Bidders</u>	<u>Amounts</u>
2A-Site Work—Urban N. Zink Contracting, Inc.	\$ 4,221,150
3A-Concrete—Chevy Chase Contractors, LLC	882,000
4A-Masonry—KaRon Masonry of Maryland, Inc.	1,923,500
5A-Steel—R& R Fabrication, Inc.	1,243,650
6A-Carpentry—Keller Brothers, Inc.	1,204,000
7A-Roofing—Orndorff & Spaid, Inc.	1,040,096
8A-Windows & Glazing—Zephyr Aluminum, LLC	995,000
9A-Drywall & Acoustical—Can-Am Contractors, Inc.	532,500
15A-PHVAC—R.W. Warner, Inc.	3,482,600
16A-Electrical—Brandenburg Electric, Inc.	2,027,140

and be it further

Resolved, That the trade contracts awarded for the Glenallan Elementary School modernization project be assigned to Dustin Construction, Inc.; and be it further

Resolved, That a contract in the amount of \$22,367,313, to include the assignment of the trade contract awards, be awarded to Dustin Construction, Inc. for the Glenallan Elementary School modernization project, in accordance with drawings and specifications prepared by Walton, Madden, Cooper, Robinson, Pones, Inc.

RESOLUTION NO. 539-11 Re: **AWARD OF CONTRACT—HIGHLAND
ELEMENTARY SCHOOL AND S. CHRISTA
MCAULIFFE ELEMENTARY SCHOOL
GYMNASIUM WOOD FLOORING
REPLACEMENT**

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

WHEREAS, The following sealed bids were received on November 2, 2011, for the replacement of the gymnasium wood flooring system at Highland Elementary School and S. Christa McAuliffe Elementary School:

<u>Bidder</u>	<u>Amount</u>
Goel Services	\$108,086
Weyers Floors	139,170

and

WHEREAS, The low bidder, Goel Services, is a Maryland Department of Transportation-certified Minority Business Enterprise; and

WHEREAS, Goel Services has completed similar work successfully for other jurisdictions; now therefore be it

Resolved, That a \$108,086 contract be awarded to Goel Services for the replacement of the gymnasium wood flooring system at Highland Elementary School and S. Christa McAuliffe Elementary School in accordance with drawings and specifications.

RESOLUTION NO. 540-11 Re: **AWARD OF CONTRACT—NEELSVILLE
MIDDLE SCHOOL CORRIDOR AND
ATHLETIC LOCKER REPLACEMENTS**

WHEREAS, The following sealed bids were received on November 1, 2011, for the Neelsville Middle School corridor and athletic locker replacement project:

<u>Bidder</u>	<u>Amount</u>
Steel Products, Inc.	\$ 255,155
Glover Equipment Sales Group, LLC	305,093
Partition Plus, Inc.	348,900
Million Construction, Inc.	377,114
Goel Services, Inc.	386,607

and

WHEREAS, The low bidder, Steel Products, Inc., is a Maryland Department of Transportation-certified Minority Business Enterprise; and

WHEREAS, Steel Products, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$255,155 contract be awarded to Steel Products, Inc. for the Neelsville Middle School corridor and athletic locker replacement project, in accordance with drawings and specifications.

RESOLUTION NO. 541-11 Re: **AWARD OF CONTRACTS—VIERS MILL
ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, On October 25, 2010, the Board of Education authorized staff in the Department of Facilities Management to utilize a construction management process for the Viers Mill Elementary School addition project and awarded a contract for preconstruction services to Henley Construction Company, Inc.; and

WHEREAS, The following low bids were received on November 10, 2011, for the Viers Mill Elementary School addition project:

<u>Low Bidders</u>	<u>Amounts</u>
2A-Site Work—Urban N. Zink Contracting, Inc.	\$2,770,000
3A-Concrete—Chevy Chase Contractors, LLC	637,000
4A-Masonry—George Moehrle Masonry, Inc.	942,400
5A-Steel—Jarvis Steel & Lumber Company, Inc.	441,600
7A-Roofing—Orndorff and Spaid, Inc.	702,922
8A-Windows—Engineered Construction Products, LTD	214,400
8B-Doors/Hardware—Architectural Products of VA	142,500
9A-Drywall/Acoustical Ceilings—Can-Am Contractors, Inc.	126,000
9C-Resilient Flooring—Jewell Industries, Inc.	78,574
12A-Casework—Diversified Educational Systems, Inc.	145,500
15A-PHVAG—Towson Mechanical, Inc.	1,584,000
15B-Sprinkler—J.R.'s Fire Protection, Inc.	68,650
16A-Electrical—Altimate Electric, Inc.	740,200

and

WHEREAS, On November 10, 2011, Henley 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, Bids were received as alternates for the inclusion of a School-based Health Center, and a Linkages to Learning suite as part of the addition project to be 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 their portion of the project, and the Department of Facilities Management will administer their portion of the project; 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 Henley Construction Company, Inc. as part of a guaranteed price agreement to complete the Viers Mill Elementary School addition project; and

WHEREAS, Staff in the Department of Facilities Management has negotiated and recommends approval of a guaranteed price contract with Henley Construction Company, Inc. for the completion of the Viers Mill Elementary School addition project that includes the assignment of trade work awarded by Montgomery County Public Schools, along with all management and general conditions costs; and

WHEREAS, Henley Construction Company, Inc. has agreed to accept the assignment of the Viers Mill Elementary School trade contracts awarded on December 6, 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 18.11 percent Maryland Department of Transportation-certified, of which 1.640 percent is African American-owned, 9.79 percent is women-owned, and 6.68 percent is other minority-owned; now therefore be it

Resolved, That the following trade contract packages be awarded to the low bidders for the construction of the Viers Mill Elementary School addition project:

<u>Low Bidders</u>	<u>Amounts</u>
2A-Site Work-Urban N. Zink Contracting, Inc.	\$2,770,000
3A-Concrete-Chevy Chase Contractors, LLC	637,000
4A-Masonry-George Moehrle Masonry, Inc.	942,400
5A-Steel-Javis Steel & Lumber Company, Inc.	441,600

7A-Roofing	Orndorff and Spaid, Inc.	702,922
8A-Windows	Engineered Construction Products, LTD	214,400
8B-Doors/Hardware	Architectural Products of VA	142,500
9A-Drywall/Acoustical Ceilings	Can-Am Contractors, Inc.	126,000
9C-Resilient Flooring	Jewell Industries, Inc.	78,574
12A-Casework	Diversified Educational Systems, Inc.	145,500
15A-PHVAG	Towson Mechanical, Inc.	1,584,000
15B-Sprinkler	J.R.'s Fire Protection, Inc.	68,650
16A-Electrical	Altimate Electric, Inc.	740,200

and be it further

Resolved, That the trade contracts awarded for the Viers Mill Elementary School addition project be assigned to Henley Construction Company, Inc.; and be it further

Resolved, That a contract in the amount of \$10,951,433, to include the assignment of the trade contract awards, be awarded to Henley Construction Company, Inc. for the Viers Mill Elementary School addition project, in accordance with drawings and specifications prepared by BeeryRio Architecture + Interiors; 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 their portion of the project.

RESOLUTION NO. 542-11 Re: **EXTENSION OF CONTRACT—SURFACE-MOUNTED SWING DOOR OPERATORS FOR CLASSROOM BUILDINGS**

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

WHEREAS, The following unit price proposal was received on November 14, 2011, for the installation of surface-mounted swing door operators:

<u>Bidder</u>	<u>Amount</u>
Atlantic Door Control, Inc.	\$2,950

and

WHEREAS, Atlantic Door Control, Inc. has agreed to hold its unit price for an additional year; and

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

WHEREAS, The proposal is within the staff estimate, and staff in the Department of Facilities Management has recommended that the current contract be extended; now therefore be it

Resolved, That the Board of Education extends the current contract with Atlantic Door Control, Inc. for a period of one year for the installation of surface-mounted swing door operators as needs arise at the unit price of \$2,950 each.

RESOLUTION NO. 543-11 Re: **PRECONSTRUCTION/CONSTRUCTION
MANAGEMENT SERVICES—CLARKSBURG
CLUSTER ELEMENTARY SCHOOL
(CLARKSBURG VILLAGE SITE #1)**

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

WHEREAS, The Fiscal Year 2011-2016 Capital Improvements Program includes planning funds for the Clarksburg Cluster Elementary School (Clarksburg Village Site #1) project; and

WHEREAS, The design phase of this project is commencing, with construction scheduled to begin in January 2013 and to be completed by August 2014; and

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

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

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

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

WHEREAS, Staff in the Department of Facilities Management has negotiated a fee for the preconstruction services; and

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

Resolved, That the Board of Education enters into a contractual agreement with Hess Construction + Engineering Services to provide preconstruction services for cost

estimating, value engineering, constructability reviews, and the development of the construction implementation schedule for the Clarksburg Cluster Elementary School (Clarksburg Village Site #1) project for a fee of \$60,000.

RESOLUTION NO. 544-11 Re: **REDLAND MIDDLE SCHOOL—GRANT OF
EASEMENT AND RIGHT-OF-WAY**

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

WHEREAS, The Washington Suburban Sanitary Commission has requested a grant of easement and right-of-way at Redland Middle School, located at 6505 Muncaster Mill Road in Rockville; and

WHEREAS, The proposed grant of easement and right-of-way, consisting of 1,819 square feet, is needed for the installation of a water main, meter vault, and appurtenances; and

WHEREAS, A temporary construction easement consisting of 321 square feet is needed during the period of original construction; and

WHEREAS, The Washington Suburban Sanitary Commission will assume responsibility for the initial expense and liability of damages or injury resulting from the installation and will be responsible for all future maintenance and repair activities; and

WHEREAS, The proposed easement and right-of-way will not affect any land that could be used for school programming and recreational activities and will provide improved water meter equipment and appurtenances; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a permanent grant of easement and right-of-way of 1,819 square feet and a temporary construction easement of 321 square feet to the Washington Suburban Sanitary Commission at Redland Middle School.

RESOLUTION NO. 545-11 Re: **DAMASCUS HIGH SCHOOL—GRANT OF
EASEMENT AND RIGHT-OF-WAY**

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

WHEREAS, The Washington Suburban Sanitary Commission has requested a grant of easement and right-of-way at Damascus High School, located at 25921 Ridge Road in Damascus; and

WHEREAS, The proposed grant of easement and right-of-way, consisting of 915 square feet, is needed for the installation of a water main, meter vault, and appurtenances; and

WHEREAS, A temporary construction easement consisting of 503 square feet is needed during the period of original construction; and

WHEREAS, The Washington Suburban Sanitary Commission will assume responsibility for the initial expense and liability of damages or injury resulting from the installation and will be responsible for all future maintenance and repair activities; and

WHEREAS, The proposed easement and right-of-way will not affect any land that could be used for school programming and recreational activities and will provide improved water meter equipment and appurtenances; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a permanent grant of easement and right-of-way of 915 square feet and a temporary construction easement of 503 square feet to the Washington Suburban Sanitary Commission at Damascus High School.

RESOLUTION NO. 546-11

Re: **SILVER SPRING INTERNATIONAL MIDDLE SCHOOL—GRANT OF EASEMENT AND RIGHT-OF-WAY**

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

WHEREAS, The Washington Suburban Sanitary Commission has requested a grant of easement and right-of-way at Silver Spring International Middle School, located at 313 Wayne Avenue in Silver Spring; and

WHEREAS, The proposed grant of easement and right-of-way, consisting of 553 square feet, is needed for the installation of a water main, meter vault, and appurtenances; and

WHEREAS, A temporary construction easement consisting of 533 square feet is needed during the period of original construction; and

WHEREAS, The Washington Suburban Sanitary Commission will assume responsibility for the initial expense and liability of damages or injury resulting from the installation and will be responsible for all future maintenance and repair activities; and

WHEREAS, The proposed easement and right-of-way will not affect any land that could be used for school programming and recreational activities and will provide improved water meter equipment and appurtenances; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a permanent grant of easement and right-of-way of 553 square feet and a temporary construction easement of 533 square feet to the

Washington Suburban Sanitary Commission at Silver Spring International Middle School.

RESOLUTION NO. 547-11 Re: **HIGHLAND ELEMENTARY SCHOOL—
NOTICE OF FEDERAL INTEREST**

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

WHEREAS, On June 28, 2011, the Federal Health Resources and Services Administration awarded a \$493,800 grant to Montgomery County through its Department of Health and Human Services for the construction of a school-based health center at Highland Elementary School, located at 3100 Medway Street, Silver Spring, Maryland; and

WHEREAS, This grant includes conditions on use of the school-based health center, comprising approximately 2,700 square feet of the school facility, and provides for a continuing federal interest in the property that limits its use to the purpose consistent with the federal grant; and

WHEREAS, In the event of a disposition of the property by the Board of Education, Montgomery County, Maryland, agrees to take all reasonable actions to facilitate the disposition and the recording of the necessary documents in the Land Records of Montgomery County, Maryland; and

WHEREAS, The proposed Notice of Federal Interest will not affect any land that could be used for school programming and recreational activities; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Notice of Federal Interest for approximately 2,700 square feet that comprises the school-based health center at Highland Elementary School.

RESOLUTION NO. 548-11 Re: **SEQUOYAH ELEMENTARY SCHOOL—
ACCEPTANCE OF LAND DEDICATION**

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

WHEREAS, On June 28, 2007, the Montgomery County Planning Board granted site plan approval for development of the Preserve at Rock Creek, adjacent to Sequoyah Elementary School, located at 17301 Bowie Mill Road in Derwood; and

WHEREAS, The approved development will consist of 158 one-family, detached and 28 one-family, attached residential units situated on 438 acres of the former Casey Tract; and

WHEREAS, At the time of lot configuration for the subdivision, a residue parcel that could not be improved with a residence was created along the eastern property line of the school site adjacent to a subdivision street; and

WHEREAS, The residue parcel consists of 1.683 acres which the owner of the Preserve at Rock Creek, SM Bowie Mill, LLC, proposes to convey to the Board of Education in fee simple at no cost; and

WHEREAS, The additional land to be assembled with the existing school site would provide open space and potential area for stormwater management or recreational space, now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools accept the land dedication of 1.683 acres at no cost from SM Bowie Mill, LLC at Sequoyah Elementary School; and be it further

Resolved, That the state of Maryland Interagency Committee on Public School Construction be notified of the acquisition.

RESOLUTION NO. 549-11 Re: **MONTHLY HUMAN RESOURCES AND DEVELOPMENT REPORT**

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

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. 550-11 Re: **DEATH OF MR. SCOTT C. CROW, BUS OPERATOR I, DEPARTMENT OF TRANSPORTATION**

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

WHEREAS, The death on August 20, 2011, of Mr. Scott C. Crow, bus operator, Department of Transportation, Randolph Depot, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During the 3.9 years with Montgomery County Public Schools, Mr. Scott Crow was a very polite and approachable employee and was a team player; and

WHEREAS, Mr. Crow was very positive about this position and the safety of his students; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Mr. Crow and extend deepest sympathy to his family; and be it further

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

RESOLUTION NO. 551-11 Re: **DEATH OF LAWRENCE SIMMONS, TRASH SERVICE WORKER , HEAVY EQUIPMENT SHOP**

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

WHEREAS, The death on November 7, 2011, of Mr. Lawrence Simmons, trash service worker at the Division of Maintenance, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During the 20.9 years Mr. Simmons had worked for Montgomery County Public Schools, he was positive, reliable and trustworthy, and took pride in doing the best job possible each day; and

WHEREAS, He was very good in anticipating the needs of the schools often rearranging his schedule to accommodate special events that they would have from time to time while completing his route in a timely manner; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Mr. Simmons and extend deepest sympathy to his family; and be it further

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

RESOLUTION NO. 552-11 Re: **DEATH OF MR. CRAIG WHYTE, CLASSROOM TEACHER, WINSTON CHURCHILL HIGH SCHOOL**

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

WHEREAS, The death on November 15, 2011, of Mr. Craig Whyte, classroom teacher at Winston Churchill High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During the 9.3 years with Montgomery County Public Schools, Mr. Whyte always demonstrated sensitivity to his students and treated them respectfully; and

WHEREAS, Mr. Whyte created a classroom atmosphere that fostered students using each other as sources of knowledge, listening to, and showing admiration for others' contributions; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Mr. Whyte and extend deepest sympathy to his family; and be it further

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

RESOLUTION NO. 553-11 Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective December 7, 2011:

Nichelle Owens-Jones, currently instructional specialist, Division of Title I Programs, as supervisor, Division of Title I Programs, Office of School Performance

RESOLUTION NO. 554-11 Re: **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 December 7, 2011:

Suzanne M. Woertz, currently evaluation specialist, Testing Unit, Office of Shared Accountability, as supervisor, Testing Unit, Office of Shared Accountability

RESOLUTION NO. 555-11 Re: **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 December 7, 2011:

Faith K. Fischel, currently instructional specialist, Division of Prekindergarten Special Programs and Related Services, as coordinator, Preschool Education Program, Division of Prekindergarten Special Programs and Related Services, Department of Special Education Services, Office of Special Education and Student Services

Re: **MONTHLY FINANCIAL REPORT**

Mr. Larry Bowers, chief financial officer, stated that this financial report reflects the actual financial condition of Montgomery County Public Schools (MCPS) as of October 31, 2011, and projections through June 30, 2012, based on program requirements and estimates made by primary and secondary account managers. At this time, expenditures have a projected surplus of \$7,000,000. Revenues have a projected surplus of \$150,000.

Due to Fiscal Year (FY) 2011 comprehensive expenditure restrictions, including a hiring freeze, MCPS achieved a reduction of \$27.0 million of expenditures compared to budget. The FY 2012 Operating Budget included fund balance of \$17.0 million of the total savings as a source of appropriation, leaving fund balance of \$10.0 million available for appropriation in FY 2013. This unappropriated FY 2011 fund balance, together with the FY 2012 projected surplus of \$7.2 million, equals \$17.2 million that is available to fund the FY 2013 Operating Budget.

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

Re: **FY 2013 OPERATING BUDGET PREVIEW**

Dr. Starr gave the Board a brief overview of the FY 2013 Operating Budget. This budget reflects the interest of the Board as well as those of elected officials and organizations. This budget will reflect the growth of the system through student enrollment, the changing demographics, and the demands on the educational needs of the Common Core Standards.

RESOLUTION NO. 556-11

Re: **FINAL APPROVAL OF SECONDARY
COMMON CORE STATE STANDARDS**

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

WHEREAS, The Montgomery County Board of Education approved the curriculum frameworks in English language arts and mathematics on July 2, 2001; and

WHEREAS, The Maryland State Board of Education adopted the Common Core State Standards in English language arts and mathematics on June 22, 2010; and

WHEREAS, The Montgomery County Board of Education unanimously approved the Elementary Integrated Curriculum Framework, which incorporates the Common Core State Standards for English language arts and mathematics, on December 7, 2010; and

WHEREAS, Montgomery County Public Schools has created the Montgomery County Public Schools Secondary English Language Arts Curriculum Framework and the Montgomery County Public Schools Secondary Mathematics Curriculum Framework that fully incorporate the Secondary Common Core State Standards in English language arts and mathematics in their entirety; and

WHEREAS, The Montgomery County Board of Education took tentative action on September 26, 2011, to approve the Montgomery County Public Schools Secondary English Language Arts Curriculum Framework and the Montgomery County Public Schools Secondary Mathematics Curriculum Framework; and

WHEREAS, Feedback and input from stakeholders have been solicited, considered, and used to refine the Montgomery County Public Schools Secondary English Language Arts Curriculum Framework and the Montgomery County Public Schools Secondary Mathematics Curriculum Framework; now therefore be it

Resolved, That the Montgomery County Board of Education grants final approval of the Montgomery County Public Schools Secondary English Language Arts Curriculum Framework and the Montgomery County Public Schools Secondary Mathematics Curriculum Framework that fully incorporate the Secondary Common Core State Standards in English language arts and the Common Core State Standards in mathematics in their entirety; and be it further

Resolved, That the Montgomery County Public Schools Secondary English Language Arts Curriculum Framework and the Montgomery County Public Schools Secondary Mathematics Curriculum Framework serve as the foundation for developing and disseminating curriculum instruction, assessment, and professional development resources in an online learning community.

RESOLUTION NO. 557-11

Re: **CLOSED SESSION RESOLUTION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on Tuesday, January 10, 2012, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:30 to 1:30 p.m.; and be it further

Resolved, That the Board of Education anticipates that the closed session will include a discussion of personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article* and Section 4-107(d) of the *Education Article*; the review and adjudication of appeals in its quasi-judicial capacity; consultation with counsel to obtain legal advice on those appeals, as permitted under Section 10-508(a)(7) of the *State Government Article*; a discussion of matters constituting an administrative function outside the purview of the *Open Meetings Act* (Section 10-502(b) of the *State Government Article*); and the Board will publish a more detailed Resolution for Closed Session when particular topics for discussion are identified; and be it further

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

RESOLUTION NO. 558-11 Re: **REPORT OF CLOSED SESSION**

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

On November 8, 2011, the Board of Education voted unanimously by members present 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 on November 8, 2011, from 8:33 to 9:52 a.m. and 1:05 to 1:47 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and:

1. Received legal advice on appeals and adjudicated the following appeals involving student transfers and early admission to kindergarten: T-2011-53, T-2011-54, and 2011-42, as permitted under Section 10-508(a)(7) of the *State Government Article* and in its quasi-judicial capacity outside the purview of the *Open Meetings Act*, with a subsequent vote in open session.
2. Received a briefing by the superintendent on the Monthly Human Resources and Development Report, which is an administrative function outside the purview of the *Open Meetings Act* as permitted under Section 10-508(a)(1) of the *State Government Article*, and which included a briefing regarding certain individual

employees as permitted under Section 10-508(a)(1) of the *State Government Article*, with a subsequent vote in open session.

3. Received a briefing by the superintendent on the Quarterly Sexual Harassment Report, which is an administrative function outside the purview of the *Open Meetings Act*.
4. Received legal advice and discussed matters relating to the acquisition of real property for a future school site and matters directly related thereto, as permitted under Sections 10-508(a)(3) and 10-508(a)(7) of the *State Government Article* and Section 4-107(d)(2)(i) of the *Education Article*.
5. Discussed strategies for presenting to the County Council and the county executive the Fiscal Year 2013 Capital Budget and FY 2013-2018 Capital Improvements Program, which is an administrative function outside the purview of the *Open Meetings Act*.
6. Received legal advice and consulted with staff and individuals about litigation pending in Montgomery County Circuit Court, as permitted under Section 10-508(a)(7) and Section 10-508(a)(8), respectively, of the *State Government Article*.
7. Received an update by staff and discussed ongoing collective bargaining negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article*.

In attendance at the 8:33 a.m. closed session were 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 8:40 a.m., the following staff and counsel joined the meeting: Larry Bowers, Judy Bresler, Bruce Crispell, Brian Edwards, Frieda Lacey, Joshua Starr, James Song, and Dana Tofig. At 9:04 a.m., Mr. Clancy left the meeting. At 9:19 a.m., Ms. Bresler left the meeting. At 1:05 p.m., Stan Damas joined the Board and staff in closed session.

RESOLUTION NO. 559-11

Re: **CALENDAR OF MAJOR EVENTS FOR THE
ELECTION OF THE 35TH STUDENT
MEMBER OF THE BOARD OF EDUCATION**

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

The Montgomery County Region of the Maryland Association of Student Councils submits for your review a calendar of major events for the election of the student member of the Board of Education. Below, please find the proposed calendar.

CALENDAR OF MAJOR EVENTS

Advertising Period	December 6, 2011–January 27, 2012
Filing Period	January 3-27, 2012
Nominating Convention	March 1, 2012
Town Meeting*	March 1, 2012

General Campaign Period March 1-April 24, 2012
General Election April 25, 2012

*In the event that no more than two eligible students file for the office, a town meeting will be held in place of the nominating convention.

The following resolution is presented for your consideration regarding the calendar of events for the election of the student member of the Board of Education.

WHEREAS, The Montgomery County Region of the Maryland Association of Student Councils submits a yearly calendar of the major events surrounding the election of the student member of the Board of Education for review and approval; now therefore be it

Resolved, That the Montgomery County Board of Education approves the calendar of major events for the election of the 35th student member of the Board of Education as proposed by the Montgomery County Region of the Maryland Association of Student Councils.

RESOLUTION NO. 560-11 Re: **APPOINTMENTS TO THE FISCAL
MANAGEMENT COMMITTEE**

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

WHEREAS, The Fiscal Management Committee consists of three members serving staggered terms of three years each, and the term of office begins on the date of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Mr. Philip Kauffman's term expired on November 30, 2011; and

WHEREAS, Mr. Michael Durso was appointed to serve until November 30, 2012; and

WHEREAS, Mr. Christopher Barclay was appointed to serve until November 30, 2013; and

WHEREAS, Mr. Philip Kauffman's term as chairperson expired on November 30, 2011; now therefore be it

Resolved, That Mr. Philip Kauffman be appointed to serve until November 30, 2014; and be it further

Resolved, That Mr. Philip Kauffman serve as chairperson of the Fiscal Management Committee until November 30, 2012.

RESOLUTION NO. 561-11 Re: **APPOINTMENTS TO THE STRATEGIC**

PLANNING COMMITTEE

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

WHEREAS, The Strategic Planning Committee consists of three members serving staggered terms of three years each, and the term of office begins on the date of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Mrs. Patricia O'Neill's term expired on November 30, 2011; and

WHEREAS, Dr. Judith Docca was appointed to serve until November 30, 2012; and

WHEREAS, Mr. Michael Durso was appointed to serve until November 30, 2013; and

WHEREAS, Dr. Judith Docca's term as chairperson expired on November 30, 2011; now therefore be it

Resolved, That Mrs. Patricia O'Neill be appointed to serve until November 30, 2014; and be it further

Resolved, That Mr. Michael Durso be appointed to serve as chairperson of the Strategic Planning Committee until November 30, 2012.

RESOLUTION NO. 562-11 Re: **APPOINTMENTS TO THE POLICY
COMMITTEE**

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

WHEREAS, The Policy Committee consists of three members serving staggered terms of three years each, and the term of office begins on the day of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Mr. Christopher Barclay's term expired on November 30, 2011; and

WHEREAS, Mrs. Patricia O'Neill was appointed to serve until November 30, 2012; and

WHEREAS, Ms. Shirley Brandman was appointed to serve until November 30, 2013; and

WHEREAS, Mr. Alan Xie was appointed to serve until June 30, 2012; and

WHEREAS, Mrs. Patricia O'Neill's term as chairperson expired on November 30, 2011; now therefore be it

Resolved, That Mr. Christopher Barclay be appointed to serve until November 30, 2014; and be it further

Resolved, That Mrs. Patricia O'Neill be appointed to serve as chairperson of the Policy Committee until November 30, 2012.

RESOLUTION NO. 563-11 Re: **APPOINTMENTS TO THE
COMMUNICATIONS AND PUBLIC
ENGAGEMENT COMMITTEE**

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

WHEREAS, The Communications and Public Engagement Committee consists of three members serving staggered terms of three years each and the term of office begins on the day of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Ms. Shirley Brandman's term expired on November 30, 2011; and

WHEREAS, Dr. Judith Docca was appointed to serve until November 30, 2012; and

WHEREAS, Mr. Michael Durso was appointed to serve until November 30, 2013; and

WHEREAS, Dr. Judith Docca's term as chairperson expired on November 30, 2011; now therefore be it

Resolved, That Ms. Shirley Brandman be appointed to serve until November 30, 2014; and be it further

Resolved, That Dr. Judith Docca be appointed to serve as chairperson of the Communications and Public Engagement Committee until November 30, 2012.

RESOLUTION NO. 564-11 Re: **APPOINTMENTS TO THE SPECIAL
POPULATIONS COMMITTEE**

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

WHEREAS, The Committee on Special Populations consists of three members serving staggered terms of three years each, and the term of office begins on the date of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Mr. Philip Kauffman's term expired on November 30, 2011; and

WHEREAS, Ms. Shirley Brandman was appointed to serve until November 30, 2012; and

WHEREAS, Ms. Laura Berthiaume was appointed to serve until November 30, 2013; and

WHEREAS, Ms. Shirley Brandman's term as chairperson expired on November 30, 2011;
now therefore be it

Resolved, That Mr. Philip Kauffman be appointed to serve until November 30, 2014; and be it further

Resolved, That Ms. Laura Berthiaume serve as chairperson of the Committee on Special Populations until November 30, 2012.

RESOLUTION NO. 565-11 Re: **APPEALS**

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

WHEREAS, The Board of Education has met in closed session and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-508(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-2011-55	Student Transfer	Dismissed for Mootness
2011-1	Teacher Evaluation	Dismissed for Mootness

RESOLUTION NO. 566-11 Re: **MINUTES**

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

Resolved, That the Board of Education approve its minutes for the October 26, 2011, meeting

Re: **BOARD COMMITTEE UPDATES**

There were no 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
3. Update on Contract Awards For On-Call Heating, Ventilation, and Air Conditioning Replacement Services and On-Call Construction Services

RESOLUTION NO. 567-11 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of December 6, 2011, at 2:39 p.m.

PRESIDENT

SECRETARY

JPS:gr

Resolution	Barclay	Berthiaume	Brandman	Docca	Durso	Kauffman	O'Neill	Xie
Common Core State Standards	A	O	A	A	A	A	A	A

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