

APPROVED
11-2013

Rockville, Maryland
March 21, 2013

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, on March 21, 2013, beginning at 5:30 p.m.

Present: Mr. Christopher Barclay, President
in the Chair
Ms. Shirley Brandman
Dr. Judy Docca
Mr. Michael Durso
Mr. Philip Kauffman
Mrs. Patricia O'Neill
Mrs. Rebecca Smondrowski
Dr. Joshua Starr, Secretary/Treasurer

Absent: Mr. John Mannes

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 9:00 a.m.

RESOLUTION NO. 139-13 Re: **RESOLUTION FOR CLOSED SESSION**

On recommendation of the superintendent and on motion of Mr. Kauffman seconded by Mrs. O'Neill, the following revised 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 March 21, 2013, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, from 5:30 to approximately 6:00 p.m.; 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 Board receive legal advice and discuss with staff the litigation pertaining to the Bethesda-Chevy Chase Middle School #2, as permitted under Sections 10-508(a)(7) and 10-508(a)(8) of the *State Government Article*; and be it further

Resolved, That the Board receive legal advice regarding, and the superintendent of schools brief the Board on the strategy regarding, resolving disputes relating to the new principal/teacher effectiveness regulations, as permitted under Sections 10-508(a)(7) and 10-508(a)(8) of the *State Government Article*; and be it further

Resolved, That the superintendent of schools brief the Board on the Human Resources and Development 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 operating budget strategy, which is an administrative 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.

Re: **OPEN SESSION**

The Board of Education met in closed session from 5:35 to 6:53 p.m. After a break, the Board of Education reconvened in open session at 7:05 p.m.

To view specific sections or the entire meeting, please watch at
<http://www.montgomeryschoolsmd.org/boe/meetings/archive/2013/2013-0321.shtm>

Re: **PLEDGE OF ALLEGIANCE**

“I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.”

RESOLUTION NO. 140-13 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for March 21, 2013, as revised by adding Item 3.1.8, Clarksburg Cluster Elementary School (Clarksburg Village Site #1)—Existing Stormwater Management Abandonment.

RESOLUTION NO. 141-13 Re: **MONTH OF THE YOUNG CHILD**

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

WHEREAS, The purpose of the celebration is to focus public attention on the needs of

young children and their families and to recognize the early childhood programs and services that meet those needs; and

WHEREAS, Early experiences have a lifelong impact on a child's school readiness, social-emotional development, and future success as learners; and

WHEREAS, Montgomery County Public Schools kindergarten data indicate that 91 percent of kindergarten students are able to read simple text and reached or exceeded the Text Level 4 reading benchmark in 2012; and

WHEREAS, Data also demonstrate that 76.1 percent of kindergarten students reached or exceeded the advanced Text Level 6 reading benchmark in 2012; and

WHEREAS, Montgomery County's Early Care and Education Congress provides opportunities for professional development, collaboration, and dissemination of information to stakeholders and the community to ensure that family-focused programs and services for young children are accessible, effective, and responsive to cultural diversity; make a measurable, positive difference in children's well-being; and help young children prepare for kindergarten and future school success; and

WHEREAS, Montgomery County recognizes that providing children with opportunities is our responsibility, and we recommit ourselves to ensuring that each and every child experiences the type of early environment—at home, at child care, at school, and in the community—that will promote his or her early learning; now therefore be it

Resolved, That the Montgomery County Board of Education and the superintendent of schools focus public attention on young children and their families during April 2013, the Month of the Young Child.

RESOLUTION NO. 142-13

Re: **ARAB AMERICAN HERITAGE MONTH**

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

WHEREAS, Since men and women of Arab descent have immigrated to these shores, they have shared the rich history, customs, traditions, and values of Arab culture; and

WHEREAS, Arab Americans represent a diverse people, differing in religious backgrounds, ancestral homelands, and ethnic heritages, yet they share a common language and practices that bind their community; and

WHEREAS, Contributions by Arab Americans range in scope from public service, business, medicine, science, and the arts; touching and enriching every aspect of American life; and

WHEREAS, In Montgomery County, the Arab American community has flourished with

an energizing spirit and a strong sense of community engagement; now therefore be it

Resolved, That the Montgomery County Board of Education and the superintendent of schools hereby declare the month of April 2013 to be observed in Montgomery County Public Schools as “Arab American Heritage Month.”

RESOLUTION NO. 143-13 Re: **MONTH NATIONAL AUTISM AWARENESS**

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, April is recognized as National Autism Awareness month by the Autism Society of America and Autism Speaks; and

WHEREAS, Autism spectrum disorders are a continuum of developmental disorders that impact individuals in the areas of learning, communication, and social interactions; and

WHEREAS, One in 88 American children are on the autism spectrum and 1 in 54 boys in the United States is identified as having an autism spectrum disorder; and

WHEREAS, Autism prevalence rates are growing and it is the fastest growing developmental disability in the United States; and

WHEREAS, Each student with an autism spectrum disorder has a complex and individual constellation of strengths, needs, gifts, and challenges; and

WHEREAS, The goal of National Autism Awareness Month is to provide the opportunity for the community at large to join together in raising awareness and increasing support for individuals with autism spectrum disorders; and

WHEREAS, Montgomery County Public Schools embraces this affirmation and pledges to provide a free appropriate public education in the least restrictive environment for each student with autism; and

WHEREAS, Montgomery County Public Schools currently is responsible for the education of approximately 1,967 students with autism; and

WHEREAS, Montgomery County Public Schools commits to early intervention and research-based best practices so that students with autism have the foundation they need to access a full and successful life in school and beyond; and

WHEREAS, Montgomery County Public Schools recognizes that strong and collaborative efforts among families, schools, and communities are necessary to build those foundations; now therefore be it

Resolved, That the Montgomery County Board of Education continues to support the efforts of staff members, families, and the community who work together to provide success for every student with autism.

RESOLUTION NO. 144-13 Re: **ADMINISTRATIVE PROFESSIONALS WEEK**

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, Administrative Professionals Week will be celebrated nationally the week of April 22 through April 26, 2013; and

WHEREAS, The Board of Education wishes to publicly recognize the high level of dedication and ability of its staff of administrative professional employees and express its appreciation for their efforts in the productive, courteous, and efficient operation of Montgomery County Public Schools; and

WHEREAS, The Board of Education thanks its administrative professional staff members for their contributions to excellence in education; now therefore be it

Resolved, That Administrative Professionals Week be observed by the school system during the week of April 22 through April 26, 2013; and be it further

Resolved, That Wednesday, April 24, 2013, be designated as Administrative Professionals Day for Montgomery County Public Schools.

RESOLUTION NO. 145-13 Re: **RECOMMENDATION TO APPROVE THE
AMENDING AGREEMENT WITH THE
MONTGOMERY COUNTY EDUCATION
ASSOCIATION**

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, 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 an exclusive representative for these negotiations; and

WHEREAS, The parties have a negotiated agreement for the 2013–2014 school year and said agreement provides that negotiations be reopened on certain economic terms for Fiscal Year 2014; and

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

WHEREAS, The parties have reached a tentative agreement on modification of the agreement through Fiscal Year 2014; and

WHEREAS, The tentative agreement 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 amending agreement for the period of July 1, 2013, 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 agreement, all according to said agreement and to the law.

RESOLUTION NO. 146-13

Re: **RECOMMENDATION TO APPROVE THE
AMENDING AGREEMENT WITH THE
SERVICE EMPLOYEES INTERNATIONAL
UNION LOCAL 500**

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, 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 an exclusive representative for these negotiations; and

WHEREAS, The parties have a negotiated agreement for the 2013–2014 school year and said agreement provides that negotiations be reopened on certain economic terms for Fiscal Year 2014; and

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

WHEREAS, The parties have reached a tentative agreement on modification of the agreement through Fiscal Year 2014; and

WHEREAS, The tentative agreement has been presented for ratification by the membership of the Service Employees International Union Local 500 with the votes to be tallied on March 26, 2013; now therefore be it

Resolved, That the Board of Education approves the amending agreement for the period of July 1, 2013, through June 30, 2014, conditional on the president of the

Service Employees International Union Local 500 or her designee reporting ratification of this agreement by the membership of Service Employees International Union Local 500; and be it further

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

RESOLUTION NO. 147-13 Re: **RECOMMENDATION TO APPROVE THE
AMENDING AGREEMENT WITH THE
MONTGOMERY COUNTY ASSOCIATION OF
ADMINISTRATORS AND PRINCIPALS**

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, Section 6-408 and 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 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 units; and

WHEREAS, The parties have a negotiated agreement for the 2013–2014 school year and said agreement provides that negotiations will be reopened on certain economic terms for Fiscal Year 2014; and

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

WHEREAS, The parties have reached a tentative agreement on modification of the agreement 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 amending agreement for the period of July 1, 2013, 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 agreement, all according to said agreement and to the law.

RESOLUTION NO. 148-13

Re: **IN REMEMBRANCE OF WAYNE E.
WHIGHAM**

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 Montgomery County Board of Education is saddened by the death on March 14, 2013, of Mr. Wayne E. Whigham, Montgomery County Public Schools (MCPS) Director of the Appeals/Transfer team and who for almost four decades served MCPS with distinction in various capacities as a teacher, assistant principal, principal, director of the Appeals/Transfer Team, and president of the Montgomery County Association of Administrators and Principals; and

WHEREAS, In his 37-year career as an educator, an instructional leader, and a mentor, Mr. Whigham was relentless in modeling high expectations for every child and adult in the classroom by insisting, through personal example, that the school house must reach inside each child and help them grow and excel to their maximum potential; and

WHEREAS, Among Mr. Whigham's numerous achievements, he transformed the Appeals/Transfer Team office into a highly regarded resource for parents and school-based personnel by combining his passion for his work with his ability to connect and create respectful relationships with students and adults through deep concern and boundless humor; and

WHEREAS, As a life-long educator, Mr. Whigham was a reassuring presence in the MCPS village, always willing to lend a hand in creating a welcoming community using his gregarious personality and his skills as a musician; and, he earned a reputation as a caring, compassionate, and inspiring leader with an unrelenting passion for instilling in every human being a love for life and learning; now therefore be it

Resolved, That the Board of Education honors the life of Mr. Wayne E. Whigham for his passionate dedication to serving the students and staff of Montgomery County Public Schools, his skills, his commitment to advocate for the needs of every child, and for helping to make Montgomery County Public Schools a welcoming place for all; and be it further

Resolved, That a copy of this resolution be sent to the family of Mr. Wayne E. Whigham.

Re: **PUBLIC COMMENTS**

The following people commented before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Art Williams	Interventions
2. Byron Johns	Interventions

Re: BOARD/SUPERINTENDENT COMMENTS

Mrs. Smondrowski congratulated Dr. Docca on the citation she received from the County Council. The Rockville Cluster meeting was informative. The Public Safety Awards were sponsored by the Montgomery County Chamber.

Mr. Durso commented on elementary school reading days at Laytonsville and Wheaton Woods. On March 11, he attended the Community Day lead by the Superintendent. He congratulated Matt Kamins who was named school psychologist of the year. The NAACP Parents Council meeting was informative and candid.

Dr. Docca commended Mr. Williams and Mr. Johns for speaking to the Board on a topic everyone is concerned about. She pointed out an article about the Edison Café where she and Mr. Durso attended on the last day of food service that students perform professionally. She thanked Bill Mills for his 46 years of service as the school system's photographer.

Mr. Barclay commented on the Arts in Education in Maryland School Alliance awards luncheon; the National Board Certificated teachers' pinning ceremony; and Mr. Kamins' recognition.

Dr. Starr commented on the Remembrance of Wayne E. Whigham; State Senate Testimony on SB 775; the Achievement Gap Report; MCBRE Young Professionals Conference; Intel Finalist; NBCT Pinning Ceremony; and the New Episode of "What's the BIG Idea?"

RESOLUTION NO. 149-13

**Re: ARCHITECTURAL APPOINTMENTS—
RELOCATABLE CLASSROOMS**

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, Funds are appropriated annually in the Capital Improvements Program for the relocatable classroom project; and

WHEREAS, Architectural and engineering services are required for the development of site plans and associated permitting activities for the relocatable classroom project; and

WHEREAS, The number of relocatable classroom building moves requires architectural firms be employed to complete the planning activities in time to finish the relocation work before school starts in August 2013; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, selected JK Architects + Associates and The K Group as the most qualified firms to provide the necessary professional architectural and engineering services; and

WHEREAS, JK Architects + Associates and The K Group are Maryland Department of Transportation-certified minority firms; and

WHEREAS, JK Architects + Associates and The K Group currently are under contract to provide architectural and engineering services for relocatable classroom buildings for a fee of \$1,250 per site for design development and \$6,900 per site for construction documents and permitting services; now therefore be it

Resolved, That the Montgomery County Board of Education extends the contractual agreements with the architectural firms of JK Architects + Associates and The K Group to provide professional architectural and engineering services as requirements arise for relocatable classroom moves for a fee of \$1,250 per site for design development and \$6,900 per site for construction documents and permitting services.

RESOLUTION NO. 150-13 Re: **ARCHITECTURAL APPOINTMENT—
WHEATON WOODS ELEMENTARY
SCHOOL MODERNIZATION**

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, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Wheaton Woods Elementary School modernization project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$21,225,000; and

WHEREAS, Funds for architectural planning were programmed as part of the Fiscal Year 2013 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified GWWO, Inc./Architects as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff in the Department of Facilities Management has negotiated a fee for the necessary architectural and engineering services; now therefore be it

Resolved, That the Montgomery County Board of Education enters into a contractual agreement with the architectural firm of GWWO, Inc./Architects to provide professional architectural and engineering services for the Wheaton Woods Elementary School modernization project for a fee of \$1,199,975.

RESOLUTION NO. 151-13 Re: **ACCEPTANCE OF COLD SPRING
ELEMENTARY SCHOOL GYMNASIUM**

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 behalf of the Board of Education, Board members Patricia B. O'Neill and Rebecca K. Smondrowski inspected the Cold Spring Elementary School gymnasium addition project on Thursday, February 21, 2013; now therefore be it

Resolved, That the Board of Education accepts the Cold Spring Elementary School gymnasium addition project and that the official date of completion is that date when formal notice is received from the architect that this project has been completed in accordance with the drawings and specifications, and all contract requirements have been met.

RESOLUTION NO. 152-13 Re: **ACCEPTANCE OF NORTH CHEVY CHASE
ELEMENTARY SCHOOL GYMNASIUM**

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 behalf of the Board of Education, Board Member Michael A. Durso inspected the North Chevy Chase Elementary School gymnasium addition project on Thursday, February 28, 2013; now therefore be it

Resolved, That the Board of Education accepts the North Chevy Chase Elementary School gymnasium addition project and that the official date of completion is that date when formal notice is received from the architect that this project has been completed in accordance with the drawings and specifications, and all contract requirements have been met.

RESOLUTION NO. 153-13 Re: **ACCEPTANCE OF FLORA M. SINGER
ELEMENTARY SCHOOL**

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 behalf of the Board of Education, Board President Christopher S. Barclay inspected the Flora M. Singer Elementary School on Friday, February 22, 2013; now therefore be it

Resolved, That the Board of Education accepts the Flora M. Singer Elementary School and that the official date of completion is that date when formal notice is received from the architect that this project has been completed in accordance with the drawings and specifications, and all contract requirements have been met.

RESOLUTION NO. 154-13

Re: **CLARKSBURG HIGH SCHOOL—
CONSERVATION EASEMENT AGREEMENT**

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, A Conservation Deed of Easement must be established at Clarksburg High School, located at 22500 Wims Road in Clarksburg; and

WHEREAS, The easement is necessary to record the Conservation Plan approved at the time of school construction and to accommodate the Shawnee Lane widening by others adjacent to the school; and

WHEREAS, Under current law, the proposed conservation plan is required to be recorded as an easement to protect and prevent any alteration, construction, or destruction of sensitive environmental areas contained in 16.5103 acres within the school site; and

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

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Declaration of Easement and Agreement consisting of 16.5103 acres at Clarksburg High School.

RESOLUTION NO. 155-13

Re: **ROCK CREEK FOREST ELEMENTARY
SCHOOL—GRANT OF EASEMENT AND
RIGHT-OF-WAY**

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 Washington Suburban Sanitary Commission has requested a grant of easement and right-of-way at Rock Creek Forest Elementary School, located at 8330 Grubb Road in Chevy Chase; and

WHEREAS, The proposed grant of easement and right-of-way, consisting of 2,310 square feet, is needed for the installation of a water main, meter vault, and appurtenances; 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 2,310 square feet to the Washington Suburban Sanitary Commission at Rock Creek Forest Elementary School.

RESOLUTION NO. 156-13 Re: **CLARKSBURG CLUSTER ELEMENTARY SCHOOL (CLARKSBURG VILLAGE SITE #1)—EXISTING STORMWATER MANAGEMENT ABANDONMENT**

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 Department of Facilities Management proposes the abandonment of an existing stormwater management easement at Clarksburg Cluster Elementary School (Clarksburg Village Site #1), located at 12520 Blue Sky Drive in Clarksburg; and

WHEREAS, The proposed abandonment of an existing stormwater management easement, consisting of 29,193 square feet, is needed to accommodate clearing and grading for construction of a new elementary school; and

WHEREAS, A new stormwater management easement will be established to accommodate the design of the new school prior to commencement of construction; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Termination of Stormwater Management Easement and Termination of Stormwater Management Covenant consisting of 29,193 square feet at Clarksburg Cluster Elementary School (Clarksburg Village Site #1).

RESOLUTION NO. 157-13 Re: **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective May 1, 2013:

Geoffrey T. Sanderson, currently chief accountability officer, McKinney Texas Independent School District, as associate superintendent, Office of Shared Accountability.

RESOLUTION NO. 158-13 Re: **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2013:

Sarah E. Sirgo, currently principal, Woodlin Elementary School, as consulting principal, Department of Professional Growth Systems, Office of Human Resources and Development

RESOLUTION NO. 159-13 Re: **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective March 22, 2013:

Kia Middleton-Murphy, currently acting assistant to the associate superintendent, Office of Special Education and Student Services, as assistant to the associate superintendent, Office of Special Education and Student Services

RESOLUTION NO. 160-13 Re: **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective March 22, 2013:

Jennifer H. Lowndes, currently acting principal, Rock Creek Forest Elementary School, as principal, Rock Creek Forest Elementary School

RESOLUTION NO. 161-13 Re: **HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective March 22, 2013:

Stacey F. Rogovoy, currently acting principal, College Gardens Elementary School, as principal, College Gardens Elementary School

Re: **UPDATE ON STRATEGIC PRIORITY:
INTERVENTIONS**

Dr. Starr invited the following people to the table: Ms. Betsy Brown, director, Department of Curriculum and Instruction; Ms. Vicky Lake-Parcan, principal, Neelsville Middle School; Ms. Samantha B. Cohen, doctoral resident, Office of Teaching, Learning, and Programs.

Preparing all Montgomery County Public Schools' (MCPS) students for their futures requires a systemic and holistic approach to supporting learners' academic, social-emotional, behavioral, and intellectual needs. Although MCPS has a record of excellence in teaching and learning, it still is missing the mark for many students. For MCPS to close the racial and socioeconomic achievement gap, MCPS must take deliberate action to coordinate efforts, identify the essential components of an effective student support network, and build on current effective practices to decrease the variability among schools and individual students' learning experiences. This comprehensive and coordinated approach to address the needs of the students who need the school system most is inextricably linked with MCPS' two other strategic district priorities—professional development and community engagement.

Building on Dr. Starr's transition team's recommendation to strengthen adult and student learning, the current strategic plan framework lays out *what* academic, social-emotional, and critical thinking skills all students and staff members must develop so that all students are college and career ready. The interventions work overlays the strategic plan, as it sets forth *how* MCPS will systemically and systematically address the needs of each and every student.

Supporting the success of all children requires a new lens—a systemic focus on the individual learner—as MCPS simultaneously builds on existing successful practices. Closing the achievement gap demands a seamless community of support that wraps around each student, and it demands a culture that is explicitly predicated on the belief that all students can learn. Students must be engaged in meaningful learning experiences, designed to build on their strengths and address their needs, delivered by skilled and collaborative teacher teams, and executed within a school and community that places students at the center of each and every discussion.

To dramatically improve academic results in math and literacy and to decrease the dropout rate, MCPS must implement a holistic, team based approach to supporting students. Over the next three years, MCPS will roll out a plan to meet all learners' strengths and needs within the school system. In 2013-2014, staff will work closely with

15-20 schools, supporting their implementation of an integrated student support team, bringing together families, communities, and school staff to identify students' growth areas and to support their academic, behavioral, and social emotional needs.

Staff cannot simply plug students into intervention programs. MCPS must align supports to students' needs and deliberately monitor the progress students make with the supports, until they succeed.

MCPS' work to close the achievement gap by addressing the learning experiences of students who need the most, connects deeply to the core values, mission, and vision of MCPS. A new approach is required if the district's commitment to all students is to be realized. Such effort requires innovation, collaboration, and honest self-reflection. MCPS must move beyond narrow, reactive, deficit-based interventions. At this time MCPS will begin the journey toward an *integrated system of supports*, fortified by the recommitment to all learners—adults and children.

Re: **DISCUSSION**

Mr. Barclay thanked staff for the presentation which is focused on proactive intervention and not reactive solutions. The school system is organized to support a student when a student's need is identified; however, how is that identification determined? How does looking at the data help inform teachers about delivering instruction? Staff stated that the data needs to be analyzed and presented in a useful format in order for the schools to build on the information.

Dr. Docca wanted to know what steps are taken with elementary students who demonstrate skills deficit. Staff replied that the academic and social/emotional data are reviewed in order to best help the student. It is the job of the principal and teacher to develop strategies to help such a student. Furthermore, a relationship with the family helps school staff identify the needs of the child.

Mrs. O'Neill commented on the complexity and comprehensive review of interventions in the school system. She noted that the student struggling in literacy will also be struggling in math. There is an urgency to help the student at this point without waiting for the Common Core and implementation by 2016. At the middle school, there always has been the team approach which was one of the strengths with the middle school model.

Ms. Brandman pointed out that good instruction is the first strategy, but how will staff know when a student starts to struggle with the curriculum? Staff remarked that with Curriculum 2.0, teachers understand what students are expected to know and be able to do. With collaborative planning, teachers will change instructional practices.

Mr. Barclay noted that there is the ability to plan across grade levels, but not across schools at the elementary level. There are different strategies across schools. Dr. Starr commented that the challenge is to the teachers and system with the shift to the

Common Core. The teacher has to select from the content and construct lessons that will enable teachers to develop six critical thinking strands to assess the child; therefore, the content may be different in schools throughout the district. There is an expectation that every school adheres to the processes described for having integrated systems of support.

Ms. Brandman noted that students will be assessed to determine where students missed identified targets. There is a need to understand the barriers to student learning. She asked how the accountability targets will be set for the 15 – 20 pilot schools.

Mrs. Smondrowski asked what indicators are used to monitor a student's well-being. Staff replied that schools monitor students through assessment and daily data.

Dr. Docca noted the charts in the presentation; what is it that the Board needs to know about the students who are not achieving. The school system knows who the students are who are not achieving; what do we need to know about them in order to get them to achieve. She never hears anyone speak specially about African-American and Latino students, and what they need to do to achieve. Dr. Starr stated that a child who is not achieving needs to be in a classroom where they feel a sense of belonging, valued and well taken care of by a teacher and staff. The school needs a strong culture that believes that every child will achieve. A child who is not achieving needs to be where the professionals have the skills to intervene and differentiate, when necessary. The school also needs to connect with the parents or find another way to support the child. Dr. Docca was concerned with the charts in the documents without an explanation of what the students are doing and the need to work with them. There has to be something more concrete about educating these children and alerting their parents.

Mr. Barclay reiterated the Board's sense of urgency. He was in support of the reorganization based on the schools' needs. What is MCPS actually doing right now for students who are not achieving? Where does it exist? There are students who are not achieving their potential, and it is essential to speak to those students to determine the root causes for their underachieving. People are desperately seeking help for their struggling students.

Mr. Durso was curious and concerned about discussions on how things work, and who does what and when. How will the 15 – 20 school be selected for the pilot? Staff replied that they are in the process, and it will be determined on student outcome data.

Mr. Durso wanted information about the 1,100 students referred to in the graduation rate chart who did not graduate. Are they fifth year graduates who did not graduate with their cohort? Do we know what happened to those students?

Mr. Kauffman was interested in what work is done with principals to make them accountable for the performance of their schools.

RESOLUTION NO. 162-13 Re: **FUTURE CLOSED SESSION RESOLUTION**

On recommendation of the superintendent and on motion of Mr. Kauffman 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, April 23, 2013, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, to meet from 9:00 to approximately 10:00 a.m. and 12:00 to approximately 1:00 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. 163-13 Re: **REPORT OF PREVIOUS CLOSED SESSIONS**

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

On March 4, 2013, 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 on March 4, 2013, in the Directors' Board Room, Rockville Public Library, 21 Maryland Avenue, Rockville, Maryland, from 4:32 to approximately 5:01 p.m. and received a briefing by staff and discussed ongoing collective bargaining negotiations and matters that relate to the negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article*.

In attendance at the closed session were Chris Barclay, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, Patricia O'Neill, Rebecca Smondrowski, Suzann King, Glenda Rose, Laura Steinberg, Larry Bowers, Stan Damas, Brian Edwards, Beth Schiavino-Narvaez, Joshua Starr, and Kimberly Statham.

On March 12, 2013, 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 on March 12, 2013, from 9:03 to 9:48 a.m. in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, and:

1. Received legal advice and considered the following appeals involving a student placement and an administrative complaint: DCC-2013-43 and 2013-1, 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*.
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*.
3. Received legal advice regarding the Brickyard property litigation, as permitted under Section 10-508(a)(7) and Section 10-508(a)(8) of the *State Government Article*.

In attendance at the 9:03 a.m. closed session were Chris Barclay, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, John Mannes, Patricia O'Neill, Rebecca Smondrowski, Suzann King, Glenda Rose, Laura Steinberg, and Patrick Clancy. At 9:39 a.m., the following staff and counsel joined the Board: Larry Bowers, Samantha Cohen, Brian Edwards, Beth Schiavino-Narvaez, Joshua Starr, Kimberly Statham, and Dana Tofig. At 9:46 a.m., Patrick Clancy left the meeting.

On March 14, 2013, 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 on March 14, 2013, from 5:03 to 5:33 p.m. and 7:04 to 7:15 p.m. in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, and in its quasi-judicial capacity (which is outside the purview of the *Open Meetings Act*) and to receive legal advice regarding an appeal (as permitted under Section 10-508(a)(7) of the *State Government Article*), and to receive legal advice as required following the transportation hearing (being held pursuant to Section 3-903 of the *Education Article*).

In attendance at the closed session were Chris Barclay, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, John Mannes, Patricia O'Neill, Rebecca Smondrowski, Suzann King, and Patrick Clancy.

RESOLUTION NO. 164-13 Re: **APPEAL**

On recommendation of the superintendent and on motion of Mr. Kauffman 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 an appeal 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 appeal reflective of the Board members' votes in closed session, the disposition of which will be recorded in the minutes of today's meeting:

<u>Appeal Number</u>	<u>Type</u>
2013-2	Athletic Waiver

Disposition

Affirmed the chief operating officer's decision with Mr. Barclay, Ms. Brandman, Dr. Docca, Mr. Durso, and Mrs. O'Neill voting in the affirmative; Mr. Kauffman and Mrs. Smondrowski voting in the negative; Mr. Mannes did not participate in the adjudication of the appeal.

RESOLUTION NO. 165-13 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education strongly opposes the county takeover of Prince George's School Board.

Re: **NEW BUSINESS**

Mrs. Smondrowski stated that at the Board's last meeting, in conjunction with the discussion of the pending Burden of Proof legislation, the Board engaged in a significant conversation about MCPS's special education system and the policies and practices within MCPS. She indicated that as she reflected on the conversation, it was clear that there is consensus among Board members that they need to take concrete steps to grapple with the concerns that have been raised about implementing IEPs and any existing barriers to meeting students' special education needs in the district. She noted that during the conversation, the Superintendent recommended (and there seems to be Board willingness) that the Board do two things right now: (1) they come together as a

Board to define some specific questions about special education that they can use going forward to assess how well we are serving all special education students; and (2) once the Board is clear on the issues and specifics that it wants studied that the Board agrees on the structure, such as an external audit to delve deeply. Mrs. Smondrowski further noted that the Special Populations committee has its next meeting scheduled for April 8, 2013. Accordingly, she asked the Board to join her in recommending that the Special Populations committee get started immediately at that time to work on defining the questions that can guide a comprehensive review or audit of special education.

By consensus of the Board, it was agreed that the Special Populations committee dedicate its work to bringing forward a recommendation to the full board regarding the specific issues/questions/data that the Board would ask to be examined by a comprehensive review. The Superintendent indicated support for this action noting that the type of comprehensive review (whether internal or external) should depend upon the information being sought by the Board.

RESOLUTION NO. 166-13 Re: **ADJOURNMENT**

On recommendation of the Superintendent and on motion of the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education adjourn its meeting of March 21, 2013, at 10:25 p.m.

PRESIDENT

SECRETARY

JPS:gr