

APPROVED  
13-2013

Rockville, Maryland  
May 14, 2013

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, on May 14, 2013, beginning at 9:00 a.m.

Present: Mr. Christopher Barclay, President  
in the Chair  
Ms. Shirley Brandman  
Dr. Judy Docca  
Mr. Michael Durso  
Mr. Philip Kauffman  
Mr. John Mannes  
Mrs. Patricia O'Neill  
Ms. Rebecca Smondrowski  
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 9:00 a.m.

RESOLUTION NO. 220-13 Re: **RESOLUTION FOR CLOSED SESSION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on May 14, 2013, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, from 9:00 to approximately 10:00 a.m. and approximately 11:15 a.m. to 2:30 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 superintendent of schools brief the Board on the 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 provide the Quarterly Sexual Harassment Report to the Board, which is an administrative function outside the purview of the *Open Meetings Act*, and be it further

Resolved, That the superintendent of schools brief the Board on the strategy relating the teacher effectiveness regulations and the Professional Growth System, as permitted under Section 10-508(a)(8) of the *State Government Article*; and be it further

Resolved, That the superintendent of schools and staff brief the Board on litigation regarding Kemp Mill Elementary School staff, as permitted under Section 10-508(a)(8) of the *State Government Article*; and be it further

Resolved, That the Board and superintendent of schools engage in a dialogue reflecting on the superintendent's performance, which is an administrative function outside the purview of the *Open Meetings Act*, and to the extent any individuals or employees are discussed, as permitted under Section 10-508(a)(1) 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 9:05 to 10:52 a.m. After a break, the Board of Education reconvened in open session at 11:00 a.m.

To view specific sections or the entire meeting, please watch at  
<http://www.montgomeryschoolsmd.org/boe/meetings/archive/2013/2013-0514.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. 221-13

Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for May 14, 2013, by moving Item 3.0 before Board/Superintendent Comments.

RESOLUTION NO. 222-13

Re: **SALUTE TO SCHOOL FOOD AND  
NUTRITION SERVICES PERSONNEL**

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

WHEREAS, The School Nutrition Association has announced May 6–10, 2013, as the twenty-eighth annual School Nutrition Employee Week; and

WHEREAS, The school cafeteria and the service provided by its personnel to students, faculty, and staff are integral to the operations of Montgomery County Public Schools; and

WHEREAS, The 14 million meals that are served annually to Montgomery County school children under the National School Lunch and School Breakfast Programs are a testament to the valuable contribution made by school food and nutrition service personnel each year; and

WHEREAS, School food and nutrition services personnel deserve to be recognized for their dedication and continuing commitment to feeding and educating students, and offering a variety of nutritional services to the community; now therefore be it

Resolved, That the Board of Education does hereby recognize school food and nutrition services personnel in honor of the twenty-eighth annual School Nutrition Employee Week in Montgomery County Public Schools.

RESOLUTION NO. 223-13

Re: **RECOGNITION OF NAACP SCHOLARSHIP  
RECIPIENTS**

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

WHEREAS, The Montgomery County Branch of the National Association for the Advancement of Colored People awarded, at its annual Freedom Fund Dinner, 13 \$1,000 scholarships to Montgomery County Public Schools students; and

WHEREAS, The National Association for the Advancement of Colored People selected "150 years since the Emancipation Proclamation: Are we free of our shackles?" as the theme of its Freedom Fund Dinner, held Sunday, May 5, 2013, to recognize African American students for their positive contributions to our schools and community; and

WHEREAS, Montgomery County recognizes and celebrates its students' community service achievements that make a difference to our county, our state, and our country; and

WHEREAS, The Montgomery County Board of Education takes great pride that Montgomery County Public Schools honors the many contributions of African American

students; now therefore be it

Resolved, That on behalf of the superintendent of schools, staff, students, and parents of Montgomery County Public Schools, the members of the Board of Education congratulate the following recipients of this year's National Association for the Advancement of Colored People scholarship awards:

Bolanle O. Aroyewun from Bethesda Chevy-Chase High School  
Dandio Coulibaly from Albert Einstein High School  
Bethel B. Etta from Watkins Mill High School  
Brunel Fangmo Fangmo from Quince Orchard High School  
Jamil D. Gordon from James Hubert Blake High School  
Tayler N. Jones from Sherwood High School  
Rachel C. Kenlaw from Paint Branch High School  
James F. Manjo from Col. Zadok Magruder High School  
Rabia A. Missana from Quince Orchard High School  
Anna T. Oluyomi from Watkins Mill High School  
Deana S. Parris from Paint Branch High School  
Hillary D. Yeboah from Montgomery Blair High School  
Akouvi N.Yigan-Kohoe from Gaithersburg High School

RESOLUTION NO. 224-13

Re: **PUPIL PERSONNEL WORKER WEEK**

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

WHEREAS, The Honorable Martin J. O'Malley, governor of the state of Maryland, introduced a proclamation acknowledging May 5–11, 2013, as Pupil Personnel Worker Week to recognize pupil personnel workers for outstanding service to our children, families, and schools; and

WHEREAS, The Maryland Association of Pupil Personnel encourages all Maryland school systems to recognize the work pupil personnel workers do to promote students' academic and personal success; and

WHEREAS, All children and youth learn best when they are healthy, supported, attend school regularly, and receive an education that meets their individual needs; and

WHEREAS, Pupil personnel workers are trained as liaisons, advocates, and consultants to assess school and community resources, conduct home visits, and implement attendance and behavioral interventions to help eliminate barriers to learning and allow teachers to teach more effectively; and

WHEREAS, Pupil personnel workers facilitate collaboration that helps parents and educators identify and reduce risk factors, promote protective factors, create safe schools, and access community resources; and

WHEREAS, It is appropriate that Montgomery County Public Schools recognizes the vital role pupil personnel workers play in the individual and academic development of its students; now therefore be it

Resolved, That the Board of Education hereby proclaims May 5–11, 2013, as Pupil Personnel Worker Week in Montgomery County Public Schools.

Re: **PUBLIC COMMENTS**

The following people commented before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Patty Winters	Underage Drinking Prevention
2. David Naimon	High School Math Finals
3. Patrick Dunn	COMAR G/T Regulations
4. Donna Wotherspoon	Pupil Personnel Workers

Mr. Durso asked for an update on the staffing for psychologists and those opting for 10-month employment.

RESOLUTION NO. 225-13      Re: **HUMAN RESOURCES AND DEVELOPMENT MONTHLY REPORT**

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

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 the members of the Board of Education and the superintendent of schools express their condolences to the family of the deceased employee; and be it further

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

RESOLUTION NO. 226-13      Re: **DEATH OF MR. ALEXANDER MICHNEWICH TEACHER, ACADEMIC INTERVENTION, PARKLAND MIDDLE SCHOOL**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by

Ms. Brandman, the following resolution was adopted unanimously:

WHEREAS, The death on April 29, 2013, of Mr. Alexander Michnewich, academic intervention teacher at Parkland Middle School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In his more than eight years with Montgomery County Public Schools, Mr. Michnewich was known as a truly caring and dedicated teacher who entered the education field to make a positive difference in students' lives; and

WHEREAS, Mr. Michnewich showed his students repeated examples of how the information they were learning now would make a difference in what they may do in their future endeavors; 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. Michnewich 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. Michnewich's family.

RESOLUTION NO. 227-13      Re:    **APPOINTMENT**

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

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

Andrew M. Zuckerman, currently associate superintendent, Area 1, Prince George's County Public Schools as chief of staff, Office of the Superintendent of Schools

RESOLUTION NO. 228-13      Re:    **APPOINTMENT**

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

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

Niki T. Hazel, currently supervisor, Elementary Integrated Curriculum Team, as director, Elementary Integrated Curriculum Team

RESOLUTION NO. 229-13      Re:    **APPOINTMENT**

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

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

June L. Zillich, currently student services specialist, as supervisor, Linkages to Learning and School-based Health Services, Office of the Chief Engagement and Partnership Officer

RESOLUTION NO. 230-13      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 July 1, 2013:

Yolanda R. Allen, currently principal intern, Gaithersburg Elementary School, as principal, Goshen Elementary School

RESOLUTION NO. 231-13      Re:    **APPOINTMENT**

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

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

Wanda L. Means Harris, currently assistant principal, Sequoyah Elementary School, as principal, Dr. Charles R. Drew Elementary School

RESOLUTION NO. 232-13      Re:    **APPOINTMENT**

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

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

Shoua F. Moua, currently principal, Bruce F. Vento Elementary School, Saint Paul Public School District, Saint Paul, MN, as principal, Woodlin Elementary School

Re:    **BOARD/SUPERINTENDENT COMMENTS**

Mr. Mannes commented that he attended (1) the rededication of Jackson Road Elementary School; (2) MCCPTA's principals' and presidents' dinner; (3) the Seven Locks Elementary School's dedication; and (4) the Distinguished Service Awards.

Mrs. Smondrowski reported that she attended the following: (1) Performing Awards Gala; (2) Thomas S. Edison School of Technology graduation and awards; (3) NAACP

Freedom Fund Dinner; (4) MCCPTA's principals' and presidents' dinner and special education awards; and (5) Lakelands Park Middle School's play, and (6) read aloud at Goshen Elementary School.

Mr. Durso commented that there are many culminating activities at this time of year. He attended many of the same events that had already been mentioned by his colleagues.

Dr. Docca had attended the (1) MCCPTA special education awards, (2) Distinguished Service Awards, and (3) the opera at Stedwick Elementary School.

Mrs. O'Neill agreed with her colleagues, and she attended the 50<sup>th</sup> anniversary of Thomas W. Pyle Middle School.

Mr. Barclay associated himself with the remarks of his colleagues. He attended scholarship awards from the Black School Educators, and the Every 15-minutes Program at Magruder.

Dr. Starr commented on the following: "America's Best High Schools," Teacher Appreciation Week, Presidential Scholars and Gates Millennium Scholars, Champions for Children, and the Superintendent's Book Club.

Dr. Starr gave an INNOVATION SCHOOLS update on the selection of ten Innovation Schools for the 2013–2014 school year. The ten Innovation Schools will receive intense support in designing and implementing innovative school improvement and professional learning plans to accelerate the closing of achievement gaps. This on-the-ground support will be provided by the Chief School Improvement Officer (CSIO), based in the Office of School Support and Improvement (OSSI), in partnership with the Interventions Supervisor (IS), located in the Office of Teaching, Learning, and Programs (OTLP). The CSIO will focus on providing support to these 10 schools in whole-school improvement processes while the IS will work with these schools in holistically and systemically addressing the needs of specific groups of students who are in need of additional supports. Through the implementation of these complementary supports, we will work to accelerate the closing of the achievement gap in the Innovation Schools. It also is expected that practices implemented in Innovation Schools will inform school improvement and interventions work in schools across the system in future years where appropriate.

Schools were prioritized in the selection process based on the school leader's readiness and desire to initiate the difficult work of improvement and to accelerate closing student achievement gaps. Innovation Schools are, in many ways, already "on the cusp" of making great strides in improvement for all learners. We will support these schools and school leaders in achieving their next level of work by first getting to know our schools well so that we can serve them well. Innovative school improvement processes, designed and implemented in partnership with the CSIO, IS, and members of the Innovation School network who will engage in ongoing learning together, will serve as our basis for the collective work of

improvement.

Through the described selection processes, the following schools have been identified as Innovation Schools for the 2013–2014 school year:

<b>School Name</b>	<b>Cluster</b>
<b>Elementary Schools</b>	
Clopper Mill	Northwest
Strathmore	John F. Kennedy
Watkins Mill	Watkins Mill
<b>Middle Schools</b>	
Argyle	John F. Kennedy
A. Mario Loiederman	Wheaton
Montgomery Village	Watkins Mill
<b>High Schools</b>	
John F. Kennedy	John F. Kennedy
Springbrook	Springbrook
Watkins Mill	Watkins Mill
<b>Special Schools</b>	
Alternative Programs	

Each school principal has been contacted by representatives of OSSI and OTLP to inform them of their selection as an Innovation School. We have subsequently met with each principal to discuss supports that will be provided to the Innovation Schools during the coming year. Following the announcement of each school's selection as an Innovation School, we will initiate a needs-assessment process at each school site, with the school principal serving as a key communicator of the school's existing strengths and needs. The needs assessment process will lead to the design of a customized plan of support for each innovation school.

The CSIO will serve as a case manager for each school and will work closely with the designated associate superintendent, as well as Executive Staff members across central office, to secure needed supports to accelerate school progress.

The Board received an update from Dr. Starr and engaged in a discussion on how the district will look into high final exam failure rates in high school, especially in MATHEMATICS. Dr. Starr emphasized that final exam performance is only one data point and must be considered in context. Overall, he said, students in MCPS perform well in mathematics, but it is important to address concerns about exams and offer support to students who have gaps in their mathematics knowledge. A group of MCPS administrators and teachers will convene to determine how the district can best support students who are not doing well on the exams. The work of this group should be completed before the beginning of next school year. Dr. Starr will also bring together a

multi-stakeholder group, including parents and students, to provide ongoing feedback and input on systemic issues in mathematics education in MCPS.

Mr. Kauffman asked for information comparing math grades with other courses such as English and biology. Also, Mr. Kauffman wanted to know whether the students are prepared by mastering the fundamentals in earlier grades. Ms. Brandman asked about the high school students' strength in math based on the courses they completed in middle school.

Re: **LUNCH**

The Board of Education recessed for lunch from 1:29 to 2:33 p.m.

RESOLUTION NO. 233-13      Re: **CONTRACTS OF \$25,000 OR MORE**

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

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

WHEREAS, Funds have been budgeted for the purchase and financing of previously owned copiers awarded through Bid No. 4247.1 in the amount of \$225,000; and

WHEREAS, The acquisition of previously owned copiers through a financing agreement has been reviewed by legal counsel; now therefore be it

Resolved, That previously owned copiers in the amount of \$225,000 be purchased and financed for a four-year term under the Master Lease/Purchase Agreement with Banc of America Public Capital Corporation; and be it further

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

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute the documents necessary for this transaction; and be it further

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

042109      Telecommunications Related Equipment and Services—Extension

Awardee  
Mitel Business Systems, Inc.

		\$161,000
4400008570	Two-Way Radio Communication Equipment and Accessories—Extension	
	<u>Awardee</u> Procom Corporation*	\$150,000
10-041	Preventive Maintenance and Repair of Generators—Extension	
	<u>Awardee</u> Johnson and Towers, Inc.	\$ 95,000
MBU-528-11	Ice Cream—Extension	
	<u>Awardee</u> Briggs Ice Cream	\$150,000
P-062	Energy Consulting Services—Extension	
	<u>Awardee</u> EnerNOC, Inc.	\$114,000
4022.6	On-Call Painting Contractors	
	<u>Awardees</u> (See note)	
	Colossal Contractors*	
	Earn Contractors, Inc.*	
	Tito Contractors*	
	Total Contracting, Inc.	
	Unisource Services, LLC*	
	Total \$300,000	
4062.10	Musical Instruments, Furniture, and Equipment	
	<u>Awardees</u>	
	Alamo Music Center	\$ 10,408
	Cascio Interstate Music, Inc.	88,002
	Guitar Center, Inc.	40,930
	Jason's Music Center	41,700
	JKM Music Group, LLC	1,020
	Lashof Violins, LLC*	6,740
	National Educational Music Company	1,094
	Peripole, Inc.*	59,726
	Rhythm Band, Inc.	6,940
	Shar Products Company	2,402

	Steve Weiss Music, Inc.	4,266
	Taylor Music, Inc.	26,195
	Washington Music Sales Center, Inc.*	124,160
	Wenger Corporation	<u>76,509</u>
	Total	\$490,092
4176-OB	Water Cooler Rental and Bottled Water Service—Extension	
	<u>Awardee</u>	
	Crystal Springs Water	\$100,000
4202.2	Water and Indoor Air Quality Industrial Hygiene Services—Extension	
	<u>Awardees</u> (See note)	
	Aria Environmental*	
	KCI Technologies, Inc.	
	M. A. Cecil & Associates, Inc.	
	Science Applications International Corporation	
	URS Corporation	
	Total	\$500,000
4247.1	Previously Owned Copiers—Extension	
	<u>Awardees</u> (See note)	
	Capitol Document Solutions	
	Copiers Plus, Inc.	
	Ricoh Corporation	
	Total	\$225,000
4275.1	George Mason University Partnership—Extension	
	<u>Awardee</u>	
	George Mason University	\$194,000
4325.1	Ushers for 2013 Graduation Ceremonies—Extension	
	<u>Awardee</u>	
	Theatre Services	\$ 35,700
4329.1	AVID License and Implementation—Extension	
	<u>Awardee</u>	
	AVID Center	\$ 60,354
4343.1	The SOIP Model Professional Development	

	<u>Awardee</u> NCS Pearson, Inc.	\$118,400
4344.1	Psychological Testing Material	
	<u>Awardees</u> NCS Pearson, Inc.	\$ 80,000
	Multi-Health Systems, Inc.	15,200
	Psychological Assessment Resources	<u>11,000</u>
	Total	\$106,200
7104.5	Refrigerated Cargo Truck—Extension	
	<u>Awardee</u> K. Neal International Trucks, Inc.*	\$253,000
7109.5	Tire Retread Services	
	<u>Awardee</u> S&S Tire Service, Inc.*	\$218,940
7166.2	Magazine Subscriptions—Extension	
	<u>Awardee</u> Cox Subscriptions, Inc.*	\$200,000
7213.2	Televisions for Schools and Offices	
	<u>Awardee</u> CDW Government, LLC	\$ 34,340
8493.1	Waste Water Operations Treatment—Extension	
	<u>Awardee</u> Singh Operational Services, Inc.	\$ 80,000
9070.8	Street Hockey Supplies and Equipment—Extension	
	<u>Awardees</u> Cannon Sports, Inc.*	\$ 11,074
	Flaghouse, Inc.	4,513
	Sports Stop, Inc.	4,637
	The Prophet Corporation	<u>7,739</u>
	Total	\$ 27,963

9102.8	Beverages, Chips, and A La Carte Snacks—Extension	
	<u>Awardees</u> (See note)	
	Dori Foods, Inc.	
	Royalle Dining Services, Inc.*	
	Total	\$800,000
9137.3	Products for Summer Programs—Extension	
	<u>Awardees</u> (See note)	
	Café Favorites	
	Country Pure Foods	
	Feesers, Inc.	
	Let's Do Lunch	
	Total	\$ 70,000
9186.11	Asbestos Abatement at Various Locations	
	<u>Awardees</u>	
	Asbestos Specialist, Inc.	\$ 27,400
	Barco Enterprise	17,500
	Goel Construction Services, Inc.*	38,914
	Retro Environmental, Inc.	<u>24,390</u>
	Total	\$108,204
9302.5	Installation of Carpeting, Resilient Flooring, and Accessories**	
	<u>Awardee</u>	
	Fitz Flooring, LLC	\$ 902,825
9364.5	Line Painting of Asphalt Parking Lots at Various Locations**	
	<u>Awardee</u>	
	Colossal Contractors*	\$ 75,000
	TOTAL PROCUREMENT CONTRACTS OVER \$25,000	\$5,570,018

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

\*\*Planned Life-cycle Asset Replacement (PLAR)

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 233-13

Re: **CONTRACT APPROVAL FOR BID NO.  
CQ12141, DIESEL FUEL—EXTENSION**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by

Dr. Docca, the following resolution was adopted unanimously:#

WHEREAS, Funds have been budgeted for the purchase of diesel fuel through Bid No. CQ12141; now therefore be it

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

CQ12141 Diesel Fuel—Extension

Awardee

Mansfield Oil Company

\$11,500,000

RESOLUTION NO. 234-13 Re: **CONTRACT APPROVAL FOR BID NO. 9120.3, MILK, OTHER DAIRY PRODUCTS, AND FRUIT JUICES — EXTENSION**

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

WHEREAS, Funds have been budgeted for the purchase of milk, other dairy products, and fruit juices through Bid No. 9120.3; now therefore be it

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

9120.3 Milk, Other Dairy Products, and Fruit Juices—Extension

Awardee

Dairy Maid Dairy, Inc.

\$3,750,000

RESOLUTION NO. 235-13 Re: **ARCHITECTURAL APPOINTMENTS—AMERICANS WITH DISABILITIES ACT COMPLIANCE/IN-HOUSE PROJECTS**

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

WHEREAS, Funds are appropriated annually in the Capital Improvements Program to provide improved accessibility for the disabled at various schools through the *Americans with Disabilities Act* Project and the Building Modifications and Program Improvements Project; and

WHEREAS, It is necessary to appoint architectural firms to provide architectural and engineering services on an as-needed basis to respond to accessibility and program modification requirements at various schools; 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, Project specific fees for the necessary architectural and engineering services will be negotiated based upon the size and complexity of the individual projects as they are assigned within the funding limits approved by the Board of Education and the County Council in the Fiscal Year 2013–2018 Capital Improvements Program; now therefore be it

Resolved, That the Montgomery County Board of Education enters into 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 accessibility and facility modification projects.

RESOLUTION NO. 236-13      Re:    **AWARD OF CONTRACT—REROOFING AT  
JUDITH A. RESNIK ELEMENTARY SCHOOL**

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

WHEREAS, The following sealed bids were received on April 10, 2013, for the Judith A. Resnik Elementary School reroofing project:

<u>Bidders</u>	<u>Amounts</u>
Cole Roofing Co., Inc.	\$1,200,771
Interstate Corporation	1,330,000
Orndorff & Spaid, Inc.	1,618,822

and

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

WHEREAS, The low bidder, Cole Roofing Co., Inc., has submitted 20 percent women-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, Cole Roofing Co., Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a contract in the amount of \$1,200,771 be awarded to Cole Roofing Co., Inc. for the Judith A. Resnik Elementary School reroofing project, in accordance with drawings and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 237-13      Re:    **AWARD OF CONTRACT—REROOFING AT SEQUOYAH ELEMENTARY SCHOOL**

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

WHEREAS, The following sealed bids were received on April 12, 2013, for the Sequoyah Elementary School reroofing project:

<u>Bidders</u>	<u>Amounts</u>
Interstate Corporation	\$1,018,000
Orndorff & Spaid, Inc.	1,080,343
Cole Roofing Co., Inc.	1,101,144

and

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

WHEREAS, The low bidder, Interstate Corporation, is a Maryland Department of Transportation-certified Minority Business Enterprise firm; and

WHEREAS, The low bidder, Interstate Corporation, has submitted 20 percent women-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, Interstate Corporation has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a contract in the amount of \$1,018,000 be awarded to Interstate Corporation for the Sequoyah Elementary School reroofing project, in accordance with drawings and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 238-13      Re:    **AWARD OF CONTRACT—REROOFING AT SUMMIT HALL ELEMENTARY SCHOOL**

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

WHEREAS, The following sealed bids were received on April 16, 2013, for the Summit Hall Elementary School reroofing project:

<u>Bidders</u>	<u>Amounts</u>
R.D. Bean, Inc.	\$217,740
Orndorff & Spaid, Inc.	226,008

and

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

WHEREAS, The low bidder, R.D. Bean, Inc., has submitted 20 percent other-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, R.D. Bean, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a contract in the amount of \$217,740 be awarded to R.D. Bean, Inc. for the Summit Hall Elementary School reroofing project, in accordance with drawings and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 239-13            Re:    **AWARD OF CONTRACT—NEW  
EMERGENCY GENERATING SYSTEM AT  
MONTROSE CENTER**

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

WHEREAS, The following low bids were received on April 12, 2013, for a new emergency generating system at Montrose Center:

<u>Bidders</u>	<u>Amounts</u>
T.J. Holt Electric, LLC	\$ 90,000
Amber Enterprises, Inc.	103,000
Tex/Am Construction Co., Inc.	137,261

and

WHEREAS, The low bidder, T.J. Holt Electric, LLC, is a Maryland Department of Transportation-certified Minority Business Enterprise firm; and

WHEREAS, T.J. Holt Electric, LLC has completed similar work successfully for other jurisdictions; now therefore be it

Resolved, That a contract in the amount of \$90,000 be awarded to T.J. Holt Electric, LLC for a new emergency generating system at Montrose Center, in accordance with drawings and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 240-13      Re:    **AWARD OF CONTRACT—KITCHEN  
SERVERY REPLACEMENTS**

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

WHEREAS, The following sealed unit price bid was received on April 24, 2013, for the new kitchen servery replacements project at various schools:

<u>Bidder</u>	<u>Amount</u>
Ashland Equipment, Inc.	\$200,000

and

WHEREAS, There are limited opportunities for Minority Business Enterprise subcontracting on this project; and

WHEREAS, Staff in the Department of Facilities Management has determined that this amount is within the estimates and budget; and

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

Resolved, That a unit price contract in the amount of \$200,000 be awarded to Ashland Equipment, Inc. for the kitchen servery replacements, in accordance with drawings and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 241-13      Re:    **CONSULTANT APPOINTMENTS—ENERGY  
MANAGEMENT AUTOMATION SYSTEMS**

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

WHEREAS, Engineering services are required for the design of energy management automation systems, systems commissioning, and contract administration; and

WHEREAS, Brinjac Engineering, Inc. and B2E Consulting Engineers, P.C. were selected as the most qualified companies through the Architect/Engineer Selection Procedures approved by the Board of Education on April 20, 2006; and

WHEREAS, These firms have consistently provided similar engineering services satisfactorily for Montgomery County Public Schools; and

WHEREAS, Staff in the Department of Facilities Management will negotiate fees for the necessary engineering services based on the size and complexity of the individual projects; now therefore be it

Resolved, That the Board of Education enters into contractual agreements with the firms of Brinjac Engineering, Inc. and B2E Consulting Engineers, P.C. for the design of energy management automation systems, systems commissioning, and contract administration for Montgomery County Public Schools, with the contract amount not to exceed \$150,000 per project.

RESOLUTION NO. 242-13            Re:    **CANDLEWOOD ELEMENTARY SCHOOL—  
FOREST CONSERVATION EASEMENT  
AGREEMENT**

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

WHEREAS, The Maryland-National Capital Park and Planning Commission has requested a Forest Conservation Easement Agreement at Candlewood Elementary School, located at 7210 Osprey Drive in Rockville, in connection with the school construction project; and

WHEREAS, The proposed Category I Forest Conservation Easement Agreement will protect and prevent any alteration, construction, or destruction of sensitive environmental areas consisting of forest, wetlands, and stream valley buffers contained in 168,205 square feet within the school site; and

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

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Category I Forest Conservation Easement Agreement consisting of 168,205 square feet with the Maryland-National Capital Park and Planning Commission at Candlewood Elementary School.

RESOLUTION NO. 243-13            Re:    **UTILIZATION OF THE FISCAL YEAR 2013  
PROVISION FOR FUTURE SUPPORTED**

## PROJECTS

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

WHEREAS, The above-noted grants qualify for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 17-444, approved May 24, 2012; and

WHEREAS, The above-noted projects do not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available within the Fiscal Year 2013 Provision for Future Supported Projects to permit the above-noted transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized by the Montgomery County Board of Education to receive and expend \$2,409,262 within the Fiscal Year 2013 Provision for Future Supported Projects, specified as follows:

Project	Amount
Middle Years Programme Study	\$ 5,734
Title I, 1003(a)—Local Education Agency Support to Focus and Approaching Target Schools	405,930
Quality Teacher Incentive Program	1,810,170
Title III—Emergency Immigrant Education Program	<u>187,428</u>
Total	\$ 2,409,262

and be it further

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

RESOLUTION NO. 244-13

Re: **FISCAL YEAR 2013 THIRD QUARTER  
CATEGORY AND OBJECT TRANSFERS  
REQUEST**

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

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

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

Resolved, That the superintendent of schools be authorized to effect Fiscal Year 2013 categorical transfers of \$709,428 in the following categories:

**Title I, Part A—2012**

	<u>Category</u>	<u>From</u>	<u>To</u>
1	Administration	\$ 20,231	
2	Mid-Level Administration	98,686	
3	Instructional Salaries		\$ 254,740
4	Textbooks and Instructional Supplies		21,133
5	Other Instructional Costs		1,633
9	Student Transportation		67,695
12	Fixed Charges	226,284	
	Total	<u>\$ 345,201</u>	<u>\$ 345,201</u>

**Title I, Part A—2013**

	<u>Category</u>	<u>From</u>	<u>To</u>
1	Administration	\$ 53,574	
2	Mid-Level Administration		\$ 70,656
3	Instructional Salaries	56,858	
4	Textbooks and Instructional Supplies		15,944
5	Other Instructional Costs		28,240
9	Student Transportation	137,716	
12	Fixed Charges		133,308
	Total	<u>\$ 248,148</u>	<u>\$ 248,148</u>

**Individuals with Disabilities Education Act—Passthrough Part B**

	<u>Category</u>	<u>From</u>	<u>To</u>
6	Special Education	\$ 11,101	
12	Fixed Charges		\$ 11,101
	Total	<u>\$ 11,101</u>	<u>\$ 11,101</u>

**Title III, Emergency Immigrant Education—2013**

	<u>Category</u>	<u>From</u>	<u>To</u>
1	Administration		
2	Mid-Level Administration		
3	Instructional Salaries	\$ 2,434	
4	Textbooks and Instructional Supplies		\$ 79,041
5	Other Instructional Costs	90,500	
9	Student Transportation		
12	Fixed Charges		13,893
	Total	<u>\$ 92,934</u>	<u>\$ 92,934</u>

**Judith Hoyer Early Care and Education—Gaithersburg**

	<u>Category</u>	<u>From</u>	<u>To</u>
1	Administration	\$ 127	
12	Fixed Charges	3,830	

14	Community Services		\$ 3,957
	Total	<u>\$ 3,957</u>	<u>\$ 3,957</u>

**American Indian Education Grant**

	<u>Category</u>	<u>From</u>	<u>To</u>
3	Instructional Salaries		\$ 7,495
4	Textbooks and Instructional Supplies	\$ 3,728	
5	Other Instructional Costs	3,062	
9	Student Transportation	1,297	
12	Fixed Charges		592
	Total	<u>\$ 8,087</u>	<u>\$ 8,087</u>

and be it further

Resolved, That the superintendent of schools be authorized to effect a Fiscal Year 2013 object transfers of \$637,622 in the following projects:

**Title I, Part A Grant—2012**

	<u>Object</u>	<u>From</u>	<u>To</u>
01	Salaries and Wages		\$ 135,824
02	Contractual Services		1,632
03	Supplies and Materials		21,133
04	Other	\$ 158,589	
	Total	<u>\$ 158,589</u>	<u>\$ 158,589</u>

**Title I, Part A Grant—2013**

	<u>Object</u>	<u>From</u>	<u>To</u>
02	Contractual Services	\$ 479,033	
05	Furniture and Equipment		\$ 479,033
	Total	<u>\$ 479,033</u>	<u>\$ 479,033</u>

and be it further

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

RESOLUTION NO. 245-13      Re:    **PRELIMINARY PLAN—ARCOLA  
ELEMENTARY SCHOOL ADDITION  
PROJECT**

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

WHEREAS, The architect for the proposed Arcola Elementary School addition project, The Lukmire Partnership, Inc., has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The participants in the Arcola Elementary School facility advisory process have provided input for the proposed schematic design; now therefore be it

Resolved, That the Board of Education approves the preliminary plans report for the Arcola Elementary School addition project developed by The Lukmire Partnership, Inc.

RESOLUTION NO. 246-13      Re:    **PRELIMINARY PLAN—ROSEMARY HILLS  
ELEMENTARY SCHOOL ADDITION  
PROJECT**

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

WHEREAS, The architect for the proposed new Rosemary Hills Elementary School addition project, JK Architects + Associates, Inc., has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The participants in the Rosemary Hills Elementary School facility advisory process have provided input for the proposed schematic design; now therefore be it

Resolved, That the Board of Education approves the preliminary plans report for the new Rosemary Hills Elementary School addition project developed by JK Architects + Associates, Inc.

\*\* At this point, Mr. Mannes left the meeting.

Re:    **ENVIRONMENTAL SUSTAINABILITY  
REPORT UPDATE**

Dr. Starr invited the following people to the table: Mr. James Song, director, Department of Facilities Management; Mr. Sean J. Gallagher, assistant director, Department of Facilities Management; and Ms. Hillary H. Kirchman, program manager, School Energy and Recycling Team, Department of Facilities Management.

The Board of Education has a long-standing commitment to energy conservation and responsible environmental stewardship. The discussion reflected this commitment that dates back to the 1970s when the first energy policy was adopted and the first energy program took shape in Montgomery County Public Schools (MCPS). As the energy program evolved in the decades that followed, MCPS now has become a recognized leader in several areas of sustainability and environmental stewardship. On April 22, 2013, the U.S. Department of Education recognized Cedar Grove and Summit Hall elementary schools with National Green Ribbon School Awards and recognized MCPS with the National Green Ribbon District Sustainability Award. These awards are a result of the collaboration of many offices and departments aligning successful programs that incorporate sustainable best practices.

This presentation provided an update on the successes and efforts of each office and department to incorporate embedded, sustainable practices. Among the highlights of

the many MCPS sustainable programs and initiatives are:

- Education and Awareness
- Resource Conservation/Utilities
- Solid Waste and Recycling
- Construction and Land Use
- Transportation
- Technology

Many governmental and private organizations have been interested in MCPS' environmental sustainable efforts and programs. A number of mandates and requirements relating to energy efficiency and sustainable practices have been adopted at the county, state, and federal levels. The focus is to continually lead the way by developing and implementing sustainable best practices in every facet of school system.

MCPS has continued to build on an excellent foundation of energy and environmentally responsible programs. This is the basis of the environmental sustainability management plan that is being developed into an organizational framework for future sustainability.

Re: **DISCUSSION**

Mr. Barclay pointed out that the Board supports and promotes the development of edible and perennial gardens. He asked staff to make sure that the public is aware of this initiative and guide them to the website.

Ms. Brandman asked about the options for continuing the use of solar panels. Mr. Song stated that recent legislation on stormwater encourage green roofs. Sun exposure is also a consideration; therefore, it is a balance on the best option for a roof.

Ms. Brandman inquired about the greatest impact on recycling efforts. Staff replied that the effort in schools is to reduce the number of copies. Also, Copy Plus is a service that reduces paper and copier maintenance.

Mrs. Smondrowski asked if LED lighting was standard for all new construction. Staff replied that they are studying the cost and efficiency of the lighting since it may not be appropriate in all situations.

Mr. Barclay asked what the options were in using polystyrene trays. Staff explained that they are exploring several options from various school districts throughout the country. Furthermore, schools have initiated various pilots to reduce the use of polystyrene trays.

Mrs. O'Neill thanked staff for the presentation, and she commented that the school system has made great strides in environmental stability.

**Re: MONTHLY FINANCIAL REPORT**

Mr. Larry Bowers, chief operating officer, explained that the financial report reflects the actual financial condition of Montgomery County Public Schools (MCPS) as of March 31, 2013, and projections through June 30, 2013, based on program requirements and estimates made by primary and secondary account managers. At this time, revenues have a projected surplus of \$2.7 million, and expenses have a projected surplus of \$16.4 million.

Due to Fiscal Year (FY) 2011 comprehensive expenditure restrictions, MCPS ended the year with an expenditure surplus. The FY 2012 Operating Budget included a fund balance of \$17.0 million of the total savings as a source of appropriation, leaving a fund balance of \$11.9 million. This balance, together with the FY 2012 expenditure and revenue surplus of \$28.6 million, equals \$40.5 million that will be available to fund future operating budgets. The County Council used \$17.0 million of the fund balance as a source of revenue for the FY 2013 Operating Budget, leaving an available balance of \$23.5 million. Based on the revenue and expenditure projections as of March 31, 2013, the FY 2013 fund balance will be \$42.6 million at year end. My expectation is that the available fund balance will be used for appropriation over several years to avoid any sudden increase in the need for local contribution to replace fund balance as a revenue source.

**Re: CHANGES IN COMAR REQUIREMENTS  
FOR CURRICULUM ADVISORIES**

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

WHEREAS, In 1970, the Montgomery County Board of Education convened a Citizens Advisory Committee on Family Life and Human Development, to advise on Comprehensive Health Education in the district; and

WHEREAS, Many community members have shown dedication and commitment spanning 43 years as they served as members of the Citizens Advisory Committee on Family Life and Human Development on behalf of students in the district; and

WHEREAS, The Maryland State Board of Education has changed requirements for local review of Comprehensive Health Education; and

WHEREAS, The Montgomery County Board of Education approved Policy IFA, *Curriculum*, and Policy IIB, *Evaluation and Selection*; and

WHEREAS, The superintendent of schools has developed regulations IFA-RA, *Curriculum*, and IIB-RA, *Evaluation and Selection of Instructional Materials and Library Books*; and

WHEREAS, All content area teams engage parents, community members and educators in review of curriculum, instruction, and assessment resources and all content area teams engage educators in evaluation and selection of instructional materials in accordance with district policies and regulations; now therefore be it

Resolved, That the Montgomery County Board of Education dissolves the Board-appointed Citizens Advisory Committee on Family Life and Human Development; and be it further

Resolved, That the superintendent of schools directs the Health Education team to convene a Curriculum Advisory Committee comprising community members and educators, as articulated in Regulation IFA-RA, *Curriculum*; and be it further

Resolved, That the superintendent of schools directs staff to notify members of the 2013–2014 Citizens Advisory Committee on Family Life and Human Development about the decision and to express Board members' appreciation for their service.

RESOLUTION NO. 247-13            Re:    **AN AMENDMENT TO THE CHANGES IN  
COMAR REQUIREMENTS  
FOR CURRICULUM ADVISORIES**

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

WHEREAS, Board of Education Policy IFA, *Curriculum*, calls for a systematic and ongoing program of curriculum review and development, and requires that each subject's curriculum will be reviewed on a cycle every five years; and

WHEREAS, When the Grade 8 and Grade 10 Health Education Curriculum was last revised and adopted on June 12, 2007, there was a requirement that teachers follow a scripted lesson; and

WHEREAS, On September 13, 2011, the Citizens Advisory Committee on Family Life and Human Development issued several recommendations in their annual report including continued support to revise the curriculum (see attached); now therefore be it

Resolved, That the superintendent and his staff perform a comprehensive review of the Grade 8 and Grade 10 Health Education curriculum, benchmarking with other districts, reconsider the requirement for the scripted lessons and the recommendations from Citizens Advisory Committee on Family Life and Human Development report, and bring to the Board of Education proposed changes so that they may be in place no later than Fall 2014.

RESOLUTION NO. 248-13

Re: **CHANGES IN COMAR REQUIREMENTS  
FOR CURRICULUM ADVISORIES**

On motion of Mrs. O'Neill and seconded by Dr. Docca, the following resolution, as amended, was adopted unanimously by members present:

WHEREAS, In 1970, the Montgomery County Board of Education convened a Citizens Advisory Committee on Family Life and Human Development, to advise on Comprehensive Health Education in the district; and

WHEREAS, Many community members have shown dedication and commitment spanning 43 years as they served as members of the Citizens Advisory Committee on Family Life and Human Development on behalf of students in the district; and

WHEREAS, The Maryland State Board of Education has changed requirements for local review of Comprehensive Health Education; and

WHEREAS, The Montgomery County Board of Education approved Policy IFA, *Curriculum*, and Policy IIB, *Evaluation and Selection*; and

WHEREAS, The superintendent of schools has developed regulations IFA-RA, *Curriculum*, and IIB-RA, *Evaluation and Selection of Instructional Materials and Library Books*; and

WHEREAS, All content area teams engage parents, community members and educators in review of curriculum, instruction, and assessment resources and all content area teams engage educators in evaluation and selection of instructional materials in accordance with district policies and regulations; and

WHEREAS, Board of Education Policy IFA, *Curriculum*, calls for a systematic and ongoing program of curriculum review and development, and requires that each subject's curriculum will be reviewed on a cycle every five years; and

WHEREAS, When the Grade 8 and Grade 10 Health Education Curriculum was last revised and adopted on June 12, 2007, there was a requirement that teachers follow a scripted lesson; and

WHEREAS, On September 13, 2011, the Citizens Advisory Committee on Family Life and Human Development issued several recommendations in their annual report including continued support to revise the curriculum (see attached); now therefore be it

Resolved, That the Montgomery County Board of Education dissolves the Board-appointed Citizens Advisory Committee on Family Life and Human Development; and be it further

Resolved, That the superintendent of schools directs the Health Education team to convene a Curriculum Advisory Committee comprising community members and educators, as articulated in Regulation IFA-RA, *Curriculum*; and be it further

Resolved, That the superintendent of schools directs staff to notify members of the 2013–2014 Citizens Advisory Committee on Family Life and Human Development about the decision and to express Board members' appreciation for their service; and be it further

Resolved, That the superintendent and his staff perform a comprehensive review of the Grade 8 and Grade 10 Health Education curriculum, benchmarking with other districts, reconsider the requirement for the scripted lessons and the recommendations from Citizens Advisory Committee on Family Life and Human Development report, and bring to the Board of Education proposed changes so that they may be in place no later than Fall 2014.

RESOLUTION NO. 249-13            Re:    **FUTURE CLOSED SESSION RESOLUTION**

On recommendation of the superintendent and on motion of Mr. Kauffman seconded by Ms. Brandman, 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 Thursday, May 30, 2013, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, to meet from 5:30 to approximately 6:00 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. 250-13      Re:    **REPORT OF PREVIOUS CLOSED SESSION**

On recommendation of the superintendent and on motion of Mr. Kauffman seconded by Ms. Brandman, the following report was accepted unanimously by members present:

On April 23, 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 student member of the Board was invited to attend the closed session pursuant to *Education Article*, Section 3-901(e)(5)(i).

The Board of Education of Montgomery County met in closed session on April 23, 2013, from 9:04 to 10:01 a.m. and 12:06 to 1:34 p.m. in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, and:

1. Received legal advice and considered the following Decision and Order involving a student placement: 2013-2, 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 legal advice and considered the following appeals involving a student transfer, transportation appeal, and student placement: DCC-2012-43, 2012-31, and 2013-4, 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*.
3. Received legal advice and considered the recommendation for teacher dismissal 2013-3, under *Education Article*, Section 6-202, as permitted under Section 10-508(a)(7) and 10-508(a)(1) of the *State Government Article*.
4. 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* and as permitted under Section 10-508(a)(1) of the *State Government Article*.
5. Received a briefing on individual candidates for appointments including director, Leadership Team Development; consulting principal, Department of Professional Growth Systems, Office of Human Resources and Development; director, Department of Instructional Technology, Office of the Chief Technology Officer; director, Pre-K–12 Curriculum Development and Implementation (Mathematics); principal, Northwood High School; principal, Farmland Elementary School; principal, Broad Acres Elementary School; principal, Piney Branch Elementary School; principal, Westbrook Elementary School; principal, DuFief Elementary School; principal, Harmony Hills Elementary School, with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
6. Selected Dr. Judith Docca as a nominee for the Board of Directors of the Maryland Association of Boards of Education, which is an administrative function outside the purview of the *Open Meetings Act*.
7. Reviewed the Quarterly Equal Employment Opportunity Report, which is an

administrative function outside the purview of the *Open Meetings Act*.

8. Received a briefing from the superintendent of schools on strategies regarding the implementation of the new principals/teachers effectiveness regulation, which is an administrative function outside the purview of the *Open Meetings Act*.

In attendance at the 9:04 a.m. closed session were Chris Barclay, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, John Mannes, Patricia O'Neill, Rebecca Smondrowski, Roland Ikheloa, Suzann King, Glenda Rose, Laura Steinberg, and Patrick Clancy. At 9:53 a.m., the following staff joined the Board: Brian Edwards, Beth Schiavino-Narvaez, Joshua Starr, Kimberly Statham, and Dana Tofig. In attendance at the 12:06 p.m. closed session were Chris Barclay, Shirley Brandman, Michael Durso, Phil Kauffman, John Mannes, Patricia O'Neill, Rebecca Smondrowski, Roland Ikheloa, Suzann King, Glenda Rose, and Laura Steinberg.

RESOLUTION NO. 251-13      Re:    **APPEALS**

On recommendation of the superintendent and on motion of Mr. Kauffman seconded by Ms. Brandman, 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-2013-4	Student Transfer	Affirmed
T-2013-5	Student Transfer	Affirmed
2013-5	Student Placement	Affirmed

RESOLUTION NO. 252-13      Re:    **MINUTES**

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

Resolved, That the Board of Education approve its minutes for the April 23, 2013, meeting.

Re:    **COMMITTEE UPDATES**

Mrs. O'Neill commented on the process for Policy JEE, *Student Transfers*. Tentative action will be taken in June with final action scheduled for September. With these timelines, the policy will be ready for implementation for the next transfer season.

Re: **NEW BUSINESS**

There was no new business.

Re: **ITEMS OF INFORMATION**

The following documents were available:

1. Legal Fees Report
2. Construction Progress Report

RESOLUTION NO. 253-13 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of May 14, 2013, at 4:43 p.m.

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
SECRETARY

JPS:gr

Resolution	Barclay	Brandman	Docca	Durso	Kauffman	Mannes	O'Neill	Smondrowski
Arcola Addition	A	A	A	A	A	A	A	A
Rosemary Hills Addition	A	A	A	A	A	A	A	A
COMAR Requirement	A	A	A	A	A	O	A	A

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