



with Mr. Abrams, Mr. Alnifaigy, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting in the affirmative; Mr. Felton voting in the negative:

WHEREAS, On August 26, 2002, the Board of Education took tentative action to adopt Policy CNE, *Facility Improvements That Are Not Funded with Montgomery County Revenues*, and release it for public comment; and

WHEREAS, The Board of Education Policy Committee has reviewed the extensive public comments, conducted informational forums, and considered staff input; now therefore be it

Resolved, That the Board of Education take final action to adopt draft Policy CNE, *Facility Improvements That Are Not Funded with Montgomery County Revenues*.

## **Facility Improvements That Are Not Funded with Montgomery County Revenues**

### A. PURPOSE

To provide guidelines for accepting non-Montgomery County government funds for facility improvements that qualify as capital investments. Acceptable improvements to be considered under this policy are limited to physical plant or site improvements that are considered a fixed asset, meet established capital budget funding criteria, and have a minimum life cycle of fifteen (15) years. This policy is not intended for equipment or items that do not meet the capital asset criteria, or for activities covered by Policy CND: *School-Related Fund Raising*.

### B. ISSUE

The Board of Education recognizes that private organizations, parent and community groups, businesses, or non-Montgomery County governmental agencies at times want to provide financial support for facility improvements that would normally not be funded as part of county-supported programs. The Board also recognizes that while these improvements are not essential, they do provide opportunities to create facility features that are compatible with neighboring buildings or enhance community and school activities.

### C. POSITION

1. Except as outlined in Item 2 below, the acceptance of non-Montgomery County government funds may be considered for facility improvements that:

- a) Support activities that benefit a school-sponsored activity or the school as a whole; such as play ground equipment, stadium lights, or theatrical equipment
  - b) Supplement architectural, landscaping, or aesthetic enhancements to the facility for neighborhood compatibility
  - c) Enhance community use of schools; such as a larger gymnasium than would normally be provided as part of a new school, modernization, or addition project
  - d) Provide for the construction of community or recreational improvements funded by other governmental entities for joint community and school use
2. Funds may not be received under this policy for capital projects which are the responsibility of the school system, county government, and/or state to provide for student capacity, including core support space, and maintenance of physical plant.
3. Appropriate funding sources include:
- a) Parent and community organizations and foundations
  - b) Non-Montgomery County governmental agencies
  - c) Private organizations and businesses
  - d) Bequests and trusts
4. Guidelines
- a) Requests to provide financial support for facilities improvements must be reviewed in advance of any such activities by the director of the Department of Facilities Management in collaboration with the principal or site administrator to ensure compliance with this policy.
  - b) The request must include a plan for financial support and sufficient assurances that the entity donating the funds will meet the agreed upon financial obligation.
  - c) If the proposed improvement is less than \$50,000, the director of the Department of Facilities Management is authorized to approve the plan provided it complies with the provisions of this policy.

Improvements approved by the director of the Department of Facilities Management will be reported periodically to the Board of Education.

- d) If the proposed improvement exceeds \$50,000, the director of the Department of Facilities Management will present the request for facilities improvement and the funding plan to the Board of Education for its approval prior to notifying the entity whether they may proceed with the fund-raising activities.
- e) In making decisions whether to grant approval for facility improvements under this policy, the following shall be considered:
  - (1) Whether the improvement would foster or exacerbate inequity
  - (2) Whether the Board of Education, Montgomery County Government, or Maryland State Department of Education have responsibility for funding similar improvements at all schools using tax-supported revenue or bonds sales to the extent available
  - (3) Whether the improvement will cause a future financial liability in annual operating costs
  - (4) Whether the improvement will create safety, security, or other school operation impacts
  - (5) Whether the funds donated would expedite the implementation of county-supported programs
  - (6) Whether the improvements would meet or support a greater community need for services
- f) The group providing the funds for facility improvements under this policy will plan and supervise all fund-raising activities sponsored by the organization and will abide by established financial management procedures.
- g) All funds received for facility improvements under this policy must be appropriated in accordance with Montgomery County financial regulations.
- h) The director of the Department of Facilities Management will ensure that the necessary appropriation requests are presented to the Board of Education for approval and the funding is allocated by the

Montgomery County Council before any work begins on the facility improvements.

D. DESIRED OUTCOMES

This policy is designed to allow for contributions for facilities improvements from non-Montgomery County funding sources, without creating inequities among school communities. This will strengthen the relationships between the school system and various groups within the community.

E. IMPLEMENTATION STRATEGIES

The superintendent will establish administrative regulations or other administrative procedures that may be necessary for implementing the guidelines outlined in this policy.

F. REVIEW AND REPORTING

This policy will be reviewed on an ongoing basis in accordance with the Board of Education policy review process.

RESOLUTION NO. 531-02

Re: **BOUNDARY RECOMMENDATIONS FOR  
GAITHERSBURG, STRAWBERRY KNOLL AND  
JUDITH A. RESNIK ELEMENTARY SCHOOLS**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Mrs. King, the following resolution was adopted unanimously by members present:#

WHEREAS, In April 2002, the superintendent convened a Boundary Advisory Committee comprised of representatives of Gaithersburg, Strawberry Knoll, and Judith A. Resnik elementary schools; and

WHEREAS, The Boundary Advisory Committee met in April, May, and June 2002 and submitted a report to the superintendent on June 14, 2002, with committee evaluations of five boundary options; and

WHEREAS, The superintendent reviewed and carefully considered the Boundary Advisory Committee's report, a Parent Teacher Association position paper, and feedback from the community at large and presented on October 15, 2002, a recommendation for boundary changes for consideration by the Board of Education; and

WHEREAS, On October 28, 2002, the Board of Education considered the superintendent's recommendation for boundary changes and adopted no alternatives; and

WHEREAS, The Board of Education conducted public hearings on November 13 and 14, 2002, in accordance with the Board of Education Policy FAA, *Long-range Educational Facility Planning*, on the superintendent's recommendation; now therefore be it

Resolved, That effective immediately, the portion of the Hidden Creek development currently assigned to Gaithersburg Elementary School known as Land Bay 3, identified as Zone 5 on the attached map, is reassigned to Strawberry Knoll Elementary School, and the portion of the Hidden Creek development known as Land Bay 2, identified as Zone R1 on the attached map, currently assigned to Judith A. Resnik Elementary School is reassigned to Strawberry Knoll Elementary School. The portion of the Hidden Creek development known as Land Bay 3 reassigned from Gaithersburg Elementary School is in the northern portion of the service area, bounded by Midcounty Highway to the north and Summit Avenue to the west. The portion of the Hidden Creek development known as Land Bay 2 reassigned from Judith A. Resnik Elementary School is on the north side of Midcounty Highway, across Midcounty Highway from Land Bay 3 of the Hidden Creek development in the Gaithersburg Elementary School service area. The reassignments are identified on a map of the area titled "Gaithersburg and Strawberry Knoll Superintendent's Recommendation."

RESOLUTION NO. 532-02

Re: **RECOMMENDATION TO RELIEVE THE OVERUTILIZATION OF HIGHLAND AND KEMP MILL ELEMENTARY SCHOOLS – REOPENING OF THE FORMER ARCOLA ELEMENTARY SCHOOL**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Mrs. King, the following resolution was adopted unanimously by members present:#

WHEREAS, In January 2002, the superintendent convened a roundtable discussion group, composed of representatives from schools in the Albert Einstein Cluster, to explore interim options to relieve overutilization at Highland Elementary School by utilizing space in Sligo Middle School; and

WHEREAS, The roundtable discussion group met in January, February, and March 2002, and submitted a report on May 5, 2002, to the superintendent; and

WHEREAS, The superintendent reviewed and carefully considered the roundtable discussion group report, community position papers, and feedback from the community at large for long-term relief of overutilization and on October 29, 2002, presented a recommendation as Supplement B to the Superintendent's Recommended FY 2004 Capital Budget and Amendments to the FY 2003–2008 CIP to reopen the former Arcola Elementary School to relieve the overutilization at both Highland and Kemp Mill elementary schools for consideration by the Board of Education; and

WHEREAS, The Board of Education conducted public hearings on November 13 and 14,

2002, in accordance with the Board of Education Policy FAA, *Long-range Educational Facility Planning*, on the superintendent's recommendations and has considered the testimony presented at the hearing; now therefore be it

Resolved, That the former Arcola Elementary School, known for planning purposes as Einstein/Kennedy Elementary School #6, be reopened to provide needed capacity relief for Highland Elementary School in the Albert Einstein Cluster and Kemp Mill Elementary School in the John F. Kennedy Cluster in September 2006; and be it further

Resolved, That \$700,000 in FY 2004 planning funds be requested as part of an amendment to the Rehabilitation/Renovation of Closed Schools (RROCS) Project for the reopening of the former Arcola Elementary School (Einstein/Kennedy Elementary School #6); and be it further

Resolved, That construction funds for Einstein/Kennedy Elementary School #6 be considered as part of the full FY 2005–2010 CIP request in November 2003; and be it further

Resolved, That a copy of this resolution be transmitted to the county executive and County Council to begin the retrieval process for the former Arcola Elementary School.

Re: **AN AMENDMENT TO THE FY 2004 CAPITAL BUDGET AND AMENDMENT TO THE FY 2003-2008 CAPITAL IMPROVEMENTS PROGRAM**

On motion of Mr. Abrams and seconded by Mr. Felton, the following resolution failed with Mr. Abrams and Mr. Felton voting in the affirmative; Mr. Alnifaidy, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O'Neill voting in the negative:

Resolved, That the Board of Education expend \$1.5 million to conduct a comprehensive countywide boundary review in FY 2005.

RESOLUTION NO. 533-02      Re: **AN AMENDMENT TO THE FY 2004 CAPITAL BUDGET AND AMENDMENT TO THE FY 2003-2008 CAPITAL IMPROVEMENTS PROGRAM**

On recommendation of the Superintendent and on motion of Mr. Felton seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

Resolved, That the Board of Education during its deliberation of the FY 2004 Capital Budget and Amendments to the FY 2003-2008 CIP include an additional \$150,000 in FY 2004 for a study of pedestrian and vehicular traffic at Northwood High School.

RESOLUTION NO. 534-02

Re: **FY 2004 CAPITAL BUDGET AND AMENDMENT TO  
THE FY 2003-2008 CAPITAL IMPROVEMENTS  
PROGRAM**

On recommendation of the Superintendent and on motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#

WHEREAS, In accordance with 5-306 of the Annotated Code of Maryland, the superintendent of schools released the Recommended FY 2004 Capital Budget and Amendments to the FY 2003–2008 Capital Improvements Program (CIP) on October 29, 2002; and

WHEREAS, The superintendent's recommendations include eight amendments to the adopted FY 2003–2008 CIP with no increase in spending for FY 2004 and a total increase in spending of \$4.2 million for the FY 2005–2008 years of the adopted CIP, as follows:

(in thousands)

	Project	Total 5 Years	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
1	Current Replacements/Modernizations	450	(1,100)	1,550			
2	Future Replacements/Modernizations	(450)	(3,121)	624	1,744	303	
3	Fire Safety Code Upgrades	950	950				
4	PLAR (\$200K for staff, \$411K for cafeteria upgrades, \$123K for Piney Branch Pool, \$757K for CESC mechanical modifications)	1,491	1,491				
5	RROCS (Reopening of Arcola)	700	700				
6	School Security	200	200				
7	Stadium Lighting	280	280				
8	Technology Modernization	600	600				
Total		4,221	0	2,174	1,744	303	0

and,

WHEREAS, The superintendent's recommendations include a study to develop the base areas for the Downcounty Consortium to include Montgomery Blair, Albert Einstein, John F. Kennedy, Northwood, and Wheaton high schools to be conducted in spring 2003, and

WHEREAS, The Board of Education conducted public hearings on November 13 and 14,

2002, on the superintendent's recommendations for all capital and noncapital items for the FY 2004 Capital Budget and Amendments to the FY 2003–2008 CIP;

WHEREAS, The Board of Education during its deliberation of the FY 2004 Capital Budget and Amendments to the FY 2003-2008 CIP included an additional \$150,000 in FY 2004 for a study of pedestrian and vehicular traffic at Northwood High School; now therefore be it

Resolved, That the Board of Education approve a FY 2004 Capital Budget appropriation request totaling \$90.073 million and a FY 2003–2008 CIP request totaling \$632.5 million, as indicated; and be it further

Resolved, That the Board of Education approve the FY 2004 State Capital Improvements Program request, as indicated, in the amount of \$18.45 million for FY 2004; and be it further

Resolved, That the Board of Education approve the noncapital items included in the Superintendent's Recommended FY 2004 Capital Budget and Amendments to the FY 2003–2008 CIP and Supplements A and C that were released on October 29, 2002; and be it further

Resolved, That the Board of Education approve a base area study for the Downcounty Consortium high schools that will include Montgomery Blair, Albert Einstein, John F. Kennedy, Northwood, and Wheaton high schools to be conducted in spring 2003, with Board of Education action scheduled for June 2003; and be it further

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

RESOLUTION NO. 535-02

Re: **FY 2003 SPECIAL APPROPRIATION AND AMENDMENT FOR FIRE SAFETY CODE UPGRADES IN THE AMOUNT OF \$1.5 MILLION**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Mrs. King, the following resolution was adopted unanimously by members present:#

WHEREAS, In light of pending deferrals to the Montgomery County Public Schools (MCPS) modernization program, the Montgomery County and City of Rockville fire marshals implemented an inspection program to identify work that must be done to meet current building requirements for existing school facilities; and

WHEREAS, The Board of Education on April 22, 2002, requested an amendment

to the FY 2003–2008 CIP in the amount of \$3.0 million in FY 2003 and \$2.0 million in FY 2004 to correct items identified on the Montgomery County and City of Rockville fire marshals' inspection reports; and

WHEREAS, The County Council on July 9, 2002, approved an amendment to the FY 2003–2008 CIP in the amount of \$1.0 million in FY 2003, instead of the \$5.0 million requested by the Board of Education, with the understanding that additional funding would be allocated once the inspections were completed; now therefore be it

Resolved, That an FY 2003 special appropriation and amendment to the FY 2003–2008 Capital Improvements Program in the amount of \$1.5 million be requested to correct items identified on the Montgomery County and City of Rockville fire marshals' inspection reports; and be it further

Resolved, That this resolution be forwarded to the county executive and the County Council.

RESOLUTION NO. 536-02            Re:    **ADJOURNMENT *SINE DIE***

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Mrs. King, the following resolution was adopted unanimously by members present:

WHEREAS, Given the recent biennial election of Board Members on November 5, 2002, the Board of Education is scheduled to adjourn *sine die* as of November 30, 2002; and

WHEREAS, Pursuant to Board of Education resolution 230-99, the Board has vested in the officers of the Board of Education, acting in concert with the Superintendent of Schools, the authority to determine the items to be scheduled on future Board agendas; now therefore be it

Resolved, That, with the advent of the Board that will be newly constituted with the swearing-in of Members on December 2, 2002, the Board President and Vice President elected at the organizational meeting of December 10, 2002, shall determine, in concert with the Superintendent of Schools, those items to remain on future agendas and the listing of "items to be scheduled;" and be it further

Resolved, That the established agenda-setting process shall be utilized to draft and publicize agendas, giving due regard to items of new business approved by the Board of Education in the future, recommendations from Board committees, and the considered input of individual Board Members and staff; and be it further

Resolved, That the Board of Education does hereby adjourn *sine die* on November 21, 2002, at 8:10 p.m.

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PRESIDENT

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SECRETARY

JDW:gr