

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

RESOLUTION NO. 131-02 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for April 22, 2002.

RESOLUTION NO. 132-02 Re: **NATIONAL VOLUNTEER WEEK**

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

WHEREAS, A goal of *Our Call to Action* is to secure the commitment of the entire community to maintain high-quality education in Montgomery County by building partnerships among families, the community, businesses, and staff that promote and support initiatives to help all children succeed; and

WHEREAS, Every school in Montgomery County relies on volunteers to supplement and enrich programs for students; and

WHEREAS, Last year, 106 schools met the criteria and earned a citation of merit from the Maryland State Department of Education for an outstanding school volunteer program; and

WHEREAS, During the prior school year, more than 38,700 volunteers gave three million hours of service to staff and students and provided the equivalent of 1,442 full-time, 12-month employees; and

WHEREAS, If a dollar value was attached to the hours of service that volunteers provided, the sum would exceed \$46 million; and

WHEREAS, As volunteers share their time, energy, and experience in schools, they inspire the school and community to renew their commitment to success for every student; now therefore be it

Resolved, That the Montgomery County Board of Education express its appreciation to all volunteers and volunteer coordinators for their assistance, generosity of spirit, commitment to our schools and our young people, and outstanding contributions to the Montgomery County community; and be it further

Resolved, That the Board of Education hereby join with the superintendent of schools in

designating the week of April 21-27, 2002, as National Volunteer Week in Montgomery County Public Schools.

**Mrs. King temporarily left the meeting.

RESOLUTION NO. 133-02 Re: NATIONAL STUDENT LEADERSHIP WEEK

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

WHEREAS, The Montgomery County Board of Education has a continuing commitment to support active student participation in school and community activities; and

WHEREAS, The Board of Education and student organizations respect and engage in an open dialog in matters of common concern and diverse interests that is productive and useful; and

WHEREAS, Participation by our youth is valued by the Board of Education; and

WHEREAS, In April, student leadership activities include the election of the student member of the Board of Education, the Montgomery County Region of the Maryland Association of Student Councils and Montgomery County Junior Council elections, and National Student Leadership Week; and

WHEREAS, National Student Leadership Week is a time when schools across our nation recognize student leaders for their accomplishments, efforts, and service; now therefore be it

Resolved, That the Board of Education hereby join with the superintendent of schools in designating the week of April 21-27, 2002, as Student Leadership Week in the Montgomery County Public Schools; and be it further

Resolved, That the Board of Education commend student leaders for their efforts and achievement on behalf of Montgomery County Public Schools.

RESOLUTION NO. 134-02 Re: ASIAN PACIFIC AMERICAN HERITAGE MONTH

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

WHEREAS, The United States Congress has designated the month of May to honor Asian Pacific American heritage; and

WHEREAS, The Asian Pacific American Heritage Council has selected "Unity in Freedom" as the national theme to promote the message of peace and unity among all Americans and the value of the roles of Asian Pacific Americans in this effort; and

WHEREAS, The Board of Education is proud that the Montgomery County Public Schools continues to strengthen the K-12 curriculum and student activities in partnership with the community to promote a greater awareness of the legacy and contributions of Asian Pacific Americans; now therefore be it

Resolved, That on behalf of the superintendent of schools, staff, students, and parents of the Montgomery County Public Schools, the members of the Board of Education hereby declare the month of May 2002 as Asian Pacific American Heritage Month.

**Mrs. King rejoined the meeting.

Re: FINAL UPDATE ON LEGISLATION

In addition to the paper provided in the packet regarding the bills on which the Board had a position, Ms. Lori Rogovin, legislative aide, briefed the Board on the final actions of the General Assembly. Ms. Rogovin thanked the Board and staff for their input, feedback, and testimony during the legislative session. Ms. Rogovin gave a brief update on the following:

Bridge to Excellence in Public Schools Act (SB 856) established by the Commission on Education Finance, Equity, and Excellence (the Thornton Commission). SB 856 restructures the state's public education financing system and phases in enhanced state aid over a period of six fiscal years. By fiscal 2008, the state will provide an additional \$1.3 billion in education funding to local school systems above what the state would have provided under the existing state aid structure. The tobacco tax increases the tax on a pack of cigarettes from 66 cents to \$1, beginning June 1, 2002. The increased tax rate is expected to generate approximately \$101.4 million in FY 2003, and the first \$80.5 million it generates will be placed in a special fund that will be used to provide money for SB 856.

The increased local flexibility provides local school systems with education funding through flexible block grants and requires the Maryland State Department of Education to track more closely student performance among all student populations. Fiscal 2003 Bridge funding provides for \$80.5 million in additional state aid for education in fiscal 2003, including \$64.7 million in unrestricted grants. The Foundation Program changes the name of the program that funds a base per pupil amount for all students in the state from the Basic Current Expense Program to the Foundation Program. In FY 2004, the state share of the Foundation Program will be increased for certain jurisdictions. Beginning in FY 2005, the state share of the Foundation Program will be adjusted to reflect cost differences identified in the development of the index.

Programs for Students with Special Needs enhances the amount and proportion of state aid that is based on special education, limited English proficient, and economically disadvantaged student enrollments. By FY 2008, no school system may receive less than a 40-percent state share of the per-pupil amounts identified in the formulas. Enhanced Student Transportation Aid enhances state aid for base student transportation grants as well as grants for the transportation of students with disabilities. The base transportation grant is enhanced for 15 counties that had aggregate enrollment increases between 1980 and 1995. The amount each school system receives per student who requires special transportation services is increased from \$500 to \$1,000 by FY 2008.

Affirmation of the state's Ability to Provide Funding requires the General Assembly to affirm by joint resolution during the 2004 legislative session that the FY 2005 aid amount is within the state's fiscal resources. Accountability requires each local school system to develop a comprehensive master plan.

The Kindergarten/Pre-Kindergarten section requires every school system to provide full-day kindergarten for all students by the 2007-2008 school year. Also, by the 2007-2008 school year, each school system must make publicly funded pre-kindergarten programs available to all economically disadvantaged 4-year-old children.

Task Force to Study Public School Facilities (HB 937) would establish a new allocation for grants distributed under the Aging Schools Program and create a task force to look at facility issues. This legislation would hurt 17 school systems, and a strategy to have the governor veto the bill is being pursued.

Collective Bargaining (SB 233) authorizes local boards of education and local school employee organizations representing certificated and noncertificated school personnel to negotiate over mutually agreeable matters other than salaries, wages, hours, and working conditions. However, local boards may not negotiate the school calendar, class sizes, or matters precluded by statutory law. If either party declines to negotiate a permissive item, it cannot be subject to an impasse.

Maryland Infants and Toddlers Program (SB 419/HB 371) establishes a state funding formula for the Maryland Infants and Toddlers Program to provide grants to local agencies.

Adult Education (SB 737) requires MSDE to distribute competitive grants for adult education services according to the state plan for adult education and family literacy.

Principal Training (HB 7) establishes a Principal Training Pilot Program for three years, beginning July 1, 2002.

Task Force to Study Student Behavior Interventions (HB 569) requires the state superintendent of schools to appoint a task force to propose regulations to the state board regarding student behavior intervention practices, including the use of restraint, seclusion, time-out, and other disciplinary measures

Pepper Mace (HB 1377) repeals the provision and penalties under the criminal law article that prohibits a minor from possessing pepper mace, either openly or concealed and states that it is the intent of the General Assembly that a school or school board of education may establish policies to limit or prohibit the possession of pepper mace on school property.

HB 706 B Montgomery County B Board of Education B Compensation (MC 204-02 B Montgomery County Delegation) increases the annual salary of elected members of the Montgomery County Board of Education to \$22,500 for the board president and \$18,500 for the other elected members (phased in upon election to a new term). In addition, Board members would be entitled to health insurance and other fringe benefits regularly provided to Board employees. The bill also provides that a student Board member who completes a full one-year term on the Board will receive a \$5,000 scholarship to be applied toward the student's higher education costs.

HB 712 B Montgomery County B Board of Education B Redistricting (MC 205-02 - Montgomery County Delegation) redistricts the five Montgomery County Board of Education districts from which five school board members are elected, which is required to occur every 10 years following the decennial U.S. Census.

Mr. Felton thanked Ms. Rogovin for her tremendous work on behalf of the Board. She had devoted many hours over the last 90 days and had promoted the Board's position on proposed legislation. Mrs. King and Mrs. O'Neill congratulated and thanked Ms. Rogovin for her assistance to the Board and delegation.

RESOLUTION NO. 135-02 Re: FIRE SAFETY CODE B INSPECTIONS B SCHOOLS

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

WHEREAS, The safety of students and staff is a paramount priority for the Board of Education; and

WHEREAS, Compliance with applicable life safety and fire safety codes provides a safe learning environment; and

WHEREAS, The Montgomery County Fire Marshal and the City of Rockville are currently

conducting a special series of fire inspections of all Montgomery County Public Schools buildings; and

WHEREAS, Many schools have received citations of fire code violations; and

WHEREAS, Emergency Bill 8-02, *Fire Safety Code B Inspections B School*, has been introduced for Montgomery County Council consideration: and

WHEREAS, Emergency Bill 8-02 would mandate the Montgomery County fire marshal to conduct annual fire code inspections of all schools; and

WHEREAS, The modernization schedule for schools with the greatest facility needs has been delayed, thereby increasing the maintenance and compliance requirements; therefore be it

Resolved, That the Board of Education supports and welcomes the assistance of the fire marshal to inspect all school facilities as frequently as necessary to ensure compliance with the applicable fire safety codes; and be it further

Resolved, That once compliance has been achieved, the Board of Education supports annual spot inspections and, as often as deemed necessary by the fire marshal, full inspections to ensure compliance with all applicable fire safety codes.

Re: PUBLIC COMMENTS

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Debbie Shulman	Special Education
2.	Rebecca McCoy	Nutrition
3.	Kay Romero	Thornton Commission
4.	Reuben Gist	Silver Spring International Middle School
5.	Rachel Lyons	Special Education
6.	Linda Goldsholl	Nutrition
7.	Jerry Heupel	Special Education
8.	Gail Melson	Einstein Cluster
9.	Mark Drury	Construction Jobs
10.	Charles Chester	Health Education

Re: EDUCATIONAL FACILITIES OFFICERS

Mr. Michael Subin, County council member, and Ms. Saralee Todd, special assistant to the

county executive, presented the county executive's intention to submit a proposal for federal funding of educational facilities officers within the Police Department. The federal funds are intended to be used to assign 32 police officers to geographic beats across the county to focus on the improvement of emergency preparedness among several county agencies, including the school system. Within an officer's geographic beat, he or she will be responsible for public schools, private schools, and Montgomery College campuses. Any deployment of such officers will be with the full collaboration of the schools and community, in an effort to increase communications, planning, and security of MCPS students and school staff.

Re: DISCUSSION

Mr. Abrams was not opposed to the concept. He asked if the cost would always be borne by either the federal government or an agency other than the school system. Mr. Subin replied that federal grants end, and this program is not envisioned to be part of the MCPS budget. It would be part of the county executive's budget within the Police Department.

Mr. Abrams thought the description of the position was public safety, not police. He asked if the skills identified would be from new recruits or reassignment of personnel. Mr. Subin responded that the educational facilities officers would receive normal rookie training through the county. The federal training will equip an officer to respond to emergencies for which they would be assigned to an educational facility. There would be some additional duties in working with those facilities to develop an emergency plan.

Mr. Abrams stated that the officers would not be assigned to the school full time. They would be assigned to the Police Department for regular duty, but in the event of an emergency their first duty would be to an educational facility. Mr. Subin answered that they would be treated as any other special unit B police officers that have received specialized training for a specific duty.

Mr. Felton wanted to clarify that the officers would not be at the school except for an emergency. Ms. Todd added that the officers would go from school to school to make sure the plans were in place, to have discussions with staff, and to familiarize themselves with the building and the student population.

Mr. Burnett asked what the officers would do during the year in the absence of a tragedy. Mr. Subin said they would be normal beat officers who would be trained for emergencies. To help them handle an emergency and gain the confidence of the staff, the officers would need to spend some time at the school. Mr. Abrams thought he was hearing that they would be regular police officers who have the responsibility within the department for these activities.

Mr. Jeter recalled past concerns about police officers in the schools, but this is a different plan. Mr. Subin explained that if the officers are seen in the school for an extended period of time, they would not be doing their job. While the federal government is calling this an SRO (school resource officers) grant, the county executive envisions a different utilization of the police officers.

Mr. Felton asked if the educational facilities officer or other police would respond to the school for a typical call for assistance. Mr. Subin replied that there would be other officers but the educational facilities officer would take the lead.

Ms. Cox asked about the training for the educational facilities officer. She noted that it included child development, community outreach, cultural awareness and sensitivity, student/adult communication, and community mediation and problem-solving strategies. She thought this was prevention. What role will the officer play? Ms. Todd replied that the federal government provides training under this program to help these officers. In Montgomery County, the officers will not be patrolling schools but will focus on emergency preparedness activities at a variety of schools, which is an extension of community policing.

Mr. Burnett had heard concerns about the past SRO position; for example, when the person is in the building who would be in charge of discipline issues. Ms. Todd explained that a Memorandum of Understanding would be developed for the grant.

Mr. Burnett stated that most positions that prepare for disasters are civilian jobs. Why would this be a police officer? Ms. Todd replied that there would be coordination with overall management structure and in Montgomery County that means fire and rescue personnel, police officers, and health department personnel. Mr. Subin added that depending on the circumstance the police officer will work with a wide variety of agencies and personnel.

Ms. Cox asked about the funding for training and whether or not it was included in the federal grant. Ms. Todd said there would be no impact on the education budget.

Mrs. O'Neill told of an incident where a local school was Alocked down@because of a thief in the neighborhood. The police officers that responded were not familiar with the school and staff. She thought this would be an excellent situation for an educational facilities officer. She hoped that a September 11 type of incident would be extremely rare. Educational facilities officers are not school resource officers, and they will not be walking the halls with guns. The officers are assigned to a geographic area for all educational facilities. This is a federal grant that will not compete with local money. If the grant is not approved, there will be no educational facilities officers. Ms. Todd said the effort is to get federal funds for three years for educational facilities officers.

Mr. Felton remarked that any concerns between the county government and the school system could be addressed with the Memorandum of Understanding.

Mrs. King said that all her questions were answered and that having more police officers prepared for an emergency made her, as a citizen, feel more comfortable.

Mr. Abrams thanked Ms. Todd and Mr. Subin for coming to the Board with this proposal. He thought the concept was a *Ano brainer*.[@] It would be a dereliction of duty not to have educational facilities officers in school buildings in the event of an emergency, especially since someone else will pay for it. Mr. Abrams thought that the reluctance to have exposure to police officers is totally misplaced.

RESOLUTION NO. 136-02 Re: EDUCATIONAL FACILITIES OFFICERS

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

WHEREAS, County Executive Douglas Duncan has informed the County Council, by memorandum of March 11, 2002, of his intent to submit a proposal for federal funding of educational facilities officers within the Police Department; and

WHEREAS, The federal funds are intended to be used to assign 32 police officers to geographic beats across the county to focus on the improvement of emergency preparedness among several county agencies, including the school system; and

WHEREAS, Within an officer's geographic beat, he or she will be responsible for public schools, private schools, and campuses of Montgomery College; and

WHEREAS, Any deployment of such officers will be with the full collaboration of the schools and community, in an effort to increase communications, planning, and security of our students and school staff; now therefore be it

Resolved, That the Board of Education go on record in support of the concept of educational facilities officers as embodied in the grant application; and be it further

Resolved, That the Superintendent work with the County Executive to reach agreement on a Memorandum of Understanding that will delineate the use and deployment of educational facilities officers, ensuring that the interests of our students and staff are paramount, and, further, that guidelines be published that clearly define the relationship between such officers and principals and that ensure regular communication with the community; and be it further

Resolved, That the Superintendent submit the Memorandum of Understanding for the

approval of the Board of Education no later than May 14, 2002.

RESOLUTION NO. 137-02 Re: **PROCUREMENT CONTRACTS EXCEEDING
\$25,000**

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

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

WHEREAS, It is recommended that Bid No. 4136.1, Digital Pianos/Laboratory Controller, be rejected due to a change in specifications; and

WHEREAS, It is recommended that Bid No. 9333.1, Outdoor Stadium Grandstand Seating Replacement at Poolesville and Seneca Valley high schools, be rejected due to the fact that the bids received exceeded available budgeted funds; now therefore be it Resolved, That Bid No. 4136.1, Digital Pianos/Laboratory Controller, be rejected due to a change in specifications; and be it further

Resolved, That Bid No. 9333.1, Outdoor Stadium Grandstand Seating Replacement at Poolesville and Seneca Valley high schools, be rejected due to the fact that the bids received exceeded available budgeted funds; and be it further

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

MCG Montgomery County Government Job Order Contract**
050205

0349	<u>Awardee</u>	
	CDCI*	\$ 350,000

1076.2 Residency Verification

<u>Awardees</u>		
Susan Giller and Associates, LLC *		
Systems Application and Technologies, Inc.*		
	Total	\$ 42,000

1077.1 Research Design, Data Collection and AnalysisCAddition to Contract

	<u>Awardee</u>	
	Aspen Systems Corporation	\$ 110,000
1086.1	Third Party Billing C Extension	
	<u>Awardee</u>	
	Dawkins Medical Management	\$ 120,000
1152.1	Implementation of a Commercial, Off-the-Shelf Instructional Management System	
	<u>Awardee</u>	
	Edmin.com	\$ 627,145
4062.4	Musical Instruments, Furniture, and Equipment	
	<u>Awardees</u>	
	Gamble Music Company	\$ 496
	Ideal Music Company	154
	Interstate Music Supply	21,113
	Jordan Kitt's Music	40,435
	Keyboard World*	56,177
	Lashof Violins	4,605
	Victor Litz Music Center	8,332
	Midwest Musical Imports	7,719
	Music in Motion*	234
	Music is Elementary 6,478	
	National Education Music Company	19,476
	Northeast Music, Inc.	707
	Oren Music Company, Inc.*	23,670
	Peripole Bergerault, Inc.*	1,045
	Rhythm Band, Inc.	4,285
	S & H Manufacturing Company*	366
	Stageright Corporation	2,207
	Stu's Music Shop, Inc.	110
	Washington Music Sales Center, Inc.	10,576
	Steve Weiss Music, Inc.	46,698
	Wenger Corporation 46,845	
	West Manor Music	9,058
	Woodwind and Brasswind	16,901
	Wrights Music Shed 3,557	

	Zapf's Music, Inc./dba Music 123.com	<u>3,017</u>
	Total	\$ 334,261
4120.1	Science Laboratories TablesCExtension	
	<u>Awardees</u>	
	Diversified Educational System, Inc.	\$ 14,650
	Steel Products, Inc.	<u>15,350</u>
	Total	\$ 30,000
4121.2	Office Papers	
	<u>Awardees</u>	
	Boise Cascade Office Products	\$ 3,204
	Lindenmeyer Munroe	1,286,451
	Frank Parsons Paper Company, Inc.	28,710
	RIS Paper Company, Inc.	165,249
	Unisource	<u>439,835</u>
	Total	\$1,923,449
4135.1	Art SuppliesCSystems Contract	
	<u>Awardee</u>	
	Sax Arts and Crafts	\$ 125,000
7066.2	Vehicle Repair and InspectionCExtension	
	<u>Awardees</u>	
	Auto Truck and RV	
	General Automotive Servicenter, Inc.	
	J & M Truck Repair, Inc.	
	Vehicare Corporation	
	Total	\$ 45,000
9027.1	Industrial and Technology Education Automotive Equipment Supplement	
	<u>Awardees</u>	
	Heafner Tire Group	\$ 30,765
	McHenry Equipment 12,187	
	Snap On Tools Corporation	<u>45,475</u>
	Total	\$ 88,427

9051.3 Athletic, Cheerleader, and Pom Pon UniformsCExtension

Awardees

Anaconda Sports, Inc.	\$ 14,665
Athletic House	29,330
CISCO, Inc.	6,517
EBA Sports*	21,182
Marlow Sports, Inc.	197,162
Varsity Spirit Fashions	19,550
Yorktowne Sports	<u>79,842</u>
Total	\$ 368,248

9057.3 Baseball Supplies and Equipment

Awardees

Aluminum Athletic Equipment Company	\$ 1,200
Anaconda Sports, Inc.	8,160
Cannon Sports*	1,642
DVF Sporting Goods Company	366
Flaghouse, Inc.	444
Marlow Sports, Inc.	62
Morley Athletic Supply Company, Inc.	8,911
Riddell All American 49	
Sport Supply Group, Inc.	3,749
Sports Stop, Inc.	399
Tomark Sports, Inc.	<u>3,454</u>
Total	\$ 28,436

9059.3 Developmental Activities Supplies and Equipment

Awardees

Cannon Sports, Inc.*	\$ 12,557
DVF Sporting Goods Company	10,568
Flaghouse, Inc.	794
Bill Fritz Sports Corporation	116
Gopher Athletic Sports	907
Morley Athletic Supply Company, Inc.	5,522
Pyramid School Products	2,099
S & S Worldwide	2,660
Sports Supply Group, Inc.	12,313

	Sportime Select Service and Supplies	911
	Sports Stop, Inc.	<u>240</u>
	Total	\$ 48,687
9062.3	Fitness and Team Handball Supplies and Equipment	
	<u>Awardees</u>	
	Cannon Sports, Inc.*	\$ 2,330
	Creative Health Products	12,700
	DVF Sporting Goods Company	991
	Gopher Athletic Sport	6,349
	Morley Athletic Supply Company, Inc.	3,574
	Passon's Sports	6,675
	Sportsmaster Recreation Equipment	2,403
	Sports Imports, Inc.	9,540
	Sports Stop, Inc.	<u>572</u>
	Total	\$ 45,134
9066.3	Physical Education and Athletic Supplies and Equipment	
	<u>Awardees</u>	
	Aluminum Athletic Equipment Company	\$ 3,570
	Anaconda Sports, Inc.	360
	Baden Sports, Inc.	5,262
	Bremen	510
	Cannon Sports, Inc.*	13,265
	Dollamur	14,720
	DVF Sporting Goods Company	38,558
	Flaghouse, Inc.	2,101
	Bill Fritz Sports Corporation	485
	Gill Sports Corporation	16,483
	Greg Larson Sports 3,073	
	Majestic Sales	15,175
	Marlow Sports, Inc.*	1,945
	MF Athletic Company	3,788
	Morley Athletic Supply Company, Inc.	43,905
	Nine Nines	10,410
	Passon's Sports	91,666
	Pyramid School Products	7,571
	Rock Terrace High School* 1,293	
	S & S Worldwide	1,341
	Sportime Select Service and Supplies	2,498

Sportmaster Recreation Equipment Unlimited	27,547
Sports Endeavors, Inc.	20,397
Sports Imports, Inc.	9,112
Sports Stop, Inc.	16,329
The Scale People, Inc.	6,500
Wolverine Sports	30
Total	\$ 357,894

9069.3 Softball Supplies and Equipment

Awardees

Anaconda Sports, Inc.	\$ 15,458
Cannon Sports, Inc.*	114
DVF Sporting Goods Company	10,239
Greg Larson Sports 412	
Marlow Sports, Inc.	165
Passon's Sports	6,629
Riddell All American 200	
S & S Worldwide	230
Sportmaster Recreation Equipment Unlimited	1,076
Sports Stop, Inc.	12,667
Tomark Sports, Inc.	5,670
Total	\$ 52,860

9105.7 Cafeteria Disposable Supplies

Awardees

Acme Paper and Supply Company, Inc.	\$ 47,674
Calico Industries, Inc.	4,628
S. Freedman and Sons	21,354
Holt Paper and Chemical Company	57,589
Kahn Paper, Inc.	182,577
Leonard Paper Company	278,553
M & Q Plastic Products	10,790
Transilwrap Company, Inc. 1,382	
Webco Packaging, Inc.	22,170
Total	\$ 626,717

9302.1 Installation of Carpeting, Resilient Flooring and Accessories
Replacement Extension**Awardees

Carpet Experts, Inc.	\$ 146,000*	
Interiors Unlimited, Inc.		484,000*
L & R Enterprises T/A Teprac		<u>77,500</u>
Total	\$ 707,500	

9326.1 Boiler Replacement at Colonel E. Brooke Lee Middle School**

Awardee
Interstate Service \$ 179,860

9329.1 Boiler Plant Replacement at Wayside Elementary School**

Awardee
American Mechanical Services \$ 189,267

TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000 \$6,399,885

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

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

RESOLUTION NO. 137-02 Re: AWARD OF CONTRACT B GLEN HAVEN ELEMENTARY SCHOOL

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

WHEREAS, The following sealed bids were received on February 21, 2002, for the Glen Haven Elementary School modernization project:

<u>Bidder</u>	<u>Amount</u>
HRGM Corporation	\$11,282,108
Meridian Construction Company, Inc.	11,632,000
Hess Construction Company	11,743,000
Henley Construction Company, Inc.	11,800,000
John C. Grimberg Company, Inc.	12,012,200
Tuckman-Barbee Construction Company, Inc.	12,021,862
Gardiner and Gardiner, Inc.	12,345,033

and

WHEREAS, The low bidder, HRGM Corporation, a Maryland Department of Transportation (MDOT)-certified minority firm, has submitted 24.2-percent MDOT-certified Minority Business Enterprise (MBE) participation, of which 16 percent is Asian American and 8.2 percent is African American; and

WHEREAS, HRGM Corporation will self-perform 13.2 percent of the work, bringing the total MBE participation to 37.4 percent; and

WHEREAS, The low bid is within the staff estimate; and

WHEREAS, HRGM Corporation has completed similar work successfully for other school systems; and

WHEREAS, The low bid contains an alternate in the amount of \$177,777 to construct four master-planned classrooms; and

WHEREAS, The master-planned classrooms have been included in the contract award to accommodate class-size program initiatives in lieu of providing four portable classrooms that would cost approximately \$280,000 for installation and leasing fees; and

WHEREAS, The modernization includes space for day care that will be funded by the Montgomery County Department of Health and Human Services; now therefore be it

Resolved, That an \$11,282,108 contract be awarded to HRGM Corporation for the Glen Haven Elementary School modernization project, in accordance with drawings and specifications prepared by SHW Group, Inc.

RESOLUTION NO. 138-02 Re: **AWARD OF CONTRACTS B REROOFING B VARIOUS FACILITIES**

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

WHEREAS, The following sealed bids were received for the reroofing of the Clarksburg Depot and the Mark Twain School on March 15, 2002, and April 4, 2002, respectively:

<u>Bidder</u>	<u>Amount</u>	<u>Estimate</u>
Clarksburg Depot		
J. E. Wood & Sons Company, Inc.	\$ 58,166	\$ 75,000
R. D. Bean, Inc.	58,805	
Interstate Corporation	60,000	

Orndorff & Spaid, Inc.	62,884
Rayco Roof Service, Inc.	74,580

Mark Twain School

Orndorff & Spaid, Inc.	\$366,798	\$440,000
R. D. Bean, Inc.	438,872	
Interstate Corporation	498,000	
J. E. Wood & Sons Company, Inc.	505,986	
Rayco Roof Service, Inc.	637,445	
KI Construction Company, Inc.	647,500	

and

WHEREAS, J. E. Wood & Sons Company, Inc., has submitted 4-percent and Orndorff & Spaid, Inc., has submitted 1-percent Asian-American Minority Business Enterprise (MBE) participation; and

WHEREAS, Both firms will continue to pursue additional participation; however, there are limited opportunities for MBE participation because of the work scope, and staff recommends waiving the balance of the goal; and

WHEREAS, The low bids are below the staff estimates; and

WHEREAS, Both contractors have completed similar work successfully for the Montgomery County Public Schools; and

WHEREAS, The state Interagency Committee on School Construction will fund 50 percent of the eligible work for the Mark Twain School as part of the state systemic renovation program; now therefore be it

Resolved, That contracts be awarded to J. E. Wood & Sons Company, Inc., and Orndorff & Spaid, Inc., in the amounts of \$58,166 and \$366,798, respectively, for the reroofing of the Clarksburg Depot and the Mark Twain School, in accordance with plans and specifications prepared by the Department of Facilities Management and contingent upon County Council approval of the FY 2003 Capital Budget; and be it further

Resolved, That the contract for the Mark Twain School be forwarded to the state Interagency Committee on School Construction for approval to reimburse the Montgomery County Public Schools for the state-eligible portion of this project.

RESOLUTION NO. 139-02 Re: AWARD OF CONTRACT B KINGSLEY WILDERNESS

CENTER ADMINISTRATION BUILDING

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

WHEREAS, EMH Environmental, Inc., has a multi-agency contract with the Baltimore County Public Schools to provide modular building units; and

WHEREAS, EMH Environmental, Inc., has provided a price for the purchase and installation of four modular units to comprise the administrative center of the Kingsley Wilderness Center; and

WHEREAS, Staff and the project architect, Wiencek + Zavos, Architects, P.C., have reviewed this proposal and found it to be fair and equitable; and

WHEREAS, EMH Environmental, Inc., has successfully provided similar units to the Montgomery County Public Schools; now therefore be it

Resolved, That a contract in the amount of \$141,961 be awarded to EMH Environmental, Inc., for the purchase and installation of four modular units for the administrative center for the Kingsley Wilderness Center Program, in accordance with drawings and specifications prepared by Wiencek + Zavos, Architects, P.C.

RESOLUTION NO. 140-02 Re: CAPITAL PROJECTS TO BE CLOSED EFFECTIVE JUNE 30, 2002

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

WHEREAS, The Board of Education annually closes capital projects and transfers any unencumbered balances to the unliquidated surplus account; and

WHEREAS, The Department of Facilities Management has reviewed capital projects that may be closed, effective June 30, 2002; now therefore be it

Resolved, That the superintendent be authorized to close, effective June 30, 2002, capital construction projects listed below, subject to final audit:

<u>Project No.</u>	<u>Project</u>	<u>Balance</u>
228-07	Herbert Hoover Middle School	-0-
315	Paint Branch High School	-0-

321-01	James Hubert Blake High School	-0-
510-12	Col. Zadok Magruder High School	-0-
0033	Montgomery Blair Middle School #3/ Elementary School #11	-0-

and be it further

Resolved, That a copy of this resolution be sent to the county executive and County Council to be included in the FY 2003 Educational Facilities Master Plan and the FY 2003B2008 Capital Improvements Program.

RESOLUTION NO. 141-02 Re: CHANGE ORDERS EXCEEDING \$100,000

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

WHEREAS, The Department of Facilities Management, on March 19, 2002, received sealed bids for the energy management system for Montgomery Village Middle School to be awarded as a change order to the general contractor; and

WHEREAS, A change order proposal has been received for the Bethesda-Chevy Chase High School modernization project in excess of \$100,000; and

WHEREAS, Staff and the engineering consultant have reviewed the change order proposal and found it to be equitable; now therefore be it

Resolved, That the Board of Education approve the following change orders for the amounts indicated:

Activity 1

Project: Montgomery Village Middle School
 Description: Installation of an energy management system
 Contractor: San Jose Construction Group, Inc.
 Amount: \$344,600

Activity 2

Project: Bethesda-Chevy Chase High School

Description Revisions to the roof configurations for Buildings A and C, required to ensure adequate moisture protection

Contractor: Orndorff & Spaid, Inc.

Amount: \$193,695

RESOLUTION NO. 142-02 Re: **EXTENSION OF CONTRACT B RELOCATABLE CLASSROOM BUILDINGS**

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

WHEREAS, A supplemental appropriation to the FY 2002 Capital Budget has been approved for relocatable classroom units to accommodate student growth for the 2002B2003 school year; and

WHEREAS, Enrollment projections indicate that 33 additional relocatable classroom units are required; and

WHEREAS, G. E. Capital Modular Space, Inc., has agreed in writing to extend last year's unit prices for another year; now therefore be it

Resolved, That a five-year lease for 33 relocatable classroom units be awarded in the amount of \$653,400 to G. E. Capital Modular Space, Inc., with the option to lease additional units if needed at a later date.

RESOLUTION NO. 143-02 Re: **GRANT OF EASEMENT AGREEMENT AT NEELSVILLE MIDDLE SCHOOL**

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

WHEREAS, Montgomery County has requested a Grant of Easement Agreement at Neelsville Middle School, located at 11700 Neelsville Church Road in Germantown; and

WHEREAS, The easement, which will allow the county to construct, use, and maintain necessary slopes for draining and stabilizing property, as a part of improvements to Neelsville Church Road, will require a conveyance of 22,919 square feet in grading and construction easement; and

WHEREAS, All construction and liability for damages or injury will be undertaken by Montgomery County at no cost to the Board of Education; and

WHEREAS, The proposed easement will not affect any land that could be used for school programming or recreational activities and will terminate upon completion of all improvements and their acceptance for maintenance by the Montgomery County Department of Public Works and Transportation; and

WHEREAS, The proposed Grant of Easement Agreement will benefit both the school site and the community by improving Neelsville Church Road; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute an easement agreement with Montgomery County granting 22,919 square feet for grading and construction of Neelsville Church Road at Neelsville Middle School.

RESOLUTION NO. 144-02 Re: **GRANT OF RIGHT-OF-WAY AT JOHN T. BAKER MIDDLE SCHOOL**

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

WHEREAS, The Washington Suburban Sanitary Commission (WSSC) has requested a grant of right-of-way at John T. Baker Middle School, located at 25400 Oak Drive in Damascus; and

WHEREAS, The proposed grant of right-of-way, consisting of 1,836 square feet, is necessary for the installation of a sanitary sewer and appurtenances as a part of the construction of the Damascus Community Center; and

WHEREAS, All construction, future maintenance, and liability for damages or injury will be undertaken by WSSC at no cost to the Board of Education; and

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

Resolved, That the president and secretary of the Board of Education be authorized to execute a grant of right-of-way of 1,836 square feet to the Washington Suburban Sanitary Commission at John T. Baker Middle School.

RESOLUTION NO. 145-02 Re: **AMENDMENT TO THE FY 2003-08 CAPITAL IMPROVEMENTS PROGRAM B FIRE CODE CORRECTIONS**

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

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

WHEREAS, The preliminary projected cost to address this issue is \$5 million over the first two years of the FY 2003B08 Capital Improvements Program; and

WHEREAS, the County Council is aware of this matter and has been given preliminary data on the projected initial cost of the program; and

WHEREAS, Funding will be required in the out years of the FY 2003B08 Capital Improvements Program; however, the annual costs after FY 2004 will be significantly less than in the first two years of the program; and

WHEREAS, The actual amount of expenditures beyond FY 2004 will be dependent on future decisions regarding capital budget allocations for the MCPS modernization program, as well as future code revisions, and cannot be determined accurately at this point; and

WHEREAS, Since the actual funds needed for this program for the out years of the FY 2003B08 Capital Improvements Program cannot be determined at this point, a recommendation for allocations after FY 2004 has not been included in this resolution; now therefore be it

Resolved, That an amendment to the Board of Education's FY 2003B08 Capital Improvements Program request in the amount of \$3 million in FY 2003 and \$2 million in FY 2004 to correct items identified on the Montgomery County and City of Rockville fire marshals' inspection reports be forwarded to the County Council; and be it further

Resolved, That this resolution be forwarded to the county executive with a request to recommend its approval to the County Council.

RESOLUTION NO. 146-02 Re: **AMENDMENT TO THE FY 2003-08 CAPITAL IMPROVEMENTS PROGRAM B ROCKY HILL MIDDLE SCHOOL #2 OFF-SITE ROAD WORK**

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

WHEREAS, The Board of Education's FY 2003B08 Capital Improvements Program request contains funds to construct a replacement facility for Rocky Hill Middle School; and

WHEREAS, The purchase agreement for the replacement facility site contained provisions for the Montgomery County Public Schools to share the cost to extend New Cut Road with a developer for access to the school property and part of a master-planned community being developed for residential dwellings; and

WHEREAS, The pre-preliminary site plan approved by the Montgomery County Planning Commission in 2001 for the residential community development, which included the proposed school site, allowed the developer to extend New Cut Road in phases; and

WHEREAS, The initial phase, which includes the school site, only required the construction of two lanes for the New Cut Road extension; and

WHEREAS, The approved phasing work for New Cut Road in the pre-preliminary site plan was relied on to prepare the budget estimate for the replacement school; and

WHEREAS, On April 4, 2002, the Montgomery County Planning Commission voted to require that a portion of the New Cut Road extension be expanded to four lanes in the initial construction phase for the development of the residential community and school site; and

WHEREAS, This recent decision by the Montgomery County Planning Commission will increase the funds that have to be budgeted to complete the construction of the school project; now therefore be it

Resolved, That an amendment in the amount of \$425,000 to the Board of Education's FY 2003B08 Capital Improvements Program request in FY 2004 for the Rocky Hill Middle School replacement project for additional access road improvements required by the Montgomery County Planning Commission be forwarded to the County Council; and be it further

Resolved, That the resolution be forwarded to the county executive with a request to recommend approval to the County Council.

RESOLUTION NO. 147-02 Re: **AMENDMENT TO THE FY 2003-08 CAPITAL IMPROVEMENTS PROGRAM B FORMER BROOKVIEW ELEMENTARY SCHOOL SITE**

REIMBURSEMENT COSTS

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

WHEREAS, The Board of Education's FY 2003-08 Capital Improvements Program request contains funds to open a new Northeast Consortium Elementary School #16 to relieve overcrowding in the Cresthaven and Burnt Mills elementary school service areas; and

WHEREAS, The location identified for the new school is the former Brookview Elementary School site that was closed in 1982 and surplused to the county for use as a regional park; and

WHEREAS, The agreement for funding the park development contained a reversion clause for the property requiring the Montgomery County Parks Department to be reimbursed for certain costs if the site was converted for other purposes; and

WHEREAS, The Parks Department has agreed to the reversion of the site to construct the new elementary school with the expectation that they will receive the reimbursement to replace the Brookview park amenities at another location in Montgomery County; now therefore be it

Resolved, That an amendment in the amount of \$565,000 to the Board of Education's FY 2003-08 Capital Improvements Program request in FY 2006 to reimburse the Montgomery County Parks Department for development costs used to construct improvements at the former Brookview Elementary School site so it can be used for the proposed Northeast Consortium Elementary School #16 be forwarded to the County Council; and be it further

Resolved, That the resolution be forwarded to the county executive with a request to recommend approval of the amendment to the County Council.

RESOLUTION NO. 148-02 Re: UTILIZATION OF FY 2002 FUTURE SUPPORTED PROJECT FUNDS

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

WHEREAS, The grants qualify for a transfer of appropriation from the Provision for Future Supported Projects pursuant to the provisions of County Council Resolution No. 14-890, approved May 25, 2001; and

WHEREAS, The programs do not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available, within the FY 2002 Provision for Future Supported Projects, to permit the transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2002 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Amount</u>
Head Start Extended Year Program	\$ 144,677
Schools for Success/Goals 2002/Seven-Year Grant	176,186
Character Education Partnership	15,000
Technology In Maryland Schools Consolidated Grant	410,652
Maryland Technology Academy Satellite Program	2,353
Individuals with Disabilities Education Program (IDEA)	858,902
Infants and Toddlers Program	5,545
Medical Assistance Project	400,000
Sherwood Home School Initiative	<u>12,500</u>
Total	<u>\$2,025,815</u>

and be it further

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

**Mr. Burnett temporarily left the meeting.

RESOLUTION NO. 149-02 Re: MONTHLY REPORT

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated April 22, 2002.

RESOLUTION NO. 150-02 Re: DEATH OF BARRY W. GONCHAR, SR., BUS OPERATOR, WEST FARM TRANSPORTATION DEPOT

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

WHEREAS, The death on March 28, 2002, of Barry W. Gonchar, Sr., bus operator at the West Farm Transportation Depot, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Mr. Gonchar was a loyal employee of Montgomery County Public Schools for more than four years; and

WHEREAS, Mr. Gonchar's pride in his work and his dedication to duty were recognized by staff and associates alike; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Barry W. Gonchar, Sr. 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. Gonchar's family.

RESOLUTION NO. 151-02 Re: APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective April 23, 2002:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Gary Miller	Interim Principal, Silver Spring International MS	Principal, Silver Spring International MS

RESOLUTION NO. 152-02 Re: APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective April 23, 2002:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Billie-Jean Bensen	Acting Executive Assistant, Executive Assistant, Office of School Performance	Office of School Performance

RESOLUTION NO. 153-02 Re: APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective April 23, 2002:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Linda Ferrell	Acting Executive Assistant, Executive Assistant, Office of School Performance	Office of School Performance

RESOLUTION NO. 154-02 Re: FY 2003 OPERATING BUDGET AMENDMENTS

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, The Maryland State Department of Education (MSDE) notified Montgomery County Public Schools (MCPS) of additional state revenue for MCPS of \$7,720,244 from passage by the General Assembly of the Bridge to Excellence Act resulting from the recommendations of the Commission on Educational Excellence, Funding, and Accountability; and

WHEREAS, On March 15, 2002, The Maryland State Department of Education (MSDE) notified Montgomery County Public Schools (MCPS) of additional federal revenue for MCPS of \$5,866,806 resulting from passage by Congress of the No Child Left Behind (NCLB) Act of 2001 and the FY 2002 appropriation for the United States Department of Education; and

WHEREAS, On March 15, 2002, the county executive recommended inclusion of \$2,667,901 of additional federal funding for Title I known at the time of his Recommended FY 2003 Operating Budget; and

WHEREAS, The county executive also recommended \$30,102 in additional appropriations for the Instructional Television Special Revenue Fund as part of the county's Cable Television Plan; and

WHEREAS, The Board of Education was obligated to defer approximately \$12.4 million of improvements planned for FY 2003 as part of the multiyear *Our Call to Action* plan; and

WHEREAS, The Board of Education thanks elected federal, county, and state officials for their untiring efforts to obtain additional state and federal funding to improve public schools; and

WHEREAS, The Board of Education intends to use additional funding intended by the General Assembly and the United States Congress to improve public schools for programs aimed at students with significant special needs that create achievement gaps, including children from low-income backgrounds, special education students, and English Language Learners; and

WHEREAS, The Board of Education recognizes federal law and regulations that restrict the use of federal grant funds to those purposes and other purposes required by law; now therefore be it

Resolved, That the FY 2003 Operating Budget Request be amended to reflect expenditures of additional state revenue of \$7,720,244 and federal revenue of \$5,866,806 for the purposes described above; and be it further

Resolved, That as a result of additional state and federal aid, the Board of Education amends its FY 2003 Operating Budget Request by a total increase of \$13,617,152 in the following categories:

Category	Board Adopted As of March 1	Amendment	Amended Budget Request
1 Administration	\$ 30,249,161		\$ 30,249,161
2 Mid-level Administration	93,930,715		93,930,715
3 Instructional Salaries	627,118,857	\$ 7,333,431	634,452,288
4 Textbooks and Instructional Supplies	26,400,607	399,362	26,799,969
5 Other Instructional Costs	13,948,107	1,787,343	15,735,450
6 Special Education	164,769,301	604,155	165,373,456
7 Student Personnel Services	6,230,100		6,230,100
8 Health Services	40,434		40,434
9 Student Transportation		718,294	55,982,334
	55,264,040		
10 Operation of Plant and Equipment	76,505,246	586,725	77,091,971
11 Maintenance of Plant	26,092,573		26,092,573
12 Fixed Charges	231,186,927	2,157,740	233,344,667
14 Community Services	472,000		472,000
37 Instructional Television Revenue	1,044,898	30,102	1,075,000
41 Adult Ed/Summer School Fund	5,241,120		5,241,120
51 Real Estate Management Fund	1,539,644		1,539,644
61 Food Services Fund	35,640,454		35,640,454
71 Field Trip Fund	1,973,567		1,973,567
81 Entrepreneurial Activities Fund	946,920		946,920
All Funds	\$ 1,398,594,671	\$13,617,152	\$ 1,412,211,823

and be it further

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

**Mr. Burnett rejoined the meeting.

Re: BOARD/SUPERINTENDENT COMMENTS

Mr. Lange asked the superintendent to obtain the study on military school that was reported on A60 Minutes@ (April 21, 2002). Recently, there was a character education program at James Hubert Blake High School. In addition, Julius West Middle School students completed a tremendous initiative on service learning in which the students developed portfolios with parents and staff to build positive relationships. Also, he asked the superintendent to comment on Ms. Lyons= testimony and the special education training that teachers receive to implement accommodations.

Mr. Jeter participated in Seneca Valley High School=s Ethics Week. He spoke to the classes about being a Board member and listened to the students= issues. The election for the new student Board member will take place on April 24. The new voter registration drive is underway in the high schools.

Mr. Abrams thanked Larry Rosenblum for donating furniture and equipment to the school system.

Mrs. King attended the National School Board Association=s conference at which Mr. Lloyd, a former student member of the Board of Education, and Mr. Jeter made a presentation, and those attending were in complete awe of the MCPS students. Dr. Williams, Dr. Arons, Ms. Merry and Mrs. King gave a presentation on professional growth.

Mrs. King requested that the Board receive an update on the MCPS career and technology programs.

Mrs. O=Neill commented on the rededication of several modernized schools. Also, she asked Mr. Bowers to comment on air conditioning in the schools. Mr. Bowers replied that staff had begun the conversion so the schools would be air conditioned in time for the MSPAP.

Mr. Burnett attended the NAACP Youth Summit, and he was very impressed with Ms. McEachem, who is 9 years old. She was very articulate with Mr. Burnett on her likes and dislikes of the school system.

Ms. Cox spoke about ethics and politics at Seneca Valley High School, and it was very interesting to talk with the students and hear their perceptions about Board members and their effectiveness. Also, she visited the biotechnology open house at Thomas S. Wootton High School, and it was a fabulous experience that underscored the work of MCPS to make connections to the real world.

Ms. Cox requested information on whether records are kept on complaints about secondary school teachers who are not implementing accommodations for students, and asked what the strategy is through staff development to make sure teachers carry out accommodations.

Mr. Felton asked for clarification regarding activity buses for ESOL students in the Sherwood Cluster. Mr. Felton noted that April was National Autism Month, and the Board signed a proclamation.

Dr. Weast commented that the kickoff of TECH CORPS MARYLAND took place earlier in the day at the Comcast offices in Silver Spring. This is a new MCPS partnership with TECH CORPS and the Montgomery County Business Roundtable for Education. It is designed to encourage businesses and individuals with expertise in technology to use their skills to support technology programs in schools. Ten businesses, agencies and individuals who are already making significant contributions were honored today with awards for their exemplary technology support to schools including teacher training programs and assistance with Web design.

Dr. Weast stated that it is important that every eligible child take advantage of this summer's Extended Learning Opportunities program in the 18 Title I elementary schools in MCPS. The program is being called Summer Adventures in Learning, a name that is appealing to young children and their families. Summer Adventures in Learning is an important learning opportunity for these young children. He hoped to have 100% participation among the kindergarten through grade three children in the 18 targeted schools.

Dr. Weast thanked the Board for its efforts in class size; reading, writing and math, honors classes, new programs, and a commitment through the operating budget.

RESOLUTION NO. 156-02 Re: CLOSED SESSION RESOLUTION

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

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

Resolved, That the Board of Education of Montgomery County conduct a portion of its meeting on Tuesday, May 14, 2002, in Room 120 of the Carver Educational Services Center to meet in closed session from 9:00 a.m. to 1:30 p.m. and 4:35 to 4:40 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*, consult with counsel to obtain legal advice, as permitted by Section 10-508(a)(7) of

the *State Government Article*; and review and adjudicate appeals in its quasi-judicial capacity and to discuss matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*); and be it further

Resolved, That such meetings shall continue in closed session until the completion of business.

Re: **REPORT OF CLOSED SESSION**

On March 12, 2002, by unanimous vote of members present, the Board of Education voted to conduct closed sessions as permitted under the *Education Article* ' 4-107 and *State Government Article* ' 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed sessions on March 12, 2002, from 9:00 to 10:25 a.m., 12:55 to 2:00 p.m., and 4:40 to 4:45 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

11. Reviewed and/or adjudicated the following appeals: 2001-72, 2002-1, 2002-3, 2002-4, 2002-7, 2002-8, 2002-9, 2002-10, 2002-12, 2002-14, 2002-15, T-2002-1, and T-2002-2.
12. Reviewed the Superintendent's recommendation for the Human Resources Monthly Report and human resources appointments, subsequent to which the vote to approve was taken in open session.
13. Consulted with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
14. Discussed matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

In attendance at the closed session were: Steve Abrams, Larry Bowers, Judy Bresler, Kermit Burnett, Sharon Cox, Reggie Felton, Dick Hawes, Roland Ikheloa, Dustin Jeter, Nancy King, Frieda Lacey, Walter Lange, George Margolies, Pat O'Neill, Brian Porter, Lori Rogovin, Glenda Rose, Maree Sneed, Roger Titus, Steve Watts, Jerry Weast, and James Williams.

RESOLUTION NO. 157-02 Re: **MINUTES**

On motion of Mrs. King and seconded by Mr. Abrams, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its minutes for the December 11, 2001, meeting.

RESOLUTION NO. 158-02 Re: MINUTES

On motion of Ms. Cox and seconded by Mr. Abrams, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its minutes for the January 8, 2002, meeting.

RESOLUTION NO. 159-02 Re: MINUTES

On motion of Mr. Abrams and seconded by Mr. Jeter, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its minutes for the January 22, 2002, meeting.

RESOLUTION NO. 160-02 Re: MINUTES

On motion of Mr. Abrams and seconded by Mr. Jeter, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its minutes for the January 29, 2002, meeting.

RESOLUTION NO. 161-02 Re: MINUTES

On motion of Mr. Jeter and seconded by Mr. Abrams, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its minutes for the February 12, 2002, meeting.

RESOLUTION NO. 162-02 Re: APPEAL NO. 2002-7

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-7, church/state issue, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Felton voting to reverse.

RESOLUTION NO. 163-02 Re: APPEAL NO. 2002-8

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-8, harassment of a student, reflective of the following vote: Mr. Abrams, Mr. Felton, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Ms. Cox voting to reverse.

RESOLUTION NO. 164-02 Re: **APPEAL NO. 2002-9**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-9, student residency, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm in part and voting to reverse in part.

RESOLUTION NO. 165-02 Re: **APPEAL NO. T-2002-3**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted: Resolved, That the Board of Education adopt its Decision and Order in Appeal T-2002-3, student transfer, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Lange, and Mrs. O'Neill, voting to reverse; Mr. Jeter was absent.

Re: **PEDESTRIAN SAFETY**

On motion of Mrs. O'Neill and seconded by Ms. Cox, the following motion was tabled until MCPS staff and county officials develop a plan and the resolution should be forwarded to the study group:

WHEREAS, Our community has witnessed, in recent months, several incidents of death and injury as a result of pedestrians crossing well-trafficked streets in our county; and

WHEREAS, In the past few weeks, some of these incidents have involved students traversing streets on the way to and from school; and

WHEREAS, Inclement weather and jaywalking increase the risk to pedestrians; and

WHEREAS, High school students do not receive bus transportation if they live

within 2.0 miles of their school and middle school students do not receive bus transportation if they live within 1.5 miles of their school; and

WHEREAS, The Blue Ribbon Panel on Pedestrian and Traffic Safety, chaired by Delegate Bill Bronrott, recently issued its report and, among its recommendations, was one calling for increased educational efforts in our schools on the topic of pedestrian safety; and

WHEREAS, The State Highway Administration has funds available to assist in developing educational programs on pedestrian safety; now therefore be it

Resolved, That each of our high schools and middle schools develop a plan to discuss pedestrian safety and all of its ramifications annually (either at an assembly or through classroom discussion).

RESOLUTION NO. 166-02 Re: POLICY JFA

On motion of Mr. Jeter and seconded by Mr. Lange, the following resolution was adopted unanimously:

WHEREAS, Board of Education Policy JFA established the rights and responsibilities of the students of Montgomery County Public School; and
WHEREAS, Policy JFA was adopted in 1997; and

WHEREAS, Policy JFA requires a review of this policy once every three years; and

WHEREAS The rights and responsibilities of our students are constantly changing; now therefore be it

Resolved, That the Policy Committee of the Board of Education, in concert with staff, review Board of Education Policy JFA as outlined in the policy; and be it further

Resolved, That the Policy Committee submit its recommendation to the Board of Education as soon as possible.

Re: **NEW BUSINESS**

There was no new business.

Re: **ITEMS OF INFORMATION**

The following items were available:

1. Items in Process
2. Legal Fees Report

RESOLUTION NO. 167-02 Re: **ADJOURNMENT AND CLOSED SESSION**

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

Resolved, That the Board of Education adjourn its meeting of April 22, at 10:50 p.m., and reconvene in closed session.

PRESIDENT

SECRETARY

JDW:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

April 22, 2002

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