

APPROVED
21-2003

Rockville, Maryland
June 10, 2003

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on June 10, 2003, at 10:15 a.m.

ROLL CALL Present: Mrs. Patricia B. O'Neill, President
 in the Chair
 Mr. Kermit V. Burnett
 Ms. Sharon Cox
 Mr. Reginald M. Felton
 Dr. Charles Haughey
 Mr. Walter Lange
 Mr. Gabe Romero
 Mr. Mihyar Alnifaidy, Student Board Member
 Mr. Sagar Sanghvi, Student Board Member-Elect
 Dr. Jerry Weast, Secretary/Treasurer

Absent: None

or () indicates student vote does not count. Four votes needed for adoption.

RESOLUTION NO. 278-03 Re: **CLOSED SESSION**

On recommendation of the Superintendent and on motion of Mr. Felton seconded by Mr. Romero, 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 closed sessions on June 10, 2003, in Room 120 from 9:00 to 10:00 a.m. and 12:30 to 2:00 p.m. to discuss the Human Resources Monthly Report and appointments, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed session on June 10, 2003, to acquit its executive functions and to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act under Section 10-503(a) of the *State Government Article*; and be it further

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

**Mr. Burnett temporarily left the meeting.

RESOLUTION NO. 279-03 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for June 10, 2003.

RESOLUTION NO. 280-03 Re: **LEADERSHIP MONTGOMERY YOUTH COMMUNITY SERVICE LEADERSHIP AWARDS**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Ms. Cox, 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 community service learning activities; and

WHEREAS, Since 1997, Leadership Montgomery has offered the Youth Community Service Awards to identify, reward, and promote outstanding continuing community service efforts and accompanying demonstrations of leadership by high school students; and

WHEREAS, The law firm of Shulman, Rogers, Gandal, Porody and Ecker, P.A., of Rockville, has generously sponsored and funded cash awards for up to five students per year for the past seven years; and

WHEREAS, Five Montgomery County Public Schools high school students have been honored as the Leadership Montgomery Youth Community Service Leadership Award recipients for 2003; now therefore be it

Resolved, That the Montgomery County Board of Education express its appreciation to Leadership Montgomery and to Shulman, Rogers, Gandal, Porody, and Ecker, P.A. for their leadership in promoting and honoring youth leadership in community service; and be it further

Resolved, That the Board of Education congratulate this year's Leadership Montgomery Youth Community Service Leadership Award recipients for their outstanding leadership in community service.

Re: **RECUSAL**

Pending an Ethics Panel decision, Dr. Haughey and Mr. Lange recused themselves from voting on the following resolution.

RESOLUTION NO. 281-03 Re: **RECOMMENDATION TO APPROVE THE AMENDED AGREEMENT WITH THE MONTGOMERY COUNTY ASSOCIATION OF ADMINISTRATIVE AND SUPERVISORY PERSONNEL**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted with Ms. Cox, Mr. Felton, Mrs. O'Neill, and Mr. Romero voting in the affirmative:#

WHEREAS, Section 6-408 of the Education Article, *Annotated Code of Maryland*, requires the Board of Education to enter into negotiations with designated employee organizations concerning "salaries, wages, hours, and other working conditions"; and

WHEREAS, The Montgomery County Association of Administrative and Supervisory Personnel (MCAASP) was properly designated as the employee organization to be the exclusive representative for these negotiations; and

WHEREAS, On March 11, 2003, the Board of Education approved the agreement for the period of July 1, 2003, through June 30, 2006, if the funds were properly authorized for said agreement; and

WHEREAS, Said funds were not fully provided by county and state governments; and

WHEREAS, The parties entered into renegotiations in accordance with the existing agreement and reached tentative agreement on modification of the agreement through delayed implementation of the negotiated salary increase; and

WHEREAS, The tentative agreement to amend has been duly ratified by the membership of MCAASP; now therefore be it

Resolved, That the Board of Education approve the amended agreement for the period of July 1, 2003, through June 30, 2006; and be it further

Resolved, That the secretary and the president of the Board of Education be authorized to sign the amended agreement, all according to said agreement and to the law.

RESOLUTION NO. 282-03 Re: **RECOMMENDATION TO APPROVE THE AMENDED AGREEMENT WITH THE MONTGOMERY COUNTY EDUCATION ASSOCIATION**

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

WHEREAS, Section 6-408 of the Education Article, *Annotated Code of Maryland*, requires the Board of Education to enter into negotiations with designated employee organizations concerning "salaries, wages, hours, and other working conditions"; and

WHEREAS, The Montgomery County Education Association (MCEA) was properly designated as the employee organization to be the exclusive representative for these negotiations; and

WHEREAS, On February 27, 2001, the Board of Education approved the agreement for the period of July 1, 2001, through June 30, 2004, if the funds were properly authorized for said agreement; and

WHEREAS, Said funds were not fully provided for school year 2004 by county and state governments; and

WHEREAS, The parties entered into renegotiations in accordance with the existing agreement and reached tentative agreement on modification of the agreement through a combination of delayed implementation or modification of the negotiated salary increases, and delay of the addition of two duty days for one year; and

WHEREAS, The tentative agreement to amend has been duly ratified by the membership of MCEA; now therefore be it

Resolved, That the Board of Education approve the amended agreement for the period of July 1, 2003, through June 30, 2004; and be it further

Resolved, That the secretary and the president of the Board of Education be authorized to sign the amended agreement, all according to said agreement and to the law.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast commented that more than 9,200 students are graduating from MCPS this year. There are always special moments to remember at these joyous occasions. One thing that particularly impressed him was the number of senior classes that chose favorite teachers to be their graduation speakers. He recognized the teachers that were honored in this way by their students. They include:

1. Grant Goldstein, English resource teacher at Col. Zadok Magruder High School
2. Terry Murray, resource art teacher at Springbrook High School
3. Harry Klugel, secondary program specialist at Mark Twain School, who spoke at Stephen Knolls School
4. Michael Hunt, social studies teacher at Paint Branch High School

5. Jan Schultz, social studies resource teacher at Poolesville High School
6. Lisa Runyon, English teacher/drama director at Wheaton High School.

Dr. Weast stated that on May 30, MCPS announced the results of Grade 2 scores on the Comprehensive Tests of Basic Skills, which showed extraordinary gains by students most at risk for academic failure. The impact of academic reforms on student achievement has been dramatic and very encouraging. As the school system moves forward to consolidate and expand these gains, he took a moment to publicly thank the women and men who teach in MCPS classrooms and lead county schools.

Dr. Weast announced that MCPS had 20 of 23 high schools in the top 4 percent of the country's high schools for their offerings of advanced courses.

Mr. Lange commented about the goal setting of so many students. He hoped that MCPS would send representative to the Teacher and Counselor Mentoring Program sponsored by the trade companies in the area. A program on medical careers was highlighted in the Bethesda Naval Hospital newsletter.

Dr. Haughey commented on how quickly the new signature programs are producing great results.

Re: PUBLIC COMMENTS

The following people testified before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Jill Lyon	Special Education Staffing Plan
2. Bob Astrove	Special Education Staffing Plan
3. Mark Drury	Career and Technology Education

Re: OUR CALL TO ACTION: PURSUIT OF EXCELLENCE

Dr. Weast and Mr. Bowers stated the presentation served to transmit and request Board approval of *Our Call to Action: Pursuit of Excellence—The Strategic Plan for the Montgomery County Public Schools 2003–2007*. This strategic plan reinforces the initiatives that have been implemented since the Board of Education adopted *Our Call to Action* in November 1999. The plan is clearly focused on the future and will establish the direction and priorities of the system for the next five years.

Feedback and input from various stakeholder groups were extensive and are ongoing. Input was sought throughout the process of developing the strategic plan. The guidance and insight

gained through this process proved to be invaluable. Stakeholder groups brought to light the need to strengthen the strategic plan in the areas of special education, English for Speakers of Other Languages (ESOL), gifted and talented education, career technology education, and the arts. This feedback was used to further develop these identified areas through additional milestones, data points, goals, performance measures, and identified strategies/initiatives. While all feedback and input were reviewed, it was determined that some was more appropriately managed in an individual office, department, or division strategic plan than in the school system's strategic plan.

The most significant feedback received was from staff, parents, and community members who feel that the strategic plan is focused only on academic achievement, rigor, and preparation for college. Although it is true that much of the focus of *Our Call to Action* is on academic achievement and college readiness, the plan recognizes the broader purpose of public education to prepare all students for the roles in life that they will assume when they leave MCPS. This broader purpose is accomplished in collaboration with families and the community, including corporate and civic organizations. The school system has an important role in the social and emotional development of students and in helping them learn to take responsibility for their learning and actions. The school system also prepares students for careers that include college and those that do not include college and provides opportunities for students to develop proficiency in all of the Skills for Success—learning, thinking, communication, technology, and interpersonal skills.

The driving force behind the Strategic Plan is the Guiding Tenets, which include the following:

- Board of Education Academic Priorities
- The vision, mission, and core values
- Goals of the school system
- Critical questions

This strategic plan is first and foremost an accountability document. Under each of the four goals—ensure success for every student, provide an effective instructional program, strengthen productive partnerships for education, and create a positive work environment in a self-renewing organization—there are milestones and data points. The Board of Education will receive reports throughout the year that will include these data points and the progress that has been made. This data will be used to determine if strategies need to be changed or resources need to be realigned to achieve the expected results. It will be used to hold the Board of Education, superintendent, executive staff, and all other employees responsible for accomplishing the expected outcomes.

By approving *Our Call to Action: Pursuit of Excellence—The Strategic Plan for the Montgomery County Public Schools 2003–2007*, the Board of Education will set the stage for an unprecedented effort to improve the instructional program in every school. Schools will

develop and implement school improvement plans annually, based on the Board's strategic plan. Office and department strategic plans will be aligned with *Our Call to Action*. This strategic plan will guide the staff throughout the school system in their work with schools, parents, and the community.

At the January 14, 2003, Board of Education meeting, staff reviewed the requirements to develop a master plan for *The Bridge to Excellence in Public Schools Act*. The act requires school systems to integrate state, federal, and local funding and initiatives and weave them into a comprehensive master plan to improve student achievement for all students and to narrow achievement gaps between subgroups of students. School systems must:

- develop a five-year comprehensive master plan describing goals, objectives, and strategies to improve performance for all students;
- align the school district's budget with the master plan and show specifically how the use of resources will address the goals and objectives of the plan;
- address the *No Child Left Behind Act* achievement goals in the master plan; and
- ensure meaningful community involvement in the development of the master plan.

On May 12, 2003, executive staff members and representatives from their offices attended a three-hour regional technical assistance forum sponsored by the Maryland State Department of Education (MSDE). At that time, MSDE staff presented information about the program and fiscal components that must be addressed in the master plan, procedures for submitting the master plan, and the peer review process for evaluating each school system's master plan. Members of the executive staff have assumed the lead responsibility for compiling the required information.

Our Call to Action: Pursuit of Excellence—The Strategic Plan for the Montgomery County Public Schools 2003–2007 will be a cornerstone of the master plan. The master plan is tentatively scheduled to be presented to the Board of Education on July 8, 2003.

Our Call to Action: Pursuit of Excellence—The Strategic Plan for the Montgomery County Public Schools 2003–2007 is a "living" document. It will continue to guide the work of MCPS on a daily basis. The plan will be changed continually, as staff determines what is working and what is not working and what needs to be done to improve results. It will be the basis of the allocation of resources in the annual operating budget. The plan will be the basis of school improvement plans and the office and department strategic plans and will be reviewed continually by staff throughout the system to ensure that all work is aligned. The Board of Education will review the data reports regularly to monitor the progress being made and determine the changes needed. Each year the Board will update the plan to reflect the opportunities for improvement that have been identified.

Re: DISCUSSION

Ms. Cox clarified that when the comprehensive master plan is done, there will be more specifics about the expected progress on the milestones. Mr. Bowers replied that adequate yearly progress must be in the plan for *No Child Left Behind*. The milestones are part of work to be done, and it is part of the strategic planning process to set targets.

Ms. Cox asked if the annual report process would be appropriate in all cases and if there should be some flexibility. Mr. Bowers answered that there is no final recommendation. There may be a time when an annual report and quarterly updates are provided to the Board.

Ms. Cox noted that graduation rates are calculated in the same manner as used in the National Center for Education Statistics reports on Common Core of Data. Does that include as graduates students who leave the school system to get a GED? Mr. Fulton replied that the data does not include GED graduates. Ms. Cox wanted information on how the percentage of students who drop out of school is calculated.

Mr. Felton thought that data-driven management systems were very difficult to implement based on the amount of data that the school system should monitor. How does the school system begin to pull all the data together in a manner that is meaningful to parents? There will be the annual report card as required by *No Child Left Behind*. The goal of the Board is to ensure that information presented to the community is understandable as well as comprehensive. Also, the school system should not have numerous press releases that confuse parents or are ignored by the community. What do families really need to know for them to feel comfortable about the performance of the child, school, and district? Dr. Weast replied that the district will do everything that is possible to explain to the parents the changes within the school system.

Mr. Felton stated that as MCPS focused internally on the strategic plan, there is a need to work with the community so community members understand the data and the data is meaningful for teachers, students, and parents.

Ms. Cox remarked that it will depend on the commitment to parental involvement on the school improvement planning process. If the community is involved in the planning process, people will understand the data since they are empowered to make decisions on school improvement and become ambassadors to the greater community. Mr. Bowers commented that the report card will be driven by the state and federal government. There needs to be a better job of coordinating the data given to the Board and community.

Mr. Romero noted that this is a very complex document, and it has a multitude of audiences. Since the Long-Range and Strategic Planning Committee had difficulty understanding pieces of this internal document, Mr. Romero wanted to know if it would be presented to the public.

Mr. Bowers replied that the document is too dense, and the challenge will be to create concise documents for targeted audiences. Mrs. O'Neill thought it would be overwhelming for a parent to read the document.

Mr. Felton pointed out that the school system is a huge organization, and he thought it was amazing that the plan was only 50 pages long. Although he wanted it simple at the classroom level, he thought it was important to maintain the comprehensive document.

Dr. Haughey thought the document was a superb compression of many complex interactions and ideas. He urged the Board to go outside the school system to recruit people to develop a strategic document that will be comprehensible to people who are not frequently involved with MCPS.

Mr. Lange asked for clarification of the term "all students and all schools will achieve." There was concern that this is a very high bar that in some cases would be unattainable. Mr. Bowers replied that in response to community concerns, the statement will read "although *Our Call to Action* states that all students are expected to attain certain milestones, some students, due to their disabilities, will not achieve these milestones and will follow alternative curricula."

Ms. Cox stated that discussions with the Continuous Improvement Team (CIT) on special education point out the difference between diploma and non-diploma-bound students. Expectations are also high for students with IEPs.

Mr. Lange wanted to express his appreciation for the incorporation of strategies and initiatives in each section.

Ms. Cox noted that data points are reflected in some of the measures. However, in some instances there is no measure, such as suspension and serious incidents. Mr. Bowers replied that a template will be developed to connect the timing, milestones, data points, measures, and strategies in order to determine what is successful.

Ms. Cox asked if the statement "the percentage of students participating in extracurricular activities" referred to elementary, middle, and high school students. Mr. Bowers responded that there is more data available at the high school level. Mrs. O'Neill asked if the students eligible for extracurricular activities should be grouped together.

Ms. Cox pointed out that Objective 8 (MCPS develops and implements high-quality information systems to help manage information, improve work efficiencies, and support instruction) refers to the use of the data warehouse, which is not fully functional. Mr. Porter replied that the warehouse will be ready for all grades on or before July 7, 2003.

Mr. Felton asked what would address the options for the delivery of education that would be

different from the current model. As the school system grows and more technology becomes available, he asked if another document would be generated to deliver instruction. Mr. Bowers thought this could be incorporated into the strategic plan with alternative models for students to earn credit.

Mr. Lange asked that the statement on character education could be moved from “Ensure Success for Every Student” to “Provide an Effective Instructional Program.” He also asked that the section “Skills for Success” be moved to “Curriculum and Instruction” following “Develop and Implement a Standards-based Curriculum.” Under the “Skills for Success” (learning, thinking, communication, technology, and interpersonal), the Maryland State Department of Education’s document has a sentence to explain each item, and these sentences should be included in this document.

Mr. Lange pointed out that the strategic plan will drive the operating budget with significant commitments, such as textbooks.

Mr. Lange thought the statements on art instruction should be moved forward in this section prior to the discussion of the data warehouse, so that art instruction is tied to curriculum issues.

Ms. Cox asked why the parent survey data was not listed under Data Points for the implementation area “Provide an Effective Instructional Program.”

Ms. Cox asked for a description of the 11 cross-functional teams and how they operate. Mr. Bowers explained that the leadership team developed plans for organization and alignment of work to address priorities of the school system. As a result, cross-functional teams were established and chaired by a member of the leadership team with representatives from the other offices. The initial focus was to examine the 60 highly impacted elementary schools by utilizing data and research.

Mr. Felton observed that the document should move from “curriculum” to “staff” before “outside organizations.”

Mr. Lange thought the commitment to strengthen productive partnerships for education should be a continual focus and charge for the school system.

Ms. Cox pointed out that there was a reference to the NAACP Parents’ Council data, but no other parent organizations are listed. There could be an item, such as other parent data as available.

Ms. Cox noted that staff development substitutes are a data point, and she asked if this data point would be invalid with the reduction in the number of substitutes. Mr. Bowers remarked

that the reduction would be 20 percent in the high school because there was not full utilization of this initiative.

As a general comment, Ms. Cox was pleased with the document because it gave her information on the school system that would enable her to help her child.

Mr. Lange remarked that the school system cannot be successful without a positive work environment in a self-renewing organization. He was pleased that this section was specific about training, support, and encouragement.

Mr. Lange thought the information on the back cover could emphasize the importance of renovation and construction and the resource constraints. Dr. Haughey and Mrs. O'Neill thought the item on new and modernized space should be eliminated.

Mr. Felton asked if there was a communication plan for September. Mr. Kress replied that principals have seen earlier drafts of the document. Ms. Cox wanted the strategic plan to be included in the guides for school improvement teams.

Re: **OUR CALL TO ACTION: PURSUIT OF EXCELLENCE**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was placed on the table:

WHEREAS, The Board of Education adopted *Our Call to Action* in November 1999; and

WHEREAS, The Board of Education's Academic Priorities and *Our Call to Action* are guiding the work of all schools and offices within MCPS; and

WHEREAS, The proposed revisions to *Our Call to Action: Pursuit of Excellence* reflect and account for the feedback and input from various stakeholder groups; and

WHEREAS, The feedback and input from stakeholder groups strengthened *Our Call to Action: Pursuit of Excellence* in the areas of special education, ESOL, gifted and talented, career technology education, and the arts; and

WHEREAS, *Our Call to Action: Pursuit of Excellence* recognizes the broader purpose of public education to prepare all of our students for their roles in life; now therefore be it

Resolved, That the revisions to *Our Call to Action: Pursuit of Excellence* be adopted and approved; and be it further

Resolved, That *Our Call to Action: Pursuit of Excellence* serves as the basis for *The Bridge to Excellence in Public Schools Act* master plan; and be it further

Resolved, That the superintendent be requested to develop a plan to disseminate the critical components of *Our Call to Action: Pursuit of Excellence* with staff, parents, students, and the community; and be it further

Resolved, That this communication plan be shared with the Board of Education by September 2003.

Re: **AN AMENDMENT TO OUR CALL TO ACTION:
PURSUIT OF EXCELLENCE**

On motion of Mr. Lange and seconded by Ms. Cox, the following resolution was placed on the table:

Resolved, That the superintendent in submitting the proposed FY 2005 operating budget to the Board of Education in December 2003 shall predicate that document upon the specific goals and objectives of the strategic plan reflecting how the requested funding, section by section, fosters the attainment of each of those goals and objectives cited in the strategic plan.

RESOLUTION NO. 283-03 Re: **AN AMENDMENT TO THE AMENDMENT TO OUR CALL TO ACTION: PURSUIT OF EXCELLENCE**

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

Resolved, That the superintendent in submitting the proposed FY 2005 operating budget to the Board of Education in December 2003 shall predicate that document upon the specific goals and objectives of the strategic plan.

RESOLUTION NO. 284-03 Re: **AN AMENDMENT TO THE AMENDMENT TO OUR CALL TO ACTION: PURSUIT OF EXCELLENCE**

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

Resolved, That the superintendent in submitting the proposed FY 2005 operating budget in December 2003 shall inform the Board of Education how the operating budget supports the strategic plan.

RESOLUTION NO. 285-03 Re: **OUR CALL TO ACTION: PURSUIT OF EXCELLENCE**

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

WHEREAS, The Board of Education adopted *Our Call to Action* in November 1999; and

WHEREAS, The Board of Education's Academic Priorities and *Our Call to Action* are guiding the work of all schools and offices within MCPS; and

WHEREAS, The proposed revisions to *Our Call to Action: Pursuit of Excellence* reflect and account for the feedback and input from various stakeholder groups; and

WHEREAS, The feedback and input from stakeholder groups strengthened *Our Call to Action: Pursuit of Excellence* in the areas of special education, ESOL, gifted and talented, career technology education, and the arts; and

WHEREAS, *Our Call to Action: Pursuit of Excellence* recognizes the broader purpose of public education to prepare all of our students for their roles in life; now therefore be it

Resolved, That the revisions to *Our Call to Action: Pursuit of Excellence* be adopted and approved; and be it further

Resolved, That *Our Call to Action: Pursuit of Excellence* serves as the basis for *The Bridge to Excellence in Public Schools Act* master plan; and be it further

Resolved, That the superintendent be requested to develop a plan to disseminate the critical components of *Our Call to Action: Pursuit of Excellence* with staff, parents, students, and the community; and be it further

Resolved, That this communication plan be shared with the Board of Education by September 2003; and be it further

Resolved, That the superintendent in submitting the proposed FY 2005 operating budget in December 2003 shall inform the Board of Education how the operating budget supports the strategic plan.

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed from 12:35 to 2:20 p.m. for lunch and closed session.

**Mr. Burnett rejoined the meeting.

RESOLUTION NO. 286-03 Re: **CONTRACTS OF \$25,000 OR MORE**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, 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 and/or identified for Montgomery College Bid No.

502-013, Infrastructure Equipment for the Office of Global Access Technology; and

WHEREAS, Funds have been budgeted and/or identified for the State of Maryland Contract DBM2020, Desktop Computers, Printers, Peripherals, Parts, and Services; and

WHEREAS, Funds have been budgeted and/or identified for Bid No. 7082.1, LAN/WAN Communication Equipment; and

WHEREAS, The acquisition of such equipment through lease/purchase arrangements has been reviewed by legal counsel; and

WHEREAS, It is recommended that Bid No. 4099.2, Vinyl Clad Drywall Panels, be rejected as the panels are not fire rated and cannot be used in schools; and

WHEREAS, It is recommended that Bid No. 9347.2, Portable Classroom Wood Canopy and Decking at Various Locations, be rejected and re-bid due to changes in the specifications and scope of the work; and

WHEREAS, It is recommended that Bid No. 9359.1, Removal and Replacement of Terrazzo Floor System at Julius West Middle School, be rejected due to budget restrictions; now therefore be it

Resolved, That Montgomery County Bid No. 502-013, Infrastructure Equipment for the Office of Global Access Technology, in the amount of \$800,000 be lease/purchased for a four-year term under the Master Lease/Purchase Agreement with Banc of America Leasing & Capital, LLC; and be it further

Resolved, That the State of Maryland Contract DBM2020, Desktop Computers, Printers, Peripherals, Parts, and Services, be approved for purchases in the amount of \$3,921,708 and for lease/purchases in the amount of \$11,078,000 for a four-year term under the Master Lease/Purchase Agreement with Banc of America Leasing & Capital, LLC; and be it further

Resolved, That Bid No. 7082.1, LAN/WAN Communication Equipment, be approved for purchases in the amount of \$160,000 and for the lease/purchases in the amount of \$1,960,000 for a four-year term under the Master Lease/Purchase Agreement with Banc of America Leasing & Capital, LLC; and be it further

Resolved, That the Board president and superintendent be authorized to execute the necessary documents; and be it further

Resolved, That Bid No. 4099.2, Vinyl Clad Drywall Panels, be rejected as the panels are not fire rated and cannot be used in schools; and be it further

Resolved, That Bid No. 9347.2, Portable Classroom Wood Canopy and Decking at Various Locations, be rejected and re-bid due to changes in the specifications and scope of the work; and be it further

Resolved, That Bid No. 9359.1, Removal and Replacement of Terrazzo Floor System at Julius West Middle School, be rejected due to budget restrictions; 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:

MC 502-013	Infrastructure Equipment for the Office of Global Access Technology	
	<u>Awardee</u> Presidio Corporation	\$ 800,000
MCG050 2050349	Montgomery County Job Order Contract—Extension** (See note 1)	
	<u>Awardee</u> CDCI*	\$ 500,000
MCG1341 000005	Information Technology Products and Parts—Extension	
	<u>Awardees</u> (See note 2) Advanced Computer Concepts* Data Networks of America, Inc. Engineering Systems Solutions, Inc.* GovStreet USA Halifax Technology Services Sigma Systems, Inc.* USC Canterbury Total	\$ 49,086
DBM 2020	Desktop Computers, Printers, Peripherals, Parts, and Services	
	<u>Awardees</u> (See note 2) Apple Computer Compaq Computers, Inc. Daly Computers* Data Networks of America, Inc. Enable Systems, Inc. Total	\$14,999,708

992737 26-12A	Air Filters—Extension <u>Awardee</u> Complete Air Filter Company, Inc.	\$ 150,000
95020 10005	Building Commissioning Services <u>Awardee</u> Facility Dynamics Engineering, Inc.	\$ 490,000
1098.1	Procurement Card—Extension <u>Awardee</u> (See note 3) American Express Corporate Service	
1119.1	Payroll Check, Paper Stock, Z Fold—Extension <u>Awardee</u> Bottomline Technologies	\$ 37,000
1138.1	Actuarial Consulting Services—Extension <u>Awardee</u> William M. Mercer	\$ 75,000
1140.1	Health and Welfare Consulting Services—Extension <u>Awardee</u> AON Consulting, Inc.	\$ 125,000
4022.3	Painting Contractors—Extension <u>Awardees</u> (See note 2) Arango Construction Corporation* B & B Restoration and Repairs* Colossal Contractors, Inc.* Creative Finishes, Inc. DA Painting & Construction, Inc.* NAPA Development Corporation* OMF Contractors, Inc.* Pop's Services Contracting* Professional Painting Company, Inc.*	

	Tito Contractors, Inc.*		
	Total Contracting, Inc.*		
	Z-Maxim Painting Division*		
	Total	\$	200,000
4025.2	Paint and Paint Sundries—Extension		
	<u>Awardees</u>		
	Duron, Inc.	\$	43,668
	ICI/The Glidden Company		10,375
	McCormick Paint Works Company		<u>41,351</u>
	Total	\$	95,394
4027.3	Two-way Radios—Extension		
	<u>Awardees</u>		
	Ohlin Sales, Inc. dba OSI Batteries	\$	323
	Teltronic, Inc.		<u>32,645</u>
	Total	\$	32,968
4031.2	Piano Tuning and Maintenance—Extension		
	<u>Awardees</u> (See note 2)		
	Alpha Piano Company, Inc.*		
	Rich Amelang Piano Services		
	Clark Piano Tuning*		
	Winzer Piano Service		
	Total	\$	53,740
4066.2	Maintenance Service-Repairs of Emergency Generators—Extension		
	<u>Awardee</u>		
	Curtis Engine & Equipment, Inc.	\$	55,430
4096.2	Science Equipment Repair Service		
	<u>Awardees</u> (See note 2)		
	Alpha and Omega Service		
	General Precision Specialties		
	Parco Scientific Company*		
	Total	\$	30,000

4123.1	Library Furniture—Extension		
	<u>Awardees</u>		
	Douron, Inc.*	\$	33,388
	Gaylord Brothers, Inc.		1,235
	Glover Equipment, Inc.		10,462
	Library Store, LTD*		<u>13,000</u>
	Total	\$	58,085
4140.1	Insulation Installation		
	<u>Awardee</u>		
	Goel Construction Services, Inc.*	\$	54,000
	Computer Memory Modules—Extension		
	<u>Awardee</u>		
	Princeton Technology, Inc.*	\$	50,000
7082.1	LAN/WAN Communication Equipment—Addition to Contract		
	<u>Awardee</u>		
	Verizon Network Integration, Inc.	\$	2,120,000
7095.1	Water Cooler Rental and Bottled Water Service—Extension		
	<u>Awardee</u>		
	Crystal Springs Water Company, Inc.	\$	65,000
9015.2	Ceiling Board and Grid System Materials		
	<u>Awardees</u>		
	B & B Concepts, Inc.*	\$	44,000
	Capitol Building Supply, Inc.		36,810
	Global Building Supply		<u>11,855</u>
	Total	\$	92,665
9101.4	Beverages		
	<u>Awardees</u>		
	Carroll County Foods, Inc.	\$	43,415
	Royalle Dining Services, Inc.		268,374

	Sysco Food Services of Baltimore/DC Region	<u>103,800</u>
	Total	\$ 415,589
9107.5	Poultry Products-Frozen and Processed	
	<u>Awardees</u>	
	Carroll County Foods, Inc.	\$ 416,779
	Glennco, Inc.	749
	Karetas Foods, Inc.	1,384
	Manassas Frozen Foods	368,550
	Mutual Division/US Food Services	<u>5,748</u>
	Total	\$ 793,210
9108.2	Snack Cakes and Pies	
	<u>Awardee</u>	
	McKee Foods Corporation	\$ 228,000
9120.1	Milk, Other Dairy Products, and Fruit Juices—Extension	
	<u>Awardee</u>	
	Dairy Maid Dairy, Inc.	\$ 2,000,000
9129.1	Soft Pretzels—Addition to Contract	
	<u>Awardee</u>	
	Glennco, Inc.	\$ 79,600
9153.2	Industrial Hygiene and Laboratory Services—Extension**	
	<u>Awardee</u>	
	Yoti N.N. and Associates*	\$ 150,000
9170.2	Portable Classroom HVAC Replacement—Extension**	
	<u>Awardee</u>	
	W.B. Maske Sheet Metal Works, Inc.	\$ 47,090
9174.2	Latex Running Track Renovations and Repairs**	
	<u>Awardee</u>	
	American Tennis Courts, Inc.*	\$ 378,962

9180.2	Masonry Thru-Wall Flashing and Waterproofing**		
	<u>Awardee</u>		
	Custom Masonry	\$	138,700
9181.2	Concrete Removal and Replacement at Various Locations**		
	<u>Awardee</u>		
	Daco Construction Corporation*	\$	372,685
9193.2	Gymnasium and Stage Wood Flooring, Sanding, and Refinishing at Various Locations**		
	<u>Awardee</u>		
	Weyer's Floor Service, Inc.	\$	55,022
9356.1	Corridor and Boys Athletic Room Locker Replacement at Eastern Middle School**		
	<u>Awardee</u>		
	Steel Products, Inc.*	\$	145,768
9358.1	Corridor Locker Replacement at Poolesville High School**		
	<u>Awardee</u>		
	Steel Products, Inc.*	\$	98,916
9360.1	Replacement of Wooden Library Shelving at Benjamin Banneker Middle School**		
	<u>Awardee</u>		
	Steel Products, Inc.*	\$	44,656
9361.1	HVAC Renovations at Maryvale Elementary School**		
	<u>Awardee</u>		
	Shapiro & Duncan, Inc.	\$	256,000
9362.1	HVAC Renovations at Herbert Hoover and Tilden Middle Schools**		
	<u>Awardee</u>		
	Shapiro & Duncan, Inc.	\$	133,700

9514.3 Middle School Athletic Shirts—Extension

Awardee

Yorktown Sports

\$ 46,102

TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000

\$25,517,076

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

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

Note 1: Includes detailed repair and construction tasks, specifications, and design services that have established unit prices.

Note 2: Contract amounts will be based on individual requirements.

Note 3: This contract will be at no cost to MCPS.

RESOLUTION NO. 287-03 Re: DESIGNATED BANK – LEASE PURCHASE ITEMS

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

WHEREAS, The Board of Education approved the following lease-purchase acquisitions with Wachovia Bank for the following bids:

- Bid No. 4132.1 Color Copier/Printer for the Division of Information Services, in the amount of \$25,990, for a term of five years
- Bid No. 4106.1, High Volume, Digital Copiers for Newport Mill and Robert Frost middle schools, in the amount of \$46,328, for a term of five years
- Montgomery County Government Bid No. 050000028, Off-the-Lot New and Used Vehicles for the Department of Materials Management, in the amount of \$69,722, for a term of five years, and road trailers for the Department of Materials Management in the amount of \$190,000 for a term of six years
- Bids Nos. 7055.4 and 7055.5, Purchase of School Buses, in the amount of \$3,664,676 and \$2,640,258, respectively, for a term of six years, and Bid No. 7119.1 Purchase of Vehicles, in the amount of \$450,895 for a term of five years
- Bid No. 4106.1 High Volume Digital Copier for the Office of Staff Development, in the amount of \$25,249, for a term of five years;

and

WHEREAS, Wachovia Bank has not extended the Master Lease Agreement; and

WHEREAS, The Master Lease Agreement with Banc America Leasing & Capital, LLC, is in effect until January 30, 2004, and is available for funding; now therefore be it

Resolved, That the Board of Education approve Banc America Leasing & Capital, LLC, as the funding agent for the above-listed lease-purchase acquisitions; and be it further

Resolved, That the Board of Education rescind Wachovia Bank as the funding agent for the above lease-purchase acquisitions; and be it further

Resolved, That the superintendent and the Board president be authorized to execute and deliver the documents necessary to implement these acquisitions under the Master Lease Agreement with Banc America Leasing & Capital, LLC.

RESOLUTION NO. 288-03 Re: **CONTRACT FOR PROFESSIONAL SERVICES –
MINORITY BUSINESS ENTERPRISE STRATEGIC PLAN**

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

WHEREAS, The Maryland General Assembly enacted a statute in 2001 that increased the requirements for Minority Business Enterprise (MBE) participation on state-funded school construction projects; and

WHEREAS, The Board of Education has adopted procedures to meet these guidelines; and

WHEREAS, Staff has recommended that a professional services contract be awarded to Willis of Maryland, Inc., to provide business and financial support to assist with meeting the state requirements; and

WHEREAS, Funds are available in the capital budget to fund these services without having an impact on individual project program requirements; now therefore be it

Resolved, That a contract for professional services be awarded to Willis of Maryland, Inc., in the amount of \$60,000 to provide business and financial support, as outlined in the proposal dated February 3, 2003, to assist with meeting guidelines for Minority Business Enterprise participation on state-funded construction projects; and be it further

Resolved, That staff submit periodic updates to the Board of Education during the term of the contract on the performance measures and outcomes of the professional services provided by Willis of Maryland, Inc.

RESOLUTION NO. 289-03 Re: **AWARD OF CONTRACTS – ON-CALL ENGINEERING**

AND INDOOR AIR QUALITY SERVICES

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

WHEREAS, On April 11, 2000, the Board of Education awarded annual on-call contracts to three contractors capable of responding to critical, facilities-related engineering and indoor air quality studies; and

WHEREAS, The three contractors have performed satisfactorily on all of the projects completed during the period of the contract; and

WHEREAS, The three contractors have agreed to extend their contracts for an additional one-year period for the same cost stipulations and conditions as the initial term; and

WHEREAS, Staff recommends a contract extension for the three firms; now therefore be it

Resolved, That the contracts with M. A. Cecil & Associates, Building Dynamics LLC, and Science Application International Corporation for on-call engineering and indoor air quality services be extended with the original terms and conditions through June 30, 2004; and be it further

Resolved, That the Department of Facilities Management be authorized to proceed with work procured from the on-call contractor that submits the lowest cost proposal for the specific project.

RESOLUTION NO. 290-03 Re: **AWARD OF CONTRACTS – CONSTRUCTION SERVICES FOR RELOCATABLE CLASSROOMS**

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

WHEREAS, Proposals were received from various firms on May 23, 2003, for construction services needed to move and install relocatable classrooms in FY 2004; and

WHEREAS, The following firms met the criteria established to prequalify to provide these services: Cottonwood Construction, Inc.; EMH Environmental, Inc.; Cynthia M. Hastings, Inc.; and J & L Services, Inc.; and

WHEREAS Sealed bids will be solicited from the four contractors as plans for relocatable moves are finalized with the lowest bid being utilized; and

WHEREAS, The four contractors recommended to provide these services have satisfactorily completed numerous relocatable placements for the Montgomery County Public Schools; now therefore be it

Resolved, That the Department of Facilities Management be authorized to solicit bids for the movement and installation of relocatable classrooms utilizing Cottonwood Construction, Inc.; EMH Environmental, Inc.; Cynthia M. Hastings, Inc.; and J & L Services, Inc., for the work planned in FY 2004; and be it further

Resolved, That the Department of Facilities Management be authorized to proceed with work procured from the prequalified contractor that submits the lowest cost proposal for the specific placements; and be it further

Resolved, That the contract awards and amounts be reported periodically for Board of Education review.

RESOLUTION NO. 291-03 Re: **ACCEPTANCE OF WOOD ACRES ELEMENTARY SCHOOL**

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

WHEREAS, Wood Acres Elementary School was inspected on May 15, 2003; now therefore be it

Resolved, That the official date of completion be established as that date upon which formal notice is received from the architect that the building has been completed in accordance with the plans, and specifications and all contract requirements have been met.

RESOLUTION NO. 292-03 Re: **HUMAN RESOURCES RETIREMENTS**

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

WHEREAS, The persons listed in the supplementary document are retiring from Montgomery County Public Schools; and

WHEREAS, Each person, through outstanding performance of duties and dedication to the education of our youth, has made a significant contribution to the school system which is worthy of special commendation; now therefore be it

Resolved, That the members of the Board of Education express their sincere appreciation to

each person for faithful service to the school system and to the children of the county and also extend to each one best wishes for the future; and be it further

Resolved, That this resolution be made part of the minutes of the meeting and a copy forwarded to each retiree.

RESOLUTION NO. 293-03 Re: HUMAN RESOURCES MONTHLY REPORT

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

Resolved, That the Board of Education approved the Human Resources Monthly Report dated June 10, 2003.

RESOLUTION NO. 294-03 Re: DEATH OF LUELLE M. BRITT, HEAD START INSTRUCTIONAL ASSISTANT, WELLER ROAD ELEMENTARY SCHOOL

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

WHEREAS, The death on May 13, 2003, of Luella M. Britt, Head Start instructional assistant at Weller Road Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In more than 23 years with Montgomery County Public Schools, she was an energetic and enthusiastic worker who made outstanding contributions to the Head Start program; and

WHEREAS, Mrs. Britt displayed a good rapport with students, always set very good behavioral expectations, and was interested in helping students toward success; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Luella M. Britt and extend deepest sympathy to her 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 Mrs. Britt's family.

RESOLUTION NO. 295-03 Re: DEATH OF C. NELL GREEN, CLASSROOM TEACHER ON LEAVE FROM BELLS MILL ELEMENTARY SCHOOL

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

WHEREAS, The death on May 17, 2003, of C. Nell Green, classroom teacher on leave from Bells Mill Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In close to 36 years with Montgomery County Public Schools, Ms. Green utilized MCPS objectives as the basis for her instructional activities and encouraged critical thinking, cooperation, independence and leadership; and

WHEREAS, Ms. Green was highly effective in working with children from all backgrounds and ethnicities, and this rapport with students was instrumental in keeping a positive, healthy school environment; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of C. Nell Green and extend deepest sympathy to her 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 Ms. Green's family.

RESOLUTION NO. 296-03 Re: **DEATH OF DAISY MARTE, SPECIAL EDUCATION INSTRUCTIONAL ASSISTANT, COL. ZADOK MAGRUDER HIGH SCHOOL**

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

WHEREAS, The death on May 21, 2003, of Daisy Marte, special education instructional assistant at Col. Zadok Magruder High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the short time Ms. Marte had been with Montgomery County Public Schools, she exhibited initiative, a strong work ethic, and a unique ability to relate and work with special education students; and

WHEREAS, Ms. Marte displayed an exceptional ability to communicate well with students as a support to the classroom teacher, and she was invaluable as an aide; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Daisy Marte and extend deepest sympathy to her 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 Ms. Marte's family.

RESOLUTION NO. 297-03 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2003:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Jim Slemp	Assistant Superintendent Eugene, Oregon	Principal, Gaithersburg HS

RESOLUTION NO. 298-03 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective July 1, 2003:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Charlotte Boucher	Coordinator, IB Program, Richard Montgomery HS	Principal, Eastern MS

RESOLUTION NO. 299-03 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective July 1, 2003:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Carl Baskerville	Assistant Principal, Wheaton Woods ES	Principal, Rolling Terrace ES

RESOLUTION NO. 300-03 Re: HUMAN RESOURCES APPOINTMENTS

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

Resolved, That the following personnel appointment be approved effective July 1, 2003:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Amy Bryant	Assistant Principal, Rachel Carson ES	Principal, Germantown ES

RESOLUTION NO. 301-03 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective July 1, 2003:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Catherine Jasperse	Principal Intern,	Principal,

Broad Acres ES

Rock Creek Valley ES

RESOLUTION NO. 302-03 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective July 1, 2003:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Peter Ostrander	Computer Science Teacher, Takoma Park MS	Coordinator, Upcounty Middle School Center Program

Re: MONTHLY FINANCIAL REPORT

Mr. Bowers reported on the projected financial condition through April 30, 2003, based on program requirements and estimates made by primary and secondary account managers. At that time, revenues had a projected surplus of \$2,018,809, while expenses had a projected surplus of \$1,500,000.

RESOLUTION NO. 303-03 Re: PRELIMINARY PLANS FOR WHEATON MIDDLE SCHOOL #2

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

WHEREAS, The architect for the Wheaton Middle School #2 (Belt) reopening, Moseley Architects, has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Wheaton Middle School#2 (Belt) Reopening Facilities Advisory Committee has approved the proposed schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plan report for the Wheaton Middle School #2 (Belt) reopening developed by Moseley Architects.

RESOLUTION NO. 304-03 Re: RECOMMENDATIONS ON THE FY 2004 OPERATING BUDGET FOLLOWING COUNTY COUNCIL ACTION

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Ms. Cox, the following resolution was adopted unanimously:

WHEREAS, The Board of Education adopted an FY 2004 Operating Budget of \$1,518,840,346 on February 11, 2003; and

WHEREAS, The County Council approved a total of \$1,501,381,116 (including grants and enterprise funds), a reduction of \$17,459,230 from the Board of Education's request of \$1,518,840,346; and

WHEREAS, The County Council appropriated a total of \$1,388,877,848 (excluding grants and enterprise funds), which is \$17,248,604 below the Board of Education's request of \$1,406,126,452; and

WHEREAS, The County Council made reductions of \$14,574,800 in employee compensation, resulting in a delay in the implementation of FY 2004 salary schedules after negotiations with employee unions, program reductions of \$5,145,974, and special revenue fund reductions of \$9,185, offset by additions of \$2,270,729; and

WHEREAS, The County Council made reductions of \$17,459,230 from the various budget categories, as shown on the following schedule, consisting of a reduction of \$17,248,604, excluding grants and enterprise funds, and a reduction of \$210,626 in enterprise and special revenue funds, in appropriating \$1,501,381,116 for the Board of Education's FY 2004 Operating Budget:

Category	BOE Request as of March 1	Council (Reduction)/ Addition	Council Approved Budget
1 Administration	\$ 31,161,424	(739,211)	\$ 30,422,213
2 Mid-level Administration	98,640,639	(1,538,703)	97,101,936
3 Instructional Salaries	669,779,271	(10,605,791)	659,173,480
4 Textbooks and Instructional Supplies	27,968,891	(1,117,473)	26,851,418
5 Other Instructional Costs	14,144,785	(758,976)	13,385,809
6 Special Education	183,897,672	(1,704,157)	182,193,515
7 Student Personnel Services	8,519,551	(110,384)	8,409,167
8 Health Services	45,638		45,638
9 Student Transportation	61,383,560	(502,025)	60,881,535
10 Operation of Plant and Equipment	79,417,954	988,914	80,406,868
11 Maintenance of Plant	25,305,968	199,658	25,505,626
12 Fixed Charges	267,796,394	(1,360,456)	266,435,938
14 Community Services	272,000		272,000
Subtotal, including specific grants	1,468,333,747	(17,248,604)	1,451,085,143

Less specific grants	62,207,295		62,207,295
Subtotal, spending affordability	1,406,126,452	(17,248,604)	1,388,877,848
II. Enterprise Funds			
37 Instructional Television	1,119,236	(17,236)	1,102,000
41 Adult Education and Summer School	6,452,152	(6,452)	6,445,700
51 Real Estate Management	1,551,803	(2,007)	1,549,796
61 Food Services	38,759,548	(179,597)	38,579,951
71 Field Trip	1,571,733	(1,306)	1,570,427
81 Entrepreneurial Activities	1,052,127	(4,028)	1,048,099
Subtotal, Enterprise Funds	50,506,599	(210,626)	50,295,973
Total Budget for MCPS	<u>\$1,518,840,346</u>	<u>\$(17,459,230)</u>	<u>\$1,501,381,116</u>

now therefore be it

Resolved, That based on an appropriation of \$1,501,381,116, which includes an appropriation of \$50,295,973 for enterprise and special revenue funds and \$62,207,295 for restricted grants, approved by the County Council on May 22, 2003, the Board of Education adopt its FY 2004 Operating Budget reflecting the changes shown in Schedule A; and be it further

Resolved, That the Board of Education affirm its support for the amended negotiated agreements with its employee organizations and for the increases in salary that they contain; and be it further

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

RESOLUTION NO. 305-03 Re: REVISIONS TO THE 2003-04 SCHOOL CALENDAR

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

WHEREAS, On December 10, 2002, the Board of Education approved the school calendar for the 2003–2004 school year; and

WHEREAS, Final action on the FY2004 Operating Budget will require a revision to the school calendar for the 2003–2004 school year; now therefore be it

Resolved, That the proposed revisions to the school calendar and contingency calendar for the 2003–2004 school year be adopted.

RESOLUTION NO. 306-03 Re: CLOSED SESSION RESOLUTION

On recommendation of the Superintendent and on motion of Mr. Felton seconded by Ms. Cox, 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 closed session on Monday, June 23, 2003, in Room 120 of the Carver Educational Services Center to meet from 7:00 to 7:30 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*; review and adjudicate appeals in its quasi-judicial capacity; and 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 May 27, 2003, 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 May 27, 2003, from 7:05 to 7:30 p.m. and 10:50 to 11:10 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and/or adjudicated the following appeals: 2003-13, 2003-14, 2003-15, and 2003-19.
2. Reviewed the Superintendent's recommendation for the Human Resources appointments, subsequent to which the votes to approve were taken in open session.
3. Conducted a portion of its closed sessions to discuss collective bargaining negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article* and Section 4-107(d)(2)(ii) of the *Education Article*.
4. 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: Mihyar Alnifaidy, Elizabeth Arons, Larry Bowers, Kermit Burnett, Sharon Cox, Reggie Felton, Walt Gibson, Charles Haughey, Roland Ikheloa, Mark Kelsch, Laverne Kimball, Don Kopp, Don Kress, Dale Fulton, Frieda Lacey, Walter Lange, George Margolies, Pat O'Neill, Brian Porter, Lori Rogovin, Gabe Romero, Glenda Rose, Greg Thornton, Roger Titus, Jerry Weast, and James Williams.

RESOLUTION NO. 307-03 Re: MINUTES OF APRIL 23, 2003

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

Resolved, That the Board of Education approve the minutes of the April 23, 2003, meeting.

RESOLUTION NO. 308-03 Re: MINUTES OF MAY 13, 2003

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

Resolved, That the Board of Education approve the minutes of the May 13, 2003, meeting.

RESOLUTION NO. 309-03 Re: APPEAL 2003-15

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2003-15, evaluation of book, reflective of the following vote: Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mr. Felton, Dr. Haughey, Mrs. O'Neill, and Mr. Romero voting to affirm; Mr. Lange voting to reverse.

RESOLUTION NO. 310-03 Re: APPEAL T-2003-5

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal T-2003-5, student transfer, reflective of the following vote: Mr. Alnifaidy, Mr. Felton, Dr. Haughey, and Mr. Lange voting to affirm; Mr. Burnett, Ms. Cox, Mrs. O'Neill, and Mr. Romero voting to reverse.

RESOLUTION NO. 311-03 Re: APPEAL T-2003-6

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal T-2003-6, student transfer, reflective of the following vote: Ms. Cox and Mr. Lange voting to affirm; Mr. Alnifaidy, Mr. Burnett, Mr. Felton, Dr. Haughey, Mrs. O'Neill, and Mr. Romero voting to reverse.

RESOLUTION NO. 312-03 Re: APPEAL T-2003-8

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal T-2003-8, student transfer, reflective of the following vote: Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mr. Felton, Dr. Haughey, Mr. Lange, Mrs. O'Neill, and Mr. Romero voting to reverse.

RESOLUTION NO. 313-03 Re: APPEAL T-2003-11

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal T-2003-11, student transfer, reflective of the following vote: Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mr. Felton, Dr. Haughey, Mr. Lange, Mrs. O'Neill, and Mr. Romero voting to affirm.

RESOLUTION NO. 314-03 Re: ETHICS PANEL

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

WHEREAS, On February 29, 1984, the Ethics Panel was established by the Board of Education; and

WHEREAS, The members of the Ethics Panel are appointed by the Board of Education; and

WHEREAS, One vacancy exists on the three-member panel and;

WHEREAS, The Board desires to expand the panel from three to five members; now therefore be it

Resolved, That Policy BBB be amended to establish a five-member Ethics Panel, with three members constituting a quorum; and be it further

Resolved, That the following individuals be appointed to serve a three-year term effective July 1, 2003, and ending June 30, 2006.

Joseph Gangloff

Phyllis Leonard
Nancy Morrison O'Connor

**RESOLUTION NO. 315-03 Re: CITIZENS ADVISORY COMMITTEE FOR FAMILY LIFE
AND HUMAN DEVELOPMENT**

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

WHEREAS, COMAR 13A.04.18 requires that local education agencies have a citizens advisory committee; and

WHEREAS, Montgomery County has had a Citizens Advisory Committee for Family Life and Human Development since 1970, consisting of representatives of various associations and organizations, community members at large, and student representatives; now therefore be it

Resolved, That the following individuals be appointed to serve a two-year term effective July 1, 2003, and ending June 30, 2005:

Ethel Jerlean Eader
Karen Troccoli
Abby Zweig
Ruby Arias
Jennifer Lawrence
Michelle Turner

and be it further

Resolved, That the following students be appointed to serve a one-year term effective July 1, 2003, and ending June 30, 2004.

Crystal Boyd
Anthony Giuliani
Elizabeth Goldblatt
Domonique Williams

RESOLUTION NO. 316-03 Re: **MONTGOMERY COUNTY ADVISORY COUNCIL FOR CAREER AND TECHNOLOGY EDUCATION**

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

WHEREAS, On September 26, 1977, the Montgomery County Advisory Council for Career and Technology Education was established by the Board of Education in conjunction with Montgomery College; and

WHEREAS, Half of the membership of the Montgomery County Advisory Council for Career and Technology Education is appointed by the Board of Education, with the other half appointed by Montgomery College; now therefore be it

Resolved, That the following individuals be appointed to serve a three-year term effective July 1, 2003, and ending June 30, 2006:

Rose Flore Thiam

and be it further

Resolved, That the following student be appointed to serve a one-year term effective July 1, 2003, and ending June 30, 2004.

Ben Moskowitz

Re: **FAREWELL TO DR. JAMES A. WILLIAMS**

Dr. Weast and Board members acknowledged that this was Dr. Williams' final Board meeting, and they all extended best wishes for the future.

Re: **SPECIAL EDUCATION STAFFING PLAN FOR FY 2004-08**

Dr. Weast invited the following people to the table: Dr. Carey M. Wright, associate superintendent, Office of Student and Community Services; Ms. Mary Lee Phelps, former acting associate superintendent, Office of Student and Community Services; and Ms. Dorothy J. Jackson, acting director, Department of Special Education.

The Code of Maryland Annotated Regulations (COMAR) requires each local school system to submit an annual special education staffing plan to the Maryland State Department of Education (MSDE). The plan must demonstrate public input and be approved by the local

Board of Education prior to its submission to MSDE. The locally approved staffing plan is submitted to MSDE annually by July 1 with the local application for federal funds. MSDE reviews the staffing plan and advises the local agency if there is a need for additional information or revisions. If revisions are required, the local agency must submit the revised staffing plan by September 30. The required elements of the staffing plan include the following:

1. Evidence of public input
2. Evidence of maintenance of effort within the meaning of 34 CFR §300.231, Maintenance of Effort, and COMAR 13A.02.05, Maintenance of Effort
3. Staffing patterns of service providers of special education and related services
4. The number and type of service providers needed to provide a free, appropriate public education (FAPE) for each student in the least restrictive environment
5. Local accountability and monitoring
6. Evaluation of the local staffing plan for effectiveness

The FY 2004 operating budget and staffing process began in summer 2002 when the Department of Planning and Capital Programming, in collaboration with special education staff, updated enrollment projections. In fall 2002, schools were notified of special education classroom needs for FY 2004. The superintendent's recommended operating budget, including staffing guidelines, was presented to the Board of Education in December 2002. In March 2003, new enrollment projections were developed to take into account actual 2002–2003 school year enrollment. During March and April 2003, Department of Special Education (DSE) staff, the community superintendents, and staff from the Department of Management, Budget, and Planning (DMBP) prepared the 2003–2004 school year staffing allocations for schools. Adjustments to staffing will be made in July and August 2003, based on updated enrollment and special education data system (SEDS) information. Special education supervisors work closely with schools beginning in September and throughout the year to address any staffing issues or concerns that may arise. Any issues that cannot be resolved at the school or supervisor level are reviewed by the director of special education, the director of programs and services, and the director of placement and assessment services to determine additional staffing allocations and next steps.

In June 2002, the director of the DSE invited members of the Special Education Advisory Committee, the FY 2003 Special Education Staffing Committee, and DSE leadership to participate on the FY 2004 Special Education Staffing Committee. The Staffing Committee met during June, July, and August 2002 to review the previously approved Six-year Special Education Staffing Priorities for FY 2003–2008 and make recommendations for any modifications to the proposed FY 2004 Staffing Plan.

During the July Staffing Committee meeting, DSE staff presented updated information regarding current and future needs. Focus areas included resource teachers, speech and language pathologist caseloads, transition services staff, preschool assessments, program

support teachers, and parent educators. The Staffing Committee's final recommendations for staffing improvements and priorities to be considered for the FY 2004 Staffing Plan and the action taken.

The DSE also received written input from the public as well as testimony at Board of Education budget meetings in January 2003. All of the input received was considered during the final stages of the operating budget process and in the development of the FY 2004 Special Education Staffing Plan that was placed on the MCPS Special Education and Call to Action folders on May 8, 2003. On May 22, 2003, the FY 2004 Special Education Staffing Plan was presented at a public meeting at which additional oral and written comments were received. The FY 2004 Special Education Staffing Plan presented today incorporates changes made after the May 22, 2003, public meeting.

The DSE recognizes and appreciates the Board of Education's support of special education through previous budget initiatives and funding of required improvements. Because of the fiscal limitations for FY 2004, the Board of Education approved adjustments to the FY 2004 recommended budget that did not include all of the FY 2003 Staffing Committee's recommended improvements and priorities. Taking into account current fiscal constraints, members of the FY 2004 Staffing Committee and DSE staff, in consultation with the DMBP, reprioritized the previously recommended FY 2004 improvements and priorities, which resulted in the FY 2004 Multi-year Special Education Improvements and Priorities. Those items that were not funded in the FY 2004 Staffing Plan were deferred for consideration by the Special Education Staffing Plan Committee, special education program staff, and the DMBP during the FY 2005 budget process that will begin in July 2003.

The FY 2004 Staffing Plan uses for the first time staffing guidelines based on the concept of teaching stations rather than solely on student-teacher ratios. The factors used to determine teaching stations include projected student enrollment, class-size guidelines, distribution of classes, specific disability service models, nature of the disability, staff time requirements for indirect service responsibilities, and legal considerations. The FY 2004 Staffing Plan is a vehicle to ensure that appropriate personnel are available to deliver the services that students with disabilities require to improve their academic performance and preparedness for high school assessments or, if appropriate, other assessments that measure student success within an alternate approved curriculum (Fundamental Life Skills).

MCPS continues to provide extra support to special education students, so that the school system can close the gap in academic achievement between special education students and their non-disabled peers. Although the fiscal environment has limited full implementation of the recommendations made for the second year of the multi-year staffing plan, significant improvements that will benefit students in the coming year have been achieved. The FY 2004–2008 staffing plan provides staffing recommendations that will continue to guide budget decisions in future years. It will be updated, reprioritized, and considered by the FY 2005

Special Education Staffing Plan Committee, special education program staff, the superintendent of schools, and the Board of Education yearly as budget decisions are made and funding becomes available.

Re: **DISCUSSION**

Ms. Cox asked about moving reading specialists from high schools to middle schools. Ms. Phelps replied that early intervention for reading and writing in middle school would equipment students for the high school assessments.

Dr. Haughey commented on teaching stations, and he asked if the term was used widely or only in MCPS. Ms. Phelps replied that it is a process that evolved in MCPS.

Dr. Haughey asked if the school system published the elements of a specific teaching station for a category of students. Ms. Phelps referred the Board to an attachment of the staffing plan that describes the program.

Ms. Cox noted that class-size guidelines are a factor in teaching stations. In learning for independence, teaching stations may not equate to a specific staffing allocation.

Mr. Felton was concerned that new terms are not fully understood and asked what advice a parent would receive about resources in a school. Dr. Wright stated that staff needs to do a better job of communicating with the parent community, and the principal would know the resources available and how to request additional support. Ms. Jackson added that the parent should be made aware of resources through the IEP process. Dr. Wright continued that there are publications that describe the programs available to Montgomery County children.

Dr. Haughey remarked that there was not substantial information for him to ascertain why ratios are different, and he requested more information. Staff volunteered to get that information for him.

Mr. Burnett stated that the explanation of a teaching station clearly relates to the ratios, which are flexible based on the disability and service model. At some point, he would like to ascertain if this model is transferable to general education.

Mr. Felton felt that the process was understandable, but he was concerned about the implication that the staffing plan starts with a blank slate every time. Or does staff start with the current plan that has been funded and build from there? Dr. Wright explained that the current plan is the springboard for the next staffing plan. There is a clear need to articulate that this is part of the budget process.

Mr. Felton pointed out that the needs must be weighed in light of the funding constraints. Will that be part of the process? Dr. Wright agreed that had to be part of the process since the budget is finite.

Ms. Cox remembered that last year the committee had three tiers of recommendations depending on funding level. This would give staff a sense of the priorities. Dr. Wright thought the staffing committee should come to a consensus on the priorities.

Ms. Cox noted the evaluation indicators through classroom observations, complaints, and decisions of due process hearings. These indicators relate the effectiveness of the staffing plan to student achievement. Dr. Wright thought that student achievement was the ultimate outcome.

Ms. Cox asked if the school system has data on whether or not students receive services that are indicated on the IEP. Ms. Phelps explained that if there is a gap in services, notices are sent to families to make accommodations.

Ms. Cox asked if the school system can aggregate the data across all the IEPs. Dr. Wright explained that was not available, but the office is investigating the possibility of gathering that data.

Ms. Cox asked if there was a process for recording the complaints and what the aggregate level is. Ms. Phelps replied that formal complaints are on a database.

Ms. Cox clarified that the complaints of service delivery on IEPs are not recorded until they reach a formal process. Dr. Wright agreed but stated that trend data is also important.

Mrs. O'Neill asked if data is shared with the community superintendents and principals to ascertain trends within schools. Ms. Phelps stated that information was shared about individual cases, but that was something that could be done routinely. It would be important information for supervisors to have for principals to serve all children.

Dr. Haughey asked about the sequence for the staffing plan. The state requires that staffing for next year be forwarded to the state by July 1. Ms. Phelps stated that the current staffing plan was based on the current budget.

Mr. Romero thought it was similar to any other part of the budget. Dr. Wright agreed since special education is not treated differently than other programs.

Mr. Felton asked how the community is advised of changes in the staffing plan when resources fall short. Dr. Wright thought any changes could be put on the website.

Mr. Burnett thought major programmatic changes should be communicated to the parents, but there was no need to publicize minor mid-course corrections.

Ms. Cox asked about the voluntary training modules. Does the school system have a method to capture staff development plans, and what is the relationship to special education training? Mr. Bowers replied that is not systematically done, but there is discussion to capture data that is relational.

Mr. Romero noted that special education is a very complex issue, and many parents would have difficulty with the identification of a disability, especially parents who do not speak English. How does the teaching station model work for ESOL children? Dr. Wright replied that there is a national concern about the over-identification of ESOL students for special education services. Staff from special education and ESOL are working to look at best practices, assess properly, and research literature. There needs to be more community outreach, such as Child Find, to identify all children for early intervention.

Mr. Burnett pointed out that the Board has a Special Education Ad Hoc Committee. The committee will address many of the issues and come to the Board with recommendations.

RESOLUTION NO. 317-03 Re: **SPECIAL EDUCATION STAFFING PLAN FOR FY 2004-08**

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

WHEREAS, The Maryland State Department of Education requires each local school system to submit an annual staffing plan; and

WHEREAS, The Department of Special Education has developed the FY 2004-2008 Multi-year Special Education Staffing Plan; and

WHEREAS, The FY 2004 operating budget, as requested by the Board of Education, includes recommendations from the FY 2004 Special Education Staffing Plan Committee; now therefore be it

Resolved, That the Board of Education approve the Multi-year Special Education Staffing Plan.

Re: **NEW BUSINESS**

Mr. Lange suggested that two issues be placed on the Board's upcoming agendas: No Child Left Behind and Skills for Success.

Re: **ITEMS OF INFORMATION**

The following items were available:

1. Legal Fees Report
2. Construction Progress Report

RESOLUTION NO. 318-03 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of June 10, 2003, at 4:35 p.m.

PRESIDENT

SECRETARY

JDW:gr

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June 10, 2003

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