

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

RESOLUTION NO. 205-04 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for April 15, 2004.

RESOLUTION NO. 206-04 Re: **SECRETARIES WEEK**

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

WHEREAS, Secretaries Week will be celebrated nationally the week of April 18–24, 2004; and

WHEREAS, The Board of Education wishes to recognize publicly the competence and dedication of its staff of secretarial and clerical employees and express its appreciation for their efforts in the effective, courteous, and efficient operation of the Montgomery County Public Schools; and

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

Resolved, That Secretaries Week be observed by the school system during the week of April 18–24, 2004; and be it further

Resolved, That Wednesday, April 21, 2004, be designated as Secretaries Day for the Montgomery County Public Schools.

RESOLUTION NO. 207-04 Re: **NATIONAL VOLUNTEER WEEK**

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

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, business, 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, Schools rely on both paid and volunteer staff to provide coordinated efforts to develop and manage school volunteer and partnership programs that serve staff and student needs; and

WHEREAS, Last year, 112 schools earned a citation of merit from the Maryland State Department of Education for an outstanding school volunteer program; and

WHEREAS, During the last school year more than 41,100 volunteers gave more than 3.8 million hours of service to staff and students and provided the equivalent hours of 1,832 full-time, 12-month employees; and

WHEREAS, The dollar value attached to the hours of service that volunteers provided exceeds \$61.1 million; and

WHEREAS, Volunteers share their time, energy, and experience in schools, and 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.

RESOLUTION NO. 208-04 Re: **AUTISM AWARENESS MONTH**

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

WHEREAS, April has been designated National Autism Awareness month by the Autism Society of America; and

WHEREAS, Autism is a complex, lifelong developmental disability; and

WHEREAS, Autism affects the normal development of the brain, resulting in differences in verbal and non-verbal communication, responses to people, and difficulty with play and adapting to change; and

WHEREAS, the national incidence of autism is increasing to approximately one out of every 500 births and is believed to be the fastest growing developmental disability in the United States; and

WHEREAS, the goal of National Autism Awareness Month is to better educate the entire community about the unique gifts and challenges of individuals with autism; and

WHEREAS, Montgomery County Public Schools has, for 22 years, been committed to the development of effective educational programs for students with autism; and

WHEREAS, MCPS is currently responsible for the education of approximately 684 students with autism; and

WHEREAS, educating a child with autism from toddler to adulthood requires the combined dedication, expertise, and enthusiasm of families, schools, and the community at large; now therefore be it

Resolved, That the Montgomery County Board of Education express its appreciation to all those who work within the school system to teach and work in support of individuals and families whose daily lives are affected by autism.

Re: **FINAL REPORT ON LEGISLATION**

Ms. Lori Rogovin, legislative aide, reported on the following legislation, the Board's position, and the final disposition of the bills:

HB 740 – Safe Schools Reporting Act of 2004 would require each local board of education to create a program for reporting incidents of harassment or intimidation against public school students that occur on public school property, at a school activity or event, or on a school bus. Incidents of harassment or intimidation may be reported by a student or the parent, guardian, or close adult relative of a student. Each local board must develop a Victim of Harassment or Intimidation Report Form that includes specific information about an incident. Copies of the forms must be distributed to each public school. After deleting information identifying specific individuals, each local board must submit copies of all Victim of Harassment or Intimidation Report Forms filed with the board to the State Board each year. The State Board would be required to submit an annual report with aggregate information from the report forms.

Position: No Position

Outcome: Passed General Assembly but vetoed by Governor

SB 649 – State Board of Education Graduation Requirements – Student Service would prohibit the State Board from requiring student service as a condition of graduation and allow

a local school system to implement a student service program as an elective program.

Position: Oppose
Outcome: Unfavorable

HB 1 – Public School Construction Assistance Act of 2004 would impose recordation and transfer taxes on the transfer or sale of real property and dedicate the funds for school construction for FY 2005 through 2008. Local jurisdictions would be required to adopt recordation tax statutes with revenue dedicated to school construction and renovation work to be dedicated to public school construction and renovation.

Position: Support
Outcome: Passed House; Died in Senate

HB 9 – Public Schools – State Aid for School Construction – Relocatable Classrooms and Walkways would classify a relocatable classroom with a connecting walkway to a main school building as a permanent classroom and define the cost of purchasing a relocatable classroom and constructing a walkway connecting a relocatable classroom to a main school building as an approved public school construction or capital improvement cost.

Position: Oppose
Outcome: Unfavorable

HB 199 – Public School Construction – Modular Construction would require funding of modular construction by the state as an approved public school construction or capital cost and require the Board of Public Works to define modular construction and establish minimum specifications.

Position: Support
Outcome: Passed

HB 25 – Labor and Employment – Parental Leave – School Activities would require an employer to provide up to 16 hours per year of leave to an employee to attend school conferences or school-related activities. An employee would need to provide reasonable prior notice to the employer.

Position: No Position
Outcome: Unfavorable

HB 52 – Education – Early Childhood Educational and Developmental Programs would authorize early childhood educational and developmental programs in Maryland to enter into agreements to promote the programs in consultation with the Child Care Resource and

Referral Network. The purpose of the agreement is to bring together early childhood programs in the state to collaborate and develop a plan to provide information to parents of at-risk children regarding the availability of health, mental health, and other services. The bill also requires the governor to include specified funding in the state budget for FY 2006 and beyond for Head Start and the Judy Centers.

Position: Support
Outcome: Passed House; Unfavorable Senate Committee

HB 105 – Education – High School Graduation – Eligibility Based on Passage of Standardized Tests Prohibited would provide that the State Board of Education or a local board may not make a student's eligibility to receive a diploma conditional on a student's passage of the Maryland High School Assessments or other similar tests.

Position: Oppose
Outcome: Withdrawn

HB 106 – Education – High School Graduation – Students with Disabilities would prohibit the State Board of Education from establishing a class or type of diploma or certificate for graduation from a public high school for students with disabilities that is tied to the student's passage of the Maryland High School Assessments or any other similar tests.

Position: Oppose
Outcome: Withdrawn

SB 1 – Education – Teachers – State and Local Aid Program for Certification repeals the sunset provision applicable to the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards. Each school year, the State Board is required to select, consistent with the amount provided in the state budget, a maximum of 500 teachers to participate in the program.

Position: Support
Outcome: Passed

HB 137 – Education – Reportable Offenses in Public Schools – Arrest of Student would expand the list of offenses for which a law enforcement agency making an arrest of a child enrolled in a public school system is required to notify the local superintendent to include certain offenses involving burglary of school property and willful damage to school property.

Position: Support
Outcome: Unfavorable

SB 77 – Education – Prevention of Harassment and Intimidation in Public Schools would prohibit a public school student from harassing or intimidating another student on school property, at a school event, or on a school bus. A school employee or student who witnesses or has reason to believe a student has been subjected to harassment or intimidation must report the incident to the appropriate school official. Local boards of education must adopt policies that prohibit harassment and intimidation and publish the policies in student handbooks and other publications. The policies must also be incorporated in each board's employee training program. The State Board of Education must establish a model policy by December 31, 2004.

Position: Support
Outcome: Died in Committee

SB 113 – Workers' Compensation – Accidental Injury – Unusual Activity would amend the definition of accidental personal injury to require that the injury arises out of unusual activity. This language was proposed in response to a Maryland court decision that eliminated the long-standing practice that determined an injury was not deemed to be compensable unless it occurred as a result of some unusual activity on the part of an injured worker.

Position: Support
Outcome: Unfavorable

HB 345 – Bridge to Excellence in Public Schools Act – Trigger Provision – Repeal. This emergency bill repeals the "trigger provision" in the Bridge to Excellence in Public Schools Act of 2002. The repeal eliminates the need for the General Assembly to pass a joint resolution in order to continue with full implementation of the funding formulas established in the Bridge to Excellence legislation.

Position: Support
Outcome: Passed

SB 17 – Higher Education – Student Financial Assistance – Maryland Teacher Scholarships would alter the eligibility criteria for receiving a Maryland Teacher Scholarship to include students who pledge to work as *nonpublic* elementary and secondary school teachers in the state upon completion of their studies (McFadden).

Position: Oppose
Outcome: Died in Committee

HB 130 – Searches of Students – School-Sponsored Trips – Teachers would authorize a school system to allow a teacher who is designated in writing by the principal to make a

reasonable search of specified students on a school-sponsored trip.

Position: Support
Outcome: Passed

SB 559 – Student Health Promotion Act of 2004 would prohibit vending machines in public elementary schools; prohibit the operation of vending machines in middle schools until the end of the last class and in high schools until the end of the last lunch period; require the use of timing devices on all vending machines; require each county board to develop and implement a vending machine policy with specific components; and require the State Board to adopt and disseminate a model policy.

Position: Oppose
Outcome: Passed House; Failed on Senate Floor

HB 1252 – Maryland Stadium Authority – Public School Facility Construction Financing Fund would require the Stadium Authority to sell revenue bonds in the amount of \$600 million over a 2-year period and disperse up to a fixed percentage of the proceeds to each LEA on a matching basis at a fixed percentage of the construction cost of eligible school improvements.

Position: Support
Outcome: Unfavorable

HB 1288 – Positive Behavioral Interventions and Support Program would require a county board of education to implement a Positive Behavioral Interventions and Support Program for elementary schools with a suspension rate that exceeds 20 percent of school enrollment.

Position: Oppose
Outcome: Passed

HB 1024 – Children’s Health Insurance Outreach Program would require county boards of education to include the health insurance form (which is required under this bill to be developed by the Department of Health and Mental Hygiene DHMH) with the school lunch application and to forward returned and completed forms to DHMH. MSDE would be required to adopt regulations to implement this process.

Position: Oppose
Outcome: Died in Committee

HB 762 – Education – Public Schools – Evaluation and Graduation would prescribe

what information the State Board should make available, on request, with regard to all tests, test questions, and specific information regarding test validity, scoring, etc. It would also require each county board of education to develop and implement written tests and assessments to be administered at the local level and prevent the State Board from requiring passage of a test in order to obtain a diploma.

Position: Oppose
Outcome: Unfavorable

HB 655 – Education – Public Schools – Promotion of Students would require LEAs to have written policies regarding the promotion of a student to the next grade level in public school based on six factors: achievement level, age, uniqueness, needs, developmental level, and ability level of the student.

Position: Oppose
Outcome: Unfavorable

HB 766 – Education – Public Schools – Age Appropriate Curriculum and Instruction would require each county board of education on the written recommendation of the county superintendent to establish curriculum guides and courses of study for the schools under its jurisdiction, including appropriate programs of instruction or training that are appropriate for the age of the student and consistent with the television parental guidelines for minors established by the FCC. The bill further requires parental consent before a school board may provide instruction or training in any course to a child under 15.

Position: Oppose
Outcome: Unfavorable

HB 502 – Education – Public School Dropouts would provide that specified students who willfully fail to attend school or to receive specific instruction for 90 consecutive school days would be deemed dropouts and be withdrawn from public school.

Position: Oppose
Outcome: Unfavorable

HB 901 – Education – Geographic Cost of Education Index – Funding would require that the foundation program of the Bridge to Excellence in Public Schools Act be adjusted in a specified manner to reflect regional differences in the cost of education for FY 2005 and beyond.

Position: Support
Outcome: Passed House; Died in Senate Committee

HB 731 – Public School Construction – Obligation of State to Pay would require the state to fund at least half of the total sum requested by LEAs in State CIP submissions that comply with the rules, regulations, and procedures of the Board of Public Works (BPW).

Position: Support
Outcome: Unfavorable

HB 1055 – Public School Construction – Minimum Annual Funding Level would require the governor to include at least \$200 million for public school construction in the capital budget for each fiscal year.

Position: Support
Outcome: Unfavorable

HB 909 – Education – Registered Child Sexual Offenders Attending Public School would authorize a county superintendent of schools, after receiving written notice of the registration of a child sexual offender from a local law enforcement unit, to refuse to enroll the child sexual offender in a particular public school. The bill would require a county superintendent who refuses to enroll a child sexual offender in a neighborhood public school to provide an alternative education program for the child sexual offender.

Position: Support
Outcome: Passed House; Died in Senate Committee

HB 629/SB 331 – Adult Education and Literacy Services – Waiting List – Funding would require MSDE and the General Assembly to work together to create an ongoing method for funding adult ESOL and literacy services and require that state funding for adult education be increased by \$1.47 million over the FY 2004 appropriation for FY 2006 and 2007 in order to reduce the waitlist for services to the extent possible.

Position: Support
Outcome: Died in House and Senate Committees

SB 115 – Task Force to Study the Maryland Teachers’ Pension System and the Teachers’ Retirement System would establish a Task Force to review and evaluate the viability of the Maryland’s retirement systems to assess their financial and actuarial condition to determine whether these systems are adequately positioned to provide benefits for teachers and other employees of boards of education, public libraries, and community colleges in the state. A report of findings and recommendations to the governor and the General Assembly would be due by January 10, 2005. (Kelley)

Position: Support

Outcome: Unfavorable

HB 155 – Education – Comprehensive Master Plan Annual Updates would extend the deadline for submission of local master plan updates each year from July 1 to August 15.

Position: Support with amendments
Outcome: Passed House; Died in Senate

HB 922 – Education – Bridge to Excellence in Public Schools Act – Extension of Phase-In would alter the Bridge to Excellence in Public Schools Act to extend by four years the phase-in period required to reach the targeted annual amount for specified additional state funding for elementary and secondary education in the state.

Position: Oppose
Outcome: Unfavorable

SB 760 – Education – Elementary Schools – Moratorium on Suspensions of Students would require that an elementary school principal not suspend any student under the principal's direction for a period of two years starting on the first day of the 2004 fall semester and would require the county boards of education to develop and implement alternate in-school disciplinary measures that include communications with parents and other appropriate community agencies by the first day of the 2004 fall semester.

Position: Oppose
Outcome: Unfavorable

HB711/SB123 – Education – Full-Day Kindergarten Programs – County Board Decision Not to Implement would give local Boards of Education the option to decide by majority vote not to provide full-day kindergarten for all students.

Position: Oppose
Outcome: Unfavorable in House/Died in Senate Committee

SB 894 – Education – Fiscal Accountability and Oversight Act of 2004 would require the state superintendent and the State Department of Education to monitor the financial status of each county Board of Education and report to the governor and General Assembly on a quarterly basis; require the local superintendent to file a specified quarterly report; and provide that if a local school system does not file a specified annual audit, the state superintendent shall take a specified action.

Position: Oppose

Outcome: Passed

RESOLUTION NO. 209-04 Re: **FUNDING SHIFTED TO LOCAL JURISDICTIONS**

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

Resolved, That the Board of Education go on the record to express its concerns about proposed changes in funding to be shifted to local jurisdictions, such as teacher retirement; and be it further

Resolved, That the Board ask the Maryland Association of Boards of Education to adopt a resolution actively advocating for continued state responsibility in this area.

Re: **DISCUSSION**

Mr. Felton asked for a report or analysis of state and federal laws that shift funding to local communities, and how it affects those communities.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Mark Drury	Career Education
2.	Liz Roth	Autism Education
3.	Rebecca Newman	Athletic Eligibility

***Mr. Romero joined the meeting at this time.

RESOLUTION NO. 210-04 Re: **FINAL ACTION OF POLICY BOA, *LEGAL SERVICES***

On recommendation of the Policy Committee, the following resolution was adopted unanimously by members present:

WHEREAS, Policy BOA, *Legal Services*, sets out the framework for the retention and selection for outside counsel and the management of legal services; and

WHEREAS, The draft revision of Policy BOA, *Legal Services*, tentatively was adopted by the Board of Education on December 9, 2003, and sent out for public comment; and

WHEREAS, The Board of Education has received the Policy Committee's recommendation;

now therefore be it

Resolved, That the Board of Education adopt Policy BOA, *Legal Services* as revised.

Policy on Legal Services

A. PURPOSE

This policy reaffirms the right of the Board of Education to retain attorneys for advice and representation in legal matters and directs the superintendent to present to the Board for its approval a plan for the management of legal services that will facilitate both cost control and accountability and that will promote a high quality of service.

B. PROCESS AND CONTENT

1. Retention and Selection

- a) The Board of Education retains counsel as needed to assist it and the superintendent in carrying out their duties. Counsel retained by the Board fulfills three primary functions:
 - (1) Representation in litigation in which the Board is a party
 - (2) Counsel regarding Board policy or action in which highly specialized legal expertise is required or counsel on general legal issues that arise in the ongoing operation of the school system
 - (3) Counsel to the Board as it carries out its quasi-judicial responsibilities in appeals and hearings
- b) The factors to be considered in the selection or retention of an attorney include the quality of background and experience, legal skills, commitment to diversity in the work place, responsiveness and sensitivity to the client's needs, style and presence, freedom from conflict of interest, and management skills.
- c) With the advice of the superintendent, the Board will identify attorneys or firms that meet its criteria and will invite them to express their interest in providing services to the Board. Those interested will be screened and interviewed.

- d) The Board will contract with the attorney or firm selected, subject to renewal.

2. Management of Legal Services

- a) The Board directs the superintendent to implement the Board-approved legal services management plan for the purpose of coordinating and controlling the school system's use of legal services.
- b) A legal services management plan should provide at least the following elements:
 - (1) Maintenance of written agreements with counsel
 - (2) Standardization of billing practices
 - (3) Management of costs and staff access to attorneys
 - (4) A periodic appraisal of the quality of legal services, for use by the Board and the superintendent
- c) The superintendent will develop regulations for implementing this policy.

C. REVIEW AND REPORTING

- 1. The superintendent will provide monthly reports to the Board of Education on the costs of legal services. Periodically the Board will receive evaluative reports on legal services.
- 2. This policy will be reviewed in accordance with the Board of Education policy review process.

RESOLUTION NO. 211-04 Re: RESCISSION OF VARIOUS POLICIES

On recommendation of the Policy Committee, the following resolution was adopted unanimously by members present:

WHEREAS, Several policies were identified for rescission during the annual review of policies; and

WHEREAS, The policy on policymaking requires a rationale for rescinding a policy; and

WHEREAS, The rationales for rescission are stated above; and

WHEREAS, Policy ADA, *Goals of Education*, was adopted by resolution on February 12, 1973; and

WHEREAS, Policy AFA, *Educational Accountability*, was adopted by resolution on November 20, 1978; and

WHEREAS, Policy CHA, *Establishing Policy and Regulation Handbooks*, was adopted by resolution on April 13, 1982; and

WHEREAS, Policy EBE, *Safety Goggles*, was adopted by resolution on September 8, 1964; and

WHEREAS, Policy EBF, *Trampolines*, was adopted by resolution on May 10, 1979; and

WHEREAS, Policy ECG, *Students Driving to School*, was adopted by resolution on October 26, 1964; and

WHEREAS, Policy FKA, *Air Conditioning*, was adopted by resolution on January 19, 1971; and

WHEREAS, Policy FMB, *Elementary School Park Sites*, was adopted by resolution on March 21, 1966; and

WHEREAS, Policy FMC, *Street and Road Construction Abutting School Sites*, was adopted by resolution on January 28, 1959; and

WHEREAS, Policy FNA, *Policy on Landscaping*, was adopted by resolution November 27, 1961; and

WHEREAS, Policy JEB, *Early Entrance to First Grade*, was adopted by resolution on June 14, 1983; and

WHEREAS, Policy JFE, *Alphabetical Order*, was adopted by resolution on June 2, 1981; and

WHEREAS, Policy JHD, *Control of Sound Levels*, was adopted by resolution on November 8, 1977; now therefore be it

Resolved, That the following policies be rescinded, effective immediately:

Policy ADA, *Goals of Education*
Policy AFA, *Educational Accountability*
Policy CHA, *Establishing Policy and Regulation Handbooks*
Policy EBE, *Safety Goggles*
Policy EBF, *Trampolines*
Policy ECG, *Students Driving to School*
Policy FKA, *Air Conditioning*
Policy FMB, *Elementary School Park Sites*
Policy FMC, *Street and Road Construction Abutting School Sites*
Policy FNA, *Policy on Landscaping*
Policy JEB, *Early Entrance to First Grade*
Policy, JFE, *Alphabetical Order*
Policy JHD, *Control of Sound Levels*

Re: LUNCH AND CLOSED SESSION

The Board of Education recessed from 12:15 to 1:45 p.m. for lunch and closed session.

RESOLUTION NO. 212-04 Re: PROCUREMENT CONTRACTS OF \$25,000 OR MORE

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

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

WHEREAS, It is recommended that RFP No. 1159.1, Student Assessment Development, be rejected due to lack of competition and failure to meet requirements of the RFP; and

WHEREAS, Funds have been budgeted and/or identified for the purchase of pallet trucks through Bid No. 7097.2, Pallet Trucks; and

WHEREAS, Funds have been budgeted and/or identified for the purchase of identity and user access management software through RFP No. 1148.1, Call Tracking System; and

WHEREAS, The acquisition of such pallet trucks and software through lease/purchase arrangements has been reviewed by legal counsel; now therefore be it

Resolved, That RFP No. 1159.1, Student Assessment Development, be rejected due to lack of competition and failure to meet requirements of the RFP; and be it further

Resolved, That the purchase of pallet trucks for the Division of Food and Nutrition Services through Bid No. 7097.2, Pallet Trucks, in the amount of \$24,756, be lease/purchased for a five-year term under the Master Lease/Purchase Agreement with Carlyle Financial Services, Incorporated; and be it further

Resolved, That the purchase of identity and user access management software for the Office of Global Access Technology, through RFP No. 1148.1, Call Tracking System, in the amount of \$450,000, be lease/purchased for a four-year term under the Master Lease/Purchase Agreement with Carlyle Financial Services; and be it further

Resolved, That the proceeds from the financing be used to reimburse Montgomery County Public Schools' accounts to the extent that designated pallet trucks will be acquired; and be it further

Resolved, That for the equipment lease/purchase the Board president and superintendent be authorized to execute the necessary documents; and be it further

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

BL01- 478062- 12A	HVAC Preventative Maintenance and Repairs <u>Awardee</u> Boland Trane Services, Inc.	\$ 354,000
PGC 83-03	Tires—Extension <u>Awardee</u> Donald B. Rice Tire Company	\$ 182,000
FC04- T-5	Bulk Motor Oil, Degreaser, Antifreeze and Transmission Fluids <u>Awardee</u> B-Environmental, Inc. T/A Antifreeze Technology Systems	\$ 45,000
1076.2	Residency Verification—Extension <u>Awardees</u> Susan Giller & Associates, LLC* System Application & Technologies, Inc.* Total	\$ 42,000
1148.1	Call Tracking System—Additional Software and Training Computer Associates	\$ 578,200
1158.1	Middle School Program Review <u>Awardee</u> MGT of America, Inc.	\$ 127,105
4061.2	Modular Computer Furniture—Extension <u>Awardees</u> Douron, Inc.*	\$ 386,406

	Landon Systems Corporation	194,496
	Library Store, Ltd.*	542
	Spectrum Industries, Inc.	<u>3,126</u>
	Total	\$ 584,570
4121.4	Office Papers	
	<u>Awardees</u>	
	Frank Parsons Paper Company, Inc.	\$ 43,139
	RIS Paper Company, Inc.	1,557,295
	Unisource	<u>502,287</u>
	Total	\$2,102,721
4124.2	Library Furniture	
	<u>Awardees</u>	
	Brodart Company	\$ 142
	Douron, Inc.*	54,682
	Highsmith, Inc.	3,422
	Library Store, Ltd.*	2,650
	School Specialty	<u>6,003</u>
	Total	\$ 66,899
4142.1	Uniforms	
	<u>Awardee</u>	
	Classic Custom Products*	\$ 155,432
4158.1	Markers, 8 Color Set	
	<u>Awardee</u>	
	National Art & School Supplies	\$ 51,339
7020.1	Science Supplies-Systems Contract—Extension	
	<u>Awardees</u>	
	Fisher Science Education	\$ 62,000
	VWR Scientific Products/Sargent Welch	<u>56,129</u>
	Total	\$ 118,129
7094.2	Aftermarket Automotive Parts	
	<u>Awardees</u> (See note)	

	Alban Caterpillar	
	American Truck & Bus, Inc.	
	Arrow Auto Parts	
	Delcoline, Inc.	
	General Fleet Service Company*	
	Harco Auto Electric & Parts	
	J Price International Truck, Inc.	
	Jasper Engines & Transmissions	
	Johnson & Towers, Inc.	
	K&M Supply, Inc.	
	Keller Truck Parts, Inc.	
	Looper Servicenter, Inc.	
	Mid Atlantic Engines, Inc.	
	Middleton & Meads Company, Inc.	
	Northern Virginia Supply, Inc.	
	Ourisman's Rockmont Chevrolet	
	Parts Distributors, LLC*	
	School Bus Parts Company	
	Vehicle Maintenance Program, Inc.*	
	Wareheim Air Brakes, Inc.	
	Total	\$2,000,000
7123.1	Vehicle Glass Repair and Replacement—Extension	
	<u>Awardee</u>	
	Banner Glass	\$ 57,500
7129.1	Audio and Visual Equipment Parts	
	<u>Awardees</u>	
	Cumberland Electronics	\$ 41,000
	Professional Products	21,200
	Central Audio Visual*	<u>9,500</u>
	Total	\$ 71,700
7131.1	Commodity Product Processing Services	
	<u>Awardees</u>	
	Advance Food Company	\$ 164,050
	Don Lee Farms/Division of Goodman Food Products	84,000
	Gold Kist, Inc.	235,280
	Oak Valley Farms, Inc.	1,640

Pierre Foods, Inc.	614
Schreiber Foods, Inc.	105,958
Tyson Sales & Distribution, Inc.	<u>167,510</u>
Total	\$ 759,052

7133.1	Cafeteria Disposable Supplies	
	<u>Awardees</u>	
	Acme Paper & Supply Company, Inc.	\$ 6,346
	Adams-Burch Company, Inc.	506
	Calico Industries, Inc.	31,547
	Carroll Manufacture & Sales	273
	Film X	231
	S. Freedman & Sons, Inc.	96,460
	Kahn Paper Company, Inc.	215,439
	Leonard Paper Company	169,800
	M&Q Plastic Products	6,886
	Marathon Sales, LLC	32,239
	Transilwrap Company, Inc.	782
	Webco Packaging, Inc.	<u>19,465</u>
	Total	\$ 579,974
9021.4	Doors and Laminates	
	<u>Awardees</u>	
	American Door Company	\$ 11,705
	Leland L. Fisher, Inc.	8,625
	Mizell Lumber/Hardware Company*	9,828
	Pikesville Lumber Company	3,345
	Read Plastics/Division of Piedmont Plastics*	<u>1,950</u>
	Total	\$ 35,453
9051.3	Athletic, Cheerleader, and Pom Pon Uniforms—Extension	
	<u>Awardees</u> (See note)	
	Anaconda Sports, Inc.	
	Athletic House	
	Cisco, Inc.	
	EBA Sports*	
	Marlow Sports, Inc.*	
	Varsity Spirit Fashions	
	Yorktowne Sports	
	Total	\$ 306,605
9053.2	Recreation Systems and Installation—Extension	
	<u>Awardees</u>	

	Bosco Associates, Inc.	\$ 13,900
	West Recreation, Inc.	<u>58,058</u>
	Total	\$ 71,958
9059.5	Developmental Activities Supplies and Equipment	
	<u>Awardees</u>	
	Cannon Sports, Inc.*	\$ 4,778
	DVF Sporting Goods Company	241
	Flaghouse, Inc.	1,776
	Bill Fritz Sports Corporation	6,022
	Gopher Sport	276
	Passon's Sports	7,080
	Pyramid School Products	4,630
	S & S Worldwide	4,832
	Sportime, LLC	19,531
	Sports Stop, Inc.	<u>1,748</u>
	Total	\$ 50,914
9069.5	Softball Supplies and Equipment	
	<u>Awardees</u>	
	Anaconda Sports, Inc.	\$ 17,661
	Dekan Athletic Equipment Corporation	2,082
	Flaghouse, Inc.	134
	Bill Fritz Sports Corporation	14,636
	Gopher Sport	247
	Passon's Sports	6,133
	S & S Worldwide	611
	Sportmaster	11,214
	Sports Stop, Inc.	<u>115</u>
	Total	\$ 52,833
9077.2	Scoreboards	
	<u>Awardee</u>	
	Daktronics, Inc.	\$ 26,359
9084.2	Physical Education Supplies and Equipment	
	<u>Awardees</u>	

	Aluminum Athletic Equipment Company	\$ 7,866
	Anaconda Sports, Inc.	11,432
	Bremen Company, Inc.	3,180
	Cannon Sports, Inc.*	17,313
	Creative Health Products*	6,750
	Deary's Gymnastics Supply	40,872
	DTI Soccer	1,645
	DVF Sporting Goods Company	33,809
	EBA Sports*	421
	Flaghouse, Inc.	5,818
	Bill Fritz Sports Corporation	994
	Gopher Sport	1,530
	Greg Larson Sports	3,516
	Marlow Sports, Inc.*	748
	MF Athletic Company	4,241
	Passon's Sports	103,298
	Pyramid School Products	41,385
	Rock Terrace High School*	1,935
	S & S Worldwide	5,515
	Sportime, LLC	8,341
	Sportmaster	63,977
	Sports Imports, Inc.	20,462
	Sports Stop, Inc.	41,860
	Tiffin Athletic Mats, Inc.	<u>43,498</u>
	Total	\$ 470,406
9118.2	Fresh Produce—Extension	
	<u>Awardee</u>	
	Lancaster Foods, Inc.	\$ 285,000
9159.2	Metal Doors, Frames, Windows, and Accessories**—Extension	
	<u>Awardee</u>	
	Metro Metal Services, Inc.	\$ 914,500
9163.2	Tennis Court Color Coating and Accessories**—Extension	
	<u>Awardee</u>	
	American Tennis Courts*	\$ 45,334
9340.2	Hot Mix Asphalt Replacement**	

Awardee
Craig Paving, Inc.

\$ 522,950

9369.1	Re-roofing at Broad Acres Elementary School**		
	<u>Awardee</u>		
	R.D. Bean, Inc.	\$	36,527
9558.1	Field Marker Machine and Paint—Extension		
	<u>Awardee</u>		
	Pioneer Manufacturing	\$	25,870
	Quality Assurance Program		
	<u>Awardee</u>		
	Consolidated Safety Services, Inc.	\$	49,000
TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000			\$10,769,330

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

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

NOTE: Contract amounts will be based on individual requirements.

RESOLUTION NO. 213-04 Re: **CARVER EDUCATIONAL SERVICES CENTER –
LICENSE AGREEMENT WITH MONTGOMERY
COLLEGE**

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

WHEREAS, Montgomery College has requested a license for construction and operation of a surface parking lot on the unimproved portion of the Carver Educational Services Center site fronting Hungerford Drive; and

WHEREAS, The increased parking area is needed to accommodate student parking during construction of a parking structure on the Montgomery College property; and

WHEREAS, The proposed License Agreement is for an initial term through December 31, 2006, with one-year renewals upon mutual agreement of both parties; and

WHEREAS, The Board of Education will have the option at no cost to Montgomery County Public Schools to retain the improvements at the lease termination or have the site restored

to its current condition; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a License Agreement with Montgomery College for construction and operation of a parking lot at the Carver Educational Services Center.

**RESOLUTION NO. 214-04 Re: **AWARD OF CONTRACT – HEAT PUMP REPLACEMENT
AT GAITHERSBURG HIGH SCHOOL****

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

WHEREAS, The following sealed bids were received on March 23, 2004, for the replacement of 20 heatpumps and miscellaneous mechanical work at Gaithersburg High School, with work to be completed over the summer break:

<u>Bidder</u>	<u>Amount</u>
AMS National, Inc.	\$216,000
M&M Welding and Fabricators, Inc.	231,800
C. V. Carlson Company, Inc.	246,500
Hot & Cold Corporation	247,850
Ostach Construction, Inc.	268,500
Nastos Construction, Inc.	397,000

and

WHEREAS, The low bid was deemed non-responsive due to the vendor's failure to provide a bid bond and surety letter; and

WHEREAS, The second low bidder, M&M Welding and Fabricators, Inc., has completed similar work successfully; and

WHEREAS, The work included in this project is completely self-performed by the vendor, and the equipment is supplied by national manufacturers; therefore, there is limited opportunity for Minority Business Enterprise (MBE) participation; and

WHEREAS, Staff recommends waiving the MBE participation goal for this project; now therefore be it

Resolved, That a \$231,800 contract be awarded to M&M Welding and Fabricators, Inc., to install 20 heat pumps and complete miscellaneous mechanical work at Gaithersburg High

School, in accordance with drawings and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 215-04 Re: CAPITAL PROJECTS TO BE CLOSED EFFECTIVE JUNE 30, 2004

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

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, 2004; now therefore be it

Resolved, That the superintendent be authorized to close, effective June 30, 2004, capital construction projects listed below, subject to final audit:

<u>Project No.</u>	<u>Project</u>	<u>Balance</u>
234-10	Thomas S. Wootton High School	-0-
500-01	Kingsley Wilderness Center	-0-
523-01	Spark M. Matsunaga Elementary School	-0-
775-12	Eastern Middle School	-0-
9937	Business Intelligence/Data Warehouse	2,042

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 2005 Educational Facilities Master Plan and the FY 2005–2010 Capital Improvements Program.

RESOLUTION NO. 216-04 Re: EXTENSION OF CONTRACT – NATURAL GAS SUPPLY

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

WHEREAS, The Board of Education has participated in successful joint procurements for electricity and natural gas supply through a Montgomery County interagency collaborative effort; and

WHEREAS, The agencies that participated in these joint procurements agreed to a natural

gas contract with Washington Gas Energy Services in FY 2003 and FY 2004; and

WHEREAS, Washington Gas Energy Services has performed satisfactorily under the current contract; and

WHEREAS, Washington Gas Energy Services has offered to extend the current contract for an additional year at a slightly lower fixed fee cost; and

WHEREAS, The other agencies participating in the current natural gas supply contract are planning to extend their portion of the contract; now therefore be it

Resolved, That the contract for the supply requirements of the Montgomery County Public Schools' natural gas accounts with Washington Gas Energy Services be extended in accordance with the terms and conditions of the Montgomery College's RFB # 602-010, Natural Gas Procurement, and the March 31, 2004, renewal offer.

RESOLUTION NO. 217-04 Re: UTILIZATION OF THE FY 2004 PROVISION FOR FUTURE SUPPORTED FUNDS

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

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. 15-184, approved May 22, 2003; and

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

WHEREAS, Sufficient appropriation is available, within the FY 2004 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 2004 Provision for Future Supported Projects, as specified below:

<u>Projects</u>	<u>Amount</u>
Advanced Placement: Great Expectations	\$ 32,100
High Quality Teaching	65,260
Title I School Improvement	535,384
University Partnerships	<u>100,000</u>
Total	<u>\$ 732,744</u>

and be it further

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

RESOLUTION NO. 218-04 Re: **FY 2004 SUPPLEMENTAL APPROPRIATION FOR THE ENTREPRENEURIAL ACTIVITIES PROJECT FUND**

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

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 2004 supplemental appropriation of \$130,000 for the Entrepreneurial Activities Fund in the following category:

<u>Category</u>	<u>Amount</u>
81 Entrepreneurial Activities Fund	\$ <u>130,000</u>
Total	<u>\$ 130,000</u>

and be it further

Resolved, That this supplemental appropriation be funded with \$130,000 from increased graphics and printing services revenue; and be it further

Resolved, That a copy of this resolution be forwarded to the county executive and County Council; and be it further

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

RESOLUTION NO. 219-04 Re: **SUPPLEMENTAL APPROPRIATION FOR THE READING FIRST PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 2004 supplemental appropriation of \$1,203,274 from the United States Department of Education for the Maryland State Department of Education's Reading First Program under the *No Child Left Behind Act of 2001* in the following categories:

<u>Category</u>		<u>Positions</u>	<u>Amount</u>
2	Mid-level Administration	2.0	\$ 44,327
3	Instructional Salaries	4.0	316,291
4	Textbooks and Instructional Supplies		697,261
5	Other Instructional Costs		76,175
12	Fixed Charges		<u>69,220</u>
	Total	<u>6.0*</u>	<u>\$1,203,274</u>

Positions

- * 1.0 Project Specialist
- * 1.0 Fiscal Assistant
- * 4.0 Classroom Teachers (Reading Coaches)

and be it further

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

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

RESOLUTION NO. 220-04 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective July 1, 2004:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Cynthia Best-Goring	Principal, East Silver Spring ES	Principal, Silver Spring International MS

Re: MONTHLY FINANCIAL REPORT

Mr. Larry Bowers, chief operating officer, reported that the projected financial condition through February 29, 2004, was based on program requirements and estimates made by primary and secondary account managers. At this time, revenues have a projected deficit of \$706,325, while expenses have a projected surplus of \$8,400,000.

**Re: APPROVAL OF THE LIBRARY MEDIA
INFORMATION – LITERACY SKILLS PRE-K–12
FRAMEWORK**

Dr. Weast invited the following people to the Board table: Mr. Dale E. Fulton, associate superintendent for curriculum and instructional programs; Dr. Michael P. Cohen, director of instructional programs; and Mrs. Gail C. Bailey, director of school library media programs.

On May 13, 2003, the Board of Education granted the School Library Media Programs unit permission to develop an information-literacy skills framework. The development of an information-literacy skills framework is supported by research conducted by Lance (2004) in a number of states (i.e., Alaska, Colorado, Iowa, New Mexico, Oregon, and Pennsylvania). This research demonstrated that as the degree of integration of information literacy and content area curricula increases, so does the level of student achievement. The purpose of the framework is to guide library media specialists' instructional practices in working with teachers to appropriately sequence information-literacy skills and strategically and consistently integrate them into the content area curricula. By aligning these skills with Maryland Content Standards, the framework helps to implement the four goals of the school system's strategic plan. The framework supports library media specialists' efforts to be coherent in their approach by generating a consensus of learner outcomes to use in developing age-appropriate applications of information-literacy skills and technology based on national and state standards. In addition, the framework supports the following objectives:

1. Creates an organizational structure and tool for library media specialists to use in collaborating with teachers to integrate information-literacy skills and technology into the content areas.
2. Supports the revised library media specialists' performance standards that emphasize their instructional role, including the use of technology throughout the curriculum.
3. Assists teachers in meeting performance standards related to the use of technology by modeling the integration of technology into instruction.

To accomplish these objectives, the director of School Library Media Programs worked with an instructional specialist in school library media, a curricular consultant, and library media specialists at each level.

The School Library Media Programs unit has developed the information-literacy skills framework, including suggested activities for each grade band, pre-K–1; 2–3; 4–5; 6–8; 9–12 within the various content areas. These will serve to promote collaboration between classroom teachers and library media specialists. Library media specialists have contributed exemplary lesson ideas and activities to provide clarifying examples for each grade band and content area, including the appropriate and responsible use of technology tools (i.e., research,

production, communication, problem-solving, and decision-making tools). Content supervisors and instructional specialists have reviewed the framework and provided feedback to ensure alignment. The School Library Media Advisory Committee members who represent various stakeholder groups, including principals and community members, also have reviewed and commented on the document. The comments and reviews have been used to revise the draft framework.

Library media specialists continue to expand and revise the framework by developing appropriate assessments for accountability purposes. The draft framework currently is being used to plan an integrated instructional guide to assist teachers and library media specialists to integrate content standards in reading, mathematics, science, and social studies, as well as information-literacy skills and technology. Upon receiving Board approval, the School Library Media Programs unit will work with curriculum specialists to integrate information-literacy skills into all new and revised content-area instructional guides to ensure that students become effective users of ideas and information.

Re: DISCUSSION

Mr. Lange was pleased with the focus and direction of the framework since the media center is the real hub of all learning. The skills for success need to be woven into the learning of students. He was concerned about the capacity to accomplish the tasks and range of activities. Mrs. Bailey thought that the media plan would demonstrate how it would support the instructional program and student achievement.

Ms. Cox thought that the framework would provide for collaborative planning at the school level. Mr. Fulton agreed that this tool will be used by teachers and media specialists.

Mr. Lange asked about the staff development that would be necessary to implement the framework. Mrs. Bailey explained that new curriculum will provide training since media literacy will be embedded in the curriculum.

Mr. Felton asked about children who have computer skills before entering kindergarten versus children who have not been exposed to computers. Second, he wanted to know about the preparation of teachers in colleges and universities. Mrs. Bailey stated that all children are exposed to the media center as soon as possible. The teacher and media specialist meet the students at the level of their need. Mr. Fulton responded that MCPS continues to work with the state and university partnerships, but there has been some resistance to meeting the needs of MCPS.

Mr. Romero inquired about who would be responsible for the indicators in the framework in the collaboration process. Mrs. Bailey stated that the media specialists will take the lead, but it is a shared responsibility.

Mrs. O'Neill was pleased that the framework reflects national standards regarding the media specialist as a teacher and the integration of the media center and the classroom. The ethical use of information is more important today when most information can be accessed through the Internet. Also, she thought media literacy is best when it is embedded and not a stand-alone curriculum.

RESOLUTION NO. 221-04 Re: **APPROVAL OF THE LIBRARY MEDIA INFORMATION
-LITERACY SKILLS PRE-K-12 FRAMEWORK**

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

WHEREAS, According to Policy IFA: *Curriculum*, all framework decisions are subject to Board of Education approval; and

WHEREAS, In 2003, the Board of Education acknowledged the need to revise the current scope and sequence of isolated library media skills and approved the development of a Montgomery County Public Schools (MCPS) pre-K-12 information-literacy skills framework, its review by stakeholder groups, and subsequent revision; and

WHEREAS, The School Library Media Programs unit has developed a pre-K-12 information-literacy skills framework and has begun piloting its use by the instructional specialists in library media and the content areas; now therefore be it

Resolved, That the Board of Education approve the publication of *Information Literacy: A Shared Responsibility* to be used by library media specialists to collaborate with teachers to integrate information-literacy and technology skills throughout the MCPS curriculum.

Re: **UPDATE ON TITLE I SCHOOLS**

Dr. Weast invited the following people to the table: Mr. Dale Fulton, associate superintendent for curriculum and instructional programs; Mr. Donald Kress, coordinating community superintendent; Mrs. Chrisandra Richardson, director of academic support, federal and state programs; Ms. Janet Dunn, coordinator, extended learning opportunities; and Mr. Adrian Talley, principal, Rosemont Elementary School.

The MCPS decision to reorganize the district's Title I office in July 2000 proved to be very timely. The following January, the most recent version of the *Elementary and Secondary Education Act (ESEA)*, which is known as the *No Child Left Behind Act of 2001 (NCLB Act)*, was signed into law. This legislation brought with it dramatic changes in the relationship between the federal and state governments and public schools. The scope of the initial wave of changes in the MCPS Title I program and in county Title I schools is outlined in this update,

along with their alignment to *Our Call To Action: Pursuit of Excellence*, the MCPS strategic plan.

These changes are the result of several mandates that are the key provisions of the *NCLB Act*. The Maryland State Department of Education (MSDE) developed the Maryland State Assessment (MSA), a new accountability measure given to all students in Grades 3 through 8, as well as once during high school. Students are tested in both reading/language arts and mathematics and will be assessed in science at least once during the elementary, middle, and high school levels by 2007. One of the most dramatic modifications of ESEA was the inclusion of an accountability system that required Title I schools that were not meeting state targets known as Adequate Yearly Progress (AYP) to comply with a new set of specific sanctions. Among these sanctions are school choice, Supplemental Educational Services (SES), and corrective action. While these sanctions are not specifically applied to non-Title I schools, states must put an accountability system into place for all schools. The sanctions are applied if any of the disaggregated groups does not meet the AYP standard after only two years.

MCPS implemented school choice in 2002–2003 in 10 schools and added SES in 2003–2004 in seven schools to comply with the *NCLB Act*. The school system is examining the next level of sanctions—corrective action, should it need to be invoked for the 2004–2005 school year. This requirement is implemented if any disaggregated group in a school does not meet the AYP target for four consecutive years, or if the school fails to meet the average daily attendance goal of 94 percent, or if less than 95 percent of each group and 95 percent of the students in the grades tested fail to participate in the assessment.

To support Title I schools and comply with the scientifically based research provision of the *NCLB Act*, MCPS developed a model that includes guidelines for the use of a portion of the school's staffing allocation, a comprehensive school improvement process, and extended-year and extended-day programming. School improvement plans are comprehensive in nature and are additionally reviewed by a team of peers for schools in school improvement status.

The Office of Human Resources is working collaboratively with the Division of Academic Support, Federal and State Programs to ensure that all staff members in Title I schools meet the highly qualified requirements set forth in the *NCLB Act* and defined by MSDE. Staff is confident that the goals will be met in advance of the 2005–2006 deadline. The *NCLB Act* further enhanced family involvement planning and programming. Several Title I schools are participating in the National Network of Partnership Schools, using a strategic approach to increase the level of family participation. Finally, MCPS established consultative relationships with nonpublic schools that participate in Title I programming to reflect the *NCLB Act* requirements.

As the school system works to comply with the mandates, staff also must continue to raise questions and seek additional clarification on several of the law's key components. As a result of the public response to unreasonable interpretations of some provisions, the federal government is modifying key mandates through the process of issuing new written guidance. These guidance documents provide details on the implementation process as well as a further interpretation of the statute.

The *NCLB Act* presents many challenges to staff and administrators in Title I schools that are beyond those faced in other public schools. Under the direction of Dr. Gregory E. Thornton, deputy superintendent of schools, the Title I Advisory Committee was formed to provide a collaborative forum for both developing a comprehensive program and implementing mandates. Several stakeholder groups organized around topics such as school choice, SES, professional development, possible modifications in the current model, and the Extended Learning Opportunities (ELO) Summer Adventures in Learning (SAIL) program are currently meeting to prepare recommendations for the Title I Advisory Committee. A strong collaboration with stakeholders is essential to achieving the goals of the *NCLB Act* and of the school system's strategic plan, *Our Call to Action: Pursuit of Excellence*.

Re: **DISCUSSION**

Ms. Cox thought it was important that the Board was committed to having every child, including those with limited English proficiency and disabilities, achieve at the same level. The issue is not the requirements but the artificial timelines and cohort size imposed by the law. Mr. Lange pointed out that the cohort size in Maryland is five, and in Virginia the cohort is 50. Ms. Cox thought that Maryland would revise that cohort number.

Ms. Cox asked how the school system could evaluate the Supplemental Educational Services (SES). Mrs. Richardson replied that each of the providers has a pre- and post-test. Mr. Fulton added that MCPS has met with the state to discuss the school system's expectations and is in the process of terminating some SES contracts.

Given the amount of money to be set aside, Ms. Cox inquired as to whether or not the children enrolled in SES have depleted the funds. If not, what happens to the money? Mrs. Richardson replied that MCPS was required to provide services to 1,855 children, and any money not used would be rolled over for next year. Dr. Weast stated that the money will be used for summer school for these children.

Mr. Romero asked that staff calculate the financial and time impact on MCPS staff to comply with Title I requirements.

Mrs. O'Neill noted that the secretary of education had stated that there would be flexibility in participation rates. Mrs. Richardson said notice been received that districts can average over

three years. However, Maryland requires 100 percent participation in MSPAP.

Mrs. O'Neill asked about programming for nonpublic school students. Mrs. Richardson stated that MCPS serves these children and sets the agreements with the SES providers.

Mr. Lange inquired about the number of children who participate and the number who are eligible for SES. Mrs. Richardson responded that 737 children are registered for SES, but not all are receiving the service. Mr. Lange asked if children are enrolled when a family does not participate because of transportation issues. Mrs. Richardson replied that these children would be withdrawn from the program.

Mr. Felton reaffirmed the importance of data collection on the future costs. As school systems state that the laws are unfunded mandates, Capitol Hill recites that there is money and the school systems are not spending the funds.

**Re: DIALOGUE ON CURRENT ISSUES: UPDATE ON
FEDERAL EDUCATION LEGISLATION**

Mr. Felton presented the following issues:

1. Increasing the federal investment in public education to meet the federally imposed mandates and subsequent cost increases.
2. Reauthorizing the *Individuals with Disabilities Education Act* (IDEA), including provisions to do the following:
 - Fully fund federal share of IDEA as a mandatory program.
 - Fix the due process provisions to be workable for school districts without compromising the rights of children.
 - Eliminate the unnecessary administrative process requirements.
 - Designate appropriate state and local agencies to have primary financial responsibility for providing select "*related services*" and/or reimbursing local school districts.
 - Create safe learning environments for all students and staff.
 - Create incentives to improve recruitment and retention of teachers.
 - Clarify standards for determining private placements.
 - Clarify the eligibility definition for special education services.
3. Addressing the unintended consequences resulting from the passage of the *No Child Left Behind Act* (NCLB), particularly those provisions related to adequate yearly progress (AYP), and the operation/costs of several specific mandates.

4. Reauthorizing the *Richard Russell National School Lunch Act* and the *Child Nutrition Act of 1966*, including provisions to do the following:
 - Strengthen the authority of local schools or districts to make decisions regarding “competitive foods,” such as soda, fruit, or chips.
 - Maintain the current income verification process to ensure that eligible children receive a free or reduced-price meal.
 - Improve program administrative procedures to reduce expenses and improve efficiencies.
5. Aligning the *Higher Education Act* with NCLB to ensure a pool of highly qualified teachers.
6. Defeating all voucher and tuition tax subsidy proposals that result in having public funds support private K–12 institutions.

Re: BOARD/SUPERINTENDENT COMMENTS

Dr. Weast asked the Board to join him in recognizing Kiera Zitelman, a seventh grade student at Takoma Park Middle School. Kiera has been named one of Maryland's top two youth volunteers for 2004 by the Prudential Spirit of Community Awards. Kiera has organized an effort to make 60 bagged lunches at her church each month and distribute them to a local homeless shelter. On May 3 she will join the top two honorees– one middle school level and one high school level–from each state, the District of Columbia, and Puerto Rico at a ceremony in which 10 of the state honorees will be named America's top 10 youth volunteers of the year.

In the April 2 issue of *The Wall Street Journal*, three high schools in Montgomery County were identified as being among the best schools in the nation for enrolling students in the most prestigious colleges and universities in America. The three MCPS schools are Walt Whitman, Richard Montgomery, and Winston Churchill high schools. The article, “The Price of Admission,” lists 65 public and private high schools nationwide whose students were particularly successful in enrolling in 10 highly selective colleges and universities. MCPS schools were the only Maryland schools on the list. The three schools constitute 10 percent of the 29 public schools named out of approximately 14,000 public high schools nationwide.

Mr. Sanghvi announced that the election for the next student Board member is scheduled for April 28.

Mr. Romero commented that on that March 25 he attended Seneca Valley High School's ESOL Department two-day symposium for ESOL students. The message was superb and encouraging.

Mr. Lange reported that he and Dr. Haughey met with Mr. Bowers and Mr. Perrich regarding the update to the Strategic Plan. The summary report was very positive with performance measures and data points.

Mr. Felton stated that MCPS was very well represented at the National School Boards Association's conference. Dr. Weast made a presentation on early childhood education.

Mrs. O'Neill congratulated the Lourie Center for its 20th Anniversary and its early childhood program focused on children at risk. She emphasized that MCPS had received a waiver from the state for two days of inclement weather, and school will end on June 15. She reminded eighth grade parents to submit their residency compliance forms.

RESOLUTION NO. 222-04 Re: CLOSED SESSION RESOLUTION

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on Monday, April 26, 2004, 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.

RESOLUTION NO. 223-04 Re: REPORT OF CLOSED SESSION

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

On March 22, 2004, by unanimous vote of members present, the Board of Education voted to conduct a closed session 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 session on March 22, 2004, from

7:05 to 7:55 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and adjudicated the following appeals in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*) with a subsequent vote to approve in open session: 2004-1, 2004-6, 2004-7, and 2004-9.
2. Reviewed the Superintendent's recommendation for a Human Resources Appointment, subsequent to which the vote to approve was taken in open session.
3. 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 sessions were: Larry Bowers, Kermit Burnett, Sharon Cox, Reggie Felton, Charles Haughey, Roland Ikheloa, Frieda Lacey, Walt Lange, George Margolies, Pat O'Neill, Brian Porter, Lori Rogovin, Gabe Romero, Glenda Rose, Sagar Sanghvi, Greg Thornton, Matt Tronzano, and Jerry Weast.

RESOLUTION NO. 224-04 Re: **APPOINTMENT OF BOARD OF EDUCATION'S
SPECIAL EDUCATION CONTINUOUS
IMPROVEMENT ADVISORY COMMITTEE**

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

WHEREAS, by Resolution No. 621-03, enacted on December 8, 2003, the Board of Education established the Board of Education Special Education Continuous Improvement Advisory Committee, to serve in an advisory capacity to the Board and to replace the Continuous Improvement Team that has served since 1999; and

WHEREAS, Resolution No. 621-03 sets forth the three-fold charge to this ad hoc committee, to be comprised of between 20 and 25 members; now therefore be it

Resolved, That the following individuals be appointed to serve a term effective May 1, 2004, and extending for the life of the committee, expected not to extend beyond June 30, 2006:

Parents of Students Currently Requiring Special Needs Services

Laurie Collins	Ricki Sabia
Athena Elliott	Martin Schwartz
Cheryl Kravitz	Laura Swerdlin
Beverly Moncrieffe	

School-based Staff

John 'Randy' Alton
Yvonne S. Dunham
Webster Gray

Nora Schmidt
Bettye R. Sellman

Central Office Administrators

Robin Adler
Patricia Kelly
Cary H. Kuhar

Susan Marks
Gwendolyn Mason
Laura Steinberg

Community Representatives

Jeremy Buzzell
Rosemary K. Dove

James Linde
Madeleine Will

Technical Liaison for Higher Education

Margaret McLaughlin

RESOLUTION NO. 225-04 Re: **APPEAL 2004-3**

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2004-3, student expulsion, reflective of the following vote: Mr. Burnett, Ms. Cox, Mr. Felton, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm in part and reverse in part.

RESOLUTION NO. 226-04 Re: **APPEAL 2004-5**

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2004-5, student expulsion, reflective of the following vote: Mr. Burnett, Ms. Cox, Mr. Felton, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm in part and reverse in part.

RESOLUTION NO. 227-04 Re: **APPEAL 2004-6**

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2004-6,

student's grade, reflective of the following vote: Mr. Burnett, Ms. Cox, Mr. Felton, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to dismiss.

RESOLUTION NO. 228-04 Re: APPEAL 2004-7

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2004-7, school climate, reflective of the following vote: Mr. Burnett, Ms. Cox, Mr. Felton, Dr. Haughey, Mr. Lange, Mr. Romero, and Mr. Sanghvi voting to affirm in part and reverse in part; Mrs. O'Neill was absent.

RESOLUTION NO. 229-04 Re: MINUTES OF JANUARY 13, 2004

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

Resolved, That the Board of Education approve the minutes for its January 13, 2004, meeting.

RESOLUTION NO. 230-04 Re: MINUTES OF FEBRUARY 2, 2004

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

Resolved, That the Board of Education approve the minutes for its February 2, 2004, meeting.

RESOLUTION NO. 231-04 Re: MINUTES OF FEBRUARY 10, 2004

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

Resolved, That the Board of Education approve the minutes for its February 10, 2004, meeting.

**Re: ACADEMIC ELIGIBILITY FOR
EXTRACURRICULAR ACTIVITIES**

On motion of Ms. Cox and seconded by Dr. Haughey the following resolution was placed on the table:

WHEREAS, Board policy IQD, *Academic Eligibility for Extracurricular Activities* state that

students in middle and high schools must maintain a 2.0 average with no more than one "E" (failure) in the previous marking period to be eligible to participate in any extracurricular activity; and

WHEREAS, Research has shown that extracurricular participation supports adolescents' academic performance, connection with school, social behavior and overall health; and

WHEREAS, Given the relationship between extracurricular involvement and positive outcomes for young people, the Blair PTSA desires that MCPS pilot an alternative proposal that permits incoming ninth grade students with less than a 2.0 GPA to engage in extracurricular activities if they agree to participate in a personalized academic support program; now therefore be it

Resolved, That the Board request the superintendent to review the attached proposal and make recommendations to the Board on the feasibility of instituting this alternative eligibility as a pilot program in a select cluster(s) of schools; and be it further

Resolved, That the recommendations identify an implementation timeline and cost implications, including cost-neutral options of implementing this pilot; and be it further

Resolved, That the superintendent's review include a survey of the target school community(ies) to determine if there is broad community support for an alternative pilot.

Re: **SUBSTITUTE RESOLVES ON ACADEMIC
ELIGIBILITY FOR EXTRACURRICULAR
ACTIVITIES**

On motion of Mrs. O'Neill and seconded by Mr. Lange, the following substitute *resolves* were placed on the table:

Resolved, That the Board of Education direct the superintendent to establish a workgroup to review Policy IQD, *Academic Eligibility for Extracurricular Activities*; and be it further

Resolved, That the workgroup shall consist of principals, athletic directors, teachers, coaches, parents and students; and be it further

Resolved, That the workgroup will look at research on eligibility and academic performance, as well as other policies and best practices in the nation, Maryland, and the Washington metropolitan area; and be it further

Resolved, That the workgroup shall make recommendations to the Board's Policy Committee for possible revisions to Policy IQD.

RESOLUTION NO. 232-04 Re: **AN AMENDMENT TO THE SUBSTITUTE RESOLVES ON ACADEMIC ELIGIBILITY FOR EXTRACURRICULAR ACTIVITIES**

On motion of Ms. Cox and seconded by Mr. Romero, the following amendment was adopted unanimously by members present:

Resolved, That the workgroup shall consist of principals, athletic directors, teachers, coaches, parents and students **with equal representation between staff and parents/students.**

RESOLUTION NO. 233-04 Re: **AN AMENDMENT TO THE SUBSTITUTE RESOLVES ON ACADEMIC ELIGIBILITY FOR EXTRACURRICULAR ACTIVITIES**

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

Resolved, That the workgroup will look at research on eligibility and academic performance, as well as other policies and best practices in the nation, Maryland, and the Washington metropolitan area, **and review and consider the pilot proposal from the Blair Cluster;** and be it further

Resolved, That the workgroup shall make recommendations **by July 2005** to the Board's Policy Committee for possible revisions to Policy IQD.

RESOLUTION NO. 234-04 Re: **ACADEMIC ELIGIBILITY FOR EXTRACURRICULAR ACTIVITIES**

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

WHEREAS, Board policy IQD, *Academic Eligibility for Extracurricular Activities* state that students in middle and high schools must maintain a 2.0 average with no more than one "E" (failure) in the previous marking period to be eligible to participate in any extracurricular activity; and

WHEREAS, Research has shown that extracurricular participation supports adolescents' academic performance, connection with school, social behavior and overall health; and

WHEREAS, Given the relationship between extracurricular involvement and positive outcomes for young people, the Blair PTSA desires that MCPS pilot an alternative proposal that permits incoming ninth grade students with less than a 2.0 GPA to engage in

extracurricular activities if they agree to participate in a personalized academic support program; now therefore be it

Resolved, That the Board of Education direct the superintendent to establish a workgroup to review Policy IQD, *Academic Eligibility for Extracurricular Activities*; and be it further

Resolved, That the workgroup shall consist of principals, athletic directors, teachers, coaches, parents and students with equal representation between staff and parents/students; and be it further

Resolved, That the workgroup will look at research on eligibility and academic performance, as well as other policies and best practices in the nation, Maryland, and the Washington metropolitan area, and review and consider the pilot proposal from the Blair Cluster; and be it further

Resolved, That the workgroup shall make recommendations by July 2005 to the Board's Policy Committee for possible revisions to Policy IQD.

Re: **NEW BUSINESS**

There was no new business item.

Re: **ITEMS OF INFORMATION**

The following information was available:

1. Legal Fees Report
2. Construction Progress Report

RESOLUTION NO. 235-04 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of April 15, 2004, at 4:10 p.m.

PRESIDENT

SECRETARY

JDW:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

April 15, 2004

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