

APPROVED
27-2007

Rockville, Maryland
November 13, 2007

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, November 13, 2007, at 10:00 a.m.

Present: Ms. Shirley Brandman, Vice President
in the Chair
Mr. Steve Abrams
Mr. Christopher Barclay
Ms. Sharon Cox
Dr. Judy Docca
Mr. Ben Moskowitz
Mrs. Patricia O'Neill
Dr. Jerry Weast, Secretary/Treasurer

Absent: Mrs. Nancy Navarro

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

RESOLUTION NO. 520-07 Re: **RESOLUTION FOR CLOSED SESSIONS**

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Dr. Docca, 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 November 13, 2007, in Room 120 from 9:00 to 10:00 a.m. and 12:30 to 2:00 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County

1. Discuss the Human Resources Monthly Report and an appointment, as permitted under Section 10-508(a)(1) of the State Government Article
2. Receive legal advice, as permitted under Section 10-508(a)(7) of the State Government Article

and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on November 13, 2007, to acquit its administrative 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 the meeting continue in closed session until the completion of business.

RESOLUTION NO. 521-07 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for November 13, 2007.

Re: **PLEDGE OF ALLEGIANCE**

"I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

RESOLUTION NO. 522-07 Re: **IN HONOR OF VETERANS**

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

WHEREAS, Each Veterans Day, Americans continue to celebrate with ceremonies and speeches remembering and honoring those who fought for peace; and

WHEREAS, United States Senate Resolution 357 encouraged all Americans to observe the week of November 11 through 17, 2007, as National Veterans Awareness Week; and

WHEREAS, Tens of millions of Americans have served in the Armed Forces of the United States, and hundreds of thousands of Americans have given their lives while serving in the Armed Forces during the past century; and

WHEREAS, The month of November provides us an opportunity to remember and acknowledge the sacrifices of men and women who served our country in the Armed Forces of the United States, and especially our parents, staff, and community members; now therefore be it

Resolved, That the Board of Education, along with students, parents, Montgomery County Public Schools staff, and the entire community, salutes the sacrifice of the men and women of the United States Armed Forces.

RESOLUTION NO. 523-07 Re: **AMERICAN EDUCATION WEEK**

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

WHEREAS, The theme for this year’s 86th annual observance of American Education Week is “Great Public Schools: A Basic Right and Our Responsibility ;” and

WHEREAS, This theme reflects the vision of the Montgomery County Public Schools that a high-quality education is the fundamental right of every child, and that all children will receive the respect, encouragement, and opportunities they need to build the knowledge, skills, and attitudes to be successful, contributing members of a global society; and

WHEREAS, All staff members of the Montgomery County Public Schools work to serve children and communities with care and professionalism; and

WHEREAS, Our school system supports, encourages, and respects the role of parents as advocates and partners in their children’s education; and

WHEREAS, Every day, students, parents, employees, volunteers, business leaders, community members, and elected officials collaborate to enhance the academic and personal success of all students in the Montgomery County Public Schools; now therefore be it

Resolved, That the Montgomery County Board of Education hereby declares November 11 through November 17, 2007, to be observed in the Montgomery County Public Schools as American Education Week, honoring all individuals who are working to ensure that every child receives a world-class, high-quality education.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

<u>Person</u>	<u>Topic</u>
Jim Keenin	CIP

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast commented that a total of 283 MCPS students have been named National Advanced Placement (AP) Scholars for their top performance on AP exams in spring 2007. This number has grown steadily since 2004, when only 121 students were honored as National AP Scholars. The other good news is that 21 of the school system’s 25 high schools had National AP Scholars this year.

Dr. Weast stated that, for the fourth consecutive year, more than 10,000 Grade 2 students are attending a concert by the National Philharmonic at Strathmore, with a special, and very engaging, introduction to the instruments of the orchestra by composer Russell Peck. The performances provide a wonderful introduction to the concert hall for these young children, particularly since schools are provided with pre-concert classroom materials that help the students really engage with the music. The children also have an opportunity to hear outstanding student musicians play with the National Philharmonic. This year, all three of the soloists are students in the Montgomery County Public Schools. The Grade 2 students truly experience "the thrill of the orchestra," thanks to our partnership with Strathmore and the National Philharmonic.

Mr. Moskowitz commented that the Board had met with several organizations, and it was important to get input from various stakeholders. He noted that a student told him that she would take Honors classes, but there was no room for her in the class. The capacity for these classes needs to be addressed.

Mr. Barclay stated that he was a guest reader at Great Seneca Elementary School, and he recognized the students in Ms. Newcomer's Grade 2 class.

Dr. Docca reported that she attended the Asian American Employees Association's 20th Anniversary, the Asian American Summit, the Foundation reception, STEM Workshop at Montgomery College, Memorial Service for Veterans Day in Gaithersburg, Hispanic Financial College Prep Workshops at Magruder and Gaithersburg high schools, and the dedication of the building at the University of Maryland at Shady Grove.

Mrs. O'Neill commented on the 20th Anniversary Celebration of the Asian Educators Association. She commented on Veterans Day and said that when she graduated young people were drafted. Now, students have the option to volunteer for military service.

Ms. Brandman stated that she and many Board members attended the Community Service Day. She also attended the Hispanic Parent Breakfast which featured a former student speaking about the support and success he received at Col. Zadok Magruder High School.

Re: **LEGISLATIVE PLATFORM**

Ms. Laura Steinberg, legislative aide, stated that the Montgomery County Board of Education has adopted this legislative platform for the 2008 session of the Maryland General Assembly. The platform provides a vehicle for summarizing the Board's positions on priority issues without precluding the consideration of additional legislative and budget issues that arise during the legislative session.

School Construction

Background: The FY 2009 state Capital Improvements Program (CIP) request for the

Montgomery County Public Schools (MCPS) is \$132,835,000. This figure is based on current eligibility of projects approved by the Montgomery County Council in May 2007. Of the \$132.8 million request, \$2.2 million is for two projects (Downcounty Consortium Elementary School #28 (Arcola) and Parkland Middle School), for which MCPS received state planning approval and partial state funding in a prior year. Approximately \$5.5 million is for four projects that have not been approved by the state for planning, but have been forward-funded with local funds and opened August 2007. These forward-funded projects do not have expenditures in FY 2009 and will only be eligible for state bond funding through calendar year 2008. If these projects do not receive state funding before calendar year 2009, MCPS can only be reimbursed for state-eligible expenditures with current revenue (Paygo). This will limit the state's ability to provide funds for these projects. It is imperative that MCPS receive state planning approval and construction funding in FY 2009 for these projects to avoid the possibility that they will not be eligible for state bond funding.

The balance of the \$132.8 million is for projects that will require state planning approval, but already have been programmed for funding by the Montgomery County Council. None of the projects for which we are requesting construction funding in our FY 2009 State CIP have prior state planning approval. In the past, the state has granted planning approval for projects prior to allocating construction funds, if the local government previously approved those projects. However, the state is no longer routinely granting planning approval but, instead, is prioritizing projects for planning approval based on a state-developed process. As a result, MCPS only has two projects that have planning approval from the state. The FY 2009 request includes 29 projects that will be requested for planning approval. Of the 29 projects, 26 are being requested for both state planning approval and construction funding.

Based on MCPS capital improvement needs, consideration needs to be given to the following points:

- Limited state funding for school construction has forced Montgomery County to forward-fund critical projects that are eligible for state funding, but cannot be delayed until state funds are available. A mechanism needs to be developed to ensure locally forward-funded projects remain eligible for state funding, even if the project is completed.
- Funding is needed for systemic projects such as roofing and HVAC (heating/ventilation/air conditioning). Approximately \$3.4 million is needed for these projects in FY 2009. The state's new \$200,000 (up from \$100,000) minimum request level for systemic renovations will leave some projects ineligible for state funding.
- The state's capacity formula and square-footage-per-pupil allowance need to reflect the realities of state and federal education mandates such as mandatory full-day kindergarten and targeted prekindergarten programs. The current formula and square-footage allowances do not provide adequate space to meet these mandates.
- The state Public School Construction Program (PSCP) uses an administrative process for granting planning approval for projects submitted to the Interagency Committee (IAC) for funding that discriminates against large counties like Montgomery. Planning

approval is the “gate keeper” step in the school construction funding process that determines whether a project is “eligible” for state funding or considered a locally funded project. The current process for granting planning approval allocates one planning approval per LEA and then cycles back to add more planning approvals until the estimated cost of the projects approved matches the estimated amount of funding the program will have to fund. Larger LEAs with many projects are not granted planning approval, and, therefore, are forced to submit many projects for funding that are technically considered “ineligible” for state funding. This process needs to be changed to allow the legitimate funding needs of larger LEAs to be recognized.

- The Aging Schools Program (ASP) has provided funds for certain capital maintenance replacement projects. A moderate increase in the Aging Schools Program funding would provide additional funding to more schools that qualify for these capital maintenance programs. Instead, the state has consolidated the ASP and Qualified Zone Academy Bond (QZAB) funds, reducing the ASP funding available to MCPS from \$1.023 million to \$0.6 million. At the same time, the QZAB allocation was increased to \$0.578 million. It is important to understand that the ASP funding can be used for projects at many more schools than QZAB funding and has no in-kind matching requirement or restrictions on which schools can use the funding. As a result, a number of ASP and QZAB projects were deferred in FY 2008. ASP funding is a critical component of our school maintenance strategy.

Recommendations: State school-construction funds continue to be inadequate to meet the substantial capital funding needs of MCPS and other school systems. As a result of the efforts of legislators and advocates, public school construction received over \$322 million for FY 2007 and \$401.3 for FY 2008. The Montgomery County Board of Education supports at least \$400 million in state capital funding for FY 2009 to address the school facility needs identified in our local CIP. Given the magnitude of the needs across Maryland, support has broadened for the state to take on more debt to pay for school construction. The Board of Education supports consideration of expanding the state’s bonding capacity to meet the growing school facilities needs in Maryland. The Board also would welcome a review of current standards for IAC square footage allowances for new and modernized schools. In addition, any future efforts to combine ASP and QZAB funding should be rejected, along with any efforts to reduce ASP funding below the \$1.023 million legislated for Montgomery County in FY 2006.

Education Funding

Background: During the past seven years, Montgomery County has increased local funding for the operating budget from \$871.9 million in FY 2000 to \$1.456 billion in FY 2008, an increase of 67 percent (an average of 8.4 percent per year). This funding has made possible \$122 million in new and enhanced initiatives to expand full-day kindergarten and prekindergarten programs for low-income children, reduce class size, support special education and ESOL students, modernize technology, and improve accountability.

Since the adoption of the Bridge to Excellence in Public Schools Act (BTE) in 2002, state aid to the county has increased by \$180 million. Unfortunately, the law has not been fully funded as envisioned by the Commission on Education Finance, Equity, and Excellence (Thornton Commission) and the General Assembly. The Geographic Cost of Education Index (GCEI), which recognizes the higher cost of education in certain jurisdictions, including Montgomery County, has not been funded. In FY 2008, the county would have received \$22 million from the GCEI.

Recently, the governor proposed a comprehensive fiscal plan that includes phase-in of the GCEI over three years, from FY 2009 through FY 2011. This phase-in would cost Montgomery County \$20 million in FY 2009 compared with full funding. The governor also proposed a two-year freeze of the mandated inflation adjustment that maintains state aid at an adequate level. After the two-year delay, the inflation adjustment would be capped at 2.5 percent annually, regardless of the rate of inflation. Adoption of this proposal would cost Montgomery County approximately \$19 million in FY 2009 compared with current law and more in future years. Together, these proposals would result in a shortfall of approximately \$39 million in state aid in FY 2009 compared with the current requirements of the BTE law.

Recommendations: The Board of Education supports full funding of the Bridge to Excellence in Public Schools Act of 2002, including funding of the Geographic Cost of Education Index (GCEI). Because FY 2008 marked the final year of the phase-in of the 2002 law, the legislature should reaffirm the principles of the legislation by continuing to mandate an annual inflation adjustment based on current law and full funding of the GCEI. This will ensure that the state share of education funding will be maintained as provided by the Bridge to Excellence Act. The Maintenance of Effort requirement should support the goal of ensuring that local contributions are consistent with the education adequacy requirements of the 2002 law. Additional funding should be supported for adult education programs that support classes in adult literacy and English for Speakers of Other Languages.

Special Student Populations

Background: MCPS and the Maryland State Department of Education (MSDE) share costs incurred for providing appropriate special education services for students with significant educational disabilities who are served in nonpublic schools. The local school system has funded 300 percent of the average per-pupil cost plus 20 percent of the excess costs of the nonpublic tuition. Through the Nonpublic Tuition Assistance Program, MSDE funded the remaining 80 percent of the excess costs of financing nonpublic school tuition. The successful efforts of legislators and education advocates have resisted attempts to change the 80/20 cost-sharing formula to increase the local school system share.

During the 2004 legislative session, the General Assembly also modified the longstanding reimbursement formula for educational services provided at the State Regional Institutes

for Children and Adolescents (RICA), located in Baltimore, Montgomery, and Prince George's counties, operated by the Department of Health and Mental Hygiene (DHMH). Montgomery County traditionally received less than one third of its costs from this reimbursement, with two thirds paid through local taxes. The private school tuition reimbursement formula passed in 2004 paid local districts even less and added an unnecessary administrative burden. Recognizing this problem, in 2005 the legislature restored funding for RICA as it existed before FY 2005. The Budget Reconciliation and Financing Act of 2005 repealed the local cost-sharing requirement for RICA students beginning in FY 2006 and, beginning in FY 2007, prohibited DHMH from billing local school systems for supplementary services provided to RICA students. However, DHMH took the position that the funds designated for the local school systems by the state are needed to cover RICA administrative costs, not educational costs. As a result, MCPS has not received any reimbursement from DHMH for educational services provided at the RICA program since the 2007 school year, resulting in a loss of \$1.3 million annually to MCPS. In addition, the state has already made harmful cuts in funding for therapeutic services provided at RICA by DHMH.

Thousands of low-income children in Maryland depend on school meals for the nutrition they need to learn and grow. Unfortunately, too many children do not take advantage of school meal programs. Researchers have found that classroom breakfast has a positive impact on grades and test scores and improves student attendance, decreases tardiness, and increases students' attention spans. The Maryland Meals for Achievement (MMFA) program, which began as a pilot in 1998, provides funding for schools with high concentrations of poverty to offer breakfast in the classroom daily to all students, regardless of family income. Under state law, any school that participates in the federal School Breakfast Program and has at least 40 percent of its enrollment approved for free or reduced-price meals can apply to become a Maryland Meals for Achievement school. Montgomery County, which began MMFA in September 1999 with one school, currently has 29 participating schools. However, 31 Montgomery County schools that were eligible to participate in the program and applied were not approved for participation because adequate state funding is not available. All 60 eligible schools have applied to be included in the MMFA program.

Recommendations: The Board of Education opposes proposals at the state level to increase the local share of nonpublic placement tuition costs for local school systems. MSDE's Nonpublic Tuition Assistance Program has been beneficial in supporting our obligation to provide appropriate services to students who require intensive special education programming. The state reimbursement for educational services at the Regional Institutes for Children and Adolescents also must be restored. DHMH must be held accountable for conforming to the legal requirement to fund educational services at the RICA sites. The state also should restore full funding for therapeutic services at the RICA sites. Funding for the Maryland Meals for Achievement program should be increased, at a minimum, to accommodate all schools in the state that meet the current eligibility criteria, and additional expansion should be considered.

Comprehensive Master Plan

Background: The Bridge to Excellence in Public Schools Act of 2003 requires school systems in Maryland to—

- 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.

The Montgomery County Board of Education has supported changes to the law that allows school systems that have well-defined, well-designed, and well-deployed strategic plans and accountability systems that meet the requirement of the law to submit these plans, in place of the master plans, to the state superintendent of schools. The Montgomery County Board of Education has advocated for accountability measures that can be used to monitor the progress of the school system to ensure that all students are achieving at high levels. In Montgomery County, this means not only that all students should meet the state's proficiency levels on the Maryland School Assessments and the High School Assessments, but also meet higher standards based on targets established by our Board of Education.

The MCPS strategic plan, *Our Call to Action: Pursuit of Excellence*, is a rigorous, systematic, systemic, results-driven strategic planning process that is responsive to and aligned with student and stakeholder needs. The strategic planning process addresses the requirements of, and is aligned with, the Maryland Bridge to Excellence Act. The multilayered MCPS process integrates and deploys planning efforts throughout the school system with built-in cycles of evaluation and refinement.

Our Call to Action: Pursuit of Excellence meets all the requirements of the law and should be accepted as our master plan. The Board of Education updates the strategic plan every year and uses the plan as the MCPS accountability system. This plan has guided the work of the school system for eight years. It is embedded in the work of every school and office. Creating a separate master plan in addition to the strategic plan duplicates work already done and requires extensive efforts that are not aligned with planning processes in Montgomery County. It requires substantial additional work with little added value.

The current law allows a county board of education to submit a preexisting strategic plan to the MSDE as the county board plan required by this law. However, the current law allows the state superintendent to determine whether the preexisting plan meets the state's requirements. It also allows the state superintendent to establish requirements beyond those that are established in the law.

Recommendations: The Montgomery County Board of Education supports amendments to Section 5–401 of the Education Article of the Annotated Code of Maryland to do the following:

- Eliminate the state superintendent’s ability to require additional information from local boards beyond the requirements of the Bridge to Excellence Act, without the approval of the General Assembly.
- Eliminate the requirement that a county board cannot implement a plan until it is approved by the state superintendent.
- Require that a local school Board’s strategic plan shall be presumed to satisfy the state’s requirements for a comprehensive master plan as long as it describes the goals, objectives, and strategies that will be used to improve student achievement and meets state performance standards and local performance standards in each segment of the student population, as specified in the Bridge to Excellence Act.

Early Childhood Education

Background: State and local investments in high-quality early childhood education strengthen the opportunity for coordination between early childhood programs and public schools. MCPS has completed the implementation of full-day kindergarten at all 124 eligible schools, as required by the Bridge to Excellence Act of 2002. Early childhood opportunities have been expanded and MPCPS now serves more than 3,000 prekindergarten students.

Recommendations: The Board of Education supports statewide initiatives that provide funding for and access to affordable, high-quality early childhood programs, including child care services, that are aligned with state and local school system learning standards and goals. State funding should support local school system efforts to provide training for staff in community-based preschool and child care programs. The state should support proven literacy-based prekindergarten program models, such as the one offered by the Montgomery County Public Schools, and support efforts that encourage the provision of an array of services by a variety of agencies that complement the educational component. An increase in funding for the Purchase of Care (POC) program would permit more low-income children to benefit from community-based prekindergarten programs. The POC program is a child-care subsidy program that helps limited-income families pay for child care while parents work or attend school or job training.

School Safety

Background: Safety in public schools has become increasingly important to local boards of education, as threats to national and community security have taken on new meaning in recent years. Montgomery County public officials and school administrators have worked tirelessly to ensure student and staff safety at all levels. While prevention of disruption and violence has always been a key component of long-term effective school safety strategies,

the federal No Child Left Behind Act requires that states must allow students who attend a persistently dangerous school to transfer to another school. The adverse impact of gang activity and gang-related crimes on the safety of students and staff, as well as the delivery of high-quality education, also must be considered.

Recommendations: The Board of Education supports innovative initiatives that address gang prevention and involvement and speak to strategies that ensure a safe and secure learning and working environment for students and staff. Funding and implementation of these initiatives should be a collaborative responsibility of state and local agencies, and unfunded state legislative mandates should be avoided.

Personnel and Retirement

Background: The inadequacy of Maryland's teacher pension system resulted in a successful effort supported by the Montgomery County Board of Education and delegation to pass legislation in 2006 to significantly improve the system. Without continuous improvement of programs that support employees, the ability to attract and retain highly qualified staff to serve public school children in our county and across the state remains in jeopardy.

Recommendations: As envisioned through passage of the Bridge to Excellence Act, the teacher retirement program should continue to be fully funded and maintained as a state-funded categorical program. The Board of Education opposes any shift in funding responsibility for teacher retirement costs from the state to county governments and local school systems. An evaluation process should be in place for monitoring and updating employee benefits programs, such as the teacher pension system, to ensure the successful recruitment and retention of public school teachers and staff.

Opposition to Public Funding for Private Schools

Background: Nonpublic schools are neither subject to state accountability measures nor to the same legal requirements as public schools, such as those set out in special education laws and teacher certification regulations. With the many unmet needs in public schools, state funds must be used to address the growing needs of students in MCPS and throughout the state.

Recommendations: While acknowledging current federal mandates for use of public funds for public school students in Title I schools, as well as public funding provided for public school students educated in nonpublic special education placements, the Board opposes the appropriation of public funds for private and parochial schools and direct aid to private and parochial students.

Local School Board Authority

Background: While the State Board of Education establishes, through regulations, broad statewide policies and mandates, it is the responsibility of the local board to establish policies and procedures for the public schools within its jurisdiction. Likewise, it is the authority of local boards to develop curriculum within the broad guidelines set by the State Board. The program of studies in each school system is developed as a whole and is linked to state and local assessments. Legislative proposals that speak to public charter schools can only be supported, to the extent that the proposals reaffirm that the sole authority for establishing public charter schools is vested in local boards of education and that commensurate funding means resources equal to what is allocated to similar schools in the district, excluding central administrative expenditures and other expenditures that may be provided in kind. Efforts to expand charter school authority beyond local school boards, or otherwise weaken academic or fiscal accountability requirements, should be opposed.

Recommendations: The Montgomery County Board of Education supports local control of educational policy, administration, and curriculum, and opposes any legislative initiatives that have the effect of reducing local and State Board authority or creating unfunded mandates. By retaining decision-making authority at the local level, a local board of education can best balance educational practices, available resources, public input, and accountability.

Re: **DISCUSSION**

Mr. Moskowitz questioned full funding for the Bridge to Excellence. Was there need for a funding timeline? Ms. Steinberg thought this was not a subject for the platform since it was implicit in the language. Mrs. O'Neill thought the bigger issue is that the percentage of funding is not mandated, and that language should be inserted. Ms. Cox pointed out that the mandate is in the recommendations. Mrs. O'Neill agreed, but thought it should be bulleted for higher visibility.

Mrs. O'Neill suggested that the transmittal letter for the Legislative Platform should encourage legislators to communicate with the local school boards when they are contemplating legislation.

Ms. Cox applauded the eight senators from Montgomery County who demonstrated cohesive advocacy in meeting with the governor and identifying specific initiatives for Montgomery County. Ms. Cox encouraged Ms. Steinberg to work with the delegation side to review and adopt similar priority initiatives for education funding. For the county, education is a big leverage point.

Ms. Brandman pointed out that last year one of the platform items was seeking support for the dual enrollment program. She thanked the delegation that supported this topic. Another issue is support for the Maryland Meals for Achievement, and this grew out of

concern from the Board and SEIU Local 500. Mrs. O'Neill noted that not all schools that were eligible were applying for the program and several more schools have been added.

Mrs. O'Neill stated that it is important to monitor RICA because there appears to be efforts to change the funding.

RESOLUTION NO. 524-07 Re: **LEGISLATIVE PLATFORM**

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

Resolved, That the Board of Education approve the Legislative Platform.

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

RESOLUTION NO. 525-07 Re: **2008-2009 SCHOOL CALENDAR**

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

WHEREAS, The Montgomery County Public Schools parents, **students**, community members, and staff should be informed of the Board-adopted school calendar each year and the subsequent contingency plan identifying days that will be used to make up lost instructional time due to emergency closings; now therefore be it

RESOLUTION NO. 526-07 Re: **2008-2009 SCHOOL CALENDAR**

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

Resolved, That the Board of Education write to the Maryland State Department of Education to request that Advanced Placement test schedules be included in its testing calendar.

RESOLUTION NO. 527-07 Re: **2008-09 SCHOOL CALENDAR**

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

WHEREAS, The establishment of school terms by the Board of Education is required by state law; and

WHEREAS, The Montgomery County Public Schools parents, students, community members, and staff should be informed of the Board-adopted school calendar each year

and the subsequent contingency plan identifying days that will be used to make up lost instructional time due to emergency closings; now therefore be it

Resolved, That the proposed calendar and contingency plan for the Montgomery County Public Schools for the 2008–2009 school year be adopted.

RESOLUTION NO. 528-07

Re: **CONTRACTS OF \$25,000 OR MORE**

On recommendation of the superintendent and on motion of Mr. Abrams 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, Funds have been budgeted and/or identified for the purchase of off-the-lot, new vehicles through Montgomery County Bid No. 7507000445; and

WHEREAS, Funds have been budgeted and/or identified for the purchase of industrial mowers through Bid. No. 9510.1; and

WHEREAS, The acquisition of off-the-lot, new vehicles and industrial mowers through lease/purchase agreements has been reviewed by legal counsel; now therefore be it

Resolved, That off-the-lot, new vehicles and industrial mowers in the amount of \$367,557 be lease/purchased under the Master Lease/Purchase Agreement with First Southwest Leasing Company; and be it further

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

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

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

75070 Off-the-lot, new vehicles
00445

Awardees

Criswell Chevrolet

\$312,041

Ourisman Ford

26,569

Total

\$338,610

1082.3	Professional Services—Extension	
	<u>Awardees</u> (see note)	
	David Barr	
	Ciber, Inc.	
	Computers Hope	
	Linda Gallo	
	James Heffley	
	Lighthouse Management Consulting	
	Mason Dixon Consulting	
	Metro Technical Consulting, Inc.	
	NexGen Infosys, Inc.	
	RDA	
	Solutions IQ	
	Test Pros, Inc.	
	Milton Wilkerson	
	Total	\$900,000
4126.2	Recycling/Trash Removal—Extension	
	<u>Awardee</u>	
	Waste Management	\$528,042
4144.2	Technology Laboratory Workstations—Extension	
	<u>Awardees</u>	
	Diversified Educational System	\$ 158,781
	Midwest Technology Products & Service*	13,924
	Satco, Inc.	1,259
	Total	\$ 173,964
4215.1	Art Tables	
	<u>Awardee</u>	
	Midwest Technology Products & Service*	\$ 48,585
9194.3	Gymnasium Wood Flooring/Sanding/Refinishing at various locations—Extension**	
	<u>Awardee</u>	
	Weyer's Floor Service, Inc.	\$ 60,000
9344.3	Portable Classroom Re-roofing at various locations—Extension**	

	<u>Awardee</u> Interstate Corporation*	\$ 90,000
9411.1	Energy Management System at various locations	
	<u>Awardee</u> Control Systems Sales, Inc.*	\$ 441,190
9509.1	Industrial Mowers	
	<u>Awardee</u> Marathon Power Equipment	\$ 28,947
9617.1	Restroom Renovations at various locations—Extension**	
	<u>Awardee</u> Smith & Haines, Inc.	\$2,000,000
9620.1	Replace Suspended Ceiling System and Lighting at various locations—Extension**	
	<u>Awardee</u> Walker Willis/TA Custom Masonry	\$ 250,000
TOTAL PROCUREMENT CONTRACTS OVER \$25,000		\$4,859,338

* 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. 529-07

Re: **ARCHITECTURAL APPOINTMENT—CABIN
JOHN MIDDLE SCHOOL MODERNIZATION**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Cabin John Middle School modernization project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$39,000,000; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2008 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Samaha Associates, P.C., as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural services that include two minority-owned firms, one of which is Maryland Department of Transportation-certified; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Samaha Associates, P.C., to provide professional architectural and engineering services for the Cabin John Middle School modernization project, for a fee of \$2,086,888.

RESOLUTION NO. 530-07

Re: **AWARD OF CONTRACT—RICHARD MONTGOMERY HIGH SCHOOL REPLACEMENT**

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

WHEREAS, On August 25, 2005, the Board of Education awarded a contract to Bovis Lend Lease, Inc. to provide construction management services for the Richard Montgomery High School replacement facility; and

WHEREAS, The following bid was received on March 6, 2007, for phase II of the site work which includes storm water management, excavation, grading for the ball fields, and the remaining balance of site work:

<u>Bidder</u>	<u>Amount</u>
AccuBid Excavation, Inc.	\$3,335,000

and

WHEREAS, The State Finance and Procurement Code of Maryland allows that, where there is only one responsive bidder, we may negotiate the procurement contract with that one bidder under the procedure for sole source procurement; and

WHEREAS, The Division of Construction has conducted value engineering for the scope of work included in this bid package and identified a savings of \$800,000; and

WHEREAS, The aggregate Minority Business Enterprise participation submitted for the entire project is 18 percent Maryland Department of Transportation-certified, of which 5.7 percent is African American, 7.8 percent is women-owned, and 4.5 percent is other minority-owned; and

WHEREAS, That 3.6 percent non-Maryland Department of Transportation-certified Minority Business Enterprise participation has also been submitted; and

WHEREAS, Requests have been submitted to waive the balance of the Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waivers meet the contract requirements and recommends waiving the remaining balance of the Maryland Department of Transportation-certified Minority Business Enterprise requirements; now therefore be it

Resolved, That a \$2,535,000 contract be awarded to AccuBid Excavation, Inc. for phase II of the site work at the Richard Montgomery High School replacement project, in accordance with the drawings and specifications prepared by SHW Group, LLP.

RESOLUTION NO. 531-07

Re: **AWARD OF CONTRACT—BELLS MILL
ELEMENTARY SCHOOL MODERNIZATION**

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

WHEREAS, On April 19, 2007, the Board of Education authorized staff to utilize a construction management process for the Bells Mill Elementary School modernization project and awarded a contract for preconstruction services to Oak Contracting, LLC; and

WHEREAS, The following low bids were received on October 17, 2007, for the Bells Mill Elementary School modernization project:

<u>Low Bids</u>	<u>Amounts</u>
2A-Sitework – AccuBid Excavation, Inc.	\$4,240,520
3A-Concrete – Canyon Contracting, Inc.	789,035
4A-Masonry – KaRon Masonry of Maryland, Inc.	1,972,000
5A-Steel – S. A. Halac Iron Works, Inc.	2,132,890
6A-Carpentry – Hancock & Albanese, Inc.	1,235,000
7A-Roofing – CitiRoof Corporation	1,134,261
9A-Drywall & Acoustical – Can-Am Contractors, Inc.	534,550
15A-Mechanical – Towson Mechanical, Inc.	3,474,000
16A-Electrical – C. T. Electrical Corporation	1,951,000

and

WHEREAS, The construction management contract contains provisions that permit the Montgomery County Public Schools to assign the awarded trade contracts to Oak Contracting, LLC as part of a guaranteed price agreement to complete the Bells Mill Elementary School modernization project; and

WHEREAS, Staff has negotiated and recommends approval of a guaranteed price contract with Oak Contracting, LLC for the completion of the Bells Mill Elementary School modernization project that includes the assignment of trade work bid by the Montgomery County Public Schools, along with all management and general conditions costs; and

WHEREAS, Oak Contracting, LLC has agreed to accept the assignment of the Bells Mill Elementary School trade contracts awarded on November 13, 2007, and complete the project for the guaranteed price; and

WHEREAS, The aggregate Minority Business Enterprise participation submitted is 16.9 percent Maryland Department of Transportation-certified, of which 6.8 percent is African American, 7.4 percent is women-owned, and 2.7 percent is other minority-owned; and

WHEREAS, A request has been submitted to waive the balance of the Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the Maryland Department of Transportation-certified Minority Business Enterprise requirements; now therefore be it

Resolved, That the trade contracts awarded for the Bells Mill Elementary School modernization project be assigned to Oak Contracting, LLC; and be it further

Resolved, That a \$21,840,350 contract, to include the assignment of the trade contract awards, be awarded to Oak Contracting, LLC for the completion of the Bells Mill Elementary School modernization project, in accordance with drawings and specifications prepared by Walton, Madden, Cooper, Robinson, Pones, Inc.

RESOLUTION NO. 532-07

Re: **ACCEPTANCE OF FAIRLAND
ELEMENTARY SCHOOL GYMNASIUM**

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

WHEREAS, On behalf of the Board of Education, Board Member Christopher S. Barclay

inspected the Fairland Elementary School gymnasium project on October 24, 2007; now therefore be it

Resolved, That the Board of Education accept the Fairland Elementary School gymnasium project and that the official date of completion is that date when formal notice is received from the architect that this project has been completed in accordance with the drawings and specifications, and all contract requirements have been met.

RESOLUTION NO. 533-07

Re: **GRANT OF STORM DRAINAGE EASEMENTS AND DEEDS OF DEDICATION AT GAITHERSBURG ELEMENTARY SCHOOL AND GAITHERSBURG MIDDLE SCHOOL**

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

WHEREAS, The Mayor and City Council (City) of Gaithersburg requested grants of deeds of dedication and storm drainage easements at Gaithersburg Elementary School and Gaithersburg Middle School, located at 35 North Summit Avenue and 2 Teachers Way, respectively; and

WHEREAS, The grants are necessary to extend Teachers Way from Girard Street to North Summit Avenue, in accordance with the City's Olde Towne Master Plan recommendation for redevelopment of a mixed-use infill project along Diamond Avenue; and

WHEREAS, The road design will require grants of dedication of 21,955 square feet from the Gaithersburg Elementary School and 57,483 square feet from the Gaithersburg Middle School; and

WHEREAS, The road design also will require grants of storm drainage and right-of-way easements of 5,959 square feet from Gaithersburg Elementary School and 33,172 square feet from Gaithersburg Middle School; and

WHEREAS, All construction and future maintenance will be undertaken by the City, its assigns, or permittees, at no cost to the Board of Education, with the City assuming liability for all damages or injury and all work; and

WHEREAS, Since the road extension will impact portions of land programmed for school activities, the City has agreed to reconfigure the parking lot, bus loop, parent drop-off, and athletic fields at Gaithersburg Middle School, the details of which will be contained in a Memorandum of Understanding between the City and the Board of Education; and

WHEREAS, The proposed grants of storm drainage easement and right-of-way will benefit

both the school site and the community by improving storm drainage and traffic circulation; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Deed of Dedication to the City of Gaithersburg consisting of 21,955 square feet at Gaithersburg Elementary School and 57,483 square feet at Gaithersburg Middle School; and be it further

Resolved, That the president and secretary of the Board of Education be authorized to execute a Grant of Storm Drainage Easement to the City of Gaithersburg consisting of 5,959 square feet at Gaithersburg Elementary School and 33,172 square feet at Gaithersburg Middle School; and be it further

Resolved, That the Board authorize the superintendent of schools to execute a Memorandum of Understanding with the City of Gaithersburg to reconfigure the parking lot, bus loop, parent drop-off area, and athletic fields at Gaithersburg Middle School, made necessary by the extension of Teachers Way.

RESOLUTION NO. 534-07

Re: **FY 2009 STATE CAPITAL IMPROVEMENTS PROGRAM**

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

WHEREAS, The superintendent of schools submitted the preliminary FY 2009 and subsequent five-year State Capital Improvements Program request to the Interagency Committee on Public School Construction staff on October 5, 2007; and

WHEREAS, The state has changed the date for the submission of the revised FY 2009 and subsequent five-year State Capital Improvements Program from the first week of December to November 27, 2007; and

WHEREAS, A joint letter from the county executive, the County Council, and the Board of Education, as well as a resolution from the County Council approving the revised FY 2009 State Capital Improvements Program request must be included in the submission to the state on November 27, 2007; and

WHEREAS, The County Council is scheduled to act on a resolution for the revised FY 2009 State Capital Improvements Program on November 20, 2007; and

WHEREAS, To allow the County Council to act on the revised FY 2009 State Capital Improvements Program request in time to meet the state submission date of November 27, 2007, the Board of Education must act on the revised FY 2009 State Capital Improvements Program request prior to November 20, 2007; now therefore be it

Resolved, That the Board of Education approve the revised FY 2009 State Capital Improvements Program request in the amount of \$132,748,000 for FY 2009; and be it further

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

RESOLUTION NO. 535-07

Re: **UTILIZATION OF THE FY 2008 PROVISION FOR FUTURE SUPPORTED PROJECTS FUNDS**

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

WHEREAS, The above-noted grants qualify for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 15-631, approved May 27, 2007; and

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

WHEREAS, Sufficient appropriation is available, within the FY 2008 Provision for Future Supported Projects, to permit the above-noted transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2008 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Positions*</u>	<u>Amount</u>
Ambassadors Invested in Mentorship (AIM) program		\$ 154,677
Postsecondary Education Research Centers for Students with Intellectual Disabilities (PERC)		10,000
American Indian Education Program		1,224
Carl D. Perkins Vocational and Applied Technology Education		102,521
21 st Century Learning Community Center		281,250
Emotional Disabilities Cluster Model Project	1.0	185,000
Even Start Family Literacy Program		195,980
Fine Arts Initiative		192,267
Head Start Extended-Year Program		124,000
Head Start Program		47,747
International Research & Studies Program	.5	154,000
Maryland Model for School Readiness (MMSR)—IDEA		44,170
Maryland Model for School Readiness (MMSR) Program		116,698

MD K12 Digital Library	1.0	164,821
Project Learn for Life	1.0	356,536
Project Nexus		6,000
	3.5	\$ 2,136,891
Positions*		
1.0 Social worker		
.5 Secretary		
1.0 Project specialist		
1.0 Instructional specialist		

and be it further

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

RESOLUTION NO. 536-07

Re: **CAPITAL BUDGET REVERSIONS**

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

WHEREAS, Capital budget reversions have accumulated to a deficit of \$15,620,507 at the end of FY 2007; and

WHEREAS, An ongoing deficit in the Capital Projects Fund may have repercussions for external audit findings; and

WHEREAS, The County Government and the Montgomery County Public Schools jointly accept responsibility for this situation and wish to resolve this long-standing issue; and

WHEREAS, A total of \$8,000,000 in General Fund fund balance is available as a source of revenue for an appropriation to the Capital Projects Fund for the capital budget reversions; and

WHEREAS, A recommendation by the county executive of an additional \$7,620,507 in supplemental appropriation will completely resolve this issue; now therefore be it

Resolved, That the superintendent of schools be authorized to transfer \$8,000,000 in General Fund fund balance to the Capital Projects Fund to offset capital budget reversions, subject to County Council approval; and be it further

Resolved, That the county executive be requested to recommend approval of this transfer to the County Council; and be it further

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

RESOLUTION NO. 537-07 Re: **FY 2008 FIRST QUARTER CATEGORY AND OBJECT TRANSFERS REQUEST**

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

Resolved, That the superintendent of schools be authorized to effect FY 2008 categorical transfers of \$1,571,446 in the following categories:

Title II, Part D—Enhancing Education Through Technology

	<u>Category</u>		<u>From</u>		<u>To</u>
3	Instructional Salaries	\$	66,824		
4	Textbooks and Instructional Supplies			\$	109,925
5	Other Instructional Costs		20,224		
12	Fixed Charges		22,977		
	Total	\$	109,925	\$	109,925

Title V, Part A—Innovative Education Program Strategies

3	Instructional Salaries	\$	2,268		
4	Textbooks and Instructional Supplies				\$3,343
12	Fixed Charges		1,075		
	Total	\$	3,343		\$3,343

Transition From Laboratory to Classroom Project

3	Instructional Salaries	\$	5,000		
4	Textbooks and Instructional Supplies		279		
12	Fixed Charges				5,279
	Total	\$	5,279		\$5,279

I-PAS Challenge Initiative

2	Mid-level Administration	\$	32,000		
3	Instructional Salaries		101,834		
5	Other Instructional Costs			\$	133,834
	Total	\$	133,834	\$	133,834

MDK12 Digital Library Project

3	Instructional Salaries	\$	77,000	
4	Textbooks and Instructional Supplies		6,000	
5	Other Instructional Costs			\$ 108,000
12	Fixed Charges		25,000	
	Total	\$	108,000	\$ 108,000
English Language Acquisition Project				
3	Instructional Salaries	\$	100,000	
4	Textbooks and Instructional Supplies			\$ 137,000
12	Fixed Charges		37,000	
	Total	\$	137,000	\$ 137,000
Reading First				
2	Mid-level Administration	\$	21,811	
3	Instructional Salaries		149,758	
4	Textbooks and Instructional Supplies			\$ 198,904
5	Other Instructional Costs		959	
12	Fixed Charges		26,376	
	Total	\$	198,904	\$ 198,904
Title I				
2	Mid-level Administration			\$ 36,768
3	Instructional Salaries	\$	287,480	
4	Textbooks and Instructional Supplies			38,671
5	Other Instructional Costs		370,336	
9	Student Transportation		90,593	
12	Fixed Charges			672,970
	Total	\$	748,409	\$ 748,409
21 st Century Community Learning Center Project				
1	Administration			\$3,205
2	Mid-level Administration	\$	83,770	
4	Textbooks and Instructional Supplies			17,006
5	Other Instructional Costs			76,333
9	Student Transportation		6,072	
12	Fixed Charges		6,702	
	Total	\$	96,544	\$ 96,544

21st Century Community Learning Center: Cybercafe Strategies for Success Project

1	Administration	\$	8,900		
2	Mid-level Administration			\$	20,200
3	Instruction Salaries		17,000		
4	Textbooks and Instructional Supplies				969
5	Other Instructional Costs				9,039
9	Student Transportation		1,836		
12	Fixed Charges		2,472		
	Total	\$	30,208	\$	30,208

and be it further

Resolved, That the superintendent of schools be authorized to effect FY 2008 object transfers of \$749,665 in the following objects:

	<u>Object</u>		<u>From</u>		<u>To</u>
01	Salaries and Wages	\$	250,712		
02	Contractual Services		326,056		
03	Supplies and Materials			\$	38,671
04	Other Expenditures				582,377
05	Equipment		44,280		
	Total	\$	621,048	\$	621,048

21st Century Community Learning Center Project

01	Salaries and Wages	\$	83,770		
02	Contractual Services			\$	77,777
03	Supplies and Materials				17,006
04	Other Expenditures		11,012		
	Total	\$	94,783	\$	94,783

21st Century Community Learning Center: Cybercafe Strategies for Success Project

01	Salaries and Wages	\$	30,900		
02	Contractual Services			\$	32,865
03	Supplies and Materials				969
04	Other Expenditures		2,934		
	Total	\$	33,834	\$	33,834

and be it further

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

Re: **MONTHLY FINANCIAL REPORT**

Mr. Larry Bowers, chief operating officer, stated that this financial report reflects the actual financial condition of the Montgomery County Public Schools (MCPS), as of September 30, 2007, and projections through June 30, 2008, based on program requirements and estimates made by primary and secondary account managers. At this time, revenues are on target, while expenses have a projected deficit of \$1,300,000. Staff will continue to closely monitor both revenues and expenditures

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed from 12:10 to 1:40 for lunch and closed session.

RESOLUTION NO. 538-07 Re: **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated November 13, 2007

RESOLUTION NO. 539-07 Re: **DEATH OF ARNOLDE E. FOELSTER, PRINTING EQUIPMENT OPERATOR III, ELECTRONIC GRAPHICS/PUBLISHING**

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

WHEREAS, The death on September 29, 2007, of Mr. Arnold E. Foelster, printing equipment operator III in Electronic Graphics/Publishing, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the 42.9 years Mr. Foelster had worked for the Montgomery County Public Schools, he demonstrated professionalism when dealing with the staff; and

WHEREAS, He completed an unusually high output of work, especially when it was exceedingly heavy during the summer; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Arnold E. Foelster and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Mr. Foelster's family.

RESOLUTION NO. 540-07

Re: **DEATH OF MS. LINDA A. GISHEN, STAFF DEVELOPMENT TEACHER, MILL CREEK TOWNE ELEMENTARY SCHOOL**

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

WHEREAS, The death on September 19, 2007, of Ms. Linda A. Gishen, staff development teacher at Mill Creek Towne Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the 21.8 years that Ms. Gishen had been employed by Montgomery County Public Schools, she was a conscientious, dedicated professional who, in her recent years, was a very active member of the Mill Creek Towne learning community; and

WHEREAS, Her commitment to the Montgomery County Public Schools involved taking on new challenges with gusto and good humor, making her a very valuable employee; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Linda A. Gishen 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. Gishen's family.

RESOLUTION NO. 541-07

DEATH OF TIWANDA M. PRATHER, BUILDING SERVICE WORKER, ROCKVILLE HIGH SCHOOL

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

WHEREAS, The death on October 13, 2007, of Ms. Tiwanda M. Prather, building service worker at Rockville High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the 23.6 years that Ms. Prather had worked for the Montgomery County Public Schools, she demonstrated dedication and pride in maintaining the appearance of her school; and

WHEREAS, She was well received by members of the school staff and was willing to cover when the school was short-staffed; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools

express their sorrow at the death of Tiwanda M. Prather 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. Prather's family.

RESOLUTION NO. 542-07 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved, effective November 14, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Jennifer Lowndes	Instructional Specialist, Division of Accelerated and Enriched Instruction	Coordinator of Special Initiatives, Department of Enriched and Innovative Programs

RESOLUTION NO. 543-07 Re: **RESCISSION AND TECHNICAL MODIFICATION OF VARIOUS POLICIES**

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

WHEREAS, During the ongoing review of policies by the offices responsible for the content, several policies were identified for rescission or non-substantive modification to clarify the intent of the policy; and

WHEREAS, After reviewing staff's proposals, the Policy Committee recommends six policies for rescission and recommends one policy for non-substantive revision; now therefore be it

Resolved, That the following policies be rescinded because they involve operational matters that do not rise to the level of a policy: Policy ISE, *Summer School Graduation*; Policy COA, *Visitors to School During the School Day*; and Policy DJC, *Newspaper Advertising*; and be it further

Resolved, That Policy GGA, *Duty Hours and Days*, is rescinded because it is repetitive of the requirements contained in the *Education Article* of the *Annotated Code of Maryland*, as well the negotiated agreements with the respective unions; and be it further

Resolved, That Policy CGA, *Summer School*, is no longer necessary and is hereby

rescinded because Policy IEA, *Framework and Structure of Early Childhood and Elementary Education*; Policy IEB, *Middle School Education*; and Policy IED, *Framework and Structure of High School Education*, provide operational and instructional mandates for the regular school year that also apply to instructional opportunities provided during the summer months, and be it further

Resolved, That Policy GFB, *Temporary Reassignment of Administrative and Supervisory Personnel*, is hereby rescinded because it was subsumed by the enactment of Policy GAA, *Positive Work Environment in a Self-Renewing Organization*; and be it further

Resolved, That Policy KEA, *Political Campaigns and Political Materials*, be revised with a non-substantive change to clarify the policy's intent to allow students to participate in primary and general elections, effective immediately, so that page 2 lines 39-42, read as follows:

2. Released time may be granted to students for such participation for a total of three school days per school year during the two-week period immediately prior to a primary or general election.

RESOLUTION NO. 544-07

Re: **SECONDARY PILOT COURSES**

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

WHEREAS, On February 13, 2001, the Montgomery County Board of Education adopted Policy IFA, *Curriculum*, governing all curriculum development and implementation; and

WHEREAS, the Montgomery County Public Schools established procedures under Regulation IFA-RA, *Curriculum*, to allow school staff to develop and pilot noncore curriculum courses through the Office of Curriculum and Instructional Programs; and

WHEREAS, the Montgomery County Public Schools established procedures under Regulation IFA-RA, *Curriculum*, to allow externally developed curriculum and instructional programs to be used in place of Montgomery County Public Schools curriculum after review and approval, using the process for noncore curriculum development; and

WHEREAS, The proposed courses have met all of the requirements established in the procedures; and

WHEREAS, These proposed courses support and extend the Middle School Magnet Consortium; the Middle School Reform Initiative; and high school signature, academy, career and technology, and elective programs; now therefore be it

Resolved, That the Montgomery County Board of Education approve the courses as pilot

courses or fully implemented countywide courses or online versions of existing Advanced Placement courses, in accordance with the procedures established in Regulation IFA-RA, *Curriculum*.

Re: **UPDATES ON HIGH SCHOOL ASSESSMENTS**

Dr. Frieda Lacey, deputy superintendent, pointed out that on October 31, 2007, the Maryland State Board of Education reaffirmed that passing the High School Assessments (HSA) will be a requirement for students to receive a Maryland high school diploma, beginning with the Class of 2009. In addition, the Board approved in principle a Bridge Plan, proposed by the Maryland State Department of Education (MSDE) to accommodate students who struggle to pass the HSA. MSDE advises that the information presented in the Bridge Plan is "a preliminary overview," and will be updated on January 7, 2008. Complications for implementation are: (1) no universal IDs, and (2) no modified HSAs.

Mr. Stephen Bedford, chief school performance officer, gave a brief overview of the Bridge Plan. Recently, Dr. Grasmick, state superintendent of schools, provided the following information:

A student may begin work on a Bridge Plan for Academic Validation as soon as he or she becomes eligible. In order to be eligible for the Bridge Plan, a student must—

1. have passed the HSA-related course (local determination),
2. have taken and failed the relevant HSA assessment at least two times,
3. have participated in remediation for the HSA (local decision),
4. Not have reached the minimum 1602 combined score,
5. be otherwise on track to graduate (local decision as to being on track), and
6. have good attendance (local decision).

There will be "content expectations" in English 10, Algebra/Data Analysis, Government, and Biology. There will be a minimum of four and a maximum of six content expectations for each subject. The Maryland State Department of Education has developed a bank of 80 project modules. The project module for each content expectation will be given a "point value."

Dr. Lacey stated that, based on the packet from the state, the system cannot go forward and train principals until there is more information in January.

Re: **DISCUSSION**

Ms. Cox asked when the system would have the first set of students who had two opportunities to fail the HSA. Staff replied that it would be juniors failing algebra only.

Dr. Weast added that the test does not measure a student's strength. The state should use the College Board standards.

Ms. Cox wanted to know the constructive outcome of this discussion. Is there a pathway to communicate the concerns of the school system? If not, does the Board need to maintain a list of questions to be transmitted to the state superintendent of schools? Mr. Bedford replied that staff members have several questions that they wanted to share with the Board. Ms. Cox added that the Board has been supportive of changes in the HSAs, and she wanted a discussion that produced concrete suggestions for improvement.

Mr. Abrams disagreed with Ms. Cox, based on her premise that something worthwhile could come from the discussion. Anything that is done to improve the HSA is a disservice to the students of Maryland. The original purpose behind HSAs was to merit performance in specific fields of competency to demonstrate qualification for a diploma in Maryland. However, if a student fails an exam twice, there is the option of the Bridge Plan with the choice of modules within the content area.

Mrs. O'Neill stated that she was appointed to the work group, and it was an easy decision that some students would need alternative formats for testing. After a great deal of work, the task force's findings were presented to the State Board that voted to set June 2009 for passage of the HSAs for graduation. There are so many things wrong with the HSAs, and the Board believes in rigorous class work and a higher standard for graduation. She believed that there should be an alternative format for students who cannot respond with paper and pencil, but the Bridge Plan is not that format. It is shameful that the students who already took the test will be held to the same standard as future students who will take a different test. She agreed with the State Board members who wanted to wait until June 2010 before making it mandatory to pass the HSAs since there are many unanswered questions. Over a year ago, the superintendent put together a white paper outlining the issues of concern about the HSAs, and that was sent to the state superintendent, all county superintendents, and the Maryland Association of Boards of Education. At this point, Mrs. O'Neill moved Resolution 545-07.

Ms. Cox seconded the motion because she thought it was important to have the Board's concerns on the record.

Mrs. O'Neill stated that Colorado is considering using the ACT as an exit exam, and she thought that was a better concept than Maryland's HSAs.

Mr. Abrams pointed out that there is no incentive for the student taking the test except to be done with it. There needs to be some connectivity to valid competency.

Mr. Moskowitz added that there is no feedback to the student who fails a test regarding the content area where knowledge is lacking.

Mrs. O'Neill added that the state is very slow in getting information to students. The state superintendent held a press conference to announce that IB and AP tests would be accepted in National, State, and Local Government courses. However, the regulation was not approved by the federal government, and the students had to take the HSA. As a result, she said that she does not trust the state to have all the details worked out in order for students to receive their diplomas.

RESOLUTION NO. 545-07 Re: **UPDATES ON HIGH SCHOOL ASSESSMENTS**

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

Resolved, That the Board of Education send a letter to the Maryland State Board of Education (with copies to the governor, state superintendent, Maryland Business Roundtable for Education, all county boards of education and superintendents in the state of Maryland), that encompasses the following ideas:

1. There are too many flaws in released documents to move forward and hold 2009 students accountable
2. Include concrete examples of unintended consequences of their actions
3. Ask pertinent questions regarding how to operationalize their concept in the largest school system in the state.

Re: **SCHOOL SAFETY REPORT UPDATE**

Mr. Larry Bowers, chief operating officer, stated that, on March 26, 2007, the Board of Education approved an action plan to develop an annual school safety report to improve public communication and the review of data about serious incidents in the Montgomery County Public Schools. During the past several months, staff has been working to develop a prototype of a school safety report—*School Safety and Security at a Glance*. Stakeholders, including parents, community members, principals, and students, have provided input. This new document links the complex requirements under the law and Board of Education policy governing the collection of data, and provides a useful, straightforward means to report data related to school safety. The *School Safety and Security at a Glance* report will be published during the summer of 2008 and will include data from the 2007–2008 school year. The data will be available to parents, students, staff, and the public.

Re: **DISCUSSION**

Ms Brandman noted that the Board had received a letter from the County Council with some concerns that had been raised by the Victim Services Advisory Board. Mr. Bedford stated that MCPS is sensitive to the victim in the schools and community. MCPS advocates that this organization work very closely with student services. The school system will support a victim in a manner that is helpful and positive.

Ms. Cox thought the system has in place formal or informal protocols guiding a student to his or her counselor who has the expertise and information to help the student and his or her family. Staff agreed that this is the usual procedure.

Ms. Cox asked about the reporting of serious incidents and the inconsistency in schools across the county. She wanted to know how administration knows when there is consistent reporting. Mr. Bedford stated that guidelines are sent to schools detailing the type of incidents qualify as serious incidents. School staff is also encouraged to contact the Office of School Performance (OSP) when they are in doubt. A principal stated that the guidelines are clear, and the input from the community superintendents makes the process easy. Furthermore, principals and staff have been trained on procedures relating to reporting serious incidents.

Ms. Cox wanted to know if OSP looked at the survey results to determine consistency in students reporting their feelings of safety and the number of serious incidents reported. Therefore, if the students reported that they did not feel safe and there were few serious incident reports, it could be an indicator of inconsistency. Mr. Bedford said that is exactly one of the outcomes envisioned by this proposed tool since it takes data from various reports and puts it on one page to pick out trend data.

Mr. Moskowitz thought this was a great document, and he thanked staff for seeking input from various groups, including students. He especially liked the feelings of safety experienced by students and staff, and the safety of their personal belongings at school. He wanted to know how this tool reported in-school suspensions. Mr. Bedford noted that the supporting data for the report is housed elsewhere and can be drawn upon to answer various questions.

RESOLUTION NO. 546-07

Re: **AMENDMENT**

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

Resolved, That the Board of Education amend the following *Whereas* to read:

WHEREAS, The report is intended to provide easy-to-understand information and generate questions and conversations about school safety among staff,

parents, **students**, and community; now therefore be it

Re: **DISCUSSION**

Mr. Abrams asked whether this was the template that would be submitted to the state for its annual requirement. Staff replied that the state has its own reporting requirements, including in- and out-of-school suspensions, which is available on their Web site.

Mr. Abrams asked if this information can be included in the *Schools-at-a-Glance* instead of two documents. Staff replied that the data will be collected at different times. Mr. Abrams said he was convinced that one publication would be a better vehicle to communicate with the public. Dr. Weast noted Mr. Abrams suggestion because he liked information in one place. It will take some time to coordinate all of the information and the collection process.

Dr. Docca supported the principals since there are incidents that have to be reported, such as arson, weapons, dangerous substances, etc. She said she was convinced that principals faithfully report those infractions. One of the areas of concern is insubordination, and the work group on suspensions is working on this issue. This will be a systemwide undertaking, working with principals, staff, students, and parents. She said that, from her experience, principals call OSP to report what is happening and seek guidance. The top concern is the inordinate suspensions for insubordination, especially among African American and Latino students. Her concern on the report was that one student may have several infractions and before the services are in place, the incidents are in the log. This would provide evidence that the school is a dangerous place. There needs to be a caveat to note this type of occurrence. Dr. Weast agreed and asked staff if there was a way to reflect the number of students involved in various serious incidents. He said he was convinced that transparency will lead to a better climate in schools throughout the district.

Mr. Barclay thought there was an easy way to accomplish this by dividing the number of students with the serious incidents. He asked what the infractions were that warranted in-school suspensions. The principals wanted to keep the students in school and not remove them from the program. Discretion is used, except for the major five infractions that demand out-of-school suspension.

Mr. Barclay noted that in-school suspensions are not included in this report, but the state now requires that information. Why is this not in this report? Where can this information be found? He said he was very concerned about the disproportionality of the suspension data. What is the nature of the suspensions? Ms. Cox added that she wanted a definition of in-school suspensions and the state requirement since she had heard detention in an explanation. Staff explained the circumstance and notification for in-school suspension is different than detention. Dr. Docca commented that in-school suspensions are used for insubordination and absenteeism, for example. Dr. Weast thought that the Board was on the verge of making the report do too many things. The object is to ameliorate student behavior.

Mr. Barclay asked for the data on in-school suspensions. What discipline is being used in schools to address student behavior? Dr. Weast directed staff to send the information to the Board.

Ms. Cox interpreted Mr. Barclay's request—how does the school system let the public know where to access the in-school suspension. This document could reference the state's Web site.

Mr. Barclay thought it was important to know what schools are using to address different behaviors, such as consequences or alternatives. It would be instructive for other schools to see those different approaches to similar issues.

Ms. Cox remarked that the discussion emphasizes that there are a number of different uses and purposes for this type of report, such as to improve the process to help children and information for the public. The genius for this report was because there was no one place to show what the system was doing. There have been a lot of ideas expressed by the Board, and she would like to see a report come back to the Board prior to finalizing the serious incident report.

RESOLUTION NO. 547-07 Re: **AMENDMENT**

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

Resolved, That the Board of Education amend the resolution to read:

Resolved, That the Board of Education have a periodic review of the report.

Re: **DISCUSSION**

Mrs. O'Neill noted ameliorating student behaviors, and there are programs mentioned in the resolution. She thought it would benefit the Board to have a discussion about some of the strategies used within the schools. The Board hears about Positive Intervention Supports and the Collaborative Action Process. Is there data on either of these programs? Positive Behavioral Interventions and Supports is talked about throughout the state. Is it really working? Ms. Brandman thought these topics could be folded into the Board's work session on suspensions.

RESOLUTION NO. 548-07 Re: **SCHOOL SAFETY REPORT UPDATE**

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

WHEREAS, A staff work group met and examined numerous system and state reports,

including Montgomery County Board of Education policies and Montgomery County Public Schools regulations, the new Incident Reporting System, and other school district and Maryland State Department of Education documents that convey information on school safety; and

WHEREAS, The efforts of the work group members resulted in the development of a school safety report, *School Safety and Security at a Glance*, which provides useful data on serious incidents, suspensions, and other pertinent school data; and

WHEREAS, Input was sought from stakeholders—parents, staff, students, community representatives, and other agencies—for the development and design of *School Safety and Security at a Glance* for the Montgomery County Public Schools; and

WHEREAS, The report is intended to provide easy-to-understand information and generate questions and conversations about school safety among staff, parents, students, and community; now therefore be it

Resolved, That the Board of Education supports the superintendent of schools' School Safety and Security at a Glance report for the public reporting of related data for all schools and the use of such data to support the district's goal to improve school safety and security; and be it further

Resolved, That the Board of Education have a periodic review of the report; and be it further

Resolved, That the attached draft of the school safety report be shared with the Montgomery County Council.

RESOLUTION NO. 549(a)-07 Re: **CLOSED SESSION RESOLUTION**

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

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

Resolved, That the Board of Education of Montgomery County conduct closed sessions on Tuesday, December 11, 2007, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:00 to 2:00 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. 549(b)-07 Re: **REPORT OF CLOSED SESSION**

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

On October 22, 2007, 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 October 22, 2007, from 5:30 to 6:00 p.m., in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

Discussed matters of an administrative function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

In attendance at the closed session were Steve Abrams, Christopher Barclay, Shirley Brandman, Sharon Cox, Judy Docca, Brian Edwards, Roland Ikheloa, Suzann King, Ben Moskowitz, Nancy Navarro, Patricia O'Neill, Glenda Rose, and Jerry Weast.

RESOLUTION NO. 549(c)-07 Re: **APPEALS**

WHEREAS, The Board of Education has met in closed session, and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-503(a) of the *State Government Article*; now therefore be it

Resolved, That the Board of Education hereby decides the following appeals, reflective of the Board members' votes in closed session, the disposition of which will be recorded in the minutes of today's meeting:

<u>Appeal Number</u>	<u>Type</u>	<u>Disposition</u>
2007-24	Student Expulsion	Affirmed
2007-63	Complaint from the Public	Affirmed
2007-64	Student Placement	Affirmed
2007-65	Complaint from the Public	Affirmed
2007-67	Early Entrance to Kindergarten	Affirmed
2007-68	Early Entrance to Kindergarten	Affirmed
2007-69	Complaint from the Public	Affirmed

T-2007-44
T-2007-46

Student Transfer
Student Transfer

Affirmed
Affirmed

Re: **BOARD COMMITTEE UPDATES (IF NEEDED)**

POLICY COMMITTEE

Ms. Cox, chair of the Policy Committee, stated that the committee has been very active in pursuing its charge. In collaboration with Montgomery County Public Schools (MCPS) staff, and ably supported by Board Office staff, we have been productive in our three focus areas: reviewing and revising policy; developing templates for the evaluation of policy implementation; and monitoring the implementation of major policy revisions. As you know, we have periodically brought recommendations to the Board for its review and approval, including the items acted on at today's meeting. The following is a synopsis of the committee's recent activity, as well as information about the committee's workplan.

Recent Committee Actions. The Policy Committee generally meets the second Wednesday of the month. Over the past few meetings, the committee has done the following:

- Reviewed the committee's charge. The president of the Board asked each Board committee to review its charge and report back to the Board regarding whether any changes are necessary. Given that the Policy Committee's charge is derived from Policy BFA, *Policysetting*, and the committee is implementing that policy, the committee felt that no changes were necessary.
- Reviewed and provided comments on the development of guidelines. On February 26, 2007, the Board of Education directed the Policy Committee to examine the policy implications regarding the use of religious venues for public school events. After a presentation from legal counsel and additional discussion, the committee determined that this was not an issue for a policy; rather, the superintendent should promulgate guidelines for principals governing the use of religious venues for school events. The Policy Committee reviewed and modified a draft of the guidelines provided by MCPS staff.
- Asked staff to make a recommendation concerning the system process for identification of policies needing revision or rescission. In light of the *Taylor v. Montgomery County Board of Education* case (before the Maryland State Board of Education, Opinion No. 07-32), the committee was interested in the process and procedure utilized by staff for monitoring/reviewing policies to determine the policies that should be rescinded, revised, or rewritten to reflect law or consistency with other policies. Staff discussed the recent enhancements to the policy audit process that will cause each policy to be reviewed every three years. Discussion focused on the need for a mechanism to trigger a review based on the policy's last revision date or original policy adoption, the need to streamline policies, the audit process, and the new enhancements to the audit process. Staff will report back to the committee concerning how to evaluate the outcome of the three-year policy review

process.

- Reviewed Policy JNA, Curricular Expenses for Students. In light of several community complaints about being required to purchase textbooks, the committee asked staff for a report concerning Policy JNA, its implementation system-wide, and the associated monitoring process. Staff will report back to the committee concerning a monitoring strategy, as well as the changes that have been made in the processes and communication to parents concerning the issue.
- Development of policy evaluation process. During this process, staff will determine the policies' guiding principles, examine the scope, establish the standard of review, determine the evaluation methodology, analyze the effectiveness of policies' implementation, evaluate whether the desired outcomes have been achieved, and provide any relevant recommendations. This process will be used to begin evaluation of Policies IPD, CNA, and GAA. Staff will provide the committee with an update on the evaluation work plan.
- Received an update on the implementation of Policy JEB, *Early Entrance to Prekindergarten, Kindergarten, and First Grade*. After receiving an update from staff concerning the implementation of Policy JEB and a robust discussion of the issue, the committee asked staff to come back with information concerning the cost for central office staff in evaluating children beyond the six week window, potential for redeployment of resources if different operating procedures were utilized, and the impact on children who applied but were not admitted to early entrance into kindergarten.
- Received periodic reports on the implementation of Policy IEB, *Middle School Education*, and Policy IKA, *Grading and Reporting*.
- Developed recommendations concerning the adoption of Policy HDD, *Designation of the Montgomery County Association of Administrative and Supervisory Personnel as Exclusive Representative of Noncertified Supervisory Employees*, and the rescission of Policy KMC, *Services Provided to Nonprofit Private Organizations*.

Committee Workplan. The following items will be considered by the Policy Committee at future meetings:

- Glossary of policy terms
- Policy IOA, *Gifted and Talented Education*
- Review of the revised Board of Education Handbook
- Policy EEA, *Student Transportation*
- Quarterly updates of Policy IEB, *Middle School Education*, and Policy IKA, *Grading and Reporting*

The Board's December 2006 decision to hold a public discussion on the Deputy Superintendent's Advisory Committee on Gifted and Talented Education Report has been referred to the committee by the president of the Board. The report, released to the Board in November of 2006, has been used to inform the work of both AEI and school-based staff, as well as that of the work group that is reviewing Policy IOA. The committee will make a recommendation to the full Board regarding the value of scheduling a discussion solely on the report, or incorporating the report in a discussion of the revision of Policy IOA.

AUDIT COMMITTEE

Mr. Barclay, chair of the Audit Committee, updated the Board on the outcome of the committee's meeting, which was held on November 8, 2007. The committee had a very productive session as it tackled the attached agenda, which included review of Middle School Magnet Transportation for the Middle School Magnet Consortium (MSMC), the Actuarial Valuation Report, and an update on the FY 2009 Operating Budget with a review of maintenance-of-effort requirements.

The Audit Committee appreciated the updates on the various items listed in the agenda. As part of its work plan this fiscal year, the committee will be receiving updates on issues impacting the Operating Budget as it is being developed. As a result, MCPS staff briefed the committee on Maintenance of Effort and Spending Affordability Guidelines. The committee also performed the annual review and actuarial valuation of the employees' retirement and pension systems as of July 1, 2007.

The majority of the committee's time was spent exchanging dialogue and obtaining information on the Middle School Magnet Transportation. In August 2004, MCPS received a \$7.2 million grant from the U.S. Department of Education to create magnet programs at Argyle, Parkland, and Loiederman middle schools. A major component of the grant is the provision of choice to middle school students. By Board resolution, transportation is provided for middle school students from the Bethesda-Chevy Chase, Walter Johnson, and Rockville clusters who enroll and are accepted into the Middle School Magnet Consortium. The Board also resolved that such transportation arrangement would be reviewed when the federal grant expires, to determine whether this service will continue to be provided. The grant expires this fiscal year.

During the dialogue several issues came to light:

- There was the acknowledgment by MCPS staff and Board members that the MSMC program had been successful, highlighting the need to replicate similar programs that encourage diversity of course offerings and high academic rigor in schools.
- However, MCPS staff and Board members acknowledged the unintended consequence of high-performing students being attracted from schools with high mobility and FARMS rates to the schools in the new MSMC. Two schools feeling a significant impact of this phenomenon are Silver Spring International and E. Brooke

- Lee middle schools.
- Committee members brainstormed several ideas for replicating the model in other schools without exacerbating the problem of drawing too many high-performing students from their local schools. It became apparent that there needs to be a broader discussion on this issue after a review of feasible options and their attendant fiscal implications (both capital and operating).
 - MCPS staff reported that a budget initiative is under development, which will be considered during the FY 2009 budget process. The initiative will include a proposal to replicate components of the MSMC programs at Silver Spring International Middle School and E. B. Lee Middle School.
 - Given that the applications to the consortium are due this December, the committee felt that a message needs to be sent to the community regarding expectations for providing transportation to students who are coming in from outside the consortium.
 - On a 2-1 vote (Mrs. O'Neill and Mr. Abrams voting for the measure, with me in opposition) the committee adopted a motion stating that it was the sense of the committee that transportation for out-of-consortium students be terminated with the current students grandfathered into the current arrangement.
 - Regardless of the vote, committee members asked several questions regarding the MSMC, including the following: In lieu of providing transportation incentives, what can the school system do to stabilize the student populations within the individual local middle school boundaries? What are the options for replicating the success of the MSMC model? What would be the cost of providing transportation systemwide like we do for some magnet programs? What is being done in the meantime to improve the programs at highly impacted schools?

Mr. Barclay thanked fellow committee members for actively participating in a very important debate. He also thanked staff for patiently providing answers to their numerous questions. He said that he looks forward to getting more updates on the situation in the next several weeks.

RESOLUTION NO. 550-07

Re: **APPOINTMENTS TO THE SPECIAL
EDUCATION CONTINUOUS IMPROVEMENT
TEAM ADVISORY COMMITTEE**

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

WHEREAS, By Resolution No. 621-03, enacted on December 9, 2003, the Board of Education established the Board of Education Special Education Continuous Improvement Advisory Committee (SECIT) to serve in an advisory capacity to the Board and to replace the Continuous Improvement Team that has served since 1999; and

WHEREAS, On September 24, 2007, the Board adopted Resolution No. 474-07 updating the charge of the committee to advise the Board's Special Education Ad Hoc Committee and to provide formal recommendations regarding policy and practice in order to support the continuous improvement of special education in the Montgomery County Public Schools (MCPS), with committee membership comprising between 15 and 20 adult members and two student members; now therefore be it

Resolved, That, for membership in the category of "MCPS Central Office Administrators," the superintendent be authorized to designate representatives from the following administrative offices as necessary to ensure continuous representation of the offices on the committee:

The Office of Special Education and Student Services
The Office of School Performance
The Office of Curriculum and Instructional Programs
The Department of Shared Accountability;

and be it further

Resolved, That the Office of Special Education and Student Services work with the Student Government Association to designate two students to serve on the SECIT Committee by November 30, 2007, and redesignate as necessary to ensure continuous representation of students on the committee; and be it further

Resolved, That the following individuals be appointed to serve a term effective November 30, 2007, and ending June 30, 2009:

Parent of MCPS Student with Special Education Needs and Community Representative

Laurie Collins
Cheryl Kravitz
Laura Swerdlin
Ricky Sabia
Martin Schwartz
Margaret McLaughlin
Karen Leggett
Yvonne Murrell
Marguerite Colston
Mark Wong

MCPS School-based Staff

Michelle Schultze
Joanne Hoffman
Victoria Raskin
Rosalene Allen

Travis Wiebe

Higher Education Representative
Edward Siguel

Re: **NEW BUSINESS**

On motion of Ms. Cox and seconded by Mr. Abrams, the following new business item was introduced:

WHEREAS, Policy FAA, *Long-Range Educational Facilities Planning*, guides the Board of Education's process for planning for school facilities that address changing enrollment patterns and that sustain high-quality educational programs, in accordance with the policies of the Board; and

WHEREAS, Regulation FAA-RA, *Long-Range Educational Facilities Planning*, is designed to implement the Board's policy to achieve success for every student by providing appropriately utilized, functional, and modern facilities; and

WHEREAS, FAA-RA outlines the process for involvement in the planning process by the Montgomery County Council of PTAs (MCCPTA) and the community in general, with no specific delineation of roles for the leadership of new organizations that serve special populations and emerging groups; now therefore be it

Resolved, That the Board asks the superintendent of schools to review and revise the appropriate regulations as necessary to ensure that the leadership of parent organizations not traditionally affiliated with the parent teacher associations are included in the Montgomery County Public Schools' outreach for input on facilities issues.

Re: **ITEMS OF INFORMATION**

The following items were available:

1. Legal Fees Report
2. Construction Progress Report
3. Minority-, Female-, or Disabled-owned Business Procurement Report for the First Quarter of Fiscal Year 2008

RESOLUTION NO. 551-07

Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of November 13, 2007, at 4:40 p.m.

 PRESIDENT

 SECRETARY

JDW:gr

Resolution	Abrams	Barclay	Brandman	Cox	Docca	Moskowitz	Navarro	O'Neill
2008-2009 School Calendar	A	A	A	A	A	A	O	A
Legislative Platform	A	A	A	A	A	A	O	A
Secondary Pilot Courses	A	A	A	A	A	A	O	A
High School Assessments	A	A	A	A	A	A	O	A
School Safety Report Update	A	A	A	A	A	A	O	A

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

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

November 13, 2007

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