

APPROVED  
1-2008

Rockville, Maryland  
January 8, 2008

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, January 8, 2008 at 10:25 a.m.

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

Absent: Dr. Judy Docca

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

RESOLUTION NO. 1-08 Re: **RESOLUTION FOR CLOSED SESSIONS**

On recommendation of the superintendent and on motion of Ms. Cox seconded by Mr. Abrams, the following resolution was unanimously adopted 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 January 8, 2008, in Room 120 from 9:00 to 10:00 a.m. and 12:00 to 2:00 p.m. to discuss the Human Resources Monthly Report, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County 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 January 8, 2008, 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 this portion of the meeting continue in closed session until the completion of business.

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. 1(a)-08 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for January 8, 2008.

RESOLUTION NO. 2-08 Re: **AFRICAN AMERICAN HISTORY MONTH**

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, The history of African Americans began in 1619 with the settlement of twenty African Americans at Jamestown, Virginia; and

WHEREAS, In 1926, Dr. Carter D. Woodson, African American educator and historian, moved to officially recognize the achievements and contributions that African Americans make to our society; and

WHEREAS, African Americans have contributed significantly to the growth and development of the country and our county through their distinguished leadership in the fields of science, medicine, education, law, government, religion, the arts, and the humanities; and

WHEREAS, African Americans currently represent 22.9 percent of the overall enrollment of the Montgomery County Public Schools; and

WHEREAS, In 2007, African American students earned 1,062 scores of 3 or higher on Advanced Placement exams, accounting for 39.4 percent and 3.2 percent, respectively, of all Advanced Placement exams with scores of 3 or higher earned by African American public school students in Maryland and the nation; now therefore be it

Resolved, That the Montgomery County Board of Education and superintendent of schools hereby declare the month of February 2008 to be "African American History Month"; and be it further

Resolved, That the Montgomery County Board of Education and superintendent of schools encourage the staff, students, parents, and community to actively honor the contributions of African Americans in Montgomery County, the state, and the nation, and enhance the

awareness of the impact of attitudes and expectations on the achievement of African American students.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Rockzana Flores	Budget and Speaking slots
2.	Lisa Gabriel	Silver Spring International Middle School PTSA
3.	Judy Koenick	United Healthcare

Mr. Barclay suggested that the budget hearing be restructured in order for students to testify.

Ms. Cox asked for a staff response to Ms. Gabriel's testimony about modifications to the lottery system.

Ms. Navarro asked for a response to Ms. Koenick's comments about United Healthcare, and how her concerns have been addressed.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast commented on the two new school buildings: Richard Montgomery High School and College Gardens Elementary School.

Nobel Laureate William D. Phillips will speak about the science of cold temperatures to approximately 800 students at Parkland Magnet Middle School for Aerospace Technology in Rockville. The event, which will include live demonstrations, will coincide with the premiere of a two-part national public television science program called "Absolute Zero and the Conquest of Cold."

Mr. Moskowitz wished his peers good luck on their upcoming exams.

Mr. Abrams congratulated Dr. Weast who was named one of this year's Washingtonians of the Year. He thought it was well deserved.

Ms. Brandman noted a presentation on parent involvement, and the Board spends time thinking about and working on how the system can grow. She commented that Education Week reported that the federal under *No Child Left Behind* is opening the pilot on the growth model as an alternative for accountability. The MSDE would need to make application for Maryland. She wanted to know if the Board wanted to encourage them to make such an application.

RESOLUTION NO. 3-08

Re: ***NO CHILD LEFT BEHIND GROWTH MODEL***

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

Resolved, That the Board of Education send a letter to the Maryland State Department of Education encouraging the state to participate in the new growth model testing program offered as part of changes to the *No Child Left Behind* (NCLB) Act; and be it further

Resolved, That the letter also would reiterate the importance of developing an NCLB testing instrument adapted for ESOL and Special Education students.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Mrs. O'Neill commented that she and Ms. Brandman had toured Richard Montgomery High School. Also, she noted that January 22 is the deadline to register in order to vote in the primary.

Mr. Barclay commented on a STEP Competition at John F. Kennedy High School, and the ladies need a 2.0 to be eligible to compete. Furthermore, he was concerned when he saw that the county executive to eliminate complementary bus passes for students. Transportation gives opportunities for students to participate in after school programs. Ms. Navarro remarked that this is an example of how interconnected government agencies are in delivering services for children.

RESOLUTION NO. 4-08

Re: ***RESCISSION OF POLICY KMC, SERVICES PROVIDED TO NON-PROFIT PRIVATE ORGANIZATIONS***

On recommendation 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, Policy KMC, *Services Provided to Non-Profit Private Organizations* was identified for rescission; and

WHEREAS, After reviewing staff's proposal, the Policy Committee recommends Policy KMC, *Services Provided to Non-Profit Private Organizations* for rescission; now therefore be it

Resolved, That Policy KMC, *Services Provided to Non-Profit Private Organizations* be rescinded because it is no longer reflective of relationships that Montgomery County Public Schools has or intends to have in the near future.

## Services Provided to Non-Profit Private Organizations

WHEREAS, Requests for services which can be provided by the Montgomery County public school system are frequently received from non-profit private corporations formed for the purpose of combating the effects of disease, poverty, and illiteracy; and

WHEREAS, It is the intention of the Montgomery County Board of Education to cooperate with such organizations to the fullest extent possible under *The Annotated Code of Maryland*, and the bylaws and directives of the Maryland State Board of Education and/or the state superintendent of schools as well as local Board policies and administrative procedures intended to maximize educational opportunity for the students attending this school system; and

WHEREAS, It is the desire of this Board that services be provided to such organizations only when the requested services cannot be provided as reasonably or as expeditiously by private enterprise which normally might provide these services; and

WHEREAS, This Board intends that no element of its tax-supported operation and program be directed to the financial support of non-profit private corporations; now therefore be it

*Resolved*, That the superintendent is hereby authorized to provide services to non-profit private corporations in keeping with the guidelines below:

1. The services rendered shall in no way conflict with *The Annotated Code of Maryland*, the bylaws and directives of the Maryland State Board of Education and/or the state superintendent of schools, and the pertinent policies of the Montgomery County Board of Education.
2. Provision of services shall in no way compromise or otherwise reduce the effectiveness of educational opportunity for students in this school system.
3. The requested services cannot be provided as reasonably or as expeditiously by private enterprise which normally might provide these services.
4. The services may not be construed in any manner whatsoever to subsidize the operation of the non-profit private corporation with tax funds as provided through an annual appropriation. Specifically, to the maximum extent feasible within the capabilities of the MCPS accounting system, both direct and indirect costs of services provided will be fully reimbursed by the recipient organizations.

Re: **TECHNOLOGY UPDATE**

Dr. Weast invited the following people to the table: Mr. Sherwin Collette, chief technology officer, Office of the Chief Technology Officer; Mr. Erick Lang, associate superintendent, Office of Curriculum and Instructional Programs; Mr. James Virga, Jr., associate superintendent, Office of Organizational Development; Dr. Edgar E. Walker, principal, Montgomery Village Middle School; and Mr. Charles E. Smith, science teacher, Montgomery Village Middle School.

In support of the district's ongoing efforts to improve teaching and learning, new interactive technology tools are being integrated into instruction to more effectively engage students in the learning process. The innovative student-centered classroom environments use interactive technology to both deliver curriculum and instruction and assess understanding. These interactive technology tools activate problem solving and critical thinking skills and better prepare students for success in the Information Age. To ensure students are prepared for high school, college, and the world of work, the district provides students with a rigorous instructional program focusing on the skills needed to be successful in the 21st century. Such an instructional program includes access to technology and helping students develop skills that enable them to work in teams, solve complex problems, interpret information, communicate effectively, connect learning across disciplines, think critically, and apply knowledge to real-life situations. This update provides information on the innovative 21st century classroom technologies being implemented in the Montgomery County Public Schools (MCPS) and highlights the successful collaboration among all offices and schools to select and apply technology solutions that encourage creativity rather than emphasizing the tools themselves.

Re: **DISCUSSION**

Mrs. O'Neill noted that technology is very important in the 21<sup>st</sup> century. It will be a challenge to fund all that is needed and desired. In the meantime, there is TechMod and refreshment of technology. Dr. Weast noted that some of the technology has been combined to get more function with less cost.

Mr. Barclay commented that The technology is only as good as the user. As the school system integrates more technology into the schools, he asked if it feels up more time for teacher to plan and create opportunities for teachers to increase their content knowledge. Dr. Weast agreed that teachers need to be creative and knowledgeable of content.

Ms. Cox appreciated seeing the array of technology available to teachers and students; however, it is still the content knowledge of the teacher that imparts information to students. She asked about the staff development teacher in training in the schools. Staff explained that the training for the schools is one person for each promethean Board plus a five-person core team.

Ms. Cox noted that special education students could engage in learning which bypassed their learning deficits. The staff should be alert to parents requesting technology. Ms. Cox

referenced the statement, "For students to succeed in a global economy, staff must look beyond state expectations and standards and prepare students with the necessary skills. Students must be able to work in teams, solve complex problems, interpret information, communicate effectively, connect learning across disciplines, think critically, and apply knowledge to real-life situations." She asked staff where the system was in curriculum in assessing how well of the skills are developed in students. Staff explained that there has been a lot of work done on the assessments, and the Department of Shared Accountability has reviewed some of the components. Through discussion with business and college partnerships, there has been an effort to incorporate these pieces into the curriculum. Ms. Cox remarked that if the goal is to equip students for the 21<sup>st</sup> century and these skills are necessary, the system needs to communicate to their parents how well the students are prepared.

Ms. Brandman stated that the flexibility with the media. The special education community has discussed Universal Design for Learning concept which is being considered at the national level. Has the MCPS team focused on this technology? Staff replied that the digital curriculum has involved special educators on the project team.

Ms. Navarro asked about feedback on the training for technology. Staff replied that professional development has been structured to create the opportunities for peers learning together and helping each other.

Mr. Barclay thought it would be helpful in the next presentation to discuss how results are tied to individual students and differentiation. However, he was still concerned about writing and the ability of students to communicate effectively. He wanted to know about measuring success in future presentations and really understanding the investment of technology. The engagement increases, but does performance increase. Since technology is not in all classrooms, what can be transferred to those classes with what has been learned? Staff explained that the promethean boards will be rotated so that all students will have exposure to this technology.

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed for lunch and closed session from 12:45 to 2:25 p.m.

RESOLUTION NO. 5-08

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

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

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

WHEREAS, It is recommended that Bid No. 7189.1, Burnishers, be rejected due to

changes in specifications; now therefore be it

Resolved, That Bid. No. 7189.1, Burnishers, be rejected due to changes in specifications; 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:

C06022	Diesel Fuel—Extension	
	<u>Awardee</u>	
	Mansfield Oil Company	\$2,600,000
DBM-9708	Data Lines	
	<u>Awardee</u>	
	Verizon Maryland, Inc.	\$ 521,000
GS-35F-0765R	Network Wiring Installation and Integration	
	<u>Awardee</u>	
	Netcom Technologies, Inc.	\$ 100,500
050R58 00079	Long Distance	
	<u>Awardee</u>	
	Verizon Select Services	\$ 74,000
1-9J033	Internet Service Provider	
	<u>Awardee</u>	
	Cogent Communications	\$ 120,000
2007-42 8937	Local Telephone Services	
	<u>Awardee</u>	
	Verizon Maryland, Inc.	\$2,100,000
313070 000625 195	Data Circuits	
	<u>Awardee</u>	
	Verizon Maryland, Inc.	\$1,599,699
81-07	Anti-Freeze Coolant—Extension	



	<u>Awardee</u>	
	Siemens Water Technologies	\$ 65,000
99674	Wireless Voice & Data Services	
000062		
9630	<u>Awardees (See note)</u>	
	AT&T Mobility	
	Sprint-Nextel	
	Verizon Wireless	
	Total	\$1,152,496
1144.3	Grade 2 TerraNova Second Edition—Extension	
	<u>Awardee</u>	
	CTB McGraw-Hill	\$ 168,283
4081.6/ 4842.2	Art Equipment—Extension	
	<u>Awardees</u>	
	AFP Industries, Inc.*	\$ 9,472
	Commercial Art Supply	9,516
	Dick Blick East	313
	Glover Equipment, Inc.	30,579
	Integrity School Supplies*	13,622
	James Howard Company	914
	Midwest Technology Products & Service*	44,704
	Pyramid School Products	5,433
	Sax Arts & Crafts	4,363
	School Specialty, Inc.	2,030
	Sheffield Pottery, Inc.	34,224
	Windtree Enterprises, Inc.	<u>2,475</u>
	Total	\$ 157,645
4114.3	Classroom Furniture—Extension	
	<u>Awardees</u>	
	American Design Associates	\$ 17,051
	Douron, Inc.*	1,697,432
	Glover Equipment, Inc.	153,715
	Maryland Correctional Enterprises	<u>36,600</u>
	Total	\$ 1,904,798
4117.2	Design/Planning/Coordination of Furniture for New/Modernized Schools—Extension	

	<u>Awardee</u> Douron, Inc.*	\$ 725,000
4120.1	Kennedy Cluster Project Consultant	
	<u>Awardee</u> Shattuck & Associates	\$ 95,000
4200.1	E-rate Consulting Services—Extension	
	<u>Awardee</u> Funds for Learning, LLC	\$ 58,000
7020.2	Science Supplies/Systems Contract—Extension	
	<u>Awardees</u> (See note) Fisher Science Education Frey Scientific Sargent Welch Total	\$ 147,000
7066.3	Cisco Equipment, Software and Services—Extension	
	<u>Awardee</u> The Presidio Corporation	\$ 2,576,875
TOTAL PROCUREMENT CONTRACTS OVER \$25,000		\$14,165,296

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

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 6-08

Re: **ARTIFICIAL TURF PILOT PROJECT FOR  
RICHARD MONTGOMERY HIGH SCHOOL**

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

WHEREAS, The Montgomery County Public Schools standard for high school stadium turf is a natural grass field with an irrigation system; and

WHEREAS, Current technology for artificial turf provides a safe and durable playing field for a wide range of athletic activities and requires very little maintenance; and

WHEREAS, The final phase of the Richard Montgomery High School modernization project includes creating a new stadium field; and

WHEREAS, Maryland Soccer Enterprises is willing to contribute a lump sum of \$300,000 toward the installation of artificial turf for the stadium field at Richard Montgomery High School; and

WHEREAS, Maryland Soccer Enterprises is requesting preferred scheduling to use the stadium field at Richard Montgomery High School during non-school hours from February 15 to November 15 for a period of five years, with an option to renew its agreement for an additional five years for an additional comparable contribution; and

WHEREAS, The contribution amount from Maryland Soccer Enterprises is comparable to other artificial field rental costs in Montgomery County; and

WHEREAS, The installation of an artificial turf stadium field at Richard Montgomery High School provides an opportunity to pilot the use of artificial turf for the remaining 24 high school stadium fields; and

WHEREAS, Capital Budget funds were not allocated for the installation of artificial turf; and

WHEREAS, The balance of funding needed to install the artificial turf at Richard Montgomery High School can be comprised of a contract credit to eliminate the irrigation system and sod from the planned natural grass stadium field and surplus funding from other CIP projects included in a Board of Education Request for Transfer of Funds dated January 8, 2008; now therefore be it

Resolved, That the Board of Education approve the installation of artificial turf at Richard Montgomery High School as a pilot project; and be it further

Resolved, That the Board of Education agree to accept the contribution from Maryland Soccer Enterprises in amount of \$300,000 under Policy CNE, *Facility Improvements That Are Not Funded with Montgomery County Revenue*, for the installation of an artificial turf field at Richard Montgomery High School in exchange for preferred scheduling and use of the stadium facilities subject to Board approval of an agreement negotiated by MCPS facilities staff; and be it further

Resolved, That the Montgomery County Council be requested to accept a contribution of \$300,000 from the Maryland Soccer Enterprises for the installation of an artificial turf field at Richard Montgomery High School; and be it further

Resolved, That a FY 2008 special appropriation be requested in the amount of \$775,000 for the installation of the artificial turf field as part of the Current Modernization/Replacement project contingent on County Council acceptance of the \$300,000

contribution from Maryland Soccer Enterprises and approval of \$475,000 of the Board of Education Requested Transfer of CIP Funds dated January 8, 2008; and be it further

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

RESOLUTION NO. 7-08

Re: **LEASE RENEWALS FOR RELOCATABLE CLASSROOM WITH MODSPACE**

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

WHEREAS, The original leases expired on 265 relocatable classrooms owned by ModSpace (formerly known as GE Capital Modular Systems) on June 30, 2007; and

WHEREAS, The cost to remove and replace a relocatable classroom can be more than the cost of a ten-year lease for a relocatable classroom; and

WHEREAS, There is a continuing need for these 265 units; and

WHEREAS, Staff has calculated the maximum number of relocatable classrooms that will be returned to ModSpace over the next five years to be 160; and

WHEREAS, Staff has negotiated a five-year renewal of the units that still are needed at a annual cost of \$4,364.40 per unit, or an annual cost of \$1,156,566 for 265 units; and

WHEREAS, Staff has negotiated a provision in the renewal lease that provides an allowance for an early return of up to 160 relocatable classrooms; and

WHEREAS, Staff has negotiated an option in the renewal lease whereby any other ModSpace relocatable classrooms having leases with the Montgomery County Public Schools can be added to this renewal agreement upon expiration of their original leases; and

WHEREAS, The rate under this renewal lease is the lowest rate of any of our relocatable leases; now therefore be it

Resolved, That the Board of Education authorize the superintendent of schools to execute new leases with ModSpace for a total annual cost of up to \$1,156,566 for five years.

RESOLUTION NO. 8-08

Re: **CAPITAL IMPROVEMENTS PROGRAM  
TRANSFER OF FUNDS**

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

WHEREAS, Staff has identified surplus funds in the following projects:

<u>Project</u>	<u>Amount</u>
Fallsmead Elementary School Addition	\$1,800,000
Luxmanor Elementary School Addition	2,700,000
Thomas W. Pyle Middle School Addition	700,000
Stedwick Elementary School Addition	700,000
Travilah Elementary School Addition	1,600,000
Wayside Elementary School Addition	600,000
Westland Middle School Addition	1,200,000

and

WHEREAS, There is currently a balance in the Montgomery County Public Schools (MCPS) Unliquidated Surplus account of \$1,063,000; and

WHEREAS, The following projects need additional funds to award the contracts, replenish contingencies, and complete the projects:

<u>Project</u>	<u>Amount</u>
Clarksburg Elementary School #8	\$2,250,000
Current Modernizations	8,113,000

now therefore be it

Resolved, That the Montgomery County Board of Education request the County Council to transfer to the Unliquidated Surplus account funds from the following projects:

<u>Project</u>	<u>Amount</u>
Fallsmead Elementary School Addition	\$1,800,000
Luxmanor Elementary School Addition	2,700,000
Thomas W. Pyle Middle School Addition	700,000
Stedwick Elementary School Addition	700,000
Travilah Elementary School Addition	1,600,000
Wayside Elementary School Addition	600,000
Westland Middle School Addition	1,200,000

and be it further

Resolved, That the Montgomery County Board of Education request the County Council to transfer \$10,363,000 in the Unliquidated Surplus account to the following projects to fund the contract awards and project contingencies:

<u>Project</u>	<u>Amount</u>
Clarksburg Elementary School #8	\$2,250,000
Current Modernizations	8,113,000

and be it further

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

RESOLUTION NO. 9-08

Re: **AWARD OF CONTRACT — CASHELL  
ELEMENTARY SCHOOL MODERNIZATION**

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

WHEREAS, On May 8, 2007, the Board of Education authorized staff to utilize a construction management process for the Cashell Elementary School modernization project and awarded a contract for preconstruction services to J. Vinton Schafer & Sons, Inc.; and

WHEREAS, The following low bids were received on December 6, 2007, for the Cashell Elementary School modernization project:

<u>Low Bids</u>	<u>Amounts</u>
2A-Sitework – Urban N. Zink Contractor, Inc.	\$2,059,001
3A-Concrete – Dance Brothers, Inc.	564,000
4A-Masonry – KaRon Masonry of Maryland, Inc.	2,249,000
5A-Steel – S. A. Halac Iron Works, Inc.	1,292,500
6A-Carpentry – Homewood General Contractors, Inc.	1,106,000
7A-Roofing – R.D. Bean, Inc.	546,460
8A-Windows – Engineered Construction Products, Ltd.	415,130
9A-Drywall & Acoustical – Can-Am Contractors, Inc.	255,340
15A-Mechanical – R. W. Warner, Inc.	4,233,000
16A-Electrical – Brandenburg Electric, Inc.	1,586,585

and

WHEREAS, The construction management contract contains provisions that permit the

Montgomery County Public Schools to assign the awarded trade contracts to J. Vinton Schafer & Sons, Inc., as part of a guaranteed price agreement to complete the Cashell Elementary School modernization project; and

WHEREAS, Staff has negotiated and recommends approval of a guaranteed price contract with J. Vinton Schafer & Sons, Inc. for the completion of the Cashell Elementary School modernization project that includes the assignment of trade work by the Montgomery County Public Schools, along with all management and general conditions costs; and

WHEREAS, J. Vinton Schafer & Sons, Inc. has agreed to accept the assignment of the Cashell Elementary School trade contracts awarded on January 8, 2008, and complete the project for the guaranteed price; and

WHEREAS, The aggregate Minority Business Enterprise participation submitted is 9 percent Maryland Department of Transportation-certified, of which 4.20 percent is African American, 3.81 percent is women-owned, and 1.07 percent is other minority-owned; and

WHEREAS, That 0.5 percent non-Maryland Department of Transportation-certified Minority Business Enterprise participation also has been submitted; and

WHEREAS, The low bidders and the Construction Manager, J. Vinton Schafer & Sons, Inc., have not met the 25 percent goal for Minority Business Enterprise participation; however, staff is working with them to increase minority participation on the project; now therefore be it

Resolved, That the trade contract packages be awarded to the low bidders for the construction of Cashell Elementary School modernization, in accordance with drawings and specifications prepared by Zavos Architecture + Design; and be it further

Resolved, That the trade contracts awarded for the Cashell Elementary School modernization project be assigned to J. Vinton Schafer & Sons, Inc.; and be it further

Resolved, That a contract in the amount of \$17,496,694, to include the assignment of the trade contract awards, be awarded to J. Vinton Schafer & Sons, Inc., for the Cashell Elementary School modernization project, in accordance with drawings and specifications prepared by Zavos Architecture + Design, contingent upon approval of the Montgomery County Board of Education request for Transfer of Funds to the County Council dated January 8, 2008.

RESOLUTION NO. 10-08

Re: **AWARD OF CONTRACT — CLARKSBURG  
ELEMENTARY SCHOOL #8**

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

WHEREAS, On May 8, 2007, the Board of Education authorized staff to utilize a construction management process for the Clarksburg Elementary School #8 project and awarded a contract for preconstruction services to Hess Construction Company, Inc.; and

WHEREAS, The following low bids were received on December 13, 2007, for the specified trades for the Clarksburg Elementary School #8 project:

<u>Low Bids</u>	<u>Amounts</u>
2A-1-Sitework – Pleasants Construction, Inc.	\$3,141,900
2A-2-Geothermal Well Field – Chesapeake Geosystems, Inc.	795,000
3A-Concrete – U. S. Concrete Construction, LLC	629,000
4A-Masonry – Manganaro Midatlantic, LLC	2,605,000
5A-Steel – S. A. Halac Iron Works, Inc.	1,622,000
7A-Roofing – Interstate Corporation	915,000
16A-Electrical – Altimate Electric, Inc.	1,784,100

and

WHEREAS, The Minority Business Enterprise participation will be reported at the completion of all bid activity for this project; and

WHEREAS, The low bidders have completed similar work successfully for the Montgomery County Public Schools and/or other jurisdictions; now therefore be it

Resolved, That contracts be awarded to the above-mentioned trade contractors meeting specifications for the Clarksburg Elementary School #8 project, for the amounts listed, in accordance with drawings and specifications prepared by Grimm and Parker, P.C.

RESOLUTION NO. 11-08                      Re:    **ACCEPTANCE OF ALBERT EINSTEIN HIGH SCHOOL SIGNATURE PROGRAM ADDITION**

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

WHEREAS, On behalf of the Board of Education, Board Member Patricia B. O'Neill inspected the Albert Einstein High School Signature Program addition project on Friday, January 4, 2008; now therefore be it

Resolved, That the Board of Education accept the Albert Einstein High School Signature Program addition 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. 12-08

Re: **CONSULTANT APPOINTMENT —  
TOPOGRAPHY SURVEY**

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

WHEREAS, It is necessary to appoint a survey firm to provide professional topography survey services; and

WHEREAS, A Consultant Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Meridian Surveys, Incorporated, as the most qualified firm to provide the necessary professional topography survey services; and

WHEREAS, Staff will negotiate fees for the necessary topography survey services for each project based on the size and complexity of individual projects; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the firm of Meridian Surveys, Incorporated, to provide professional topography survey services for new school, addition, and modernization projects and for feasibility studies, as requirements arise, with each individual project contract not to exceed \$75,000 and with the total of the individual contract amounts not to exceed \$900,000.

RESOLUTION NO. 13-08

Re: **CONSULTANT APPOINTMENT — NATURAL  
RESOURCE INVENTORY AND FOREST  
STAND DELINEATION**

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

WHEREAS, It is necessary to appoint an engineering firm to provide professional natural resource inventory and forest stand delineation services; and

WHEREAS, A Consultant Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Haines Land Design as the most qualified firm to provide the necessary professional natural resource inventory and forest stand delineation services; and

WHEREAS, Staff will negotiate fees for the necessary natural resource inventory and forest stand delineation services for each project based on the size and complexity of individual projects; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the firm of Haines Land Design to provide professional natural resource inventory and forest stand delineation services for new school, addition, and modernization projects and feasibility studies, as requirements arise, with each individual project contract not to exceed \$50,000 and with the total contract amounts not to exceed \$600,000.

RESOLUTION NO. 14-08

Re: **GRANT OF STORMWATER MANAGEMENT EASEMENT AND STORMWATER MANAGEMENT INSPECTION AND MAINTENANCE AGREEMENT AT CARL SANDBURG LEARNING CENTER**

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

WHEREAS, The Mayor and Council of Rockville (City) requested a Stormwater Management Easement and Stormwater Management Inspection and Maintenance Agreement in connection with an improved safe access to schools project at Carl Sandburg Learning Center, located at 451 Meadow Hall Drive in Rockville; and

WHEREAS, The Board of Education is responsible for all construction and future maintenance of stormwater management facilities at the center; and

WHEREAS, The proposed easement of 3,217 square feet, with an additional 10,929 square feet for access, will grant the City the right to inspect a stormwater management quality control structure and the right to maintain said structure, if the Board fails to do so, and assess the Board for the cost of maintenance in accordance with Chapter 19 of the City Code; and

WHEREAS, The stormwater management easement area will not affect any land that could be used for school programming or recreational activities; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Grant of Stormwater Management Easement and Stormwater Management Inspection and Maintenance Agreement for 3,217 square feet of land plus 10,929 square feet for an access easement at Carl Sandburg Learning Center to the mayor and Council of Rockville.

RESOLUTION NO. 15-08

Re: **GRANT OF FOREST CONSERVATION EASEMENT AND DECLARATION OF COVENANTS AT CARL SANDBURG LEARNING CENTER**

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

WHEREAS, The Mayor and Council of Rockville (City) requested a Forest Conservation Easement and Declaration of Covenants in connection with an improved safe access to schools project at Carl Sandburg Learning Center, located at 451 Meadow Hall Drive in Rockville; and

WHEREAS, The school site contains areas behind the school building that will not be used for school programming or recreational purposes; and

WHEREAS, The proposed easement grant, configured in two parcels totaling 5,262 square feet, will preserve and protect existing trees and provide for the installation, maintenance, and protection of certain additional trees; and

WHEREAS, Tree planting and future maintenance of the forest conservation areas will be undertaken by the Board of Education, with the City being granted the right to inspect to confirm compliance with the terms of the Forest Conservation Easement and Declaration of Covenants; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Grant of Forest Conservation Easement and Declaration of Covenants for 5,262 square feet of land at Carl Sandburg Learning Center to the Mayor and Council of Rockville.

RESOLUTION NO. 16-08                      Re:    **HUMAN RESOURCES MONTHLY REPORT**

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:

Resolved, That the Board of Education approve the Human Resources Monthly Report dated January 8, 2008.

RESOLUTION NO. 17-08                      Re:    **DEATH OF MR. ALFRED S. FURNARI, BUS OPERATOR I, DEPARTMENT OF TRANSPORTATION**

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 31, 2007, of Mr. Alfred S, Furnari, bus operator at the Bethesda Depot of the Department of Transportation, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the three years that Mr. Furnari had been employed by Montgomery County Public Schools, his dependability and good relationships with his fellow workers made him a valuable employee; and

WHEREAS, His extreme loyalty and concern for the students were a credit to the entire pupil transportation program; 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 Mr. Alfred S. Furnari 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. Furnari's family.

RESOLUTION NO. 18-08

Re: **DEATH OF MERRY KING, CLASSROOM  
TEACHER, SPECIAL EDUCATION, HERBERT  
HOOVER MIDDLE 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 December 9, 2007, of Merry King, special education classroom teacher at Herbert Hoover Middle School, has deeply saddened the staff, students, and members of the Board of Education: and

WHEREAS, Ms. King had been a staff members of Montgomery County Public Schools for 2.2 years in the middle school Bridge Program where she demonstrated commitment to students by continuing to provide a variety of learning experiences that motivated and challenged students of all ability levels; and

WHEREAS, Ms. King was very dedicated to her students, encouraged them to take risks when they were unsure of their answers, and always gave her support to each student; 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 Merry King 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 Ms. King's family.

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 as of November 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 surplus of \$10,200,000. Staff will continue to closely monitor both revenues and expenditures.

RESOLUTION NO. 19-08

Re: **PRELIMINARY PLANS PRESENTATION —  
CARDEROCK SPRINGS ELEMENTARY  
SCHOOL MODERNIZATION**

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

WHEREAS, The architect for the proposed modernization of Carderock Springs Elementary School, BeeryRio Architecture + Interiors, has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Carderock Springs Elementary School Facility Advisory Committee has provided input for the proposed schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plans report for the modernization of Carderock Springs Elementary School developed by BeeryRio Architecture + Interiors.

Re: **PROGRAMS TO SUPPORT STUDENT  
ACHIEVEMENT**

This item will be rescheduled for a another meeting.

Re: **UPDATE ON MCPS/COLLEGE  
PARTNERSHIPS FOR STUDENTS**

Dr. Weast invited the following people to the table: Mr. Erick J. Lang, associate superintendent, Office of Curriculum and Instructional Programs; Dr. Mary Kay Shartle-Galotto, executive vice president of academic and student affairs, Montgomery College; Ms. Elyse Korn, student, Gateway to College at Montgomery College; Ms. Eva Jannotta, student, University of Maryland/Northwood High School; and Dr. Stewart Edelstein, associate vice chancellor for academic affairs, The University Systems of Maryland, and executive director, The Universities at Shady Grove.

Higher education partnerships focus on providing access to college or university education experiences for every student. Since 1999, the Montgomery County Public Schools (MCPS) has significantly expanded these partnerships, affording students additional opportunities to learn about college and career paths, experience college-level instruction and settings, and to learn to view a college education as a realistic option.

Higher education partnerships are aligned with the Board of Education Academic Priorities to “develop, pilot, and expand improvements in secondary content, instruction, and programs that support students’ active engagement in learning” and to “strengthen family-school relationships and continue to expand civic, business, and community partnerships that support improved student achievement.”

Re: **DISCUSSION**

Ms. Navarro commented that she was pleased with the input of the students since they are the reason for the Board’s work. She was impressed about the self-examination and focus for the future. She was excited about the potential for growth within the partnerships with higher education.

Ms. Cox stated that this represents an effort by the school system to recognize that students are on a developmental continuum and some do not need as much nurturing as others. She asked staff if these students were typical or atypical. What is the data used to improve programs? Mr. Lang replied that there is basic data on grades and drop out rates. MCPS is working with the University of Maryland to evaluate the Northwood Partnership. That evaluation will be a starting point to look at the other programs to determine the best model. Dr. Lacey commented that the system is still in the pilot stage.

Mr. Moskowitz asked what type of college classes are offered to students through the MCPS/College Partnerships. He asked for participation in these classes disaggregated by race, ethnicity, and FARMs rate.

Mrs. O’Neill inquired about the credits accepted by colleges outside the Maryland university system. How do counselors communicate the opportunity for Gateway to College?

Ms. Brandman asked how students are attracted to the Gateway to College. Staff replied there is a threshold of credits and sophomores and earning credits at a rate that will not lead to high school graduation or out of high school.

Ms. Brandman asked how students are identified for the laboratory program at the University of Maryland. Dr. Edelstein replied that they are working with students and reviewing several models on project related activities.

RESOLUTION NO. 20-08

Re: **CLOSED SESSION RESOLUTION**

On recommendation of the superintendent and on motion of Ms. Cox seconded by Ms. Brandman, 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 Tuesday, February 5, 2008, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:30 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 to discuss matters of an administrative 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. 21-08                      Re:    **REPORT OF CLOSED SESSION**

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

On December 11, 2007, by unanimous vote of members present, the Board of Education voted to conduct closed sessions as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed sessions on December 11, 2007, from 9:00 to 9:50 a.m. and 12:30 to 1:15 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and considered the following appeals with a subsequent vote in open session in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): T-2007-47.
2. Discussed the Human Resources Monthly Report with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
3. Received legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
4. 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 sessions were Steve Abrams, Aggie Alvez, Christopher Barclay, Steve Bedford, Larry Bowers, Shirley Brandman, Patrick Clancy, Sharon Cox, Judy Docca, Brian Edwards, Roland Ikheloa, Suzann King, Susan Marks, Ben Moskowitz, Nancy Navarro, Pat O'Neill, Glenda Rose, and Jerry Weast.

RESOLUTION NO. 22-08                      Re:    **MINUTES**

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

Resolved, That the Board of Education approve its minutes for June 25 and July 26, 2007.

RESOLUTION NO. 23-08            Re:    **APPEALS**

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

WHEREAS, The Board of Education has met in closed session, and deliberated on appeal 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 appeal, reflective of the Board members' votes in closed session, the disposition of which shall be recorded in the minutes of today's meeting:

<u>Appeal Number</u>	<u>Type</u>	<u>Disposition</u>
2007-70	Disability Retirement	Assigned to Hearing Examiner

Re:    **NEW BUSINESS**

RESOLUTION NO. 24-08            Re:    **VOTE ON NEW BUSINESS**

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 vote on the new business item.

RESOLUTION NO. 25-08            Re:    **VOTE OF 17-YEAR OLDS**

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

WHEREAS, The Maryland State Board of Elections has determined that 17-year-olds can vote in primary elections; and

WHEREAS, The State Board of Elections has undertaken to inform all 17-year-olds who have previously submitted voter registration applications that they are now active registered voters who are eligible to vote in the primary election of the party with which they are affiliated; and



WHEREAS, The State Board of Elections has informed all local boards of elections that all future voter registration applications submitted by 17-year-olds will be accepted; and

WHEREAS, The State Board of Elections has requested that the State Superintendent of Schools provide assistance with ensuring that 17-year-olds in State schools are aware that they can register and vote in the upcoming Presidential Primary Election if they will be 18 on or before the general election; and

WHEREAS, The deadline to register to vote in this election is Tuesday, January 22, 2008; now therefore be it

Resolved, That all high schools and their student government associations be encouraged to disseminate information, prior to January 22 and by various means, about the recent legal decision allowing 17-year-olds to register to vote and to hold voter registration drives when possible.

Re: **ITEMS OF INFORMATION**

The following items were available:

- 1. Legal Fees Report
- 2. Construction Progress Report

RESOLUTION NO. 25-08 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of January 8, 2008, at 5:05 p.m.

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
SECRETARY

JDW:gr

Resolution	Abrams	Barclay	Brandman	Cox	Docca	Moskowitz	Navarro	O'Neill
Policy KMC	A	A	A	A	O	A	A	A

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

**MONTGOMERY COUNTY BOARD OF EDUCATION  
SUMMARY SHEET**

January 8, 2008

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