

APPROVED  
27-2009

Rockville, Maryland  
October 13, 2009

The Board of Education of Montgomery County met at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, October 13, 2009, at 10:05 a.m.

Present: Ms. Shirley Brandman, President  
in the Chair  
Mr. Christopher Barclay  
Ms. Laura Berthiaume  
Dr. Judy Docca  
Mr. Michael Durso  
Mr. Philip Kauffman  
Mrs. Patricia O'Neill  
Dr. Jerry Weast, Secretary/Treasurer

Absent: Mr. Timothy Hwang

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

RESOLUTION NO. 416-09Re: **RESOLUTION FOR CLOSED SESSIONS**

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 October 13, 2009, 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 discuss the Human Resources Monthly Report as permitted under Section 10-508(a)(1) of the *State Government Article* with a subsequent vote in open session; and be it further

Resolved, That the Board of Education review the Equal Employment Opportunity 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 discuss collective bargaining negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article* and Section 4-107(d)(2)(ii) of the *Education Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on October 13, 2009, to acquit its administrative functions and receive legal advice 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 sessions 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. 417-09Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for October 13, 2009.

RESOLUTION NO. 418-09Re: **AMERICAN INDIAN HERITAGE MONTH**

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

WHEREAS, Since 1990 the President of the United States has proclaimed November as "National American Indian Heritage Month," honoring the generations of American Indians who have added to the character of our Nation; and

WHEREAS, Inspired by the extraordinary legacy of those who have preceded them, American Indians continue to perform vital roles throughout society and continue to play a major role in contributing to the greatness of this nation; and

WHEREAS, American Indians continue to strengthen our nation and the world by excelling as leaders in all areas of life including politics, law, education, medicine, science, business, family life, community services, and the arts; and

WHEREAS, Montgomery County is home to a thriving American Indian population whose valued presence has added to the rich cultural mosaic of our community; now therefore be it

Resolved, That the Montgomery County Board of Education and the superintendent of schools hereby declare the month of November 2009 to be observed in Montgomery County Public Schools as "American Indian Heritage Month."

RESOLUTION NO. 419-09Re: **MONTGOMERY COUNTY PUBLIC SCHOOLS CHARITY CAMPAIGN**

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

WHEREAS, The needs of others have long motivated the generosity of the employees of Montgomery County Public Schools, who have contributed to charity campaigns organized in collaboration with the Montgomery County Government; and

WHEREAS, This year's charity campaign gives employees the option of contributing to four worthy charities—the Montgomery County United Way, the Union Community Fund, the Montgomery County Community Foundation, and the Montgomery Alliance; and

WHEREAS, The employee representative organizations—the Montgomery County Association of Administrators and Principals, the Montgomery County Business and Operations Administrators, the Montgomery County Education Association, and the Service Employees International Union Local 500—along with Montgomery County Public Schools, have formed a partnership for the 2009–2010 school year to provide employees with four organizations through which they can direct their charitable contributions; and

WHEREAS, Last year Montgomery County Public Schools employees contributed approximately \$200,000 through the campaign, an especially generous response given the challenging economic times; now therefore be it

Resolved, That the period of October 26 through November 25, 2009, is hereby designated by the Board of Education of Montgomery County as the period for participation in the Montgomery County Public Schools Charity Campaign; and be it further

Resolved, That all employees of Montgomery County Public Schools are encouraged to demonstrate their continuing charity by donating to this campaign as a reflection of their commitment to addressing the needs of those less fortunate.

RESOLUTION NO. 420-09Re: **NATIONAL SCHOOL BUS SAFETY WEEK**

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

WHEREAS, October 19-23, 2009, has been designated as National School Bus Safety Week; and

WHEREAS, The members of the Board of Education and the superintendent of schools implemented a *Ride by the Rules* campaign in FY 2006 to ensure each student has a safe, pleasant, and secure ride to and from school; and

WHEREAS, The standards of conduct on the school bus are as important to student

success as they are in the classroom; and

WHEREAS, Each student riding a school bus should have a safe and secure environment that sets a positive tone for the day and fosters a high level of learning and success; now therefore be it

Resolved, That the Board of Education proclaim the week of October 19-23, 2009, as National School Bus Safety Week; and be it further

Resolved, That the Board of Education commits its continued support for the *Ride by the Rules* campaign during National School Bus Safety Week.

Re: **PUBLIC COMMENTS**

The following people made comments before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Ellen Paul	White Flint Sector Plan
2. Liz King	Reserving Land on the Walter Johnson Cluster
3. Michael Lentz	Veirs Mill ES Feasibility Study
4. Steven Phillips	White Flint Sector Plan
5. Jennifer Cope	White Flint Sector

Re: **BOARD/SUPERINTENDENT COMMENTS**

Mr. Durso stated that he attended the dedication of the park adjacent to Broad Acres Elementary School, which is an positive addition to the community. At the MABE Conference, there was a session for new Board members as well as student board members. He commented that MCPS was well represented by Mr. Hwang.

Mr. Kauffman associated his comments with Mr. Durso. Mr. Kauffman and her colleagues congratulated Mrs. O'Neill as a recipient of the Willis Award.

Ms. Berthiaume reported on a tour she and Dr. Docca took of Sligo Creek Elementary School, saying the school is wonderful with lots of options and possibilities for the students. She also reminded parents of fifth graders about applying for middle school choice programs, including magnet programs/schools.

Dr. Docca stated that she visited Oakland Terrace Elementary School with staff to observe differentiation with team teaching and student grouping. The students get support where it is needed, and staff members individualize the education for each child. Dr. Docca participated in "walk to school day" with Ms. Brandman, and Lieutenant Governor Anthony

Brown was present at Bethesda Elementary School. Dr. Docca agreed with Ms. Berthiaume that the visit to Sligo Creek Elementary School was very interesting. The school includes science lab, which is unusual for an elementary school. Also, they observed an excellent French Immersion class. The Hispanic Educators Association had an event at the Smith Center with games and activities for students which are part of the scholarship drive. Finally, Dr. Docca attended Victims Rights Celebration in Gaithersburg headed by Greg Wims, a former MCPS student.

Mr. Barclay associated his remarks with those of his colleagues. The MABE Conference was a place to share ideas and work on professional development. The challenge that was presented was investing in children's education, which will require advocacy and strategies for school system's at the local, state, and federal levels. Also, he attended the Maryland Teacher of the Year Celebration and the George B. Thomas Learning Academy opening ceremonies.

Mrs. O'Neill thanked her colleagues for their comments and for nominating her for the Willis Award. She also noted that Montgomery County had a large impact on the MABE Conference.

Dr. Weast commented that along with reading, writing, and arithmetic, science has an important place in the MCPS curriculum. A number of our middle school students have had special science experiences this month. Two hundred students from Shady Grove Middle School had a wonderful opportunity to get a firsthand look at exciting career opportunities in medicine and science. The event—the first-ever Frontiers in Science and Medicine Day—was held at the Shady Grove Life Sciences Center. It grew out of collaboration among county health-care providers, biotech companies, universities, and research organizations. During the event, the students spent an hour visiting one of 14 working labs in and around the Life Sciences Center. Later they visited a science exhibit hall on the Johns Hopkins University Montgomery County Campus, where 11 organizations presented hands-on science experiments or demonstrations. Sligo Middle School is piloting a new seventh grade curriculum titled Investigations in Science.

Also last week, a group of students from Sligo Middle School were among 150 students from the Washington metro area attending Astronomy Night at the White House. The students gazed through telescopes right along with President and Mrs. Obama. They also talked with astronauts, astronomers, and other scientists.

Takoma Park Middle School was the first school in the metro area to participate in Meet the Scientist, sponsored by the Coalition on Public Understanding of Science. Scientists from the Smithsonian's Museum of Natural History and the National Oceanic and Atmospheric Administration (NOAA) visited the school to share information about new discoveries in their fields and to talk about how scientists conduct research.

Ms. Brandman commented that she represented the Board at the School Community United in Partnership Conference in Gaithersburg. This is another opportunity to work with those resources in the community to meet the needs of students and families. The Board of Education has a seat on the Montgomery County Domestic Violence Coordinating Council which recognizes that there is a need to have a dialogue with youngsters about teen dating, teen violence, and the role of the school system.

Re: **UPDATE ON ENROLLMENT AND CAPITAL IMPROVEMENTS PROGRAM**

Dr. Weast invited the following people to the table: Mr. Bruce Crispell, director, Division of Long-Range Planning; and Mr. Joseph Lavorgna, acting director, Department of Facilities Management.

This year, Montgomery County Public Schools enrollment has increased by approximately 2,200 students. This increase follows last year's increase of 1,531 students. These unexpectedly large enrollment increases are particularly impacting elementary school enrollment. Unfortunately, the school system's greatest capacity shortage is at the elementary level. Of the 436 relocatable classrooms at schools, 385 are at elementary schools. An ambitious effort is needed to address current and projected space shortages.

The update on enrollment and the Capital Improvements Program (CIP) provided an overview of the planning issues facing the school system as the FY 2011–2016 CIP is developed. Dr. Weast's recommendations for this CIP will be released on October 28, 2009.

Re: **DISCUSSION**

Mrs. O'Neill pointed out that PTA representatives express energy and anticipation in looking forward to the release of the CIP. Her understanding is that people will not be disappointed because the CIP will include what we need; however, the funding of these projects could be a problem.

Mr. Kauffman indicated that construction was cheaper at this point in time. Staff replied that the bigger projects are coming in at 20–25 percent less than previous bids. Mr. Kauffman asked if projects could be accelerated. Staff explained that everything will remain in the queue, and it will be hard to accelerate projects.

Ms. Berthiaume thought that the school system's share of the bonds is more like 60 percent. Along with growth issues, there are many maintenance issues, and she was hopeful that some of that work could be done in the upcoming CIP. With the extensive list of projects, she hoped there would be a standard check on items, such as HVAC. Ms. Berthiaume asked if design plans could be repeated instead of individual designs. Staff

explained that repeat designs are used wherever possible with elementary and middle schools. However, high schools are more difficult because of existing sites and buildings.

Dr. Docca pointed out that there is a system of maintenance. Staff explained that PLAR is to replace items, such as fire alarms systems, roofs, public address systems, i.e., systemic replacement to update equipment.

Ms. Brandman noted that the HVAC inventory was very comprehensive in understanding the needs and scope of the problem. This is very deliberative planning for replacement of HVAC. She also said that when in Annapolis, MCPS has very different issues, and there will be little support from other school systems because they are not experiencing the same problems.

Mr. Durso pointed out that the transfers from private schools is a variable that is difficult to gauge.

Re: **ELEMENTARY SCHOOL SITE IN THE WHITE  
FLINT SECTOR PLAN**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Dr. Docca, the following was placed on the table:

WHEREAS, The White Flint Sector Plan envisions a community of up to 9,800 residential units that would generate approximately 410 elementary school students; and

WHEREAS, In December 2008, the Montgomery County Planning Department published a staff draft of the White Flint Sector Plan and recommended an elementary school site be located at the White Flint Park North site to accommodate future elementary school enrollment; and

WHEREAS, On July 16, 2009, the Montgomery County Planning Board transmitted its draft White Flint Sector Plan to the County Council for review and approval and did not include an elementary school site within the sector plan area; now therefore be it

Resolved, That the Board of Education request that the County Council include an elementary school site at the White Flint Park North location when it adopts the White Flint Sector Plan.

Resolved, That a copy of this resolution be forwarded to the County Council.

RESOLUTION NO. 421-09Re: **AN AMENDMENT TO THE ELEMENTARY  
SCHOOL SITE IN THE WHITE FLINT SECTOR**

On motion of Mr. Kauffman and seconded by Mrs. O'Neill, the following resolution was

adopted unanimously by members present:

Resolved, That the Board of Education strongly opposes the Montgomery County Planning Board draft plan due to its failure to include an elementary school site within the sector plan area; and be it further

Re: **DISCUSSION**

Ms. Berthiaume wanted cost comparisons of an elementary school in the White Flint Sector, conversion of Rocking Horse Road Center back into a school, and additions to three elementary schools in order to serve the children in the White Flint Sector.

Ms. Berthiaume suggested that the school system and Board meet with the Planning Board staff earlier in the process for a more holistic approach to educational and facility needs of the school system.

RESOLUTION NO. 422-09Re: **ELEMENTARY SCHOOL SITE IN THE WHITE FLINT SECTOR PLAN**

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

WHEREAS, The White Flint Sector Plan envisions a community of up to 9,800 residential units that would generate approximately 410 elementary school students; and

WHEREAS, In December 2008, the Montgomery County Planning Department published a staff draft of the White Flint Sector Plan and recommended an elementary school site be located at the White Flint Park North site to accommodate future elementary school enrollment; and

WHEREAS, On July 16, 2009, the Montgomery County Planning Board transmitted its draft White Flint Sector Plan to the County Council for review and approval and did not include an elementary school site within the sector plan area; now therefore be it

Resolved, That the Board of Education strongly opposes the Montgomery County Planning Board draft plan due to its failure to include an elementary school site within the sector plan area; and be it further

Resolved, That the Board of Education request that the County Council include an elementary school site at the White Flint Park North location when it adopts the White Flint Sector Plan.

Resolved, That a copy of this resolution be forwarded to the County Council.

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed for lunch and closed session from 12:35 to 2:10 p.m.

RESOLUTION NO. 423-09Re: **CONTRACTS OF \$25,000 OR MORE**

On recommendation of the superintendent and on motion of Mr. Kauffman seconded by Dr. Docca, the following resolution was adopted unanimously by members present:#

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

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

001B8 900505	Poly Liner Bags—Trash Can <u>Awardee</u> W.W. Grainger, Inc.	\$225,000
05-7427 02-23	Motor Oils, Lubricants, and Greases <u>Awardees</u> (See note) Quarles Petroleum, Inc. Tilley Chemical Company, Inc. Total \$370,000	
3502030.1	Preventive Maintenance/Repair of Generators—Extension <u>Awardee</u> Johnson & Towers, Inc.	\$ 50,000
GSS-MU- 08-492A-HF	Poly Liner Bags—Compactor <u>Awardee</u> Calico Industries, Inc.	\$ 75,000
JD-07-1196	Purchase of Chiller for Laytonsville Elementary School <u>Awardee</u> Carrier Corporation	\$ 48,000
4042.5	Boiler Supplies and Associated Materials	

Awardees

Best Plumbing Specialties, Inc.	\$ 21,500
Capp, Inc.	26,000
H. M. Sweeny Company	30,000
M & M Controls, Inc.	5,000
Noland Company	65,000
R. E. Michel Company, Inc.	31,000
Southern Utilities Company, Inc.	<u>75,000</u>
Total \$253,500	

## 4044.6 Security System Supplies and Equipment

Awardees

Alarmax Distributors, Inc.	\$ 38,421
Allegheny Electronics	15,000
Capitol Cable & Tech, Inc.	37,468
Earth Security Electronics, Inc.	50,942
Granite Security*	117,821
Graybar Electric Company, Inc.	45,305
North American Video*	1,420
Silmar Electronics*	<u>19,675</u>
Total \$326,052	

## 4047.6 Flooring Materials

Awardees

Capitol Building Supply	\$ 21,566
Continental Flooring Company	<u>17,949</u>
Total \$ 39,515	

## 4081.7 Art Equipment—Extension

Awardees

AFP Industries, Inc.*	\$ 4,855
Diversified Educational System	15,333
Glover Equipment, Inc.	108,089
James Howard Company	979
Pyramid School Products	5,467
Satco Supply	607
Sax Arts & Crafts	4,937
Sheffield Pottery, Inc.	<u>24,797</u>
Total \$165,064	

4175.1	George Mason University—History Grant Partnership	
	<u>Awardee</u> George Mason University	\$ 60,000
4176.1	Consultant for American History Grant	
	<u>Awardee</u> Dr. Karen Kortecamp	\$ 50,000
4195.1	Grant Evaluator for Smaller Learning Communities Program—Extension	
	<u>Awardee</u> Pacifica Research & Evaluation, LLC	\$ 30,000
4244.1	George Washington University—History Grant Partnership—Extension	
	<u>Awardee</u> Education Consulting Services, Inc.	\$ 60,000
4248.1	Elementary School Access Control Systems	
	<u>Awardee</u> ASG Security	\$548,818
4273.1	Academic Service Providers	
	<u>Awardees</u> (See note) Bell Building Educated Leaders for Life NESI Total \$100,000	
4277.1	Administrative Costs for Medicaid Program	
	<u>Awardee</u> Maryland State Department of Education	\$ 30,000
7050.8	Photographic Equipment and Supplies—Extension	
	<u>Awardees</u> Freestyle Sales Company	\$ 19,944

	Penn Camera Exchange, Inc.	81,750
	Service Photo Supply, Inc.	21,240
	W. B. Hunt Company, Inc.	<u>43,475</u>
	Total \$166,409	
7102.2	Automotive Batteries	
	<u>Awardee</u>	
	Best Battery Company, Inc.	\$133,000
7111.3	Automotive Body Shop Paints and Supplies	
	<u>Awardee</u>	
	Matos Pro Finishes	\$ 63,000
7920.1	Tech Mod Peripheral Equipment	
	<u>Awardee</u>	
	Fox Micro International, Inc.	\$ 70,000
9015.5	Ceiling Board & Grid System Materials—Extension	
	<u>Awardees</u>	
	B&B Concepts*	\$ 1,995
	Capitol Building Supply	<u>66,935</u>
	Total \$ 68,930	
9114.10	Canned Fruits and Vegetables—Extension	
	<u>Awardees</u>	
	Feesers, Inc.	\$ 4,912
	Foodco USA*	26,870
	H. Schrier & Company, Inc.	116,474
	PFG-Carroll County Foods, Inc.*	<u>6,914</u>
	Total \$155,170	
9404.3	Water Treatment Supplies, Equipment and Chemicals	
	<u>Awardees</u>	
	Harrington Industrial Plastics, LLC	\$ 10,000
	Superior Water Services, Inc.	15,000
	Tricon Chemical Corporation*	<u>50,000</u>
	Total \$ 75,000	

9421.1 Energy Management Automation System Upgrade at Various Locations

Awardee

Control Sources, LLC

\$ 180,919

TOTAL PROCUREMENT CONTRACTS OVER \$25,000

\$3,343,377

\* 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. 424-09Re: **BID 7055.1 PURCHASE OF SCHOOL BUSES  
- EXTENSION**

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

WHEREAS, Funds have been budgeted for and/or identified for the purchase of school buses through Bid No. 7055.11; and

WHEREAS, The acquisition of school buses through the lease/purchase agreements has been reviewed by legal counsel; now therefore be it

Resolved, That 37 school buses in the amount of \$3,574,496 be lease/purchased for a six-year term under the Master Lease/Purchase Agreement with First Southwest Leasing Company; 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:

7055.11 Purchase of School Buses—Extension

Awardee

American Truck & Bus, Inc.

\$3,574,496

RESOLUTION NO. 425-09Re: **ARCHITECTURAL APPOINTMENT -  
WATKINS MILL HIGH SCHOOL WELLNESS**

**CENTER**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Mr. Barclay, 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 Watkins Mill High School Wellness Center project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$1,400,000; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2010 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, Samaha Associates, P.C., is the architect of record currently working on the Northwood High School Wellness Center project; and

WHEREAS, Staff has negotiated a fee for the necessary architectural services that includes a Maryland Department of Transportation-certified minority business consultant; 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 Watkins Mill High School Wellness Center project for a fee of \$172,462.

RESOLUTION NO. 426-09Re: **GRANT OF FOREST CONSERVATION  
EASEMENT AT CABIN JOHN MIDDLE  
SCHOOL**

On recommendation of the superintendent and on motion of Mr. Kauffman seconded by Dr. Docca, the following resolution was adopted unanimously by members present:#

WHEREAS, The Maryland-National Capital Park and Planning Commission (Commission) has requested a Conservation Easement Agreement at Cabin John Middle School, located at 10701 Gainsborough Road in Potomac, in connection with the modernization of the school; and

WHEREAS, The proposed Conservation Easement Agreement will grant an easement of 67,533 square feet, configured in two parcels, to the Commission for protection of existing and future forest cover, wetlands, and other natural features and will prevent any alteration, construction, or destruction of the natural area; and

WHEREAS, The proposed Conservation Easement Agreement will not affect any land that could be used for school programming or recreational activities and will benefit both the school site and the community by preserving forest cover, wetlands, and natural areas; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Conservation Easement Agreement consisting of 67,533 square feet with the Maryland-National Capital Park and Planning Commission for Cabin John Middle School.

RESOLUTION NO. 427-09Re: **GRANT OF FOREST CONSERVATION  
EASEMENT AT PAINT BRANCH HIGH  
SCHOOL**

On recommendation of the superintendent and on motion of Mr. Kauffman seconded by Dr. Docca, the following resolution was adopted unanimously by members present:#

WHEREAS, The Maryland-National Capital Park and Planning Commission (Commission) has requested a Conservation Easement Agreement at Paint Branch High School, located at 14121 Old Columbia Pike, in Burtonsville, in connection with the modernization of the school; and

WHEREAS, The proposed Conservation Easement Agreement will grant an easement of 107,743 square feet, configured in two parcels, to the Commission for protection of existing and future forest cover, wetlands, and other natural features and will prevent any alteration, construction, or destruction of the natural area; and

WHEREAS, The proposed Conservation Easement Agreement will not affect any land that could be used for school programming or recreational activities and will benefit both the school site and the community by preserving forest cover, wetlands, and natural areas; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Conservation Easement Agreement consisting of 107,743 square feet with the Maryland-National Capital Park and Planning Commission for Paint Branch High School.

RESOLUTION NO. 428-09Re: **LEASE RENEWALS FOR RELOCATABLE**

### CLASSROOMS WITH MODSPACE

On recommendation of the superintendent and on motion of Mr. Kauffman seconded by Dr. Docca, the following resolution was adopted unanimously by members present:#

WHEREAS, The original leases for 346 relocatable classrooms owned by ModSpace expired as of June 30, 2009; and

WHEREAS, There is a continuing need for 330 of the 346 units for the this school year, while 16 units have been identified for return to the vendor; and

WHEREAS, Staff has negotiated a one-year renewal cost for the 330 units that are still needed at an annual cost of \$1,374,201.44, or an average cost of \$4,164.25 per unit; now therefore be it

Resolved, That the Board of Education authorize the superintendent of schools to execute renewal leases with ModSpace for a total one-year cost of \$1,374,201.44.

RESOLUTION NO. 429-09Re:    **UTILIZATION OF THE FY 2010 PROVISION  
FOR FUTURE SUPPORTED PROJECTS  
FUNDS**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Mr. Barclay, 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. 16-971, approved May 21, 2009; and

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

WHEREAS, Sufficient appropriation is available, within the FY 2010 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 \$1,222,677 within the FY 2010 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Positions*</u>	<u>Amount</u>
IDEA—Transition, Dropout, Graduation Gap		\$ 40,000
Chess in Maryland Schools Program		9,729

IDEA—Enabling Students with Emotional Disabilities		62,816
Title III—Limited English Proficiency		294,180
Maryland Model for School Readiness (MMSR) Program		105,785
Reading First Program	4.0	565,167
Education for Homeless Children and Youth Program		60,000
Education for Homeless Children and Youth Program— American Recovery and Reinvestment Act (ARRA)	—	<u>85,000</u>
Total	<u>4.0</u>	<u>\$ 1,222,677</u>

Positions\*

2.0 reading coach  
 1.0 project specialist  
 1.0 fiscal assistant

and be it further

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

RESOLUTION NO. 430-09Re: **PRESENTATION OF LEED GOLD LEVEL  
 CERTIFICATION – FRANCIS SCOTT KEY  
 MIDDLE SCHOOL MODERNIZATION**

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

WHEREAS, Francis Scott Key Middle School was originally constructed in 1966, approximately as a 121,000-square-foot building; and

WHEREAS, The modernization project razed the existing building and replaced it with a new 148,000-square-foot building; and

WHEREAS, The project was designed by Lukmire Partnership and the construction was managed by Hess Construction + Engineering Services; and

WHEREAS, Francis Scott Key Middle School is the first middle school in the state of Maryland and the mid-Atlantic region to be LEED certified and the fourth middle school in the country to have obtained the LEED Gold Level Certification; and

WHEREAS, This achievement is part of ongoing efforts and a larger plan to provide high performance, sustainable school buildings and to focus on energy conservation; now therefore be it

Resolved, That the Board of Education recognize Francis Scott Key Middle School for attaining LEED Gold Level Certification.

RESOLUTION NO. 431-09Re: **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated October 13, 2009.

RESOLUTION NO. 432-09Re: **DEATH OF JO BOTCHWAY, PARAEDUCATOR  
SPECIAL EDUCATION, ROBERTO CLEMENTE  
MIDDLE SCHOOL**

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

WHEREAS, The death on September 16, 2009, of Mrs. Jo Botchway, paraeducator special education at Roberto Clemente Middle School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During the time Mrs. Botchway had worked for Montgomery County Public Schools, she was very competent, very effective and thorough in her position; and

WHEREAS, Mrs. Botchway would handle situations in a professional and confidential manner with patience and excellent listening skills when assisting staff members; 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 Mrs. Jo Botchway and extend deepest sympathy to her family; and be it further

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

RESOLUTION NO. 433-09Re: **DEATH OF MRS. SHARON J. DAVIS,  
CLASSROOM TEACHER, BELLS MILL  
ELEMENTARY SCHOOL**

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

WHEREAS, The death on September 8, 2009, of Mrs. Sharon J. Davis, classroom teacher at Bells Mill Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In more than 37 years with Montgomery County Public Schools (MCPS), Mrs. Davis was an excellent representative of MCPS, as well as a respected member of the Bells Mill Elementary School Community; and

WHEREAS, Mrs. Davis was a master teacher who strongly represented her belief that all children can learn; thus, her classroom was a model for all; 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 Mrs. Sharon J. Davis and extend deepest sympathy to her family; and be it further

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

\*\* Ms. Berthiaume temporarily left the meeting.

RESOLUTION NO. 434-09Re: **FINAL APPROVAL OF THE  
COMPREHENSIVE MASTER PLAN**

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

WHEREAS, The Montgomery County Public Schools Bridge to Excellence in Public Schools Act—Comprehensive Master Plan fulfills all of the required components, including strategies and supporting documentation; and

WHEREAS, On July 14, 2009, the Board of Education took action to tentatively approve the annual update to the Comprehensive Master Plan for 2009; and

WHEREAS, Tentative action was required because all of the data for the master plan were not available from the Maryland State Department of Education; now therefore be it

Resolved, That the Board of Education approve the updated Montgomery County Public Schools *Bridge to Excellence in Public Schools Act*—Comprehensive Master Plan for 2009; and be it further

Resolved, That Montgomery County Public Schools staff submits the Comprehensive Master Plan to the Maryland State Department of Education on or before October 15, 2009,

as required by the *Bridge to Excellence in Public Schools Act*.

\*\* Ms. Berthiaume rejoined the meeting.

Re: **GOAL 4: OFFICE OF LEGISLATIVE  
OVERSIGHT: MCPS' CAREER- AND LIFE-  
READINESS PROGRAMS**

Dr. Weast invited the following people to the table: Mr. Erick J. Lang, associate superintendent, Office of Curriculum and Instructional Programs; Dr. Frank H. Stetson, community superintendent, Office of School Performance; Mrs. Shelley A. Johnson, director, Instructional Technology and Partnerships; and Mrs. Gwendolyn J. Mason, director, Department of Special Education Services.

Staff explained that in the summer of 2008, the Montgomery County Council requested an Office of Legislative Oversight (OLO) report to improve council members' understanding of the career- and life-readiness programs that Montgomery County Public Schools (MCPS) provides to enable students to become self-sufficient adults. For this study, OLO staff members identified the following MCPS career- and life-readiness programs:

- Career and Technology Education
- Transition services for students with disabilities
- Students Engaged in Pathways to Achievement (SEPA) program
- Career counseling services

The final OLO report, *MCPS' Career- and Life-Readiness Programs*, included findings, issues, and recommendations that were discussed at the County Council Education Committee meeting on June 8, 2009, with the following MCPS staff members: Mr. Erick J. Lang, associate superintendent for Curriculum and Instructional Programs; Dr. Frank H. Stetson, community superintendent; Mr. Steven D. Boden, coordinator of Montgomery County Student Foundations programs; Mrs. Shelley A. Johnson, director of Instructional Technology and Partnerships; Ms. Gwendolyn J. Mason, director of Special Education Services; and Mr. Kent H. Weaver, former supervisor of Student Services.

Career and technology education programs in MCPS are undergoing a significant transformation to meet the demands of a 21st century workforce. MCPS staff has reduced the number and sharpened the focus of the career pathways programs to meet this change and is implementing each program based on national models aligned to college and workforce readiness. Whenever industry credentials, including Cisco Networking, Maryland Board of Cosmetology certification, or Certified Nursing Assistant, are available to high school students, the business community assists students in completing these credentials as part of their high school programs of study. Support for systemic approaches that

increase opportunities for all students is essential to meet MCPS strategic plan milestones and requires the involvement of all MCPS staff members, especially school counselors, special educators, and ESOL teachers. Opportunities for MCPS graduates will be defined by their abilities to learn and relearn over their lifetimes.

Re: **DISCUSSION**

Ms. Brandman asked about transition services for students with disabilities and the SEPA program. Staff explained that transition services are a critical component of the Individualized Education Program (IEP) because staff and parents discuss the critical components of career and life readiness. This process begins at age 14.

Ms. Brandman asked about disabled students who are on the diploma track. Staff replied that the students participate in CTE courses and 26 percent of students participate at Edison CTE.

Dr. Docca was interested in those students who could not access CTE courses. What are we doing for those students? How are Edison programs being advertised? Are counselors telling students about the programs? Staff remarked that there are 38 programs in the county, but not every school can have all programs. Some programs can be individualized to meet graduation requirements. It is important to get the information to schools and counselors.

Ms. Brandman noted that the OLO report addressed students who need academic support, and that time needed to participate in CTE courses could conflict with students' other needs. Staff explained that staff needs to focus on this area to identify those students to assure that they have access to an opportunity with support. Many students take only one CTE course, but math or reading support can take time from electives. Edison does a lot of outreach to all high schools with information tables, counselors, and principals. Edison has a strong application and acceptance rate; however, some students elect to stay at their home schools due to travel time, intervention classes, and sports.

Mr. Barclay wanted to know what the procedure was for participating in CTE at Edison. How would a parent register a student? Staff explained that students work with counselors to outline a four-year plan of study. There will be a work group to make the Edison program more user-friendly for students.

Mr. Barclay was not sure that counselors understand what Edison has to offer. How is the system addressing students who are not successful in their core academics, but Edison might be the answer to success and engagement? Staff replied that students who are engaged do better in math and reading.

Mr. Durso noted that the information about Edison and its offerings are not well presented

to students. He asked about the enrollment drop at Edison. Staff explained that there are more CTE courses in the local school as well as the push for Advanced Placement courses. Also, transportation to and from Edison is a concern for many students.

Ms. Berthiaume pointed out the challenges and pressures faced by students in the highest dropout groups, especially Latino teenagers. The OLO report stated that CTE is to enhance college career readiness of students performing at or above grade level rather than to serve as a second-chance program for students performing below grade level and/or at risk of dropping out. What is the system able to offer these students? Staff thought students should be taught how to think and learn with engaging programs.

Ms. Berthiaume noted from the OLO Report that funds would be more cost effective if more ESOL positions were available at Edison rather than funding the SEPA program. Staff replied that the model is in the process of being changed. Students will be in the home school in the morning and Edison in the afternoon with language acquisition support.

Mr. Barclay asked how the foundations fit into CTE. Staff explained that all CTE programs develop students who are highly skilled for high-wage and high-demand career fields, which is the basic criteria. There are work groups developing information technology CTE courses.

Dr. Docca thought it was essential to have CTE courses throughout the system to prepare students for college and work. The community supports students to be successful.

Ms. Brandman noted the richness of the conversation. There is complete agreement that the system is trying to reach all students with engaging courses, she said, and the system does not want to send the message that the trades are low level and that is all some students can do. The Board is struggling with the either/or proposition. For some students, the real-life course keeps them plugging away at math and reading. There is no reason to think that students studying the trades will not go to college.

RESOLUTION NO. 435-09Re: **RENAMING THE MARK TWAIN  
FACILITY**

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

WHEREAS, A memorandum dated September 30, 2009, was submitted describing the process used to gather program stakeholder and community input on the renaming of the Mark Twain facility and the recommendation of a new facility name, Blair G. Ewing Center; and

WHEREAS, The stakeholder group reached consensus on this recommendation to name

the facility Blair G. Ewing Center; and

WHEREAS, Pursuant to Montgomery County Public Schools Regulation FFA-RA: *Naming Schools*, the final responsibility for officially naming a school building rests with the Board of Education; now therefore be it

Resolved, That the Board of Education name the school building heretofore known as Mark Twain as follows:

BLAIR G. EWING CENTER

RESOLUTION NO. 436-09Re: **CLOSED SESSION RESOLUTION**

On recommendation of the superintendent and on motion of Mrs. O'Neill 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 Monday, October 26, 2009, in Room 120 of the Carver Educational Services Center to meet from 5:30 to 6:00 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 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 meeting shall continue in closed session until the completion of business.

RESOLUTION NO. 437-09Re: **REPORT OF CLOSED SESSION**

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

On September 21, 2009, by unanimous vote, 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 a closed session on September 21, 2009, from 5:30 to 6:40 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Unanimously approved Decisions and Orders in Appeals NEC-2009-33, 2009-25, 2009-27, 2009-28, and 2009-29 in its quasi-judicial capacity outside the purview of the *Open Meetings Act* (Section 10-503(a) of the *State Government Article*).
2. Reviewed a Decision and Order in Appeal 2009-15.
3. 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*): 2009-30.
4. Discussed the Human Resources Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
5. Discussed matters of an administrative function (stormwater permits and preliminary HSA graduation statistics) outside the purview of the *Open Meetings Act* (Section 10-503(a) of the *State Government Article*).

In attendance at the closed session for appeals were Chris Barclay, Laura Berthiaume, Shirley Brandman, Pat Clancy, Judy Docca, Mike Durso, Tim Hwang, Phil Kauffman, Suzann King, Patricia O'Neill, Glenda Rose, and Laura Steinberg. At 6:30 p.m., the following staff joined the Board in closed session: Aggie Alvez, Steve Bedford, Larry Bowers, Brian Edwards, Frieda Lacey, Jody Leleck, Susan Marks, and Stacy Scott.

RESOLUTION NO. 438-09Re: **MINUTES**

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

Resolved, That the Board of Education approve its minutes of July 14, July 27, September 9, and September 16, 2009.

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

There were no updates.

Re: **NEW BUSINESS**

There was no new business

Re: **ITEMS OF INFORMATION**

The following items were available:

1. Legal Fees Report
2. Construction Progress Report
3. Update on Contract Awards for On-Call Heating, Ventilation, and Air Conditioning Replacement Services and On-Call Construction Services

**RESOLUTION NO. 439-09Re: ADJOURNMENT**

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

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

Resolved, That the Board of Education adjourn its meeting of October 13, 2009, at 4:15 p.m.

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
SECRETARY

JDW:gr

RESOLUTION	BARCLAY	BERTHIAUME	BRANDMAN	DOCCA	DURSO	HWANG	KAUFFMAN	O'NEILL
White Flint Sector	A	A	A	A	A	O	A	A
Master Plan	A	N	A	A	A	O	A	A
Mark Twain Facility	A	A	A	A	A	O	A	A

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

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