

APPROVED
7-2011

Rockville, Maryland
March 8, 2011

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, Rockville, Maryland, on March 8, 2011, at 10:00 a.m.

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

Absent: None

RESOLUTION NO. 118-11 Re: **RESOLUTION FOR CLOSED SESSION**

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

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

Resolved, That the Board of Education of Montgomery County conduct closed sessions on March 8, 2011, in Room 120 from 9:00 to 10:00 a.m. and 1:00 to 2:00 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County discuss the Monthly Human Resources and Development 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 of Montgomery County discuss matters relating to the use of real property for a public purpose and matters directly related thereto, as permitted under Section 10-508(a)(3) of the *State Government Article* and Section 4-107(d) of the *Education Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on March 8, 2011, 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 10-508(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. 119-11 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approved its agenda for March 8, 2011.

Re: **PUBLIC COMMENTS**

The following people commented before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Essie Burnworth	Brickyard
2.	Kristina Bostick	Brickyard
3.	Tory Cowles	Brickyard
4.	Myron Horst	Brickyard
5.	Phil Freedman	Brickyard
6.	Krista Kurth	Brickyard
7.	Nick Maravell	Brickyard
8.	Lisa Schnoor	Brickyard
9.	Dolores Milmoie	Brickyard
10.	Maria Fusco	Brickyard
11.	Miki Kator	Brickyard
12.	Kathy Hauschild	Brickyard
13.	Arnold Tarzy	Brickyard
14.	Keith Ohlinger	Brickyard
15.	Chip Smallwood	Brickyard

RESOLUTION NO. 120-11 Re: **LEGISLATION**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Mr. Kauffman, the following resolution was adopted with Mr. Barclay, Ms. Brandman, Dr. Docca, Mr. Durso, Mr. Kauffman, Mrs. O'Neill, and Mr. Xie voting in the affirmative; Ms. Berthiaume voting in the negative:

Resolved, That the Board of Education strongly opposes **HB1067—Education - Public Charter Schools - Appeals, Policies, and Regulations**, which would require an appeal of a decision by a county board of education to deny an application for a public charter school to be heard de novo by the State Board of Education; requiring each county board to develop a charter school policy that is consistent with certain regulations and includes certain specific criteria; requiring the charter school policy to be reviewed and approved by the State Board and to be available on the State Board's website.

RESOLUTION NO. 121-11 Re: **LEGISLATION**

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

Resolved, That the Board of Education supports **HB0650—County Boards of Education - Green Product Cleaning Supplies - Written Policies**, which would require a county board of education to adopt certain written policies relating to the procurement of green product cleaning supplies subject to certain exceptions.

RESOLUTION NO. 122-11 Re: **LEGISLATION**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Ms. Brandman, the following resolution was adopted with Mr. Barclay, Ms. Brandman, Dr. Docca, Mr. Durso, Mr. Kauffman, Mrs. O'Neill, and Mr. Xie voting in the affirmative; Ms. Berthiaume voting in the negative:

Resolved, That the Board of Education strongly supports **SB0316—Property Tax - Charter Counties - Education Funding**, which would authorize a county council in a charter county, for a certain purpose under certain circumstances, to set a property tax rate that is higher than the rate authorized under the county's charter or to collect more property tax revenues than are authorized under the county's charter, notwithstanding any provision of a county charter that places certain limits on that county's property tax rate or revenues; requiring a county to appropriate to the local board of education certain revenues and prohibiting a county from reducing certain funding to the local board of elections under certain circumstances.

RESOLUTION NO. 123-11 Re: **LEGISLATION**

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

Resolved, That the Board of Education opposes **HB0895—Public Schools - Substitute Teachers - Qualifications, Training, and Study**, which would require each county board of education to establish certain qualifications for substitute teachers employed by a county board; requiring a county board to require each substitute teacher to complete a certain orientation and training program; requiring county boards to train certain school administrators in certain issues related to substitute teachers; requiring a county

superintendent to develop a certain in-service training program; requiring the State Department of Education to commission a certain study regarding substitute teaching in the state; requiring the study to include certain data; requiring the Department to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to qualifications, training, and a study of substitute teachers in public schools.

RESOLUTION NO. 124-11 Re: **LEGISLATION**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Dr. Docca, the following resolution was adopted with Mr. Barclay, Ms. Brandman, Dr. Docca, Mr. Durso, Mr. Kauffman, Mrs. O'Neill, and Mr. Xie voting in the affirmative; Ms. Berthiaume voting in the negative:

Resolved, That the Board of Education opposes **HB1081—Education - Public Schools - Petitions for Intervention**, which would authorize certain parents and legal guardians of students attending public schools that are subject to corrective action and are not making adequate yearly progress to petition county boards of education to implement certain interventions; requiring county boards to notify the State Superintendent of Schools and the State Board of Education on receipt and of final disposition of certain petitions; requiring county boards to make certain determinations in a certain manner within a certain time frame; requiring county boards to designate interventions other than the options requested by certain petitions under certain circumstances; requiring county boards to notify the State Superintendent and the State Board that certain interventions have substantial promise of enabling certain schools to make adequate yearly progress; requiring certain students to have the option of receiving a certain scholarship in a certain amount for a certain time period; requiring certain funds to be calculated in a certain manner; requiring certain counties to include certain students in their full-time equivalent enrollment; requiring the State Board to adopt certain regulations; prohibiting the expansion of certain regulatory authority regarding certain private schools; defining certain terms; and generally relating to authorizing parents of students attending public schools that are subject to corrective action to petition county boards of education for an intervention.

RESOLUTION NO. 125-11 Re: **LEGISLATION**

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Ms. Berthiaume, the following resolution was adopted with Mr. Barclay, Ms. Brandman, Dr. Docca, Mr. Durso, Mr. Kauffman, Mrs. O'Neill, and Mr. Xie voting in the affirmative; Ms. Berthiaume voting in the negative:

Resolved, That the Board of Education opposes **SB0776—Parent Empowerment Act of 2011**, which would authorize certain parents and legal guardians of students attending public schools that are subject to corrective action and are not making adequate yearly progress to petition county boards of education to implement certain interventions based on accomplishing certain improvements; requiring county boards to notify the State Superintendent of Schools and the State Board of Education on receipt and of final

disposition of certain petitions.

RESOLUTION NO. 126-11 Re: **LEGISLATION**

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

Resolved, That the Board of Education supports with an amendment **HB0751—Agriculture - Jane Lawton Farm-to-School Program – Reporting**, which would require each local educational agency participating in the Jane Lawton Farm-to-School Program to report by January 1 each year to the Department of Agriculture the types and amounts of farm products purchased from farms in the state.

RESOLUTION NO. 127-11 Re: **LEGISLATION**

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

Resolved, That the Board of Education opposes **SB0825—Education - Development and Review of Content Standards for Chess Instruction**, which would authorize the State Department of Education to develop and review content standards for chess instruction in public schools; authorizing county boards of education to implement certain instruction in certain schools under certain circumstances; and generally relating to the implementation of chess instruction in the public schools in the state.

RESOLUTION NO. 128-11 Re: **LEGISLATION**

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

Resolved, That the Board of Education strongly opposes **HB0977—Public Schools - Enrollment and Transfer - Parental Decision**, which would authorize the parent or guardian of a student eligible for enrollment in certain public schools to decide to enroll the student in a public school in the county other than the public school to which the student was assigned by a county board of education beginning in a certain school year; requiring a county board to publish certain classroom seat information on or before a certain date each year; requiring certain classroom seats to be open to certain students on a space-available basis; requiring certain schools to enroll and admit certain students on a lottery basis under certain circumstances; requiring each county board to develop and adopt a certain process on or before a certain date; authorizing certain students to attend certain schools for a certain period of time; requiring a certain parent or guardian to sign a certain form regarding the transportation of a certain student; providing that certain provisions of law may not be construed to affect certain students who enroll or transfer schools under other provisions of law or a certain federal law; and generally relating to a parent or guardian's decision to enroll or transfer a student in public schools.

RESOLUTION NO. 129-11 Re: **LEGISLATION**

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

Resolved, That the Board of Education strongly supports **HB0462—Vehicle Laws - Overtaking and Passing School Vehicles - School Bus Monitoring Cameras**, which would authorize a county board of education, in consultation with a local law enforcement agency, to place school bus monitoring cameras on county school buses for the purpose of recording motor vehicles committing violations relating to overtaking and passing school vehicles; requiring a school bus operator to give a recording of the violations to a local law enforcement agency.

RESOLUTION NO. 130-11 Re: **LEGISLATION**

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

Resolved, That the Board of Education strongly supports **HB1106—Vehicle Laws - Overtaking and Passing School Vehicles - School Bus Monitoring Cameras**, which would authorize a county board of education, in consultation with a local law enforcement agency, to place school bus monitoring cameras on county school buses for the purpose of recording motor vehicles committing violations relating to overtaking and passing school vehicles; requiring a school bus operator to give a recording of the violations to a local law enforcement agency.

RESOLUTION NO. 131-11 Re: **LEGISLATION**

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

Resolved, That the Board of Education strongly supports **SB0679—Vehicle Laws - Overtaking and Passing School Vehicles - School Bus Monitoring Cameras**, which would authorize a county board of education, in consultation with a local law enforcement agency, to place school bus monitoring cameras on county school buses for the purpose of recording motor vehicles committing violations relating to overtaking and passing school vehicles; requiring a school bus operator to give a recording of the violations to a local law enforcement agency.

RESOLUTION NO. 132-11 Re: **LEGISLATION**

On recommendation of the superintendent and on motion of Ms. Berthiaume seconded by Mr. Kauffman, the following resolution was adopted with Mr. Barclay, Ms. Berthiaume, Dr. Docca, Mr. Durso, Mr. Kauffman, and Mr. Xie voting in the affirmative; Ms. Brandman and Mrs. O'Neill voting in the negative:

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Resolved, That the Board of Education opposes **SB0369—Educaiton -School Buses - Fire Safety Standards**, which would require a school bus to meet certain fire safety criteria; requiring the State Department of Education to adopt certain fire safety regulations for school buses that include certain requirements; requiring certain engine components of certain school buses to meet a certain standard; defining certain terms; providing for the application of this Act; and generally relating to seven school bus fire safety standards.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Mr. Xie noted that he was hosting a SMOB council meeting on March 9, 2011. They will be working on a SMOB website to centralize their communications.

Mr. Durso commented on being a guest reader at Laytonsville, Great Seneca, and Rachael Carson elementary schools. Also, March 27–April 1 is Assistant Principals Recognition Week.

Ms. Berthiaume commented on attending the Excellence in Gifted and Talented Awards in Annapolis. By proclamation, Governor O'Malley declared that February 2011 as Gifted and Talented Education Month.

Dr. Docca commented on attending the following events: Libraries of Montgomery County, Commission of Women, and Office of Human Rights event with author Isabel Wilkerson, who was the first black woman to win a Pulitzer Prize; Lunar Year celebration at Lakeforest Mall; Black History program at Ridgeview Middle School; Lunar New Year at the New Fortune Restaurant; the Gospel Train at Montgomery College; Briggs Chaney Middle School student presentation of original work; reading at Laytonsville and Rachel Carson elementary schools; and ground breaking for the science building at Montgomery College/Germantown.

Mrs. O'Neill commented on the meetings with Sherwood, Einstein, Damascus, and Seneca Valley clusters. She was impressed with the Sherwood and Damascus clusters giving their history in the county.

Ms. Brandman associated herself with her colleagues' remarks. The Science Montgomery Fair is coming up, along with the Intel Competition in May. The budget concerns are being discussed in the legislature session, and there is a lot of advocacy for budget items. She encouraged the community not to lose focus because the political bodies are reaching critical moments for decisions.

Mr. Barclay associated his comments with his colleagues since he attended the same events. He encouraged parents to attend the cluster meetings since it is a time for them to talk with the Board.

Dr. Weast commented on the new website; congratulated the Montgomery Blair High School Blazers for winning the first-ever state tournament in Unified Bocce; commented on

a night with the Washington Wizards; and congratulated the Richard Montgomery High School senior who won Teen Jeopardy.

Re: UPDATE ON SUPERINTENDENT SEARCH

Mr. Barclay stated that the search firm Hazard, Young, Attea & Associates (HYAA) conducted community outreach events and held focus group meetings at the end of January and beginning of February to get input on the desired characteristics for the next superintendent. In addition, an online survey was available to community members who could not attend the forums. HYAA compiled the information from the survey, the focus group meetings, and community forums to develop a Leadership Profile Report and a summary of Desired Characteristics. This information was provided to the Board in mid-February and has been posted to the superintendent search webpage. The Leadership Profile Report and summary of Desired Characteristics will be used by HYAA as it recruits and screens candidates to be considered by the Board of Education. The position has been advertised nationwide and HYAA is in the process of recruiting and screening candidates for the Board's consideration. He encouraged everyone to continue to check our website for information, as the search progresses.

Re: INNOVATIONS IN TECHNOLOGY

Dr. Weast invited the following people to the table: Mr. Sherwin A. Collette, chief technology officer, Office of the Chief Technology Officer; Mrs. Aimee R. Conway, mathematics teacher, Northwest High School; Mr. Gregory S. Edmondson, principal, Great Seneca Creek Elementary School; Mrs. Lisa B. Norris, media specialist, Great Seneca Creek Elementary School; and Mrs. Sarinya Rapeepun, kindergarten teacher, East Silver Spring Elementary School.

This update highlights examples of the innovative uses of technology throughout the district and also outlines some of the challenges ahead in ensuring that all students and staff can benefit from technology innovations. Dramatic changes in the variety and flexibility of digital content are facilitating important shifts in the ways teachers are teaching and students are learning. Similarly, these changes also are facilitating increased effectiveness of our business services and efficiency of key processes. The innovative use of technology remains a significant strategy in our ongoing improvement initiatives to provide staff with supports to save time, enhance teaching and learning, and deliver professional development. Montgomery County Public Schools (MCPS) is transforming learning environments and administrative functions through the integration of technology across all aspects of the school system by providing a robust and agile computing infrastructure that enables timely delivery and access to content through a variety of interactive and mobile technologies. However, a significant commitment will be needed to sustain appropriate budgetary support to integrate these technologies for all students and staff and adequately prepare our workforce to use digital resources effectively.

Digital content—text, pictures, video, and developed materials—used purposefully, has the power to change geopolitical boundaries and economies, redefine businesses, and

certainly improve teaching and learning. How we respond to and plan for the emerging opportunities to reconceptualize and transform teaching and learning are crucial to our long-term success in meeting the needs of a new generation of learners. These emerging opportunities are a result of the ways in which content is being recreated and published. MCPS has responded by laying important building blocks for the future, providing a robust and agile infrastructure that supports delivery and access to digital content through a variety of interactive and mobile technologies. Equally important has been the district's investments to ensure that our classrooms are staffed with high-quality teachers who are supported with a rigorous curriculum, competent leadership, and professional support staff.

In the face of significant fiscal pressures, it is imperative that appropriate investments be continued to ensure the integration of technology for all students and staff; to prepare our workforce to use digital resources effectively; and to protect our computing environment in which students, staff, parents, and partners are using a variety of devices to access information, collaborate, and communicate anytime from any location. Technology is an essential tool to the future of teaching and learning in our school system and to the business of education. Much remains to be done to realize its full potential.

Re: **DISCUSSION**

Mr. Durso thanked staff for an impressive presentation. He commended the teachers for their use of and presentation on technology. He asked about the future of textbooks and the move to technology. Staff explained that MCPS was on that path to have more ebooks since colleges and universities are making the transition. How do you provision the electronic device to students? Staff wants to avoid purchasing devices that do not have multiple functions. Most material is available digitally, but the publishers are still debating prices.

Ms. Berthiaume asked about blended learning, National Technology Education report, migration of technology into the hands of students, creating hot spots so that students could take notes, and using students' devices to connect and upload homework, and what that would mean for seat time. Staff replied that the Elementary Integrated Curriculum supports a blended learning model. The National Educational Technology Plan speaks to a vision that looks at what MCPS has embraced as infrastructure that supports using research and the science of learning in what MCPS teaches. Through the integration of technology, the teachers find ways to engage students in their learning. When engaging students, teachers can fill in the blanks to compact and accelerate learning. Now, we can assess students and measure growth as learning. When students are able to bring their own devices, this will enable more computing and will change seat time.

Mr. Barclay was pleased with the presentation and noted that the webinar from Great Seneca Creek Elementary School was very interesting in that it illustrated the possibilities of sharing information across the district. He wanted to be assured that as teachers learn and maximize technology, it is shared with other teachers. What happens to students with short attention spans? What role does technology play with differentiation? Staff replied that in elementary school, small group can work on projects with multiple concepts. In

secondary school, students are engaged with various learning activities with physical movement. Staff development models show teachers how to be critically explorative themselves and model for their students. Teachers are invited to plan lessons by integrating technology with their students in mind. Sharing lessons among teachers is a collaborative way of sharing ideas and knowledge.

Mr. Kauffman opined that it is difficult to predict where technology is headed. With regards to the system's investment in Promethean boards, where will the system be in five years? What is the next technology? Staff stated that there are two pathways: (1) evolution of technology with more activities on the same device, and (2) take mobile devices to integrate into physical portal that allows the student to interact from wherever.

Mr. Kauffman wanted to know if the system was locked into Promethean and the vendor. Staff stated that the system has the hardware and software kit that could extend the function with new applications. Dr. Weast replied that it was a risk/reward decision. Staff is looking at technology on a global basis.

At this point, the Board and staff visited the Safety and Security Unit for a presentation on security cameras. Also, accurate information on the weather conditions can determine school closings using technology on a comprehensive process on a web-based platform to determine the operational status of facilities.

Re: LUNCH AND CLOSED SESSION

The Board of Education recessed from 1:25 to 3:00 p.m. for lunch and closed session.

RESOLUTION NO. 133-11 Re: CONTRACTS OF \$25,000 OR MORE

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

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

Resolved, That the president of the Board of Education and the 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:

08-09-1106 SUPER Co-Op Beef Patty Contract
08-1

	<u>Awardee</u>	
	Don Lee Farms/Division of Goodman Food Products	\$49,209

1093.5 Propane Gas

	<u>Awardee</u> Amerigas	\$77,327
4063.10	Art Supplies—Extension	
	<u>Awardees</u>	
	Commercial Art	\$83,896
	Dick Blick Art Materials	7,234
	Elgin School Supply Company, Inc.	1,393
	Integrity School Supplies*	1,687
	Interstate Office Supply Company*	1,569
	Jackman's, Inc.	6,648
	National Art & School Supplies	3,945
	Pyramid Paper Company	93,628
	Quill Corporation	2,117
	School Specialty, Inc.	2,406
	Standard Stationery Supply Company	<u>27,421</u>
	Total	\$231,944
4090.7	Envelopes	
	<u>Awardees</u>	
	OfficeMax	\$ 34,186
	Pyramid Paper Company	<u>39,150</u>
	Total	\$ 73,336
4248.2	Elementary School Access Control Systems	
	<u>Awardee</u> Netcom Technologies, Inc.	\$372,060
4312.1	Project North Star Evaluator	
	<u>Awardee</u> RMC Research Corporation	\$249,905
7004.12	Audio and Visual Equipment and Supplies	
	<u>Awardee</u> CDW-Government	\$193,206
9002.6	Door Hardware, Closures, and Exit Devices—Extension	
	<u>Awardees</u> Independent Hardware, Inc.	\$110,000

	Taylor Security & Lock Company, Inc.	<u>140,000</u>
	Total	\$250,000
9003.4	Hardware Supplies—Extension	
	<u>Awardees</u>	
	Liberty Lumber & Supply Company	\$ 3,133
	M. S. F. County Services Company	<u>115,000</u>
	Total	\$118,133
9016.5	Electrical Supplies and Equipment—Extension	
	<u>Awardees</u>	
	C. N. Robinson Lighting Supply Company	\$ 98,000
	Electrical Wholesale Metro D.C., Inc. /Maurice Electrical Supply Co.	252,000
	United Electric Supply	<u>404,000</u>
	Total	\$754,000
9057.7	Baseball Supplies and Equipment—Extension	
	<u>Awardees</u>	
	Hat World, Inc., dba Anaconda Sports, Inc.	\$ 16,728
	Riddell	483
	Sport Supply Group, Inc.	10,653
	Sports Stop, Inc.	15,736
	Taylor Sports and Recreation	<u>353</u>
	Total	\$ 43,953
9058.9	Basketball Supplies and Equipment—Extension	
	<u>Awardees</u>	
	Baden Sports, Inc.	\$ 138
	Basketball Products International, Inc.	3,023
	Bill Fritz Sports Corporation	2,692
	Cannon Sports, Inc.*	24,446
	Hat World, Inc., dba Anaconda Sports, Inc.	9,826
	Pyramid Paper Company	4,954
	Sport Supply Group, Inc.	19,380
	Sports Stop, Inc.	<u>1,951</u>
	Total	\$ 66,410
9069.9	Softball Supplies and Equipment—Extension	
	<u>Awardees</u>	
	Cannon Sports, Inc.*	\$ 9,387

Hat World, Inc., dba Anaconda Sports, Inc.	18,805
Pyramid Paper Company	1,387
Sport Supply Group, Inc.	20,665
The Athletic Equipment Source	<u>12,054</u>
Total	\$ 62,298

9084.7 Physical Education Supplies and Equipment—Extension

Awardees

AD Mats Corporation*	\$ 76,043
Aluminum Athletic Equipment Co.	21,264
Baden Sports, Inc.	14,123
Bill Fritz Sports Corporation	13,611
Cannon Sports, Inc.*	52,188
Deary's Gymnastics Supply	11,164
Dollamur, LP	71,910
Marlow Sports, Inc.*	6,440
Medco Supply Company	4,389
M-F Athletic Co.	6,383
Power Systems, Inc.	3,750
Pyramid Paper Company	46,648
Resilite Sports Products, Inc.	32,294
School Specialty, Inc.	18,780
Soccer International, Inc.	30,806
Sport Supply Group, Inc.	145,441
Sports Endeavors, Inc.	1,790
Sports Imports, Inc.	46,444
Sports Stop, Inc.	28,533
The Athletic Equipment Source	<u>106,580</u>
Total	\$738,581

9097.5 Removal, Disposal, and Testing Underground Fuel Tanks—Extension

Awardee

Apex Companies, LLC	\$ 60,000
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9116.5 Detergents and Cleaners, Laundry and Kitchen Use

Awardee

Acme Paper & Supply Co., Inc.	\$35,572
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9620.3 Replace Acoustical Suspended Ceiling Systems at Various Locations**

Awardee

Unisource Services, LLC*	\$ 500,000
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TOTAL PROCUREMENT CONTRACTS OVER \$25,000 \$3,875,934

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

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

RESOLUTION NO. 134-11 Re: **ARCHITECTURAL APPOINTMENTS—
RELOCATABLE CLASSROOMS**

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

WHEREAS, Funds are appropriated annually in the Capital Improvements Program for the relocatable classroom project; and

WHEREAS, Architectural and engineering services are required for the development of site plans and associated permitting activities for the relocatable classroom project; and

WHEREAS, The number of relocatable classroom building moves requires architectural firms be employed to complete the planning activities in time to finish the relocation work before school starts in August 2011; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, selected JK Architects & Associates and The K Group Architects as the most qualified firms to provide the necessary professional architectural and engineering services; and

WHEREAS, JK Architects & Associates and The K Group Architects are Maryland Department of Transportation-certified minority firms; and

WHEREAS, JK Architects & Associates and The K Group Architects currently are under contract to provide architectural and engineering services for relocatable classroom buildings for a fee of \$1,250 per site for design development and \$5,650 per site for construction documents and permitting services; now therefore be it

Resolved, That the Montgomery County Board of Education extends the contractual agreements with the architectural firms of JK Architects & Associates and The K Group Architects to provide professional architectural and engineering services as requirements arise for relocatable classroom moves for a fee of \$1,250 per site for design development and \$5,650 per site for construction documents and permitting services.

RESOLUTION NO. 135-11 Re: **AWARD OF CONTRACTS—
GAITHERSBURG HIGH SCHOOL
MODERNIZATION SITE WORK**

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

WHEREAS, On December 8, 2009, the Board of Education authorized staff to utilize a construction management process for the Gaithersburg High School modernization project and awarded a contract for preconstruction services to Hess Construction + Engineering Services; and

WHEREAS, The following sealed bids were received on February 16, 2011, and February 22, 2011, for the site work packages for the Gaithersburg High School modernization project:

<u>Low Bidders</u>	<u>Amounts</u>
2A-Site Work—Ross Contracting Inc.	\$17,300,000
15C-Geothermal System—Thermal Loop Corporation	4,749,000

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

WHEREAS, On February 15, 2011, the County Council approved a supplemental appropriation in the amount of \$8 million to fund the initial phase of the Gaithersburg High School modernization project in order to complete certain work in advance of the 2011–2012 school year; now therefore be it

Resolved, That the following trade contracts be awarded to the low bidders for the initial phase of the construction of the Gaithersburg High School modernization project, in accordance with drawings and specifications prepared by Samaha Associates, P.C.:

<u>Low Bidders</u>	<u>Amounts</u>
2A-Site Work—Ross Contracting Inc.	\$7,000,000
15C-Geothermal System—Thermal Loop Corporation	1,000,000

and be it further

Resolved, That the balance of these contracts be awarded contingent upon the County Council's approval of the Fiscal Year 2012 Capital Budget.

RESOLUTION NO. 136-11

Re: **ENGINEERING APPOINTMENTS—HEATING,
VENTILATION, AND AIR CONDITIONING
REPLACEMENT PROGRAM**

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

WHEREAS, It is necessary to appoint engineering firms to provide professional design services for the Heating, Ventilation, and Air Conditioning equipment replacement program at various schools; and

WHEREAS, A Consultant Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified b2E Consulting Engineers, P.C.; Brinjac Engineering, Inc.; Building Dynamics, LLC; Burdette, Koehler, Murphy & Associates, Inc.; Gipe Associates, Inc.; James Posey Associates, Inc.; and Mendoza, Ribas, Farinas & Associates as the most qualified firms to provide the necessary professional design services for the Heating, Ventilation, and Air Conditioning systems; and

WHEREAS, Staff in the Department of Facilities Management will negotiate fees for the necessary Heating, Ventilation, and Air Conditioning system design services based on the size and complexity of individual projects; and

WHEREAS, Staff in the Department of Facilities Management has determined that a standard scope of design services is required for the Heating, Ventilation, and Air Conditioning equipment replacement program; now therefore be it

Resolved, That the Department of Facilities Management be authorized to execute a scope of services contract with the firms of b2E Consulting Engineers, P.C.; Brinjac Engineering, Inc.; Building Dynamics, LLC; Burdette, Koehler, Murphy & Associates, Inc.; Gipe Associates, Inc.; James Posey Associates, Inc.; and Mendoza, Ribas, Farinas & Associates to establish contractual design responsibilities for all projects undertaken for a one-year period; and be it further

Resolved, That contractual agreements with the approved engineering firms will be negotiated for each project for a fee based on the scope of work; and be it further

Resolved, That the list of awarded contracts be sent to the Board of Education quarterly as an information item.

RESOLUTION NO. 137-11

Re: **HERBERT HOOVER MIDDLE SCHOOL—
GRANT OF FOREST CONSERVATION
EASEMENT**

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

WHEREAS, The Maryland-National Capital Park and Planning Commission has requested a Conservation Easement Agreement at Herbert Hoover Middle School, located at 8810 Post Oak Road in Potomac, Maryland, in connection with the school construction project;

and

WHEREAS, The proposed conservation easement will protect and prevent any alteration, construction, or destruction of sensitive environmental areas consisting of forest, wetlands, and stream valley buffers contained in 13,068 square feet within the school site; and

WHEREAS, The proposed conservation easement 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 sensitive environmental areas; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Conservation Easement Agreement with the Maryland-National Capital Park and Planning Commission consisting of 13,068 square feet at Herbert Hoover Middle School.

Re: **LEASE AGREEMENT—BRICKYARD ROAD
SITE**

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

WHEREAS, Montgomery County is interested in constructing more ball fields to provide additional recreational facilities for Montgomery County residents and has identified the future Brickyard Middle School site, located on Brickyard Road in Potomac, Maryland, as a location for ball field construction; and

WHEREAS, Montgomery County has requested a land lease of the 20-acre site that would include a term of 10 years with the option to reclaim the site should it be needed for school construction purposes; and

WHEREAS, Montgomery County will be responsible for notifying the community, obtaining all required permits, developing and maintaining the ball fields, and paying an annual rent of \$1,500; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Land Lease Agreement with Montgomery County for construction of ball fields at the future Brickyard Middle School site.

Re: **DISCUSSION**

Staff explained that this item was to allow the school system to enter into a lease agreement with Montgomery County. The current lease expires in March and there are two lease applicants: the past tenant and Montgomery County.

Mr. Barclay stated that he was in full agreement and supports leasing this land to the county. He felt strongly about the needs that exist for recreational facilities and soccer in

this county. Soccer is the most popular sport that exists in the county, and there are not enough soccer fields in the county. Students know that if they play soccer in high school they have to keep their GPA up to be eligible. However, he was frustrated with the county that there was not enough discussion with the community on the use of the land.

Ms. Berthiaume asked about the expiring lease agreement, and that the lease was for one year with four automatic renewals. Staff replied that the current lease was signed in February of 2006, starting on March 23, 2006. There was an annual renewal process for four more years with an expiration date of March 23, 2011. A renewal with the current tenant would require advertising for a new tenant soliciting proposals.

Ms. Berthiaume asked if this structure has been the case with this property for the last 30 years. The amount of the lease for a year is \$1,300. Is there anywhere else in the county that you can get 20 acres for \$1,300? Staff explained that they did not know what the negotiated process was since they were not involved in the process. Since there was no immediate need for the property, staff leased the land. If the system sought proposals to lease this land, the accepted proposal would be for a significant higher fee.

Mr. Barclay understood that when there are sites that the system owns without a planned use in the near future, it leases the land to someone who will keep it up. What is the average cost that is charged? Staff replied that it is a competitive bid.

Ms. Berthiaume commented on the proposed lease agreement. Is there any reason it was not included in the Board packets? Staff replied that is not the normal process. Leases are signed after the Board's approval.

Mrs. O'Neill commented that she was a soccer mom with her two girls. The opportunity for girls to participate in sports builds leadership skills and teamwork. The Potomac Master Plan specifically points out that there is a deficit of 12 soccer fields in that region, and it cites Brickyard Road as a possible site for such a field. She felt badly for the current renter since he has had a thriving business, and the community has become accustomed to the farm in their midst. However, this is a school site which could house a school and all the fields that accompany a school. Finally, Mrs. O'Neill has found the communications with the Board have been outrageous, and there is no quid pro quo with the county government.

Re: **AN AMENDMENT TO THE LEASE AGREEMENT—BRICKYARD ROAD SITE**

On motion of Mrs. O'Neill and seconded by Mr. Barclay, the following amendment was placed on the table:

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Land Lease Agreement with Montgomery County for construction of ball fields at the future Brickyard Middle School site; and be it further

Resolved, That Nick's Organic Farm be allowed to plant and harvest during the 2011

season through January 1, 2012, via a sublease with the county executive, and during which time the county executive will work with the community and solicit requests for proposals for grass ball fields; and be it further

Resolved, That Montgomery County Public Schools must be able to reclaim the property for school needs based on the sole determination by the Board of Education by giving two years' notice.

Re: **DISCUSSION**

Mrs. O'Neill pointed out that two years' notice must be in the *resolves*. She had spoken to the county executive's office about the prospect of plant and harvest during this season because it was short notice and the process for an RFP will take time. The burden is on the county executive to work the community through the mandated referral process.

Dr. Weast noted that this parcel of land has been subject to other ideas for usage in the past. The community is aware that the school site has been considered for other purposes, such as productivity housing. Furthermore, most people do not want to engage in a lease since it can be recalled by the school system. Finally, there would be a cost to the school system to maintain the site.

Ms. Brandman commented on the context of the resolution. The Board was approached by the county executive, and the master plan recognized that there was a deficit of ball fields and Brickyard was a property that was being considered. In the past, the system has worked with the county on out-of-school time needs, such as recreational opportunities. It was her expectations that there would be ongoing conversations in the community to explore the executive's desire to look at this matter. The lease was going to sunset on March 23, 2011, from the time it was signed, and there would be an added process for another tenant. Staff explained that the lease agreement will leave the public notice and involvement to the county and the county executive's staff.

Mr. David Dise, director of the Department of General Services, Montgomery County, explained the implementation of county plan. The county's practice is public engagement in all projects. The county does not engage the public until it understands what is procured, such as control of a property through a lease agreement. After that, there is an aggressive public engagement process with a series of public meetings. This is done well in advance of issuing an RFP. There will be issues of nature turf, noise, parking, lighting, etc. Also, the care and maintenance of the fields will be contractual with the tenant at no public cost. Finally, the contractor will engage the public as well as Park and Planning prior to approval.

Mr. Kauffman asked about the expectation of what will be built on this site, such as the number of fields, parking, etc. Mr. Dise stated that it is typical for the entity that wants the site to present a performance specification based on an RFP that has had public input.

Mr. Kauffman asked about what is specified in the master park. The community is willing to live with a park, but not ball fields. Mr. Dise stated that the parenthesis in the master plan

which includes recreational use should be evaluated along with other public uses identified elsewhere in the plan to determine priority use of the site. The intent of this site use is soccer fields.

Mr. Kauffman asked about existing fields and how will they will impact the demand for MCPS fields. Staff thought there was a significant shortage of athletic fields in the county.

Mr. Barclay pointed out there is an issue of finding a field for practice or play, and it will relieve the demand on the current fields. The demands on the fields simply wear out the fields.

Mr. Durso pointed out that some of the usage is not authorized by the school system or ICB. Dr. Docca agreed that there is a need for more fields.

Ms. Berthiaume agreed that there is a need for fields. Her question was process, and she could not determine that there was a process for land use. She thought that was a gap, and there should be a process for public input, especially as controversial and fact dependent as this site. In a letter from the county executive there is a statement that the site is largely vacant and underutilized. However, the testimony indicated that it is used and maintained. Finally she asked Ms. Brandman what her expectation was on public engagement, if any. Ms. Dise replied that the area was farmed, but not the use as master planned. It has always been the county executive's intent to work with the tenant in relation to the growing season, and there would be a transition of the site. The county advertised that the county was about to enter into a lease with the school system. Ms. Brandman noted that the county executive was taking responsibility for community notification and work with the organic farmer. Mr. Dise indicated that the intent was for soccer fields, but public input could change the scope of the project.

Dr. Weast stated that he was sensitive, but this is public land. There is a lot of work done between MCPS, Park and Planning, and ICB. Facilities are collocated to diminish the cost to taxpayers. When people occupy MCPS land and another agency come to the school system, the question before the Board is to transfer the land or not. It is the same thing when MCPS asks for building sites.

Mr. Kauffman stated that his interest was that this is MCPS land, and what is best for MCPS and its students. It is incumbent on the Board to make the best decision for the school system. The other interest is to get the land back. Is there is an MCPS need for a facility?

Re: **AN AMENDMENT TO THE LEASE AGREEMENT—BRICKYARD ROAD SITE**

On motion of Mr. Kauffman and accepted by Mrs. O'Neill as an addition to the amendment for the last *resolve* to read::

Resolved, That Montgomery County Public Schools must be able to reclaim the property for

school needs **based on the sole determination by the Board of Education** by giving two years' notice.

RESOLUTION NO. 137(A)-11 Re: **AN AMENDMENT TO THE LEASE AGREEMENT—BRICKYARD ROAD SITE**

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

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Land Lease Agreement with Montgomery County for construction of ball fields at the future Brickyard Middle School site; and be it further

Resolved, That Nick's Organic Farm be allowed to plant and harvest during the 2011 season through January 1, 2012, via a sublease with the county executive, and during which time the county executive will work with the community and solicit requests for proposals for grass ball fields; and be it further

Resolved, That Montgomery County Public Schools must be able to reclaim the property for school needs based on the sole determination by the Board of Education by giving two years' notice.

Re: **POSTPONMENT OF THE VOTE ON THE LEASE AGREEMENT**

On motion of Ms. Brandman and seconded by Ms. Berthiaume, the following resolution failed with Ms. Brandman, Ms. Berthiaume, and Mr. Kauffman voting the affirmative: Mr. Barclay, Dr. Docca, Mr. Durso, Mrs. O'Neill, and Mr. Xie voting in the negative:

Resolved, That the Board of Education delay the vote on that resolution until the next scheduled Board of Education meeting in order to hear any community concerns on the amended resolution.

RESOLUTION NO. 138-11 Re: **LEASE AGREEMENT—BRICKYARD ROAD SITE**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Mr. Barclay, the following amended resolution was adopted with Mr. Barclay, Ms. Brandman, Dr. Docca, Mr. Durso, Mrs. O'Neill, and (Mr. Xie) voting in the affirmative; Ms. Berthiaume and Mr. Kauffman voting in the negative:

WHEREAS, Montgomery County is interested in constructing more ball fields to provide additional recreational facilities for Montgomery County residents and has identified the future Brickyard Middle School site, located on Brickyard Road in Potomac, Maryland, as a location for ball field construction; and

WHEREAS, Montgomery County has requested a land lease of the 20-acre site that would include a term of 10 years with the option to reclaim the site should it be needed for school construction purposes; and

WHEREAS, Montgomery County will be responsible for notifying the community, obtaining all required permits, developing and maintaining the ball fields, and paying an annual rent of \$1,500; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Land Lease Agreement with Montgomery County for construction of ball fields at the future Brickyard Middle School site; and be it further

Resolved, That Nick's Organic Farm be allowed to plant and harvest during the 2011 season through January 1, 2012, via a sublease with the county executive, and during which time the county executive will work with the community and solicit requests for proposals for grass ball fields; and be it further

Resolved, That Montgomery County Public Schools must be able to reclaim the property for school needs based on the sole determination by the Board of Education by giving two years' notice.

RESOLUTION NO. 139-11 Re: **UTILIZATION OF THE FISCAL YEAR 2011
PROVISION FOR FUTURE SUPPORTED
PROJECTS**

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

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. 16-1374, approved May 27, 2010; and

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

WHEREAS, Sufficient appropriation is available, within the Fiscal Year 2011 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 by the Montgomery County Board of Education to receive and expend \$807,915 within the Fiscal Year 2011 Provision for Future Supported Projects, as specified below:

Project	Amount
Medical Assistance Program	\$ 782,833
Title I—Part D, Neglected, Delinquent, or At-Risk Children	<u>25,082</u>
Total	\$ 807,915

and be it further

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

RESOLUTION NO. 140-11

Re: **MONTGOMERY COUNTY PUBLIC
SCHOOLS EMPLOYEES RETIREMENT AND
PENSION SYSTEM AND OTHER POST-
EMPLOYMENT BENEFITS PLAN TRUST—
ACTUARIAL ASSUMPTIONS**

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

WHEREAS, The Board of Education Fiscal Management Committee recommends changing certain actuarial assumptions used in the annual Montgomery County Public Schools Employees Retirements and Pension Systems, and biannual Other Post-Employment Benefits Plan Trust actuarial valuation reports based on actual experience; and

WHEREAS, The Montgomery County Public Schools Employees Retirement and Pension Systems require that an actuarial valuation be conducted every year; and

WHEREAS, The Other Post-Employment Benefits Plan Trust requires that an actuarial valuation be conducted every other year; and

WHEREAS, The superintendent of schools and the plan actuary are expected to review the assumptions used to conduct the annual actuarial valuation from time to time to ensure that the assumptions are realistic and reflect the Montgomery County Public Schools Employees Retirement and Pension Systems and Other Post-Employment Benefits Plan Trust experience where applicable; and

WHEREAS, The recommended assumptions reflect actual Montgomery County Public Schools Employees Retirement and Pension Systems and Other Post-Employment Benefits Plan Trust experience and will ensure that Montgomery County Public Schools continues to properly fund the plans; now therefore be it

Resolved, That beginning with the actuarial valuation for the plan year ending June 30,

2010, the Montgomery County Public Schools Employees Retirement and Pension Systems plan actuary use the new assumptions contained in the attached report, *Actuarial Review and Proposed Assumption Changes*, to produce the annual actuarial valuation of the plan and biannual actuarial valuation of the Other Post-Employment Benefits Trust; and be it further

Resolved, That the superintendent of schools is authorized to take the necessary actions to implement these changes.

RESOLUTION NO. 141-11 Re: **APPOINTMENT OF CLIFTON GUNDERSON
LLP AS INDEPENDENT AUDITOR**

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

WHEREAS, Clifton Gunderson LLP has agreed to complete the audits for fiscal years 2011 and 2012 for \$128,500 per year, and within the required timeframe; now therefore be it

Resolved, That the Board of Education reappoints Clifton Gunderson LLP as independent auditor for a two-year contract, with audit fees fixed for fiscal years 2011 and 2012, at \$128,500 per year.

RESOLUTION NO. 142-11 Re: **MONTHLY HUMAN RESOURCES AND
DEVELOPMENT REPORT**

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

Resolved, That the Board of Education adopted the Monthly Human Resources and Development Report dated March 8, 2011.

RESOLUTION NO. 143-11 Re: **DEATH OF MR. RONALD E. MATTOX,
TEACHER, SOCIAL STUDIES, RICA**

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

WHEREAS, The death on February 10, 2011, of Mr. Ronald E. Mattox, teacher, social studies, at RICA, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During the 3.6 years that Mr. Mattox worked for Montgomery County Public Schools, he motivated his students by encouraging them to do their best in each and every class period and always emphasized that there wasn't anyone in his class who could not succeed; and

WHEREAS, Mr. Mattox was a team player and worked for the benefit of the total school 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. Mattox 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. Mattox's family.

Re: **MONTHLY FINANCIAL REPORT**

Mr. Larry Bowers, Chief Operating Officer, commented that this financial report reflects the actual financial condition of Montgomery County Public Schools (MCPS) as of January 31, 2011, and projections through June 30, 2011, based on program requirements and estimates made by primary and secondary account managers. At this time, revenue has a projected deficit of \$300,000, while expenditures have a projected surplus of \$17,000,000. Staff in the MCPS Department of Management, Budget, and Planning will continue to closely monitor both revenues and expenditures.

RESOLUTION NO. 144-11 Re: **PRELIMINARY PLANS—DARNESTOWN
ELEMENTARY SCHOOL ADDITION
PROJECT**

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

WHEREAS, The architect for the proposed Darnestown Elementary School addition project, Gauthier, Alvarado & Associates, Inc., has prepared a schematic design in accordance with the educational specifications; and

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

Resolved, That the Board of Education approves the preliminary plans report for the Darnestown Elementary School addition project developed by Gauthier, Alvarado & Associates, Inc.

RESOLUTION NO. 145-11 Re: **PRELIMINARY PLANS—VIERS MILL
ELEMENTARY SCHOOL ADDITION
PROJECT**

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

WHEREAS, The architect for the proposed Viers Mill Elementary School addition project,

BeeryRio, Inc., has prepared a schematic design in accordance with the educational specifications; and

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

Resolved, That the Board of Education approves the preliminary plans report for the Viers Mill Elementary School addition project developed by BeeryRio, Inc.

** Mr. Xie left the meeting.

RESOLUTION NO. 146-11 Re: **TENTATIVE ACTION, POLICY IOD,
EDUCATION OF ENGLISH LANGUAGE
LEARNERS**

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

WHEREAS, Policy IOD, *Education of English Language Learners*, reaffirms the education of English language learners as a high priority for MCPS and also ensures compliance with federal and state mandates regarding the education of English language learners; and

WHEREAS, The Montgomery County Board of Education Policy Committee has considered and recommended revisions to update Policy IOD, *Education of English Language Learners*; and

WHEREAS, The Montgomery County Board of Education has received the Policy Committee's recommendation; now therefore be it

Resolved, That the Montgomery County Board of Education take tentative action on Policy IOD, *Education of English Language Learners*; and be it further

Resolved, That Policy IOD, *Education of English Language Learners* be sent out for public comment.

Education of English Language Learners

A. PURPOSE

To reaffirm the education of English language learners as a high priority for Montgomery County Public Schools (MCPS)

To ensure compliance with federal and state mandates regarding the education of English language learners

B. ISSUE

Success for every student is based on the premise that quality education is a fundamental right of every child. Language should not be a barrier that impedes English language learners in their effort to secure equal educational opportunities in MCPS. English language learners have become an increasingly diverse group of students, representing many countries and languages, coming from all socioeconomic levels, and having varied educational and experiential backgrounds. There must be special instructional and support programs to meet the challenges faced by English language learners, including services such as counseling, parent outreach, and bilingual assessments that will help eliminate barriers that might prevent students from participating fully in educational programs. Instruction should enable students to learn English as quickly as possible while at the same time ensuring that they do not fall behind their grade-level peers in content areas.

C. POSITION

1. It is the intent of the Montgomery County Board of Education to:
 - a) Hold English language learners to the same high expectations of learning established for all students;
 - b) Assure that English language learners develop full proficiencies in academic and interpersonal English in the domains of listening, speaking, reading, and writing, consistent with expectations for all students;
 - c) Assure that English language learners reach challenging content and performance standards in all content areas, including reading and language arts, mathematics, social studies, science, career and technology education, the fine arts, health, and physical education, consistent with those for all students;
 - d) Provide instruction to English language learners that builds on their previous education and cognitive abilities and that reflects their English language proficiency levels;
 - e) Evaluate English language learners with appropriate and valid assessments that are aligned with federal, state, and local standards and that take into account the English language proficiency levels and cultural backgrounds of the students; and
 - f) Recognize that the academic success of English language learners is a responsibility shared by the students, all educators, the family, and the community.
2. The English for Speakers of Other Languages (ESOL) Program

- a) Each school, in collaboration with the Office of Curriculum and Instructional Programs and the Office of School Performance, will provide an ESOL program to respond to the range of needs of eligible English language learners. ESOL is a specialized English language development instructional program for eligible English language learners who need to develop proficiency in the four language skills of listening, speaking, reading, and writing academic and interpersonal standard American English.
- b) The ESOL curriculum:
 - (1) Is research based;
 - (2) Is based on age-appropriate levels of English language proficiency;
 - (3) Is aligned with the English language proficiency standards in the Maryland State Department of Education English language proficiency state curriculum;
 - (4) Is aligned with the reading and writing purposes of the MCPS English/Reading/Language Arts curriculum;
 - (5) Is reflective of the many cultural and linguistic backgrounds represented by English language learners; and
 - (6) Is taught using the content, strategies, and thinking processes that students encounter as they pursue an education in MCPS.
- c) Related ESOL Services
 - (1) Schools will employ appropriate, relevant, and culturally sensitive approaches to ensure that parents of English language learners are informed about and become involved in their children's education.
 - (2) MCPS will provide ESOL counseling to assist ESOL program participants in their new school and community environment.
 - (3) MCPS will provide assessments that minimize cultural and linguistic biases for English language learners who are suspected of having a disability.
- d) Staff development in the instructional needs of English language learners is an integral component of a quality ESOL program. Staff

development opportunities will be made available to all staff.

3. Identification and Completion

- a) An English language proficiency assessment will be administered by qualified and trained assessors to all students whose home language is not standard American English at the time they initially enroll in MCPS to identify English language learners eligible for the ESOL program and determine their level of English proficiency.
- b) Students participating in the ESOL program will be considered English proficient and designated as reclassified English language learners upon meeting the criteria established by Maryland State Guidelines.
- c) Performance of students who have exited from the ESOL program will be monitored by the English language learner team in each school and appropriate accommodations will be provided for a period of two years.
- d) Identification and program completion procedures will be evaluated periodically and revised as necessary.

D DESIRED OUTCOMES

1. Services of the ESOL program will be offered to all eligible English language learners and will be designed to accommodate diversity in student backgrounds and levels of English language proficiency.
2. The expectation for success for students participating in the ESOL program will be the same as for all students in MCPS.

E. IMPLEMENTATION STRATEGIES

The superintendent of schools will:

1. Issue administrative procedures for the development, maintenance, and evaluation of appropriate programs for English language learners in MCPS;
2. Allocate staff and material resources annually, based on documented needs and within existing budgetary constraints;
3. Apply for appropriate federal financial assistance, where available, to implement this policy; and
4. Work collaboratively with other county agencies and community organizations to access resources and help meet the needs of English language learners and their families.

F. REVIEW AND REPORTING

1. Each year, the academic progress of ESOL program participants will be reported to the Montgomery County Board of Education through the annual report.
2. MCPS will fulfill all federal and state reporting requirements for current and past ESOL program participants.
3. This policy will be reviewed on an ongoing basis in accordance with the Board of Education policy review process.

RESOLUTION NO. 147-11 Re: **CLOSED SESSIONS RESOLUTION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on Monday, March 21, in Room 120 of the Carver Educational Services Center to meet from 5:30 to 7:30 p.m. to discuss collective bargaining and related matters, as permitted under Section 10-508(a)(9) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County conduct a closed session on Monday, March 28, 2011, in Room 120 of the Carver Educational Services Center to meet from 7:00 to 8:00 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article* and Section 4-107(d) of the *Education Article*; review and adjudicate appeals in its quasi-judicial capacity; consult with counsel to obtain legal advice, as permitted under Section 10-508(a)(7) of the *State Government Article*; and discuss matters of an administrative function outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State Government Article*); and be it further

Resolved, That all such meetings shall continue in closed session until the completion of business.

RESOLUTION NO. 148-11 Re: **REPORT OF CLOSED SESSION**

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

On February 28, 2011, the Board of Education voted unanimously to conduct a closed session as permitted under the *Education Article* Section 4-107(d) and *State Government Article* §10-508(a), *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed session on February 8, 2011, from 5:35 to 6:40 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Received legal advice and considered Appeals 2011-1 and 2011-2, as permitted under Section 10-508(a)(7) of the *State Government Article* with a subsequent vote in open session in its quasi-judicial capacity outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State Government Article*).
2. Discussed matters of an administrative function (pending legislation, Memorandum of Understanding with the City of Rockville, and strategies to obtain operating budget funding) which are outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State Government Article*).

In attendance at the 5:35 p.m. closed session were Chris Barclay, Laura Berthiaume, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, Patricia O'Neill, Ikhida Roland Ikheloa, Suzann King, Glenda Rose, and Patrick Clancy. At 6:10 p.m., Mr. Clancy left the meeting and the following staff joined the meeting: Larry Bowers, Frieda Lacey, Brian Edwards, Chris Richardson, James Song, Frank Stetson, Dana Tofig, and Jerry Weast.

RESOLUTION NO. 149-11 Re: **MINUTES**

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

Resolved, That the Board of Education approve its minutes from the following meetings: January 11, January 12, and January 19, 2011.

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

There were no updates.

Re: **NEW BUSINESS**

There was no new business.

Re: **ITEMS OF INFORMATION**

The following documents were available for information:

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. 150-11 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of March 8, 2011, at 5:10 p.m.

PRESIDENT

SECRETARY

JDW:gr

Resolution	Barclay	Berthiaume	Brandman	Docca	Durso	Kauffman	O'Neill	Xie
Brickyard Site	A	N	A	A	A	N	A	A
Policy IOD	A	A	A	A	A	A	A	O

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

MONTGOMERY COUNTY BOARD OF EDUCATION INDEX

March 8, 2011

ADJOURNMENT	32
APPOINTMENT OF CLIFTON GUNDERSON LLP AS INDEPENDENT AUDITOR	24
APPROVAL OF THE AGENDA	2
ARCHITECTURAL APPOINTMENTS—RELOCATABLE CLASSROOMS	14
AWARD OF CONTRACTS—GAITHERSBURG HIGH SCHOOL MODERNIZATION SITE WORK	14
BOARD COMMITTEE UPDATES	31
BOARD/SUPERINTENDENT COMMENTS	7
CLOSED SESSION RESOLUTION	30
CONTRACTS OF \$25,000 OR MORE	10
DEATH OF MR. RONALD E. MATTOX, TEACHER, SOCIAL STUDIES, RICA	24
ENGINEERING APPOINTMENTS—HEATING, VENTILATION, AND AIR CONDITIONING REPLACEMENT PROGRAM	15
HERBERT HOOVER MIDDLE SCHOOL—GRANT OF FOREST CONSERVATION EASEMENT	16
INNOVATIONS IN TECHNOLOGY	8
ITEMS OF INFORMATION	31
LEASE AGREEMENT—BRICKYARD ROAD SITE	17
LEGISLATION	2
LUNCH AND CLOSED SESSION	10
MINUTES	31
MONTGOMERY COUNTY PUBLIC SCHOOLS EMPLOYEES RETIREMENT AND PENSION SYSTEM AND OTHER POST-EMPLOYMENT BENEFITS PLAN TRUST—ACTUARIAL ASSUMPTIONS	23
MONTHLY FINANCIAL REPORT	25
MONTHLY HUMAN RESOURCES AND DEVELOPMENT REPORT	24
NEW BUSINESS	31

PLEDGE OF ALLEGIANCE 2

PRELIMINARY PLANS—DARNESTOWN ELEMENTARY SCHOOL ADDITION PROJECT..... 25

PRELIMINARY PLANS—VIERS MILL ELEMENTARY SCHOOL ADDITION PROJECT..... 25

PUBLIC COMMENTS 2

REPORT OF CLOSED SESSION 31

RESOLUTION FOR CLOSED SESSION 1

TENTATIVE ACTION, POLICY IOD, *EDUCATION OF ENGLISH LANGUAGE LEARNERS*..... 26

UPDATE ON SUPERINTENDENT SEARCH 8

UTILILZATION OF THE FISCAL YEAR 2011 PROVISION FOR FUTURE SUPPORTED PROJECTS..... 2