

APPROVED
1-2012

Rockville, Maryland
January 10, 2012

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, Rockville, Maryland, on January 10, 2012, beginning at 9:03 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
Mr. Alan Xie
Dr. Joshua Starr, Secretary/Treasurer

Absent: None

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

With a quorum present, the Board of Education met in open session at 9:03 a.m.

RESOLUTION NO. 1-12 Re: **RESOLUTION FOR CLOSED SESSION**

On recommendation of the superintendent and on motion of Mr. Barclay seconded by Mr. Kauffman, the following resolution was adopted unanimously by members present (Mrs. O'Neill was not at the table):

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 January 10, 12, in Room 120 from 9:00 to 10:00 a.m. and 12:30 to 1:30 p.m.; and be it further

Resolved, That the superintendent of schools brief the Board on the Monthly Human Resources and Development Report and Appointments, with a subsequent vote in open session, which is an administrative function outside the purview of the *Open Meetings Act* and, to the extent any individual employee is discussed, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the superintendent of schools will provide the Equal Employment Opportunity Quarterly Report to the Board which is an administrative function and outside the purview of the *Open Meetings Act*, and be it further

Resolved, That the superintendent of schools brief the Board on his changes to the structure and assignments of his professional assistants and other staff, which is an administrative function outside the purview of the *Open Meetings Act* and, to the extent any individual employee is discussed, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board receive legal advice and discuss legal implications regarding a teacher dismissal decision, as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board receive a briefing by staff and discuss ongoing collective bargaining negotiations and matters that relate to the negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article*; and be it further

Resolved, That the Board receive legal advice as the Board adjudicates appeals, which is a quasi-judicial function outside the purview of the *Open Meetings Act* and as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the meeting continue in closed session until the completion of business.

Re: **OPEN SESSION**

The Board of Education met in closed session from 9:05 to 9:46 a.m. After a break, the Board of Education reconvened in open session at 10:01 a.m.

To view specific sections or the entire meeting, please watch at
<http://www.montgomeryschoolsmd.org/boe/meetings/archive/2012/2012-0110.shtm>

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. 2-12

Re: **APPROVAL OF THE AGENDA**

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 approve the revised agenda for January 10, 2012.

RESOLUTION NO. 3-12

Re: **AFRICAN AMERICAN HISTORY MONTH**

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

WHEREAS, The history of African Americans has played an integral role in the unfolding story of America; and

WHEREAS, Prominent African Americans, including Sojourner Truth, abolitionist and activist for women's rights; the Honorable Joseph Hayne Rainey, the first African American to serve in the United States House of Representatives; Madam C. J. Walker, entrepreneur, philanthropist, and America's first self-made woman millionaire; and Dr. Benjamin Carson, director of the Division of Pediatric Neurosurgery at The Johns Hopkins Hospital who also seeks to maximize the intellectual potential of all children; and many others who through their perseverance have greatly enriched our shared American society; and

WHEREAS, Challenges remain to be addressed and confronted as African Americans continue to battle institutional racism; and

WHEREAS, Providing a quality education is the area in which our society must invest to maximize the skills and contributions of all, now therefore be it

Resolved, That the Montgomery County Board of Education and the superintendent of schools hereby declare the month of February 2012 to be "African American History Month"; and be it further

Resolved, That the Montgomery County Board of Education and the superintendent of schools encourage the staff, students, parents, and community to actively honor the contributions of African Americans in Montgomery County, the state, and the nation, and enhance the awareness of the impact of attitudes and expectations on the achievement of African American students.

RESOLUTION NO. 3(a)-12

Re: **IN APPRECIATION OF MR. ROSCOE R. NIX**

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

WHEREAS, On January 4, 2012, Mr. Roscoe R. Nix, civil rights leader and member of the Montgomery County Board of Education from 1974 to 1978, passed away; and

WHEREAS, Mr. Nix served as Director of the Maryland Human Relations Commission and President of the Montgomery County Maryland Branch of the NAACP (1980-1990) and was the co-founder of the Montgomery County African American Festival of Academic Excellence, which recognizes, encourages, and celebrates African American students; and

WHEREAS, In 1997, Mr. Nix received a Distinguished Service Award from the Board of Education, and in 2006, Roscoe R. Nix Elementary School was named in his honor; and

WHEREAS, Mr. Nix spent his entire adult life working for educational and social equality for all and his work has improved the lives of countless people in Montgomery County and throughout the region and the nation; and

WHEREAS, As Director of the Maryland Human Relations Commission, a member of the Board of Education, the president of the Montgomery County Maryland Branch of the NAACP and a nationally renowned civil rights leader, Mr. Nix was an agent of change and leader in every sense of the word; now therefore be it

Resolved, That on behalf of the staff, students, and citizens of Montgomery County Public Schools, the Board of Education extends its condolences to Mr. Nix's family on his passing; and be it further

Resolved, That a copy of this resolution be sent to the family of Mr. Nix.

Re: **PUBLIC COMMENTS**

The following people commented before the Board of Education:

<u>Person</u>	<u>Topic</u>
Jim Stowe	Office of Human Rights
Matthew McGrath	Oak View/New Hampshire Estates Initiative
David Vignolo	Committee on Hate Violence
Bridget Kruse	Candlewood Elementary School

Re: **BOARD/SUPERINTENDENT COMMENTS**

Ms. Berthiaume thanked the MCCPTA and NAACP Parents Council for the budget forums which highlighted the complexities of the school budget. She also thanked Mayor and City Council of Rockville regarding improvement of relations and future working procedures. She will keep the Board informed of upcoming legislation.

Mr. Kauffman noted the commitment to the maintenance of effort (MOE) and the legislature regarding the penalty to the school system. The community is in favor of the collaboration of the school system and M-NCPPC regarding the Farquhar land swap.

Mrs. O'Neill pointed out that the legislative session starts in Annapolis. There are several issues of interest to the school system, such as MOE and the penalty, school construction, and teachers' pension, among others. She was hopeful that legislators would contact the Board prior to introducing a bill.

Mr. Barclay commented on the reopening of three newly renovated schools. Staff and

students were excited with their new surroundings.

Dr. Starr commented on Advanced Placement exams, National Board certified teachers, the POSSE Foundation, the reopening of Cannon Road, Garrett Park and Seven Locks elementary schools, Book Club event, and the Winter Parent Academy. He also noted the passing of Mr. Nix, the meeting with the City Council of Rockville, the Farquhar land swap, and an update from PSSAM and Maryland's status on Race to the Top and the Common Core State Standards.

Re: **STRATEGIC PRIORITIES: UPDATE ON
PROFESSIONAL DEVELOPMENT**

Dr. Starr, Mr. Larry A. Bowers, chief operating officer, and Dr. Frieda K. Lacey, deputy superintendent of schools, presented the update on professional development which is the cornerstone of any school improvement effort. Public education is facing unprecedented challenges in preparing students for the unpredictable demands of the future workplace. Over the past few decades, postsecondary education requirements, workforce knowledge and skills, as well as school reform efforts—including those in Montgomery County Public Schools (MCPS)—have dramatically raised expectations for student achievement. Additionally, Maryland, along with 48 other states and the District of Columbia, has adopted the internationally driven Common Core State Standards (CCSS). As a result, educators are increasingly being called upon to upgrade their knowledge, master new skills and responsibilities, and change their practices to ensure that all students achieve higher learning standards.

MCPS is widely recognized for its unique staff development initiatives and its professional growth systems. At the same time, the need to improve and expand professional development was raised at all of the staff Listen and Learn events held throughout the county between September and November 2011. Additionally, while the Transition Team focused its work on three major components—teaching and learning, operations, and culture/context—the topic of professional development emerged across all three areas and in nearly every focus group session held as part of the Team's work. Specifically, the Transition Team Report identified the design and delivery of professional development initiatives as one of its five recommendations. The redesign and delivery of professional development should respond to identified staff and organizational needs as new skills are required for growth and new leadership in the 21st century.

The recommendation for a systemic change in the design and delivery of professional development will necessitate a serious commitment to the collective responsibility for teaching and learning on the part of all employees. *The Balanced View: Staff Development*, prepared by Westchester Institute for Human Service Research, states, "Above all, policymakers need to be aware of the risks of focusing on the short-term, immediate needs generated by school reform agendas. Professional development in a climate of educational reform is a long-term process."

School district central offices routinely attempt to reform themselves by restructuring formal reporting relationships within central office. While structural changes can be helpful, a transformation strategy is fundamentally about remaking what people in central office do—their daily work and relationships with schools. It will require a transformation in culture and practice throughout the organization, including reorienting central office. The district must have a laser-like focus on the instructional core—or the nexus among—teacher, content, and the student. The study by the Wallace Foundation, *Central Office Transformation for District-wide Teaching and Learning Improvement*, describes effective central office transformation.

As we engage in improving and aligning professional development in MCPS, we must attend to the following organizational elements, the Four C's, critical to successful implementation of district-wide improvement strategies:

- Collaboration—engaging employees actively to establish shared values and achieve a common goal
- Coherence—aligning the data, problem, and strategies
- Capacity building—strengthening employees' skills and knowledge based on their individual needs and specific work responsibilities
- Culture—focusing on 21st century tools and learning styles

While committed to the professional development of all employees across the organization, for the purpose of this discussion, we will focus on professional development specifically related to teaching and learning.

Part of our work related to professional development is how we are organized to support schools. At my request, a small group of executive staff members is engaged in a plan to reorient central services to best support schools. To inform this process, input was solicited from our stakeholders including principals, teachers, and central services staff members. As we move through the MCPS FY 2013 Operating Budget process and complete the work on the reorientation of central services, we will organize our current resources to support collaborative learning environments for all adults in MCPS. For some schools, offices, departments, or job-alike groups, this work is well underway. For others, we will build a common understanding, establish expectations, and create structures that support successful professional learning communities.

Re: **DISCUSSION**

The Board members made the following observations and comments:

- ✓ The CCSS will necessitate massive professional development and, hopefully, that will not crowd out a cohesive plan.
- ✓ Is there a model for professional development for reading teachers, English teachers, and math teachers should generally receive?
- ✓ It is difficult to teach using differentiation on a large scale, especially special education.

- ✓ Will teachers be given time to learn to master the new material prior to the delivery of instruction?
- ✓ What does this mean to the individual teacher?
- ✓ Over time professional development has been a smorgasbord without a focus.
- ✓ There have been changes over time based on the state's requirements, especially with assessments.
- ✓ Teachers are graduating with no content knowledge aligned with CCSS.
- ✓ Technology will help professional development.
- ✓ Critical for professional development is teachers acquiring the knowledge to provide students with the knowledge for the 21st century.
- ✓ There are always competing demands on teachers; capacity and culture are good examples.
- ✓ On the secondary level, staff development positions have been reduced and, therefore, became unattractive to applicants, especially resource teachers.
- ✓ It will be difficult to provide quality staff development for all staff in all areas.
- ✓ What is the future of the staff development teacher and resource teachers?
- ✓ How is the morale of the reluctant teacher addressed? Is professional development mandatory?
- ✓ How will the expectations of professional development be communicated to staff and the public in order to gain support?
- ✓ How must the Board develop the metrics for accountability?
- ✓ Staff needs to collaborate on the outcomes and professional development.
- ✓ The Board wants to focus on support and promote adult learning tied to improved practice and outcomes.
- ✓ There is time to admit that reductions have gone too far since there is an impact on quality delivery.
- ✓ There are federal and state mandates driving the timeline for professional development.
- ✓ There are many best practices within the school system.

RESOLUTION NO. 4-12

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

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

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

WHEREAS, Funds have been budgeted for the lease/purchase for the replacement of scanners for document imaging previously awarded through Bid No. 4211.1 in the amount of \$35,525 at the June 27, 2011, Board of Education meeting; and

WHEREAS, Funds have been budgeted for the lease/purchase of a refrigerated cargo truck through Bid No. 7104.5; and

WHEREAS, Funds have been budgeted for the lease/purchase of utility trailers through

Bid 9704.2; and

WHEREAS, The acquisition of scanners, a refrigerated cargo truck, and utility trailers through lease/purchase agreements has been reviewed by legal counsel; now therefore be it

Resolved, That scanners for document imaging in the amount of \$35,525 be lease/purchased for a four-year term under the Master Lease/Purchase Agreement with Banc of America Public Capital Corporation; and be it further

Resolved, That a refrigerated cargo truck in the amount of \$120,835 be lease/purchased for a five-year term under the Master Lease/Purchase Agreement with Banc of America Public Capital Corporation; and be it further

Resolved, That utility trailers in the amount of \$14,998 be lease/purchased for a five-year term under the Master Lease/Purchase Agreement with Banc of America Public Capital Corporation; and be it further

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

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:

CNR0 1270	Office Supplies	
	<u>Awardee</u> OfficeMax	\$825,910
GSS-11603	Janitorial and Cafeteria Supplies—Extension	
	<u>Awardee</u> Calico Industries, Inc.	\$266,704
XX09- 112006-69A	Scanners and Forms; Maintenance and Repairs—Extension	
	<u>Awardee</u> Scantron Corporation	\$ 70,000
09-Misc-10	Standard Elementary School Play Structures	
	<u>Awardee</u>	

	Playground Specialist, Inc.	\$250,000
2008-01	Furniture—Extension	
	<u>Awardee</u> Douron, Inc.*	\$700,000
610-08	Boiler/Pressure/Hot Water Generator Install, Repairs, Inspect, Preventative Maintenance—Extension	
	<u>Awardee</u> Hurley Company	\$100,000
1093.5	Propane Gas—Extension	
	<u>Awardee</u> Amerigas	\$ 92,790
1142.5	Scan Forms—Extension	
	<u>Awardees</u> Data Management Corporation	\$ 619
	Formost Graphic Communications	28,688
	Maryland Business Forms, Inc.	6,450
	Micrographic Communications*	<u>4,446</u>
	Total	\$ 40,203
4005.6	Woodwind and Brass Instrument Repairs—Extension	
	<u>Awardees</u> (See note) L&L Music Windshop, Inc.	
	Guitar Center	
	Washington Music Sales Center, Inc.*	
	Total	\$ 65,000
4012.7	Maintenance Lumber and Related Materials—Extension	
	<u>Awardees</u> 84 Lumber Company*	\$ 27,809
	A&M Supply Corporation	39,733
	GE Frisco Company, Inc.*	22,628
	Liberty Lumber & Supply Company	<u>54,229</u>
	Total	\$144,399
4038.7	Closed Circuit Television Equipment—Extension	

	<u>Awardees</u>	
	Alarmax Distributors, Inc.	\$166,556
	Halifax Security, Inc.*	90,000
	Security Cameras Direct*	<u>28,716</u>
	Total	\$285,272
4044.7	Security System Supplies and Equipment—Extension	
	<u>Awardees</u>	
	Alarmax Distributors, Inc.	\$ 67,419
	Allegheny Electronics	20,500
	Capitol Cable & Tech, Inc.	14,240
	Earth Security Electronics, Inc.	17,238
	Halifax Security, Inc.*	22,500
	Silmar Electronics*	<u>55,449</u>
	Total	\$197,346
4064.9	Art Tools—Extension	
	<u>Awardees</u>	
	Commercial Art Supply	\$ 27,434
	DGS Educational Products*	9,229
	Dick Blick Company	683
	Elgin School Supply Company, Inc.	140,598
	Integrity School Supplies*	5,246
	Midwest Model Supply Company, Inc.	1,805
	National Art & School Supplies	240,646
	Pyramid Paper Company	38,117
	Standard Stationary Supply Company	<u>9,065</u>
	Total	\$472,823
4088.9	Media Center Supplies—Extension	
	<u>Awardees</u>	
	Brodart Company	\$ 6,609
	Demco, Inc.	3,575
	Gaylord Brothers, Inc.	3,918
	Interstate Office Supply Company*	89,326
	James A. Ard	8,130
	Pyramid Paper Company	21,903
	Standard Stationary Supply Company	<u>7,614</u>
	Total	\$141,075
4089.7	Laminating Supplies—Extension	
	<u>Awardees</u>	

	General Binding Corporation	\$ 6,600
	Pyramid Paper Company	<u>64,352</u>
	Total	\$ 70,952
4107.3	Fire Alarm Monitoring—Extension	
	<u>Awardee</u>	
	Ark Systems, Inc.	\$ 38,000
4200.1	e-Rate Consulting Services—Extension	
	<u>Awardee</u>	
	Funds for Learning	\$ 58,000
4211.1	Fortis PowerWeb Server/View Station Software and Professional Services—Extension	
	<u>Awardee</u>	
	Aztech Datasystems, Inc.	\$ 35,525
4287.1	PSAT/NMSQT Student Testing Program—Extension	
	<u>Awardee</u>	
	The College Board	\$108,840
4317.1	Nonviolent Crisis Intervention Program	
	<u>Awardee</u>	
	Crisis Prevention Institute	\$ 42,000
7079.5	Paperback and Pre-bound Paperback Books—Extension	
	<u>Awardees</u>	
	Perfection Learning	\$300,000
	Everbond Book Company	<u>25,000</u>
	Total	\$325,000
7104.5	Refrigerated Cargo Truck	
	<u>Awardee</u>	
	K. Neal International Trucks, Inc.*	\$120,835
7121.5	Asbestos Abatement Equipment and Supplies	
	<u>Awardees</u>	
	American Environmental Enterprises	\$ 29,265

	AramSCO	45,334
	BWI Distribution, Inc.	18,388
	Sid Tool Company, Inc.	10,664
	Supreme Safety, Inc.*	<u>12,673</u>
	Total	\$116,324
7161.3	Wipes for Transportation Depots	
	<u>Awardee</u>	
	S. Freedman & Sons, Inc.	\$ 41,550
7195.1	Computer Supplies—Extension	
	<u>Awardees</u>	
	Carolina Imaging Products*	\$358,367
	Hartford Computer Hardware, Inc.	108,646
	Quill Corporation	3,402
	Tree House, Inc.*	<u>429,585</u>
	Total	\$900,000
9005.8	Industrial and Technology Education Lumber	
	<u>Awardees</u>	
	A&M Supply Corporation	\$ 13,235
	Liberty Lumber & Supply Company	55,098
	O'Shea Lumber Company	<u>71,662</u>
	Total	\$139,995
9008.6	Glass and Glazing Materials	
	<u>Awardees</u>	
	Glass Distributors, Inc.*	\$ 3,850
	Hawkins Glass Wholesales, LLC	35,312
	Maryland Glass & Mirror Company	15,028
	Piedmont Plastics	6,624
	Total Plastics, Inc.	<u>44,155</u>
	Total	\$104,969
9062.9	Fitness and Team Handball Supplies and Equipment—Extension	
	<u>Awardees</u>	
	Cannon Sports, Inc.*	\$ 19,711
	Creative Health Products*	2,880
	School Specialty, Inc.	2,438
	Sport Supply Group, Inc.	16,440
	Sports Imports, Inc.	12,650

	The Prophet Corporation	<u>1,762</u>
	Total	\$ 55,881
9181.4	Masonry Thru Wall Flashing and Waterproofing at Various Locations—Extension**	
	<u>Awardee</u> Walker Wills T/A Custom Masonry	\$750,000
9182.5	Concrete Removal and Replacement at Various Locations—Extension**	
	<u>Awardee</u> Finley Asphalt & Sealing, Inc.	\$400,000
9194.4	Gymnasium Wood Flooring, Sanding, and Refinishing at Various Locations—Extension**	
	<u>Awardee</u> Weyer's Floor Service, Inc.	\$100,000
9300.4	Chain Link Fencing, Gates, and Backstops at Various Locations—Extension**	
	<u>Awardee</u> Hercules Fence Company	\$ 194,790
9704.2	Utility Trailers	
	<u>Awardee</u> C&C Industries, Inc.	\$ 14,998
9716.1	Roof Repair at Seneca Valley High School	
	<u>Awardee</u> J. E. Wood & Sons	\$ 48,361
TOTAL PROCUREMENT CONTRACTS OVER \$25,000		\$7,317,542

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

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

RESOLUTION NO. 5-12

Re: **ACCEPTANCE OF CABIN JOHN MIDDLE
SCHOOL MODERNIZATION PROJECT**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by

Mr. Kauffman, the following resolution was adopted unanimously:#

WHEREAS, On behalf of the Board of Education, Board Member Laura Berthiaume inspected the Cabin John Middle School modernization project on Thursday, December 8, 2011; now therefore be it

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

RESOLUTION NO. 6-12 Re: **ACCEPTANCE OF FARMLAND
ELEMENTARY SCHOOL MODERNIZATION
PROJECT**

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

WHEREAS, On behalf of the Board of Education, Board President Shirley Brandman inspected the Farmland Elementary School modernization project on Friday, December 16, 2011; now therefore be it

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

RESOLUTION NO. 7-12 Re: **ARCHITECTURAL APPOINTMENT—
WHEATON HIGH SCHOOL/THOMAS
EDISON HIGH SCHOOL OF TECHNOLOGY
MODERNIZATION**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Wheaton High School/Thomas Edison High School of Technology modernization project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$120 million; and

WHEREAS, Funds for architectural planning were programmed as part of the Fiscal Year 2012 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Grimm + Parker Architects as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff in the Department of Facilities Management has negotiated a fee for the necessary architectural and engineering services; now therefore be it

Resolved, That the Montgomery County Board of Education enters into a contractual agreement with the architectural firm of Grimm + Parker Architects to provide professional architectural and engineering services for the Wheaton High School/Thomas Edison High School of Technology modernization project for a fee of \$5,395,000.

RESOLUTION NO. 8-12

Re: **AWARD OF CONTRACT—GEORGIAN FOREST ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, The following sealed bids were received on December 1, 2011, for the Georgian Forest Elementary School addition project:

<u>Bidder</u>	<u>Amount</u>
Tuckman-Barbee Construction Company, Inc.	\$8,243,100
William F. Klingensmith, Inc.	8,249,400
Dustin Construction, Inc.	8,310,000
Towson Mechanical, Inc.	8,324,000
Grunley Construction Company, Inc.	8,447,011
R. J. Crowley, Inc.	8,760,000
Henley Construction Company, Inc.	8,804,000
J. A. Scheibel, Inc.	8,815,000
Keller Brothers, Inc.	8,886,070
Roy Kirby & Sons, Inc.	8,999,000
CFI Construction Corporation	9,030,975
J. Vinton Schafer & Sons, Inc.	9,334,000

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 18 percent; and

WHEREAS, The low bidder, Tuckman-Barbee Construction Company, Inc. has submitted 16.2 percent Maryland Department of Transportation-certified Minority

Business Enterprise participation, of which 2.7 percent is women-owned, and 3.7 percent is African American, and 9.8 percent is other minority-owned; and

WHEREAS, Tuckman-Barbee Construction Company, Inc. has submitted a waiver for the balance of the Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, Staff in the Department of Facilities Management has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, Bids received included alternate pricing for the inclusion of a Linkages to Learning suite as part of the addition project to be funded by the Montgomery County Department of Health and Human Services; and

WHEREAS, Montgomery County Public Schools is the Montgomery County Department of Health and Human Services' representative for their portion of the project, and the Department of Facilities Management will administer their portion of the project; and

WHEREAS, Tuckman-Barbee Construction Company, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$8,243,100 contract be awarded to Tuckman-Barbee Construction Company, Inc. for the Georgian Forest Elementary School addition, in accordance with drawings and specifications prepared by Hord, Coplan, Macht, Inc.; and be it further

Resolved, That a copy of the contract be forwarded to the Montgomery County Department of Health and Human Services for approval and funding for their portion of the project.

RESOLUTION NO. 9-12

Re: **AWARD OF CONTRACT—SLIGO MIDDLE SCHOOL RE-ROOFING**

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

WHEREAS, The following sealed bids were received on November 30, 2011, for the Sligo Middle School reroofing project:

<u>Bidder</u>	<u>Amount</u>
R. D. Bean, Inc.	\$ 986,500
Orndorff & Spaid, Inc.	1,040,713
Interstate Corporation	1,170,000
Vatica Contracting, Inc.	1,268,300

Cole Roofing Company, Inc.	1,278,023
J. E. Wood & Sons Company, Inc.	1,667,960

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 20 percent; and

WHEREAS, The low bidder, R. D. Bean, Inc., has submitted 20 percent other minority-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, R. D. Bean, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$986,500 contract be awarded to R. D. Bean, Inc. for the Sligo Middle School reroofing project, in accordance with drawings and specifications.

RESOLUTION NO. 10-12 Re: **AWARD OF CONTRACT—WYNGATE
ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, The following sealed bids were received on December 19, 2011, for the Wyngate Elementary School addition project:

<u>Bidder</u>	<u>Amount</u>
Keller Brothers, Inc.	\$7,419,500
Roy Kirby & Sons, Inc.	7,424,000
Towson Mechanical, Inc.	7,827,000
R. J. Crowley, Inc.	7,936,000
Dustin Construction, Inc.	7,988,000
J. A. Scheibel, Inc.	8,110,000
J. Vinton Schafer & Sons, Inc.	8,130,000
Meridian Construction Company, Inc.	8,175,000
Tuckman-Barbee Construction Company, Inc.	8,329,000
William F. Klingensmith, Inc.	8,561,900
Henley Construction Company, Inc.	8,630,000

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 18 percent; and

WHEREAS, The low bidder, Keller Brothers, Inc., has submitted 19.7 percent Maryland Department of Transportation-certified Minority Business Enterprise participation, of which 9 percent is women-owned, and 10.7 percent is other minority-owned; and

WHEREAS, Keller Brothers, Inc. has completed similar work successfully for the Montgomery County Public Schools; now therefore be it Resolved, That a \$7,419,500 contract be awarded to Keller Brothers, Inc. for the Wyngate Elementary School addition, in accordance with drawings and specifications prepared by Rubeling & Associates, Inc.

RESOLUTION NO. 11-12 Re: **SENECA VALLEY HIGH SCHOOL—GRANT OF EASEMENT AND RIGHT-OF-WAY**

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

WHEREAS, The Washington Suburban Sanitary Commission has requested a grant of easement and right-of-way at Seneca Valley High School, located at 19401 Crystal Rock Drive in Germantown; and

WHEREAS, The proposed grant of easement and right-of-way, consisting of 1,321 square feet, is needed for the installation of a water main, meter vault, and appurtenances; and

WHEREAS, A temporary construction easement consisting of 827 square feet is needed during the period of original construction; and

WHEREAS, The Washington Suburban Sanitary Commission will assume responsibility for the initial expense and liability of damages or injury resulting from the installation and will be responsible for all future maintenance and repair activities; and

WHEREAS, The proposed easement and right-of-way will not affect any land that could be used for school programming and recreational activities and will provide improved water meter equipment and appurtenances; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a permanent grant of easement and right-of-way of 1,321 square feet and a temporary construction easement of 827 square feet to the Washington Suburban Sanitary Commission at Seneca Valley High School.

RESOLUTION NO. 12-12 Re: **STEPHEN KNOLLS SCHOOL—GRANT OF EASEMENT AND RIGHT-OF-WAY**

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

WHEREAS, The Washington Suburban Sanitary Commission has requested a grant of easement and right-of-way at Stephen Knolls School, located at 10731 St. Margaret's Way in Kensington; and

WHEREAS, The proposed grant of easement and right-of-way, consisting of 1,091 square feet, is needed for the installation of a water main, meter vault, and appurtenances; and

WHEREAS, A temporary construction easement consisting of 316 square feet is needed during the period of original construction; and

WHEREAS, The Washington Suburban Sanitary Commission will assume responsibility for the initial expense and liability of damages or injury resulting from the installation and will be responsible for all future maintenance and repair activities; and

WHEREAS, The proposed easement and right-of-way will not affect any land that could be used for school programming and recreational activities and will provide improved water meter equipment and appurtenances; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a permanent grant of easement and right-of-way of 1,091 square feet and a temporary construction easement of 316 square feet to the Washington Suburban Sanitary Commission at Stephen Knolls School.

RESOLUTION NO. 13-12

Re: **VIERS MILL ELEMENTARY SCHOOL—
FOREST CONSERVATION AGREEMENTS**

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

WHEREAS, Forest Conservation Plan No. MR2011209-MCPC-1 for the addition project at Viers Mill Elementary School, located at 11711 Joseph Mill Road in Silver Spring, establishes the need for 0.62 acre of forest conservation to satisfy environmental code requirements for tree loss during construction of the addition project; and

WHEREAS, The Board of Education must acquire Forest Conservation Credits in an off-site mitigation bank that has been approved by the Maryland-National Capital Park and Planning Commission, because there is insufficient space at Viers Mill Elementary School to accommodate the required forest conservation; and

WHEREAS, Staff in the Department of Facilities Management has negotiated a purchase price of \$16,500 for 0.62 acre of Forest Conservation Credits from Winchester Homes, Inc. in an approved Forest Conservation Mitigation Bank, to satisfy the Forest Conservation Plan's requirements in compliance with Article II of Chapter 22A of the Montgomery County Code; and

WHEREAS, Winchester Homes, Inc. will accept all responsibility for the continued maintenance, monitoring, and protection of the Forest Conservation Mitigation Bank; and

WHEREAS, It is necessary to execute a Certificate of Compliance Agreement among the Board of Education, Winchester Homes, Inc., and the Maryland-National Capital Park and Planning Commission to evidence compliance and participation with the environmental code requirements for forest conservation; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute an Agreement of Sale with Winchester Homes, Inc. in the amount of \$16,500 for 0.62 acre of off-site Forest Conservation Credits for Viers Mill Elementary School; and be it further

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Certificate of Compliance Agreement with Winchester Homes, Inc. and the Maryland-National Capital Park and Planning Commission, establishing the Forest Conservation Easement at the off-site location.

RESOLUTION NO. 14-12 Re: **VIERS MILL ELEMENTARY SCHOOL—
GRANT OF FOREST CONSERVATION
EASEMENT**

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

WHEREAS, The Maryland-National Capital Park and Planning Commission has requested a Conservation Easement Agreement at Viers Mill Elementary School, located at 11711 Joseph Mill Road in Silver Spring, in connection with the school addition 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 2.10 acres configured in four separate areas 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 consisting of 2.10 acres with the Maryland-National Capital Park and Planning Commission at Viers Mill Elementary School.

RESOLUTION NO. 15-12

Re: **WESTBROOK ELEMENTARY SCHOOL—
GRANT OF EASEMENT AND RIGHT-OF-
WAY**

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

WHEREAS, The Washington Suburban Sanitary Commission has requested a grant of easement and right-of-way at Westbrook Elementary School, located at 5110 Allan Terrace in Bethesda; and

WHEREAS, The proposed grant of easement and right-of-way, consisting of 8,090 square feet, is needed for the installation of a sanitary sewer and appurtenances as a part of the school addition project; and

WHEREAS, The Board of Education will assume responsibility for the initial expense and liability of damages or injury resulting from the installation as a part of the school construction project; and

WHEREAS, The Washington Suburban Sanitary Commission will assume responsibility for the expense and liability for all future maintenance and repair activities; and

WHEREAS, The proposed easement and right-of-way will not affect any land that could be used for school programming and recreational activities; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a permanent grant of easement and right-of-way of 8,090 square feet to the Washington Suburban Sanitary Commission at Westbrook Elementary School.

RESOLUTION NO. 16-12

Re: **UTILIZATION OF THE FISCAL YEAR 12
PROVISION FOR FUTURE SUPPORTED
PROJECTS**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Mr. Kauffman, 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. 17-150, approved May 26, 2011; 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 2012 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 \$630,446 within the Fiscal Year 2012 Provision for Future Supported Projects, as specified below:

Project	Amount
<i>Individuals with Disabilities Education Act—State Discretionary Grant for Secondary Outcomes</i>	\$ 39,500
Howard Hughes Medical Institute Science Education*	545,000
Fine Arts Initiative	32,548
Educator Effectiveness Academy	7,500
Career and Technology Education—Montgomery College	<u>5,898</u>
Total	\$ 630,446

*Positions

- 1.0 fiscal assistant position
- 1.0 instructional specialist position
- .625 technical manager position

and be it further

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

Re: LUNCH AND CLOSED SESSION

At 12:11 p.m., the Board of Education recessed for lunch and closed session (12:29 to 1:32 p.m.).

Re: OPEN SESSION

After a break, the Board of Education reconvened in open session at 1:42 p.m.

RESOLUTION NO. 17-12

Re: SITE SELECTION FOR AN UPCOUNTY HOLDING FACILITY FOR ELEMENTARY SCHOOLS

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

WHEREAS, A site selection process was conducted in spring 2011 to identify a site for an upcounty holding facility; and

WHEREAS, A Site Selection Advisory Committee was convened and reviewed nine candidate sites; and

WHEREAS, The Site Selection Advisory Committee recommended that the Emory Grove Center, located at 18100 Washington Grove Lane in Gaithersburg, be selected for the upcounty holding facility for elementary schools; and

WHEREAS, The Site Selection Advisory Committee recommendation report has been published for public comments; and

WHEREAS, The site offers the best range of site characteristics, including location within the targeted area, good topography, and accessibility from major roads; now therefore be it

Resolved, That the Emory Grove Center be selected as the site for the upcounty holding facility for elementary schools; and be it further

Resolved, That the Maryland-National Capital Park and Planning Commission, the County Council, and the Maryland State Superintendent of Schools be notified of this action.

Re: **DISCUSSION ON NORTHWEST
ELEMENTARY SCHOOL #8
(FORMERLY REFERENCED AS
NORTHWEST CLUSTER ES) —SITE
SELECTION AND CONDEMNATION ACTION**

The Board wanted to know the process for condemnation action. Counsel replied that governmental agencies have been provided the ability by statute to acquire land for public purpose. The requirement on the government is to pay the fair market value of the property in exchange for condemning that property and converting it to public use. In order to condemn, the statute does provide that authority to the Board of Education so long as the land is required for a school purpose, and the Board has been unable to otherwise contract for the purchase property with the owners at what the Board considers to be a fair market value. A condemnation proceeding in Circuit Court is to demonstrate that the Board requires the land for a public purpose. Most often, the litigation centers on what is the value of the property. When the parties are unable to contract with one another through negotiations, the court will determine the price of the property.

Staff indicated that the Site Selection Advisory Committee's Report could be released at this time. Staff indicated that they started with Board-owned property and park sites. There were several issues, but the determining factors were access and location.

RESOLUTION NO. 18-12

Re: **NORTHWEST ELEMENTARY SCHOOL #8
(FORMERLY REFERENCED AS**

**NORTHWEST CLUSTER ES) —SITE
SELECTION AND CONDEMNATION ACTION**

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

WHEREAS, On April 28, 2011, a Site Selection Advisory Committee issued a report in which it considered several potential sites and recommended that a 12.7 acre site, known as the Phillips Farm property (Montgomery County Tax Map ET23, Parcel 249), be selected for the Northwest Elementary School #8; and

WHEREAS, As part of the Site Selection Advisory Committee process, Montgomery County Public School staff consulted with and was advised by the Montgomery County Planning Board, through appropriate staff members, regarding land for a school site; and

WHEREAS, The site, located on Schaeffer Road, is well located, accessible, and of sufficient size for an elementary school to serve the Northwest Cluster and is titled to a private owner; and

WHEREAS, On November 17, 2011, the Board of Education approved the *Superintendent's Recommended FY 2013 Capital Budget and the FY 2013–2018 Capital Improvements Program* that included a request for funding for a new Northwest Elementary School #8 to be located in the Northwest Cluster; and

WHEREAS, The Phillips Farm property is the appropriate site to meet the needs and program requirements for the Northwest Elementary School #8; and

WHEREAS, There is a public necessity to acquire land for an elementary school in the Northwest Cluster to relieve overcrowding in the Northwest Cluster; and

WHEREAS, On April 28, 2011, the Board of Education authorized its staff to order appraisals and a title report to initiate negotiations for the acquisition of the Phillips Farm property; and

WHEREAS, The Board of Education legal counsel and staff met with the owners and their legal counsel to present an offer and have attempted to reach mutually agreeable terms with no success; and

WHEREAS, The Board of Education is authorized by state law to acquire real property through condemnation; now therefore be it

Resolved, That the Phillips Farm property be and hereby is selected as the site for the Northwest Elementary School #8; and be it further

Resolved, That pursuant to Maryland State law, the Montgomery County superintendent of schools shall request the Maryland State Superintendent of Schools to approve the school site selected by this Resolution; and be it further

Resolved, That upon the approval of the school site by the Maryland State Superintendent of Schools, the Montgomery County Superintendent of Schools and the Members of the Board of Education and their legal counsel be and are hereby authorized and directed to take such steps, including the preparation and the filing of pleadings and plats required, under Title 4 of the Education Article of the Annotated Code of Maryland, as amended; Title 12 of the Real Property Article of the Annotated Code of Maryland, as amended; and the Maryland Rules of Civil Procedure, as necessary, to institute condemnation proceedings against the owner(s) of the Phillips Farm property (and any and all others having an interest in said property) in order that a full, free, and clear fee simple title be obtained by the Board of Education to the aforesaid required property, together with such other rights, easements, and appurtenances in, under, and over the land of the property owner(s) as are necessary to complete the Northwest Elementary School #8 Project.

RESOLUTION NO. 19-12 Re: **HUMAN RESOURCES AND DEVELOPMENT
MONTHLY REPORT**

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

WHEREAS, The educators and others who are employed by Montgomery County Public Schools are key partners in the important work and achievements of the school system; now therefore be it

Resolved, That the Board of Education approves the monthly Human Resources and Development Report with its listings identifying new employees, employee resignations, and other employee status updates; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting.

RESOLUTION NO. 20-12 Re: **DEATH OF MATTHEW V. BITTNER,
CLASSROOM TEACHER, MIDDLE SCHOOL,
LAKELANDS PARK MIDDLE SCHOOL**

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

WHEREAS, The death on December 12, 2011, of Mr. Matthew V. Bittner, classroom teacher at Lakelands Park Middle School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During the 8.3 years Mr. Bittner had worked for Montgomery County Public

Schools, he truly was committed to students and their learning through interactions, relationships, and support that he provided them on a daily basis; and

WHEREAS, He was a role model and mentor to many students as an exceptional health teacher; 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. Bittner 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. Bittner's family.

RESOLUTION NO. 21-12 Re: **DEATH OF PATRICK W. CARLIN,
SECURITY PATROLLER,
DEPARTMENT OF SCH. SAFETY &
SECURITY**

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

WHEREAS, The death on December 13, 2011, of Mr. Patrick W. Carlin, security patroller in the Department of School Safety and Security, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During his 35.3 years with Montgomery County Public Schools, Mr. Patrick Carlin had gone above and beyond to ensure the "success of every student" initiative was followed; and

WHEREAS, Mr. Carlin was a very dependable, dedicated employee, one who displayed superior skills in initiative, disposition, attitude, cooperation, and human relations; 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. Carlin 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. Carlin's family.

RESOLUTION NO. 22-12 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective January 11,

2012:

Ashley VanCleaf, currently resource teacher, Special Education Compliance and Nonpublic Programs, Howard County Public School System, as assistant attorney, Legal Services, Office of Special Education and Student Services.

RESOLUTION NO. 23-12

Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective January 11, 2012:

Kyle J. Heatwole, currently principal, Rock View Elementary School, as principal, Downcounty Consortium Elementary School #29, which will open on the McKenney Hills site in Silver Spring in August 2012.

Re: **MONTHLY FINANCIAL REPORT**

Mr. Larry Bowers, chief operating officer, reported that this financial update reflects the actual financial condition of Montgomery County Public Schools (MCPS) as of November 30, 2011, and projections through June 30, 2012, based on program requirements and estimates made by primary and secondary account managers. At this time, expenditures have a projected surplus of \$19,000,000. Revenues have a projected surplus of \$150,000.

Due to Fiscal Year (FY) 2011 comprehensive expenditure restrictions, including a hiring freeze, MCPS achieved a reduction of expenditures compared to budget. The FY 2012 Operating Budget included fund balance of \$17.0 million of the total savings as a source of appropriation, leaving fund balance of \$11.9 million available for appropriation in FY 2013 or future years. This unappropriated FY 2011 ending fund balance, together with the FY 2012 projected surplus of \$19.2 million, equals \$31.1 million that will be available to fund future year operating budgets. My expectation is that the available fund balance will be used for appropriation over several years to avoid any sudden increase in the need for local contribution to replace fund balance as a revenue source. The FY 2013 Recommended Operating Budget assumes that \$17.0 million of fund balance will be appropriated next year.

Re: **2011 ANNUAL REPORT ON OUR CALL TO ACTION: PURSUIT OF EXCELLENCE**

Mr. Larry A. Bowers, chief operating officer, and Dr. Frieda K. Lacey, deputy superintendent of schools, will lead the discussion. Present at the table was Mr. Adrian B. Talley, associate superintendent, Office of Shared Accountability.

The Montgomery County Public Schools (MCPS) 2011 Annual Report on *Our Call to Action: Pursuit of Excellence* reflects the work of every person in MCPS. It exhibits the effort put forth every day by teachers, students, administrators, parents, staff, and community members to create opportunities for our students to excel, achieve, and grow. It details the district's progress in fulfilling its commitment to giving every student the opportunity to learn at the highest levels and graduate from high school prepared for college and the world of work. *Our Call to Action: Pursuit of Excellence*, the district's strategic plan, is the catalyst for continuous improvement and its focus is on developing and implementing strategies and initiatives in the areas of curriculum, instruction, assessment, professional development, family and community partnerships, high-quality business services, and greater operational effectiveness. The Annual Report provides a comprehensive accounting of the school system's performance on the established milestones and data points set forth in the 2010–2015 strategic plan.

Our Call to Action: Pursuit of Excellence guides the work of MCPS, provides a framework for monitoring the effectiveness of both academic and operational reforms, and identifies opportunities for continued improvement. The annual report on *Our Call to Action* is the accountability document used to monitor progress toward attaining the Board's strategic goals. This report details the school system's significant progress toward meeting milestones within each of the identified five goal areas.

The plan's five goals—Ensure Success for Every Student, Provide an Effective Instructional Program, Strengthen Productive Partnerships for Education, Create a Positive Work Environment in a Self-renewing Organization, and Provide High-quality Business Services that Are Essential to the Educational Success of Students—align with the Montgomery County Board of Education's guiding tenets and core governance policies. Within each goal, the established milestones and data points comprise the rubric for monitoring system performance.

Schools, offices, and the executive leadership team regularly monitor the strategic plan milestones and data points; assess the effectiveness of academic and operational reforms; identify opportunities for improvement; and pinpoint strategies, initiatives, and interventions to effect positive performance. The results are improved teaching and learning, increased student achievement, greater operational effectiveness, and enhanced high-quality business services. The Annual Report provides a comprehensive and detailed description of data that are critical for the Board of Education, the superintendent of schools, all employees, and the community in accomplishing the expected outcomes of the strategic plan. Periodic reports to the Board of Education and the public throughout the year provide the performance status for many of the strategic plan data points prior to the publication of the Annual Report.

Student performance targets reflect the requirements of national, state, and local accountability mandates. During the 2010–2011 school year, M-Stat teams reviewed existing targets and provided recommendations to be implemented in 2012. This target review process considered the impact of current participation and performance targets, as well as the performance levels associated with the *Seven Keys to College and*

Career Readiness framework. As a result, new targets were established for 2010–2011 and will be reported in next year's Annual Report.

Below is a summary of the five goal areas of the strategic plan included in the Annual Report to measure progress toward achieving these goals.

Goal 1: Ensure Success for Every Student. The achievement of individual and groups of students is the focus of the first goal. M-Stat and Achievement Steering Committees are examples of strategies that support systemic monitoring of school and system performance.

Goal 2: Provide an Effective Instructional Program. Goal 2 addresses the programmatic aspects of systemic school reform. Performance in this area is enhanced by standards-based curriculum and assessments, strategies that support the delivery of services for students with disabilities, and access to a continuum of accelerated and enriched instruction for highly able students.

Goal 3: Strengthen Productive Partnerships for Education. Goal 3 focuses on strengthening family–school partnerships and supporting parents as full partners and effective advocates in their child's education. MCPS employs strategies to provide clear information to parents in multiple formats and languages. These strategies aim to make schools welcoming to parents and to include parents in decisions regarding their child's education.

Goal 4: Create a Positive Work Environment in a Self-renewing Organization. Building the capacity of staff to work efficiently and effectively in achieving the school system's goal of ensuring that all students succeed at high levels and are college or career ready is the focus of this goal. Critical work in these areas includes efforts to build the knowledge and skills of all staff through high-quality professional development; implementation of the professional growth systems for all employees; and strategies to recruit, hire, and retain high-quality candidates.

Goal 5: Provide High-quality Business Services that Are Essential to the Educational Success of Students. A comprehensive infrastructure of high-quality business services that are essential to the educational success of students is integral to efficiently managing and operating a school system of 200 schools, more than 146,000 students, and more than 22,000 employees.

Effective with the 2010–2011 school year, the Maryland State Department of Education (MSDE) required all Maryland school systems to begin using new race/ethnicity codes, consistent with federal requirements. The federal government developed these new race categories in order to provide a more accurate picture of the nation's ethnic and racial diversity. The new codes enable individuals to be identified by ethnic and racial classification in more than one category if they so choose. In the past, codes allowed individuals to be identified by only one racial category. As a result of these changes, Annual Report data points have a new baseline year, 2010.

Also starting in 2011, the methods for calculating seven data points reported in the Annual Report changed as follows:

- *Graduation Rate* and *Dropout Rate* changed in response to changes in data provided to MCPS by MSDE.
- *SAT/ACT Participation and Performance* changed as a result of a decision by the College Board to update their definition of “graduates.” The College Board administers the SAT and the PSAT.
- *PSAT Participation* changed as a result of the revision of the MCPS regulation regarding credit attainment, limiting the available data to 2011 only.
- *Algebra 1/Geometry* changed to define successful completion as attaining at least a C in the course, instead of a D, which was the threshold in prior years.
- *Algebra 2*, a new data point, utilizes the same definition of successful completion as *Algebra 1/Geometry*.
- *AP/IB Exam Participation and Performance* changed to align the definition of graduates with the definition of graduates used by the College Board.

Of all the data points, seven instructional data points have been identified as having heightened importance for student success. The focus on these areas is intended to prepare students to take and do well in college-level classes or prepare them for success in the workplace, where higher-level skills are necessary. The *Seven Keys to College and Career Readiness* (Seven Keys), launched by MCPS in 2008, is a pathway that identifies benchmarks for evaluating if students are on the trajectory for college and career readiness. The Seven Keys begin with Key 1, advanced reading in kindergarten through Grade 2 and end with Key 7, 1650 SAT, 24 ACT, at the high school level.

The results in the MCPS 2011 Annual Report on *Our Call to Action: Pursuit of Excellence* underscore our success in nurturing a culture of continuous improvement that is sustained by effective partnerships, a high-quality workforce, and strong family and community involvement. Bringing about change in a school system as large as MCPS is a complex process that requires deliberative, data-driven decision making, collaboration, and real partnerships with parents, employee associations, and the larger community. We remain committed to shared accountability and we expect continued progress toward meeting our overall goals.

This report highlights many accomplishments. The coordinated systemic reform efforts are showing results and indications are that the school system is moving in the right direction. However, the report also illuminates areas where work remains to be done.

The MCPS website provides public reporting of student performance data and other key reports. An online version of the MCPS 2011 Annual Report on *Our Call to Action: Pursuit of Excellence* will be posted on the MCPS website after the January 10, 2012, Board of Education meeting.

Re: **DISCUSSION**

Board members requested the following information:

1. How many teachers were returned to the classroom after completing PAR?
2. Is there follow-up data on teachers returning to the classroom after PAR?
3. Please provide the cost for consulting teachers for new hires.
4. The Strategy Planning Committee should review partnerships with MCPS.

At this point, Dr. Docca and Mr. Durso left the meeting.

RESOLUTION NO. 24-12 Re: **CLOSED SESSION RESOLUTION**

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 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 Tuesday, February 14, 2012, in Room 120 of the Carver Educational Services Center to meet 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 anticipates that the closed session will include a discussion of personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article* and Section 4-107(d) of the *Education Article*; the review and adjudication of appeals in its quasi-judicial capacity; consultation with counsel to obtain legal advice on those appeals, as permitted under Section 10-508(a)(7) of the *State Government Article*; a discussion of matters constituting an administrative function outside the purview of the *Open Meetings Act* (Section 10-502(b) of the *State Government Article*); and the Board will publish a more detailed Resolution for Closed Session when particular topics for discussion are identified; and be it further

Resolved, That this meeting shall continue in closed session until the completion of business.

RESOLUTION NO. 25-12 Re: **REPORT OF CLOSED SESSION**

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:

On December 6, 2011, the Board of Education voted unanimously by members present to conduct a closed session as permitted under the *Education Article* Section 4-107(d) and *State Government Article* Section 10-508(a), *et seq.*, of the *Annotated Code of Maryland*.

The Board of Education of Montgomery County met in closed session on December 6, 2011, from 8:41 to 9:46 a.m. and 12:27 to 1:29 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and:

1. Received legal advice on appeals and adjudicated the following appeals involving a student transfer and teacher evaluation: T-2011-55 and 2011-1, as permitted under Section 10-508(a)(7) of the *State Government Article* and in its quasi-judicial capacity outside the purview of the *Open Meetings Act*, with a subsequent vote in open session.
2. Received a briefing by the superintendent on the Monthly Human Resources and Development Report and Appointments, which is an administrative function outside the purview of the *Open Meetings Act* as permitted under Section 10-508(a)(1) of the *State Government Article*, and which included a briefing regarding certain individual employees as permitted under Section 10-508(a)(1) of the *State Government Article*, with a subsequent vote in open session.
3. Received a briefing by the superintendent on the Reorientation to Serve Our Schools (a reorganization of Central Office initiative, which is an administrative function outside the purview of the *Open Meetings Act*).
4. Received legal advice, consulted with staff, and discussed matters relating to the *Open Meetings Act* (superintendent's search opinion and request for clarification), litigation pending in the Montgomery County Circuit Court (*Maravell vs. Board of Education*), and implications and next steps of *S.C. et al., vs. Jerry D. Weast, et al.* and matters directly related thereto, as permitted under Sections 10-508(a)(7) and 10-508(a)(8) of the *State Government Article* and Section 4-107(d)(2)(i) of the *Education Article*.
5. Discussed matters of an administrative function (appointments to Board committees), which are outside the purview of the *Open Meetings Act*.
6. Received an update by staff and discussed ongoing collective bargaining negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article*.

In attendance at the 8:41 a.m. closed session were Christopher Barclay, Laura Berthiaume, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, Patricia O'Neill, Alan Xie, Ikhide Roland Ikheloa, Suzann King, Glenda Rose, Judy Bresler, Patrick Clancy, Samantha Williams, Larry Bowers, Frieda Lacey, Joshua Starr, Dana Tofig, and Marcia Vogel. At 9:27 a.m., the following staff and counsel left the meeting Larry Bowers, Judy Bresler, Frieda Lacey, Joshua Starr, Dana Tofig, Samantha Williams, and Marcia Vogel. At 9:40 a.m., Mr. Clancy left the meeting, and the following staff joined the meeting Larry Bowers, Frieda Lacey, Joshua Starr, Dana Tofig, and Marcia Vogel. At 12:27 p.m., Stan Damas joined the Board and staff in closed session. At 1:08 p.m., Stan Damas left the meeting.

RESOLUTION NO. 26-12

Re: **MINUTES**

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 the minutes for November 2, November 8, November 10, November 14, November 17, December 6, and December 8, 2011.

RESOLUTION NO. 27-12 Re: **APPEALS**

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 Board of Education has met in closed session and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-508(a) of the *State Government Article* of the *Annotated Code of Maryland*; now therefore be it

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

<u>Appeal Number</u>	<u>Type</u>	<u>Disposition</u>
T-2011-56	Student Transfer	Affirmed
2011-44	Teacher Dismissal	Dismissed for Incompetence
2011-45	Student Expulsion	Referred to Hearing Examiner
2011-46	Student Placement	Affirmed

Re: **COMMITTEE UPDATES**

There were no reports.

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

RESOLUTION NO. 28-12 Re: **ADJOURNMENT**

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 adjourn its meeting of January 10, 2012, at 4:00 p.m.

PRESIDENT

SECRETARY

JPS:gr