

APPROVED  
12-2013

Rockville, Maryland  
April 23, 2013

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, on April 23, 2013, beginning at 9:00 a.m.

Present: Mr. Christopher Barclay, President  
in the Chair  
Ms. Shirley Brandman  
Dr. Judy Docca  
Mr. Michael Durso  
Mr. Philip Kauffman  
Mr. John Mannes  
Mrs. Patricia O'Neill  
Ms. Rebecca Smondrowski  
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 9:00 a.m.

RESOLUTION NO. 167-13 Re: **RESOLUTION FOR CLOSED SESSION**

On recommendation of the superintendent and on motion of Mrs. Smondrowski seconded by Mr. Kauffman, 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 April 23, 2013, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, from 9:00 to approximately 10:00 a.m. and 12:30 to approximately 1:30 p.m.; 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 Board discuss and nominate a Board member to serve on the Maryland Association of Boards of Education's Board of Directors, which is an administrative function outside the purview of the *Open Meetings Act*; and be it further

Resolved, That the superintendent of schools brief the Board on the 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 provide the Quarterly Equal Employment Opportunity 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 the strategy relating the teacher effectiveness regulations the Professional Growth System, as permitted under Section 10-508(a)(8) 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 9:04 to 10:01 a.m. After a break, the Board of Education reconvened in open session at 10:09 a.m.

To view specific sections or the entire meeting, please watch at <http://www.montgomeryschoolsmd.org/boe/meetings/archive/2013/2013-0423.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. 168-13 Re: APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for April 23, 2013.

**RESOLUTION NO. 169-13 Re: NATIONAL VOLUNTEER WEEK**

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

WHEREAS, Service is a lifelong pursuit that strengthens the civic fabric of our community and effects positive change with volunteer action; and

WHEREAS, Montgomery County Public Schools acknowledges parent, student, and community volunteers who share the gift of their time, talent, and skills to enhance the quality of our schools and the success of all students; and

WHEREAS, Montgomery County Public Schools' volunteer force of more than 30,000 individuals models the best in citizenship and giving back to the community; and

WHEREAS, Volunteers of all ages, from all walks of life and economic and cultural backgrounds provide support to our students as tutors, mentors, and classroom assistants; coordinate school events and programs; and participate on school system committees, work groups, and advisory groups; and

WHEREAS, In all of the efforts of service, we are reminded how volunteer work may expand learning opportunities for students and also for those who give; and

WHEREAS, Montgomery County Public Schools supports the County Executive's Montgomery Serves Awards that highlight volunteers who make a significant difference in Montgomery County, and other initiatives to encourage volunteer service in Montgomery County; and

WHEREAS, During National Volunteer Week, volunteers throughout the school system are honored and recognized for their commitment of service to our students; now therefore be it

Resolved, That the Montgomery County Board of Education celebrates and recognizes our volunteers—parents, community and business partners, and students helping other students—for their dedicated service to education and the students in our schools; and be it further

Resolved, That National Volunteer Week be observed with the theme, *Celebrate Service*, by Montgomery County Public Schools during the week of April 21–27, 2013.

RESOLUTION NO. 170-13      Re:    **NATIONAL STUDENT LEADERSHIP WEEK**

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

WHEREAS, National Student Leadership Week is a time when schools across the nation recognize the accomplishments, efforts, and service of student leaders with this year's national theme of "Student Leaders: Raising the Bar"; and

WHEREAS, Student leaders are a positive influence to their peers, modeling good character and values in and out of the classroom, and serve as change agents to

improve the overall climate and academic performance of their schools; and

WHEREAS, In April 2013, student leadership activities include the Montgomery County Region of the Maryland Association of Student Councils and the Montgomery County Junior Councils officer elections, a student voter registration drive, the election of the student member of the Board of Education, and National Student Leadership Week; and

WHEREAS, The Board of Education encourages our youth to participate in leadership positions that will provide students with early and vital experiences in exercising a voice in matters of common concern, reconciling diverse interests, and making a sustained commitment to serving students in our communities; now therefore be it

Resolved, That the Montgomery County Board of Education hereby joins with the superintendent of schools in recognizing the week of April 14–20, 2013, as National Student Leadership Week in Montgomery County Public Schools; and be it further

Resolved, That the Montgomery County Board of Education commends student leaders for their efforts and accomplishments on behalf of Montgomery County Public Schools and urges citizens to seek opportunities to recognize student leaders and support their training and activities as they prepare themselves as future leaders of our cities, states, and nation.

RESOLUTION NO. 171-13            Re:    **ASIAN PACIFIC AMERICAN HERITAGE  
MONTH**

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

WHEREAS, The month of May has been proclaimed Asian Pacific American Heritage month by the United States Congress; and

WHEREAS, We celebrate the rich legacy of contributions and respect the notable accomplishments of Asian Pacific Americans who have strengthened our nation; and

WHEREAS, Asian Pacific Americans have prospered and expanded their influence on American society through their achievements in the fields of science, medicine, literature, business, and the arts; and

WHEREAS, Asian Pacific Americans have established themselves as corporate leaders who also serve with distinction in our political system and in academia; and

WHEREAS, Asian Pacific Americans have enriched America's history and serve in our Armed Forces with valor, honoring our country and community; now therefore be it

Resolved, That the Montgomery County Board of Education and the superintendent of

schools hereby declare the month of May 2013 to be observed in Montgomery County Public Schools as Asian Pacific American Heritage Month.

RESOLUTION NO. 172-13            Re:    **TEACHER APPRECIATION WEEK**

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

WHEREAS, Education is the process by which one generation imparts knowledge and fosters critical thinking skills so that the next generation may develop a command of their learning as well as a zest and passion for expressing ideas, solving problems, and understanding new viewpoints; and

WHEREAS, Teachers open students' minds to the magic of ideas, knowledge, and dreams; and

WHEREAS, Teachers work tirelessly to serve our students and communities with care and professionalism, filling many roles as listeners, explorers, role models, motivators, and mentors; and

WHEREAS, The Board of Education wishes to recognize publicly all of the ways that teachers contribute to the lives of students; and

WHEREAS, The Board of Education encourages families and schools to show teachers the appreciation they so richly deserve; and

WHEREAS, The Board of Education thanks its teachers for their contributions to excellence in education; now therefore be it

Resolved, That Teacher Appreciation Week be observed by the school system during the week of May 6–10, 2013; and be it further

Resolved, That Tuesday, May 7, 2013, be designated as Teacher Appreciation Day in Montgomery County Public Schools.

Re:    **PUBLIC COMMENTS**

The following people commented before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Judith Clark	Feed Children
2. Christopher Lloyd	Learning Together
3. Cory Siansky	Long Range Planning
4. Philip Piety	Child Care

Re **BOARD/SUPERINTENDENT COMMENTS**

Mrs. O'Neill remarked that she and Dr. Starr attended the League of Women Voters meeting which recognized distinguished volunteers in the county.

Dr. Docca reported that she attended the (1) African-American Heritage program at Gaithersburg City Hall; (2) 50<sup>th</sup> Anniversary of the Jack and Jill of America, Inc.; and (3) during her church's 200<sup>th</sup> anniversary it is working with Fox Chapel and Gaithersburg elementary schools providing backpacks and other supplies for students.

Mr. Durso commented on the (1) Brave and Bold committee meetings on drug and alcohol issues in partnership with Col. Zadok Magruder High School; (2) Magruder will host the program "Every 15 Minutes" on the dangers of drug and alcohol abuse; (3) visited three schools from Anne Arundel county; (4) Montgomery College for the Holocaust Commemoration; (5) two events at Thomas Edison High School for Technology (honor society induction and skills competition); and (6) Riderwood Scholarships for seniors.

Mrs. Smondrowski stated that she attended the (1) State of the City of Gaithersburg; (2) Extraordinary Minds in Rockville; (3) Education Foundation; and (4) the Quince Orchard High School production of "Beauty and the Beast".

Mr. Mannes announced that he participated in and commented on (1) Are You Up to the Fifth-Grade Challenge?; (2) National Youth Association convention founded by Mr. Hwang; (3) Maryland Association of Student Councils convention; (4) Takoma Park City Council's lowering the voting age to 16 for municipal elections; (5) elections of student governments; (6) student town hall; and (7) social media and issues expressed by students.

Mr. Barclay referenced the following: (1) Teacher for a Day event sponsored by MCEA; and (2) the NSBA conference which is an opportunity for the Board to receive professional development and converse with colleagues across the country.

Dr. Starr commented on the (1) *Washington Post* High School Challenge; (2) National Achievement Scholars; (3) Junior Achievement; (4) National Green Ribbon Schools Award; (5) Mobile-friendly MCPS Website; (6) Superintendent's Book Club; (7) Community Day; (8) Student Town Hall; and (9) Are You Up to the Fifth-Grade Challenge?

RESOLUTION NO. 173-13

Re: **DELIBERATION OF TRANSPORTATION  
APPEAL: RESTORATION OF SCHOOL  
BUS SERVICE TO THE SCHAEFFER  
ROAD—RICHTER FARM AREA FOR  
KINGSVIEW MIDDLE SCHOOL**

On motion of Mrs. O'Neill and seconded by Mr. Kauffman, the Board of Education

voted unanimously to affirm Appeal 2012-31.

RESOLUTION NO. 174-13      Re:    **APPROVAL OF STRATEGIC PLAN  
GUIDING TENETS (CORE VALUES, CORE  
PURPOSE, VISION, MISSION)**

On motion of the Strategic Planning Committee, the following resolution was adopted unanimously:

WHEREAS, The Board of Education and the Superintendent of Schools have been engaging in a process to revise the system's strategic plan, *Our Call to Action: Pursuit of Excellence*; and

WHEREAS, The Board of Education's central role is to review and revise the Guiding Tenets (Core Values, Vision, Mission, System Goals, and Academic Priorities); and

WHEREAS, The Board of Education developed a set of draft Core Values and accompanying Culture/Belief and Behavior statements; and

WHEREAS, The Board of Education developed draft Core Purpose, Vision, and Mission statements; and

WHEREAS, The Strategic Planning Committee has reviewed the draft Core Values, Core Purpose, Vision, and Mission statements, as well as the existing System Goals and Academic Priorities; now therefore be it

Resolved, That the Board of Education adopt the draft Core Values, Core Purpose, Vision, and Mission statements; and be it further

Resolved, That the Board of Education eliminate from the Guiding Tenets the System Goals and Academic Priorities.

## **LEARNING**

### **Culture/Belief (We believe that...)**

We must engage ~~reach~~ every student, every day

Learning is achieved by cultivating curiosity and encouraging determination, focus, and hard work.

Adult learning **and engagement are** key to student learning.

### **Behavior (Therefore, we will...)**

Encourage and support critical thinking, problem solving, active questioning and risk taking to continuously improve.

Stimulate discovery by engaging students in relevant and rigorous academic, social, and emotional learning experiences.

Challenge ourselves to analyze and reflect upon evidence to improve our practices.

**RELATIONSHIPS****Culture/Belief (We believe that...)**

Meaningful collaboration is a vital ingredient of to our district's success.

Strong partnerships are built on trust and open and honest communication.

Building relationships with our diverse community requires us to understand the perspectives and experiences of others.

**Behavior (Therefore, we will...)**

Get to know student and staff members as individuals to better serve them.

Engage in interest-based decision making with our partners to achieve mutually agreed upon goals.

Build strong relationships with students, family, staff, and community to support learning.

**RESPECT****Culture/Belief (We believe that...)**

Each individual's contributions add value to our learning community.

Fair treatment, honesty, openness, and integrity are essential elements of respect.

The diversity of our culture, interests, skills and backgrounds is an asset that makes us stronger.

**Behavior (Therefore, we will...)**

Model civility in all interactions and encourage candid conversations.

Deal fairly and honestly with each other.

Listen to others' perspectives with openness and accept that there are various points of view.

**EXCELLENCE****Culture/Belief (We believe that...)**

Raising the bar and setting high standards is necessary to ensure that all students graduate ready for college and career

We have to expect the best to get the best from everyone, every day.

Creating intellectual excitement and supporting personal growth inspires us all toward excellence.

**Behavior (Therefore, we will...)**

Push unceasingly for continuous improvement.

Hold our practice and our work to the highest possible standards.

Nurture a culture of creativity and inquiry that supports innovation and progress.

**EQUITY****Culture/Belief (We believe that...)**

Each and every student matters.

Outcomes should not be predictable by race, ethnicity, or socioeconomic status.

Equity demands the elimination of all gaps.

Creating and maximizing future opportunities for students and staff is necessary. ~~for~~ equity.

**Behavior (Therefore we will...)**

Hold high expectations for all students and staff.  
Distribute resources as necessary to provide extra supports and interventions so all students can achieve.  
Identify and eliminate any institutional barriers to students' success.  
Ensure that equitable practices are used in all classrooms and workplaces.

### **PURPOSE, MISSION, VISION**

#### **PURPOSE**

Prepare all students to thrive in their future

#### **VISION**

We inspire learning by providing the greatest public education to each and every student.

#### **MISSION**

Every student will have the academic, creative problem solving and social emotional skills to be successful in college and careers.

#### **Re: LUNCH AND CLOSED SESSION**

The Board of Education recessed for lunch and closed session from 12:06 to 1:34 p.m.

\*\* Dr. Docca left the meeting prior to open session.

RESOLUTION NO. 175-13

#### **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 by members present:#

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

WHEREAS, It is recommended that Bid 4120.5, Science Lab Tables, be rejected due to change in specifications and requirements; now therefore be it

Resolved, That Bid 4120.5, Science Lab Tables, be rejected due to change in specifications and requirements; and be it further

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

1003214 Time and Material, Lock, Install, and Repair Services\*\*

	<u>Awardee</u> Liberty Lock & Security, Inc.	\$900,000
1015902	Towing, Transport, and Recovery of Vehicles	
	<u>Awardee</u> Automotive Support Services, Inc.*	\$150,000
4218.1	Defined Contribution Plan Educational Website for Montgomery County Public Schools—Extension	
	<u>Awardee</u> BWISE Guys, LLC	\$25,000
4312.1	Consultant for Title I Program Grant	
	<u>Awardee</u> Lenore, Blank, Kelner, and Company	\$33,564
7004.13	Audio and Visual Equipment and Supplies—Extension	
	<u>Awardees</u>	
	AFP Industries, Inc.*	\$1,495
	B&H Photo Video Pro Audio, Inc.	6,646
	CDW Government, LLC	287,330
	Mark Electronics Supply, Inc.	1,026
	Maryland Sound and Image, Inc.*	19,943
	Nicholas P. Pipino Associates, Inc.	10,984
	Pyramid Paper Company	6,649
	School Specialty, Inc.	4,976
	Silver Screen Products, Inc.	32,154
	Troxell Communications, Inc.	6,391
	Video Service of America, VSA, Inc.	54,932
	VSC, Inc.	6,120
	W.B. Hunt Company, Inc.	<u>46,889</u>
	Total	\$485,535
7006.6	Handheld Calculators and CBL Data Collection Systems	
	<u>Awardee</u> D&H Distributing Company	\$60,000
7076.6	Automotive Shop Equipment, Repair, Service, and Parts	
	<u>Awardees</u> (See note) Alan Tye & Associates, LLC	

	The Myco Companies	
	Total	\$75,000
7083.6	Custodial Equipment—Extension	
	<u>Awardees</u>	
	Acme Paper & Supply Company, Inc.	\$52,307
	Laniado Wholesale Corporation*	9,568
	S. Freedman & Sons, Inc.	44,627
	S&E Paper, Inc.	58,150
	Sid Tool Company, Inc.	22,709
	The Best Battery Company, Inc.	<u>23,049</u>
	Total	\$210,410
7114.5	Bus Wash Chemicals	
	<u>Awardee</u>	
	The Myco Companies	\$ 39,775
7123.3	Vehicle Glass Repair and Replacement—Extension	
	<u>Awardee</u>	
	Royal Glass Company	\$100,000
7124.4	Pest Control Materials—Extension	
	<u>Awardees</u>	
	J. C. Ehrlich Chemical Company, Inc.*	\$22,000
	Univar USA	<u>18,000</u>
	Total	\$40,000
7223.1	Roof Repair at Northwood High School**	
	<u>Awardee</u>	
	Orndorff & Spaid, Inc.	\$81,324
9019.7	Roofing Supplies	
	<u>Awardees</u>	
	American Builders & Contractors Supply Company, Inc.	\$555,384
	Beacon Sales Acquisitions	34,229
	Seamless Gutter Supply of Maryland, Inc.	<u>39,785</u>
	Total	\$629,398
9051.7	Athletic, Cheerleader, and Pom Pon Uniforms—Extension	

	<u>Awardees</u> (See note)	
	Cisco, Inc.	
	BSN Sports	
	EBA Enterprises, Inc.*	
	Marlow Sports, Inc.*	
	Maryland Athletic House	
	Varsity Spirit Fashions	
	Total	\$120,000
9052.8	Portable and Team Bleachers—Extension	
	<u>Awardees</u>	
	BSN Sports, Inc.	\$ 22,081
	Valiern Company*	<u>12,716</u>
	Total	\$ 34,797
9065.9	Lacrosse Supplies and Equipment—Extension	
	<u>Awardees</u>	
	BSN Sports, Inc.	\$ 43,049
	Harrow Sports, Inc.	1,300
	Longstreth Sporting Goods, LLC*	2,675
	Pyramid Paper Company	3,894
	Sports Stop, Inc.	<u>9,425</u>
	Total	\$ 60,343
9096.4	Corridor Lockers for Various Facilities—Extension**	
	<u>Awardee</u>	
	Partition Plus, Inc.	\$150,000
9102.8	Beverage, Chips, and A La Carte Snacks—Extension	
	<u>Awardee</u>	
	Dori Foods, Inc.	
	Royalle Dining Services, Inc.*	\$ 360,000
9106.8	Corrugated Boxes—Extension	
	<u>Awardee</u>	
	Cantwell-Cleary Company, Inc.	\$ 33,500
9122.4	Bread and Rolls—Extension	
	<u>Awardee</u>	
	H&S Bakery, Inc.	\$625,000

9161.3	Athletic Field Renovation—Extension**	
	<u>Awardee</u>	
	Walker Willis/T/A Custom Masonry	\$750,000
9398.3	Retaining Walls and Stormwater Management Modifications**	
	<u>Awardee</u>	
	Walker Willis/T/A Custom Masonry	\$920,000
9637.2	Fire Alarm Replacement at Various Locations—Extension**	
	<u>Awardee</u>	
	Alarm Tech Solutions, LLC	\$800,000
9679.2	Portable Fire Extinguisher and Kitchen Hood Fire**	
	<u>Awardee</u>	
	Maryland Fire Equipment Corporation	\$100,000
9697.1	Safety Rails-Work Platforms Project—Extension**	
	<u>Awardee</u>	
	Walker Willis/T/A Custom Masonry	\$700,000
TOTAL PROCUREMENT CONTRACTS OVER \$25,000		\$7,483,646

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

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

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 176-13      Re:      **CONTRACT APPROVAL FOR BID NO.  
1083.4, PROFESSIONAL SERVICES—  
EXTENSION**

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

WHEREAS, Funds have been budgeted for professional services and temporary personnel through Bid No. 1083.4; now therefore be it

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

## 1083.4 Professional Services—Extension

Awardees (See note)

Advanced Software Systems, Inc.\*

AETEA Information Technology

Business Integra, Inc.\*

Ciber, Inc.

Cost and Performance Solutions, Inc.\*

Dell, Inc.

Digicon Corporation\*

Elixir Technologies Corporation

Gantech, Inc.\*

Gateway Solutions, Inc.\*

LifeCycle Corporation\*

Lighthouse Management Consulting

Dennis McKay

Microsoft

Micro Strategy

Neausys, Inc.\*

Primescape Solutions, Inc.

Qlarion, Inc.

RDA Corporation

Sogeti USA, LLC

Tech Democracy

TestPros, Inc.

United Solutions, LLC\*

US Tech Solutions, Inc.\*

Vangent, Inc.\*

Total

\$3,300,000

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

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 177-13

Re: **CONTRACT APPROVAL FOR BID NO.  
4121.13, OFFICE PAPERS, VIRGIN AND  
RECYCLED**

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

WHEREAS, Funds have been budgeted for the purchase of office papers, virgin and recycled; now therefore be it

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

4121.13 Office Papers, Virgin and Recycled

Awardees

Ariva Distribution, Inc.	\$74,700
B. W. Wilson Paper Company, Inc.	247,553
Central National Gottesman, Inc.	13,190
Officemax	38,840
Unisource Worldwide, Inc.	3,224,894
W. B. Mason Company, Inc.	<u>25,218</u>
Total	\$3,624,395

RESOLUTION NO. 178-13 Re: **CONTRACT APPROVAL FOR BID NO. 7065.10, CUSTODIAL SUPPLIES—EXTENSION**

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

WHEREAS, Funds have been budgeted for the purchase of custodial supplies through Bid No. 7065.10; now therefore be it

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

7065.10 Custodial Supplies—Extension

Awardee

Acme Paper & Supply Company, Inc.	\$351,638
Calico Industries, Inc.	145,131
Daycon Products Company, Inc.	15,851
Fastenal Company	7,003
FPC Holdings	14,445
Genesis II, Inc.*	63,459
Holt Paper & Chemical Company	276,191
Laniado Wholesale Corporation*	28,083
Leonard Paper Company	424,035
S. Freedman & Sons, Inc.	645,396
S&E Paper, Inc.	7,352
Solutex, Inc.	23,512
Superior Supply, Ltd.	<u>19,698</u>
Total	\$2,021,794

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

RESOLUTION NO. 179-13      Re:    **CONTRACT APPROVAL FOR BID NO.  
9111.5, PIZZA, BAKED-FROZEN—  
EXTENSION**

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

WHEREAS, Funds have been budgeted for the purchase of pizza through Bid No. 9111.5; now therefore be it

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

9111.5	Pizza, Baked-Frozen—Extension	
	<u>Awardees</u>	
	Conagara Foods, Inc.	\$720,000
	Rich Products Corporation	400,000
	Schwan's Food Service*	<u>580,000</u>
	Total	\$1,700,000

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

RESOLUTION NO. 180-13      Re:    **ARCHITECTURAL APPOINTMENT—BLAIR  
G. EWING FACILITY IMPROVEMENTS  
PROJECT FEASIBILITY STUDY**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services to perform a feasibility study for the Blair G. Ewing Center facility improvements project; and

WHEREAS, Funds for conducting feasibility studies were programmed as part of the Fiscal Year 2013 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Hord Coplan Macht, Inc. 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 Hord Coplan Macht, Inc. to provide feasibility study services for the Blair G. Ewing Center facility improvements project for a fee of \$36,200.

RESOLUTION NO. 181-13      Re:    **AWARD OF CONTRACT—BANNOCKBURN  
ELEMENTARY SCHOOL HEATING,  
VENTILATION, AND AIR CONDITIONING  
REPLACEMENT**

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

WHEREAS, The following sealed bids were received on March 11, 2013, for the Bannockburn Elementary School Heating, Ventilation, and Air Conditioning replacement project:

<u>Bidder</u>	<u>Amount</u>
Paramount Mechanical Corporation	\$1,815,000
Shapiro & Duncan, Inc.	1,884,000
M & M Welding and Fabricators, Inc.	1,918,000
W.L. Gary Company, Inc.	2,069,000

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 10 percent; and

WHEREAS, The low bidder, Paramount Mechanical Corporation, has submitted 10 percent women-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, Paramount Mechanical Corporation has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$1,815,000 contract be awarded to Paramount Mechanical Corporation for the Bannockburn Elementary School Heating, Ventilation, and Air Conditioning replacement project, in accordance with drawings and specifications prepared by Mendoza, Ribas, Farinas and Associates.

RESOLUTION NO. 182-13

Re: **AWARD OF CONTRACT—EAST SILVER  
SPRING ELEMENTARY SCHOOL HEATING,  
VENTILATION, AND AIR CONDITIONING  
REPLACEMENT**

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

WHEREAS, The following sealed bids were received on March 12, 2013, for the East Silver Spring Elementary School Heating, Ventilation, and Air Conditioning replacement project:

<u>Bidder</u>	<u>Amount</u>
Shapiro & Duncan, Inc.	\$1,218,000
Welch & Rushe, Inc.	1,241,346
W.L. Gary Company, Inc.	1,390,000
American Combustion Industries, Inc.	1,393,000
Paramount Mechanical Corporation	1,406,000

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 10 percent; and

WHEREAS, The low bidder, Shapiro & Duncan, Inc., has submitted 12 percent Maryland Department of Transportation-certified Minority Business Enterprise participation of which 10.5 percent is African American-owned and 1.5 percent is other minority-owned; and

WHEREAS, Shapiro & Duncan, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$1,218,000 contract be awarded to Shapiro & Duncan, Inc. for the East Silver Spring Elementary School Heating, Ventilation, and Air Conditioning replacement project, in accordance with drawings and specifications prepared by Mendoza, Ribas, Farinas and Associates.

RESOLUTION NO. 183-13

Re: **AWARD OF CONTRACT—COL. ZADOK  
MAGRUDER HIGH SCHOOL HEATING,  
VENTILATION, AND AIR CONDITIONING  
REPLACEMENT PHASE III**

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

WHEREAS, The following sealed bids were received on March 15, 2013, for the Col. Zadok Magruder High School Heating, Ventilation, and Air Conditioning replacement phase III project:

<u>Bidder</u>	<u>Amount</u>
EMJAY Engineering and Construction Co., Inc.	\$1,928,000
Paramount Mechanical Corporation	1,980,800
Mallick Plumbing & Heating, Inc.	2,041,500
M & M Welding & Fabricators, Inc.	2,075,800
Shapiro & Duncan, Inc.	2,134,000

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 10 percent; and

WHEREAS, The low bidder, EMJAY Engineering and Construction Co., Inc., has submitted 10 percent women-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, EMJAY Engineering and Construction Co., Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$1,928,000 contract be awarded to EMJAY Engineering and Construction Co., Inc. for the Col. Zadok Magruder High School Heating, Ventilation, and Air Conditioning replacement phase III project, in accordance with drawings and specifications prepared by James Posey Associates, Inc.

RESOLUTION NO. 184-13

Re: **AWARD OF CONTRACT—NEELSVILLE  
MIDDLE SCHOOL HEATING,  
VENTILATION, AND AIR CONDITIONING  
EQUIPMENT REPLACEMENT**

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

WHEREAS, The following sealed bids were received on March 20, 2013, for the Neelsville Middle School Heating, Ventilation, and Air Conditioning equipment replacement project:

<u>Bidder</u>	<u>Amount</u>
American Combustion Industries, Inc.	\$1,173,000
Shapiro & Duncan, Inc.	1,212,000
Paramount Mechanical Corporation	1,356,000
Pro-Air, Inc.	1,450,000

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 10 percent; and

WHEREAS, The low bidder, American Combustion Industries, Inc., has submitted 10 percent African American-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, American Combustion Industries, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$1,173,000 contract be awarded to American Combustion Industries, Inc. for the Neelsville Middle School Heating, Ventilation, and Air Conditioning equipment replacement project, in accordance with drawings and specifications prepared by Building Dynamics, LLC.

RESOLUTION NO. 185-13      Re:    **AWARD OF CONTRACTS—EMERGENCY  
GENERATING SYSTEMS REPLACEMENT  
AT VARIOUS SCHOOLS**

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

WHEREAS, The following low bids were received on March 26, 2013, for emergency generating systems replacement at Poolesville Elementary School and Rock Terrace School:

<u>School</u>	<u>Low Bidder</u>	<u>Amount</u>
Poolesville Elementary School	Tex/Am Construction Co., Inc	\$104,202
Rock Terrace School	Tex/Am Construction Co., Inc	\$109,572

and

WHEREAS, The low bidder, Tex/Am Construction Co., Inc., is a Maryland Department of Transportation-certified Minority Business Enterprise firm; and

WHEREAS, Tex/Am Construction Co., Inc. has submitted 10 percent African American-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, Tex/Am Construction Co., Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That contracts in the amount of \$104,202 and \$109,572 be awarded to Tex/Am Construction Co., Inc. for emergency generating systems replacement at various schools, in accordance with drawings and specifications.

RESOLUTION NO. 186-13            Re:    **AWARD OF CONTRACT—REROOFING AT  
DR. CHARLES R. DREW ELEMENTARY  
SCHOOL**

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

WHEREAS, The following sealed bids were received on March 18, 2013, for the Dr. Charles R. Drew Elementary School reroofing project:

<u>Bidder</u>	<u>Amount</u>
Cole Roofing Co., Inc.	\$686,135
R.D. Bean, Inc.	701,995
Orndorff & Spaid, Inc.	837,486
Interstate Corporation	860,000

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, Cole Roofing Co., Inc., has submitted 20 percent women-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, Cole Roofing Co., Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$686,135 contract be awarded to Cole Roofing Co., Inc. for the Dr. Charles R. Drew Elementary School reroofing project, in accordance with drawings and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 187-13      Re:    **AWARD OF CONTRACT—REROOFING AT  
PINE CREST ELEMENTARY SCHOOL**

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

WHEREAS, The following sealed bids were received on April 2, 2013, for the Pine Crest Elementary School reroofing project:

<u>Bidder</u>	<u>Amount</u>
Interstate Corporation	\$599,000
Cole Roofing Co., Inc.	633,664
Orndorff & Spaid, Inc.	634,979

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, Interstate Corporation, is a Maryland Department of Transportation-certified Minority Business Enterprise firm; and

WHEREAS, Interstate Corporation has submitted 20 percent women-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, Interstate Corporation has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$599,000 contract be awarded to Interstate Corporation for the Pine Crest Elementary School reroofing project, in accordance with drawings and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 188-13      Re:    **CONSULTANT APPOINTMENTS—  
NATURAL RESOURCE INVENTORY AND  
FOREST STAND DELINEATION**

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

WHEREAS, It is necessary to appoint consultants to provide professional natural resource inventory and forest stand delineation services for various capital projects; and

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

<u>Company Name</u>	<u>Location</u>
Charles P. Johnson & Associates, Inc.	Silver Spring, Maryland
Norton Land Design LLC	Ashton, Maryland
A. Morton Thomas and Associates, Inc.	Rockville, Maryland

and

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

Resolved, That the Montgomery County Board of Education enters into contractual agreements with the above-named firms to provide professional natural resource inventory and forest stand delineation services for various capital projects, as requirements arise, with each individual project contract not to exceed \$50,000.

RESOLUTION NO. 189-13      Re:    **CONSULTANT APPOINTMENTS—  
TOPOGRAPHY AND BOUNDARY SURVEY**

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

WHEREAS, It is necessary to appoint consultants to provide professional topography and boundary survey services for various capital projects; and

WHEREAS, A Consultant Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified the following as the most qualified firms to provide the necessary professional topography and boundary survey services:

<u>Company Name</u>	<u>Location</u>
Charles P. Johnson & Associates, Inc.	Silver Spring, Maryland
Meridian Surveys, Inc.	Frederick, Maryland
B. Morton Thomas and Associates, Inc.	Rockville, Maryland

and

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

Resolved, That the Montgomery County Board of Education enters into contractual agreements with the above-named firms to provide professional topography and boundary survey services for various capital projects, as requirements arise, with each individual project contract not to exceed \$90,000.

RESOLUTION NO. 190-13      Re:    **ENGINEERING APPOINTMENTS—  
BUILDING COMMISSIONING SERVICES**

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

WHEREAS, It is necessary to appoint engineering firms to provide professional commissioning services to ensure that building systems function efficiently and satisfy the operational needs of the building; and

WHEREAS, The following companies were selected as the most qualified companies through the architect/engineer selection procedures approved by the Board of Education on April 20, 2006:

<u>Company Name</u>	<u>Location</u>
Advanced Building Performance, Inc.	Potomac, Maryland
Allen & Shariff Engineering, LLC	Columbia, Maryland
Brinjac Engineering, Inc.	Vienna, Virginia
Facility Dynamics Engineering Corporation	Columbia, Maryland
Lutz Engineering, Inc.	Baltimore, Maryland
McDonough Bolyard Peck, Inc.	Columbia, Maryland
Reynolds Consulting Engineers, Inc.	Stevensville, Maryland

and

WHEREAS, Advanced Building Performance, Inc. is a Maryland Department of Transportation-certified minority firm; and

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

Resolved, That the Montgomery County Board of Education enters into contractual agreements with the above-named firms to provide professional commissioning services

for individual capital projects, as requirements arise, with each individual project contract not to exceed \$200,000.

RESOLUTION NO. 191-13      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 by members present:#

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 the following as the most qualified firms to provide the necessary professional design services for the heating, ventilation, and air conditioning systems:

<u>Company Name</u>	<u>Location</u>
Building Dynamics, LLC	Arlington, Virginia
Burdette, Koehler, Murphy & Associates	Baltimore, Maryland
Gipe Associates, Inc.	Baltimore, Maryland
Global Engineering Solutions	Rockville, Maryland
L. S. Grim Consulting Engineers, Inc.	Rockville, Maryland
James Posey Associates, Inc.	Baltimore, Maryland
Mendoza, Ribas, Farinas & Associates	Rockville, Maryland
Weigand Associates, Inc.	Germantown, Maryland

and

WHEREAS, Weigand Associates, Inc. is a Maryland Department of Transportation-certified minority firm; and

WHEREAS, Mendoza, Ribas, Farinas & Associates is a non-Maryland Department of Transportation-certified minority firm; and

WHEREAS, Staff 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 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 above-named firms 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 consistent with funding approved for projects in the Capital Improvements Program; 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. 192-13      Re:    **PRECONSTRUCTION/CONSTRUCTION  
MANAGEMENT SERVICES—  
CLARKSBURG/DAMASCUS MIDDLE  
SCHOOL**

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

WHEREAS, The Fiscal Year 2013–2018 Capital Improvements Program includes planning funds for the new Clarksburg/Damascus Middle School project; and

WHEREAS, The design phase of this project is commencing, with construction anticipated to begin in January 2015 and be completed by August 2016, pending approval of the requested Capital Improvements Program; and

WHEREAS, Staff in the Department of Facilities Management has recommended that this project be completed using a construction management delivery system due to its complexities and scope of work; and

WHEREAS, A Consultant Selection Committee, utilizing procedures adopted by the Board of Education on April 20, 2006, identified Hess Construction + Engineering Services as the most qualified firm to provide the necessary management services; and

WHEREAS, The management services will be implemented in two phases; and

WHEREAS, The initial phase will consist of preconstruction services for cost estimating, value engineering, constructability reviews, and the development of the construction implementation schedule; and

WHEREAS, Staff in the Department of Facilities Management has negotiated a fee for the preconstruction services; and

WHEREAS, The second phase will consist of general construction management services, and a fee for this phase will be negotiated once the preconstruction services are completed; now therefore be it

Resolved, That the Montgomery County Board of Education enters into a contractual agreement with Hess Construction + Engineering Services to provide preconstruction services for cost estimating, value engineering, constructability reviews, and the development of the construction implementation schedule for the new Clarksburg/Damascus Middle School project for a fee of \$118,772.

RESOLUTION NO. 193-13            Re:    **RICHARD MONTGOMERY HIGH SCHOOL—  
AMENDMENT TO STADIUM FIELD  
AGREEMENT**

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

WHEREAS, The Board of Education approved a resolution to install artificial turf at Richard Montgomery High School stadium field on January 8, 2008; and

WHEREAS, The Board of Education accepted a contribution from Maryland Soccer Enterprises, LLC in the amount of \$300,000 toward the installation of artificial turf in return for preferred scheduled use of the stadium field during non-school hours; and

WHEREAS, Maryland Soccer Enterprises, LLC has utilized the stadium field four years of the five-year term; and

WHEREAS, Maryland Soccer Enterprises, LLC is requesting approval to sublease the remaining one-year term to another sports organization; and

WHEREAS, It is in the best interest for the Board of Education to allow the sublease of the Richard Montgomery High School stadium field for the remaining one-year term; and

WHEREAS, The current stadium field agreement with Maryland Soccer Enterprises, LLC prohibits assignment or sublease; therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute an amendment to the Richard Montgomery High School Stadium Field Agreement with Maryland Soccer Enterprises, LLC to allow the sublease of the stadium field for the remaining one-year term.

RESOLUTION NO. 194-13

Re: **RECOMMENDED CATEGORICAL  
TRANSFERS FOR FY 2013 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 by members present:#

WHEREAS, The current Fiscal Year 2013 Operating Budget adopted by the Board of Education includes \$9,448,354 for the Provision for Future Supported Projects; and

WHEREAS, The Board of Education will receive additional projects that are eligible for funding through the Provision for Future Supported Projects during Fiscal Year 2013; and

WHEREAS, Actual revenue and expenditure requirements of grant projects require that categorical transfers be made in the Provision for Future Supported Projects; now therefore be it

Resolved, That the superintendent of schools be authorized to effect categorical transfers totaling \$2,625,000 within the Fiscal Year 2013 Provision for Future Supported Projects, in accordance with the County Council provision for transfers, as follows:

	<u>Category</u>	<u>From</u>	<u>To</u>
1	Administration	\$200,000	
2	Mid-level Administration	700,000	
3	Instructional Salaries	100,000	
4	Textbooks and Instructional Supplies	50,000	
5	Other Instructional Costs	400,000	
6	Special Education		\$2,000,000
7	Student Personnel Services	175,000	
9	Student Transportation		20,000
11	Maintenance of Plant		5,000
12	Fixed Charges		200,000
14	Community Services		<u>400,000</u>
	Total	<u>\$2,625,000</u>	<u>\$2,625,000</u>

and be it further

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

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

RESOLUTION NO. 195-13      Re:    **PRELIMINARY PLANS—BETHESDA  
ELEMENTARY SCHOOL ADDITION  
PROJECT**

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

WHEREAS, The architect for the proposed Bethesda Elementary School addition project, Walton, Madden, Cooper, Robinson, Poness, Inc., has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The participants in the Bethesda Elementary School facility advisory process have provided input for the proposed schematic design; now therefore be it

Resolved, That the Board of Education approves the preliminary plans report for the Bethesda Elementary School addition project developed by Walton, Madden, Cooper, Robinson, Poness, Inc.

RESOLUTION NO. 196-13      Re:    **PRELIMINARY PLANS—CLARKSBURG  
HIGH SCHOOL ADDITION PROJECT**

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

WHEREAS, The architect for the proposed Clarksburg High School addition project, Delmar Architects, P.A., has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The participants in the Clarksburg High School facility advisory process have provided input for the proposed schematic design; now therefore be it

Resolved, That the Board of Education approves the preliminary plans report for the Clarksburg High School addition project developed by Delmar Architects, P.A.

\*\* Mr. Mannes temporarily left the meeting.

RESOLUTION NO. 197-13      Re:    **MONTHLY HUMAN RESOURCES AND  
DEVELOPMENT REPORT**

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

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 the members of the Board of Education and the superintendent of schools express their condolences to families of deceased employees; and be it further

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

\*\* Mr. Mannes rejoined the meeting.

RESOLUTION NO. 198-13

Re: **DEATH OF DOMINGO CANCEL-ROMAN,  
CLASSROOM TEACHER, ELEMENTARY  
SCHOOL ROLLING TERRACE  
ELEMENTARY SCHOOL**

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

WHEREAS, The death on March 6, 2013, of Mr. Domingo Cancel-Roman, classroom teacher at Rolling Terrace Elementary School, has deeply saddened staff, students, and the members of the Board of Education; and

WHEREAS, During the 22.6 years Mr. Cancel-Roman had worked for Montgomery County Public Schools, he was organized and enthusiastic as he used comprehensive planning skills to design effective instruction focused on student mastery of curriculum goals; and

WHEREAS, He consistently shared classroom data with parents, exemplifying his concerns and/or the progress he witnessed in his students' growth; 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. Cancel-Roman 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. Cancel-Roman's family.

RESOLUTION NO. 199-13      Re:    **DEATH OF MS. SONIA E. CINTRON,  
CLASSROOM TEACHER ON  
PERSONAL ILLNESS LEAVE,  
BROOKHAVEN ELEMENTARY SCHOOL**

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

WHEREAS, The death on March 17, 2013, of Ms. Sonia E. Cintron, classroom teacher on personal illness leave from Brookhaven Elementary School, has deeply saddened staff, students, and the members of the Board of Education; and

WHEREAS, During the 18.7 years with Montgomery County Public Schools, Ms. Cintron was a valued member of the school community who was committed to her students and their learning; and

WHEREAS, Ms. Cintron set high, achievable expectations and planned lessons that challenged her students without overwhelming them by using projects and common tasks that targeted specific goals; 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 Ms. Cintron and extend deepest sympathy to her family; and be it further

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

RESOLUTION NO. 200-13      Re:    **DEATH OF MS. DANA L. FIELDS.  
SPECIAL EDUCATION TEACHER ON  
PERSONAL ILLNESS LEAVE, CARL  
SANDBURG LEARNING CENTER**

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

WHEREAS, The death on March 19, 2013, of Ms. Dana L. Fields, special education teacher on personal illness leave from Carl Sandburg Learning Center, has deeply saddened staff, students, and the members of the Board of Education; and

WHEREAS, During her 3.4 years with Montgomery County Public Schools as a behavioral support teacher, Ms. Fields visited more than 30 elementary schools and worked with teachers and staff on how to implement and use behavioral intervention plans to improve self-discipline; and

WHEREAS, Ms. Fields demonstrated a high level of professionalism as she met

challenges with an open mind, while offering methods to achieve student success in schools; 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 Ms. Fields and extend deepest sympathy to her family; and be it further

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

RESOLUTION NO. 201-13            Re:    **DEATH OF MS. JACQUI B. PHILLIPS,  
TEACHER, ENGLISH ON PERSONAL  
ILLNESS LEAVE, WHEATON HIGH  
SCHOOL**

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

WHEREAS, The death on March 19, 2013, of Ms. Jacqui Phillips, teacher, on personal illness leave from Wheaton High School, has deeply saddened staff, students, and the members of the Board of Education; and

WHEREAS, In the more than 13 years with Montgomery County Public Schools, Ms. Phillips was an advocate for children who believed that all children could be successful and planned for and taught toward this objective; and

WHEREAS, Ms. Phillips was dedicated to her students and encouraged them to take risks when they were unsure of their responses and always gave her support to each student; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Ms. Phillips and extend deepest sympathy to her family; and be it further

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

RESOLUTION NO. 202-13            Re:    **DEATH OF MR. WAYNE E. WHIGHAM,  
DIRECTOR, APPEALS/TRANSFER TEAM,  
OFFICE OF THE CHIEF OPERATING  
OFFICER**

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

WHEREAS, The death on March 14, 2013, of Mr. Wayne E. Whigham, director of the

Appeals/Transfer Team, Office of the Chief Operating Officer, has deeply saddened staff, students, and the members of the Board of Education; and

WHEREAS, During the 37.6 years Mr. Whigham had worked for Montgomery County Public Schools, he demonstrated throughout his professional career a passion for commitment to the students and families of Montgomery County Public Schools, which ensured that all students received a fair opportunity to be heard and to be given an opportunity to be successful in school; and

WHEREAS, Mr. Whigham was highly regarded by his peers, and his counsel was often sought because he understood the principalship and school operations, which were invaluable insights when solving problems and offering advice to staff; 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. Whigham 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. Whigham's family.

RESOLUTION NO. 203-13      Re:    **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2013:

**Eugenia S. Dawson**, director, Leadership Team Development

RESOLUTION NO. 204-13      Re:    **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2013:

**Debra S. Munk**, consulting principal, Department of Professional Growth Systems, Office of Human Resources and Development

RESOLUTION NO. 205-13      Re:    **APPOINTMENT**

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

Mrs. Smondrowski, the following resolution was adopted unanimously by members present:

Resolved, That the following personnel appointment be approved effective April 24, 2013:

**Kara B. Trenkamp**, director, Department of Instructional Technology, Office of the Chief Technology Officer

RESOLUTION NO. 206-13      Re:    **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2013:

**Edward C. Nolan**, director, Pre-K–12 Curriculum Development and Implementation (Mathematics)

RESOLUTION NO. 207-13      Re:    **APPOINTMENT**

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 following personnel appointment be approved effective July 1, 2013:

**Mildred L. Charley-Greene**, as principal, Northwood High School

RESOLUTION NO. 208-13      Re:    **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective April 24, 2013:

**Mary E. Bliss**, principal, Farmland Elementary School

RESOLUTION NO. 209-13      Re:    **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1,

2013:

**Peter H. Bray**, principal, Broad Acres Elementary School

RESOLUTION NO. 210-13      Re:    **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective April 24, 2013:

**Rachel C. DuBois**, principal, Piney Branch Elementary School

RESOLUTION NO. 211-13      Re:    **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2013:

**Jennifer S. Lane**, principal, Westbrook Elementary School

RESOLUTION NO. 212-13      Re:    **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2013:

**Brent T. Mascott**, principal, DuFief Elementary School

RESOLUTION NO. 213-13      Re:    **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 2013:

**Carole E. Rawlison**, principal, Harmony Hills Elementary School

Re: **MONTHLY FINANCIAL REPORT**

Mr. Larry Bowers, chief operating officer, reported that this financial report reflects the actual financial condition of Montgomery County Public Schools (MCPS) as of February 28, 2013, and projections through June 30, 2013, based on program requirements and estimates made by primary and secondary account managers. At this time, revenues have a projected surplus of \$2.7 million, and expenses have a projected surplus of \$15.5 million.

Due to Fiscal Year (FY) 2011 comprehensive expenditure restrictions, MCPS ended the year with an expenditure surplus. The FY 2012 Operating Budget included a fund balance of \$17.0 million of the total savings as a source of appropriation, leaving a fund balance of \$11.9 million. This balance, together with the FY 2012 expenditure and revenue surplus of \$28.6 million, equals \$40.5 million that will be available to fund future operating budgets. The County Council used \$17.0 million of the fund balance as a source of revenue for the FY 2013 Operating Budget, leaving an available balance of \$23.5 million. Based on the revenue and expenditure projections as of February 28, 2013, the FY 2013 fund balance will be \$41.7 million at year end. The 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.

Re: **LONG-RANGE FACILITIES PLANNING  
PROCESS**

Dr. Starr invited the following people to the table: Mr. Bruce Crispell, director, Division of Long-range Planning, Department of Facilities Management; Mr. James Song, director, Department of Facilities Management; and Ms. Piera Weiss, deputy director, Montgomery County Planning Department.

MCPS is entering its 30th year of enrollment increases that have averaged 2,000 additional students per year. In 1983, MCPS enrollment had declined to 91,030 as the last of the Baby Boom generation aged out of high school. Immediately following this decline in enrollment, economic opportunities in the Washington area and immigration began to drive enrollment higher once again. In the 30 years since 1983, total MCPS enrollment has increased by 57,749 students.

The enrollment increases since 1983 have required the opening of 33 elementary schools, 17 middle schools, and 6 high schools. These numbers include the reopening of 7 elementary schools, 6 middle schools, and 1 high school. Classroom additions and the expansion of schools during modernization also have been necessary to keep pace with enrollment. Relocatable classrooms have been an important interim measure while permanent capacity is planned and constructed. This year, there are 395 relocatable classrooms at schools, down from a peak count of 685 relocatables in

2005. Ninety percent of the relocatables are located at elementary schools.

In the next six years, enrollment is projected to increase from 148,779 students this year to 159,433 students by 2018, an increase of 10,654 students. Additional enrollment increases are anticipated beyond 2018. The demographic make-up of MCPS enrollment has changed significantly since the Baby Boom days when most school enrollments were made up of White, non-Hispanic students. Today, White, non-Hispanic students make up 33 percent of total enrollment. The growth of our student population will continue to increase the diversity of the district as the majority of the new students arriving are African American, Asian, and Hispanic, with the latter being the fastest growing segment of our population.

Addressing capacity shortages that exist today while preparing for additional space needs in the future is the challenge of MCPS facility planning and capital programming. Maintenance and modernization of aging facilities also is critical, and funds for school capacity projects must be balanced with funds needed to keep older facilities in good condition. Since 1983, 60 elementary schools, 12 middle schools, and 12 high schools have been modernized. In addition, numerous maintenance projects have been completed at schools.

**Re: DISCUSSION**

The Board of Education raised the following questions, and staff replied at the table. The entire discussion can be viewed on the webcast.

Mrs. O'Neill noted that the Board is concerned about the communities' perceptions of school capacity based on the development in their neighborhoods. She noted that the school system does not have the money at this time to build to the projected enrollment. Furthermore, the outcome in Annapolis has been a deficit from MCPS assumptions and the county has reduced the funding, as well.

At some future time, the Board should schedule a conversation to revisit consideration of possible public-private partnerships modeled on the recently passed Baltimore legislation—such a partnership might target funds to build the high school capacity we will need as our enrollment continues to grow while MCPS dedicates dollars to elementary projects since funds for high school modernizations are often the most delayed in the County CIP.

Mrs. O'Neill and Ms. Brandman asked staff to assist the Board in preparing an effective advocacy effort focused on Annapolis to make increased school construction funding a priority and specifically to advocate for a formula that takes each LEA's enrollment share of the state total into account ("fair share" formula for school construction).

Finally, the MCCPTA should be included in the planning and communication with the school communities.

Ms. Brandman asked staff as part of, or in advance of, the development of the next CIP, to offer any recommendations on changing the recommended enrollment sizes for elementary, middle, and high schools. She indicated that staff should develop recommendations for the Board on any school sites where we should be proactively beginning the reclamation process or at least alerting tenants that we will not renew existing leases in order to ensure that properties are available for school development when needed.

Mrs. Smondrowski agreed with her colleagues. She suggested that the system should build to capacity without adding portables at a later date within a year or two.

Mr. Kauffman thought it would be helpful to see the Master Plan and proposed developments. Based on data from six years ago, what actually happened? Mr. Kauffman asked about the formulas used to project enrollment. How does the school system communicate to the County Council on Master Plans and the need for schools? Does the staging policy provide adequate funding for schools?

The Board of Education requested a letter of support for the Joint Work Group on collocation of facilities.

**Re: UPDATE ON THE OFFICE OF SCHOOL  
SUPPORT AND IMPROVEMENT**

Dr. Starr reported that in his March 1, 2013, memorandum, he provided information about the reorientation of the Office of School Support and Improvement (OSSI) from regional quad and quint clusters into level-alike school improvement teams, scheduled to take effect July 1, 2013. This item provides an update for the reorientation.

The reorientation of OSSI to better support our schools was announced on March 1, 2013. At that time, a timeline for how the plan would be operationalized was shared. During the months of March and April, OSSI leaders have:

- met with a variety of stakeholders, including current OSSI and staff in the Office of Professional Development and School Support, the president of the Montgomery County Council of Parent Teacher Associations, the chair of the National Association for the Advancement of Colored People Parent Council, employee association leaders, the Deputy's Principal Advisory Group, and other offices across central services to facilitate communication about the new structure and to gather valuable input;
- worked to finalize elementary reporting assignments;
- collaboratively examined the implications this structural change has on other central offices; and
- met with various staff, including principals, in small groups and individually to address transitional questions and concerns.

Additionally, a full-day retreat with the OSSI Deputy's Leadership Team was held on April 16, 2013, to collaboratively determine many of the implementation details. An

additional retreat with the larger OSSI Professional Learning Community will take place on May 7, 2013.

### **Level-Alike School Improvement Teams and Supervisory Assignments**

Moving to a level-alike structure will enable OSSI to better address the specific programmatic needs of elementary, middle, and high schools. There will be three main level-alike school improvement teams: a high school team led by Dr. Christopher S. Garran, associate superintendent of high schools; a middle school team led by Dr. Darryl L. Williams, associate superintendent of middle schools; and an elementary team led by four associate superintendents of elementary schools.

Following the reorientation announcement on March 1, 2013, leaders in OSSI used an interest-based process to determine the specific supervisory assignments for the 138 elementary schools. Some examples of stakeholder interests considered during this process included respecting existing cluster relationships, building on existing supervisory relationships, as well as honoring geographic clustering. In prioritizing the existing cluster relationships, it was decided that to the extent possible, associate superintendents of elementary schools would keep their current elementary schools with additional cluster assignments. The elementary assignments for the 2013–2014 school year are as follows:

- Elementary schools in the Bethesda-Chevy Chase, Winston Churchill, Walter Johnson, Richard Montgomery, Rockville, Walt Whitman, and Thomas S. Wootton clusters will be assigned to Dr. Donna S. Hollingshead.
- Elementary schools in the Downcounty Consortium and Wheaton Cluster will be assigned to Ms. Bronda L. Mills.
- Elementary schools in the Northeast Consortium, Gaithersburg, Col. Zadok Magruder, and Sherwood clusters will be assigned to Dr. Myra J. Smith.
- Elementary schools in the Clarksburg, Damascus, Northwest, Poolesville, Quince Orchard, Seneca Valley, and Watkins Mill clusters and the Community Montessori Charter School will be assigned to Dr. LaVerne G. Kimball.

These level-alike school improvement teams will focus on the unique needs of schools at each level to implement Curriculum 2.0 and the Common Core State Standards, strengthen professional learning communities, develop culturally proficient leaders committed to eliminating barriers to high achievement for all students, and promote social emotional learning as well as 21<sup>st</sup> century skills. Strengths and needs of individual schools, as well as patterns across schools will be identified using the School Support and Improvement Framework, which will guide teams to effectively supervise, coach, create networks, and align resources for focused, differentiated service and support to schools.

The Montgomery County Public Schools cluster structure will continue to exist and school assignments of students will not be affected by this change. The vertical articulation networking will continue with cluster principals meeting collaboratively.

**Accelerating Our Efforts to Close the Achievement Gap**

The chief school improvement officer (CSIO) will provide intense support to approximately 10 to 15 schools at any one time in the design and implementation of innovative school improvement planning processes specifically to address the needs of students we, as a system, have not yet reached. These schools will be selected by the examination of leadership, perceptual, implementation, and student outcome data including the following key indicators:

- Third grade reading at Advanced
- Fifth grade reading and math at Advanced
- Fifth grade well-being baseline data
- Eighth grade reading and math at Advanced
- Eighth grade well-being baseline data
- Ninth grade completion of Algebra 1 and English 9 with a “B” or higher
- Ninth grade ineligibility rates
- Four-year high school graduation rate

The CSIO will work closely with the associate superintendents of elementary, middle, and high schools as well as OSSI directors to provide ongoing support to those schools identified as benefitting from this support. The CSIO will provide intensive differentiated coaching on the School Improvement Process, uncover existing barriers to accelerating closing achievement gaps, and work with school leaders to create conditions for school success. Additionally, the CSIO will work with the supervisor of interventions in the Office of Teaching, Learning, and Programs to support schools.

**Next Steps**

During the months of May and June, OSSI will continue to solidify agreements around vertical networks, interview and recommend school leaders for open positions, and finalize interoffice agreements with regard to service provision.

**Conclusion**

Listening to school and central office leaders has been, and will continue to be, pivotal to the success of OSSI. As OSSI moves forward toward the vision, “Elevating Leadership—Magnifying Learning,” the level-alike school improvement teams will operate to magnify learning for all school and office leaders by increasing consistency of practice and strategically and equitably providing service and support for schools and offices across Montgomery County Public Schools.

**Re: DISCUSSION**

The Board of Education made the following inquiries, and staff replied.

- Mr. Kauffman noted that there was confusion in the community regarding focus schools.
- Mr. Durso commented that the clusters will remain, but how will the vertical

networks function?

- Mr. Durso stated that there is anxiety within the parent community on how this reorientation plays out.
- Ms. Brandman suggested that schools learn from our own best practices, and plan to utilize those strategies.
- Ms. Brandman remarked that technology will allow educators to share lesson plans and teaching strategies.
- Mr. Barclay asked about the duties of the chief school improvement officer, who will report to that person, what is the main function, what is the role of the associate superintendents, what are the standards for principals, and how will success be evaluated?

RESOLUTION NO. 214-13

Re: **TENTATIVE ACTION, POLICY BLC,  
PROCEDURES FOR REVIEW AND  
RESOLUTION OF SPECIAL EDUCATION  
DISPUTES**

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

WHEREAS, Policy BLC, *Procedures for Review and Resolution of Special Education Disputes*, has been updated to establish and recognize review and resolution options that permit cooperative problem solving of disputes regarding the identification, evaluation, educational placement, or provision of a free and appropriate public education for a student with a disability or suspected of having a disability under the *Individuals with Disabilities Education Act*; and

WHEREAS, The Montgomery County Board of Education Policy Committee has considered and recommended revisions to Policy BLC, *Procedures for Review and Resolution of Special Education Disputes*; now therefore be it

Resolved, That the Montgomery County Board of Education takes tentative action on Policy BLC, *Procedures for Review and Resolution of Special Education Disputes*; and be it further

Resolved, That Policy BLC, *Procedures for Review and Resolution of Special Education Disputes*, be sent out for public comment.

### **Procedures for Review and Resolution of Special Education Disputes**

#### A. PURPOSE

To establish and recognize review and resolution options that permit cooperative problem solving of disputes regarding the identification, evaluation,

educational placement, or provision of a free and appropriate public education (FAPE) for a student with a disability or suspected of having a disability under the *Individuals with Disabilities Education Act* (IDEA)

## B. ISSUE

Students with disabilities and their parent(s)/guardian(s) must be guaranteed procedural safeguards with respect to their right to a FAPE and should have available less formal options for resolution of disputes.

## C. POSITION

### 1. Statement of Philosophy

It is the intent of the Montgomery County Board of Education (Board) to resolve all disputes related to special education in as efficient and cooperative a manner as possible. Montgomery County Public Schools (MCPS) has established an administrative review process that may be used and encourages the use of mediation processes authorized by state and federal law.

The parent/guardian/eligible student may elect not to use an administrative review and may request mediation and/or a due process hearing in accordance with state and federal law.

### 2. Applicable Laws, Rules, and Regulations

Where applicable, these procedures should be read in conjunction with state and federal laws, rules, and regulations that include the following:

- a) *The Annotated Code of Maryland, Education Article, Section 8-413*
- b) *Code of Maryland Regulations* (COMAR) §13A.05.01 et seq.:
  - (1) COMAR §13A.05.01 deals specifically with Programs for Students with Disabilities
  - (2) COMAR §13A.05.01.14 deals specifically with Due Process Hearing Procedures
- c) IDEA 20 U.S.C. §1400 et seq., and Rules and Regulations Implementing IDEA

### 3. Conflicts

In cases of conflicts between these procedures and applicable state or

federal laws, rules, or regulations, the state or federal laws, rules, or regulations shall govern.

#### 4. Administrative Review and Resolution

The parent/guardian/eligible student may select, as an alternative to mediation/due process hearing procedures, an administrative review.

The process for administrative review involves reviewing all available records on the student and obtaining information required for clarification so that a decision that attempts to resolve the dispute in a way that is satisfactory to both parties can be offered.

##### (1) When Available

An administrative review is available whenever a parent/guardian/eligible student is dissatisfied with a decision, or lack thereof, regarding the identification, evaluation, educational placement, or provision of a FAPE for a student with a disability or suspected of having a disability under IDEA, and has not filed a request for mediation and/or a due process hearing.

##### (2) Procedure

To initiate the administrative review, MCPS Form 336-43A, *Application for Informal Review*, must be completed by the parent/guardian. The form is then filed with the Department of Special Education Services.

A committee of no less than two (2) MCPS professional staff members, at least one of whom is certificated in special education, who have had no direct involvement in the decision, will obtain relevant records and consider any information submitted by the parent/guardian/eligible student with the form or gained from other sources. The administrative review should be completed within twenty (20) calendar days of filing. However, at any time during the process, or at the completion of the process, a party may request mediation and/or a due process hearing. If mediation and/or a due process hearing is requested, the administrative review will terminate.

When a review is completed, a representative of the Office of Special Education and Student Services will inform the parties in writing of the suggested resolution. If all parties concur, the resolution shall be committed to writing and signed.

#### 5. Mediation/Due Process Hearing Procedures

The Board encourages the use of state provided mediation as an alternative to resolution of disputes prior to or current with a due process hearing. Mediation attempts to bring about a resolution of the dispute by the parties through the intervention of a neutral third party. Mediation is made available through the State Office of Administrative Hearings and is conducted by an impartial administrative law judge.

The Board also recognizes the availability of due process hearings through the State Office of Administrative Hearings.

A parent or MCPS may initiate mediation and/or a due process hearing concerning the identification, evaluation, educational placement, or provision of a FAPE for a student with a disability or suspected of having a disability under IDEA by making a written request to the State Office of Administrative Hearings and ensuring the opposing party receives a copy of the request. If an oral request is received, MCPS will provide the individual with a request form and assist the individual in completing the form, as appropriate.

#### D. DESIRED OUTCOME

MCPS desires to seek early resolution of disputes in as informal and cooperative manner as possible.

#### E. IMPLEMENTATION STRATEGIES

1. The superintendent of schools will publicize the options for review and resolution of disputes regarding the identification, evaluation, educational placement, or the provision of a FAPE for a student with a disability or suspected of having a disability under IDEA as well as the procedures for requesting mediation and/or a due process hearing.
2. The superintendent of schools will develop regulations and other procedures as necessary to implement this policy.
3. The superintendent of schools will establish a data collection process to determine the effectiveness of the implementation of these procedures.

#### F. REVIEW AND REPORTING

1. The superintendent of schools shall bring to the Board all matters related to this policy that involve issues of great importance.
2. Settlement of claims related to special education legal fees and costs

shall be evaluated by legal counsel and reported to the Board.

3. This policy will be reviewed in accordance with the Board of Education policy review process.

Re: **DISCUSSION**

Mr. Kauffman suggested that when the Policy Committee reviews Policy BLC it considers whether Policy BLC should: (1) include more opportunities for administrative reviews even if parents ask have asked for a due process hearing if they are willing to seek a stay; (2) define what constitutes issues of "great Importance"; and (3) whether the Board should be informed when MCPS appeals an adverse decision. Mrs. O'Neill suggested that there should be consideration of a regulation for this policy.

RESOLUTION NO. 215-13 Re: **FUTURE CLOSED SESSION RESOLUTION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on Tuesday, May 14, 2013, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, to meet from 9:00 to approximately 10:00 a.m. and 11:00 a.m. to approximately 2:15 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. 216-13 Re: **REPORT OF PREVIOUS CLOSED SESSION**

On recommendation of the superintendent and on motion of Mr. Kauffman seconded

by Ms. Brandman, the report was accepted unanimously by members present:

On March 21, 2013, 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* Section 10-508(a), et seq., of the *Annotated Code of Maryland*.

The Board of Education of Montgomery County met in closed session on March 21, 2013, from 5:35 to 6:53 p.m. in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, and:

1. Received legal advice and considered the following Decision and Order involving an administrative complaint: 2013-1, 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*.
2. Received legal advice and considered the following appeal involving an athletic waiver: 2013-2, 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*.
3. Received a briefing on individual candidates for appointments as associate superintendent, Office of Shared Accountability; consulting principal, Department of Professional Growth Systems, Office of Human Resources and Development; assistant to the associate superintendent, Office of Special Education and Student Services; principal, Rock Creek Forest Elementary School; and principal, College Gardens Elementary School, with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
4. Received a briefing from the superintendent of schools on strategies regarding the implementation of the new principals/teachers effectiveness regulation, which is an administrative function outside the purview of the *Open Meetings Act*.
5. Received legal advice on pending litigation in the Circuit Court on Rock Creek Hills (Bethesda-Chevy Chase Middle School #2), as permitted under Section 10-508(a)(7) of the *State Government Article*.
6. Received a briefing by the superintendent of schools on operating budget strategies, which is an administrative function outside the purview of the *Open Meetings Act*.

In attendance at the 5:35 p.m. closed session were Chris Barclay, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, Patricia O'Neill, Rebecca Smondrowski, Roland Ikheloa, Suzann King, Glenda Rose, Laura Steinberg, and Patrick Clancy. At 5:56 p.m., the following staff and legal counsel joined the Board: Brian Edwards, Beth Schiavino-Narvaez, James Song, Joshua Starr, Kimberly Statham, Dana Tofig, Judy Bresler, and Samantha Williams. At 6:16 p.m., Patrick Clancy and Samantha Williams left the meeting. At 6:37 p.m., Judy Bresler left the meeting.

RESOLUTION NO. 217-13      Re:    **APPEALS**

On recommendation of the superintendent and on motion of Mr. Kauffman seconded by Ms. Brandman, 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>
DCC-2012-43	Remand – Student Placement	Unanimously Affirmed
2013-3	Teacher Dismissal (Student Board member cannot vote on matters arising under Section 6-202 of the Education Article)	Unanimously Affirmed
2013-4	Student Placement	Affirmed with Mr. Barclay, Dr. Docca, Mr. Durso, Mr. Mannes, and Mrs. O'Neill voting in the affirmative; Ms. Brandman, Mr. Kauffman, and Ms. Smondrowski voting in the negative

Re:    **UPDATE ON LEGISLATION (ORAL)**

Ms. Laura Steinberg, legislative aide reported that there were 2,610 bills had been introduced and 766 were successful, including.

- State aid for primary and secondary education increased to \$6.1 billion
- State aid through the Bridge to Excellence formulas increased to more than \$5billion
- The compensatory education program, which provides funding, based on the number of students eligible for free and reduced price meals, saw the greatest increase followed by aid for limited English proficient students
- Montgomery County will see a 2.3 percent increase in state aid
- The FY2014 capital budget includes \$300 million for school construction, of which \$25 million is restricted for air conditioning, as well as \$25million to support security enhancements.

The budget also includes \$8.3 million to begin a five-year phase-in of a change to the net taxable income (NTI) calculation. State education aid formulas that include a

local wealth component are to be calculated twice, once using an NTI amount for each county based on tax returns filed by September 1, and once using an NTI amount based on tax returns filed by November 1. Each local school system then receives the greater State aid amount that results from the two calculations with the increase phased in over five years.

By March 2013, \$272 million of the school construction funds was allocated, with Montgomery County recommended to receive \$27 million. The remaining will be allocated by mid-May.

Enacted bills will impact, among other issues, local boards of education, school safety and security, and curriculum. Bills defeated, among other things, would have impacted charter schools, athletics and created exceptions for handguns in schools.

#### Key Bills of Interest

1. Highest profile bill, of course, was the **Prince George's County - School System - Academic Revitalization and Management Effectiveness Initiative** (what began as a task force and wound up, among other things restructuring the Board and changing how the superintendent is hired).
2. The other bill with the greatest implications for K-12 was the College Readiness and Completion Act. Big picture is to (a) improve Maryland's workforce; but inhibitors are: (b) back mapped through post-secondary institutions then to high schools. Discussions left for final days of the session with many changes, including implementation dates, and complicated with lots of details. For post-secondary, bill makes it easier to transfer credits, helps near completers, and creates degree plans and pathways.

#### For K-12

- Grade 11 students to be assessed for college readiness (was discussion about using the Acuplacer *but intention now to wait for PARCC*)
- Students not considered college ready to take transition course-*concern was raised about this leading to a tiered diploma system, but language added to prevent that*
- Transition course to be developed collaboratively between MSDE, LEA's and Community College-*Study to be undertaken and report to GA by Dec 2013*
- With next year's 9<sup>th</sup> graders, all students must be enrolled in a math or math-related course each year in high school-*math-related was added after significant discussions of the intention of the requirement (if not in a math or math related course in grade 12, students are at a disadvantage when they get to college)*

- Tuition no longer charged to students dually enrolled ; rather fee to be paid by school systems, but lots of conditions to limit expense to schools. i.e. parents can be charged up to 90% of the fee; limited to no more than 4 courses, etc.

#### Other legislation

- Board/districts compensation
- Task force to study post-labor day start of school
- Open Meetings Act: training, definition of public body, enforcement
- Commission on Special Education Access and Equity: membership increased and date extended

#### Re: **DISCUSSION**

Mrs. O'Neill asked staff to prepare a cost sheet on the new legislation that requires the school system to pay for dually enrolled students (number of students and cost).

#### RESOLUTION NO. 218-13      Re: **MINUTES**

Resolved, That the Board of Education approve its minutes for February 12, February 19, February 5, March 4, March 12, and March 21, 2013.

#### Re: **BOARD COMMITTEE UPDATES**

Mrs. O'Neill reported that the Policy Committee on May 10, 2013, and will review student transfers, management of school properties, and flyer policy evaluation in June.

#### Re: **NEW BUSINESS**

There were no new business items.

#### Re: **ITEMS OF INFORMATION**

The following documents were available:

1. Legal Fees Report
2. Construction Progress Report
3. Minority-, Female-, or Disabled-Owned Business Procurement Year-To-Date Report for Fiscal Year 2013 Through March 31, 2013

RESOLUTION NO. 219-13

Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of April 23, 2013, at 5:37 p.m.

---

 PRESIDENT

---

 SECRETARY

JPS:gr

Resolution	Barclay	Brandman	Docca	Durso	Kauffman	Mannes	O'Neill	Smondrowski
Transportation Appeal	A	A	A	A	A	A	A	A
Guiding Tenets	A	A	A	A	A	A	A	A
Policy BLC	A	A	O	A	A	A	A	A

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