

APPROVED
37-2003

Rockville, Maryland
November 11, 2003

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, November 11, 2003, at 10:10 a.m.

ROLL CALL Present: Mrs. Patricia B. O'Neill, President
 in the Chair
 Mr. Kermit V. Burnett
 Ms. Sharon Cox
 Mr. Reginald M. Felton
 Dr. Charles Haughey
 Mr. Walter Lange
 Mr. Gabe Romero
 Mr. Sagar Sanghvi, Student Board Member
 Dr. Jerry Weast, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 548-03 Re: **CLOSED SESSION**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on November 11, 2003, in Room 120 from 9:00 to 10:00 a.m. and 12:00 to 2:15 p.m. to discuss the Human Resources Monthly Report and Human Resources appointments, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education consider the requisition of real property for a public purpose, as permitted under Section 10-508 (c) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed session on November 11, 2003, to acquit its executive functions, which is outside the purview of the Open Meetings Act under Section 10-503(a) of the *State Government Article*; and be it further

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

RESOLUTION NO. 549-03 Re: **APPROVAL OF THE AGENDA**

On recommendation of the Superintendent and on motion of Mr. Felton seconded by Ms. Cox, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its agenda for November 11, 2003.

RESOLUTION NO. 550-03 Re: **VETERANS' DAY (SENECA VALLEY HIGH SCHOOL'S COLOR GUARD)**

On recommendation of the Superintendent and on motion of Mr. Felton seconded by Dr. Haughey, the following resolution was adopted unanimously:

WHEREAS, In 1918, on the eleventh hour of the eleventh day in the eleventh month, the world rejoiced and celebrated the signing of an armistice to end four years of bitter war; and

WHEREAS, In 1938, Congress voted Armistice Day as a legal holiday; and

WHEREAS, In 1953, Congress passed a bill renaming the national holiday to Veterans' Day; and

WHEREAS, Each Veterans' Day, Americans continue to celebrate with ceremonies and speeches remembering and honoring those who fought for peace; and

WHEREAS, November 11, 2003, is our opportunity to remember and acknowledge the sacrifices of men and women who served our country in the Armed Forces of the United States; now therefore be it

Resolved, That the Board of Education commend students, parents, MCPS staff, and the entire community for reflecting, commemorating, honoring, and celebrating the contributions of our veterans.

RESOLUTION NO. 551-03 Re: **AMERICAN EDUCATION WEEK**

On recommendation of the Superintendent and on motion of Mr. Felton seconded by Mr. Lange, the following resolution was adopted unanimously:

WHEREAS, The theme for the observance of American Education Week is "Great Public Schools for Every Child – America's Promise;" and

WHEREAS, Public schools are the backbone of our democracy, providing young people with the tools they need to maintain our nation's precious values of freedom, civility, and equality; and

WHEREAS, By equipping young Americans with both practical skills and broader intellectual abilities, schools give them hope for, and access to, a productive future; and

WHEREAS, Schools are community linchpins, bringing together adults and children, educators and volunteers, business leaders and elected officials in a common enterprise; and

WHEREAS, Education employees at all levels of the Montgomery County Public Schools work tirelessly to serve our children and communities with dedication, professionalism, and compassion; now therefore be it

Resolved, That all schools strongly encourage parent, community, and business involvement in the education process, especially during American Education Week, to enhance the academic and personal success of all our students; and be it further

Resolved, That on behalf of the superintendent of schools and staff, the Montgomery County Board of Education hereby declare November 16 through November 22, 2003, to be observed in Montgomery County Public Schools as "American Education Week."

Re: BOARD/SUPERINTENDENT COMMENTS

Dr. Weast reported that Mr. Edward A. Clarke, director of School Safety and Security, testified at the sniper trial on the impact of those incidents on MCPS.

Emergency equipment has been provided by Nextel phones for high school security team leaders and Palm Pilots for schools to use in storing critical data that must be accessed in a crisis. Additional first aid and CPR training was given to teachers, who will provide this same training to students and continued development of mental health and outreach support.

Dr. Weast said that the National School Boards Association chose the Wood Acres Elementary School modernization as an outstanding example of K-12 school architectural design. Wood Acres was judged one of the best in its class for modernization and renewal projects and was included in a special exhibit during the NSBA meeting in San Francisco last April. He was pleased to recognize Mr. Andre Banks, the architect of this award-winning design.

Twenty students have been named National Scholars on the Advanced Placement exams taken last May. The students are from Montgomery Blair, Richard Montgomery, Quince Orchard, Walt Whitman, and Watkins Mill high schools. In addition, the number of students in

other high performance categories on the AP tests has grown. AP Scholars increased by 259 students over the previous year to 936, Scholars with Honor increased by 77 to 476, and Scholars with Distinction increased by 83 to 475. The strong performances on these stringent exams highlight the school system's continuing efforts to increase academic rigor and encourage greater numbers of students to take and succeed in AP courses.

MCPS has received a grant of \$626,000 from the U.S. Department of Education that will help improve communication regarding emergency response procedures. This grant will strengthen and expand collaboration with county agencies regarding safety and security. Some of the important activities that the grant will provide are: Multi-language videos and brochures to enhance outreach to students and parents and additional training for school staff and first responders.

Mrs. O'Neill congratulated the winners of the Board's Distinguished Service Awards. Dr. Weast received the designation of Maryland's Superintendent of the Year (elected by his peers). He is in nomination for the National Superintendent of the Year Award through the American Association of School Administrators.

Mrs. O'Neill also announced that the Springbrook High School Girls' Field Hockey Team won the state's AAAA title for the first time. Also, Poolesville, Quince Orchard, Springbrook and Bethesda-Chevy Chase high school teams all played in the state competition.

Mr. Burnett was unable to attend the Board's Distinguished Service Awards because he was out of town on business. He congratulated all the winners and all nominees for the award.

Mr. Felton recognized the contribution of Mr. Roger Titus, Board Counsel, for his 25 years of service. He thanked him for his dedication to public education and wished him well as he becomes a federal judge.

Mr. Lange commented on two awards – Employer of the Year award presented to Donahue Construction and student awardee from Youth Works. Also, the Mark Curtis Outstanding Humanities Award at Thomas S. Wootton High School recognizes student achievement in the humanities.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

- | <u>Person</u> | <u>Topic</u> |
|-----------------|---|
| 1. Steve Singal | Communication Between Middle and High School Teachers |
| 2. Mark Drury | Career Education |

3. Judy Casey Increased Academic Rigor

Re: **TENTATIVE ACTION ON POLICY FFA – NAMING SCHOOLS**

On motion of Ms. Cox and seconded by Dr. Haughey, the following resolution was placed on the table:

WHEREAS, Policy FFA, *Naming Schools*, currently identifies the approval authority and process for naming schools; and

WHEREAS, The Board Policy Committee has considered and recommended revisions to Policy FFA; now therefore be it

Resolved, That the Board of Education take tentative action to adopt draft Policy FFA, *Naming School Facilities*; and be it further

Resolved, That the tentative draft Policy FFA, *Naming School Facilities*, be sent out for public comment.

NAMING SCHOOL FACILITIES

A. PURPOSE

To establish an equitable process by which the Board of Education can assume its responsibility for naming schools facilities

B. ISSUE

When it is necessary to open new schools or rename existing school facilities, the Board of Education must have an equitable process to select school names.

C. POSITION

1. It is the responsibility of the Board of Education to adopt official names for county public school facilities. In fulfilling this responsibility, the Board will make every effort to respect community preferences.
2. When a new school site is purchased, or a planning project for a new school facility is initiated, the superintendent will establish a temporary, generic name to designate the site or building for planning purposes. As a new school facility

nears completion, the Board shall develop a listing of up to four names. The superintendent shall establish a process through which interested groups in the community that the school will serve shall be charged with the responsibility of recommending, in priority order, its preference from among the listing of names provided by the Board of Education and up to two additional names recommended by the committee.

3. It is preferred that schools facilities be named for distinguished persons, no longer active in their careers, who have made an outstanding contribution to the community, county, state, or nation. The Board of Education will give strong consideration to names of women and minorities so that these are equitably represented among county school names.
4. Geographic names may also be considered for new schools facilities. These names should be clearly identifying, widely known, and recognized.
5. Although the Board will consider carefully community recommendations for school facility names, the final responsibility for officially naming a school building rests with the Board of Education.
6. The Board of Education welcomes suggestions for school facility names on an on-going basis. These names will be kept on file by the Board of Education and used as references.
7. If there is strong support within a community, the Board of Education will consider petitions to rename existing school facilities. If the Board decides to proceed with a renaming, careful consideration will be given to the community recommendation(s); however, the final decision on the new name will rest with the Board of Education.
8. If there is strong support within a community or related group, petitions will be considered for naming a portion of a school facility, to include athletic facilities. The responsibility for naming a portion of a school facility will rest with the Superintendent of Schools or his/her designee after careful consideration of community input. Petitions received to name a portion of a school facility to generate financial gain are prohibited unless expressly approved by the Board of Education.

D. DESIRED OUTCOME

An equitable process by which the Board of Education can assume its responsibility for naming schools facilities.

E. IMPLEMENTATION STRATEGIES

The superintendent will publish a regulation to implement this policy.

F. REVIEW AND REPORTING

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

RESOLUTION NO. 552-03 Re: **AN AMENDMENT TO THE TENTATIVE ACTION ON POLICY FFA – NAMING SCHOOLS**

On motion of Mr. Felton and seconded by Mr. Sanghvi, the following motion was adopted unanimously:

Resolved, That the Board of Education amend Policy FFA at C.8. to read:

If there is strong support within a **the** community ~~or related group~~, petitions will be considered for naming a portion of a school facility, to include athletic facilities.

RESOLUTION NO. 553-03 Re: **AN AMENDMENT TO THE TENTATIVE ACTION ON POLICY FFA – NAMING SCHOOLS**

On motion of Mr. Felton and seconded by Dr. Haughey, the following motion was adopted unanimously:

Resolved, That the Board of Education amend Policy FFA at C.7. to read:

If the Board decides to proceed with a renaming, ~~careful consideration will be given to the community recommendation(s); however, the final decision on the new name will rest with the Board of Education~~ **the Board will follow procedures outlined in Section C.2.**

RESOLUTION NO. 554-03 Re: **AN AMENDMENT TO THE TENTATIVE ACTION ON POLICY FFA – NAMING SCHOOLS**

On motion of Ms. Cox and seconded by Mr. Felton, the following motion was adopted unanimously:

Resolved, That the Board of Education amend Policy FFA at C.7. and 8. to read:

If there is strong **interest support** within a community, the Board of Education will consider petitions to rename existing school facilities.

If there is strong **interest support** within a community or related group, petitions will be considered for naming a portion of a school facility, to include athletic facilities.

RESOLUTION NO. 555-03 Re: **AN AMENDMENT TO THE TENTATIVE ACTION ON POLICY FFA – NAMING SCHOOLS**

On motion of Mr. Felton and seconded by Dr. Haughey, the following motion was adopted unanimously:

Resolved, That the Board of Education amend Policy FFA at C.3. to read:

It is preferred that school facilities be named for **deceased** distinguished persons, ~~no longer active in their careers~~, who have made an outstanding contribution to the community, county, state, or nation.

RESOLUTION NO. 556-03 Re: **TENTATIVE ACTION ON POLICY FFA – NAMING SCHOOLS**

On motion of Ms. Cox and seconded by Dr. Haughey, the following resolution, as amended, was adopted unanimously:

WHEREAS, Policy FFA, *Naming Schools*, currently identifies the approval authority and process for naming schools; and

WHEREAS, The Board Policy Committee has considered and recommended revisions to Policy FFA; now therefore be it

Resolved, That the Board of Education take tentative action to adopt draft Policy FFA, *Naming School Facilities*; and be it further

Resolved, That the tentative draft Policy FFA, *Naming School Facilities*, be sent out for public comment.

NAMING SCHOOL FACILITIES

A. PURPOSE

To establish an equitable process by which the Board of Education can assume its

responsibility for naming school facilities

B. ISSUE

When it is necessary to open new schools or rename existing school facilities, the Board of Education must have an equitable process to select school names.

C. POSITION

1. It is the responsibility of the Board of Education to adopt official names for county public school facilities. In fulfilling this responsibility, the Board will make every effort to respect community preferences.
2. When a new school site is purchased, or a planning project for a new school facility is initiated, the superintendent will establish a temporary, generic name to designate the site or building for planning purposes. As a new school facility nears completion, the Board shall develop a listing of up to four names. The superintendent shall establish a process through which interested groups in the community that the school will serve shall be charged with the responsibility of recommending, in priority order, its preference from among the listing of names provided by the Board of Education and up to two additional names recommended by the committee.
3. It is preferred that school facilities be named for deceased distinguished persons who have made an outstanding contribution to the community, county, state, or nation. The Board of Education will give strong consideration to names of women and minorities so that these are equitably represented among county school names.
4. Geographic names may also be considered for new school facilities. These names should be clearly identifying, widely known, and recognized.
5. Although the Board will consider carefully community recommendations for school facility names, the final responsibility for officially naming a school building rests with the Board of Education.
6. The Board of Education welcomes suggestions for school facility names on an on-going basis. These names will be kept on file by the Board of Education and used as references.
7. If there is strong interest within the community, the Board of Education will consider petitions to rename existing school facilities. If the Board decides to proceed with a renaming, the Board will follow the procedures outlined in Section C.2.

8. If there is strong interest within the community, petitions will be considered for naming a portion of a school facility, to include athletic facilities. The responsibility for naming a portion of a school facility will rest with the Superintendent of Schools or his/her designee after careful consideration of community input. Petitions received to name a portion of a school facility to generate financial gain are prohibited unless expressly approved by the Board of Education.

D. DESIRED OUTCOME

An equitable process by which the Board of Education can assume its responsibility for naming school facilities.

E. IMPLEMENTATION STRATEGIES

The superintendent will publish a regulation to implement this policy.

F. REVIEW AND REPORTING

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

Re: **TENTATIVE ACTION, POLICY FED, *RETAINAGE REDUCTION FOR CONTRACTORS***

On motion of Ms. Cox and seconded by Dr. Haughey, the following resolution was placed on the table:

WHEREAS, Policy FED, *Policy on Retainage Reduction for Contractors*, identifies the amount to be retained from progress payments to construction contractors until a project is completed; and

WHEREAS, The enactment of H.B. 371 by the Maryland General Assembly, regarding the amounts that can be retained from progress payments on state-funded projects, necessitates that Policy FED be revised to comply with the new law; and

WHEREAS, The Board Policy Committee has considered and recommended revisions to Policy FED; now therefore be it

Resolved, That the Board of Education take tentative action to adopt draft Policy FED, *Policy on the Reduction of Funds Retained Pending Completion of a Contract*; and be it further

Resolved, That the tentative draft Policy FED, *Policy on the Reduction of Funds Retained Pending Completion of a Contract*, be sent out for public comment.

POLICY ON THE REDUCTION OF FUNDS RETAINED PENDING COMPLETION OF A CONTRACT

A. PURPOSE

To set forth policy guidelines for reduction of funds retained pending completion of a contract on capital construction projects

B. ISSUE

There are circumstances which necessitate the reduction of retainage on capital construction projects.

C. POSITION

1. The retainage on capital projects may be reduced from 10 percent to five percent when:
 - a. A project is, at a minimum, 50 percent completed and is scheduled to be finished within the contract completion date
 - b. The project architect recommends in favor of the contractor's request for reduction of retainage
 - c. The reduction is approved by the contractor's surety agent
2. The remaining five-percent retention will be held until the project is fully completed and only released when the architect certifies that all of the contract requirements have been fulfilled and the Maryland State Comptroller verifies that there are no outstanding taxes or other state mandated fees due by the contractor.

C. REVIEW AND REPORTING

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

RESOLUTION NO. 557-03 Re: **AN AMENDMENT TO THE TENTATIVE ACTION, POLICY FED, *RETAINAGE REDUCTION FOR CONTRACTORS***

On motion of Mr. Burnett and seconded by Mr. Felton, the following amendment was adopted unanimously:

Resolved, That the Board of Education amend Policy FED at B. to read:

State law defines certain ~~There are~~ circumstances which necessitate the reduction of retainage on capital construction projects.

RESOLUTION NO. 558-03 Re: **AN AMENDMENT TO THE TENTATIVE ACTION, POLICY FED, *RETAINAGE REDUCTION FOR CONTRACTORS***

On motion of Dr. Haughey and seconded by Mr. Lange, the following amendment was adopted unanimously:

Resolved, That the Board of Education amend Policy FED at C.1.a. to read:

MCPS construction staff reports to the Board of Education that the project is, at a minimum, 50-percent complete and is scheduled to be finished within the contract completion date. ~~A project is, at a minimum, 50-percent completed and is scheduled to be finished within the contract completion date~~

RESOLUTION NO. 559-03 Re: **TENTATIVE ACTION, POLICY FED, *RETAINAGE REDUCTION FOR CONTRACTORS***

On motion of Ms. Cox and seconded by Dr. Haughey, the following resolution, as amended, was adopted with Mr. Burnett, Ms. Cox, Mr. Felton, Dr. Haughey, Mr. Lange, Mrs. O'Neill, and Mr. Sanghvi voting in the affirmative; Mr. Romero voting in the negative:

WHEREAS, Policy FED, *Policy on Retainage Reduction for Contractors*, identifies the amount to be retained from progress payments to construction contractors until a project is completed; and

WHEREAS, The enactment of H.B. 371 by the Maryland General Assembly, regarding the amounts that can be retained from progress payments on state-funded projects, necessitates that Policy FED be revised to comply with the new law; and

WHEREAS, The Board Policy Committee has considered and recommended revisions to

Policy FED; now therefore be it

Resolved, That the Board of Education take tentative action to adopt draft Policy FED, *Policy on the Reduction of Funds Retained Pending Completion of a Contract*; and be it further

Resolved, That the tentative draft Policy FED, *Policy on the Reduction of Funds Retained Pending Completion of a Contract*, be sent out for public comment.

POLICY ON THE REDUCTION OF FUNDS RETAINED PENDING COMPLETION OF A CONTRACT

A. PURPOSE

To set forth policy guidelines for reduction of funds retained pending completion of a contract on capital construction projects

B. ISSUE

State law defines certain circumstances which necessitate the reduction of retainage on capital construction projects.

C. POSITION

1. The retainage on capital projects may be reduced from 10 percent to five percent when:
 - a. MCPS construction staff reports to the Board of Education that the project is, at a minimum, 50-percent complete and is scheduled to be finished within the contract completion date
 - b. The project architect recommends in favor of the contractor's request for reduction of retainage
 - c. The reduction is approved by the contractor's surety agent
2. The remaining five-percent retention will be held until the project is fully completed and only released when the architect certifies that all of the contract requirements have been fulfilled and the Maryland State Comptroller verifies that there are no outstanding taxes or other state mandated fees due by the contractor.

C. REVIEW AND REPORTING

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

Re: LUNCH AND CLOSED SESSION

The Board of Education recessed for lunch and closed session from 12:05 to 2:05 p.m.

RESOLUTION NO. 560-03 Re: PROCUREMENT CONTRACTS OF \$25,000 OR MORE

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously: #

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

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

| | | |
|------------------|---|------------|
| 1-03-C 056 | On-site Technical Mobile Communication Services | |
| | <u>Awardee</u> Teltronic, Inc. | \$ 230,000 |
| 1B3900 524 | Off-the-lot New and Used Vehicles | |
| | <u>Awardee</u> Criswell Chevrolet, Inc. | \$ 30,067 |
| 150500 0178AA | Elevator Equipment Preventive Maintenance—Extension | |
| | <u>Awardee</u> Elevator Control Service | \$ 250,000 |
| 4020.2 | HVAC Service Contract—Extension | |
| | <u>Awardee</u> Baltimore Trane Service | \$ 102,962 |
| 4079.5 | Health Room Supplies | |

Awardees

| | |
|------------------------------------|--------------|
| Amzco Surgical Devices* | \$ 52,343 |
| Armstrong Medical Industries, Inc. | 3,557 |
| Calico Industries, Inc. | 21,416 |
| Cole Medical, Inc. | 10,068 |
| Delta Medical Supply Group, Inc. | 21,344 |
| Eddor Safety | 2,492 |
| S. Freedman & Sons, Inc. | 8,131 |
| Medco Supply Company | 2,140 |
| NASCO | 3,694 |
| Perfect Health Supplies* | 2,439 |
| Roane Barker/dba Caligor | 10,302 |
| Henry Schein, Inc. | 8,575 |
| School Health Corporation* | <u>1,269</u> |
| Total | \$ 147,770 |

4081.3 Science Equipment—Extension

Awardees

| | |
|-------------------------------------|--------------|
| American Scales & Equipment Company | \$ 11,254 |
| Carolina Biological Supply Company | 1,217 |
| Edvotek, Inc. | 3,682 |
| ETA/Cuisenaire* | 5,451 |
| Fisher Science Education | 42,374 |
| Flinn Scientific, Inc. | 1,440 |
| Para Scientific Company | 5,007 |
| Pasco Scientific | 24,398 |
| Pitsco Innovative Education | 2,085 |
| Science Kit, Inc. | 292 |
| VWR Scientific/Sargent Welch | 30,526 |
| Ward's Natural Science Est., Inc. | <u>1,837</u> |
| Total | \$ 129,563 |

7003.7 Audio and Visual Equipment and Supplies

Awardees

| | |
|-------------------------------|--------|
| Abolins, Inc. | \$ 224 |
| AFP Industries* | 18,410 |
| B&H Photo-Video | 50,828 |
| Burlington Audio Tapes, Inc.* | 13,623 |
| Century Magnetics* | 1,224 |
| Crest AV Electronics, Inc.* | 18,839 |

| | | |
|--------|---|---------------|
| | CTL Communications Televideo* | 196,750 |
| | HPI International, Inc. | 1,390 |
| | International Audio Visual, Inc. | 17,400 |
| | Lee Hartman & Sons, Inc. | 91,890 |
| | Kunz, Inc.* | 44,031 |
| | Landon Systems Corporation | 914 |
| | Nicholas P. Pipino Associates | 21,344 |
| | Professional Products, Inc. | 280 |
| | Pyramid School Products | 14,580 |
| | Troxell Communications, Inc. | 2,871 |
| | Washington Professional Systems | 48,734 |
| | Nelson White Systems, Inc.* | <u>1,145</u> |
| | Total | \$ 544,477 |
| 7005.3 | Handheld Calculators and Calculator-based Laboratory Data Collection Systems—Extension | |
| | <u>Awardees</u> | |
| | D&H Distributing Company | \$ 535,125 |
| | Pasco Scientific | <u>46,285</u> |
| | Total | \$ 581,410 |
| 7082.3 | Custodial Equipment | |
| | <u>Awardees</u> | |
| | A. Liss & Company | \$ 770 |
| | Abel Industries, Inc. | 10,823 |
| | Acme Paper and Supply, Inc. | 10,165 |
| | Best Supply, Inc. | 326 |
| | J.D. Brophy, Inc. | 1,284 |
| | City Group, Inc. | 42,292 |
| | Daycon Products, Inc. | 99,398 |
| | District Janitorial Repair Company, Inc. | 692 |
| | National Supply Company, Inc. | 21,657 |
| | Odorite Company | 49,890 |
| | The Fitch Company* | 2,188 |
| | Xpedx | <u>4,300</u> |
| | Total | \$ 243,785 |
| 7101.1 | Automotive Batteries—Extension | |
| | <u>Awardee</u> | |

| | | |
|--------|---|---------------|
| | East Penn Manufacturing Company, Inc. | \$ 52,388 |
| 7115.1 | Early Childhood Equipment and Supplies | |
| | <u>Awardees</u> | |
| | ABC School Supply, Inc. | \$ 15,436 |
| | AFP Industries, Inc.* | 77,270 |
| | Childcraft Education Corporation | 74,374 |
| | Community Playthings | 59,450 |
| | Greeting Tree* | 16,240 |
| | Kaplan Early Learning Company | 25,582 |
| | Lakeshore Learning Materials | 4,382 |
| | Pyramid School Products | 5,465 |
| | School Specialty | <u>1,232</u> |
| | Total | \$ 279,431 |
| 7116.1 | Snowplow and Pump Parts—Extension | |
| | <u>Awardee</u> | |
| | America's Body Company | \$ 34,151 |
| 7124.1 | Transportation Services for MCPS Students | |
| | <u>Awardee</u> | |
| | Regency Cab, Inc. | \$ 130,000 |
| 7125.1 | Paper Towels | |
| | <u>Awardee</u> | |
| | S. Freedman and Sons | \$ 130,849 |
| 9018.2 | Operable Wall System Preventive Maintenance—Extension | |
| | <u>Awardee</u> | |
| | Modern Door & Equipment Sales | \$ 46,800 |
| 9114.5 | Canned Fruits and Vegetables | |
| | <u>Awardees</u> | |
| | H. Schrier & Company, Inc. | \$ 265,609 |
| | Sysco Food Services of Baltimore, LLC | <u>28,150</u> |

| | | |
|---|----------------------------|----------------|
| | Total | \$ 293,759 |
| 9115.5 | Frozen Potatoes | |
| | <u>Awardees</u> | |
| | Cavendish Farms, Inc. | \$ 55,845 |
| | Imperial Sales Company* | 52,920 |
| | Marathon Sales, LLC | <u>430,000</u> |
| | Total | \$ 538,765 |
| Chiller Repair at Wootton High School—Emergency Service | | |
| | <u>Awardee</u> | |
| | Carrier Corporation | \$ 39,291 |
| Energy Management System Software Upgrade at Wheaton High School and Thomas Edison High School of Technology—Emergency Service | | |
| | <u>Awardee</u> | |
| | Engineered Services, Inc. | \$ 54,914 |
| Furnish and Install Greenhouse at Winston Churchill High School—Emergency | | |
| | <u>Awardee</u> | |
| | J.A. Nearing Company, Inc. | \$ 62,444 |
| Chiller Replacement at Montgomery Blair High School—Emergency Service | | |
| | <u>Awardee</u> | |
| | M&M Welding & Fabricators* | \$ 53,440 |
| TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000 | | \$3,976,266 |

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

RESOLUTION NO. 561-03 Re: TRANSFER OF FUNDS

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:#

WHEREAS, Declining construction prices in the Washington, D. C., metropolitan area have

resulted in reduced bid prices for school construction projects; and

WHEREAS, The lower prices have created surpluses in the Rocky Hill Middle School replacement and Quince Orchard Middle School #2 projects that are not needed to complete these projects; and

WHEREAS, The current modernization program has a shortfall because of an appropriation adjustment for the Somerset Elementary School project and the need to supplement the Rockville High School project for additional costs associated with winter 2002/spring 2003 weather delays and other unforeseen conditions; and

WHEREAS, Staff has recommended that the surplus funds from lower bid prices be transferred to supplement the current modernization program and accelerate planning for several critical capital budget projects; now therefore be it

Resolved, That surplus funds in the amounts of \$2,800,000 and \$1,750,000, respectively, be transferred from the Rocky Hill Middle School replacement and Quince Orchard Middle School #2 projects, to the Capital Budget unliquidated surplus account; and be it further

Resolved, That the following amounts be transferred from the unliquidated surplus account to the projects identified:

| <u>Amount</u> | <u>Project</u> |
|---------------|--|
| \$ 125,000 | South Lake Elementary School addition |
| 75,000 | Broad Acres Elementary School addition |
| 350,000 | Connecticut Park Elementary School reopening |
| 150,000 | Feasibility planning |
| 3,500,000 | Current modernizations |

and be it further

Resolved, That FY 2004 Capital Budget supplemental appropriations in the amounts of \$100,000 and \$250,000, respectively, be requested to begin planning additions for Spark M. Matsunaga and Watkins Mill elementary schools; and be it further

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

RESOLUTION NO. 562-03 Re: **CHANGE ORDER EXCEEDING \$100,000**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:#

WHEREAS, The Department of Facilities Management has received the following change order proposal from the Hess Construction Company, Inc., in excess of \$100,000; and

WHEREAS, The change order is needed to overcome weather delays and pay for unforeseen rock removal costs so the project can be completed on schedule; and

WHEREAS, The contractor is entitled to be compensated for these additional costs under the terms and conditions of the construction contract; and

WHEREAS, Staff and the project architect have reviewed the change order and found it to be equitable; now therefore be it

Resolved, That the Board of Education approve the following change order for the amount indicated:

Project: Rockville High School

Description: Compensable costs to accelerate the project to meet the construction schedule due to weather delays and rock removal.

Contractor: Hess Construction Company, Inc.

Amount: \$1,320,000

RESOLUTION NO. 563-03 Re: **AWARD OF CONTRACT – QUINCE ORCHARD MIDDLE SCHOOL #2**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:#

WHEREAS, The following sealed bids were received on October 21, 2003, for the Quince Orchard Middle School #2 project:

| <u>Bidder</u> | <u>Amount</u> |
|-----------------------------------|---------------|
| Henley Construction Company, Inc. | \$18,907,000 |
| Dustin Construction, Inc. | 19,236,333 |
| Donohoe Construction Company | 19,470,500 |
| Hess Construction Company | 19,642,300 |
| SIGAL Construction Corporation | 20,003,500 |

and

WHEREAS, The low bidder, Henley Construction Company, Inc., has submitted 12.2-percent Minority Business Enterprise (MBE) participation; and

WHEREAS, The Henley Construction Company, Inc., has submitted a waiver for the balance of the MBE requirements; and

WHEREAS, The Department of Facilities Management MBE coordinator has reviewed and certified that the waiver meets the contract requirements, and staff recommends waiving the remaining balance of the MBE requirements; and

WHEREAS, The Henley Construction Company, Inc., has completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That an \$18,907,000 contract be awarded to Henley Construction Company, Inc., for the Quince Orchard Middle School #2 project.

RESOLUTION NO. 564-03 Re: **ARCHITECTURAL APPOINTMENT – NORTHEAST ELEMENTARY SCHOOL #16**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the new Northeast Elementary School #16 (Brookview Elementary School) that includes a 87,800-square-foot building on a 12-acre site; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$12,600,000; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2004 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, selected McKissack & McKissack, a Maryland Department of Transportation certified minority business firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for architectural services that includes two other consultants who are Maryland Department of Transportation-certified minority business firms; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of McKissack & McKissack, to provide professional architectural and engineering services for the new Northeast Elementary School #16 for a fee of \$785,150.

RESOLUTION NO. 565-03 Re: **ACCEPTANCE OF ROBERT FROST MIDDLE SCHOOL**

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:

WHEREAS, Robert Frost Middle School was inspected on October 17, 2003; now therefore be it

Resolved, That the official date of completion be established as that date upon which formal notice is received from the architect that the building has been completed, in accordance with

the plans and specifications, and all contract requirements have been met.

RESOLUTION NO. 566-03 Re: UTILIZATION OF FY 2004 PROVISION FOR FUTURE SUPPORTED PROJECT FUNDS

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:#

WHEREAS, The grants qualify for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 15-184, approved May 22, 2003; and

WHEREAS, The programs do not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available, within the FY 2004 Provision for Future Supported Projects, to permit the transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2004 Provision for Future Supported Projects, as specified below:

| <u>Projects</u> | <u>Amount</u> |
|----------------------------------|-------------------|
| Enhancing Immersion Programs K-8 | \$ 168,000 |
| Fine Arts Initiative | <u>228,475</u> |
| Total | <u>\$ 396,475</u> |

and be it further

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

RESOLUTION NO. 567-03 Re: FY 2004 SUPPLEMENTAL APPROPRIATION FOR THE EMERGENCY RESPONSE AND CRISIS MANAGEMENT INITIATIVE

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:#

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, a FY 2004 supplemental appropriation of \$626,713 from the U. S. Department of Education for the Emergency Response and Crisis Management Initiative in the following categories:

| <u>Category</u> | <u>Positions</u> | <u>Amount</u> |
|-------------------------------------|------------------|-------------------|
| 1 Administration | | \$ 15,664 |
| 3 Instructional Salaries | | 21,600 |
| 10 Operation of Plant and Equipment | 1.5* | 542,839 |
| 12 Fixed Charges | | <u>46,610</u> |
| Total | <u>1.5*</u> | <u>\$ 626,713</u> |

*Positions

1.0 Project coordinator

0.5 Secretary (12)

and be it further

Resolved, That a copy of this resolution be sent to the county executive and 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. 568-03 Re: FY 2004 SUPPLEMENTAL APPROPRIATION FOR THE IDEA

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:#

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 2004 supplemental appropriation of \$443,561 from the U. S. Department of Education through MSDE for the IDEA in the following categories:

| <u>Category</u> | <u>Positions</u> | <u>Amount</u> |
|----------------------|------------------|-------------------|
| 06 Special Education | 8.875* | \$ 370,503 |
| 12 Fixed Charges | _____ | <u>73,058</u> |
| Total | <u>8.875*</u> | <u>\$ 443,561</u> |

*Positions

7.0 Teachers

1.875 Paraeducators

and be it further

Resolved, That a copy of this resolution be sent to the county executive and 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. 569-03 Re: FY 2004 FIRST QUARTER CATEGORY AND OBJECT TRANSFERS REQUEST

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:#

Resolved, That the superintendent of schools be authorized to effect FY 2004 categorical transfers of \$866,417 in the following categories:

Gifted and Talented Program

| <u>Category</u> | <u>From</u> | <u>To</u> |
|--|------------------|------------------|
| 3 Instructional Salaries | | \$ 49,032 |
| 4 Textbooks and Instructional Supplies | | 33,377 |
| 5 Other Instructional Costs | | 12,700 |
| 12 Fixed Charges | \$ 95,109 | |
| Total | <u>\$ 95,109</u> | <u>\$ 95,109</u> |

Digital Library Partnership

| <u>Category</u> | <u>From</u> | <u>To</u> |
|--|------------------|------------------|
| 1 Administration | | \$ 12,600 |
| 2 Mid-level Administration | \$ 31,469 | |
| 3 Instructional Salaries | 29,990 | |
| 4 Textbooks and Instructional Supplies | | 2,399 |
| 5 Other Instructional Costs | | 65,742 |
| 12 Fixed Charges | 19,282 | |
| Total | <u>\$ 80,741</u> | <u>\$ 80,741</u> |

Classroom Curriculum Management Project

| <u>Category</u> | <u>From</u> | <u>To</u> |
|-----------------|-------------|-----------|
|-----------------|-------------|-----------|

| | | |
|--|------------------|------------------|
| 1 Administration | \$ 3,750 | |
| 3 Instructional Salaries | | \$ 18,309 |
| 4 Textbooks and Instructional Supplies | 5,249 | |
| 5 Other Instructional Costs | 11,608 | |
| 12 Fixed Charges | | <u>2,298</u> |
| Total | <u>\$ 20,607</u> | <u>\$ 20,607</u> |

Title I Basic Grant

| <u>Category</u> | <u>From</u> | <u>To</u> |
|--|-------------------|-------------------|
| 1 Administration | | \$ 37,037 |
| 3 Instructional Salaries | \$ 211,590 | |
| 4 Textbooks and Instructional Supplies | | 183,745 |
| 5 Other Instructional Costs | | 15,929 |
| 9 Student Transportation | 179,633 | |
| 12 Fixed Charges | | <u>154,512</u> |
| Total | <u>\$ 391,223</u> | <u>\$ 391,223</u> |

Limited English Proficiency Grant

| <u>Category</u> | <u>From</u> | <u>To</u> |
|-----------------------------|------------------|------------------|
| 3 Instructional Salaries | | \$ 37,000 |
| 5 Other Instructional Costs | \$ 37,000 | |
| Total | <u>\$ 37,000</u> | <u>\$ 37,000</u> |

Improving Teacher Quality

| <u>Category</u> | <u>From</u> | <u>To</u> |
|--|------------------|------------------|
| 3 Instructional Salaries | \$ 80,000 | |
| 4 Textbooks and Instructional Supplies | | \$ 30,000 |
| 5 Other Instructional Costs | | <u>50,000</u> |
| Total | <u>\$ 80,000</u> | <u>\$ 80,000</u> |

Title II Skillful Teaching Project

| <u>Category</u> | <u>From</u> | <u>To</u> |
|-----------------|-------------|-----------|
|-----------------|-------------|-----------|

| | | |
|----------------------------|------------------|------------------|
| 2 Mid-level Administration | | \$ 14,500 |
| 3 Instructional Salaries | <u>\$ 14,500</u> | |
| Total | <u>\$ 14,500</u> | <u>\$ 14,500</u> |

Howard Hughes Medical Institute Teacher Development Program

| <u>Category</u> | <u>From</u> | <u>To</u> |
|--|------------------|------------------|
| 3 Instructional Salaries | \$ 13,000 | |
| 4 Textbooks and Instructional Supplies | | <u>\$ 13,000</u> |
| Total | <u>\$ 13,000</u> | <u>\$ 13,000</u> |

Emergency Immigrant Education

| <u>Category</u> | <u>From</u> | <u>To</u> |
|--|------------------|------------------|
| 3 Instructional Salaries | \$ 18,352 | |
| 4 Textbooks and Instructional Supplies | | \$134,237 |
| 12 Fixed Charges | <u>115,885</u> | |
| Total | <u>\$134,237</u> | <u>\$134,237</u> |

and be it further

Resolved, That the superintendent of schools be authorized to effect an FY 2004 object transfer of \$174,553 in the following objects:

Title I Basic Grant

| <u>Object</u> | <u>From</u> | <u>To</u> |
|---------------------------|------------------|------------------|
| 01 Salaries and Wages | \$174,553 | |
| 03 Supplies and Materials | | <u>\$174,553</u> |
| Total | <u>\$174,553</u> | <u>\$174,553</u> |

and be it further

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

RESOLUTION NO. 570-03 Re: **UTILIZATION OF FY 2004 PROVISION FOR FUTURE SUPPORTED PROJECT FUNDS AND RECOMMENDED CATEGORICAL TRANSFER FOR PRE-KINDERGARTEN**

PROGRAM

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:#

WHEREAS, The program does not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available, within the FY 2004 Provision for Future Supported Projects, to permit the transfer within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2004 Provision for Future Supported Projects, for the Head Start program as specified below:

| <u>Category</u> | |
|------------------------------|-------------------|
| 3 Instructional Salaries | \$ 56,937 |
| 7 Student Personnel Services | 11,274 |
| 12 Fixed Charges | <u>78,467</u> |
| Total | <u>\$ 146,678</u> |

and be it further

Resolved, That the superintendent of schools be authorized to effect FY 2004 categorical transfers of \$260,597 for the Head Start program in the following categories:

| <u>Category</u> | <u>From</u> | <u>To</u> |
|--|-------------------|-------------------|
| 2 Mid-level Administration | \$ 1,304 | |
| 3 Instructional Salaries | 75,758 | |
| 4 Textbooks and Instructional Supplies | | \$ 8,048 |
| 5 Other Instructional Costs | | 23,641 |
| 7 Student Personnel Services | 19,100 | |
| 9 Student Transportation | | 228,908 |
| 12 Fixed Charges | <u>164,435</u> | |
| Total | <u>\$ 260,597</u> | <u>\$ 260,597</u> |

and be it further

Resolved, That the superintendent of schools be authorized to effect FY 2004 categorical transfers of \$514,690 for the pre-kindergarten program in the following categories:

| <u>Category</u> | <u>From</u> | <u>To</u> |
|-----------------|-------------|-----------|
|-----------------|-------------|-----------|

| | | |
|--|-------------------|-------------------|
| 2 Mid-level Administration | \$ 2,393 | |
| 3 Instructional Salaries | 512,297 | |
| 4 Textbooks and Instructional Supplies | | \$ 34,987 |
| 5 Other Instructional Costs | | 3,504 |
| 7 Student Personnel Services | | 458,849 |
| 9 Student Transportation | | <u>17,350</u> |
| Total | <u>\$ 514,690</u> | <u>\$ 514,690</u> |

and be it further

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

Resolved, That the county executive be requested to recommend approval to effect FY 2004 categorical transfers of \$514,690 for the pre-kindergarten program to the County Council.

RESOLUTION NO. 571-03 Re: HUMAN RESOURCES MONTHLY REPORT

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:

Resolved, That the Board of Education accept the Human Resources Monthly Report dated November 11, 2003.

RESOLUTION NO. 572-03 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective November 12, 2003:

| <u>Appointment</u> | <u>Current Position</u> | <u>As</u> |
|--------------------|---|---|
| Ann E. Bedford | Instructional Specialist, Office of Curriculum and Instructional Programs | Coordinator, Special Initiatives, Office of Curriculum and Instructional Programs |

RESOLUTION NO. 573-03 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective November 12, 2003:

| <u>Appointment</u> | <u>Current Position</u> | <u>As</u> |
|--------------------|---|---|
| Ghassan J. Tarazi | Principal, Ellen Glasgow Middle School, Fairfax County Public Schools | Director, Middle School Instruction and Achievement |

Re: **MONTHLY FINANCIAL REPORT**

Mr. Larry Bowers, chief financial officer, reported that the report reflected the projected financial condition through September 30, 2003, based on program requirements and estimates made by primary and secondary account managers. At that time, revenues had a projected surplus of \$824,675 while expenses had a projected surplus of \$3,700,000.

RESOLUTION NO. 574-03 Re: **PRELIMINARY PLANS – GAITHERSBURG ELEMENTARY SCHOOL**

WHEREAS, The architect for the Gaithersburg Elementary School addition, Smolen-Emr + Associates, Inc., has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Gaithersburg Elementary School Facility Advisory Committee has approved the proposed schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plan report for the Gaithersburg Elementary School addition developed by Smolen-Emr + Associates, Inc.

RE: **UPDATE ON CURRICULUM IMPLEMENTATION**

Dr. Weast invited the following people to the table: Mr. Dale E. Fulton, associate superintendent, Curriculum and Instructional Programs; Dr. Karen Harvey, director, Curriculum and Instruction; Mrs. Betty Collins, director, Staff Development Initiatives; Mr. Donald Kress, coordinating community superintendent; Mr. John Q. Porter, associate superintendent, Global Access Technology; Ms. Cynthia Best-Goring, principal, East Silver Spring Elementary School; and a representative from the Councils on Teaching and Learning.

The curriculum implementation process continues to rely on a close collaboration among the offices of Curriculum and Instructional Programs (OCIP), School Performance (OSP), Staff Development (OSD), Shared Accountability (OSA), and Global Access Technology (OGAT). The school system has made an extensive commitment to this effort, because of the belief that

a rigorous curriculum aligned to state and national standards and assessments greatly improves teaching and learning in classrooms across the county.

The process of developing, implementing, and revising aligned curriculum not only involves staff in several system offices. It also occurs in an open environment in which information is provided to all stakeholders. Their feedback is used to improve curriculum products in order to achieve the desired goal of improving the achievement of all students.

The effort made last year to improve the process of implementing curriculum puts the system in an excellent position this year to maintain the level of success and to build on it. This update brings news not only of a smooth and effective execution, but also of expanded efforts to develop curriculums in new subjects and grades; to monitor and evaluate curriculum, instruction, and assessments; and to improve and formalize stakeholder outreach and feedback.

Staff has collaborated closely with the Maryland State Department of Education (MSDE) as the state works under time pressure to develop the Voluntary State Curriculum (VSC) in response to federal law. This collaboration has informed the state process and product and has ensured that the MCPS curriculum prepares students for the Maryland School Assessments and the High School Assessments.

Through a highly interactive communication process, staff in central services collects feedback in a variety of formats and forums and continuously modifies implementation to address the issues raised. Regulation IFA-RA, *Curriculum*, codifies the process of initiating new or revised curriculum and seeking stakeholder input throughout the development, implementation, monitoring, and evaluation of curriculum. Curriculum advisory committees (CACs) include members representing the range of roles in MCPS and reflecting the geographic, cultural, and linguistic diversity of the system. Each CAC sends members to the Curriculum Assembly, which serves to advise the associate superintendent of curriculum and instructional programs.

This fall, staff in OCIP continues to meet with a variety of stakeholder groups to gather feedback on curriculum implementation. These groups include the Montgomery County Education Association (MCEA) Councils on Teaching and Learning, the Montgomery County Association of Administrative and Supervisory Personnel (MCAASP), the Montgomery County Council of Parent Teacher Associations (MCCPTA), and the Montgomery County Business Roundtable for Education (MCBRE).

The scope and pace of curriculum development and implementation place demands on the system's capacity not only to develop curriculum, but to provide professional development, monitor implementation, purchase textbooks and other resources, and evaluate the impact on teachers' practices and student achievement. As outlined in Policy IKA, *Curriculum*, and

Regulation IKA-RA, curriculum development begins and ends with the Board of Education approval, and between initiation and approval, several MCPS offices share the responsibility of developing, implementing, monitoring, or evaluating curriculum.

To address capacity issues, staff in OCIP has developed a long-term strategic plan for development and implementation that staggers instructional guide development, professional development, and textbook purchases over a five-year period. In a step-by-step manner, curriculum will be developed, field-tested and revised, fully implemented with training and instructional materials provided in the same year, and revised again after full implementation.

School Year 2003–2004

This year, curriculum in reading/English language arts, mathematics, science, and social studies will be fully implemented in seven new grades or courses, adding to the 15 grades or courses in which curriculum has been implemented to date. In nine grades or courses in these same disciplines, curriculum will be field-tested this year, and curriculum blueprints will be developed for six additional grades or courses.

In addition to the four disciplines rolling out curriculum in MCPS over the past three years, new disciplines and programs have been added to the list this year. Curriculum is being developed or revised in English for Speakers of Other Languages (ESOL), special education, art, music, health, and physical education. Many of the disciplines or programs are developing curriculum frameworks and/or curriculum blueprints and will begin development of instructional guides next year.

School Year 2004–2005

Next year, curriculum in reading/English language arts, mathematics, science, and social studies will be implemented fully in 14 new grades or courses, bringing the total to 36 fully implemented grades or courses. In six other grades or courses in these same disciplines, curriculum will be field-tested during 2004–2005, and curriculum blueprints will be developed for four additional grades or courses.

During 2004–2005, curriculum in foreign languages, ESOL, and special education will be fully implemented in seven courses or grades. Curriculum in foreign languages, ESOL, special education, art, music, health, and physical education will be field-tested in 20 courses or grades, and curriculum blueprints will be developed in 18 courses or grades.

The school system will continue to apply lessons learned as staff negotiates this massive undertaking of developing and implementing curriculum across all grades and disciplines. Implementation has been slowed to a more realistic and thoughtful pace, and stakeholder feedback reveals less anxiety and more confidence in the process as well as in the product. Staff must remain mindful of the special stresses such an endeavor places on the system's capacity, and the demand it makes for sharing the responsibility among offices.

Re: DISCUSSION

Mr. Felton appreciated the quality of the briefing as it relates to a complex issue. He noted that teachers and principals are under great pressure. Is curriculum implementation packaged to illustrate the support that is available for staff? Mr. Fulton replied that any change is difficult, especially curriculum changes. The lessons learned are (1) the implementation must be slow with sufficient support, (2) the Councils on Teaching and Learning allow teachers to communicate with one another, and (3) staff must develop resources. Implementation of curriculum takes time, people are not at the same stage, and support is essential. Dr. Weast added that the curriculum is changed because the world is changing at a rapid rate. If children are to be educated for work or higher education, it takes more rigorous instruction.

Mr. Felton asked what the school system was going to do to relieve some of the pressure from staff. Dr. Weast replied that having staff work together to organize and align curriculum has made a big difference. Also, the material has been organized in "teacher talk," which has helped. If the curriculum is taught, students will do well on the test.

Mrs. O'Neill thought there was concern among some middle school parents that the curriculum is getting to the schools "just in time." Mr. Fulton replied that there was an issue about the delivery of science units, and the confusion resulted because there was no order to teach in which to teach the units. Through equipment and facilities issues, that has been ameliorated.

Mrs. O'Neill had heard concerns about the English curriculum. Dr. Weast reported that the delivered of the units are better this year, and it will continue to improve. Mrs. O'Neill thought that the Councils on Teaching and Learning have established a dialogue that has helped resolve teacher concerns.

Ms. Cox was impressed with the level of progress that has been attained over the past three to four years. Staff has taken on a tremendous task and greatly increased productivity without adding personnel or funds. There is a real understanding of the communications with all stakeholders. She asked about the voluntary training at the secondary level. What is the plan since there is not the capacity to train everyone? Ms. Collins replied that there is ongoing training through the resource teachers and instructional resource teachers.

Ms. Cox liked the long-term plan, which helped to focus on the strategic plan and budget planning. How are decisions made to field test curriculum? Dr. Harvey replied that for various guides, staff is not always able to get material and training at the same time due to limited resources. Therefore, there are field tests and feedback for teachers.

Ms. Cox also liked the parent resource materials, and she would like to see those resources when staff updates the Board on further curriculum implementation. Do the materials address all school levels? Mr. Fulton replied that the material addresses the expectation at each grade

level, and the material is distributed at Back-to-School nights. Also, staff is working on parent newsletters, especially in mathematics.

Mr. Lange noted that the strategic plan addresses the skills for success, character education, and multicultural education that are to be woven into the curriculum. Mr. Fulton replied that the skills for success are aligned with the Maryland content standards. Since the curriculum is aligned, staff is developing a system of icons for the difference skills, such as thinking, communication, and monitoring of learning. Also, staff is reviewing the components of multicultural education to ascertain if the curriculum addresses the needs.

Regarding the four critical questions, Mr. Lange asked about student motivation and whether or not students understand why the objectives are important. Mr. Fulton thought that the four critical questions were an attempt to frame learning and why it is important. It will take time for teachers to use those questions effectively. It is one way to explain to students why they are learning.

Mr. Romero asked about curriculum revision in health and physical education, arts, and ESOL special education. When looking at the chart, he saw patterns. However, he had difficulty seeing a pattern with ESOL since there was a large gap in Grades 3 and 5. Dr. Harvey replied that those students with the greatest need will be served first, and there is not a sequential pattern. The curriculum has now been aligned with reading as directed by the No Child Left Behind legislation.

Dr. Haughey remarked that curriculum development has stages: get it right, get it out, get it across. Getting it across to students, parents, and the community is the remaining element. However, the Business Roundtable has three concerns: (1) level of consultation, (2) implementation, and (3) parental access.

Mr. Sanghvi volunteered to get student input on curriculum implementation. Mr. Fulton stated that staff was developing a student advisory group.

Mr. Burnett was pleased with the growth in implementation, and he was very interested in the parent resource material. It is important for parents to know what their children should be learning.

Ms. Cox asked staff to dispel the idea that the curriculum is "teaching to the test." Mr. Fulton replied that external evaluations emphasize a higher level of curriculum than the state. If MCPS exceeds the state's standards, students will achieve and test above state standards.

Re: **CONTINUATION OF CIP WORKSESSION: MARK
TWIN SCHOOL (SUPPLEMENT D)**

Mrs. O'Neill announced that the Board of Education deferred discussion of Supplement D of the FY 2005 Requested Capital Budget and FY 2005 to FY 2010 Capital Improvements Program on November 20, 2003. In part, Supplement D contained the following recommendations:

The superintendent recommended pursuing the feasibility of a contract with a nonpublic provider using the Mark Twain facility for the services currently provided by the Mark Twain Program. To ensure that students are served in the least restrictive environment, the superintendent recommended that resources be realigned from the current Mark Twain Program to two high schools with cluster programs for some students with emotional disabilities who can be served appropriately in a non-center-based program. With more intensive staffing and social work services, more students should be able to receive services in a less restrictive environment, thus decreasing the number of students requiring a more intensive program.

The superintendent requested that the Department of Special Education develop a program description, an implementation plan, and a proposed contract for privatizing the services currently provided by the Mark Twain Program at the Mark Twain facility and for the enhanced services to be provided at the general education schools.

During the exploration of a contract with a nonpublic provider for students currently enrolled in the Mark Twain Program, the following issues must be addressed to ensure that appropriate services will be available:

1. All students referred to the nonpublic provider by the Central IEP team must be accepted into the provider's program. (No reject policy)
2. A 45-day program for students referred due to weapons and drug violations must be available.
3. An active mainstreaming program to return students to less restrictive environments as appropriate must be implemented.
4. A comprehensive academic program must be implemented in small classes with content-certified teachers.
5. Crisis intervention, counseling, and a clearly defined superintendent management program must be provided.
6. Related services as identified on students' IEPs must be available.
7. Instruction in problem solving, decision-making, and coping skills must be provided.
8. A program to improve attendance must be implemented.
9. Outreach and support for parents must be a program focus.

In consideration of the current Mark Twain Program staff, the superintendent asked the Office of Human Resources and the Department of Special Education to work closely with each staff

member to ensure that the staff currently assigned to the Mark Twain Program will be placed within their area of certification in MCPS facilities. Since the number of available certified special educators in MCPS is limited, Dr. Weast believed that through annual staff turnover or newly created positions across the system there will be adequate opportunity to provide positions for all of the Mark Twain staff in other MCPS schools.

After review of the proposals developed by the Department of Special Education for contracting the operation of the Mark Twain Program and for providing enhanced services for students with emotional disabilities at two cluster high schools, the recommendation will be brought to the Board of Education for both capital and operating Budget consideration in February 2004. If budget proposals are acceptable to the Board, the recommended changes in the program delivery model for the Mark Twain Program will be fully implemented by September 2004.

Re: DISCUSSION

Mr. Burnett noted that one of the concerns that has plagued Mark Twain is the over representation of African-American students. How does bringing in a private provider solve that concern? Dr. Weast replied that it does not solve that problem. This issue occurs at the time of identification at the home school. However, with a private provider there would be a broader blend of diversity.

Mr. Burnett thought that approach masked the original problem. If over identification of African-American students is at the home school, the way MCPS does business is not right. Dr. Weast pointed out that the reason for this recommendation is the underutilization of the facility and academic programs.

Mr. Burnett pointed out that the recommendation was presented as though it was a solution to the issue of over representation identified by the Office of Civil Rights. Dr. Wright stated that MCPS is monitored by the state for its disproportionate identification of special education students. Staff is looking at the Collaboration Action Process for all schools.

Mr. Burnett asked what services a private provider could supply that the school system could not. Dr. Wright thought the study would examine the recommendations for feasibility. Dr. Weast thought the theory was to trade space for services.

Mr. Burnett asked if MCPS was responsible for the students at Mark Twain under No Child Left Behind when combined with another program. Dr. Wright replied that MCPS was responsible.

Mr. Burnett asked what the benefit or purpose was of the recommendation. Dr. Weast stated that the purpose was to lever the available space for the benefit of students through improved

academic programs.

Mr. Felton remarked that it was a fundamental difference in philosophy. He thought if the issue was a free and appropriate public education (FAPE) for students at Mark Twain, that assessment should be made. If not, private providers are an option. He wanted to know what the quality of services is at Mark Twain. Fundamentally, he was against privatization of the public school system. There needs to be a discussion on why a private provider is important. If that is the position of the Board, there would be other programs that would fall under those criteria. Dr. Wright thought his questions were part of the feasibility study.

Mr. Felton asked if there was a concern about FAPE in the future. Dr. Wright stated that the Individualized Education Program (IEP) guarantees FAPE.

Mr. Burnett said he heard there was concern about providing that level of service in the future. Dr. Weast commented that Dr. Wright was talking about implementing an IEP, and he was talking about providing a comprehensive high school program.

Mr. Felton remarked that either MCPS was delivering a quality program or MCPS is unable to do that. Dr. Weast replied that, as time goes on, MCPS will have more difficulty delivering a quality program since highly qualified teachers must be certified for each subject. A small school setting cannot staff all the required teachers.

Mr. Felton pointed out that the standards for highly qualified teachers in special education have not been determined. Dr. Wright replied that the state has most of the content-based teachers at the secondary level. A small school limits those options.

Mr. Burnett thought that if these students were transferred to a private school, they would not get the same level of highly qualified teachers. Dr. Weast replied that the feasibility study would explore all options, with the benefits as well as the disadvantages. It will not solve over representation of minorities in special education, but it could augment services.

Ms. Cox stated that she supports continuous improvement, and the school system should always look for the best programs and services for children. She was concerned that the recommendation after the feasibility study would compare like programs based on student outcomes and added value. All the questions were on programs, but this recommendation has come through the CIP. This should have been brought to the Board as a programmatic decision. She was concerned that this was not the first time this has happened. The school system was giving the community the impression that MCPS is burying a program change in the CIP. The school system must be careful when making program changes through a budget document.

Mr. Lange stated that his first reaction was to ask why this is in the CIP. The supplement

articulated important objectives, but it seemed like a forgone conclusion that privatization would be the solution. He was pleased that the recommendation was for a study, and he looked forward to the conclusions. He was concerned about the timeline, especially with the important programmatic issues.

Mr. Romero shared Mr. Felton's concern about privatization, and he wanted a more philosophical and open discussion on that issue. He asked if there was a range of financial savings identified for the study. Dr. Weast replied that if Mark Twain stays the same and diversity and training issues are addressed, the school's enrollment will decline and the cost per pupil will increase.

Mr. Romero asked if this recommendation was in the CIP in order to secure funds for a feasibility study. Mr. Bowers replied that all Supplement D is asking the Board for is a feasibility study.

Mr. Felton asked if staff could do the study without it being part of the CIP. Mr. Bowers stated that it could be done, but staff was looking at situations that have facility implications.

Mrs. O'Neill thought that part of the problem was that Supplement D caught everyone by surprise. Near the end of Supplement D, there is language about working with Human Resources to place Mark Twain staff. When the whole document is read, it seems that the decision has been made. Dr. Weast stated that he understood and change comes hard. The Mark Twain staff is doing a good job, and the school system will support them.

Mrs. O'Neill thought the issues should be framed, but the best interest of the students must be paramount. The Board should lay out criteria for the feasibility study. Mr. Bowers replied that Mark Twain has been examined for a number of years.

Ms. Cox pointed out that all-day kindergarten was mandated by state law, and the Board knew it had to come through the CIP because of the facilities implications. Also, the Board received updates on career and technology education with future plans, especially the ramifications on facilities. There was a study on Mark Twain, but this recommendation came as a surprise in the CIP. Mr. Bowers pointed out that the special education programs were studied, and there was a long-range plan. Dr. Weast stated that the Board will have to support special education academic programs at a higher level. There are numerous programs, but there should be more academic support.

Mr. Felton reiterated that the Board did not want to do an assessment of Mark Twain to determine the quality of the program. The issue is the recommendation tied to privatization and facilities. Dr. Weast stated that staff wanted the Board to have the whole range of options for utilization of the facility.

Mrs. O'Neill pointed out that the Journey and Phoenix II programs were better served in the same building. Is there some other program that could be collocated in the Mark Twain building? Dr. Weast concluded that staff will look at all options with sensitivity to the kind of program.

Mr. Romero asked if this was a unique situation. Are there other underutilized facilities? Mr. Lavorgna replied that Mark Twain is a large facility that offers a countywide program. Dr. Haughey wondered where the focus should be in planning for the Mark Twain facility. The focus of Mark Twain has changed from a comprehensive high school to a special education program with some high school opportunities. Is the Board looking at a way to use Mark Twain as a special needs facility or as a high school?

Mr. Lange thought a central issue was the early intervention of students with special needs.

RESOLUTION NO. 575-03 Re: CLOSED SESSION RESOLUTION

On recommendation of the Superintendent and on motion of Mr. Felton seconded by Ms. Cox, the following resolution was adopted unanimously:

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

Resolved, That the Board of Education of Montgomery County conduct closed sessions on Tuesday, December 9, 2003, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:30 to 1:30 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*; consult with counsel to obtain legal advice, as permitted by Section 10-508(a)(7) of the *State Government Article*; review and adjudicate appeals in its quasi-judicial capacity; and discuss matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*); and be it further

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

RESOLUTION NO. 576-03 Re: REPORT OF CLOSED SESSION

On recommendation of the Superintendent and on motion of Ms. Cox seconded by Mr. Felton, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve the following report:

On October 27, 2003, by unanimous vote of members present, the Board of Education voted to conduct a closed session as permitted under the *Education Article § 4-107* and *State Government Article § 10-501, et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed session on October 27, 2003, from 7:10 to 7:45 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Review the following appeal: 2003-48 with a subsequent vote to approve in open drawback.
2. Reviewed the Superintendent's recommendation for a human resources appointment with a subsequent vote to approve in open session.
3. Discussed a contract directly related to negotiating strategy and proposal process, as permitted under Section 10-508(n) of the *State Government Article*.
4. Discussed matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

In attendance at the closed session were: Elizabeth Arons, Larry Bowers, Kermit Burnett, Sharon Cox, Reggie Felton, Charles Haughey, Roland Ikheloa, Don Kress, Frieda Lacey, Walter Lange, George Margolies, Pat O'Neill, Brian Porter, Gabe Romero, Lori Rogovin, Glenda Rose, Greg Thornton, and Jerry Weast.

RESOLUTION NO. 577-03 Re: **APPEAL**

On motion of Ms. Cox and seconded by Dr. Haughey, the following resolution was adopted unanimously:

Resolved, That the Board of Education adopt its Decision and Order in Appeal T-2003-57, student transfer, reflective of the following vote: Mr. Burnett, Ms. Cox, Mr. Felton, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm.

Re: **NEW BUSINESS**

The following new business items were introduced.

Mr. Felton moved and Mr. Lange seconded the following:

Resolved, That the Board of Education direct the superintendent of schools to explore the development of a videotape on curriculum implementation that would be available to staff and students and shown on MCPS-TV.

Mrs. O'Neill moved and Dr. Haughey seconded the following:

WHEREAS, County Councilmember George Leventhal recently convened a dialogue on childhood obesity; and

WHEREAS, The Board of Education has heard from members of the School Health Council on issues related to student health and nutrition issues; and

WHEREAS, The Board of Education recently passed a resolution related to a study of vending machines which created a work group to review numerous issues; now therefore be it

Resolved, That the Board of Education direct the superintendent of schools to have high school vending machines that currently sell foods and beverages deemed to be minimally nutritious extend the time they are off from midnight through the end of the school day; and be it further

Resolved, That vending machines be removed from the main entrance or lobby of all schools beginning with the school year 2004-05.

RE: ITEMS OF INFORMATION

The following information was available

1. Legal Fees Report
2. Construction Progress Report
3. FY 2004 Summer School
4. Minority-, Female-, or Disabled-owned Business Procurement Report for the First Quarter of FY 2004

RESOLUTION NO. 578-03 Re: ADJOURNMENT

On recommendation of the Superintendent and on motion of Mr. Felton seconded by Ms. Cox, the following resolution was adopted unanimously:

Resolved, That the Board of Education adjourn its meeting of November 11, 2003, at 5:00 p.m.

PRESIDENT

SECRETARY

JDW:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

November 11, 2003

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