

APPROVED
18-2004

Rockville, Maryland
June 8, 2004

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, June 8, 2004, at 10:15 a.m.

Present: Mr. Sharon W. Cox, President
in the Chair
Mr. Kermit V. Burnett
Mr. Reginald Felton
Dr. Charles Haughey
Mr. Walter Lange
Mrs. Patricia B. O'Neill
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. 305-04 Re: **CLOSED SESSION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Dr. Haughey, 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 June 8, 2004, in Room 120 from 9:00 to 10:00a.m. and 12:00 to 1:30 p.m. to discuss the Human Resources Monthly Report and Appointments, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County conduct a portion of its closed sessions to discuss collective bargaining negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article* and Section 4-107(d)(2)(ii) of the *Education Article*; and be it further

Resolved, That the Board of Education of Montgomery County receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on June 8, 2004, to acquit its executive functions and to adjudicate and review

appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act under Section 10-503(a) of the *State Government Article*; and be it further

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

RESOLUTION NO. 306-04 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for June 8, 2004.

RESOLUTION NO. 307-04 Re: **LEADERSHIP MONTGOMERY YOUTH COMMUNITY SERVICE LEADERSHIP AWARDS**

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

WHEREAS, The Montgomery County Board of Education has a continuing commitment to support active student participation in community service learning activities; and

WHEREAS, Since 1997, Leadership Montgomery has offered the Youth Community Service Awards to identify, reward, and promote outstanding continuing community service efforts and accompanying demonstrations of leadership by high school students; and

WHEREAS, The law firm of Shulman, Rogers, Gandal, Pordy and Ecker, P.A., of Rockville, has generously sponsored and funded cash awards for up to five students per year for the past seven years; and

WHEREAS, Five Montgomery County Public Schools high school students have been honored as the Leadership Montgomery Youth Community Service Leadership Award recipients for 2004; now therefore be it

Resolved, That the Montgomery County Board of Education express its appreciation to Leadership Montgomery and to Shulman, Rogers, Gandal, Pordy, and Ecker, P.A., for their leadership in promoting and honoring youth leadership in community service; and be it further

Resolved, That the Board of Education congratulate this year's Leadership Montgomery Youth Community Service Leadership Award recipients for their outstanding leadership in community service.

Re: PUBLIC COMMENTS

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Linda Plummer	International Student Admissions Office
2.	Jackie Rice	Health in Schools
3.	Henrietta Brown	Health in Schools
4.	Regina Griggs	Family Life/Human Development Advisory Committee
5.	Jennifer Pensler	International Student Admissions Office
6.	Mark Drury	Career Education
7.	Stanley Doore	Automated Assisted Learning
8.	Leo Schwartz	Construction Trades Foundation

Mr. Lange asked the superintendent to follow up on ACCESS presented in Mr. Drury's testimony.

Re: UPDATE ON TEACHER PROFESSIONAL GROWTH SYSTEM EVALUATION – YEAR 3

Dr. Weast invited the following people to the table: Mrs. Darlene Merry, associate superintendent for staff development; Mr. Matthew Tronzano, acting associate superintendent for human resources; Ms. Bonnie Cullison, president of MCEA; Dr. Julia Koppich, lead investigator; Dr. Karen Kortecamp, lead investigator from George Washington University; and Dr. Fran Prolman, senior consultant from Research for Better Teaching, Inc. Also, available to come to the table for questions were: Dr. Rebecca Newman, president of MCAASP; Ms. Suzanne Merchlinsky, evaluation specialist, Office of Shared Accountability; principals; staff development teachers; consulting teachers; in-district trainers; and members of the Teacher Professional Growth System (PGS) Implementation Team and the PGS Evaluation Oversight Committee.

Staff explained that the intent of the discussion was to provide the Board of Education with the findings and recommendations of the PGS third year evaluation report. The goal of the PGS, which began four years ago as a key initiative in the *Our Call to Action: Pursuit of Excellence* plan, was to build the capacity of teachers so that they had the knowledge, skills, strategies, practices, and beliefs to meet the needs of all students. This evaluation is a status report about the progress to date from a national expert's perspective after her review of all of the evaluation data sources. The PGS Implementation Team, comprised of key stakeholders and office leaders, will examine the findings and recommendations to determine the next steps. The bottom line is that the report indicates that the PGS is a critical element of the MCPS reform effort, and it is making a powerful difference in teaching and learning.

To continuously analyze the progress of the PGS strategies and initiatives in the strategic plan, staff structured a three-year evaluation process. Dr. Weast presented the executive summary of the report and the entire third year evaluation report, "Implementing the Professional Growth System in Montgomery County Public Schools: Third Year Evaluation Report." Additionally, sub reports that assess progress in the component areas of the PGS have been placed in a notebook in the Board of Education office for Board members' review. As in the previous two years, Dr. Julia Koppich, a highly respected expert in the field of teacher quality and the principal evaluator for MCPS, prepared the report. Dr. Koppich's report provides findings synthesized from a range of evaluation data gathered by internal and external researchers. Of note, Dr. Koppich states:

"Research suggests that focusing on the elements that compose the PGS – teacher professional growth, standards-based evaluation, and an emphasis on academic rigor and continuous improvement for all students – will contribute to improved results. If the data from the initial years of PGS implementation are a bellwether, MCPS seems well on its way to its goal of ensuring a productive learning environment for all of its students."

Further, Dr. Koppich references the significant gains MCPS students have made in Advanced Placement testing, SAT participation, and the California Test of Basic Skills (CTBS) results for second graders. In her summary statement, she notes: *"The district can reasonably attribute this gain to its reform efforts over the last four years."* Clearly, the resources that have been put in place to support this initiative have been well spent. As is required under the *No Child Left Behind* legislation, MCPS has made significant progress using a scientifically based approach for the improvement of teacher quality. This approach has become a national model. Dr. Koppich's lead recommendation notes *"Evaluation results suggest MCPS should continue on its current PGS implementation path. Implementation is proceeding smoothly on many dimensions and continued attention to implementation likely will have additional salutary benefits over time."* This message tells MCPS to stay on its mission.

In 1999, when Dr. Weast first came to MCPS and began to review student achievement data, it was evident that MCPS was facing a persistent gap between the achievement of African American and Hispanic students and white and Asian students. There were concerns about the trends in student learning results, and there was a need to take immediate action. Through a broad stakeholder input process, and under the direction of the Board of Education, MCPS embarked on a rigorous process of reviewing the research-based practices related to teacher quality that were producing student achievement results. The teacher PGS became one of the major elements of the Workforce Excellence initiative in the *Our Call to Action* plan, and a substantial budget was focused on this initiative. Additionally, the Montgomery County Education Association (MCEA) worked with the Board to agree upon a landmark negotiated

contract agreement that focused on teacher quality and shared accountability for results. The staff development budget grew from 1% to 3% of the total district budget. Whereas businesses often allocate 6% of their budgets on capacity building, MCPS believed it was headed in the right direction with the increase.

The PGS comprises six principal elements:

1. A common language and common framework for teaching gained primarily through the courses Studying Skillful Teaching (SST) and Observing and Analyzing Teaching (OAT);
2. Job-embedded professional development under the guidance of school-based Staff Development Teachers;
3. Time to participate in ongoing professional development for all teachers through the Staff Development Substitute Teacher Project;
4. Teacher-directed professional growth through individual Professional Development Plans (PDPs);
5. A Peer Assistance and Review Program (PAR) for teachers new to teaching and for under-performing experienced teachers; and
6. A teacher evaluation system based on standards of effective practice from the National Board for Professional Teaching Standards.

One of the intended outcomes of the PGS is to infuse throughout MCPS an ethic of continuous improvement through professional learning communities of shared beliefs and accountability in which standards-based teaching results are consistently improving student learning.

The triangulation of qualitative and quantitative data gathered for this evaluation of the PGS provides a concise but comprehensive view of the current state of implementation of the system. The work was overseen by the PGS Oversight Evaluation Committee consisting of staff from the offices of Staff Development, Human Resources, School Performance, and Shared Accountability and partners from MCEA and the Montgomery County Association of Administrative and Supervisory Personnel (MCAASP). For purposes of this evaluation, data were gathered primarily through administrator and teacher surveys, case studies, interviews, and focus groups. Along with Dr. Koppich, who served as the lead investigator, a team of evaluators from George Washington University completed case studies about the Staff Development Teacher project, and staff from the Office of Shared Accountability provided rich data from both surveys and reliability studies. Additionally, partners from Research for Better Teaching, Inc., one of the major service providers for MCPS, served on the committee to provide their perspective and to determine mid-course corrections for delivery of services. Finally, the Oversight Committee created a unique action research component for the program evaluation. A study team comprised of 40 teacher and administrator volunteers was trained to conduct interviews with peers at 20 schools. The focus of this research was to determine the impact of the PGS on schools, including both daily instructional practices and the cultivation of a professional learning committee at the local school level.

The major findings from the evaluation report are identified below. Additional findings are related specifically to the staff development teacher project and the Peer Assistance and Review (PAR) project. These findings from sub reports have been incorporated into the findings listed below.

1. Administrators and teachers concur that implementation of the PGS is moving in the right direction.
2. The PGS is bringing about substantial changes in teaching.
3. The SDT Project gives form and substance to the PGS.
4. Implementation of Professional Development Plans is improving, but is not yet smooth and consistent across the district.
5. The MCPS teacher evaluation system is a significant step forward.
6. The MCPS Peer Assistance and Review Program seems to be off to a smooth and productive start.
7. The PGS is promoting the evolution of professional learning communities in MCPS schools, though this evolution is not yet complete.

Dr. Koppich and the team from George Washington University worked independently of school system staff to develop impartial recommendations that could strengthen the PGS. These evaluators reviewed research that would help inform MCPS about some next possible steps. Staff asked the evaluators to be both broad-based and specific in their recommendations and not to be guided by current budgetary restraints or issues related to contract language or current practices. They identified the following as their key recommendations:

- ! Continue implementation of the PGS.
- ! Consider making Studying Skillful Teaching available in different formats and venues to make it more widely accessible to teachers.
- ! Continue to review the impact of the SDT Program in high schools with a continuing eye to discovering the most successful model(s).
- ! Continue the Staff Development Substitute component of the PGS.
- ! Take steps to ensure that SDTs are focused on the primary responsibilities as indicated in their job descriptions.
- ! Continue to monitor the development and implementation of PDPs with an eye toward additional changes that might be warranted.
- ! Take steps to resolve the evaluator dilemma of the MCPS PAR Program.
- ! Consider adding a Consulting Teacher (CT) Assist component to PAR.
- ! Continue monitoring development of professional learning communities in MCPS.

A major element of success that was not noted in the findings or the recommendations but was noted in the implementation section of the report is the successful collaboration that has occurred around the PGS. The leadership of MCEA has shown, through both their words and

their actions, that they are strong supporters of this initiative. A multi-stakeholder group comprises the Teacher PGS Implementation Team, and it meets on a monthly basis to solve problems around the PGS, as well as to promote the actions that need to be taken to ensure fidelity of implementation. As with the past two evaluation reports, this team will provide the structure for follow up on the findings. This PGS implementation team will review each of the findings in the major and sub reports to determine what implementation factors need mid-course corrections. It is important to note that many of the recommendations in the third year evaluation are ongoing items that have been addressed by the implementation team and are being monitored continuously.

Below are the specific next steps for continuous improvement that the implementation team is charged with reviewing:

- ! Identify ways to make the Studying Skillful Teaching course more broadly available to teachers.
- ! Continue to monitor the staff development teacher project and assess the changes that have been made in the use of the high school staff development teacher position.
- ! Continue to monitor the use of the Professional Development Plan and identify successful practices that can be shared across schools.
- ! Continue qualitative and quantitative assessments of the PAR program to determine best methodologies for delivering service.
- ! Discuss further strategies for ensuring consistency of implementation for all of the components.

The Board's continued support of this essential initiative is imperative, and staff will provide future updates about progress as staff works to ensure fidelity of implementation.

Re: DISCUSSION

Mr. Lange inquired about teachers of the same discipline receiving staff development. He had concerns about the capacity of staff to give all teachers a quality SST program. He asked if it would be spread out over academic areas or watered down for quantity. Dr. Weast was emphatic that the program would not be watered down although MCPS did not have the capacity to fully implement the program. Therefore, the funding will provide targeted training to stay on course.

Mr. Felton inquired about national interest in a similar program. He thought a more collaborative effort with colleges and universities would provide teachers that are more prepared for the classroom. Dr. Prolman replied that the Research for Better Teaching is working collaboratively with teaching institutions. She thought it would be ideal if courses were based on the strategies professed by MCPS. If half a dozen school systems are implementing the same kind of professional growth system, there could be a collaboration with

one or more of those systems.

Mr. Burnett pointed out that MCPS has to train and prepare teachers, and he wanted to know if there was a profile of a teacher that MCPS wanted to train who would be in the system for an extended period of time. Ms. Merry explained that new teachers are inculcated with MCPS' expectations. Dr. Prolman replied that a mandated course does not get the desired results, but teachers must see the benefits of the course to elevate the conversation on the profession.

Ms. Cox thought the system was building a culture change, and the PGS was part of the development for all teachers, especially new teachers. Dr. Weast commented on all the elements of staff development. One course will not make a better teacher. Substitute time will not make a better teacher. A new evaluation system will not make a better teacher. Having excellent teachers involves selecting personnel, inculcating them with the MCPS learning structure, ensuring they understand the curriculum and know what a child is expected to accomplish, and exposing them to people such as highly trained principals, colleagues, staff development teachers, and consulting teachers.

Mr. Romero thought the PGS is not aligned with the high school structure. Is there a new paradigm to the SST for high school teachers? Could the clusters develop content area instruction? Dr. Kortecamp responded that the scale of the high school creates a challenge for staff development teachers, and clustering staff development teachers in content areas is an excellent idea. However, teachers are reluctant to leave the building for staff development training. Another option would be a staff development coordinator to facilitate training. Ms. Merry mentioned that job-embedded training at the local school is the heart of the system. Dr. Weast pointed out that the resource teacher is a teacher of teachers, especially within a content area. Therefore, the staff development teacher instructs resource teachers.

Mrs. O'Neill was pleased with the recommendations, but reform in teaching and collaboration takes time and money. Furthermore, MCPS must give the teachers and administrators the technology resources to use data wisely. Then, the system should support its teachers with training and support.

Mr. Lange believed that the evaluation of teachers is complex and time consuming, and he asked about the depth of the evaluation process. Ms. Jean Haven, principal of Takoma Park Middle School, replied that she counseled each teacher about the evaluation standards, the teachers prepared for that interview, and the outline for the evaluation was readied. Ms. Newman thought that the training of principals is very time consuming, and the implementation of the process has helped make principals faster and better at evaluations.

Mr. Lange asked if all consulting teachers remain in that position for three years. Ms. Merry replied that very few consulting teachers ask for reassignment. Ms. Cullison thought the

majority of the consulting teachers are effective and content when the job is the right match for their skill sets.

Ms. Cox asked if benchmarks would be identified to determine if the sum and substance of the PGS has been institutionalized. There is a discrepancy in viewpoints at this time, especially in high schools. She was concerned that there was more than one data source on whether or not staff has inculcated the values and practices throughout the system. Ms. Merry thought the benchmarks would come in two difference areas – monitoring by the community superintendents and the PGS for administrators. Dr. Weast added that most school systems do not track implementation of the evaluation system. He thought the Board would be disheartened if it knew how long it takes to get a change of culture and said it is vital to stay the course.

Ms. Cox noted that this was the final outside evaluation of the PGS, and she asked if there were resources to continue monitoring to make changes. Ms. Merry stated that the Office of Shared Accountability will provide support, and if further outside evaluation is needed, it will be put back into the process. Dr. Weast said he was planning on a five-year outside review of the PGS.

Re: LUNCH AND CLOSED SESSION

The Board of Education recessed for lunch and closed session from 12:20 to 2:15 p.m.

RESOLUTION NO. 308-04 Re: CONTRACTS OF \$25,000 OR MORE

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

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

WHEREAS, Funds have been budgeted and/or identified for the purchase of routers for network applications; and

WHEREAS, Funds have been budgeted and/or identified for the purchase of on-site technical mobile communication equipment; and

WHEREAS, The acquisition of such routers and on-site technical mobile communication equipment through lease/purchase arrangements has been reviewed by legal counsel; now therefore be it

Resolved, That the purchase of routers through Prince George's County Public Schools

Contract No. 68-04, be approved for purchases in the amount of \$1,006,500 and for lease/purchases in the amount of \$1,680,000, for a four-year term under the Master Lease/Purchase Agreement with Carlyle Financial Services, Incorporated; and be it further

Resolved, That the purchase of on-site technical mobile communication equipment through the Washington Metropolitan Area Transit Authority Contract No. 1-03-C-056, in the amount of \$454,000, be lease/purchased for a five-year term under the Master Lease/Purchase Agreement with Carlyle Financial Services, Incorporated; and be it further

Resolved, That the proceeds from the financing be used to reimburse Montgomery County Public Schools' accounts to the extent that such routers and mobile communication equipment will be acquired before closing; and be it further

Resolved, That for the lease/purchase the Board president and superintendent be authorized to execute the necessary documents; and be it further

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

68-04 Routers for Network Applications

	<u>Awardee</u>	
	Verizon Network Integration Corporation	\$2,686,500
1-03-C 056	On-site Technical Mobile Communication Equipment—Extension	
	<u>Awardee</u>	
	Teltronic, Inc.	\$ 454,000
134100 0005	Information Technology Products and Parts	
	<u>Awardees</u> (See note)	
	Advanced Computer Concepts*	
	Data Networks of America, Inc.	
	Engineering Systems Solutions, Inc.*	
	GovStreet USA	
	Halifax Technology Services	
	Sigma Systems, Inc.*	
	USC Canterbury	
	Total	\$ 55,000
150500	Elevator Service Preventive Maintenance—Extension	

0178AA

Awardee

Elevator Control Service

\$ 250,000

35070

Towing, Transport, and Recovery of Vehicles

00219

Awardee

Automotive Support Services, Inc.

\$ 48,000

502-

Infrastructure Equipment—Extension

013

Awardee

The Presidio Corporation

\$ 80,000

1120.2

Payroll Checks—Extension

Awardee

Bottomline Technologies

\$ 37,000

1139.1

Actuarial Consulting Services—Extension

Awardee

William M. Mercer

\$ 100,000

1140.1

Health and Welfare Consulting Services—Extension

Awardee

AON Consulting, Inc.

\$ 156,000

4028.3

Two-way Radios—Extension

Awardees

Ohlin Sales, Inc.

\$ 324

Teltronic, Inc.

40,946

Total

\$ 41,270

4031.3

Piano Tuning and Maintenance

Awardees (See note)

Alpha Piano Company*

Rich Amelang Piano Service

Clark Piano Tuning*

	Winzer Piano Service*	
	Total	\$ 53,740
4073.2	Fire Alarm/Sprinkler Systems Inspections and Repairs—Extension	
	<u>Awardees</u> (See note)	
	Maryland Fire Equipment Corporation SPC, Inc.	
	Tenn Security, Inc.	
	Total	\$ 950,000
4100.2	Fire Alarm Parts—Extension	
	<u>Awardees</u>	
	ADI*	\$ 21,168
	Alarmax Distributors, Inc.	68,434
	Honeywell Security Solutions	<u>10,018</u>
	Total	\$ 99,620
4137.3	Special Education Supplies and Software	
	<u>Awardees</u>	
	Alphasmart, Inc.	\$ 208,400
	AT:LAST, Inc.*	80,678
	Envision Technology, Inc.*	46,875
	Intellitools, Inc.	59,466
	Don Johnston, Inc.	82,950
	Kunz, Inc.*	7,692
	Mayer-Johnson, Inc.	69,068
	Technology For Education, Inc.	<u>22,395</u>
	Total	\$ 577,524
7073.1	Novell Network Desktop License	
	<u>Awardee</u>	
	Novell, Inc.	\$ 224,290
7080.3	Computer Memory Modules—Extension	
	<u>Awardee</u>	
	Princeton Technology, Inc.*	\$ 50,000

7095.2	Water Cooler Rental and Bottled Water Service	
	<u>Awardee</u>	
	Crystal Springs Water Company	\$ 72,100
9005.6	Industrial and Technology Education Lumber	
	<u>Awardees</u>	
	Allied Plywood Corporation	\$ 470
	Downes and Reader Hardwood Company	32,645
	Lafferty Company, Inc.	8,851
	Mann and Parker Lumber Company	17,885
	O'Shea Lumber Company	6,694
	Pikesville Lumber Company	<u>39,759</u>
	Total	\$ 106,304
9102.5	Beverages, Chips and Snacks	
	<u>Awardees</u>	
	Dori Foods, Inc.	\$ 66,465
	Royalle Dining Services, Inc.	<u>98,140</u>
	Total	\$ 164,605
9108.6	Poultry Products, Frozen and Processed	
	<u>Awardees</u>	
	Carroll County Foods	\$ 114,403
	Dori Foods, Inc.	46,165
	Princess Ann Products, Inc.*	<u>232,444</u>
	Total	\$ 393,012
9109.3	Snack Cakes	
	<u>Awardee</u>	
	McKee Foods Corporation	\$ 180,000
9111.2	Pizza, Baked-Frozen—Extension	
	<u>Awardees (See note)</u>	
	Dori Foods, Inc.	
	Schwan's Food Service*	
	Total	\$ 890,000

9120.2	Milk and Fruit Juices	
	<u>Awardee</u>	
	Dairy Maid Dairy, Inc.	\$ 2,118,214
9122.2	Bread and Rolls—Extension	
	<u>Awardee</u>	
	H & S Bakery, Inc.	\$ 720,000
9129.1	Soft Pretzels—Extension	
	<u>Awardee</u>	
	Glennco, Inc.	\$ 124,000
9154.2	Industrial Hygiene and Laboratory Services**—Extension	
	<u>Awardee</u>	
	Yoti N N & Associates*	\$ 150,505
9206.5	Flags and Accessories—Extension	
	<u>Awardees</u>	
	Conserv Flag Company	\$ 6,920
	Liberty Flags, Inc*.	10,701
	PJ & Company	<u>11,065</u>
	Total	\$ 28,686
9347.3	Portable Classroom Wood Canopy and Decking**—Extension	
	<u>Awardee</u>	
	D.L. Brown Construction	\$ 68,800
TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000		\$10,879,170

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

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

NOTE: Contract amounts will be based on individual requirements.

RESOLUTION NO. 309-04 Re: **CLARKSBURG/DAMASCUS ELEMENTARY SCHOOL #7**
- LAND EXCHANGE AGREEMENT AND

**CONSTRUCTION AND GRADING EASEMENT
AGREEMENT**

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

WHEREAS, Clarksburg/Damascus Elementary School #7, located on Burdette Forest Road in Clarksburg, is scheduled to open in the fall of 2006; and

WHEREAS, On January 13, 1998, the Board of Education approved Resolution #20-98 to accept a dedication of land at no cost for the construction of the school, as a part of the development approval of the Clarksburg Town Center; and

WHEREAS, Terrabrook Clarksburg, LLC (Terrabrook), as part of its subdivision approval, is to dedicate 1.924 acres for the school site, perform grading and other development work on the school site, and relocate existing ball fields titled to the Maryland-National Capital Park and Planning Commission (M-NCPPC); and

WHEREAS, M-NCPPC is to convey 2.893 acres from Kings Pond Local Park to the Board to be assembled for inclusion in the school parcel; and

WHEREAS, The school will be entitled to use the adjacent athletic field on the Kings Pond Local Park for physical education and school-related activities; and

WHEREAS, The land conveyances to the Board and grading and construction issues are set forth in a Land Exchange Agreement by and among the Board, Terrabrook, and M-NCPPC; and

WHEREAS, A Construction and Grading Easement Agreement is made a part of the land exchange to allow access by the parties on their mutual land for development purposes; and

WHEREAS, The subject agreements have been reviewed and are recommended by the Board's attorneys; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Land Exchange Agreement by and among the Board of Education of Montgomery County, the Maryland-National Capital Park and Planning Commission, and Terrabrook Clarksburg, LLC; and be it further

Resolved, That the president and secretary of the Board of Education be authorized to execute a Construction and Grading Easement Agreement by and among the Board of Education of Montgomery County, the Maryland-National Capital Park and Planning

Commission, and Terrabrook Clarksburg, LLC for acceptance of land at Clarksburg/Damascus Elementary School #7.

RESOLUTION NO. 310-04 Re: LEASE RENEWAL – RELOCATABLE CLASSROOM BUILDINGS

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

WHEREAS, Funds were included in the FY2005 Operating Budget request to continue lease payments for relocatable classrooms at county schools; and

WHEREAS, Leases with GE Modular Space for 51 relocatable classrooms will expire on June 30, 2004; and

WHEREAS, GE Modular Space has offered to renew these leases for another year at the same terms and conditions as the initial lease; now therefore be it

Resolved, That a one-year lease extension with GE Modular Space be approved for 51 relocatable classrooms; and be it further

Resolved, That the director, Department of Facilities Management, be authorized to execute the lease extension.

RESOLUTION NO. 311-04 Re: AWARD OF CONTRACT – OAK VIEW ELEMENTARY SCHOOL

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

WHEREAS, The following sealed bids were received on May 6, 2004, for the Oak View Elementary School core improvements project:

<u>Bidder</u>	<u>Amount</u>
Tuckman-Barbee Construction Company, Inc.	\$4,848,175
James F. Knott Construction Company, Inc.	5,017,700
Dynasty Construction, Inc.	5,118,000
William F. Klingensmith, Inc.	5,160,000
Scheibel Construction	5,179,000
Dustin Construction, Inc.	5,197,000
Meridian Construction Company, Inc.	5,236,000

and

WHEREAS, The low bidder, Tuckman-Barbee Construction Company, Inc., has submitted 13.3-percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 4 percent is African-American, 4.8 percent is female, and 4.5 percent is other MDOT-certified; and

WHEREAS, Tuckman-Barbee Construction Company, Inc., has submitted two additional minority contractors (one is African-American and one is Asian American) that are in the process of being MDOT certified, and it is anticipated that both of these contractors will be certified prior to beginning work on the project; and

WHEREAS, The two additional MBE-certified firms will increase the minority participation to 15.3 percent; and

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

Resolved, That a \$4,848,175 contract be awarded to Tuckman-Barbee Construction Company, Inc., for the Oak View Elementary School core improvements project, in accordance with drawings and specifications prepared by Robert F. Glaser & Associates, P.A., and contingent upon County Council approval of the FY 2005 Capital Budget.

RESOLUTION NO. 312-04 Re: **AWARD OF CONTRACT – MIDDLE SCHOOL MAGNET FACILITY MODERNIZATION**

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

WHEREAS, In FY 2004 the Board of Education approved the implementation of a middle school highly gifted and talented program at Roberto Clemente Middle School for the upcounty area; and

WHEREAS, Modifications to existing space are needed for the program implementation; and

WHEREAS, The following sealed bids were received on May 21, 2004, to modify space at Roberto Clemente Middle School for the Upcounty Middle School Program for the Highly Gifted and Talented:

<u>Bidder</u>	<u>Amount</u>
Smith & Haines, Inc.	\$425,000
Stevenson Group Contracting, Inc.	718,311
M. L. Parker Construction, Inc.	945,000

and

WHEREAS, The low bidder, Smith & Haines, Inc., has submitted 15-percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation, of which 14 percent is African-American, 0.5 percent is Asian American, and 0.5 percent is female; and

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

Resolved, That a \$425,000 contract be awarded to Smith & Haines, Inc., for interior space modifications at Roberto Clemente Middle School, in accordance with drawings and specifications prepared by The Lukmire Partnership, Inc.

RESOLUTION NO. 313-04 Re: **ENGINEERING APPOINTMENT – HVAC REPLACEMENT PROGRAM**

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

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

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by

the Board of Education on July 14, 1998, identified Building Dynamics, LLC; Century Engineering, Inc.; and Weigand Associates, Inc., as the most qualified firms to provide the necessary professional HVAC system design services; and

WHEREAS, Weigand Associates, Inc., is a certified, woman-owned minority business; and

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

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the firms of Building Dynamics, LLC; Century Engineering, Inc.; and Weigand Associates, Inc., to provide professional HVAC system design services as requirements arise, with the contract amount not to exceed \$100,000 per individual project.

RESOLUTION NO. 314-04 Re: **CONTRACT EXTENSION – ENVIRONMENTAL SAFETY TESTING SERVICES**

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

WHEREAS, On April 11, 2000, the Board of Education awarded a contract to Science Application International Corporation for critical, facilities-related environmental safety and engineering services; and

WHEREAS, The current contract ends June 30, 2004; and

WHEREAS, Staff recommends a contract extension for Science Application International Corporation at the same terms and conditions of the original agreement; now therefore be it

Resolved, That the contract with Science Application International Corporation for environmental safety and engineering services in the amount of \$400,000 be extended with the original terms and conditions through June 30, 2005.

RESOLUTION NO. 315-04 Re: **APPOINTMENT OF MCPS EMPLOYEES RETIREMENT AND PENSION SYSTEM INVESTMENT TRUSTEE**

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

WHEREAS, The Board of Education by Resolution No. 344-95 authorized the establishment of a trust to be used for the purpose of funding the Montgomery County Public Schools Employees Retirement and Pension System benefits; and

WHEREAS, The trustees are a committee composed of the chief operating officer; the chief financial officer; the director of management, budget and planning; the director of benefits strategy and vendor relations; the controller; and up to, but no more than, four additional members to be appointed by the Board of Education; and

WHEREAS, The appointed term of Mrs. Terri A. Gage as a trustee will end June 30, 2004; and

WHEREAS, The superintendent of schools has solicited nominations from representatives of employees, retirees, parents, and local businesses to identify one individual to serve as an appointed trustee; and

WHEREAS, Staff has evaluated said nominations and conducted interviews of three individuals selected as finalists; now therefore be it

Resolved, That Mr. Neal J. Wilson be appointed as trustee for a term ending June 30, 2007.

RESOLUTION NO. 316-04 Re: UTILIZATION OF THE FY 2004 PROVISION FOR FUTURE SUPPORTED PROJECTS FUNDS

On recommendation of the Superintendent and on motion of Mr. Lange seconded by Dr. Haughey, 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 projects 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>
Middle School SCALE-uP	\$ 406,511
Even Start Family Literacy Program	207,204
Gateway to Technology	<u>25,552</u>
Total	<u>\$ 639,267</u>

and be it further

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

RESOLUTION NO. 317-04 Re: **RECOMMENDED FY 2005 FEES FOR THE FOOD AND NUTRITION SERVICES**

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

WHEREAS, Expenditures in the food and nutrition services program for salaries and employee benefits, food, and supplies are expected to increase in FY 2005 by approximately 6.8 percent over the FY 2004 levels; and

WHEREAS, Federal reimbursement rates for meals will increase by 2 percent and there is expected to be no increase in the state reimbursement rate; and

WHEREAS, To maintain a financially solvent food service enterprise fund, it is necessary to increase revenues in FY 2005; now therefore be it

Resolved, That the price of the elementary school lunch be increased from \$1.75 to \$1.85, secondary school lunch from \$1.85 to \$1.95, and adult lunches from \$2.75 to \$2.85; and be it further

Resolved, That the price increases be effective August 30, 2004.

RESOLUTION NO. 318-04 Re: **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education accept the Human Resources Monthly Report dated June 8, 2004.

RESOLUTION NO. 318-04(a) Re: **DEATH OF JEAN MARIE NSABIMANA, BUILDING SERVICE WORKER AND LUNCH HOUR AIDE, WAYSIDE ELEMENTARY SCHOOL**

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

WHEREAS, The death on May 8, 2004, of Mr. Jean Marie Nsabimana, building service

worker and lunch hour aide at Wayside Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During the short time Mr. Nsabimana had worked for Montgomery County Public Schools, he demonstrated exceptional dependability and reliability; and

WHEREAS, Mr. Nsabimana’s pride in his work and his dedication to duty were recognized by the staff and associates alike; 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 Jean Marie Nsabimana 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. Nsabimana’s family.

RESOLUTION NO. 319-04 Re: **APPOINTMENTS**

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

Resolved, That the following personnel appointment be approved effective June 9, 2004:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Matthew Tronzano	Acting Associate Superintendent, Associate Superintendent, Human Resources	Human Resources

RESOLUTION NO. 320-04 Re: **APPOINTMENTS**

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

Resolved, That the following personnel appointment be approved effective July 1, 2004:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Eric Davis	Principal, Maryvale ES	Principal, Montgomery Village MS

RESOLUTION NO. 321-04 Re: **RETIREMENT OF MCPS PERSONNEL**

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

WHEREAS, Many employees are retiring from the Montgomery County Public Schools; and

WHEREAS, Each person, through outstanding performance of duties and dedication to the education of our youth, has made a significant contribution to the school system, which is worthy of special commendation; now therefore be it

Resolved, That the Board of Education members express their sincere appreciation to each person for faithful service to the school system and to the children of the county, and also extend to each one best wishes for the future; and be it further

Resolved, That this resolution be made part of the minutes of this meeting and a copy be forwarded to each retiree.

Re: MONTHLY FINANCIAL REPORT

Mr. Larry Bowers, chief financial officer, reported on the projected financial condition through April 30, 2004, based on program requirements and estimates made by primary and secondary account managers. At that time, revenues had a projected deficit of \$736,325, while expenses had a projected surplus of \$10,000,000.

**RESOLUTION NO. 322-04 Re: PRELIMINARY PLANS – CLARKSBURG/ DAMASCUS
ELEMENTARY SCHOOL #7**

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

WHEREAS, The architect for the new facility for Clarksburg/Damascus Elementary School #7, Grimm + Parker Architects, has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Clarksburg/Damascus Elementary School #7 Facility Advisory Committee has approved the proposed schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plans report for the new facility for Clarksburg/Damascus Elementary School #7 developed by Grimm + Parker Architects.

**RESOLUTION NO. 323-04 Re: PRELIMINARY PLANS – DOWNCOUNTY CONSORTIUM
ELEMENTARY SCHOOL #28**

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

WHEREAS, The architect for the reopening of the Downcounty Consortium Elementary School #28 (Arcola), the Lukmire Partnership, Inc., has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Downcounty Consortium Elementary School #28 Advisory Committee has approved the proposed schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plans report for the re-opening of the Downcounty Consortium Elementary School #28 developed by the Lukmire Partnership, Inc.

Re: ADOPTION OF THE FY 2005 OPERATING BUDGET

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

WHEREAS, The Board of Education adopted an amended FY 2005 Operating Budget of \$1,608,035,479 on March 9, 2004; and

WHEREAS, The County Council approved a total of \$1,609,382,533 (including grants and enterprise funds), an increase of \$1,347,054 above the Board of Education's amended request of \$1,608,035,479, and

WHEREAS, The County Council appropriated a total of \$1,491,667,935 (excluding grants and enterprise funds), which is \$1,811,600 above the Board of Education's request of \$1,489,856,335; and

WHEREAS, The County Council made total additions of \$1,347,054, consisting of reductions of \$3,011,680 because of lower projected enrollment in ESOL and special education programs, reductions due to the transfer of summer school programs from the Adult Education and Summer School Fund, and reductions in grants, offset by additions of \$4,358,734 because of higher energy tax payments, the College Institute program, changes in the cable television plan, and higher estimated federal grant revenue; and

WHEREAS, The County Council made additions of \$1,347,054 from the various budget categories, as shown on the following schedule, consisting of an addition of \$1,811,600, excluding grants and enterprise funds, an addition of \$2,188,483 in specific grants, and a reduction of \$2,653,029 in enterprise and special revenue funds, in appropriating \$1,609,382,533 for the Board of Education's FY 2005 Operating Budget:

I. Current Fund Category	Amended Request March 9, 2004	BOE (Reduction)/ Addition	Council Approved Budget
1 Administration	31,818,919	84,249	31,903,168
2 Mid-level Administration	100,382,302	342,443	100,724,745
3 Instructional Salaries	691,420,874	2,135,011	693,555,885
4 Textbooks and Instructional Supplies	28,870,818	178,164	29,048,982
5 Other Instructional Costs	14,436,487	247,902	14,684,389
6 Special Education	199,907,462	(108,732)	199,798,730
7 Student Personnel Services	9,163,374	95,577	9,258,951
8 Health Services	45,378		45,378
9 Student Transportation	67,013,638	27,780	67,041,418
10 Operation of Plant and Equipment	84,400,849	(91,452)	84,309,397
11 Maintenance of Plant	26,099,117	1,272,783	27,371,900
12 Fixed Charges	302,342,704	(183,642)	302,159,062
14 Community Services	272,000		272,000
Subtotal, including specific grants	1,556,173,922	4,000,083	1,560,174,005
Less specific grants	66,317,587	2,188,483	68,506,070
Subtotal, spending affordability	1,489,856,335	1,811,600	1,491,667,935
 II. Enterprise Funds			
37 Instructional Television	1,145,438	31,562	1,177,000
41 Adult Education and Summer School	6,442,010	(2,684,591)	3,757,419
51 Real Estate Management	1,721,538		1,721,538
61 Food Services	40,093,775		40,093,775
71 Field Trip	1,356,732		1,356,732
81 Entrepreneurial Activities	1,102,064		1,102,064
Subtotal, Enterprise Funds	51,861,557	(2,653,029)	49,208,528
 Total Budget for MCPS	 <u>1,608,035,479</u>	 <u>1,347,054</u>	 <u>1,609,382,533</u>

now therefore be it

Resolved, That based on an appropriation of \$1,609,382,533, that includes an appropriation of \$49,208,528 for enterprise and special revenue funds and \$68,506,070 for restricted grants, approved by the County Council on May 27, 2004, the Board of Education adopt its FY 2005 Operating Budget; and be it further

Resolved, That the Board of Education affirm its support for the negotiated agreements with its employee organizations and for the increases in salary and savings in employee benefit costs that they contain; and be it further

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

RESOLUTION NO. 324-04 Re: **AN AMENDMENT TO THE FY 2005 OPERATING BUDGET**

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

Resolved, That the Board of Education request the Superintendent to reallocate from within the approved Operating Budget for FY 2004-2005 (and future operating budgets) approximately \$10,000 or such sums as necessary, to provide buses for the transportation of these students to attend MCR meetings.

RESOLUTION NO. 325-04 Re: **ADOPTION OF THE FY 2005 OPERATING BUDGET**

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

WHEREAS, The Board of Education adopted an amended FY 2005 Operating Budget of \$1,608,035,479 on March 9, 2004; and

WHEREAS, The County Council approved a total of \$1,609,382,533 (including grants and enterprise funds), an increase of \$1,347,054 above the Board of Education's amended request of \$1,608,035,479, and

WHEREAS, The County Council appropriated a total of \$1,491,667,935 (excluding grants and enterprise funds), which is \$1,811,600 above the Board of Education's request of \$1,489,856,335; and

WHEREAS, The County Council made total additions of \$1,347,054, consisting of reductions of \$3,011,680 because of lower projected enrollment in ESOL and special education programs, reductions due to the transfer of summer school programs from the Adult Education and Summer School Fund, and reductions in grants, offset by additions of \$4,358,734 because of higher energy tax payments, the College Institute program, changes in the cable television plan, and higher estimated federal grant revenue; and

WHEREAS, The County Council made additions of \$1,347,054 from the various budget

categories, as shown on the following schedule, consisting of an addition of \$1,811,600, excluding grants and enterprise funds, an addition of \$2,188,483 in specific grants, and a reduction of \$2,653,029 in enterprise and special revenue funds, in appropriating \$1,609,382,533 for the Board of Education's FY 2005 Operating Budget:

I. Current Fund Category	BOE Amended Request March 9, 2004	Council (Reduction)/ Addition	Council Approved Budget
1 Administration	31,818,919	84,249	31,903,168
2 Mid-level Administration	100,382,302	342,443	100,724,745
3 Instructional Salaries	691,420,874	2,135,011	693,555,885
4 Textbooks and Instructional Supplies	28,870,818	178,164	29,048,982
5 Other Instructional Costs	14,436,487	247,902	14,684,389
6 Special Education	199,907,462	(108,732)	199,798,730
7 Student Personnel Services	9,163,374	95,577	9,258,951
8 Health Services	45,378		45,378
9 Student Transportation	67,013,638	27,780	67,041,418
10 Operation of Plant and Equipment	84,400,849	(91,452)	84,309,397
11 Maintenance of Plant	26,099,117	1,272,783	27,371,900
12 Fixed Charges	302,342,704	(183,642)	302,159,062
14 Community Services	272,000		272,000
Subtotal, including specific grants	1,556,173,922	4,000,083	1,560,174,005
Less specific grants	66,317,587	2,188,483	68,506,070
Subtotal, spending affordability	1,489,856,335	1,811,600	1,491,667,935
 II. Enterprise Funds			
37 Instructional Television	1,145,438	31,562	1,177,000
41 Adult Education and Summer School	6,442,010	(2,684,591)	3,757,419
51 Real Estate Management	1,721,538		1,721,538
61 Food Services	40,093,775		40,093,775
71 Field Trip	1,356,732		1,356,732
81 Entrepreneurial Activities	1,102,064		1,102,064
Subtotal, Enterprise Funds	51,861,557	(2,653,029)	49,208,528
 Total Budget for MCPS	 <u>1,608,035,479</u>	 <u>1,347,054</u>	 <u>1609382533</u>

now therefore be it

Resolved, That based on an appropriation of \$1,609,382,533, that includes an appropriation of \$49,208,528 for enterprise and special revenue funds and \$68,506,070 for restricted grants, approved by the County Council on May 27, 2004, the Board of Education adopt its FY 2005 Operating Budget; and be it further

Resolved, That the Board of Education affirm its support for the negotiated agreements with its employee organizations and for the increases in salary and savings in employee benefit costs that they contain; and be it further

Resolved, That the Board of Education request the Superintendent to reallocate from within the approved Operating Budget for FY 2004-2005 (and future operating budgets) approximately \$10,000 or such sums as necessary, to provide buses for the transportation of these students to attend MCR meetings; and be it further

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

RESOLUTION NO. 326-04 Re: **TENTATIVE ACTION ON POLICY AEB – LONG RANGE PLANNING**

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

WHEREAS, Policy AEB, *Long-Range Planning*, articulates the Board's commitment to a long-range planning process that guides the school system's decision making; and

WHEREAS, The Board Long-Range Planning Committee and the Board Policy Committee have considered and recommended revisions to Policy AEB, *Long-Range Planning*; now therefore be it

Resolved, That the Board of Education take tentative action to adopt draft Policy AEB, *Strategic Planning for Continuous Improvement*; and be it further

Resolved, That the tentative draft Policy AEB, *Strategic Planning for Continuous Improvement*, be sent out for public comment.

STRATEGIC PLANNING FOR CONTINUOUS IMPROVEMENT

A. PURPOSE

The Board of Education is committed to strategic planning for continuous improvement

in order to provide an effective instructional program, ensure success for every student, strengthen productive partnerships for education, and create a positive work environment in a self-renewing organization.

B. ISSUES

Strategic planning must guide the work of MCPS in providing a high quality, world-class education that ensures success for every student through excellence in teaching and learning. It is essential that a broad range of stakeholders actively participate in this process. To that end, the strategic planning process must:

1. Use organizational assessment criteria that evaluate leadership; strategic planning; students, stakeholder, and community focus; measurement analysis and knowledge management; faculty and staff focus; process management; and organizational performance results
2. Develop on an ongoing basis a five-year plan which identifies, analyzes and plans to successfully address the major factors that affect what and how students learn. Additionally, there will be careful consideration given to factors which affect schools and students over the foreseeable future
3. Be guided by the MCPS core values:
 - a) Every child can learn and succeed
 - b) The pursuit of excellence is fundamental and unending
 - c) An ethical school system requires fair treatment, honesty, openness, integrity, and respect
 - d) A high quality school system strives to be responsive and accountable to the customer
4. Provide for ongoing monitoring and continuous improvement
5. Ensure the alignment of MCPS' strategic plan with state and federal requirements
6. Predicate major budget priorities on the strategic plan, as reflected in both the proposed and adopted capital and operating budgets

C. POSITION

1. Board participation

The Board will participate in strategic planning through several means:

- a) An annual meeting with the superintendent and senior staff to review progress on the implementation of priorities, initiatives and strategic plans to determine which goals have been achieved, whether any new efforts are needed, and to review major issues that may affect the future
- b) It will also consider and act upon objectives and major activities proposed by the superintendent to achieve long-range goals
- c) Through its standing Strategic Planning Committee, the Board shall provide leadership and monitor the progress of the strategic plan and receive recommendations for its consideration
- d) The Board's agenda-setting process shall determine from time to time specific initiatives and priorities to be addressed as part of a business meeting

2. Planning procedures

The superintendent will develop a comprehensive strategic planning process for all schools and offices.

3. Staff, student, parent, and community involvement

The Board will actively seek the participation of a broad range of internal and external stakeholders representing the rich culture and linguistic diversity of the community in the strategic planning process.

4. Progress reports

The Strategic Planning Committee will provide the Board with periodic reports on the progress and success of the strategic plan and its planning process.

D. DESIRED OUTCOMES

There will be a strategic planning process that supports continuous improvement in creating a high quality, world-class school system, where success for every student is ensured through excellence in teaching and learning.

F. REVIEW AND REPORTING

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

Re: **FINAL ACTION ON POLICY JED –
RESIDENCY, TUITION, AND ENROLLMENT**

On motion of the Policy Committee, the following resolution was placed on the table:

WHEREAS, Policy JED, *Residency, Tuition, and Enrollment*, sets forth the objectives to be followed with regard to the student enrollment process, the criteria for determining residency, and the circumstances when tuition will be charged; and

WHEREAS, The draft revision of Policy JED, *Residency, Tuition, and Enrollment*, was tentatively adopted by the Board of Education on February 10, 2004, and sent out for public comment; and

WHEREAS, The Board of Education has received comments and the superintendent's recommendations thereto; now therefore be it

Resolved, That the Board of Education adopt Policy JED, *Residency, Tuition, and Enrollment*, as revised.

RESIDENCY, TUITION, AND ENROLLMENT

A. PURPOSE

The Board of Education is committed to an effective, efficient, and equitable enrollment process for all eligible Montgomery County school-aged children.

B. ISSUE

All qualified school-aged individuals, whether U.S. citizens or noncitizens, who have an established bona fide residence in Montgomery County are to be admitted free to the Montgomery County Public Schools. There are circumstances that exist where students who are not residents of Montgomery County want or need to attend schools here; therefore, issues of residency and the processes for paying tuition must be clearly articulated.

C. POSITION

The Board of Education of Montgomery County supports the right of its residents to a free public education.

1. Bona fide residence is one's principal residence, maintained in good faith, and does not include a residence established for convenience or for the purpose of free school attendance in the Montgomery County Public Schools. However, an intent to reside indefinitely or permanently at the present place of residence is not necessarily required. Determination of a person's bona fide residence is a factual one and must be made on an individual basis.
2. All qualified school-aged individuals, whether U.S. citizens or noncitizens, who have an established bona fide residence in Montgomery County will be considered resident students and will be admitted free to the Montgomery County Public Schools.
3. All qualified school-aged individuals, whether U.S. citizens or noncitizens, who do not have an established bona fide residence in Montgomery County, will be considered nonresident students and will be subject to paying tuition unless an exception is made under the terms of this policy.
 - a) A qualified student placed in a group home or foster home located in Montgomery County by an out-of-state agency other than those specified in Section 4-122 of the Education Article, *Annotated Code of Maryland*, shall be presumed to be a nonresident student.
 - b) In the absence of evidence to the contrary, a qualified student who is a resident of another educational jurisdiction, but who elects to seek enrollment in a Montgomery County public school shall be presumed to be a nonresident student.
 - c) In the absence of evidence to the contrary, the bona fide residence of a qualified student who is under 18 years of age and not emancipated shall be presumed to be the bona fide residence of both or one of the child's parents. Throughout this policy and any implementing regulations, if the parents live apart, use of the word "parent" shall mean (1) the parent to whom legal custody is awarded or (2) if legal custody is not awarded, the parent with whom the child regularly lives; and the child's bona fide residence shall be determined accordingly.
 - d) In the absence of evidence to the contrary, a qualified student residing

with a court-appointed guardian who has an established bona fide residence in Montgomery County shall be presumed to be a resident student provided that the guardianship was obtained for reasons concerning the child and not for the primary purpose of attending school or for the convenience of the persons involved.

- e) Qualified identified Montgomery County students who are homeless shall be enrolled in accordance with Regulation JEA-RD.
 - f) A qualified student placed in a group home or foster home in Montgomery County by social service agencies of the State of Maryland, or any other agency specified in Section 4-122 of the Education Article of the *Annotated Code of Maryland* shall be presumed to be a resident student for whom the Montgomery County Public Schools is eligible for reimbursement of actual educational expenses by another local educational agency or the State of Maryland.
 - g) A qualified student who is a resident of Maryland residing in a valid kinship care arrangement pursuant to Section 4-122 of the Education Article of the *Annotated Code of Maryland* will be presumed to be a resident student for whom the Montgomery County Public Schools is eligible for reimbursement of actual educational expenses by another local education agency or the State of Maryland.
4. The Residency Compliance Unit will make individual determinations of residency. Individual determinations of residency by the Residency Compliance Unit will be re-evaluated at least annually. The Residency Compliance Unit will make determinations in the following cases:
- a) There is evidence rebutting the presumption of residency or nonresidency set forth in Section 3
 - b) When there is a qualified student who is 18 years of age or older and essentially self-supporting or an emancipated minor who may or may not have established a bona fide residence in Montgomery County without regard to the residency of the parents
 - c) When there is a qualified student under 18 years of age who is living in Montgomery County with friends or relatives who are not parents or court-appointed guardians

In addition to individual verification, MCPS reserves the right to initiate specific

grade level or schoolwide residency verification activities. The burden of producing evidence establishing bona fide residence is on the student or individual acting on behalf of the student.

5. Admission of Nonresident Students

- a) Regardless of their willingness to pay tuition, nonresident students may be denied admission to the Montgomery County Public Schools.
- b) Except to the extent to which the implementing regulation provides for either a grace period or permits a deposit to be made during the pendency of an appeal of a determination of nonresidency, before a nonresident student is enrolled in the Montgomery County Public Schools, tuition will be charged and paid unless a waiver is granted as provided below:
 - (1) The nonresident student is residing in Montgomery County with a host family for a maximum of one year and has met the criteria established and detailed in MCPS Regulation JEA-RC, *Enrollment and Placement of International and Foreign Students*, including the approval by the supervisor of the International Student Admissions Office
 - (2) There is a crisis, unusual and extraordinary circumstances fully documented by the parent, guardian, or emancipated student, justifying waiver of tuition
- c) Tuition rates will be established annually by the Board of Education upon the recommendation of the superintendent of schools.
- d) A nonresident student applicant may request a specific school; however, MCPS reserves the right to determine the school of enrollment.

6. Responsibilities

- a) Parents, guardians, or students who have reached the age of majority are responsible for signing an affidavit as to their bona fide residence or nonresidence in Montgomery County as a prerequisite to a student's initial enrollment in the Montgomery County Public Schools. Additionally, there is an acknowledgment that tuition will be paid for any period(s) of nonresidency, even if the period(s) of nonresidency should occur or be identified after the date of initial enrollment.

- b) The school principal or designee (or the International Student Admissions Office for noncitizens who have not attended school within the United States for the prior two years) is responsible for making the initial determination of the residency status of students who seek enrollment in a Montgomery County public school and, based on that determination, for taking the appropriate administrative steps specified in MCPS regulations.
- c) The Residency Compliance Unit is responsible for determining the residency and tuition status of all students referred to it by the individual schools or the International Student Admissions Office.

7. Appeals

Decisions made under this policy and any implementing regulations may be appealed under the provisions of Regulation KLA-RA: *Responding to Citizen Inquiries and Complaints from the Public*. The superintendent or a designee may assign a hearing officer to hear residency and tuition appeal cases on the superintendent's behalf and make recommendations to the superintendent or designee.

D. DESIRED OUTCOME

An effective, efficient, and equitable enrollment process which ensures the right of eligible students to a free public education and minimizes barriers for enrollment.

E. REVIEW AND REPORTING

- 1. The superintendent will provide a report to the Board of Education at least annually regarding the enrollment of nonresident students and tuition payments.
- 2. This policy will be reviewed in accordance with the Board of Education Policy BFA, *Policysetting*.

RESOLUTION NO. 327-04 Re: **AN AMENDMENT TO POLICY JED – RESIDENCY, TUITION, AND ENROLLMENT**

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

Resolved, That the Board of Education amend the policy at C.6.b) to read:

The school principal or designee (or the International Student Admissions Office for noncitizens who have not attended school within the United States **at any time during** for the prior two years) is responsible for making the initial determination of the residency status of students who seek enrollment in a Montgomery County public school and, based on that determination, for taking the appropriate administrative steps specified in MCPS regulations.

RESOLUTION NO. 328-04 Re: **FINAL ACTION ON POLICY JED – RESIDENCY, TUITION, AND ENROLLMENT**

On motion of the Policy Committee, the following resolution, as amended, was adopted unanimously:

WHEREAS, Policy JED, *Residency, Tuition, and Enrollment*, sets forth the objectives to be followed with regard to the student enrollment process, the criteria for determining residency, and the circumstances when tuition will be charged; and

WHEREAS, The draft revision of Policy JED, *Residency, Tuition, and Enrollment*, was tentatively adopted by the Board of Education on February 10, 2004, and sent out for public comment; and

WHEREAS, The Board of Education has received comments and the superintendent's recommendations thereto; now therefore be it

Resolved, That the Board of Education adopt Policy JED, *Residency, Tuition, and Enrollment*, as revised.

RESIDENCY, TUITION, AND ENROLLMENT

A. PURPOSE

The Board of Education is committed to an effective, efficient, and equitable enrollment process for all eligible Montgomery County school-aged children.

B. ISSUE

All qualified school-aged individuals, whether U.S. citizens or noncitizens, who have an established bona fide residence in Montgomery County are to be admitted free to the Montgomery County Public Schools. There are circumstances that exist where students who are not residents of Montgomery County want or need to attend schools

here; therefore, issues of residency and the processes for paying tuition must be clearly articulated.

C. POSITION

The Board of Education of Montgomery County supports the right of its residents to a free public education.

1. Bona fide residence is one's principal residence, maintained in good faith, and does not include a residence established for convenience or for the purpose of free school attendance in the Montgomery County Public Schools. However, an intent to reside indefinitely or permanently at the present place of residence is not necessarily required. Determination of a person's bona fide residence is a factual one and must be made on an individual basis.
2. All qualified school-aged individuals, whether U.S. citizens or noncitizens, who have an established bona fide residence in Montgomery County will be considered resident students and will be admitted free to the Montgomery County Public Schools.
3. All qualified school-aged individuals, whether U.S. citizens or noncitizens, who do not have an established bona fide residence in Montgomery County, will be considered nonresident students and will be subject to paying tuition unless an exception is made under the terms of this policy.
 - a) A qualified student placed in a group home or foster home located in Montgomery County by an out-of-state agency other than those specified in Section 4-122 of the Education Article, *Annotated Code of Maryland*, shall be presumed to be a nonresident student.
 - b) In the absence of evidence to the contrary, a qualified student who is a resident of another educational jurisdiction, but who elects to seek enrollment in a Montgomery County public school shall be presumed to be a nonresident student.
 - c) In the absence of evidence to the contrary, the bona fide residence of a qualified student who is under 18 years of age and not emancipated shall be presumed to be the bona fide residence of both or one of the child's parents. Throughout this policy and any implementing regulations, if the parents live apart, use of the word "parent" shall mean (1) the parent to whom legal custody is awarded or (2) if legal custody is not awarded, the parent with whom the child regularly lives; and the

child's bona fide residence shall be determined accordingly.

- d) In the absence of evidence to the contrary, a qualified student residing with a court-appointed guardian who has an established bona fide residence in Montgomery County shall be presumed to be a resident student provided that the guardianship was obtained for reasons concerning the child and not for the primary purpose of attending school or for the convenience of the persons involved.
 - e) Qualified identified Montgomery County students who are homeless shall be enrolled in accordance with Regulation JEA-RD.
 - f) A qualified student placed in a group home or foster home in Montgomery County by social service agencies of the State of Maryland, or any other agency specified in Section 4-122 of the Education Article of the *Annotated Code of Maryland* shall be presumed to be a resident student for whom the Montgomery County Public Schools is eligible for reimbursement of actual educational expenses by another local educational agency or the State of Maryland.
 - g) A qualified student who is a resident of Maryland residing in a valid kinship care arrangement pursuant to Section 4-122 of the Education Article of the *Annotated Code of Maryland* will be presumed to be a resident student for whom the Montgomery County Public Schools is eligible for reimbursement of actual educational expenses by another local education agency or the State of Maryland.
4. The Residency Compliance Unit will make individual determinations of residency. Individual determinations of residency by the Residency Compliance Unit will be re-evaluated at least annually. The Residency Compliance Unit will make determinations in the following cases:
- a) There is evidence rebutting the presumption of residency or nonresidency set forth in Section 3
 - b) When there is a qualified student who is 18 years of age or older and essentially self-supporting or an emancipated minor who may or may not have established a bona fide residence in Montgomery County without regard to the residency of the parents
 - c) When there is a qualified student under 18 years of age who is living in Montgomery County with friends or relatives who are not parents or

court-appointed guardians

In addition to individual verification, MCPS reserves the right to initiate specific grade level or schoolwide residency verification activities. The burden of producing evidence establishing bona fide residence is on the student or individual acting on behalf of the student.

5. Admission of Nonresident Students

- a) Regardless of their willingness to pay tuition, nonresident students may be denied admission to the Montgomery County Public Schools.
- b) Except to the extent to which the implementing regulation provides for either a grace period or permits a deposit to be made during the pendency of an appeal of a determination of nonresidency, before a nonresident student is enrolled in the Montgomery County Public Schools, tuition will be charged and paid unless a waiver is granted as provided below:
 - (1) The nonresident student is residing in Montgomery County with a host family for a maximum of one year and has met the criteria established and detailed in MCPS Regulation JEA-RC, *Enrollment and Placement of International and Foreign Students*, including the approval by the supervisor of the International Student Admissions Office
 - (2) There is a crisis, unusual and extraordinary circumstances fully documented by the parent, guardian, or emancipated student, justifying waiver of tuition
- c) Tuition rates will be established annually by the Board of Education upon the recommendation of the superintendent of schools.
- d) A nonresident student applicant may request a specific school; however, MCPS reserves the right to determine the school of enrollment.

6. Responsibilities

- a) Parents, guardians, or students who have reached the age of majority are responsible for signing an affidavit as to their bona fide residence or nonresidence in Montgomery County as a prerequisite to a student's initial enrollment in the Montgomery County Public Schools. Additionally,

there is an acknowledgment that tuition will be paid for any period(s) of nonresidency, even if the period(s) of nonresidency should occur or be identified after the date of initial enrollment.

- b) The school principal or designee (or the International Student Admissions Office for noncitizens who have not attended school within the United States at any time during the prior two years) is responsible for making the initial determination of the residency status of students who seek enrollment in a Montgomery County public school and, based on that determination, for taking the appropriate administrative steps specified in MCPS regulations.
- c) The Residency Compliance Unit is responsible for determining the residency and tuition status of all students referred to it by the individual schools or the International Student Admissions Office.

7. Appeals

Decisions made under this policy and any implementing regulations may be appealed under the provisions of Regulation KLA-RA: *Responding to Citizen Inquiries and Complaints from the Public*. The superintendent or a designee may assign a hearing officer to hear residency and tuition appeal cases on the superintendent's behalf and make recommendations to the superintendent or designee.

D. DESIRED OUTCOME

An effective, efficient, and equitable enrollment process which ensures the right of eligible students to a free public education and minimizes barriers for enrollment.

E. REVIEW AND REPORTING

- 1. The superintendent will provide a report to the Board of Education at least annually regarding the enrollment of nonresident students and tuition payments.
- 2. This policy will be reviewed in accordance with the Board of Education Policy BFA, *Policysetting*.

Re: **PRESENTATION ON THE COMMUNITY USE OF SCHOOLS**

Ms. Cox invited the following people to the table: Ms. Ginny Gong, director – Community Use

of Public Facilities; Karen Askin, chair of the Interagency Coordinating Board (ICB); Robert Muller, vice chair of the ICB; Stephen Farber, member and staff director of the Montgomery County Council; and Bruce Romer, member and chief administrative officer, Montgomery County.

The chair explained that since 1978, the Interagency Coordinating Board (ICB) for Community Use of Public Facilities (CUPF) has helped to make public facilities accessible and affordable year round for community activities and to bring services to county residents at public school sites. This "cutting-edge" concept is another of Montgomery County's successful models of creative partnerships and quality customer service. The ICB, whose membership includes decision-makers from the various county stakeholder agencies, formulates policies that equitably balance the needs of community use with those of the school system's instructional programs.

With the guidance of the ICB's advisory committees, an appropriate balance of user fees and reimbursements to the school system for shared use is maintained. CUPF operates solely as an enterprise fund, supported totally by fees from community users and no taxpayer dollars. In addition to reimbursing the school system for hours of use, utilities, and staff costs (totaling about \$3,500,000), monies are also expended to support other initiatives such as the Afterschool Activities Program, modem sound access, security cameras, security gates, field renovations, etc. The IGB also reimburses the county's general fund for the office's administrative costs.

What do these ICB policies mean to the citizens of Montgomery County? When implemented by CUPF, they become the key to a variety of exciting community activities in schools and other public facilities. Before and after the school bell rings and throughout the weekend, from morning to late evening, these activities continue in the majority of the 190 schools (indoors and outdoors), 20 libraries, 39 closed schools and other public facilities. Private and public organizations, businesses, and individuals are all welcome to use the county's public schools and facilities.

The staff was excited about a number of improvements in the processing of facility requests, thanks to technology. Online submission and centralized scheduling has been very well received by both users and MCPS staff.

CUPF staff is committed to delivering quality customer service. They welcome the opportunity to assist in planning any meeting, sports event, concert, cultural celebration, fundraiser; or any other event open to the public but no private celebrations, such as weddings, anniversaries, or birthday parties.

Re: **DISCUSSION**

Mrs. O'Neill complimented the ICB and CUPF on their respective jobs and the huge volume of users. County facilities should be used by residents, but there must be a balance of reasonable use opposed to overuse. Faced with rising utility and maintenance costs, she encouraged the ICB to evaluate frequently the fee structure.

Ms. Cox thought that one of the issues is where the policy originates. The philosophy is driven by the county, which created the ICB. There needs to be a discussion at the county government level to ascertain its expectations as the concept has evolved, especially with fiscal constraints. She asked if the ICB could change the fee structure to recoup long-range costs. Mr. Romer commented that the ICB is set in county law with a carefully mandated structure. He viewed it as a partnership with the county's citizens. The ICB is willing to work with the school system to reevaluate the cost structure. The community use of public facilities provides low-cost, safe meeting space to support community groups and relieves pressure on the county budget. Ms. Gong added that state law mandates the use of public facilities. Ms. Cox remarked that the philosophy for reimbursement is driven strictly by the membership of the ICB.

Mr. Felton noted that CUPF is a great goal, and the entire community can be committed to that concept. The problem is that on one hand the community wants affordable meeting places, and on the other hand there is an actual cost. It should be clear what the actual cost is to ascertain whether to subsidize with county funds or charge the actual cost. Ms. Askin stated that she viewed community use as she did education in general. Everyone knows what it costs to educate a student, but most taxpayers do not come close to paying that cost. It is shared by all taxpayers. The question is how to share the costs in a partnership. She felt that users could not bear the full cost of "renting" the facility. Mr. Felton agreed, but the budget process has to deal with the "partnership" costs. It is hard to focus people's attention if they do not know the real cost.

Dr. Weast thought it was a good idea for the boards to get together. It is laudable to use public facilities, but buildings wear out quicker than they can be repaired with the amount of use the buildings receive. The Capital Improvements Program is \$907 million, but 23 projects were eliminated. The school system has to figure out how the ICB assists with passing on the costs or the county needs to provide a supplement. Therefore, it is a funding issue at the governance level – not the two boards. He thought the school system had a difficult time explaining to parents why buildings cannot be modernized, maintained, and new buildings constructed. Furthermore, there is a need to increase before- and afterschool usage of facilities in order to educate and mentor children.

Mrs. O'Neill pointed out that CUPF staff went to the MCCPTA delegate assembly to explain the scheduling of facilities and planning ahead. Ms. Askin replied that there is ongoing training.

Ms. Cox had heard that there should be a policy for principals on the use of the building, but she thought it was more of a communication issue. Ms. Askin responded that there are creative principals and they make deals that the CUPF does not know about until security alerts them to the usage.

Ms. Cox thought there should be a systematic communication method, and the CUPF staff could work with community superintendents to provide a discussion group to resolve problems. Ms. Askin agreed that would be helpful if the school system made that a priority. She thought the CUPF did an excellent job communicating with staff when there are problems. Users are very sophisticated and they learn quickly from one another. Ms. Cox suggested that Mr. Hawes could facilitate getting the parties together to discuss issues and what problems can be eliminated through better communication.

Mr. Lange believed the discussion had been helpful. He reiterated the Board's commitment to community use of the facilities which is embedded in all design plans. He asked if CUPF meets with new principals or if there is a training program. Ms. Gong replied that she meets with new principals and cluster representatives and conducts other outreach activities.

Mr. Romero asked about the scale of use by CUPF. He suggested a life-cycle cost analysis or other information to work together to develop a fee structure or supplement for actual costs. Dr. Weast replied that the school system has the data, and the usage of the facility is covered by funds for repair or renovation. Mr. Hawes added that the analysis was to determine the cost to get all buildings in good working order with preventive, operating, and capital replacement. The school system is far short of the funding it would require, and there is a portion that should come from outside users. With those numbers, the ICB agreed to hire a consultant to recommend solutions.

Dr. Weast reiterated that the discussion was really about funding. There needs to be coordination and communication, but, in the life-cycle of the buildings, the cost is greater than the reimbursement.

Re: BOARD/SUPERINTENDENT COMMENTS

Ms. Cox noted that this was Mr. Felton's last meeting as a Board member. She thanked him for his nine years of service.

Mr. Felton commented that it was a pleasure to serve on the Board, and he enjoyed every Board and all the meetings.

Mrs. O'Neill commented that it was a privilege to serve with Mr. Felton, and she remembered the good and the tough times. His humor and compassion helped the Board through those times. She stated that she would miss him as a colleague at the Board table.

Dr. Weast agreed that the Board would miss Mr. Felton. However, he thought Mr. Felton would soon find himself in public service. The school system had won a gold medallion award from the National Public Relations Association for the redesigned Web site. Also, there is a new guide to MCPS called *Navigating the System*. Finally, he thanked Walter Johnson High School on how it handled a very difficult situation with the death of the lacrosse captain.

Mr. Lange noted that the Board was involved in graduations, and he thought it was significant that so many students have been accepted to universities and have received scholarships. There are a number of students who are the first in their family to receive a high school diploma. Also, he was very impressed with the hands-on experience provided students through the Construction Trades Foundation.

Mr. Romero commented that he was very impressed with the Fox Chapel Opera and the costumes. Also, the graduation of MCPS students is very inspiring.

Mr. Sanghvi reported that he will be teaching a workshop on involving students in student government.

Mrs. O'Neill thought the best part of being a Board member was the graduations. Also, the opera programs are wonderful since the operas are student produced from the writing of the operas to the performances.

Mr. Burnett commented that each graduation is very different, and he will miss officiating at graduations after his term on the Board.

Dr. Haughey attended the awards ceremony for the Middle Years Programme, signature programs, and student legislative hearings. He was very impressed with the education in middle schools.

Ms. Cox reported that the parents and students of the Middle Years Programme were very happy with Dr. Haughey's resolution to award those students certificates. She echoed her colleagues' sentiments about graduations, and the hard work of students, parents, and staff.

**Mr. Felton left the meeting.

RESOLUTION NO. 329-04 Re: CLOSED SESSION RESOLUTION

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

WHEREAS, The Board of Education of Montgomery County is authorized by the *Education Article* and *State Government Article of the Annotated Code of Maryland* to conduct certain

meetings or portions of its meetings in closed sessions; now therefore be it

Resolved, That the Board of Education of Montgomery County conduct a closed session on Monday, June 21, 2004, in Room 120 of the Carver Educational Services Center to meet from 4:30 to 6:00 and 7:00 to 7:30 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. 330-04 Re: REPORT OF CLOSED SESSION

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

On May 24, 2004, 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 May 24, 2004, from 7:00 to 7:35 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and adjudicated the following appeals in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*) with a subsequent vote to approve in open session: 2004-14, T-2004-4, and T-2004-5.
2. Reviewed the Superintendent's recommendation for Human Resources Appointments, subsequent to which the votes to approve were taken in open session.
3. 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 sessions were: Larry Bowers, Kermit Burnett, Sharon Cox, Reggie Felton, Walt Gibson, Charles Haughey, Roland Ikheloa, Don Kress, Frieda Lacey, Walt Lange, George Margolies, Pat O'Neill, Brian Porter, Cynthia Rattley, Lori Rogovin, Gabe Romero, Glenda Rose, Sagar Sanghvi, Greg Thornton, Matt Tronzano, and Jerry Weast.

RESOLUTION NO. 331-04 Re: **APPOINTMENTS TO BOARD COMMITTEES – FAMILY LIFE AND HUMAN DEVELOPMENT**

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

WHEREAS, COMAR 13A.04.18 requires that local education agencies have a citizens advisory committee; and

WHEREAS, Montgomery County has had a Citizens Advisory Committee for Family Life and Human Development since 1970, consisting of representatives of various associations and organizations, community members at large, and student representatives; now therefore be it

Resolved, That the Board hereby expand the “community-at-large” category by one so as to establish the overall membership of the committee at thirty (30) and be it further;

Resolved, That the following individuals be appointed to serve a two-year term effective July 1, 2004, and ending June 30, 2006:

David Fishback
Tijuana A. James-Traore
Jackie Rice
Sheron Rosen
Arthur Williams

and be it further

Resolved, That the following students be appointed to serve a one-year term effective July 1, 2004, and ending June 30, 2005.

Sasha Belinkie
Andrew Bennett
Annika Patel
Jasmine Sarjeant

RESOLUTION NO. 332-04 Re: **APPOINTMENTS TO BOARD COMMITTEES – ETHICS PANEL**

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

WHEREAS, On February 29, 1984, the Ethics Panel was established by the Board of Education; and

WHEREAS, The members of the Ethics Panel are appointed by the Board of Education; and

WHEREAS, The Board expanded the panel on June 10, 2003, from three to five members; and

WHEREAS, One vacancy exists on the five-member panel; now therefore be it

Resolved, That the following individual be appointed to serve a three-year term effective July 1, 2004, and ending June 30, 2007.

Anthony M. Kern

Re: **APPOINTMENTS TO BOARD COMMITTEES –
COLLABORATION BOARD FOR CAREER AND
TECHNOLOGY EDUCATION**

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

WHEREAS, On January 13, 2004, the Montgomery County Collaboration Board (MCCB) for Career and Technology Education was established by the Board of Education; and

WHEREAS, On January 20, 2004, the Montgomery County Collaboration Board for Career and Technology Education was established by the Montgomery College Board of Trustees; and

WHEREAS, The Montgomery County Collaboration Board for Career and Technology Education is comprised of the nominees of the eleven Career Cluster Advisory Boards jointly appointed by Montgomery College and Montgomery County Public Schools and one additional student member nominated by the president of Montgomery College and the superintendent of schools, respectively; and

WHEREAS, The nominees of the Career Cluster Advisory Boards are its presidents, widely diverse in gender and ethnicity as a group, and all represent business/governmental agencies; and

WHEREAS, The membership of the Montgomery County Collaboration Board for Career and Technology Education, pursuant to the resolutions adopted this past January, is appointed jointly by the Board of Education and the Board of Trustees of Montgomery College; now

therefore be it

Resolved, That the following individuals be appointed, subject to the concurrence of the Board of Trustees, to serve a one-year term effective July 1, 2004, and ending June 30, 2005:

Mark Drury	Construction and Development
Stu Kravits	Arts, Humanities, Media, and Communications
Tom DeGonia	Law, Government, Public Safety, and Administration
Eugene Rose	Environmental, Agricultural and Natural Resources
Michael Furr	Business Management and Finance
Teri Hollander	Education, Training, and Child Studies
Marshall Weston	Human and Consumer Services, Hospitality, and Tourism
Siddharth Mathur	Engineering, Scientific Research, and Manufacturing Technologies
Lisa McDonald	Biosciences, Health Science, and Medicine
Harold Redden	Transportation, Distribution, and Logistics
KC Shore	Information Technology
Ben Moskowitz	MCPS student member
TBD	MC student member

and be it further

Resolved, That Mark Drury is appointed President of the Montgomery County Collaboration Board for Career and Technology Education for a three-year term, upon the concurrence of the Board of Trustees.

RESOLUTION NO. 333-04 Re: **AN AMENDMENT TO THE APPOINTMENTS TO BOARD COMMITTEES – COLLABORATION BOARD FOR CAREER AND TECHNOLOGY EDUCATION**

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

Resolved, That the Board of Education amend the appointment as follows:

Resolved, That the following individuals be appointed, subject to the concurrence of the Board of Trustees, to serve a one-year term effective July 1, 2004, and ending June 30, 2005:

Mark Drury	Construction and Development
Stu Kravits	Arts, Humanities, Media, and Communications
Tom DeGonia	Law, Government, Public Safety, and Administration

Eugene Rose	Environmental, Agricultural and Natural Resources
Michael Furr	Business Management and Finance
Teri Hollander	Education, Training, and Child Studies
Marshall Weston	Human and Consumer Services, Hospitality, and Tourism
Siddharth Mathur	Engineering, Scientific Research, and Manufacturing Technologies
Lisa McDonald	Biosciences, Health Science, and Medicine
Harold Redden	Transportation, Distribution, and Logistics
KC Shore	Information Technology
Ben Moskowitz	MCPS student member
TBD	MC student member

and be it further

Resolved, That Mark Drury be appointed President **and member (Construction and Development)** of the Montgomery County Collaboration Board for Career and Technology Education for a three-year term, upon the concurrence of the Board of Trustees.

RESOLUTION NO. 334-04 Re: **APPOINTMENTS TO BOARD COMMITTEES – COLLABORATION BOARD FOR CAREER AND TECHNOLOGY EDUCATION**

On motion of Dr. Haughey and seconded by Mr. Lange, the following resolution, as amended, was adopted unanimously by members present:

WHEREAS, On January 13, 2004, the Montgomery County Collaboration Board (MCCB) for Career and Technology Education was established by the Board of Education; and

WHEREAS, On January 20, 2004, the Montgomery County Collaboration Board for Career and Technology Education was established by the Montgomery College Board of Trustees; and

WHEREAS, The Montgomery County Collaboration Board for Career and Technology Education is comprised of the nominees of the eleven Career Cluster Advisory Boards jointly appointed by Montgomery College and Montgomery County Public Schools and one additional student member nominated by the president of Montgomery College and the superintendent of schools, respectively; and

WHEREAS, The nominees of the Career Cluster Advisory Boards are its presidents, widely diverse in gender and ethnicity as a group, and all represent business/governmental agencies; and

WHEREAS, The membership of the Montgomery County Collaboration Board for Career and Technology Education, pursuant to the resolutions adopted this past January, is appointed jointly by the Board of Education and the Board of Trustees of Montgomery College; now therefore be it

Resolved, That the following individuals be appointed, subject to the concurrence of the Board of Trustees, to serve a one-year term effective July 1, 2004, and ending June 30, 2005:

Stu Kravits	Arts, Humanities, Media, and Communications
Tom DeGonia	Law, Government, Public Safety, and Administration
Eugene Rose	Environmental, Agricultural and Natural Resources
Michael Furr	Business Management and Finance
Teri Hollander	Education, Training, and Child Studies
Marshall Weston	Human and Consumer Services, Hospitality, and Tourism
Siddharth Mathur	Engineering, Scientific Research, and Manufacturing Technologies
Lisa McDonald	Biosciences, Health Science, and Medicine
Harold Redden	Transportation, Distribution, and Logistics
KC Shore	Information Technology
Ben Moskowitz	MCPS student member
TBD	MC student member

and be it further

Resolved, That Mark Drury be appointed President and member (Construction and Development) of the Montgomery County Collaboration Board for Career and Technology Education for a three-year term, upon the concurrence of the Board of Trustees.

RESOLUTION NO. 335-04 Re: MINUTES OF THE JANUARY 28, 2004, MEETING

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

Resolved, That the Board of Education approve the minutes for its January 28, 2004, meeting.

RESOLUTION NO. 336-04 Re: MINUTES OF THE JANUARY 29, 2004, MEETING

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

Resolved, That the Board of Education approve the minutes for its January 29, 2004, meeting.

RESOLUTION NO. 337-04 Re: MINUTES OF THE MARCH 9, 2004, MEETING

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

Resolved, That the Board of Education approve the minutes for its March 9, 2004, meeting.

RESOLUTION NO. 338-04 Re: APPEAL T-2004-6

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

Resolved, That the Board of Education adopt its Order in Appeal T-2004-6, 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.

RESOLUTION NO. 339-04 Re: APPEAL T-2004-7

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

Resolved, That the Board of Education adopt its Order in Appeal T-2004-7, 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

There was no new business.

Re: ITEMS OF INFORMATION

The following information was available:

1. Legal Fees Report
2. Construction Progress Report

RESOLUTION NO. 340-04 Re: ADJOURNMENT

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

Resolved, That the Board of Education adjourn its meeting of June 8, 2004, at 5:30 p.m.

PRESIDENT

SECRETARY

JDW:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

June 8, 2004

CLOSED SESSION	1
APPROVAL OF THE AGENDA	2
LEADERSHIP MONTGOMERY YOUTH COMMUNITY SERVICE LEADERSHIP AWARDS	2
PUBLIC COMMENTS	3
UPDATE ON TEACHER PROFESSIONAL GROWTH SYSTEM EVALUATION – YEAR 3	3
LUNCH AND CLOSED SESSION	9
CONTRACTS OF \$25,000 OR MORE	9
CLARKSBURG/DAMASCUS ELEMENTARY SCHOOL #7 – LAND EXCHANGE AGREEMENT AND CONSTRUCTION AND GRADING EASEMENT AGREEMENT	14
LEASE RENEWAL – RELOCATABLE CLASSROOM BUILDINGS	15
AWARD OF CONTRACT – OAK VIEW ELEMENTARY SCHOOL	16
AWARD OF CONTRACT – MIDDLE SCHOOL MAGNET FACILITY MODERNIZATION	17
ENGINEERING APPOINTMENT – HVAC REPLACEMENT PROGRAM	18
CONTRACT EXTENSION – ENVIRONMENTAL SAFETY TESTING SERVICES	18
APPOINTMENT OF MCPS EMPLOYEE’S RETIREMENT AND PENSION SYSTEM INVESTMENT TRUSTEE	19
UTILIZATION OF THE FY 2004 PROVISION FOR FUTURE SUPPORTED PROJECTS FUNDS	20
RECOMMENDED FY 2005 FEES FOR THE FOOD AND NUTRITION SERVICES	20
HUMAN RESOURCES MONTHLY REPORT	21
APPOINTMENTS	21
MONTHLY FINANCIAL REPORT	22
PRELIMINARY PLANS – CLARKSBURG/ DAMASCUS ELEMENTARY SCHOOL #7	23
PRELIMINARY PLANS – DOWNCOUNTY CONSORTIUM ELEMENTARY SCHOOL #28	23
ADOPTION OF THE FY 2005 OPERATING BUDGET	23
TENTATIVE ACTION ON POLICY AEB – <i>LONG RANGE PLANNING</i>	28
FINAL ACTION ON POLICY JED – <i>RESIDENCY, TUITION, AND ENROLLMENT</i>	30

FINAL ACTION ON POLICY JED – RESIDENCY, TUITION, AND ENROLLMENT 35

PRESENTATION ON THE COMMUNITY USE OF SCHOOLS 40

BOARD/SUPERINTENDENT COMMENTS 42

CLOSED SESSION RESOLUTION 44

REPORT OF CLOSED SESSION 44

APPOINTMENTS TO BOARD COMMITTEES – FAMILY LIFE AND HUMAN DEVELOPMENT 45

APPOINTMENTS TO BOARD COMMITTEES – ETHICS PANEL 46

**APPOINTMENTS TO BOARD COMMITTEES – COLLABORATION BOARD FOR CAREER AND
TECHNOLOGY EDUCATION 46**

MINUTES 50

APPEALS 50

NEW BUSINESS 50

ITEMS OF INFORMATION 50

ADJOURNMENT 50