

APPROVED
19-2007

Rockville, Maryland
August 23, 2007

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Thursday, August 23, 2007, at 1:00 p.m.

Present: Ms. Shirley Brandman, Vice President
in the Chair
Mr. Steve Abrams
Mr. Christopher Barclay
Ms. Sharon Cox
Dr. Judy Docca
Mr. Ben Moskowitz
Mrs. Patricia O'Neill
Dr. Jerry Weast, Secretary/Treasurer

Absent: Mrs. Nancy Navarro

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

RESOLUTION NO. 411-07 Re: **RESOLUTION FOR CLOSED SESSIONS**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on August 23, 2007, in Room 120 from 10:00 a.m. to 1:00 p.m. and 3:45 to 4:00 p.m.; 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 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 dedicate part of the closed session on August 23, 2007, to acquit its administrative 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 the meeting continue in closed session until the completion of business.

Re: **PLEDGE OF ALLEGIANCE**

"I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

RESOLUTION NO. 412-07 Re: **AN AMENDMENT TO THE AGENDA**

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

Resolved, That the Board of Education amend the agenda to add Item 7.0 – Discussion of the Office of Legislative Oversight Work Plan.

RESOLUTION NO. 413-07 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for August 23, 2007, as amended.

RESOLUTION NO. 414-07 Re: **RECOGNITION OF FLORA M. SINGER**

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

WHEREAS, The Board of Education seeks to strengthen student knowledge about the Holocaust in Europe before and during the Second World War through its comprehensive curriculum in social studies, English literature, and library media services and its professional development of teachers and other staff on the effects of the Holocaust on American culture and education and world history; and

WHEREAS, Mrs. Flora M. Singer brings exceptional insights and expertise on the subject of the Holocaust as a survivor and witness; as a teacher of foreign languages in the Montgomery County Public Schools (MCPS) at Albert Einstein High School, Cabin John Middle School, and Walt Whitman High School prior to her retirement in 1993; and as the co-creator of the MCPS in-service course for teachers and staff on the Holocaust; and

WHEREAS, Mrs. Singer enriched the world with her recently published memoir, *Flora—I was but a Child*, which provides a moving portrait of survival, of family, and of the goodness of people during her experiences as a young girl in Belgium during the horrors of the Holocaust and its aftermath; and

WHEREAS, in this poignant lesson about humanity, Mrs. Singer also portrays her life in the United States, including her marriage, children, and eventual career with students and staff of MCPS, giving testimony to the richness and potential of the human spirit; now therefore be it

Resolved, That the Board of Education recognizes Mrs. Flora M. Singer for her outstanding contribution to the body of world knowledge and understanding about the personal impact of the Holocaust through her stirring narrative testimony in the memoir, *Flora—I was but a Child*; and be it further

Resolved, That the Board of Education gratefully expresses its recognition of Mrs. Singer for her exceptional work as a teacher of foreign languages in the Montgomery County Public Schools and as an educator who co-created the school system's in-service program on the Holocaust, turning the often horrifying events of her youth into important instruction about persecution and bigotry, as well as human kindness, wisdom, and selflessness.

RESOLUTION NO. 415-07 Re: **APPRECIATION FOR DONALD R. MCCOMB**

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

WHEREAS, The Board of Education welcomes the donation of important materials of instruction for students, teachers, and staff of the Montgomery County Public Schools (MCPS) concerning the Holocaust in Europe before and during the Second World War and its aftermath, for use in its comprehensive curriculum in social studies, literature, and diversity; and

WHEREAS, Mr. Donald R. McComb, through his career as a science teacher at Springbrook High School and Gaithersburg High School, prior to retirement in 2003, often supported the collection of written testimonies, oral histories, and artifacts related to the Holocaust through the United States Holocaust Museum, culminating in a significant recent contribution to MCPS of copies of the newly published memoir, *Flora—I was but a Child*, by Mrs. Flora M. Singer, a former MCPS teacher whose book provides a compelling portrait of her experiences as a girl in Belgium and survivor of the Holocaust; and

WHEREAS, Mr. McComb generously donated copies of this important book for all members of the Board of Education, the superintendent of schools, and all high school principals for placement in their media centers as an instructional resource for teachers of social studies and English literature and as a library resource for high school students; and

WHEREAS, The book, *Flora—I was but a Child*, is approved by the Office of Evaluation and Selection for inclusion among instructional materials for students in Grade 9 and above; now therefore be it

Resolved, That the Board of Education gratefully expresses its appreciation to Mr. Donald R. McComb for his generosity in donating to the Montgomery County Public Schools (MCPS) copies of the remarkable memoir, *Flora—I was but a Child*, by Mrs. Flora M. Singer, a Holocaust survivor and former MCPS teacher, and bringing this important work to the attention of the school system as a valuable resource for instruction in social studies, English literature, and all curriculum for students and staff on the effects and lessons of the Holocaust.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Robert Ladden	Policy for MCPS Staff to Advocate and Communicate
2.	Bill Offutt	Montgomery County History
3.	Chris Lloyd	Good Support from Central Office
4.	Wesley Sye	Early Entrance into Kindergarten
5.	Charles Sye	Early Entrance into Kindergarten
6.	Madelyn Hamilton	Early Entrance into Kindergarten

Mrs. O'Neill asked the superintendent to ascertain how much Montgomery County history is included in the curriculum.

Mr. Abrams stated that the Policy Committee at its next meeting will review issues related to early entrance to kindergarten. Hopefully, there will be clarity to the process, standards, and communicated to the public.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast commented that Raul Ortiz, named Montgomery County Teacher of the Year last April, has been selected as one of seven finalists for the 2007–2008 Maryland Teacher of the Year. State Superintendent of Schools Nancy Grasmick announced the selection of the finalists today. Second, the Class of 2007 earned \$91 million worth of scholarships, which is very impressive. Third, Dr. Weast thanked Mr. Bowers, Mr. Doody, and Ms. DeGraba for the Association of School Business Officials Award. Finally, he noted that the ACT scores have been announced, which is an academic test. More students in Montgomery County are taking the test, and they did very well.

Mrs. O'Neill mentioned that there are so few ACT testing centers in Montgomery County that many students were denied testing. Many schools will accept the ACT in lieu of the SAT and SAT2. More students should be encouraged to take the ACT.

Mr. Barclay commented on the staff at Broad Acres Elementary School and the community walk he did with them to meet the community. The students were excited to see their teachers and most students are ready to get back to back.

Mr. Moskowitz was pleased that the data points in the Strategic Plan had added ACT participation and performance in addition to SAT. Students have to feel safe in class in order to be able to learn. He attended a drill at Clarksburg High School with a scenario involving police, fire, and rescue personnel. It is great that the county plans and refines reactions to dangerous situations.

Dr. Docca attended the summer school graduation. There were very different stories, but they were very happy to graduate. Most were going to Montgomery College for classes.

Mrs. O'Neill noted that staff is back to work, sports teams are practicing, and the students need to finish summer reading. Tomorrow, there will be a press conference on pedestrian safety.

Mrs. Brandman noted that she represented the Board regarding the expansion of full-day Head Start in ten schools. It is exciting to offer more time to the younger children to learn and grow.

RESOLUTION NO. 416-07 Re: **CONTRACTS OF \$25,000 OR MORE**

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

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

WHEREAS, Funds have been budgeted and/or identified for the lease/purchase of two copiers through Bid No. 4139.1; and

WHEREAS, Funds have been budgeted and/or identified for the lease/purchase of a refrigerated cargo truck through Bid No. 7104.4; and

WHEREAS, The acquisition and lease/purchase of two copiers and a refrigerated cargo truck have been reviewed by legal counsel; now therefore be it

Resolved, That the purchase of two copiers through Bid No. 4139.1 in the amount of \$45,882 be leased/purchased for a five-year term under the Master Lease/Purchase Agreement with Carlyle Financial Services; and be it further

Resolved, That the purchase of a refrigerated cargo truck through Bid No. 7104.4 in the amount of \$101,845 be leased/purchased for a five-year term under the Master Lease/Purchase Agreement with Carlyle Financial Services; and be it further

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

Resolved, That the Montgomery County Board of Education president and the superintendent of schools be authorized to execute the documents necessary for these transactions; and be it further

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

4042.4 Boiler Supplies and Associated Materials—Extension
and
9406.1

Awardees

Complete Boiler Systems	\$ 90,000
M & M Controls, Inc.	37,500
Noland Company	128,935
Southern Utilities Company, Inc.	164,590
HM Sweeney Company	14,979
Tate Engineering Systems, Inc.	<u>31,000</u>
Total	\$ 467,004

4047.5 Flooring Materials—Extension

Awardees

B&B Concepts*	\$ 32,975
Capitol Building Supply	6,614
Continental Flooring Company	

7,414

Total	\$ 47,003
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4094.3 Lamps—Extension

Awardees

Atlantic Electric Supply Corporation	\$ 522
C.N. Robinson Lighting Supply Company	568,899
Scott Electric	25,389
Vehicle Maintenance Program, Inc.*	1,771
Video Service of America, Inc.*	<u>21,364</u>

	Total	\$ 617,945
4102.3	Recycled Toner Cartridges—Extension	
	<u>Awardee</u> PS Data Supply	\$ 315,982
4139.1	Copier Systems	
	<u>Awardee</u> BCE Corporation*	\$ 45,882
7104.4	Refrigerated Cargo Truck	
	<u>Awardee</u> K Neal International Trucks, Inc.*	\$ 101,845
9006.3	Shade/Upholstery Material—Extension	
	<u>Awardees</u> Crown Shade Company	\$ 129,721
	Dymalon, Inc.*	4,081
	Frankel Associates, Inc.	38,130
	Loktite, Inc.	3,304
	Mileham & King, Inc.	4,465
	Tedco Industries, Inc.	<u>16,609</u>
	Total	\$ 196,310
9015.4	Ceiling Board and Grid System Materials—Extension	
	<u>Awardees</u> B&B Concepts*	\$ 18,626
	Capitol Building Supply	<u>49,827</u>
	Total	\$ 68,453
9028.2	Tree Removal Service—Extension (See note page 5)	
	<u>Awardees</u> Davey Tree Expert Company	60,000
	Mead Tree & Turf Care, Inc.	<u>60,000</u>
	Total	\$ 120,000
9054.4	Playground Equipment—Extension	

Awardees

Playground Specialist	\$ 129,874
West Recreation, Inc.	<u>137,308</u>
Total	\$ 267,182

9101.11 Processed Meats and Refrigerated and Frozen Foods

Awardees

Dori Foods, Inc.	\$ 367,940
East Side Entrees	45,296
Foodco USA*	16,464
Foodpro	36,135
Hadley Farms, Inc.	218,730
Karetas Foods, Inc.	69,525
PFG-Carroll County Foods, Inc.*	473,771
H. Schrier & Company, Inc.	179,710
Sysco Food Services of Baltimore, LLC	90,233
The JM Smucker Company	<u>959,040</u>
Total	\$2,456,844

9103.9 Groceries and Staples

Awardees

Dori Foods, Inc.	\$ 387,851
Eastern Food Services, Inc.*	356,613
Interstate Gourmet Coffee Roasters, Inc.	31,224
Key Mix Corporation	14,080
MR Enterprises, Inc.*	21,447
PFG-Carroll County Foods, Inc.*	15,700
Sysco Food Services of Baltimore, LLC	<u>619,431</u>
Total	\$1,446,346

9111.4 Pizza, Baked–Frozen

Awardees

Conagra Foods, Inc.	\$ 392,600
Rich Products Corporation	390,000
Schwan's Food Service*	<u>525,300</u>
Total	\$1,307,900

9113.3 Smoothie Beverages and Equipment

Awardee

Ridgefield's Brand Corporation	\$ 225,232
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9120.2	Milk, Other Dairy Products, and Fruit Juices—Extension	
	<u>Awardee</u>	
	Dairy Maid Dairy, Inc.	\$ 2,127,611
9133.2	Groceries and Disposables—Direct Delivery—Extension	
	<u>Awardee</u>	
	Sysco Food Services of Baltimore, LLC	\$ 30,000
9181.3	Masonry Thru-Wall Flashing and Waterproofing—Extension**	
	<u>Awardee</u>	
	Walker Willis/T/A Custom Masonry	\$ 750,000
TOTAL PROCUREMENT CONTRACTS OVER \$25,000		\$10,591,539

* 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. 417-07 Re: **AWARD OF CONTRACT – BROOKHAVEN AND MEADOW HALL ELEMENTARY SCHOOL GYMNASIUM PROJECTS**

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

WHEREAS, The following sealed bids were received on July 10, 2007, for the Brookhaven and Meadow Hall elementary schools gymnasium projects:

<u>Bidder</u>	Brookhaven Elementary School	Meadow Hall Elementary School	Combined Bid
William F. Klingensmith, Inc.	\$2,039,000	\$2,308,500	\$4,347,500
Tuckman-Barbee Construction Co., Inc.	2,237,000	2,467,473	4,704,473

and

WHEREAS, The low bidder, William F. Klingensmith, Inc., has submitted 2.6 percent Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise

(MBE) participation, of which .7 percent is women-owned and 1.9 percent is other MDOT-certified; and

WHEREAS, William F. Klingensmith, Inc. has submitted a waiver for the balance of the MDOT-certified MBE participation; and

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

WHEREAS, William F. Klingensmith, Inc. has completed similar work successfully for the Montgomery County Public Schools; and

WHEREAS, The mayor and the City Council of Rockville have included funds in their FY 2007 Capital Budget for the Meadow Hall Elementary School project to fund additional square feet for the new gymnasium and add a small section of spectator bleachers for community events; and

WHEREAS, This type of cooperative agreement has been successfully implemented at other school facilities within incorporated city limits in Montgomery County; and

WHEREAS, The architectural plans for the larger gymnasium at Meadow Hall Elementary School have been bid as an alternate; now therefore be it

Resolved, That the Board of Education agrees to accept the contribution from the mayor and City Council of Rockville to fund a larger gymnasium for Meadow Hall Elementary School; and be it further

Resolved, That a \$300,000 FY 2008 special appropriation request and amendment to the FY 2007–2012 Capital Improvements Program be requested for the design and construction of the proposed gymnasium addition for Meadow Hall Elementary School, contingent on the mayor and City Council of Rockville contributing a similar amount to fund the improvements; and be it further

Resolved, That the County Council be requested to accept a contribution of \$300,000 from the mayor and City Council of Rockville for improvements to the proposed gymnasium addition at Meadow Hall Elementary School; and be it further

Resolved, That a \$4,347,500 contract be awarded to William F. Klingensmith, Inc. for the Brookhaven and Meadow Hall elementary schools gymnasium projects, in accordance with drawings and specifications prepared by Delmar Architects, P.A.; and be it further

Resolved, That this resolution be forwarded to the county executive requesting that it be recommended to the County Council.

RESOLUTION NO. 418-07 Re: **AWARD OF CONTRACTS – FRANCIS SCOTT KEY MIDDLE SCHOOL**

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

WHEREAS, On September 14, 2006, the Board of Education authorized staff to utilize a construction management process for the Francis Scott Key Middle School modernization project and awarded a contract for preconstruction services to Hess Construction Company, Inc.; and

WHEREAS, The following low bids were received on July 25, 2007, for the specified trades for the Francis Scott Key Middle School project:

<u>Low Bids</u>	<u>Amount</u>
Sitework and Utilities – Ross Contracting, Inc.	\$3,980,000
Asphalt – Ross Contracting, Inc.	474,000
Concrete – Canyon Contracting, Inc.	1,469,000
Masonry – KaRon Masonry, Inc.	3,990,000
Metals – S.A. Halac Iron Works, Inc.	3,590,000
Roofing – R. D. Bean, Inc.	725,480
Windows, Glass and Glazing – Engineered Construction Products, Ltd.	891,265
Gypsum and Acoustical – Finishes, Inc.	547,000
Food Service Equipment – H. Mak, Inc.	332,655
Electrical – New Spectrum Electric, Inc.	3,159,300

and

WHEREAS, The Minority Business Enterprise participation will be reported at the completion of all bid activity for this project; and

WHEREAS, The low bidders have completed similar work successfully for the Montgomery County Public Schools and/or other jurisdictions; now therefore be it

Resolved, That contracts be awarded to the above-mentioned trade contractors meeting specifications for the Francis Scott Key Middle School modernization project, for the amounts listed, in accordance with drawings and specifications prepared by The Lukmire Partnership, Inc.

RESOLUTION NO. 419-07 Re: **AWARD OF CONTRACT – SUMMIT HALL ELEMENTARY SCHOOL-BASED HEALTH CENTER**

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

WHEREAS, The following sealed bids were received on June 19, 2007, for the School-based Health Center at Summit Hall Elementary School:

<u>Bidder</u>	<u>Amount</u>
Keller Brothers, Inc.	\$1,291,000
R. J. Crowley, Inc.	1,331,440
Roy Kirby & Sons, Inc.	1,529,700
Capitol Technology Services, Inc.	1,549,200

and

WHEREAS, The low bidder, Keller Brothers, Inc., has submitted one percent other Maryland Department of Transportation (MDOT)-certified Minority Business Enterprise (MBE) participation; and

WHEREAS, A large percentage of the contract work is self-performed by the low bidder, and there are limited opportunities for subcontracting on this type of project; and

WHEREAS, Keller Brothers, Inc., has submitted a waiver for the balance of the MDOT-certified MBE participation; and

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

WHEREAS, The project is being funded by the Montgomery County Department of Health and Human Services; and

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

WHEREAS, Funds are available to award the contract; and

WHEREAS, The low bidder, Keller Brothers, Inc., has completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That a \$1,291,000 contract be awarded to Keller Brothers, Inc. for the School-based Health Center at Summit Hall Elementary School, in accordance with drawings and specifications prepared by Smolen-Emr + Associates Architects; and be it further

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

RESOLUTION NO. 420-07 Re: **ARCHITECTURAL APPOINTMENT – BETHESDA-CHEVY CHASE HIGH SCHOOL ADDITION**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Bethesda-Chevy Chase High School addition project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$1,100,000; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2008 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Bignell Watkins Hasser Architects, P.C. as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural services that include two Maryland Department of Transportation-certified minority firms; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Bignell Watkins Hasser Architects, P.C. to provide professional architectural and engineering services for the Bethesda-Chevy Chase High School addition for a fee of \$125,241.

RESOLUTION NO. 421-07 Re: **CONSULTANT APPOINTMENT – NORTHWOOD HIGH SCHOOL SITE IMPROVEMENTS**

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

WHEREAS, It is necessary to appoint an engineering firm to provide professional civil engineering services for site improvements for Northwood High School; and

WHEREAS, A Professional Consultant Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Adtek

Engineers, Inc. as the most qualified firm to provide the necessary professional civil engineering services; and

WHEREAS, Staff has negotiated a fee for these services; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the firm of Adtek Engineers, Inc. to provide professional civil engineering services for site improvements for Northwood High School for a fee of \$185,018.

RESOLUTION NO. 422-07 Re: **SPECIAL APPROPRIATION REQUEST – FORWARD FUNDING OF QUALIFIED ZONE ACADEMY BOND GRANTS**

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

WHEREAS, In FY 2008, the State was authorized to issue Qualified Zone Academy Bond (QZAB) Grants for eligible school construction projects; and

WHEREAS, The State Legislature allocated \$620,000 for the Montgomery County Public Schools as part of the FY 2008 State Capital Improvements Program; and

WHEREAS, The State Public School Construction Program requires that the approved QZAB projects be completed before reimbursement can occur; and

WHEREAS, A special appropriation from the County Council is required to forward fund the QZAB projects; and

WHEREAS, The State Public School Construction Program will reimburse Montgomery County for the entire cost of the projects once completed; now therefore be it

Resolved, That the Montgomery County Board of Education requests an FY 2008 special appropriation in its Amended FY 2007–2012 Capital Improvements Program in the amount of \$620,000 from the County Council to forward fund the Qualified Zone Academy Bond Grants program; and be it further

Resolved, That a copy of this resolution be transmitted to the county executive requesting approval of this action by the County Council.

RESOLUTION NO. 423-07 Re: **GRANT OF UTILITY EASEMENTS AT COL. ZADOK MAGRUDER HIGH SCHOOL**

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

WHEREAS, Staff negotiated a Lease Agreement for Telecommunications with T-Mobile Northeast, LLC to permit the installation of a telecommunications monopole at Col. Zadok Magruder High School, located at 5939 Muncaster Mill Road, Rockville, Maryland, in accordance with Board of Education Policy ECN, *Telecommunications Transmission Facilities*; and

WHEREAS, The Lease Agreement is conditioned upon granting easements to the local utility and telecommunications companies to provide service to their equipment; and

WHEREAS, The Potomac Electric Power Company has requested a grant of a five-foot wide utility easement consisting of 1,681 square feet to install, reconstruct, and maintain underground electric power and energy transmission and distribution facilities to serve the proposed telecommunications monopole; and

WHEREAS, Verizon Communications, Inc. has requested a separate grant of a 10-foot wide utility easement consisting of 11,409 square feet to install; operate; and maintain wires, cables, vaults, manholes, and appurtenant equipment to serve the proposed telecommunications monopole; and

WHEREAS, The easements will not affect any land that could be used for school programming and recreational facilities; and

WHEREAS, All construction, restoration, and future maintenance will be performed without the disruption of the instructional program and at no cost to the Board of Education, with Potomac Electric Power Company and Verizon Communications, Inc. and their contractors assuming liability for all work; now therefore be it

Resolved, That the president of the Montgomery County Board of Education and the superintendent of schools be authorized to execute a grant of utility easement and right-of-way of 1,681 square feet to the Potomac Electric Power Company at Col. Zadok Magruder High School; and be it further

Resolved, That the president of the Montgomery County Board of Education and the superintendent of schools be authorized to execute a grant of utility easement and right-of-way of 11,409 square feet to Verizon Communications, Inc. at Col. Zadok Magruder High School.

RESOLUTION NO. 424-07

Re: **UTILIZATION OF THE FY 2008 PROVISION FOR FUTURE SUPPORTED PROJECTS FUNDS**

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

WHEREAS, The above-noted grants qualify for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 16-165, approved May 24, 2007; and

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

WHEREAS, Sufficient appropriation is available, within the FY 2008 Provision for Future Supported Projects, to permit the above-noted transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2008 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Amount</u>
Montgomery County Public Schools Defined Contribution Web Site	\$ 30,089
Transition to Biodiesel Fuel	<u>50,000</u>
 Total	 <u>\$ 80,089</u>

and be it further

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

RESOLUTION NO. 425-07 Re: HUMAN RESOURCES MONTHLY REPORT

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

Resolved, That the Board of Education approved the Human Resources Monthly Report dated August 23, 2007.

RESOLUTION NO. 426-07 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective August 24, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Sherwin Collette	Acting Chief Technology Officer	Chief Technology Officer

RESOLUTION NO. 427-07 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective August 24, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Kay Williams	Supervisor, Special Initiatives	Director, Division of Accelerated and Enriched Instruction

RESOLUTION NO. 428-07 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective August 24, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Terri McCauley	Coordinator of Physical Education	Supervisor, Health and Physical Education

RESOLUTION NO. 429-07 Re: HUMAN RESOURCES APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective August 24, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Barbara Armstrong	Instructional Specialist	Coordinator, Special Initiatives, OCIP

Re: READINESS FOR OPENING SCHOOLS

Dr. Weast encouraged staff and parents to work together for the academic success of all students. Central office staff has monitored many projects during the summer to ensure that everything is ready for students.

Mr. Larry Bowers, chief operating officer, briefed the Board on activities of staff, including opening 300,033 square feet of new space and over 400,000 square feet has been modernized. Twenty-five schools will have projects ongoing this coming year. Thirteen

more projects have been bid for completion this coming year. Also, there were 150 systemic capital projects for roof, heating/air conditioning, ADA, asbestos abatement, and bathroom renovations, among other projects. In Human Resources, 800 teachers, 200 supporting services employees, and 150 administrators have been hired. There is a new Financial Management System, thousands of orders have been process, 9,000 computers ordered and distributed, Pinnacle grade book is in all high schools, and TechMod in 43 schools. Applications for meals in different languages, residency requirements, and vaccinations for students are in process.

Ms. Cox inquired about training for school staff so that they can assess threats in school and the community. Mr. Bowers stated that MCPS is working with the police and homeland security

Dr. Freda Lacey, deputy superintendent, reported that this summer staff has worked on many issues, including the Administrative and Supervisory meeting which served as a kick-off for the school year, continue the development of rigorous programs, the addition of a chief academic officer who oversees the Department of Shared Accountability and designs and organizes all initiatives, middle school reform, full-day Head Start, grading and reporting, High School Assessments, extended learning opportunities, special education initiatives, professional development, Wellness Center at Northwood High School, hours-based staffing to deliver special education services, and High School + will be expanded.

Re: UPDATE—CAREER LATTICE FOR TEACHERS

Dr. Weast invited the following people to the table: Mr. Larry A. Bowers, chief operating officer; Ms. Susan F. Marks, associate superintendent, Office of Human Resources; Ms. Bonnie Cullison, president, Montgomery County Education Association; and Mr. Christopher W. Lloyd, computer/media literacy teacher, team leader, John T. Baker Middle School.

The Montgomery County Public Schools (MCPS) and the Montgomery County Education Association (MCEA) are committed to providing a high-quality teacher in every classroom by focusing on the MCPS Strategic Plan, *Our Call to Action: Pursuit of Excellence*, Goal 4, Create a Positive Work Environment in a Self-Renewing Organization; and Board of Education Policy GAA, *Positive Work Environment in a Self-Renewing Organization*. These commitments emphasize the importance of having structures and processes in place to attract, recruit, hire, mentor, develop, evaluate, recognize, and retain high-performing teachers. Therefore, it is essential that MCPS put processes and structures in place to keep the best teachers in our classrooms.

Through the Board of Education's commitment to professional growth—from career entry to retirement—MCPS has created a Teacher Professional Growth System (Teacher PGS) that provides supports for the stages throughout an educator's career. Members of the Career Lattice Work Group have defined three stages—Induction, Skillful Teacher, and

Leadership in Teaching. These stages are sequential, but not entirely discrete, and represent career choices for the educator.

The Career Lattice provides educators with opportunities to make a difference in student achievement beyond their classroom, as well as an incentive to work in high-need schools. Participants in the Career Lattice assume greater levels of responsibility for improving student learning, both inside and outside the classroom.

The Career Lattice framework includes definitions of leadership responsibilities; processes for application, identification, and evaluation of a lead teacher; and a compensation structure that is aligned to leadership responsibilities. A Career Lattice differs from a Career Ladder in that it identifies teacher leadership roles within the teacher bargaining unit that encourage accomplished teachers to remain in the classroom. The Career Lattice also differs from merit pay in that all teachers who choose to attain lead teacher status have opportunities to be compensated for additional duties and responsibilities.

Re: **DISCUSSION**

Mr. Abrams inquired about how this differs from the consulting teachers. Ms. Cullison replied that the consulting teacher is one of two pieces, and the other is to support leadership with projects in the high needs schools.

Mr. Abrams noted that the Career Lattice in effect creates an alternative promotion approach. Under the classic approach, once a person reached a certain level, they moved into administration. With this approach, a teacher can achieve a higher status but remain in the classroom. Ms. Cullison replied that this is not a promotion in the lattice, but colleagues working with colleagues working for student achievement. A teacher has gone through a self-reflective process and identified by 14 people as a lead teacher. Ms. Marks stated that it gives teachers alternatives about their careers.

Mr. Abrams asked if a lead teacher could move in and out of that status or is there a finite range of this corp. Is it open ended with an expanding base? Ms. Cullison responded that the panel will discuss whether it is open ended or to serve a three term.

Mr. Moskowitz stated he thought the term lattice was very appropriate instead of a ladder since the teachers were not climbing out of the teaching profession. How will the panel know that a teacher is doing all that is expected to reach the status of lead teacher? Mr. Lloyd replied that ques. will be taken from the National Board process which provides a framework for reflecting on practice.

Mr. Moskowitz thought that high school teachers could encourage students to provide input. Mr. Lloyd replied that the teacher could take input and reflect on how that can improve instruction.

Ms. Cox wanted to know why teachers thought this was a solution. In defining the problem, she assumed there was research that affects recruitment and retainment or a survey among teachers that want this type of lattice. Ms. Cullison remarked that the changing demographics of the teaching population and recognizes that teachers are not going into this field as a long-term commitment. Through research, the panel asked what are they seeking, and they want challenge and responsibility with power over their day-to-day activities. Ms. Cox assumed if this was a balance between MCPS projects and those in schools to support the school improvement plan.

Mrs. O'Neill thought it was exciting because the teachers that inspire students should remain where they are the most effective.

Mr. Barclay asked Mr. Lloyd about his comment that the lead teachers would have the opportunity to work with more resilient students. What is the vision to impact achievement? Mr. Lloyd used the term resilient student in place of at-risk students because it is a self fulfilling propheticly. There are teachers in the building with strategies to help those students that struggle every day with the core curriculum. Based on the school improvement plan, teachers can come together to develop a strategy to help students.

Mr. Barclay inquired about the impact of this system on recruitment. Ms. Marks thought the lead teacher position will build a pool of outstanding educators.

RESOLUTION NO. 430-07 Re: CLOSED SESSION RESOLUTION

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

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

Resolved, That the Board of Education of Montgomery County conduct closed sessions on Tuesday, September 11, 2007, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:00 to 1:30 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*; consult with counsel to obtain legal advice, as permitted by Section 10-508(a)(7) of the *State Government Article*; review and adjudicate appeals in its quasi-judicial capacity; and to 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. 431-07 Re: REPORT OF CLOSED SESSION

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

On July 26, 2007, 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 a closed session on July 26, 2007, from 6:40 to 7:25 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and considered the following appeals with a subsequent vote in open session in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): T-2007-10, NEC-2007-20, T-2007-21, T-2007-23, T-2007-24, T-2007-28, T-2007-30, 2007-23, 2007-25, 2007-28, 2007-36, 2007-37, 2007-38, and 2007-40.
2. Discussed the Human Resources Monthly Report and Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
3. Received legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
4. Discussed matters of an administrative 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 Steve Abrams, Aggie Alvez, Christopher Barclay, Larry Bowers, Shirley Brandman, Patrick Clancy, Sharon Cox, Judy Docca, Brian Edwards, Roland Ikheloa, Suzann King, Frieda Lacey, Jody Leleck, Susan Marks, Heath Morrison, Ben Moskowitz, Nancy Navarro, Patricia O'Neill, Brian Porter, Glenda Rose, Jamie Virga, and Jerry Weast.

RESOLUTION NO. 432-07 Re: MINUTES

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

Resolved, That the Board of Education approve the minutes from its meetings of January 9, January 10, January 11, January 24, and January 25, 2007.

RESOLUTION NO. 433-07 Re: **APPEALS**

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

WHEREAS, The Board of Education has met in closed session, and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-503(a) of the *State Government Article*; now therefore be it

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

<u>Appeal Number</u>	<u>Type</u>	<u>Disposition</u>
DCC-2007-26	Student Assignment	Affirmed
DCC-2007-27	Student Assignment	Affirmed
T-2007-31	Student Transfer	Affirmed
DCC-2007-32	Student Assignment	Affirmed
NEC-2007-34	Student Assignment	Affirmed
NEC-2007-35	Student Assignment	Affirmed
T-2007-36	Student Transfer	Affirmed
2006-76	Teacher Dismissal	Affirmed
2007-30	Magnet Program	Affirmed
2007-31	Complaint from the Public	Affirmed
2007-39	Early Entrance to Kindergarten	Affirmed
2007-41	Early Entrance to Kindergarten	Affirmed
2007-42	Early Entrance to Kindergarten	Affirmed
2007-43	Early Entrance to Kindergarten	Affirmed
2007-44	Early Entrance to Kindergarten	Affirmed
2007-45	Early Entrance to Kindergarten	Affirmed
2007-47	Highly Gifted Center	Affirmed
2007-48	Student Placement	Reversed

Re: **NEW BUSINESS**

RESOLUTION NO. 434-07 Re: **OCTOBER 9, 2007, AGENDA**

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

Resolved, That the Board of Education schedule one hour, if needed, after the October 9, 2007, meeting to continue the discussion with the superintendent on his professional framework.

RESOLUTION NO.435-07

Re: **OFFICE OF LEGISLATIVE OVERSIGHT WORK PLAN**

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

Resolved, That the Board of Education direct the Superintendent (or his designee) to confer with staff in the Office of Legislative Oversight (OLO) before work begins on the OLO work plan's MCPS audits to clarify the scope and purpose of the audits, and estimate the amount of MCPS staff time that may be required to assure their proper completion; and be it further

Resolved, That before work begins on the OLO work plan's MCPS audits, the Superintendent bring recommendations for Board action in compliance with the Education Article regarding approval of outside audits; and be it further

Resolved, That the above process will be followed annually before any work begins on MCPS audits in OLO work plans.

Re: **ITEMS OF INFORMATION**

The following information was available:

1. Legal Fees Report
2. Construction Progress Report
3. Minority-, Female-, or Disabled-owned Business Procurement Report for the Fourth Quarter of Fiscal Year 2007

RESOLUTION NO. 436-07

Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of August 23, 2007, at 4:00 p.m.

PRESIDENT

SECRETARY

JDW:gr

RESOLUTION	Abrams	Barclay	Brandman	Cox	Docca	Moskowitz	Navarro	O'Neill

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

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET**

August 23, 2007

RESOLUTION FOR CLOSED SESSIONS	1
PLEDGE OF ALLEGIANCE	2
AN AMENDMENT TO THE AGENDA	2
APPROVAL OF THE AGENDA	2
RECOGNITION OF FLORA M. SINGER	2
APPRECIATION FOR DONALD R. MCCOMB	3
PUBLIC COMMENTS	4
BOARD/SUPERINTENDENT COMMENTS	4
CONTRACTS OF \$25,000 OR MORE	5
AWARD OF CONTRACT – BROOKHAVEN AND MEADOW HALL ELEMENTARY SCHOOL GYMNASIUM PROJECTS	9
AWARD OF CONTRACTS – FRANCIS SCOTT KEY MIDDLE SCHOOL	11
AWARD OF CONTRACT – SUMMIT HALL ELEMENTARY SCHOOL-BASED HEALTH	13
ARCHITECTURAL APPOINTMENT – BETHESDA-CHEVY CHASE HIGH SCHOOL ADDITION	13
CONSULTANT APPOINTMENT – NORTHWOOD HIGH SCHOOL SITE IMPROVEMENTS	13
SPECIAL APPROPRIATION REQUEST – FORWARD FUNDING OF QUALIFIED ZONE ACADEMY BOND GRANTS	14
GRANT OF UTILITY EASEMENTS AT COL. ZADOK MAGRUDER HIGH	15
UTILIZATION OF THE FY 2008 PROVISION FOR FUTURE SUPPORTED PROJECTS FUNDS	15
HUMAN RESOURCES MONTHLY REPORT	16
HUMAN RESOURCES APPOINTMENTS	16
READINESS FOR OPENING SCHOOLS	17
UPDATE—CAREER LATTICE FOR TEACHERS	18
CLOSED SESSION RESOLUTION	20
REPORT OF CLOSED SESSION	21
MINUTES	21
APPEALS	22

NEW BUSINESS **22**

ITEMS OF INFORMATION **23**

ADJOURNMENT **23**