

APPROVED
20-2007

Rockville, Maryland
September 11, 2007

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, September 11, 2007, at 10:00 a.m.

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

Absent: None

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

RESOLUTION NO. 438-07 Re: **RESOLUTION FOR CLOSED SESSIONS**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Ms. Brandman, 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 September 11, 2007, in Room 120 from 9:00 to 10:00 a.m. and 12:00 to 1:30 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County

1. Discuss the Human Resources Monthly Report and Appointments, as permitted under Section 10-508(a)(1) of the *State Government Article*
2. 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 September 11, 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. 439-07 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for September 11, 2007.

RESOLUTION NO. 440-07 Re: **HISPANIC HERITAGE MONTH**

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

WHEREAS, On August 17, 1988, the United States Congress by joint resolution authorized the President to proclaim annually the period beginning September 15 and ending on October 15 as National Hispanic Heritage Month; and

WHEREAS, Hispanic Americans or Latinos are the largest, most rapidly growing ethnic group in the United States, and currently represent 20 percent of the overall enrollment of the Montgomery County Public Schools; and

WHEREAS, We celebrate today the richness of the diversity and the contributions of the Hispanic or Latino culture in the United States and in Montgomery County; and

WHEREAS, Inspired by the legacy of the extraordinary Hispanic Americans or Latinos who have preceded them, they continue to perform vital roles throughout society and continue to play a major role in contributing to the greatness of this nation; and

WHEREAS, The continued successful educational efforts of Hispanic American or Latino students and partnerships with their parents, staff, and community members contribute to the present and future success of Montgomery County, the state of Maryland, and our nation as a whole; now therefore be it

Resolved, That, on behalf of the superintendent of schools, parents, and staff of the Montgomery County Public Schools, the members of the Board of Education hereby declare the period of September 15 to October 15, 2007, to be observed as Hispanic Heritage Month.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

<u>Person</u>	<u>Topic</u>
Suzanne Weiss	Grading and Reporting

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast commented that, six years ago today, the Board of Education was in session when the events of the 9/11 terrorist attack began to unfold. He remarked that none of us realized at the time how far-reaching these events would be—or how close to home the effects would be felt. More than 113 MCPS students and staff reported close relatives who lost their lives on 9/11. Among the casualties were parents of eight students and spouses of two staff members. Thirteen students and three staff members had multiple family members or friends listed as dead or missing. This is a day to remember the heroes of 9/11 and all those who lost loved ones on that day, particularly members of the MCPS family who suffered these terrible personal losses.

Dr. Weast continued by stating that MCPS is launching a new Parent Academy this fall, with more than 18 different courses on topics that will give information and strategies to parents so they can help their children succeed in school. Course topics include—

- high school graduation requirements,
- getting the most out of homework,
- how to help children succeed in middle school,
- and many more.

The courses begin in October, are all free of charge, and conveniently scheduled in the evenings at schools throughout the county. The Parent Academy is one way that the Department of Communications is working to encourage active two-way communication between home and school.

Finally, Dr. Weast stated that Walter Johnson High School's Best Buddies chapter was named the most outstanding high school chapter in the world by Best Buddies International. Walter Johnson was selected from more than 800 high school programs worldwide. The chapter was cited for its dedication to enhancing the lives of people with intellectual disabilities by providing opportunities for one-on-one friendships.

Mr. Moskowitz commented that he was pleased to see all the students who participated in the Best Buddies program. Also, he was impressed with the tour of Parkland Middle School.

Mr. Barclay commented that he visited E. Brooke Lee Middle School and Kemp Mill Elementary School. The technology in the middle schools is very exciting, but the key is to think about it in terms of accelerating learning and engage students. He applauded the teachers and students for a smooth opening of school.

Dr. Docca visited Walter Johnson High School, and she was gratified to see how students work with the Best Buddies. She also visited Neelsville Middle School and Clarksburg High School, and she toured the neighborhood, which is growing.

Ms. Cox stated that she visited several schools, and she thanked the schools for their warm welcome. She was concerned that the Board president had submitted four nominees for the Distinguished Service Award. Such a trend can call into question the objectivity of the Board's decision-making practices. She encouraged the officers to schedule an opportunity for the Board to clarify the purpose and process of these awards.

Mr. Abrams noted that this is the ninth year of a change in the school system, with better prepared students ready to challenge teachers and administrators to give them the rigor they need to succeed in the 21st century. There is always an emphasis on data and scores, but it is just the beginning of great things. This school year marks the first time our high schools will have advantages and challenges. With the enhanced level of student achievement, there is an obligation for the Board and community to fund the continued accomplishments.

Mrs. O'Neill commented that she attended the swearing in of Nancy King as Maryland senator. Mrs. O'Neill was pleased that Mrs. King will serve on the Budget and Taxation Committee. Also, elected officials have been invited to tour the central kitchen.

Ms. Brandman commented that she visited schools, and she noted the parent resource room at Board Acres Elementary School.

Mrs. Navarro commented on September 11, 2002. As a parent, she was in awe of the professionalism in the schools. She visited Arcola Elementary School, Twinbrook Elementary School, and Parkland Middle School. She was impressed with the technology, and what is happening in the schools.

Re: ORAL UPDATE ON THE OPENING OF SCHOOLS

Dr. Weast noted that the school system employees know what is expected of them and how to get the job done. Mr. Larry Bowers, chief operating officer, and Dr. Frieda Lacey, deputy superintendent, reported on what was accomplished prior to the opening of schools.

Mr. Bowers stated that he had given a report to the Board at the last meeting. One of the highlights for him was going to an elementary school and watching Dr. Weast be amazed by the shine on the floor and the sparkle of the building. Therefore, the staff takes pride in the appearance of schools, and the students take pride in the school. One hundred schools had projects this summer, in a 10-week period. Furthermore, there is a high-quality teacher in every classroom. The system hired 850 teachers, and teachers are provided with support to be successful. Also, supporting services are ready to serve students throughout the system, including building service workers, bus drivers, paraeducators, and secretaries.

Dr. Lacey reported that executive staff members visited schools, and they were all pleased with the opening, with instruction taking place the first day. Dr. Lacey was pleased that 72 students who would have been in learning centers, were in their home schools. Ms. Gwen Mason, director of the Department of Special Education Services, highlighted the inclusion of learning center students. During the summer, staff worked to ensure that the students entered 37 schools, encompassing middle and high schools. The collaboration of the principals, central office staff, and special education teachers provided a good start for these students. Continuing communication during the summer made a difference. Twenty-six members of the special education staff visited all of the receiving schools, and they were impressed the students' transition. Furthermore, professional development helped teachers and paraeducators prepare for the transition of students.

Dr. Lacey further commented that the International Student Admissions Office processed 2,093 students for enrollment. The Wellness Center is under way at Northwood High School. She was thrilled with the Promethean program, and she was impressed with instruction at Parkland Middle School, where this technology is being used.

Mr. Stephen Bedford, chief school performance officer, and several principals commented on their roles in the smooth opening of schools and the planning under way for the coming year. A video was played to illustrate the beginning of school and the excitement of students and staff.

Re: **DISCUSSION**

Mr. Abrams was convinced that this coming school year will be fun. He heard that there is a lot of emphasis on math, which is an indicator of where the school system is headed. Mr. Abrams had heard a professor from Johns Hopkins University who made some disparaging comments about of the math curriculum in Maryland. Dr. Weast stated that MCPS does not use the state's math curriculum.

Mrs. Navarro thanked staff for the update on the opening of schools. She was pleased to hear about demographics and the interest of all people for their children's education. When the personnel in a building welcome parents, they will step up to help. All students must succeed, whatever the strategy or technique. It is important for parents to know that the

Board and staff are dedicated to a constant dialogue to ensure success for all students.

Ms. Brandman commented that successful completion of math and how well students are doing to reach their potential. Staff is working to make sure students move forward by teaching those areas which some students missed.

Mr. Barclay commented that it is important to have African American males in the school building. As the school system looks at individual students, there are clear indicators that there are a drop off when African American and Hispanic males move to middle school. Mr. Barclay thought it was critical that students learn how to write. Dr. Weast replied that writing is time consuming, and it depends on who grades the work. The school system is teaching the mechanics, such as vocabulary and punctuation. Basically, every teacher is a reading and writing teacher.

Mrs. O'Neill agreed with Mr. Barclay about students' writing. She commented that Maryland's High School Assessment relies heavily on writing and diplomas are at stake. Verbal capacity is built over a lifetime of reading, and rich literacy from kindergarten on provides that capacity. Mrs. O'Neill suggested that the Board should have a demonstration of Performance Matters.

Ms. Cox commented that the system is different the system is since she began as a parent advocate. Continuous improvement is pervasive across the system. Ms. Cox suggested that future presentations on grading and reporting could have a real example of how students are affected in the school.

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed from 12:15 to 2:00 p.m. from lunch and closed session.

** Mr. Abrams left the meeting at this point.

RESOLUTION NO. 441-07 Re: **CONTRACTS OF \$25,000 OR MORE**

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:

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 computers, associated hardware, and services through Bid No. USMSC 2007-12; and

WHEREAS, Funds have been budgeted and/or identified for the lease/purchase of off-the-lot new vehicles through Bid. No. 7507000445; and

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

WHEREAS, The acquisition and lease/purchase of computers, associated hardware, services, off-the-lot new vehicles, and a copier have been reviewed by legal counsel; now therefore be it

Resolved, That the purchase of computers, associated hardware, and services through Bid No. USMSC 2007-12 in the amount of \$17,127,468, with \$15,270,435 to be leased/purchased for a four-year term under the Master Lease/Purchase Agreement with Carlyle Financial Services; and be it further

Resolved, That the purchase of off-the-lot new vehicles through Bid No. 7507000445 in the amount of \$151,066 be leased/purchased for a six-year term under the Master Lease/Purchase Agreement with Carlyle Financial Services; and be it further

Resolved, That the purchase of a copier through Bid No. 4139.1 in the amount of \$227,579 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:

USMSC 2007-12	Computers, Associated Hardware, and Services	
	<u>Awardee</u>	
	Apple Computer	\$ 95,000
	Bell Industries	100,880
	Data Networks	12,784,886
	Dell	2,393,472
	Digital Intelligence Systems, Inc.	9,000
	Gateway	75,600
	Hartford Computer Group	1,470,052
	Hewlett Packard	40,000
	Microsoft	<u>158,578</u>
	Total	\$17,127,468

75070 00445	Off-the-lot New Vehicles		
	<u>Awardees</u>		
	Criswell Chevrolet	\$	97,928
	Ourisman Ford		<u>53,138</u>
	Total	\$	151,066
1093.4	Propane Gas—Extension		
	<u>Awardee</u>		
	Suburban Propane Gas Corporation	\$	45,000
1142.3	Scan Forms—Extension		
	<u>Awardees</u>		
	Data Management Corporation	\$	5,290
	Formost Graphic Communications		4,236
	Printech, Inc.*		<u>50,985</u>
	Total	\$	60,511
4139.1	Copier Systems		
	<u>Awardee</u>		
	BCE Corporation*	\$	227,579
4192.1	Color Laser Printing System—Extension		
	<u>Awardee</u>		
	Ikon Office Solutions	\$	81,527
7085.2	Information Technology Support and Integration Services—Extension		
	<u>Awardees</u> (See note)		
	Computer Technology and Support		
	Data Networks		
	Ease Technologies, Inc.		
	Net Results, Inc.		
	Total	\$	600,000
9097.4	Removal/Disposal and Testing Underground Fuel Tanks—Extension		
	<u>Awardee</u>		
	Apex Environmental, Inc.	\$	75,000

9107.9	Poultry Products, Frozen and Processed	
	<u>Awardees</u>	
	Dori Foods, Inc.	\$ 232,075
	Kings Delight	13,000
	PFG-Carroll County Foods, Inc.*	35,956
	Sysco Food Services of Baltimore, LLC	<u>229,239</u>
	Total	\$ 510,270
9153.3	Industrial Hygiene and Laboratory Services—Extension	
	<u>Awardee</u>	
	Yoti N N & Associates, Inc.*	\$ 100,000
9536.1	Frozen Foods Supplement	
	<u>Awardees</u>	
	H. Schrier & Company, Inc.	\$ 83,980
	J.R. Simplot Company	33,690
	Sysco Food Services of Baltimore, LLC	<u>22,544</u>
	Total	\$ 140,214
	TOTAL PROCUREMENT CONTRACTS OVER \$25,000	\$19,118,635

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

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 442-07 Re: **AWARD OF CONTRACTS—FRANCIS SCOTT KEY
MIDDLE SCHOOL MODERNIZATION**

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:

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, On August 23, 2007, the Board of Education awarded contracts for the site work and utilities, asphalt, concrete, masonry, metals, roofing, windows, glass and glazing, gypsum and acoustical, food service equipment, and electrical trades for the Francis Scott Key Middle School modernization project; and

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

<u>Bidder</u>	<u>Amount</u>
Shapiro & Duncan, Inc.	\$8,652,000
Denver-Elek, Inc.	9,324,000

and

WHEREAS, The construction management contract contains provisions that permit the Montgomery County Public Schools to assign the awarded trade contracts to Hess Construction Company, Inc., as part of a guaranteed price agreement to complete the Francis Scott Key Middle School modernization project; and

WHEREAS, Staff has negotiated and recommends approval of a guaranteed price contract with Hess Construction Company, Inc., for the completion of the Francis Scott Key Middle School modernization project that includes the assignment of trade work bid by the Montgomery County Public Schools, along with all management and general conditions costs; and

WHEREAS, Hess Construction Company, Inc., has agreed to accept the assignment of the Francis Scott Key Middle School trade contracts awarded on August 23 and September 11, 2007, and complete the project for the guaranteed price; and

WHEREAS, The aggregate Minority Business Enterprise (MBE) participation submitted is 7.98 percent Maryland Department of Transportation (MDOT)-certified, of which 2.85 percent is African American, 1.94 percent is women-owned, and 3.19 percent is other minority-owned; and

WHEREAS, The 10.24 percent non-MDOT-certified MBE participation also has been submitted; and

WHEREAS, The state minority business requirements for school construction projects stipulate that only MDOT-certified minority businesses can be used to satisfy the MBE goal of 25 percent; and

WHEREAS, A request has been submitted to waive 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 requirements; now therefore be it

Resolved, That the trade contracts awarded for the Francis Scott Key Middle School modernization project be assigned to Hess Construction Company, Inc.; and be it further

Resolved, That a \$40,299,326 contract, to include the assignment of the trade contract awards, be awarded to Hess Construction Company, Inc., for the completion of the Francis Scott Key Middle School modernization project, in accordance with the drawings and specifications prepared by The Lukmire Partnership, Inc.

RESOLUTION NO. 443-07

Re: **CARDEROCK SPRINGS ELEMENTARY SCHOOL—PRECONSTRUCTION/CONSTRUCTION MANAGEMENT SERVICES**

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:

WHEREAS, The FY 2008 Capital Improvements Program includes planning and construction funds for the modernization of Carderock Springs Elementary School; and

WHEREAS, The design phase of this project is proceeding, with the construction scheduled to begin in January 2009 and be complete by August 2010; and

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

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

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

WHEREAS, The initial phase will consist of preconstruction services for cost estimating, value engineering, constructability planning, and construction implementation scheduling; and

WHEREAS, Staff has negotiated a fee for the preconstruction services; and

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

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with Hess Construction Company to provide phase 1 preconstruction services for value engineering, constructability reviews, and the development of the construction implementation schedule for the modernization of Carderock Springs Elementary School for

a fee of \$70,850.

RESOLUTION NO. 444-07 Re: **GRANT OF FOREST CONSERVATION EASEMENT
AT GALWAY ELEMENTARY SCHOOL**

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:

WHEREAS, The Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission (M-NCPPC) has requested a Conservation Easement Agreement at Galway Elementary School, located at 12612 Galway Drive in Silver Spring, in connection with the modernization of the school; and

WHEREAS, The proposed agreement will grant an easement of 2.11 acres to the M-NCPPC for protection of existing and future forest cover, wetlands, and other natural features and prevention of any alteration, construction, or destruction of the natural area; and

WHEREAS, The proposed agreement authorizes the M-NCPPC to enter onto the property to make periodic inspections to ascertain compliance by the Montgomery County Planning Board; and

WHEREAS, The proposed easement agreement will not affect any land that could be used for school programming or recreational activities and will benefit both the school site and the community by preserving forest cover, wetlands, and natural areas; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Conservation Easement Agreement consisting of 2.11 acres with the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission at Galway Elementary School.

RESOLUTION NO. 445-07 Re: **GRANT OF FOREST CONSERVATION EASEMENT
AND DECLARATION OF COVENANTS AT RICHARD
MONTGOMERY HS, ROBERT FROST AND JULIUS
WEST MIDDLE SCHOOLS, AND MARYVALE
ELEMENTARY SCHOOL**

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:

WHEREAS, The Mayor and Council of Rockville requested a Forest Conservation Easement and Declaration of Covenants in connection with the modernization of Richard Montgomery High School, located at 250 Richard Montgomery Drive; and

WHEREAS, There is inadequate space on the Richard Montgomery High School site to plant

the required amount of forested area without jeopardizing the efficiency of the site for recreational and instructional activities; and

WHEREAS, Suitable areas are available for forest conservation at Robert Frost Middle School, located at 9201 Scott Drive; Julius West Middle School, located at 651 Great Falls Road; and Maryvale Elementary School, located at 1000 First Street; and

WHEREAS, An additional area of .095 acre is available within land owned by the City of Rockville for which no easement will be required; and

WHEREAS, The proposed easement grants will preserve and protect existing trees and provide for the installation, maintenance, and protection of certain additional trees and forested areas at the four schools; and

WHEREAS, The proposed easement grants are 0.994 acre at Richard Montgomery High School, 0.762 acre at Robert Frost Middle School, 1.5 acres at Julius West Middle School, and 0.570 acre at Maryvale Elementary School; and

WHEREAS, Tree planting and future maintenance of the forest conservation areas will be undertaken by the Board of Education, with the City of Rockville being granted the right to inspect to confirm compliance with the terms of the Forest Conservation Easement and Declaration of Covenants; and

WHEREAS, The proposed easements will not affect any land that should be used for school programming and recreational activities; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Grant of Forest Conservation Easement and Declaration of Covenants of 0.994 acre at Richard Montgomery High School, 0.762 acre at Robert Frost Middle School, 1.5 acres at Julius West Middle School, and 0.570 acre at Maryvale Elementary School to the mayor and City Council of Rockville.

RESOLUTION NO. 446-07

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

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:

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. 15-631, approved May 27, 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>*Positions</u>	<u>Amount</u>
Chess in Maryland Schools		\$ 44,206
Enhancement of Positive Behavioral Interventions		39,910
IDEA—Alternative Maryland School Assessment		15,000
IDEA—Transitions, Drop Out, Graduation Gap Project		40,000
IDEA—Early Intervention		48,181
IDEA—Least Restrictive Environment Prekindergarten Inclusion		40,000
Middle School Magnet Consortium	<u>14.0</u>	<u>2,243,556</u>
Total	<u>14.0</u>	\$ <u>2,470,853</u>

Positions*

4.0 Program Coordinators
.75 Program Evaluation Specialist
9.0 Teachers
.25 Secretary

and be it further

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

RESOLUTION NO. 447-07 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:

Resolved, That the Board of Education approve the Human Resources Monthly Report dated September 11, 2007.

RESOLUTION NO. 448-07 Re: **DEATH OF MS. MARIA CHERRY, CLASSROOM TEACHER, WALT WHITMAN HIGH SCHOOL**

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:

WHEREAS, The death on February 11, 2007, of Ms. Maria Cherry, classroom teacher at Walt Whitman High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the 13.6 years that Ms. Cherry had been employed by the Montgomery County Public Schools, she was a conscientious, dedicated professional, who constantly provided high-quality educational experiences for her students ; and

WHEREAS, Her commitment to her students as well as her excellent interaction with her colleagues made her a valuable resource to the Montgomery County Public Schools; now therefore be it

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

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

RESOLUTION NO. 449-07 Re: **DEATH OF MR. JAYSON C. JEWELL, IT SYSTEMS SPECIALIST, GAITHERSBURG HIGH SCHOOL**

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:

WHEREAS, The death on August 21, 2007, of Mr. Jayson C. Jewell, IT systems specialist at Gaithersburg High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the six and a half years that Mr. Jewell had been employed by the Montgomery County Public Schools, he demonstrated an obvious pleasure in helping people; and

WHEREAS, His understanding and enjoyment of computers had won him the admiration and affection of the entire staff; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Jayson C. Jewell 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. Jewell's family.

RESOLUTION NO. 450-07

Re: **DEATH OF DR. MARCIA P. FINEMAN, PRINCIPAL, FARMLAND ELEMENTARY SCHOOL**

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

WHEREAS, The death on August 24, 2007, of Dr. Marcia P. Fineman, principal at Farmland Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the more than 23 years that Dr. Fineman had been employed by the Montgomery County Public Schools, she was recognized as being a thorough and efficient employee and was always conscious about the safety and needs of her students and staff; and

WHEREAS, In her eight years as assistant principal and principal, she had earned the respect of her staff and students through her intense dedication to her job, her leadership, and her communication skills to improve the operation of the school; 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 Dr. Marcia P. Fineman and extend deepest sympathy to her family; and be it further

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

RESOLUTION NO. 451-07

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 September 12, 2007:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Brian K. Edwards	Director of Public Information, Department of Communications	Chief of Staff, Office of the Superintendent of Schools

Re: **UPDATE ON IMPLEMENTATION OF THE GRADING AND REPORTING POLICY**

Dr. Weast invited the following people to the table: Mr. Erick J. Lang, associate superintendent, Office of Curriculum and Instructional Programs; Ms. Betsy Brown, director,

Department of Curriculum and Instruction; Mrs. Betty J. Collins, director, Staff Development Initiatives; Ms. Lance Dempsey, principal, Shady Grove Middle School; Ms. Christine B. Oxenford, staff development teacher, Shady Grove Middle School; and Mr. Elton Stokes, director, Division of Student Data Management.

School year 2007–2008 begins the fourth year that the Montgomery County Public Schools (MCPS) will implement revised Board Policy IKA, *Grading and Reporting*. This MCPS K–12 initiative promotes standards-based teaching and learning, in alignment with system reform efforts, to improve student achievement in elementary and secondary schools. Analysis of policy implementation during the 2006–2007 school year indicates improved consistency across schools and classrooms as teachers evaluate and communicate students' academic performance.

Although the results are positive, there is always room for improvement. MCPS staff has taken steps to ensure increased consistency in secondary grading practices during 2007–2008, and plans are in place to advance the elementary rollout of electronic standards-based reporting. This memorandum updates the Board of Education on implementation of the revised policy in elementary and secondary schools during the 2007–2008 school year, including evaluation, technology, implementation plans, professional development, communication, and support.

Implementation of Policy IKA, *Grading and Reporting*, is designed as a multiyear process to ensure success by building in regular check points to consider stakeholder feedback, make careful decisions, and allocate essential resources—a working model of the plan-do-study-act cycle. Each implementation year yields important data for continuous improvement and lessons learned to inform decisions for the next step in implementation. When a greater need for resources is noted, the timeline is modified to gather those resources. When feedback indicates revisions or refinements are needed, changes are made in time for the next phase or the timeline is adjusted to provide time to make those changes before moving forward. At each juncture, a balance must be struck between maintaining momentum and ensuring success.

Implementation during the 2006–2007 school year provided important information about the necessary components of an initiative intended to align grading practices with policy, while also inaugurating the technological tools to make that effort efficient and effective. Policy implementation at both the elementary and secondary levels emphasized that comprehensive professional development, technical support, and clear and consistent communication are critical to success. It also became apparent that the combined effort to simultaneously implement standards-based grading and reporting and grading technology in elementary schools stretched the capacity of school-based staff and parents. Similarly, simultaneous rollouts at elementary and secondary levels stretched the capacity of central office staff to support school-based staff in their efforts. A lesson learned is the importance of anticipating needs, developing comprehensive support models at the school and central office levels, and garnering the necessary resources.

Re: DISCUSSION

Mrs. O'Neill thanked staff for the update, and she thought it was important to have a public discussion. The implementation has been slow, but the time collaboration has been worthwhile in making sure the policy is fully and properly applied. She thought the reteach/reassess is still a burden to teachers, and that is one area that needs to be examined with potential revision. She thanked staff for the update on final exams, and she looked forward to the official report.

Mr. Moskowitz agreed with Mrs. O'Neill on the reteach/reassess part of the policy and steps would be in place to make sure teachers are not overburdened in what they have to do. Also, there is a need to make sure the students are not "gaming" the system. When a parent feels that a guideline is being violated, who is the point of contact? What would be the remedy? Ms. Brown stated that the person responsible for monitoring instruction is the principal. The process is to talk it over with the teacher and work with the resource teacher and the principal. Also, there is a staff contact in the Office of Curriculum and Instructional Programs.

Ms. Cox remarked that this is truly the Board's work when a policy is approved and follows through on how it affects teaching and learning. The policy requires a variety of assessments in order for a student to demonstrate his or her mastery of the course content. The policy also brings together a collegial learning community to support instruction. Furthermore, consistency in instruction is not replication, but rich and innovative strategies. Ms. Cox asked if staff was satisfied in getting answers for the Grading and Reporting Implementation Team (GRIT). Ms. Brown replied that it works because GRIT get only the difficult questions while most other questions can be answered by the published documents.

Ms. Brandman thought the original intent was to make sure that students' master the content, but it has evolved into students getting a better grade. She asked what strategies were in place to ensure that the students master the material. Staff replied that schools have developed "connect time" during lunch and after school and monitoring instruction as the material is being taught. Staff also agreed that the teachers want the students to learn, but the students want to improve their grades. Teachers focus on the essential learning and will reteach/reassess with appropriate assessment tools.

Ms. Brandman inquired about High School+ and meeting the goal of reteaching/reassessing. Staff commented that High School+ is different because it involves retaking a course that has been failed in core courses.

Dr. Docca thought staff had the concept to teach for mastery of the material. In reality, there is extra work for the teacher and the attitude of the students must be changed so that they understand the concept. Students tracking their progress is very useful.

Mr. Barclay thought it would be helpful to hear from students on how they are grappling with the policy implementation. He was not clear on what tests/quizzes could be retaken. Staff replied that the Department of Shared Accountability is preparing briefs that will be published and those briefs include 86 percent of 8th and 11th graders who were surveyed on the components of the policy last year. The department is also preparing briefs on parent surveys that were conducted in field-test schools at the elementary and secondary levels. The preliminary results of those surveys have informed staff to make decisions.

Mrs. O'Neill suggested that, as the Board discussed Pinnacle, EdLine, and Performance Matters, the Board would benefit from a demonstration on these tools. Staff agreed that was a good idea, and they would bring it to an agenda-setting meeting.

Mr. Moskowitz commented that another issue is the students who succeed the first time on an assessment. It would be helpful if students had to do extra work in order to qualify to retake the assessment.

Ms. Brandman asked about preliminary survey results from teachers. One area was their feeling competent in grading special education students. How did staff respond to that feedback? Staff replied that it has been used in professional development to give teachers more tools on which to base grades. There is also information in the teachers' resources for adjustments that can be made based on a student's IEP and/or English Language Learner plan.

Ms. Cox asked about the procedures for academic dishonesty. Staff responded that the local school discipline plan should reflect the critical role of academic honesty, and a teacher may assign a zero if it is determined there was dishonesty.

Ms. Brandman said she had heard that there are more assessments to implement grading and reporting. Staff explained the message is that there are a variety of ways to assess learning.

RESOLUTION NO. 452-07 Re: **CLOSED SESSION RESOLUTION**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Mr. Moskowitz, 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 Monday, September 24, 2007, in Room 120 of the Carver Educational Services Center to meet from 5:30 to 6:00 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 administrative 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. 453-07 Re: **REPORT OF CLOSED SESSION**

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

On August 23, 2007, by unanimous vote of members present, the Board of Education voted to conduct closed sessions 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 sessions on August 23, 2007, from 10:00 a.m. to 12:10 p.m. and 5:00 to 5:45 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*): DCC-2007-26, DCC-2007-27, T-2007-31, DCC-2007-32, NEC-2007-34, NEC-2007-35, T-2007-36, 2006-76, 2007-30, 2007-31, 2007-39, 2007-41, 2007-42, 2007-43, 2007-44, 2007-45, 2007-47, and 2007-48.
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, Steve Bedford, Larry Bowers, Shirley Brandman, Patrick Clancy, Sharon Cox, Judy Docca, Brian Edwards, Roland Ikheloa, Suzann King, Frieda Lacey, Erick Lang, Jody Leleck, Susan Marks, Ben Moskowitz, Patricia O'Neill, Brian Porter, Glenda Rose, and Jerry Weast.

RESOLUTION NO. 454-07 Re: **MINUTES**

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

Mr. Moskowitz, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approves the minutes for its February 13, 2007, meeting.

RESOLUTION NO. 455-07 Re: **APPEALS**

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

WHEREAS, The Board of Education has met in closed session, and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-503(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>
T-2007-37	Student Transfer	Affirmed
T-2007-40	Student Transfer	Affirmed
T-2007-41	Student Transfer	Affirmed
2007-46	Highly Gifted Center	Affirmed
2007-49	Early Entrance to Kindergarten	Affirmed
2007-50	Early Entrance to Kindergarten	Affirmed
2007-51	Early Entrance to Kindergarten	Affirmed
2007-52	Early Entrance to Kindergarten	Affirmed
2007-53	Early Entrance to Kindergarten	Affirmed
2007-55	Early Entrance to Kindergarten	Affirmed
2007-56	Early Entrance to Kindergarten	Affirmed
2007-58	Early Entrance to Kindergarten	Affirmed
2007-59	Early Entrance to Kindergarten	Affirmed

Re: **RESOLUTION ON THE COMPREHENSIVE
MASTER PLAN**

On motion of Mrs. O'Neill and seconded by Ms. Brandman, the following resolution was placed on the table:

WHEREAS, The General Assembly enacted Senate Bill 856, the *Bridge to Excellence in Public Schools Act*, on April 4, 2002, and on May 6, 2002, Governor Parris N. Glendening signed the act into law; and

WHEREAS, Since its inception in 1999, the strategic plan for the Montgomery County Public Schools (MCPS), *Our Call to Action: Pursuit of Excellence*, has guided the work of schools and offices in achieving the goals approved by the Board of Education; and

WHEREAS, Over the years, *Our Call to Action: Pursuit of Excellence* has been aligned with the *Bridge to Excellence in Public Schools Act* that requires school systems to—

- develop a five-year comprehensive master plan describing goals, objectives, and strategies to improve performance for all students;
- align the school district's budget with the master plan and show specifically how the use of resources will address the goals and objectives of the plan;
- address the *No Child Left Behind Act* achievement goals in the master plan; and
- ensure meaningful community involvement in the development of the master plan; and

WHEREAS, The Board desires to partner with the Maryland State Department of Education to implement an integrated strategic planning process that is not duplicative and burdensome to school systems while being aligned with school systems' budget decisions and planning needs; now therefore be it

Resolved, That the Montgomery County Board of Education requests the Maryland State General Assembly amend Section 5-401 of the *Education Article* of the *Annotated Code of Maryland* to—

- require the state superintendent to accept a local school system's preexisting strategic plan as the county board's master plan, as long as it meets the state's standards;
- eliminate the state superintendent's ability to require information from local boards that goes beyond what the General Assembly required in Senate Bill 856;
- eliminate the requirement that a county board cannot implement a plan until it is approved by the state superintendent;
- eliminate the state superintendent's authority to require specific revisions to the plan; unless the school system does not meet state standards, in which case the school system will have to demonstrate how it will meet standards;

and be it further

Resolved, That this resolution be distributed to the Montgomery County Delegation to the General Assembly, the governor, the Maryland State Board of Education, the Maryland state superintendent of schools, the Montgomery County Council, and the Maryland Association of Boards of Education.

Re: **DISCUSSION**

Ms. Cox stated that she did not respond for suggestions on edits for the resolution since she believed that the Board should have that discussion in public. She asked if it was the intent of the Board to have her present this document to the Maryland Association of Boards of Education's (MABE) Resolutions Committee. Ms. Navarro stated that the Board had had a discussion on this issue and this motion was a follow up to that discussion.

Ms. Cox stated that in the last legislative session the Board supported Senate Bill 907, as amended, which passed. It appears that the resolution requires the repeal of some of those issues. How would we argue the repeal of some of those items? The chief operating officer stated that the focus is the issue that the Board's Strategic Plan should be accepted as the master plan for the school system. Currently, the law allows that to happen but the state superintendent has not chosen to do it. This resolution takes away the authority to make the discussion not to accept the Strategic Plan.

Ms. Cox said that, in the bill that was passed, there was an evaluation piece built in that the state has contracted for to do an interim and final evaluations. After that, information will go to the General Assembly on what changes need to be made to this bill and those practices. This resolution would make the changes without waiting for the evaluation. Staff replied that the resolution did not change a thing, but asks for the Strategic Plan be accepted as the system's master plan. The system has never questioned the financials and budget alignment with the Bridge to Excellence.

Mrs. O'Neill thought the problem with the resolution was that it reads like Montgomery County, and she believed that the resolution should be based on statewide issues. That issue is that many local boards have strategic plans. This resolution needs to be rewritten to be more generic since MABE advocates for 24 counties.

RESOLUTION NO. 456-07

Re: **TABLE THE RESOLUTION ON THE
COMPREHENSIVE MASTER PLAN**

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

Resolved, That the Board of Education table resolution until the next Board meeting.

Members of the Board of Education 24

September 11, 2007

Re: **NEW BUSINESS**

There was no new business.

Re: **ITEMS OF INFORMATION**

The following items were available:

1. Legal Fees Report
2. Construction Progress Report

RESOLUTION NO. 457-07 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of September 11, 2007, at 3:55 p.m.

PRESIDENT

SECRETARY

JDW:gr

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET**

September 11, 2007

RESOLUTION FOR CLOSED SESSIONS	1
PLEDGE OF ALLEGIANCE	2
APPROVAL OF THE AGENDA	2
HISPANIC HERITAGE MONTH	2
PUBLIC COMMENTS	3
BOARD/SUPERINTENDENT COMMENTS	3
LUNCH AND CLOSED SESSION	6
CONTRACTS OF \$25,000 OR MORE	6
AWARD OF CONTRACTS—FRANCIS SCOTT KEY MIDDLE SCHOOL MODERNIZATION	9
CARDEROCK SPRINGS ELEMENTARY SCHOOL—PRECONSTRUCTION/CONSTRUCTION MANAGEMENT SERVICES	11
GRANT OF FOREST CONSERVATION EASEMENT AT GALWAY ELEMENTARY SCHOOL	12
GRANT OF FOREST CONSERVATION EASEMENT AND DECLARATION OF COVENANTS AT RICHARD MONTGOMERY HS, ROBERT FROST AND JULIUS WEST MIDDLE SCHOOLS, AND MARYVALE ELEMENTARY SCHOOL	12
UTILIZATION OF THE FY 2008 PROVISION FOR FUTURE SUPPORTED PROJECTS FUNDS	13
HUMAN RESOURCES MONTHLY REPORT	14
HUMAN RESOURCES APPOINTMENT	16
UPDATE ON THE IMPLEMENTATION OF THE GRADING AND REPORTING POLICY	17
CLOSED SESSION RESOLUTION	19
REPORT OF CLOSED SESSION	20
MINUTES	21
APPEALS	21
RESOLUTION ON THE COMPREHENSIVE MASTER PLAN	22
NEW BUSINESS	24
ITEMS OF INFORMATION	24
ADJOURNMENT	24