

APPROVED
13-2008

Rockville, Maryland
June 10, 2008

The Board of Education of Montgomery County met at the Carver Educational Services Center, Rockville, Maryland, on June 10, 2008, at 10:15 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: Mrs. Nancy Navarro (a.m. only)
Ms. Quratul-Ann Malik, Student Board Member-elect

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

RESOLUTION NO. 199-08 Re: **CLOSED SESSION RESOLUTION**

On recommendation of the superintendent and on motion of Ms. Cox 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 closed sessions on June 10, 2008, in Room 120 from 9:00 to 10:00 a.m., 11:30 a.m. to 12:30 p.m., and 3:30 to 5:30 p.m.; 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 receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on June 10, 2008, 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. 200-08 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for June 10, 2008.

RESOLUTION NO. 201-08 Re: **RECOGNITION OF DISTINGUISHED HISPANIC SCHOLARS**

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 Hispanic Employees Association of Montgomery County Public Schools provides an opportunity to recognize and highlight the achievements and contributions that Hispanic American students have made and continue to make in our schools and communities; and

WHEREAS, The Hispanic Employees Association of Montgomery County Public Schools has recognized 25 outstanding Montgomery County Public Schools Hispanic American students by awarding a total of \$6,000 in educational scholarships and \$1,900 in gift certificate awards; and

WHEREAS, The Hispanic Employees Association of Montgomery County Public Schools is promoting the messages of academic achievement, community involvement, and unity and mutual support among all Hispanic Americans; and

WHEREAS, Montgomery County recognizes and celebrates the many contributions of Hispanic American students to our country, our state, and our county; and

WHEREAS, The Board of Education is proud that Montgomery County Public Schools recognizes and celebrates the achievements and contributions of Hispanic American students; now therefore be it

Resolved, That, on behalf of the superintendent of schools, staff, students, and parents of Montgomery County Public Schools, the members of the Board of Education congratulate

the recipients of this year's Distinguished Hispanic Scholars Awards.

RESOLUTION NO. 202-08 Re: **LEADERSHIP MONTGOMERY YOUTH
COMMUNITY SERVICE LEADERSHIP
AWARDS**

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, Leadership Montgomery has instituted the Youth Community Leadership Awards as part of its mission to develop leadership among youth in the county; and

WHEREAS, Since 1997, Leadership Montgomery has offered the Youth Community Service Leadership Awards to identify, reward, and promote outstanding continuing community service efforts and accompanying demonstrations of leadership by high school students earning a minimum of 260 hours of school-accredited service by completion of their junior year in high school; and

WHEREAS, The law firm of Shulman, Rogers, Gandal, Porody and Ecker, P.A., of Rockville, Maryland, has sponsored these awards since 1997, providing tens of thousands of dollars in scholarships through the years; and

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

WHEREAS, Five Montgomery County Public Schools high school students have been honored as the Leadership Montgomery Youth Community Service Leadership Award recipients for 2008; now therefore be it

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

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

RESOLUTION NO. 203-08 Re: **SALUTE TO MR. NEAL POTTER**

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, Mr. Neal Potter, who served as the fourth county executive for Montgomery County from 1990–1994 and served for 24 years on the County Council, passed away at the age of 93 on Tuesday, May 27, 2008; and

WHEREAS, Mr. Potter was an alumnus of Montgomery County Public Schools, and was class valedictorian at Bethesda-Chevy Chase High School; and

WHEREAS, As a leader of Montgomery County, Mr. Potter garnered respect and admiration for his tireless devotion to duty, attention to detail, and an unshakable insistence on a government accountable to the people; and

WHEREAS, Mr. Potter's leadership in the early nineties was respected for protecting critical functions devoted to the fortunes and welfare of the children of Montgomery County from the effects of a recession and resulted in benefitting Montgomery County Public Schools by helping to hold the school system harmless during difficult financial times; now therefore be it

Resolved, That, on behalf of all the students, teachers, and staff of Montgomery County Public Schools, the Board of Education salutes a great leader and champion of Montgomery County; and be it further

Resolved, That a copy of this resolution be provided to the family of Mr. Neal Potter.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Barbara Ferry	Garrett Park Elementary School
2.	Matt Regan	Budget
3.	Sabrina McMillian	Magnet Budget Cuts
4.	Walter Ellis	Magnet Budget Cuts
5.	John Smith	Mentor Program

Re: **BOARD/SUPERINTENDENT COMMENTS**

The superintendent and Board members spoke of the graduations they attended. They reported that the graduations were very inspiring and all were proud of the students.

Mr. Barclay commented that he attended the African American Festival of Academic Excellence. Several hundred students participated and 25 percent in MCPS qualified for the award. He and Ms. Brandman were presenters at the Cappies, and the students did a tremendous job. Finally, he reported that he attended an art exhibit at Northwood High

School, and he was pleased with the quality of the students' work.

Mr. Moskowitz congratulated the students at Kensington-Parkwood Elementary School for their opera, which he said was a terrific production. He expressed his appreciation to Leadership Montgomery and to Shulman, Rogers, Gandal, Pordy and Ecker, P.A., for promoting and honoring youth leadership in community service.

Dr. Docca commented on the Kensington-Parkwood opera, which had the opportunity to perform at the Maryland State Department of Education. She also attended the Teacher of the Year program in Baltimore, and said it was heartwarming to hear what teachers around the state have done. The Teacher of the Year from MCPS is Christopher Orlando, an outstanding math teacher. Finally, she attended an event for the naming of a recreation center and library for Marilyn Praisner.

Mrs. O'Neill commended staff on maintaining communication when the vicious storm hit Montgomery County. Schools were closed, but graduations continued.

Mr. Abrams stated that scholarships (equaling \$150 million) were awarded to the senior class, and he thought that was a good investment by the county.

Dr. Weast commented on a new study published by *Education Week* last week, which found that the graduation rate in Montgomery County Public Schools ranks third in the nation, among the 50 largest school districts. The MCPS graduation rate of 81.7 percent surpasses the national average of 71 percent and the Maryland average of 73.6 percent. That means that nearly 82 out of 100 MCPS seniors graduate with a regular diploma. Finally, this spring, MCPS athletic teams won a total of 55 championships, including two state championships. For the current school year, including the fall, winter, and spring seasons, MCPS athletic teams won a total of 163 championships, including 15 state championships

Re: **FINAL APPROVAL OF POLICY EEA,
STUDENT TRANSPORTATION**

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

WHEREAS, Montgomery County Public Schools is committed to the safe, responsive, and accountable operation of the student transportation system, in partnership with parents and students; and

WHEREAS, The draft revision of Policy EEA, *Student Transportation* was tentatively adopted by the Board of Education on March 11, 2008, and sent out for public comment; and

WHEREAS, The Board of Education Policy Committee has considered comments from the

public and recommended revisions to tentatively adopted Policy EEA, *Student Transportation*; and

WHEREAS, The Board of Education has received the Board Policy Committee's recommendation; now therefore be it

Resolved, That the Board of Education adopt the Committee Recommended Draft of Policy EEA, *Student Transportation*, which is included as follows:

Student Transportation

A. PURPOSE

To establish safe, responsive, and accountable operation of the Montgomery County Public Schools (MCPS) student transportation system, in partnership with parents and students, and to delineate the services provided.

B. ISSUE

MCPS is authorized by the regulations of the state of Maryland to provide safe and efficient transportation to the students residing within Montgomery County. The Montgomery County Board of Education is responsible for establishing the operational standards of and eligibility criteria for its student transportation services. It is the responsibility of the Montgomery County Board of Education to work with other agencies when needed and to consider the safety of students when designing school site plans, including pedestrian and vehicular traffic patterns; assessing routes for walking to and from school and school bus stops; and establishing bus routes and locations of school bus stops.

C. POSITION

1. Eligibility for Transportation

- a) The Board of Education-adopted attendance areas for each school are the basis upon which transported areas are defined. Students attending their home school who reside beyond the distances defined below will receive transportation services.

(1) Transported areas surrounding MCPS schools are as follows:

- Elementary Schools— 1 mile
- Middle Schools—beyond 1.5 miles
- High Schools—beyond 2.0 miles

- (2) The superintendent of schools is authorized to extend these distances by one-tenth of a mile to establish a reasonable line of demarcation between transported and nontransported areas.
 - (3) Transportation may be provided for distances less than that authorized by Board policy if a condition is considered hazardous to the safety of students walking to or from school, or to establish a reasonable boundary consistent with safety standards outlined in C.2.
- b) The Board of Education may establish transportation services for certain consortia schools, magnet, gifted and talented, International Baccalaureate, language immersion, alternative, or other programs, based on the purposes of the programs, attendance areas, and available funding.
 - c) Enhanced levels of transportation services will be provided to those students, such as special education students, who meet the eligibility requirements of federal and state laws. Commercial carriers may be used when MCPS cannot provide required services.
 - d) Students who attend denominational and parochial schools may be transported as specified under provisions of the Montgomery County Code. This service will be provided only on a space-available basis along established bus routes designed to serve public schools, in keeping with the terms and conditions as set forth in this policy.
 - e) Under special circumstances, students may ride established bus routes across attendance boundaries for valid educational reasons.
 - f) Mixed grade/age-level student loads are permitted.
 - g) Every effort is made to balance ride times and resources.
 - h) Buses may be used for educationally valuable purposes other than transporting students to and from the regular school day, such as field trips, extracurricular events, interscholastic sports, and outdoor education or academic programs. Unless otherwise approved by the superintendent or his or her designee, use of MCPS buses is limited to MCPS and other governmental agencies. MCPS will establish criteria and rates for the use of MCPS transportation services for purposes other than transporting students to and from school on the regular school day.

2. Factors and Standards for Determining Transportation Student Safety and Safe Walking Conditions
 - a) MCPS is responsible for routing buses in a manner that maximizes safety and efficiency.
 - b) MCPS buses will not cross a main line railroad at grade crossing while in Montgomery County.
 - c) MCPS is responsible for designing traffic control patterns for new and renovated schools, prior to the completion of construction. MCPS will assess the safety of proposed traffic control patterns, taking into consideration safe approaches by pedestrians, bicyclists, and motorists.
 - d) MCPS is responsible for conducting safety evaluations of bus stops and recommended walking routes. The following standards will apply to students walking to schools or school bus stops:
 - (1) Students are expected to walk in residential areas along and across streets, with or without sidewalks.
 - (2) Students are expected to walk along primary roadways with sidewalks or shoulders of sufficient width to allow walking off the main road.
 - (3) Middle and high school students are expected to cross all controlled intersections where traffic signals, lined crosswalks, or other traffic control devices are available.
 - (4) Elementary school students may be required to cross primary roadways where an adult crossing guard is present.
 - (5) Elementary and middle school students are not expected to cross mainline railroad tracks, unless a pedestrian underpass, overpass or adult crossing guard is present.
 - (6) Students are expected to walk along public or private pathways or other pedestrian routes.
 - e) MCPS will follow an effective process for handling and investigating accidents so that injured students and staff are cared for promptly, further injury is prevented, and correct and timely information is disseminated to all necessary parties.

- f) Student safety, security, and comfort depend on appropriate behavior on MCPS buses identical to that expected of students in school. The Board of Education affirms that, while riding the bus, students are on school property, and disciplinary infractions are handled in accordance with Regulation JFA-RA: *Student Rights and Responsibilities* and other related policies and regulations.

3. Community Partnerships

- a) MCPS will encourage a partnership of student, parents, and school staff to teach and enforce safe transportation practices.
 - (1) MCPS will implement a systemwide outreach and education program to teach safe walking practices en route to and from school, encourage safe bus-riding behavior, and reinforce appropriate student conduct while riding the bus.
 - (2) School staffs will encourage parents to teach their students safe walking practices en route to and from school.
 - (3) Bus operators and attendants are responsible for maintaining safe conditions for students boarding, riding, and exiting the bus. MCPS will provide preservice and in-service instruction to bus operators and attendants, consistent with COMAR 13A.06.07.09.
 - (4) Parents will be responsible for their child's safety along their walking route and at the bus stop. While waiting at bus stops, students should observe safe practices, respect persons and private property, and stand well off the traveled portion of the road.
- b) Principals and PTA presidents or parent teacher organizations at special programs located at special centers that operate in lieu of nationally affiliated PTAs will be notified in advance of routing changes that involve reductions of service, as described in Regulation EEA-RA.

4. Identification and Resolution of Transportation and Safety Issues

Members of the public are encouraged to address inquiries, concerns, or complaints regarding student transportation as set forth in Policy KLA, *Responding to Inquiries and Complaints from the Public*. Complaints not resolved through the cluster transportation supervisor or other department staff, including the director of transportation, may be appealed to the chief

operating officer who will render a decision on behalf of the superintendent of schools, advising the appellant of the right to further appeal to the Board of Education consistent with the Education Article, *Annotated Code of Maryland*, Section 3-903(c).

5. Environmental and Economic Considerations

MCPS will balance environmental and economic factors when operating and maintaining its vehicles.

D. DESIRED OUTCOME

MCPS will have an efficient system of student transportation that provides an appropriate means of travel to and from school, is responsive to community input, and, in partnership with parents and students, coordinates effective community participation in the safe movement of students on a daily basis.

E. IMPLEMENTATION STRATEGIES

The superintendent will develop regulations to implement this policy as needed.

F. REVIEW AND REPORTING

This policy will be reviewed on an ongoing basis, in accordance with the Board of Education policy review process.

Re: **DISCUSSION**

Ms. Brandman asked that Policy EEA, *Student Transportation*, be reviewed to ensure that all legal obligations and requirements are met, even if there is a worst-case scenario in emergencies.

RESOLUTION NO. 204-08

Re: **AN AMENDMENT TO POLICY EEA, *STUDENT TRANSPORTATION***

On motion of Ms. Cox and seconded by Mrs. O'Neill, the following amendment was adopted with Mr. Abrams, Ms. Brandman, Ms. Cox, Dr. Docca, Mr. Moskowitz, and Mrs. O'Neill voting in the affirmative; Mr. Barclay voting in the negative:

Resolved, That the Board of Education amend the policy at C.(3)c) to read:

Commercial carriers may be used to ~~when MCPS cannot~~ provide required services.

Re: **AN AMENDMENT TO POLICY EEA, *STUDENT TRANSPORTATION***

On motion of Ms. Brandman and seconded by Ms. Cox, the following amendment was placed on the table:

Resolved, That the Board of Education change “standards” to “consideration,” were appropriate.

RESOLUTION NO. 205-08 Re: **AN AMENDMENT TO POLICY EEA, *STUDENT TRANSPORTATION***

On motion of Mr. Abrams and seconded by Mr. Moskowitz, the following amendment was adopted unanimously by members present:

Resolved, That the Board of Education table the amendment until a later time.

RESOLUTION NO. 206-08 Re: **AN AMENDMENT TO POLICY EEA, *STUDENT TRANSPORTATION***

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

Resolved, That the Board of Education amend the policy to add the following:

In exigent circumstances, the superintendent may apply to the Board of Education for a waiver to adjust transported distances. Such a request must be approved by the Board following an opportunity for expedited public comment.

RESOLUTION NO. 207-08 Re: **AN AMENDMENT TO POLICY EEA, *STUDENT TRANSPORTATION***

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

Resolved, That the Board of Education send to the Policy Committee the amendment to change “standards” to “considerations” for further development of appropriate language.

RESOLUTION NO. 208-08 Re: **POLICY EEA, *STUDENT TRANSPORTATION***

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

Resolved, That the Board of Education remand Policy EEA, *Student Transportation*, to the Policy Committee for further the discussion and review with recommendations for final approval on June 23, 2008.

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed from 12:15 to 1:35 p.m. for lunch and closed session.

** Mrs. Navarro joined the meeting at this time.

Re: **FINAL ADOPTION OF THE FY 2009 OPERATING BUDGET**

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

WHEREAS, The Board of Education adopted the FY 2009 Operating Budget of \$2,111,237,124 on February 7, 2008; and

WHEREAS, The county executive recommended \$2,060,121,163 for MCPS, \$51.1 million less than the Board of Education's Budget Request on March 17, 2008; and

WHEREAS, The County Council approved a total of \$2,066,683,294 (including grants and enterprise funds), a decrease of \$44,553,830 from the Board of Education's request on May 22, 2008; and

WHEREAS, The County Council appropriated a total of \$1,936,956,571 (excluding grants and enterprise funds), a decrease of \$41,265,854 from the Board of Education's request; and

WHEREAS, The County Council directed the Board of Education to deposit \$18,300,000 of the appropriation for pre-funding retiree health insurance in the Retiree Health Benefit Trust Fund; and

WHEREAS, The Maryland State Department of Education requires each local school system to submit an annual staffing plan; and

WHEREAS, The Special Education Staffing Committee, composed of parents, teachers, principals, special education staff, and special education advocates held three meetings in May and June of 2007 and recommendations were submitted to the Office of Special Education and Student Services; and

WHEREAS, The FY 2009 Recommended Operating Budget includes all of the staffing plan elements required by MSDE; and

WHEREAS, The superintendent of schools has requested a reorganization, including the offices of the Chief Technology Officer and Shared Accountability; and

WHEREAS, The County Council made net reductions to the Board of Education's FY 2009 Operating Budget Request of March 1, 2008, of \$44,553,830, from the various budget categories, as shown on the following schedule, consisting of a reduction of \$41,265,854, excluding grants and enterprise funds; a reduction of \$3,304,015 in grants; and an addition of \$16,039 in special revenue funds, in appropriating \$2,066,683,294 for the Board of Education's FY 2008 Operating Budget:

BOE

Council

Council

I.	Current Fund	Request	(Reduction)/	Approved
	Category	March 1, 2008	Addition	Budget
	1 Administration	45,258,569	(1,230,274)	44,028,295
	2 Mid-level Administration	138,433,066	(2,478,098)	135,954,968
	3 Instructional Salaries	856,213,194	(15,685,016)	840,528,178
	4 Textbooks and Instructional Supplies	33,366,454	(1,729,665)	31,636,789
	5 Other Instructional Costs	19,334,621	(1,349,111)	17,985,510
	6 Special Education	268,951,407	(1,394,525)	267,556,882
	7 Student Personnel Services	11,922,050	(276,090)	11,645,960
	8 Health Services	57,502		57,502
	9 Student Transportation	91,983,160	(3,222)	91,979,938
	10 Operation of Plant and Equipment	114,960,924	(157,043)	114,803,881
	11 Maintenance of Plant	34,848,710	54,027	34,902,737
	12 Fixed Charges	440,981,198	(20,320,852)	420,660,346
	14 Community Services	208,495		208,495
	Subtotal, including specific grants	2,056,519,350	(44,569,869)	2,011,949,481
	Less specific grants	78,296,925	(3,304,015)	74,992,910
	Subtotal, spending affordability	1,978,222,425	(41,265,854)	1,936,956,571
II. Enterprise Funds				
	37 Instructional Television	1,566,791	16,039	1,582,830
	51 Real Estate Management	2,549,103		2,549,103
	61 Food Services	46,841,144		46,841,144
	71 Field Trip	2,199,661		2,199,661
	81 Entrepreneurial Activities	1,561,075		1,561,075
	Subtotal, Enterprise Funds	54,717,774	16,039	54,733,813
	Total Budget for MCPS	<u>2,111,237,124</u>	<u>(44,553,830)</u>	<u>2,066,683,294</u>

now therefore be it

Resolved, That, based on an appropriation of \$2,066,683,294 that includes an appropriation of \$54,733,813 for enterprise and special revenue funds and \$74,992,910 for restricted grants, approved by the County Council on May 22, 2008, the Board of Education adopt its FY 2009 Operating Budget reflecting the changes shown in Schedule A; and be it further

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

Resolved, That the Board of Education direct the superintendent of schools to deposit \$18,300,000 of the FY 2009 appropriation in the Retiree Health Benefit Trust Fund; and be it further

Resolved, That the Board of Education direct the superintendent of schools to effect the reorganizations as proposed in the Office of the Chief Technology Officer and the Office of Shared Accountability; and be it further

Resolved, That the Board of Education approve the FY 2009 Special Education Staffing Plan as included in the FY 2009 Recommended Operating Budget; and be it further

Resolved, That the Special Education Staffing Plan be submitted to the Maryland State Department of Education; and be it further

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

Re: **DISCUSSION**

Mrs. O'Neill was concerned and suggested that it be communicated that this budget does not reflect the total need of the school system and is not realistic. The system cannot afford to take funds from the classroom.

Mr. Barclay was interested in the federal dollars, especially Title I. The system had increased the number of schools based on poverty while federal funding was decreased. In the meantime, the needs of the children do not change.

Ms. Brandman noted that the system is identifying the priorities. She thought it was important for the public to know that, with the dollars available the Board cannot move forward with some initiatives, such as establishing parent community coordinators and counselors. The Middle School Reform initiative will go forward, but at a reduced level. In terms of technology, the staff told the Board that there will be training for school personnel for use in instruction.

Ms. Brandman noted the elimination of the Collaboration Action Process, and that schools will use a different model to identify disabilities available in the fall of 2008 and the realignment of positions.

Mr. Barclay commented on extracurricular activities and the reduction in dollars, and staff explained that all of the coaching positions in the past were budgeted, but that is traditionally not the case.

**Re: FINAL ADOPTION OF THE FY 2009
OPERATING BUDGET**

On motion of Ms. Cox and seconded by Mr. Moskowitz, the following amendment failed with Mr. Abrams, Ms. Cox, Mr. Moskowitz, and Mrs. O'Neill voting in the affirmative; Mr. Barclay, Ms. Brandman, Dr. Docca, and Mrs. Navarro voting in the negative:

Resolved, That the Board of Education amend the operating budget to take \$31,000 from lapse and turnover in mid-level administration and add it to the part-time position that coordinates the Superintendent's Leadership Program to create an instructional specialist position in Career and Technology Education to support the Superintendent's Leadership Program and work on developing and coordinating internships in Career and Technology Education.

Re: DISCUSSION

Mr. Abrams thought the Board was faced with one of two options: (1) muster support for minor changes or (2) recognize that the uncertainties are so great, flexibility for administration is supported by the majority of the Board. He said he was looking at the state of the economy and the time it would take to develop the nimbleness necessary for the school system to react to various outside events. His sense was that the discussion would get the Board into trouble, and he suggested that the Board pass the budget.

Ms. Cox commented on the budget process and things to think about in the future. Given all that the Board has heard about the anticipated revenue in the county, the political benefit of having union heads and MCCPTA leadership involved in preparing the budget recommendation is evident and practically guarantees their advocacy for full funding. That negotiation process can create problems if funding is not available since the identified groups will always ask for more. Ms Cox said that the Board needs to be alert to whether or not those interests adversely impact infrastructure since she saw a trend of that happening. In budget testimony, there is always concern over the backlog in work orders in schools; for example, Gaithersburg High School had a work order for leaks that is 140 days old. There is one person charged with safety issues in the school system. Furthermore, there needs to be an advocacy strategy for the Board to advise members of any meeting in which the Board is represented to fulfill its responsibility under the law. When there is a strategy, the Board has to be careful not to be reckless with the public

WHEREAS, The Special Education Staffing Committee, composed of parents, teachers, principals, special education staff, and special education advocates, held three meetings in May and June of 2007 and recommendations were submitted to the Office of Special Education and Student Services; and

WHEREAS, The FY 2009 Recommended Operating Budget includes all of the staffing plan elements required by the Maryland State Department of Education; and

WHEREAS, The superintendent of schools has requested a reorganization, including the offices of the Chief Technology Officer and Shared Accountability; and

WHEREAS, The County Council made net reductions to the Board of Education's FY 2009 Operating Budget Request of March 1, 2008, of \$44,553,830, from the various budget categories, as shown on the following schedule, consisting of a reduction of \$41,265,854, excluding grants and enterprise funds; a reduction of \$3,304,015 in grants; and an addition of \$16,039 in special revenue funds, in appropriating \$2,066,683,294 for the Board of Education's FY 2008 Operating Budget:

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now therefore be it

Resolved, That, based on an appropriation of \$2,066,683,294, that includes an appropriation of \$54,733,813 for enterprise and special revenue funds and \$74,992,910 for restricted grants, approved by the County Council on May 22, 2008, the Board of Education adopt its FY 2009 Operating Budget reflecting the changes shown in Schedule A; and be it further

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

Resolved, That the Board of Education direct the superintendent of schools to deposit \$18,300,000 of the FY 2009 appropriation in the Retiree Health Benefit Trust Fund; and be it further

Resolved, That the Board of Education direct the superintendent of schools to effect the reorganizations as proposed in the Office of the Chief Technology Officer and the Office of Shared Accountability; and be it further

Resolved, That the Board of Education approve the FY 2009 Special Education Staffing Plan as included in the FY 2009 Recommended Operating Budget; and be it further

Resolved, That the Special Education Staffing Plan be submitted to the Maryland State Department of Education; and be it further

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

RESOLUTION NO. 210-08 Re: **CONTRACTS OF \$25,000 OR MORE**

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

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

WHEREAS, It is recommended that Bid No. 4224.1, Fully Automatic Lidding Equipment, be rejected due to budget restraints; and

WHEREAS, Funds have been budgeted and/or identified for the purchase of an Identity and Access Management Suite through Bid No. GS-35F-0153M; and

WHEREAS, Funds have been budgeted and/or identified for the purchase of Computers, Associated Hardware, and Services through Bid No. USMSC 2007-12; and

WHEREAS, That acquisition of an Identity and Access Management Suite and Computers, Associated Hardware, and Services has been reviewed by legal counsel; now therefore be it

Resolved, That Bid No. 4224.1, Fully Automatic Lidding Equipment, be rejected due to budget restraints; and be it further

Resolved, That an Identity and Access Management Suite in the amount of \$311,100 be lease/purchased for a four-year term under the Master Lease/Purchase Agreement with First Southwest Leasing Company; and be it further

Resolved, That acquisition of computers, associated hardware, and services in the amount of \$5,000,000 be lease/purchased for a four-year term under the Dell Marketing, LP agreement; and be it further

Resolved, That the Board president and 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:

BCPS Energy Management System Upgrades**

JMI-613

-06

Awardee

Pritchett Controls, Inc.

\$ 278,645

GS-35-F

0153M

Oracle Identity and Access Management Suite

Awardee

Mythics, Inc.

\$ 485,000

RQ06-

838651-

59A

Ice Cream and Frozen Dessert Novelties

Awardee

Briggs Ice Cream Company

\$ 180,550

RQ07-

912944-

57

Musical Instruments

Awardee

Washington Music Sales Center, Inc.*

\$ 35,000

USMSC

2007-12

Computers, Associated Hardware, and Services

	<u>Awardee</u> Dell Marketing, LP	\$5,000,000
048-06-B3	Bleacher Inspection Maintenance and Repair	
	<u>Awardees</u> (See note) Modern Door and Equipment Sales T.J. Distributors Total	\$ 100,000
050B8 8000 03	Two Way Radios <u>Awardee</u> Procom	\$ 82,000
05-030	Preventive Maintenance of Generators—Extension <u>Awardee</u> Johnson & Towers \$100,000	
1062.3	Speech and Language Services—Extension <u>Awardees</u> (See note) Atlantic Health Services, Inc.* Care Resources, Inc.* EBS Healthcare National Speech/Language Therapy Center* Progressus Therapy, Inc. Therapy Needs, Inc. * Tri Rehab of Germantown, Inc.* Total	\$900,000
1090.3	Services for Infants and Toddlers with Developmental Delays—Extension <u>Awardees</u> (See note) Care Resources, Inc.* Early Intervention Therapists Jewish Social Service Agency The Language Experience, LLC* National Speech/Language Therapy Center* Pediatric Therapy Association Total	\$550,000
1128.3	Physical Exams for Bus Drivers—Extension	

	<u>Awardees</u> (See note) American Business Medical Services* Corporate Occupational Health Solutions Frederick Primary Care Associates Medical Access PC* Secure Medical Care* Total	\$120,000
1133.2	Occupational and Physical Therapy Services for Students with Disabilities—Extension	
	<u>Awardees</u> (See note) Care Resources* Tri Rehab of Germantown, Inc.* Therapy Needs, Inc.* Total	\$200,000
1138.2	Actuarial Consulting Services—Extension	
	<u>Awardee</u> Mercer Human Resources	\$ 80,000
1139.2	Ongoing Health and Welfare Consulting Services—Extension	
	<u>Awardee</u> AON Consulting	\$200,000
4106.2	Fire Alarm Monitoring System—Extension	
	<u>Awardee</u> Ark Systems, Inc.	\$ 42,816
4172.2	Printing of Blueprints/Construction Specifications/Brochures	
	<u>Awardee</u> Print-O-Stat, Inc.	\$200,000
4183.1	Enterprise Resource Planning Software and Implementation Services	
	<u>Awardee</u> Oracle USA, Inc.	\$200,000
4210.1	Fortis PowerWeb Server/View Station Software and Professional	

Services—Extension

	<u>Awardee</u> Aztech Data System, Inc.	\$ 95,000
4224.1	Student Technology Skills Assessment	
	<u>Awardee</u> The Learning Internet, Inc.	\$206,000
4226.1	Bio-Medical Laboratory Casework and Furnishings	
	<u>Awardee</u> Diversified Educational Systems	\$ 45,861
7119.4	Elementary Mathematics Supplies—Extension	
	<u>Awardees</u> ETA/Cuisenaire*	\$ 21,715
	Nasco	<u>20,585</u>
	Total	\$ 42,300
9004.7	Industrial and Technology Educational Lumber	
	<u>Awardees</u> A & M Supply Corporation	\$ 14,437
	Mann & Parker Lumber Company	26,949
	O'Shea Lumber Company	38,038
	Pikesville Lumber Company	32,361
	Rex Lumber Company	<u>7,803</u>
	Total	\$119,588
9007.5	Glass and Glazing Materials	
	<u>Awardees</u> Glass Distributors, Inc.*	\$ 1,211
	Hawkins Glass Company	30,974
	Sabic Polymershapes	6,320
	Total Plastics, Inc.	<u>40,690</u>
	Total	\$ 79,195
9012.6	Industrial and Technology Educational Hand Tools—Extension	

	<u>Awardees</u>	
	Diamond Tool Company	\$ 66,000
	Fastenal Company	1,519
	Grainger, Inc.	7,174
	Metco Supply, Inc.	3,386
	Paxton/Patterson	4,191
	Rutland Tool & Supply Company	2,689
	Satco, Inc.	83,898
	Snap On Industrial	<u>10,000</u>
	Total	\$178,857
9045.2	3D Printer and Accessories—Extension	
	<u>Awardee</u>	
	Amtek Company	\$ 66,225
9202.7	Custom Science Kits	
	<u>Awardees (See note)</u>	
	Carolina Biological Supply Company	
	Sempco, Inc.*	
	Total	\$200,000
9403.2	Water Treatment Chemicals	
	<u>Awardees</u>	
	Harrington Industrial Plastics, LLC	\$ 15,000
	Superior Water Services, Inc.	<u>35,000</u>
	Total	\$ 50,000
9626.1	Re-roofing at Silver Spring International Middle School**	
	<u>Awardee</u>	
	J.E. Wood & Sons	\$217,895
9650.1	Re-roofing at New Hampshire Estates Elementary School**	
	<u>Awardee</u>	
	R.D. Bean, Inc.	\$ 350,695
	TOTAL PROCUREMENT CONTRACTS OVER \$25,000	\$10,405,627

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

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

RESOLUTION NO. 211-08

Re: **AWARD OF CONTRACT—NORTHWOOD
HIGH SCHOOL SITE IMPROVEMENTS
PROJECT**

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

WHEREAS, The following sealed bids were received on May 22, 2008, for the Northwood High School site improvements project:

<u>Bidder</u>	<u>Amount</u>
Ross Contracting, Inc.	\$5,100,000
Allen H. Mitchell Construction, Inc.	5,580,000
Pleasants Construction, Inc.	6,979,000

and

WHEREAS, The low bidder, Ross Contracting, Inc., has submitted 27.7 percent Maryland-Department of Transportation-certified Minority Business Enterprise participation, of which 2.5 percent is African American; 15.5 percent is woman-owned; and 9.7 percent is other minority-owned; and

WHEREAS, Ross Contracting, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$5,100,000 contract be awarded to Ross Contracting, Inc. for the Northwood High School site improvements project, in accordance with drawings and specifications prepared by ADTEK Engineers, Inc.

RESOLUTION NO. 212-08

Re: **AWARD OF CONTRACT—WALTER
JOHNSON HIGH SCHOOL SITE WORK**

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

WHEREAS, On January 9, 2007, the Board of Education authorized staff to utilize a construction management process for the Walter Johnson High School modernization project and awarded a contract for preconstruction services to Henley Construction Company, Inc.; and

WHEREAS, On October 9, 2007, the Board of Education awarded a construction management contract for the Walter Johnson High School modernization project to Henley Construction Company, Inc. that did not include site work and related site amenities; and

WHEREAS, The following low bids were received on April 8, 2008, for the site work for the Walter Johnson High School modernization project:

<u>Bidder</u>	<u>Amount</u>
Pleasants Construction, Inc.	\$3,124,000
Ross Contracting, Inc.	3,180,000
AccuBid Excavation, Inc.	3,478,000

and

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

WHEREAS, Staff has negotiated and recommends assignment of the trade contract for the site work to Henley Construction Company, Inc. for the completion of the Walter Johnson High School modernization project; and

WHEREAS, The remaining site amenities include the grandstand, site lighting, fencing, scoreboards, and miscellaneous items, along with general condition costs, totaling \$3,892,300, that were bid directly to Henley Construction Inc.; and

WHEREAS, Henley Construction Company, Inc. has agreed to accept the assignment of the Walter Johnson High School trade contract awarded on June 10, 2008, and complete the site work and amenities portion of the project for a guaranteed price; and

WHEREAS, The aggregate Minority Business Enterprise participation submitted is 9.6 percent Maryland Department of Transportation-certified, of which 0.17 percent is African American, 5.7 percent is woman-owned, and 3.8 percent is other minority-owned; and

WHEREAS, A request has been submitted to waive the balance of the Maryland Department of Transportation-certified 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 Maryland Department of Transportation-certified requirements; now therefore be it

Resolved, That the site work trade contract award for the Walter Johnson High School modernization project be assigned to Henley Construction Company, Inc.; and be it further

Resolved, That an increase of \$7,016,300 be added to the guaranteed price contract with Henley Construction Company, Inc. to include the assignment of the trade contract award for the site work and site amenities bid directly to Henley Construction Company, Inc. for

the Walter Johnson High School modernization project, in accordance with the drawings and specifications prepared by Samaha Associates, P.C.

RESOLUTION NO. 213-08 Re: **GAITHERSBURG ELEMENTARY SCHOOL AND MIDDLE SCHOOL—GRANT OF STORM DRAINAGE EASEMENT, RIGHT-OF-WAY, DEEDS OF DEDICATION, AND PLAT OF DEDICATION**

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

WHEREAS, The Mayor and City Council (City) of Gaithersburg requested grants of deeds of dedication and storm drainage easements at Gaithersburg Elementary and Gaithersburg Middle schools, located at 35 North Summit Avenue and 2 Teachers' Way, respectively; and

WHEREAS, The grants are necessary to extend Teachers' Way from Girard Street to North Summit Avenue, in accordance with the City's Olde Towne Master Plan recommendation for redevelopment of a mixed-use infill project along Diamond Avenue; and

WHEREAS, On November 13, 2008, the Board of Education passed Resolution No. 533-07 that approved a Grant of Storm Drain Easement and a Deed of Dedication to the City; and

WHEREAS, The land areas needed for both the dedication and the storm drainage easements have been revised to avoid school recreational facilities and correct a right-of-way alignment associated with an abandonment action by the City; and

WHEREAS, The revised road design will require grants of dedication and execution of a Plat of Street Dedication—Teachers' Way of 22,569 square feet from the Gaithersburg Elementary School and 57,553 square feet from the Gaithersburg Middle School; and

WHEREAS, The revised road design will also require grants of storm drain and right-of-way easements of 9,984 square feet from Gaithersburg Elementary School and 34,411 square feet from Gaithersburg Middle School; and

WHEREAS, All construction and future maintenance will be undertaken by the City, its assigns, or permittees, at no cost to the Board of Education, with the City assuming liability for all damages or injury and all work; and

WHEREAS, The road extension will impact portions of land programmed for school activities and the City has agreed to reconfigure the parking lot, bus stop, parent drop-offs, and athletic fields at Gaithersburg Middle School and install fencing and other site

improvements at Gaithersburg Elementary School, the details of which will be contained in a Memorandum of Understanding between the City and the Board; and

WHEREAS, The proposed grants of storm drainage easement and right-of-way will benefit both the school site and the community by improving storm drainage and traffic circulation; now therefore be it

Resolved, That Resolution No. 533-07 be rescinded and the following action be taken in support of the extension and improvements to Teachers' Way adjacent to Gaithersburg Elementary and Gaithersburg Middle schools; and be it further

Resolved, That the president and secretary of the Board of Education be authorized to execute a Deed of Dedication and Plat of Street Dedication—Teachers' Way to the City of Gaithersburg consisting of 22,569 square feet at the Gaithersburg Elementary School and 57,553 square feet at the Gaithersburg Middle School; and be it further

Resolved, That the president and secretary of the Board of Education be authorized to execute a Grant of Storm Drainage Easement to the City of Gaithersburg consisting of 9,984 square feet at Gaithersburg Elementary School and 34,411 square feet at Gaithersburg Middle School; and be it further

Resolved, That the Board authorize the superintendent to execute a Memorandum of Understanding with the City of Gaithersburg to reconfigure the parking lot, bus stop, parent drop-offs, and athletic fields at Gaithersburg Middle School and to install fencing and other site improvements at Gaithersburg Elementary School made necessary by the extension of Teachers' Way.

RESOLUTION NO. 214-08

Re: **GRANT OF UTILITY EASEMENT AT
SPRINGBROOK HIGH SCHOOL**

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

WHEREAS, Staff negotiated a lease agreement for Telecommunications with T-Mobile Northeast, LLC, to permit the installation of a telecommunications monopole at Springbrook High School, located at 201 Valleybrook Drive, Silver Spring, Maryland, in accordance with the Board of Education's 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 and Verizon Communications, Inc. have requested a grant of utility easement consisting of 7,231 square feet to install, reconstruct, and maintain underground electric power and energy transmission and

distribution and communication facilities to serve the proposed telecommunications monopole; and

WHEREAS, The easement 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 and secretary of the Board of Education be authorized to execute a grant of utility easement and right-of-way of 7,231 square feet to the Potomac Electric Power Company and Verizon Communications, Inc. at Springbrook High School.

RESOLUTION NO. 215-08 Re: **GARRETT PARK ELEMENTARY SCHOOL—REQUEST FOR FOUNDATION TO FUND LARGER STAGE DURING MODERNIZATION—POLICY CNE**

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

WHEREAS, The planning for the modernization of Garrett Park Elementary School is scheduled to start in July 2008; and

WHEREAS, The Garrett Park Elementary School Education Foundation has requested permission to raise funds for a larger stage with upgraded sound, lighting, and curtain systems; and

WHEREAS, These enhancements will better accommodate the school's theater arts program and various school-sponsored activities and will be an asset for community use of the school facility; and

WHEREAS, This request conforms to the requirements of Board of Education Policy CNE, *Facility Improvements That Are Not Funded with Montgomery County Revenues*; and

WHEREAS, Similar types of requests have been granted previously; now therefore be it

Resolved, That the Board of Education approve the Garrett Park Elementary School Education Foundation's request to raise funds, in accordance with Board of Education Policy CNE, *Facility Improvements That Are Not Funded with Montgomery County*

Revenues, for the purpose of providing a larger stage with upgraded sound, lighting, and curtain systems during the school modernization project: and be it further

Resolved, That the larger stage and its enhancements be designed as an add-alternate to the project.

RESOLUTION NO. 216-08 Re: **RECOMMENDED FY 2009 FEES FOR THE
FOOD AND NUTRITION SERVICES
PROGRAM**

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

WHEREAS, Expenditures in the food and nutrition services program for salaries and employee benefits, food, and supplies are expected to increase in FY 2009 by approximately 5 percent over the FY 2008 levels; and

WHEREAS, Federal and state reimbursement rates for meals will increase by 2 percent; and

WHEREAS, To maintain a financially solvent food service enterprise fund it is necessary to increase revenues in FY 2009; now therefore be it

Resolved, That the price of the elementary school lunch be increased from \$2.25 to \$2.40, secondary school lunch be increased from \$2.50 to \$2.65, and the price of breakfast be increased from \$1.25 to \$1.30 for all students; and be it further

Resolved, That the price increases be effective August 26, 2008.

RESOLUTION NO. 217-08 Re: **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report, dated June 10, 2008

RESOLUTION NO. 218-08 Re: **DEATH OF MS. BRENDA G. DAVIS, BUS
OPERATOR I ON LEAVE, DEPARTMENT OF
TRANSPORTATION**

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

WHEREAS, The death, on May 3, 2008, of Ms. Brenda G. Davis, bus operator I at the West Farm Depot in the Department of Transportation , has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the 12 years that Ms. Davis had been employed by Montgomery County Public Schools, she always displayed a high standard of professional conduct, as well as loyalty and pride in her job; and

WHEREAS, Ms. Davis was known as a warm, genuine, and trustworthy employee and was dedicated to the safe transportation of her students; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Ms. Brenda G. Davis 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. Davis' family.

RESOLUTION NO. 219-08 Re: **DEATH OF MICHAEL J. KIRSCHBAUM,
COMPUTER OPERATOR II, DIVISION OF
SYSTEMS ARCHITECTURE & OPERATIONS**

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

WHEREAS, The death, on May 14, 2008, of Michael J. Kirschbaum, computer operator II in the Division of Systems Architecture & Operations, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the 29.5 years that Mr. Kirschbaum worked for Montgomery County Public Schools, he produced a high quality of work, was committed to excellence, and took great pride in working with the staff; and

WHEREAS, Mr. Kirschbaum's pleasant manner, positive outlook, and flexibility to the changes in his duties made him a valuable employee; 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 Michael J. Kirschbaum 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. Kirschbaum's family.

RESOLUTION NO. 220-08 Re: **HUMAN RESOURCES APPOINTMENT**

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 following personnel appointment be approved, effective July 1, 2008:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Dennis Queen	Principal, Kingsview MS	Principal, Seneca Valley HS

RESOLUTION NO. 221-08 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved, effective July 1, 2008:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Joyce Colbert	Instructional Specialist	Supervisor, Division of Title I Programs

RESOLUTION NO. 222-08 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved, effective July 1, 2008:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Karen Danco	Acting Supervisor, Division of Consortia Choice and Application Program Services	Supervisor, Division of Consortia Choice of Application Program Services

RESOLUTION NO. 223-08 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:

Resolved, That the following personnel appointment be approved ,effective July 1, 2008:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Tina Shrewsberry	Special Education Program Specialist	Coordinator, Stephen Knolls Center

RESOLUTION NO. 224-08 Re: RETIREES

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

WHEREAS, The persons who are retiring or have retired from Montgomery County Public Schools; and

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

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

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

Re: MONTHLY FINANCIAL REPORT

This financial report reflects the actual financial condition of Montgomery County Public Schools, as of April 30, 2008, and projections through June 30, 2008, based on program requirements and estimates made by primary and secondary account managers. At this time, revenues have a projected surplus of \$3,800,000, while expenses have a projected surplus of \$14,100,000. Staff will continue to closely monitor both revenues and expenditures.

RESOLUTION NO. 225-08 Re: CLOSED SESSION RESOLUTION

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on Monday, June 23, 2008, 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. 226-08 Re: **REPORT OF CLOSED SESSION**

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

On May 27, 2008, by unanimous vote, 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 May 27, 2008, from 5:35 to 5:55 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and did the following:

1. Unanimously approved, as amended, the Supplemental Decision and Order for Appeal 2007-59.
2. Reviewed and considered the following appeals in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): T-2008-2 and T-2008-3.
3. Discussed the Human Resources Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
4. Received legal advice, as permitted under Section 10-508(a)(7) of the *State Government Article*.
5. 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 session were Steve Abrams, Christopher Barclay, Steve Bedford, Larry Bowers, Shirley Brandman, Patrick Clancy, Sharon Cox, Judy Docca, Brian Edwards, Roland Ikheloa, Suzann King, Frieda Lacey, Erick Lang, Susan Marks, Quratul-Ann Malik, Ben Moskowitz, Nancy Navarro, Pat O'Neill, Glenda Rose, Laura Steinberg, Adrian Talley, and Jerry Weast.

RESOLUTION NO. 227-08 Re: **APPOINTMENT TO THE ETHICS PANEL**

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

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

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

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

WHEREAS, One vacancy will soon exist on the five-member panel; now therefore be it

Resolved, That the following individual be reappointed to serve a three-year term on the Ethics Panel, effective July 1, 2008, and ending June 30, 2011.

Kenneth Kellner

RESOLUTION NO. 228-08 Re: **APPEALS**

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

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>
2008-10	Parent Complaint	Dismissed
T-2008-5	Student Transfer	Affirmed
T-2008-6	Student Transfer	Reversed
T-2008-8	Student Transfer	Affirmed

Re: **BOARD COMMITTEE UPDATES**

There were no updates.

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. 229-08 Re: **ADJOURNMENT**

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 adjourn its meeting of June 10, 2008, at 3:30 p.m.

PRESIDENT

SECRETARY

JDW:gr

Resolution	Abrams	Barclay	Brandman	Cox	Docca	Moskowitz	Navarro	O'Neill
Policy EEA, Student Transportation	A	A	A	A	A	A	O	A
FY 2009 Operating Budget	A	A	A	A	A	A	A	A

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

Re: **CLOSED SESSION**

The Montgomery County Board of Education met in a closed session on June 10, 2008, from 3:45 to 6:00 p.m. in Room 114 and 120 of the Carver Educational Services Center, Rockville, Maryland, and considered Appeal 2007-70 in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET**

June 10, 2008

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