

APPROVED
35-2009

Rockville, Maryland
December 8, 2009

The Board of Education of Montgomery County met at the Carver Educational Services Center, Rockville, Maryland, on December 8, at 10:05 a.m.

Present: Ms. Shirley Brandman, President
in the Chair
Mr. Christopher Barclay
Ms. Laura Berthiaume
Dr. Judy Docca
Mr. Michael Durso
Mr. Timothy Hwang
Mr. Philip Kauffman
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. 514-09Re: **RESOLUTION FOR CLOSED SESSIONS**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Dr. Docca, 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 December 8, 2009, in Room 120 from 9:00 to 10:00 a.m. and 12:30 to 2:00 p.m.; and be it further

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

Resolved, That the Board of Education of Montgomery County discuss the Human Resources Monthly Report as permitted under Section 10-508(a)(1) of the *State Government Article* with a subsequent vote in open session; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on December 8, 2009, to acquit its administrative functions and receive legal advice to adjudicate and review appeals, which is a quasi-judicial function outside the

purview of the *Open Meetings Act* under Section 10-508(a) of the *State Government Article*; and be it further

Resolved, That the meeting continue in closed sessions until the completion of business.

Re: **PLEDGE OF ALLEGIANCE**

On motion of Mr. Barclay and seconded by Ms. Berthiaume, the following resolution was adopted unanimously:

Resolved, That the Board of Education start the meeting the Pledge of Allegiance.

Re: **ELECTION OF OFFICERS**

Dr. Weast announced that, as secretary-treasurer of the Board of Education, he would preside until the election of the president. To be elected president or vice president, a member needed five votes, and all members were in nomination. The votes for president were as follows:

Mr. Barclay voted for Mrs. O'Neill.
Ms. Berthiaume voted for Mrs. O'Neill.
Mrs. O'Neill voted for Mrs. O'Neill.
Mr. Durso voted for Mrs. O'Neill.
Mr. Kauffman voted for Mrs. O'Neill.
Mr. Hwang voted for Mrs. O'Neill.
Dr. Docca voted for Mrs. O'Neill.
Ms. Brandman voted for Mrs. O'Neill.

Mrs. O'Neill assumed the chair and presided over the election of the vice president.

Mr. Barclay voted for Mr. Barclay.
Ms. Berthiaume voted for Mr. Barclay.
Mrs. O'Neill voted for Mr. Barclay.
Mr. Durso voted for Mr. Barclay.
Mr. Kauffman voted for Mr. Barclay.
Mr. Hwang voted for Mr. Barclay.
Dr. Docca voted for Mr. Barclay.
Ms. Brandman voted for Mr. Barclay.

RESOLUTION NO. 515-09Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for December 8, 2009.

RESOLUTION NO. 516-09Re: **NATIONAL INCLUSIVE SCHOOLS WEEK**

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

WHEREAS, The Urban Special Education Leadership Collaborative and Education Development Center, Inc. has designated the week of December 7–11, 2009, as *National Inclusive Schools Week* celebrating the theme, “Inclusive Technologies”; and

WHEREAS, Montgomery County Public Schools is committed to providing a high quality, world class education that ensures every student can achieve success to the maximum extent possible in the least restrictive environment by accessing the curriculum through the support of Universal Design for Learning strategies and engaging in a rigorous instructional program supported by productive family, school, and community partnerships that promote improved student achievement; and

WHEREAS, The educators of Montgomery County Public Schools recognize the diversity among their many learners and strive to utilize instructional practices that promote equity, support differentiated instruction, and incorporate inclusive technologies to purposefully address the characteristics, strengths, and needs of all students; and

WHEREAS, The administrators, educators, staff members, and families of Montgomery County Public Schools continue their collaborative efforts to ensure that classrooms and schools exemplify high standards and inclusive practices by providing all students access to environments that include appropriate technologies to effectively prepare them for graduation and successful postsecondary outcomes, as they work in diverse communities; and

WHEREAS, Montgomery County Public Schools promotes the efforts to develop a stronger and more inclusive community within our schools and classrooms through professional development opportunities for educators and families that address the use of Universal Design for Learning and inclusive technologies; and

WHEREAS, The educators and families of Montgomery County Public Schools celebrate their accomplishments in promoting inclusive education and consider how they might build upon these successes to expand their efforts; therefore be it

Resolved, That Montgomery County Public Schools join with the Urban Special Education Leadership Collaborative and Education Development Center, Inc. in declaring the week of December 7–11, 2009, as “National Inclusive Schools Week” in Montgomery County Public

Schools and supporting schools and classrooms across the county in promoting inclusion by sponsoring appropriate learning and community-building activities.

Re: **PUBLIC COMMENTS**

The following people commented before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Steve Robins	White Flint Sector Plan
2. Liz King	White Flint Sector Plan
3. Kay Romero	Construction Bids

Re: **BOARD/SUPERINTENDENT COMMENTS**

All Board members congratulated the newly elected officers and thanked the past president for her tireless efforts on the behalf of the Board and the school system.

Mr. Barclay commented that many Board members attended the State of the County address of the county executive. There were two important points: (1) the importance of education to the county; and (2) financial support if possible.

Ms. Brandman thanked the Board staff for their work when she was president. She reported that she and Mr. Hwang testified before the delegation on the bill request to expand the rights of the student Board member. Finally, she commented that the release of the Advance Placement results were remarkable.

Dr. Docca welcomed the Alpha Phi Alpha members who will be attending the Board meetings. She and other Board members attended the Collaboration Council's awards. She attended the performance of *Chicago* at Winston Churchill High School. Finally, Board members attended the Arts and Humanities Ball.

Ms. Berthiaume attended the 100th Anniversary of the Johns Hopkins University School of Education, which held a series on educational policy. This discussion was on reauthorization of the Elementary and Secondary Education Act, where she received insight on the new legislation that may be proposed.

Mr. Kauffman commented on the briefing of the County Council. The Maintenance of Effort (MOE) issues must be followed closely since education is a top priority in the county. There may be MOE changes sought by the Council with the Maryland Association of Counties that are different than the view of the Maryland Association of Boards of Education. The Board must remain in the dialogue to assure that the proposed changes will not do damage to the fundamental funding mechanism in Maryland. There must be caution about changes to reduce the responsibility of funding sources.

Mr. Durso commented on his walkthrough of the newly renovated Galway Elementary School and Francis Scott Key Middle School. He believed that surroundings make a difference in the attitude and morale of those learning and working in those buildings.

Mr. Hwang stated that bill to increase the role of the student Board member has been introduced and people have testified. He also has another initiative to video the activities and responsibilities of the student Board member. He has a blog to connect with the students in the school system. He hopes to visit all schools by the end of his term. Finally, he will hold a town hall meeting on December 16.

Mrs. O'Neill thanked her colleagues for their support, and she looked forward to working together. She stressed that the Board must advocate for students by requesting funding for the budgets before the County Council and Maryland Legislature.

Dr. Weast commented that the school system has just launched *Alert MCPS*, a new way for the public to receive messages about major changes in school system operations. *Alert MCPS* joins a list of ways that MCPS communicates emergency messages to the public—including *QuickNotes* email service, Twitter, Cable Channel 34, and the MCPS website. He continued with congratulations to the 4,582 students who were among the nation's top performers on the Advanced Placement exams last spring. This is the largest number of top AP scholars, including National AP Scholars, Scholars with Honor, and Scholars with Distinction that MCPS has ever had. And this year Tim Hwang, student Board member, was named one of two state AP scholars in Maryland. He received that honor for taking and passing 22 Advanced Placement tests.

Re: UPDATE ON SCIENCE CURRICULUM

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; Ms. Anita R. O'Neill, supervisor, pre-K–12 Science and Engineering; Mrs. Susan Barranger, principal, Washington Grove Elementary School; Mr. Joel L. Beidleman, assistant principal, Lakelands Park Middle School; and Ms. Mary Beth Thomas, teacher, Jackson Road Elementary School.

Whether or not students plan to study science in college or pursue a science career, all high school graduates must be able to understand, evaluate, and use scientific information. Increasingly, political, economic, and legal decisions are considered within a science context. Scientifically literate individuals are able to interpret scientific information to make decisions. Our graduates must be able to engage in meaningful debates about topics such as carbon emissions, wind and solar power, genetic engineering, and nuclear waste. To prepare students for academic, career, civic, and personal endeavors, Montgomery County Public Schools (MCPS) is committed to building each student's scientific literacy. We are

joined in that effort by a vast array of partners in the science community, including the Howard Hughes Medical Institute, the National Institutes of Health, and the National Institute of Standards and Technology.

Development of science curriculum aligns with *Our Call to Action: Pursuit of Excellence*, the MCPS strategic plan; and with Board of Education Policy IFA, *Curriculum*, identified by the Board as a governance policy for Goal 2, "Provide an Effective Instructional Program." As part of the Middle School Reform initiative, staff members in the Office of Curriculum and Instructional Programs (OCIP) redesigned middle school science courses to provide curriculum aligned with, and extending beyond, the State Curriculum to promote instruction that is challenging, relevant, and engaging for all students. These courses build on elementary instruction that introduces students to science inquiry and promotes deep understanding of science concepts and processes. The middle school courses are designed to continue or increase students' fascination with science as they move closer to high school.

The purpose of this update is to provide information about the pre-K–12 science curriculum and instruction in MCPS, including the structure of the curriculum, partnerships, and professional development to support effective science teaching and learning; student participation and performance on external assessments; challenges; considerations; and next steps.

Staff members in OCIP will—

- continue to develop integrated curriculum to facilitate elementary science instruction;
- expand the Howard Hughes Medical Institute grant-funded Elementary Science Leadership Program to include all elementary schools;
- complete development and implementation of new middle school courses;
- collaborate with OOD on middle school curriculum implementation training;
- continue to focus resource teacher meetings on curriculum, instruction, and assessments;
- update school administrators at all levels on implementation of the science program;
- provide direct support to schools to promote effective science instruction;
- seek funding sources and partnerships to support science teaching and learning; and
- analyze data and stakeholder input and feedback to improve products and services.

MCPS must take the required steps to prepare all of our students for a world in which many of the most difficult challenges will involve issues related to science. We are committed to graduating scientifically literate students who can make informed decisions by relying on a solid background in science content and critical thinking.

Re: **DISCUSSION**

Mr. Hwang asked about partnerships that MCPS has with companies and government agencies. Second, he wanted clarification on problem-based system. Third, the students are excited about science in elementary and middle school, but there is a decline in science at the high school level. Staff explained that there are many partnerships and internships with research organizations as well as colleges. Problem-based instruction starts with a problem, and students set about solving the problem with instruction, research, and application. Finally, high school teachers are meeting to learn about instruction and what students have experienced in elementary and middle schools.

Mr. Barclay asked about matching the science and math levels. Staff stated that successful students at the college level was not the order in which the courses are taken, but the number of courses and exposure to science and the higher level of math achieved by the student.

Ms. Brandman inquired about how curriculum advisory committees work with staff in the area of science. Staff said the committee is composed of parents, science professionals, and college teachers.

Ms. Brandman asked about science standards included in technology. Staff explained that the paper only had science standards, but technology standards are used when writing the curriculum to reinforce math standards.

Dr. Docca pointed out that there is female participation in science in elementary and middle schools. Does staff see a difference in high school? Staff replied that there are differences since there are more girls applying for science-based internships. There are more girls in Advanced Placement biology, but more boys in Advanced Placement physics.

Mr. Barclay was interested in the transition grades, especially fifth and eighth grades. What is the preparation and evidence that they are ready for the next level of schooling? Staff stated that all staff is pulled together in quad clusters to talk about science instruction. It is essential to create a seamless transition for students, along with parental support.

Mr. Durso asked about literacy skills for students dealing with scientific topics. Staff stated that hands-on science is accessible to all students, and science is a vehicle for students to become more literate. Furthermore, there is a lot of reading and writing from a variety of sources anchored to hands-on science.

Ms. Berthiaume asked for the breakdown by gender in last year's enrollment in computer science and Advanced Placement science courses.

Re: LUNCH AND CLOSED SESSION

The Board recessed from 12:20 to 2:10 p.m. for lunch and closed session.

RESOLUTION NO. 517-09Re: CONTRACTS OF \$25,000 OR MORE

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

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

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

060B980 0006	Long Distance—Extension	
	<u>Awardee</u>	
	Verizon Business	\$ 52,320
4995000 00683794	Wireless Voice and Data Services—Extension	
	<u>Awardees</u> (See note)	
	AT&T Mobility	
	Sprint/Nextel	
	Verizon Wireless	
	Total	\$807,980
5644500 0077335 6-ISP	Internet Service Provider	
	<u>Awardee</u>	
	Atlantech	\$120,000
5644500 0077335 6-V	Other Voice Services	
	<u>Awardees</u>	
	Atlantech	\$ 29,376
	Verizon Maryland, Inc.	<u>533,531</u>
	Total	\$562,907
8099805	Underground Hydraulic Cylinder at Quince Orchard High School	
	<u>Awardee</u>	
	Elevator Control Services	\$ 66,020

4051.5	Metal and Steel—Extension	
	<u>Awardees</u>	
	Durrett Sheppard Steel Company	\$ 70,375
	I-Con International Contractors*	<u>2,349</u>
	Total	\$ 72,724
4054.5	Bathroom Partition Repair Parts—Extension	
	<u>Awardee</u>	
	Hardware Discounters	\$ 41,875
4083.5	Chalkboards, Tackboards, and Whiteboards	
	<u>Awardee</u>	
	Steel Products, Inc.*	\$ 49,531
4100.4	Fire Alarm Parts—Extension	
	<u>Awardees</u>	
	Alarmax Distributors	\$ 35,574
	Setec	<u>43,384</u>
	Total	\$ 78,958
4112.4	Batteries	
	<u>Awardee</u>	
	Vehicle Maintenance Program, Inc.*	\$ 44,290
4117.2	Design/Planning/Coordination of Furniture for New/Modernized Schools—Extension	
	<u>Awardee</u>	
	Douron, Inc.*	\$700,000
4194.1	Flexible Spending Account (FSA) and COBRA Program and Services	
	<u>Awardee</u>	
	SHPS	\$290,000
4200.1	e-Rate Consulting Services—Extension	

	<u>Awardee</u> Funds for Learning	\$ 55,000
4217.1	Learning Lab Program for Career and Technology Education—Extension	
	<u>Awardee</u> PCS Adventures, Inc.	\$ 40,000
4272.1	Visitor Management System	
	<u>Awardee</u> Schneider Electric Buildings Critical System	\$ 69,528
4284.1	Child Development Certification	
	<u>Awardee</u> Childcare Education Institute, LLC	\$ 31,600
4285.1	Consultant for Continuous Improvement Services	
	<u>Awardee</u> 3M CB LLC	\$ 50,000
9005.7	Industrial and Technology Education Lumber—Extension	
	<u>Awardees</u> A&M Supply Corporation	\$ 14,437
	Mann & Parker Lumber Company	33,097
	O’Shea Lumber Company	41,012
	Pikesville Lumber Company	<u>34,231</u>
	Total	\$122,777
9008.5	Glass and Glazing Materials—Extension	
	<u>Awardees</u> Glass Distributors, Inc.*	\$ 1,578
	Hawkins Glass Company	30,974
	Sabic Polymershapes	6,320
	Total Plastics, Inc.	<u>40,690</u>
	Total	\$ 79,562
9081.3	Playground Border Boxing and Engineered Wood	

Fiber—Extension

Awardee

Playground Specialist

\$ 193,750

9318.4 Public Address Systems Replacements at Various Locations—Extension**

Awardee

CTSI-Corbett Technology Solutions, Inc.

\$ 385,000

TOTAL PROCUREMENT CONTRACTS OVER \$25,000

\$3,913,822

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

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

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 518-09Re: **CONTRACT APPROVAL FOR BID 4147.1,
OFFICE SUPPLIES/SYSTEMS CONTRACT –
EXTENSION**

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

WHEREAS, Funds have been budgeted for and/or identified for the purchase of office supplies through Bid No. 4147.1; now therefore be it

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

4147.1 Office Supplies/Systems Contract—Extension

Awardee

Officemax

\$1,045,283

RESOLUTION NO. 519-09Re: **CONTRACT APPROVAL FOR BID
564450000773356-D, OTHER
TELECOMMUNICATIONS, DATA**

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

WHEREAS, Funds have been budgeted for and/or identified for data telecommunications through Contract 564450000773356-D; now therefore be it

Resolved, That the following contracts will be awarded as shown below:

564450000	Other Telecommunications, Data	
773356-D		
	<u>Awardee</u>	
	Comcast	\$ 136,658
	Verizon Maryland, Inc.	<u>1,299,677</u>
	Total	\$1,436,335

RESOLUTION NO. 520-09Re: **CONTRACT APPROVAL FOR BID 35F-0765R, NETWORK WIRING INSTALLATION AND INTEGRATION – EXTENSION**

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

Resolved, That the following contract will be awarded as shown below:

35F-0765R	Network Wiring Installation and Integration—Extension	
	<u>Awardee</u>	
	Netcom Technologies, Inc.	\$1,439,500

RESOLUTION NO. 521-09Re: **CONTRACT APPROVAL FOR BID 2007-428937, LOCAL TELEPHONE SERVICES – EXTENSION**

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

WHEREAS, Funds have been budgeted for and/or identified for local telephone services through Contract 2007-428937; now therefore be it

Resolved, That the following contract will be awarded as shown below:

2007-428937	Local Telephone Services—Extension	
	<u>Awardee</u>	

Verizon Maryland, Inc.

\$1,512,130

RESOLUTION NO. 522-09Re: **CONTRACT APPROVAL FOR BID 4114.3,
CLASSROOM FURNITURE – EXTENSION**

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

WHEREAS, Funds have been budgeted for and/or identified for the purchase of classroom furniture through Bid No. 4114.3; now therefore be it

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

4114.3 Classroom Furniture—Extension

Awardee

American Design Associates	\$ 17,051
Douron, Inc.	2,112,132
Glover Equipment, Inc.	153,715
Maryland Correctional Enterprises	<u>36,600</u>
Total	\$2,319,498

RESOLUTION NO. 523-09Re: **CONTRACT APPROVAL FOR RFP 4193.1,
BASIC LIFE, BASIC ACCIDENTAL DEATH
AND DISMEMBERMENT, SUPPLEMENTAL
LIFE, AND DEPENDENT LIFE – EXTENSION**

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

WHEREAS, Funds have been budgeted for and/or identified for Basic Life, Basic Accidental Death and Dismemberment, Supplemental Life, and Dependent Life through Contract 4193.1; now therefore be it

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

4193.1 Basic Life, Basic Accidental Death and Dismemberment, Supplemental Life, and Dependent Life—Extension

Awardee

The Prudential Insurance Company of America

\$3,150,000

**RESOLUTION NO. 524-09Re: CONTRACT APPROVAL FOR RFP 7067.3,
CISCO EQUIPMENT, SOFTWARE, AND
SERVICES – EXTENSION**

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

WHEREAS, Funds have been budgeted for and/or identified for Cisco equipment, software, and services through Contract 7067.3; now therefore be it

Resolved, That the following contract will be awarded to the low bidder meeting specifications as shown below:

7067.3 Cisco Equipment, Software, and Services—Extension

Awardee

The Presidio Corporation

\$3,709,700

**RESOLUTION NO. 525-09Re: ACCEPTANCE OF BELLS MILL
ELEMENTARY SCHOOL MODERNIZATION
PROJECT**

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

WHEREAS, On behalf of the Board of Education, Board Member Patricia O'Neill inspected the Bells Mill Elementary School modernization project on Friday, November 20, 2009; now therefore be it

Resolved, That the Board of Education accept the Bells Mill Elementary School modernization project and that the official date of completion is that date when formal notice is received from the architect that this project has been completed in accordance with the drawings and specifications, and all contract requirements have been met.

**RESOLUTION NO. 526-09Re: ACCEPTANCE OF BETHESDA-CHEVY
CHASE HIGH SCHOOL ADDITION PROJECT**

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

WHEREAS, On behalf of the Board of Education, Board Member Patricia O'Neill inspected the Bethesda-Chevy Chase High School addition project on Tuesday, October 27, 2009; now therefore be it

Resolved, That the Board of Education accept the Bethesda-Chevy Chase High School addition project and that the official date of completion is that date when formal notice is received from the architect that this project has been completed in accordance with the drawings and specifications, and all contract requirements have been met.

RESOLUTION NO. 527-09Re: **ACCEPTANCE OF GALWAY ELEMENTARY SCHOOL MODERNIZATION PROJECT**

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

WHEREAS, On behalf of the Board of Education, Board Member Michael Durso inspected the Galway Elementary School modernization project on Friday, October 30, 2009; now therefore be it

Resolved, That the Board of Education accept the Galway Elementary School modernization project and that the official date of completion is that date when formal notice is received from the architect that this project has been completed in accordance with the drawings and specifications, and all contract requirements have been met.

RESOLUTION NO. 528-09Re: **ACCEPTANCE OF WILLIAM B. GIBBS, JR. ELEMENTARY SCHOOL PROJECT**

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

WHEREAS, On behalf of the Board of Education, Board Member Judith Docca inspected the William B. Gibbs, Jr. Elementary School on Thursday, November 19, 2009; now therefore be it

Resolved, That the Board of Education accept the William B. Gibbs, Jr. Elementary School and that the official date of completion is that date when formal notice is received from the architect that this project has been completed in accordance with the drawings and specifications, and all contract requirements have been met

RESOLUTION NO. 529-09Re: **ARCHITECTURAL APPOINTMENT – BEVERLY FARMS ELEMENTARY SCHOOL MODERNIZATION PROJECT**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Beverly Farms Elementary School modernization project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$23,000,000; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2010 Capital Budget; and

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

WHEREAS, Staff has negotiated a fee for the necessary architectural services that includes a consultant that is affiliated with a Maryland Department of Transportation-certified minority-owned firm; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Muse Architects, P.C., to provide professional architectural and engineering services for the Beverly Farms Elementary School modernization project for a fee of \$1,348,830.

RESOLUTION NO. 530-09Re: **ARCHITECTURAL APPOINTMENT – COLD
 **SPRING ELEMENTARY SCHOOL
 GYMNASIUM ADDITION PROJECT****

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Cold Spring Elementary School gymnasium addition project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$1,500,000; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2010 Capital Budget; and

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

WHEREAS, JK Architects + Associates, Inc. is a Maryland Department of Transportation-certified minority-owned firm; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of JK Architects + Associates, Inc. to provide professional architectural and engineering services for the Cold Spring Elementary School gymnasium addition project for a fee of \$134,000.

RESOLUTION NO. 531-09Re: **ARCHITECTURAL APPOINTMENT –
GLENALLAN ELEMENTARY SCHOOL
MODERNIZATION PROJECT**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Glenallan Elementary School modernization project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$24,000,000; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2010 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Walton, Madden, Cooper, Robinson, Poness, Inc. as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural services; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Walton, Madden, Cooper, Robinson, Pones, Inc. to provide professional architectural and engineering services for the Glenallan Elementary School modernization project for a fee of \$1,312,180.

RESOLUTION NO. 532-09Re: **ARCHITECTURAL APPOINTMENT –
WELLER ROAD ELEMENTARY SCHOOL
MODERNIZATION PROJECT**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Weller Road Elementary School modernization project; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$21,000,000; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2010 Capital Budget; and

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

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

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Delmar Architects, P.A. to provide professional architectural and engineering services for the Weller Road Elementary School modernization project for a fee of \$1,210,500.

RESOLUTION NO. 533-09Re: **ARCHITECTURAL APPOINTMENT– NORTH
CHEVY CHASE ELEMENTARY SCHOOL
ADDITION FEASIBILITY STUDY**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services to perform a feasibility study for the North Chevy Chase Elementary School classroom and gymnasium addition project; and

WHEREAS, Funds for conducting feasibility studies were programmed as part of the FY 2010 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Grimm + Parker Architects as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural services; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Grimm + Parker Architects to provide design feasibility services for the North Chevy Chase Elementary School classroom and gymnasium addition project for a fee of \$49,000.

RESOLUTION NO. 534-09Re: **ARCHITECTURAL APPOINTMENT –
 WATERS LANDING ELEMENTARY SCHOOL
 ADDITION FEASIBILITY STUDY**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services to perform a feasibility study for the Waters Landing Elementary School addition project; and

WHEREAS, Funds for conducting feasibility studies were programmed as part of the FY 2010 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified The Lukmire Partnership as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural services; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of The Lukmire Partnership to provide design feasibility services for the Waters Landing Elementary School addition project for a fee of \$45,000.

RESOLUTION NO. 535-09Re: **AWARD OF CONTRACT – BROOKHAVEN
ELEMENTARY SCHOOL ADDITION
PROJECT**

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

WHEREAS, The following sealed bids were received on November 17, 2009, for the Brookhaven Elementary School addition project:

<u>Bidder</u>	<u>Amount</u>
R. J. Crowley, Inc.	\$3,523,800
Henley Construction Company, Inc.	3,555,900
Keller Brothers, Inc.	3,575,000
Scheibel Construction	3,605,000
John W. Brawner Contracting Company, Inc.	3,618,855
Tuckman-Barbee Construction Co., Inc.	3,631,000
G.F.G. Builders, Inc.	3,641,000
William F. Klingensmith, Inc.	3,684,500
Dustin Construction, Inc.	3,705,000

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 18 percent; and

WHEREAS, The low bidder, R. J. Crowley, Inc. has submitted 11.3 percent Maryland Department of Transportation-certified Minority Business Enterprise participation, of which 1.4 percent is African American, 2.7 percent is women-owned, and 7.2 percent is other minority-owned; and

WHEREAS, The state minority business requirements for school construction projects stipulate that only Maryland Department of Transportation-certified minority businesses can be used to satisfy the project Minority Business Enterprise goal of 18 percent; and

WHEREAS, R. J. Crowley, Inc. has submitted a waiver for the balance of the Maryland Department of Transportation-certified Minority Business Enterprise 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 Minority Business Enterprise participation; and

WHEREAS, R. J. Crowley, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$3,523,800 contract be awarded to R. J. Crowley, Inc. for the Brookhaven Elementary School addition project, in accordance with drawings and specifications prepared by Delmar Architects, P.A.

RESOLUTION NO. 536-09Re: **AWARD OF CONTRACT – FARMLAND
ELEMENTARY SCHOOL MODERNIZATION
PROJECT**

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

WHEREAS, On November 11, 2008, the Board of Education authorized staff to utilize a construction management process for the Farmland Elementary School modernization project and awarded a contract for preconstruction services to Meridian Construction Co. Inc.; and

WHEREAS, The following low bids were received on November 5, 2009, for the Farmland Elementary School modernization project:

<u>Low Bidders</u>	<u>Amounts</u>
2A-Sitework—Ross Contracting, Inc.	\$1,438,000
3A-Concrete—Canyon Contracting, Inc.	485,000
4A-Masonry—KaRon Masonry of Maryland, Inc.	1,385,000
5A-Steel—Champion Iron Works, Inc.	1,089,000
7A-Roofing—CitiRoof Corporation	1,199,000
8A-Glass and Glazing—Engineered Construction Products, Ltd.	450,400
9A-Drywall and Ceilings—Manganaro MidAtlantic, LLC	903,600
11A-Food Service Equipment—American Energy Restaurant Equipment, LLC	150,139
15A-Sprinkler—Kennedy Fire Protection, LLC	114,400
15B-Mechanical/Plumbing—R.W. Warner, Inc.	2,175,000
16A-Electrical—Altimate Electric, Inc.	1,098,000

and

WHEREAS, On November 5, 2009, Meridian Construction Co., Inc. received bid proposals for the remaining trade contracts for the project, which will be included in the guaranteed maximum price; and

WHEREAS, Detailed information on these bid proposals is available for review in the Department of Facilities Management; and

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

WHEREAS, Staff has negotiated and recommends approval of a guaranteed maximum price contract with Meridian Construction Co., Inc. for the completion of the Farmland Elementary School modernization project that includes the assignment of trade work awarded by Montgomery County Public Schools, along with all management and general conditions costs; and

WHEREAS, Meridian Construction Co., Inc. has agreed to accept the assignment of the Farmland Elementary School trade contracts awarded on December 8, 2009, and complete the project for the guaranteed maximum price; and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 14 percent; and

WHEREAS, The aggregate Minority Business Enterprise participation submitted is 17 percent Maryland Department of Transportation-certified, of which 5.3 percent is African American, 8.6 percent is women-owned, and 3.1 percent is other minority-owned; now therefore be it

Resolved, That the following trade contract packages be awarded to the low bidders for the construction of the Farmland Elementary School modernization project:

<u>Low Bidders</u>	<u>Amounts</u>
2A-Sitework—Ross Contracting, Inc.	\$1,438,000
3A-Concrete—Canyon Contracting, Inc.	485,000
4A-Masonry—KaRon Masonry of Maryland, Inc.	1,385,000
5A-Steel—Champion Iron Works, Inc.	1,089,000
7A-Roofing—CitiRoof Corporation	1,199,000
8A-Glass and Glazing—Engineered Const.Products, Ltd.	450,400
9A-Drywall and Ceilings—Manganaro MidAtlantic, LLC	903,600
11A-Food Service Equipment—American Energy Restaurant Equipment, LLC	150,139

15A-Sprinkler—Kennedy Fire Protection, LLC	114,400
15B-Mechanical/Plumbing—R.W. Warner, Inc.	2,175,000
16A-Electrical—Altimate Electric, Inc.	1,098,000

and be it further

Resolved, That the trade contracts awarded for the Farmland Elementary School modernization project be assigned to Meridian Construction Co., Inc.; and be it further

Resolved, That a contract in the amount of \$13,867,266, to include the assignment of the trade contract awards, be awarded to Meridian Construction Co., Inc. for the Farmland Elementary School modernization project, in accordance with drawings and specifications prepared by Hord Coplan Macht, Inc. (formerly Cochran, Stephenson & Donkervoet, Inc.).

RESOLUTION NO. 537-09Re: **AWARD OF CONTRACT – PAINT BRANCH
HIGH SCHOOL MODERNIZATION SITE
WORK**

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

WHEREAS, On March 26, 2007, the Board of Education authorized staff to utilize a construction management process for the Paint Branch High School modernization project and awarded a contract for preconstruction services to Hess Construction + Engineering Services; and

WHEREAS, The following sealed bids were received on November 12, 2009, for the site work for the Paint Branch High School modernization project:

<u>Low Bidders</u>	<u>Amounts</u>
Ross Contracting, Inc.	\$ 13,394,500
Urban N. Zink, Inc.	14,094,050
Pleasants Construction, Inc.	14,463,000
American Infrastructure-MD, Inc.	15,577,000
Strittmatter Contracting, LLC	16,910,000

and

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

WHEREAS, That the low bidder, Ross Contracting, Inc., has completed similar work

successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$13,394,500 contract be awarded to Ross Contracting, Inc. for the site work for the Paint Branch High School modernization project, in accordance with drawings and specifications prepared by Moseley Architects, P.C.

RESOLUTION NO. 538-09Re: **AWARD OF CONTRACT – ROCK VIEW
ELEMENTARY SCHOOL ADDITION
PROJECT**

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

WHEREAS, The following sealed bids were received on November 10, 2009, for the Rock View Elementary School addition project:

<u>Bidder</u>	<u>Amount</u>
Keller Brothers, Inc.	\$3,210,000
John W. Brawner Contracting Company, Inc.	3,361,350
Scheibel Construction	3,379,000
Henley Construction Company, Inc.	3,427,000
Maggin Construction Company, Inc.	3,490,000
R. J. Crowley, Inc.	3,510,000
Dustin Construction, Inc.	3,531,000
William F. Klingensmith, Inc.	3,546,000
Tuckman-Barbee Construction Co., Inc.	3,554,000
G.F.G. Builders, Inc.	3,815,000

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 18 percent; and

WHEREAS, The low bidder, Keller Brothers, Inc., has submitted 12.23 percent Maryland Department of Transportation-certified Minority Business Enterprise participation, of which 1.09 percent is African American, 2.01 percent is women-owned, and 9.13 percent is other minority-owned; and

WHEREAS, The state minority business requirements for school construction projects stipulate that only Maryland Department of Transportation-certified minority businesses can be used to satisfy the project Minority Business Enterprise goal of 18 percent; and

WHEREAS, Keller Brothers, Inc. has submitted a waiver for the balance of the 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 Minority Business Enterprise participation; and

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

Resolved, That a \$3,210,000 contract be awarded to Keller Brothers, Inc. for the Rock View Elementary School addition project, in accordance with drawings and specifications prepared by Delmar Architects, P.A.

RESOLUTION NO. 539-09Re: **AWARD OF CONTRACT – WHETSTONE
ELEMENTARY SCHOOL ADDITION
PROJECT**

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

WHEREAS, The following sealed bids were received on November 3, 2009, for the Whetstone Elementary School addition project:

<u>Bidder</u>	<u>Amount</u>
Dustin Construction, Inc.	\$4,614,000
G.F.G. Builders, Inc.	4,860,000
R. J. Crowley, Inc.	4,929,000
Henley Construction Company, Inc.	4,930,100
Tuckman-Barbee Construction Co., Inc.	5,020,000
Keller Brothers, Inc.	5,054,600
Scheibel Construction	5,059,000
John W. Brawner Contracting Company, Inc.	5,101,710
Sumter Contracting Corporation	5,340,900
Towson Mechanical, Inc.	5,348,500

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 18 percent; and

WHEREAS, The low bidder, Dustin Construction, Inc., has submitted 18.01 percent Maryland Department of Transportation-certified Minority Business Enterprise participation, of which 0.65 percent is African American, 0.55 percent is women-owned, and 16.81 percent is other minority-owned; and

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

Resolved, That a \$4,614,000 contract be awarded to Dustin Construction, Inc. for the Whetstone Elementary School addition project, in accordance with drawings and specifications prepared by Grimm + Parker Architects.

RESOLUTION NO. 540-09Re: **BRIGGS CHANEY ROAD SITE**

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

WHEREAS, The Board of Education currently owns approximately 20.96 acres of property off of Briggs Chaney Road in Silver Spring, Maryland, within the Upper Paint Branch Special Protection Area; and

WHEREAS, The property is not usable for a school site due to environmental constraints and has no other use for the school system; and

WHEREAS, Fairland Elementary School, situated within the limits of Upper Paint Branch Special Protection Area, requires mitigation of an approximate 0.34 acre of impervious area for the addition project; and

WHEREAS, On November 12, 2009, the Maryland-National Capital Park and Planning Commission Planning Board approved the Mandatory Referral and water quality plans for Fairland Elementary School based on a condition that a Memorandum of Understanding would be executed between the Board of Education and the Planning Board for mitigating the impervious area requirements for Fairland Elementary School; and

WHEREAS, The Memorandum of Understanding would include recording an easement for the entire site so that the land cannot be developed in the future and would have the Board of Education surplus the land to the county so that it can be dedicated as parkland; and

WHEREAS, The Briggs Chaney Road site would yield approximately 1.63 acres of credit toward mitigating the impervious area within the Upper Paint Branch Special Protection Area; and

WHEREAS, Deducting the 0.34 acre impervious area mitigation required for the Fairland

Elementary School addition project would leave approximately 1.29 acres of impervious area credit that can be banked and applied toward future capital projects within the Upper Paint Branch Special Protection Area; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Memorandum of Understanding with the Maryland-National Capital Park and Planning Commission that assures an easement will be recorded on the Briggs Chaney Road site for the mitigation of impervious area requirements within the Upper Paint Branch Special Protection Area; and be it further

Resolved, That the superintendent of schools will recommend to the Board of Education at a future Board meeting a resolution to surplus the Briggs Chaney Road site to the county so that it can be dedicated as parkland.

RESOLUTION NO. 541-09Re: **ENGINEERING APPOINTMENTS –
HEATING, VENTILATION, AND AIR
CONDITIONING AND LEED
COMMISSIONING AGENTS EXTENSION**

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

WHEREAS, It is necessary to appoint engineering firms to provide professional commissioning services for the heating, ventilation, and air conditioning systems replacement program and Leadership in Energy and Environmental Design capital projects; and

WHEREAS, The following companies were selected as the most qualified companies through the architect/engineer selection procedures approved by the Board of Education on April 20, 2006:

<u>Company Name</u>	<u>Location</u>
Advanced Building Performance, Inc.	Potomac, Maryland
Allen & Shariff Corporation	Columbia, Maryland
Brinjac Engineering, Inc.	Washington, DC
McDonough Bolyard Peck, Inc.	Columbia, Maryland
RMF Engineering, Inc.	Baltimore, Maryland
Reynolds Consulting Engineers, Inc.	Harrisburg, Pennsylvania

and

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

Resolved, That the Montgomery County Board of Education extend the contractual agreements with the above-named firms to provide professional heating, ventilation, and air conditioning systems commissioning services and Leadership in Energy and Environmental Design commissioning services as requirements arise, with the contract amount not to exceed \$150,000 for each individual project.

RESOLUTION NO. 542-09Re: **PRECONSTRUCTION/CONSTRUCTION
MANAGEMENT SERVICES –
GAITHERSBURG HIGH SCHOOL
MODERNIZATION PROJECT**

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

WHEREAS, The FY 2010 Capital Improvements Program includes planning and construction funds for the modernization of Gaithersburg High School; and

WHEREAS, The design phase of this project is proceeding, with construction scheduled to begin in July 2011 and expected to be completed by August 2014; 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 + Engineering Services 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 reviews, and the development of the construction implementation schedule; 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 + Engineering Services to provide phase one preconstruction services for cost estimating, value engineering, constructability reviews, and the development of the construction implementation schedule for the modernization of Gaithersburg High School for a fee of \$185,475.

RESOLUTION NO. 543-09Re: **PRECONSTRUCTION/CONSTRUCTION
MANAGEMENT SERVICES – HERBERT
HOOVER MIDDLE SCHOOL
MODERNIZATION PROJECT**

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

WHEREAS, The FY 2010 Capital Improvements Program includes planning and construction funds for the modernization of Herbert Hoover Middle School; and

WHEREAS, The design phase of this project is proceeding, with construction scheduled to begin in July 2011 and expected to be completed by August 2013; 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 Oak Contracting, LLC, 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 reviews, and the development of the construction implementation schedule; 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 Oak Contracting, LLC, to provide phase one preconstruction services for cost estimating, value engineering, constructability reviews, and the development of the construction implementation schedule for the modernization of Herbert Hoover Middle

School for a fee of \$100,000.

RESOLUTION NO. 544-09Re: **GAITHERSBURG ELEMENTARY SCHOOL
AND GAITHERSBURG MIDDLE SCHOOL–
GRANT OF STORMWATER MANAGEMENT
EASEMENT AND RIGHT-OF-WAY**

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

WHEREAS, The City of Gaithersburg, Maryland, requested a Grant of Stormwater Management Easement and Right-of-Way at Gaithersburg Elementary and Gaithersburg Middle schools, located in Gaithersburg at 35 North Summit Avenue and 2 Teachers' Way, respectively; and

WHEREAS, The grants are necessary for the extension of Teachers' Way from Girard Street to North Summit Avenue to accommodate development recommended in the City of Gaithersburg's Olde Towne District Master Plan; and

WHEREAS, The design will require a Grant of Stormwater Management Easement and Right-of-Way consisting of 3,290 square feet from Gaithersburg Elementary School and 18,838 square feet from Gaithersburg Middle School; and

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

WHEREAS, The proposed Grant of Stormwater Management Easement and Right-of-Way will benefit the school sites by allowing completion of site improvements to Gaithersburg Middle School and expansion of the stormwater management structure should there be a need in the future; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Grant of Stormwater Management Easement and Right-of-Way to the City of Gaithersburg, Maryland, consisting of 3,290 square feet at Gaithersburg Elementary School and 18,838 square feet at Gaithersburg Middle School.

RESOLUTION NO. 545-09Re: **PAINT BRANCH HIGH SCHOOL–GRANT OF
EASEMENT AND RIGHT-OF-WAY**

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

WHEREAS, The Washington Suburban Sanitary Commission has requested a Grant of Easement and Right-of-Way at Paint Branch High School, located at 14121 Old Columbia Pike in Burtonsville; and

WHEREAS, The proposed Grant of Easement and Right-of-Way, consisting of 2,000 square feet, is needed for the installation of a water main and appurtenances as a part of the school modernization project; and

WHEREAS, The Board of Education will assume responsibility for the initial expense and liability of damages or injury resulting from the installation as a part of the school construction project; and

WHEREAS, The Washington Suburban Sanitary Commission will assume responsibility for the expense and liability for all future maintenance and repair activities; and

WHEREAS, The proposed easement and right-of-way will not affect any land that could 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 permanent Grant of Easement and Right-of-Way of 2,000 square feet to the Washington Suburban Sanitary Commission at Paint Branch High School.

RESOLUTION NO. 546-09Re: **UTILIZATION OF THE FY 2010 PROVISION
FOR FUTURE SUPPORTED PROJECTS
FUNDS**

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

WHEREAS, The above-noted grant qualifies for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 16-971, approved May 21, 2009; and

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

WHEREAS, Sufficient appropriation is available, within the FY 2010 Provision for Future Supported Projects, to permit the above-noted transfer within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend \$10,000 within the FY 2010 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Amount</u>
Study Circles	<u>\$ 10,000</u>
Total	<u>\$ 10,000</u>

and be it further

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

RESOLUTION NO. 547-09Re: HUMAN RESOURCES MONTHLY REPORT

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated December 8, 2009.

**RESOLUTION NO. 548-09Re: DEATH OF MR. CARLOS D. OFFUTT,
SPECIAL EDUCATION PARAEDUCATOR,
STRATHMORE ELEMENTARY SCHOOL**

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

WHEREAS, The death on November 3, 2009, of Mr. Carlos D. Offutt, special education paraeducator at Strathmore Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During his three years with Montgomery County Public Schools, Mr. Offutt was very supportive of other staff members and was always willing to help with any situation; and

WHEREAS, Mr. Offutt maintained a safe environment in the classroom and during recess; he was an asset to Strathmore Elementary 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 Mr. Carlos D. Offutt 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. Offutt's family.

RESOLUTION NO. 549-09 Re: **DEATH OF MS. CAROL T. WESTBROOK,
SPECIAL EDUCATION PARAEDUCATOR,
TRANSITION SERVICES**

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

WHEREAS, The death on November 5, 2009, of Ms. Carol T. Westbrook, special education paraeducator at Transition Services, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the 17 years that Ms. Westbrook worked for Montgomery County Public Schools, she always had a smile on her face and was at all times willing to help others, whether it was a student or other members of her team; and

WHEREAS, Ms. Westbrook treated all students with respect and genuinely cared for them; 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. Carol T. Westbrook 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. Westbrook's family.

RESOLUTION NO. 550-09 Re: **DEATH OF MS. MADELEINE I. VOGEL,
SCHOOL ADMINISTRATIVE SECRETARY,
THOMAS W. PYLE MIDDLE SCHOOL**

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

WHEREAS, The death on November 19, 2009, of Ms. Madeleine I. Vogel, school administrative secretary at Thomas W. Pyle Middle School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the more than 29 years with Montgomery County Public Schools (MCPS), Ms. Vogel was an outstanding employee and a great help to her staff members; and

WHEREAS, Ms. Vogel was a good role model for others and was always willing to do whatever was necessary to get the job accomplished; 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. Madeleine I. Vogel 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. Vogel's family.

Re: **MONTHLY FINANCIAL REPORT**

This financial report reflects the actual financial condition of Montgomery County Public Schools (MCPS) as of October 31, 2009, and projections through June 30, 2010, based on program requirements and estimates made by primary and secondary account managers. At this time, revenues have a projected surplus of \$400,000, while expenses have a projected surplus of \$9,900,000. Staff will continue to closely monitor both revenues and expenditures.

Re: **ELEMENTARY SCHOOL SITE IN THE WHITE FLINT SECTOR PLAN**

On recommendation of the superintendent and on motion of Mr. Kauffman seconded by Ms. Berthiaume, the following resolution was placed on the table:

WHEREAS, The White Flint Sector Plan envisions a community of up to 9,800 residential units that would generate approximately 410 elementary school students; and

WHEREAS, On October 13, 2009, the Board of Education recommended that the White Flint Park North site be identified in the adopted White Flint Sector Plan; and

WHEREAS, On November 16, 2009, the County Council Planning, Housing, and Economic Development Committee reviewed the issue of an elementary school site in the sector plan, identified issues with the White Flint Park North site, and requested alternative school site options be developed; and

WHEREAS, County Council, Planning Board, and Board of Education staff worked together to determine alternative suitable elementary school sites; now therefore be it

Resolved, That the Board of Education recommends locating an elementary school site in the White Flint Sector Plan at the White Flint Mall South site; and be it further

Resolved, That the Board of Education recommends a backup elementary school site in the White Flint Sector Plan at the White Flint Mall South site; and be it further

Resolved, That a copy of this resolution be forwarded to the County Council.

RESOLUTION NO. 551-09Re: **AN AMENDMENT TO THE ELEMENTARY SCHOOL SITE IN THE WHITE FLINT SECTOR PLAN**

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

Resolved, That the Board of Education amend the second *resolved* to read:

Resolved, That the Board of Education recommends to the County Council's PHED Committee that three backup elementary school sites be located at the Luttrell/Higgins Property, White Flint Park North, and Maple Avenue.

RESOLUTION NO. 552-09Re: **ELEMENTARY SCHOOL SITE IN THE WHITE FLINT SECTOR PLAN**

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

WHEREAS, The White Flint Sector Plan envisions a community of up to 9,800 residential units that would generate approximately 410 elementary school students; and

WHEREAS, On October 13, 2009, the Board of Education recommended that the White Flint Park North site be identified in the adopted White Flint Sector Plan; and

WHEREAS, On November 16, 2009, the County Council Planning, Housing, and Economic Development Committee reviewed the issue of an elementary school site in the sector plan, identified issues with the White Flint Park North site, and requested alternative school site options be developed; and

WHEREAS, County Council, Planning Board, and Board of Education staff worked together to determine alternative suitable elementary school sites; now therefore be it

Resolved, That the Board of Education recommends locating an elementary school site in the White Flint Sector Plan at the White Flint Mall South site; and be it further

Resolved, That the Board of Education recommends to the County Council's PHED Committee that three backup elementary school sites be located at the Luttrell/Higgins Property, White Flint Park North, and Maple Avenue; and be it further

Resolved, That a copy of this resolution be forwarded to the County Council.

Re: **2009 ANNUAL REPORT ON OUR CALL TO ACTION: PURSUIT OF EXCELLENCE**

Dr. Weast invited the following person to the table: Ms. Jody A. Leleck, chief academic officer, Office of the Deputy Superintendent of Schools.

The Montgomery County Public Schools (MCPS) edition of the *2009 Annual Report on Our Call to Action: Pursuit of Excellence*, details the district's progress in fulfilling its commitment to giving every student the opportunity to learn at the highest levels and leave high school prepared for college. *Our Call to Action: Pursuit of Excellence*, the district's strategic plan, is the catalyst for continuous improvement and guides the work of staff, students, parents, and the community. Its focus is on developing and implementing strategies and initiatives in the areas of curriculum, instruction, assessment, professional development, family and community partnerships, and operational support. The June 2009 revision to the MCPS strategic plan incorporated the Seven Keys to College Readiness as the framework for preparing all students for postsecondary success. The Annual Report provides a comprehensive accounting of the school system's performance on the established milestones and data points set forth in the 2008–2009 strategic plan.

The results in the *2009 Annual Report on Our Call to Action: Pursuit of Excellence* underscore our success in nurturing a culture of continuous improvement that is sustained by effective partnerships, a high-quality workforce, and strong family and community involvement. We remain committed to shared accountability and, through our reform effort, we expect continued progress toward meeting our overall goals. Bringing about change in a school system as large as MCPS is a complex process that requires deliberative, data-driven decision making, collaboration, and real partnerships with parents, employee associations, and the larger community.

This report highlights many accomplishments. The coordinated systemic reform efforts are showing results, and indications are that the school system is moving in the right direction. However, the report also illuminates areas where work remains to be done.

The MCPS website provides public reporting of student performance data and other key reports. An online version of the *2009 Annual Report on Our Call to Action* will be posted on the MCPS website after the December 8, 2009, Board of Education meeting.

Re: **DISCUSSION**

Mr. Kauffman asked if PSAT participation could be a data point to measure writing. Staff thought the curriculum was a better measure for writing; however, the PSAT is used as an indicator to counsel students into Advanced Placement courses. Staff agreed to examine the possibility of using the PSAT writing as a data point.

Mr. Kauffman asked about another data point and milestone on whether graduates are prepared for postsecondary education. The goal is that no MCPS student would need remediation at Montgomery College. Would that be possible? Staff stated that students take the SAT, ACT, and a pilot Accuplacer in six schools. There is a possibility that there will be a data point in the future since staff is working to assure that there will be no need for remediation for students when they reach college. Dr. Docca thought the answer was if the student graduated from college.

Dr. Docca noted that there are a number of students going into general education who have disabilities. She asked if there was a report on their academic gains. Staff replied that there is nothing reported except time spent in general education.

Dr. Docca inquired about suspensions since there is a gap between races. Are there programs considered by the school system? Staff replied that there have been good results in reducing suspension, and the M-Stat team is examining the types of suspensions and identifying mitigation strategies.

Ms. Brandman noted that on primary reading in Grade 2 the trajectory is going in the right direction with gains but is short of the target. There is a need to accelerate to hit the target. Ms. Brandman asked if there was a trigger to identify a need for more emphasis on a particular area. Staff replied that the data are sorted by performance and reviewed by principals and specialists. The strategy is to get principals together to discuss strategies for improvement since it has been proven that all schools can hit the target.

Ms. Brandman commented that there is an increase in participation in Advanced Placement courses, but there is still a differential with African American and Hispanic student. How can these students be more successful in these courses? Staff replied that there have to be different structures from the traditional role of the student studying at home. One idea is to provide support to the student during the school day, peer support groups, and tutors. There is a need to develop a tool to find those students who need interventions.

Ms. Berthiaume remarked that data points are important because they provide accountability and measurement of results. There is a desire to have external validation through reliable and consistent data, such as ACT, SAT, AP, IB, and NAEP. Furthermore, the Maryland MSA is one of the weakest tests in the country. Is there a way to find a writing benchmark outside of AP? Would the Accuplacer make sense? Would it be useful to look at MAP-R to set benchmarks and the percentage of ninth graders with an on-grade-level score? Staff replied that they are working on using MAP-R to benchmark and validate what is happening in MCPS.

Mr. Durso inquired about suspensions and whether there are some serious misperceptions in the schools since the message to some teachers has been not to refer and principals not

to suspend. It may have been interpreted that way even though that was not the intention of the message. Staff responded that it was not the intention to not suspend, but the message was to work with students to ameliorate their behavior.

Mr. Kauffman asked if there was a plan to develop alternative assessments for special education students. Staff explained that there is development of modified assessments in the four content areas for high school students.

**Re: GOAL 4: UNIVERSITY PARTNERSHIPS TO
ENHANCE QUALITY OF WORKFORCE**

Dr. Weast invited the following people to the table: Mr. Jamie J. Virga, associate superintendent, Office of Organizational Development; Dr. Susan F. Marks, associate superintendent, Office of Human Resources; Dr. Russ P. Fazio, instructional specialist, University Partnerships, Office of Organizational Development; Ms. Sundra E. Mann, coordinator, Argyle Middle School; and Dr. Stewart L. Edelstein, executive director, The Universities at Shady Grove.

The Montgomery County Public Schools (MCPS) strategic plan, *Our Call to Action: Pursuit of Excellence*, reflects the system's commitment to ensure success for every student. Goal 4 of the strategic plan, "Create a Positive Work Environment in a Self-renewing Organization," underscores the understanding that building the capacity of our workforce is critical to promoting student success. Building staff capacity requires a comprehensive effort that includes attracting and recruiting a highly qualified and diverse workforce, providing employees with effective induction and orientation experiences, designing and implementing ongoing professional development, recognizing excellence in staff performance, and employing procedures to identify and support personnel who need additional assistance.

The Higher Education Partnership Programs focus on several key components of this effort: attracting and recruiting a highly qualified and diverse workforce, retaining staff, and designing and implementing ongoing professional development that supports staff retention. The Higher Education Partnership Programs foster collaboration between institutions of higher education and MCPS in order to develop staff in critical-need areas by providing partnerships in teacher preparation, career enhancement, instruction, and teacher and leadership development. The mission of the program is to provide both prospective and current employees with opportunities to further their education, extend their professional skills, and improve their capability to meet systemwide priorities.

MCPS partnerships with higher education agencies support a diverse, high-quality workforce consistent with Goal 3 of the strategic plan, "Strengthen Productive Partnerships for Education," and address Goal 2 of the strategic plan, "Provide an Effective Instructional Program," by increasing staff knowledge and skill levels through participation in rigorous

academic programs, field experiences, supplemental training, and supervisory support from institutions of higher education. Goal 1 of the strategic plan, "Ensure Success for Every Student," is realized through partnerships that ensure teachers have the knowledge of content and effective instructional practices necessary to ensure student success. For example, ensuring student success in science and mathematics is accomplished through partnerships such as the middle school mathematics and the middle school science partnerships with the University of Maryland, College Park. Participants earn a master's degree in mathematics/science education and an endorsement in middle school mathematics/science.

The Higher Education Partnership Programs have helped expand the knowledge and performance of MCPS staff. The offices of Human Resources and Organizational Development will continue their collaborative work to develop partnerships based on school system needs, with the goal of having a highly-qualified staff member in every position. MCPS will continue to provide academic advancement opportunities through institutions of higher education to ensure that every employee has the academic preparation, content knowledge, and professional skills to achieve system goals and ensure that MCPS students are college ready.

Re: **DISCUSSION**

Ms. Brandman thought it important that partnerships have been able to target areas of need, such as middle school math. She asked about the Middle School Special Education Institute Project Team and the laboratory high school in STEM. Staff replied that the Project Team is in the beginning stages of development, but it is built on the needs within the school system. The laboratory high school is an initiative of the university system to focus on biomedical sciences using the College Park and Baltimore campuses. Therefore, there is an opportunity for curriculum development for Grades 9–12 with 400 students.

Mr. Barclay stated that professional development is the strength of the system. There is a need for diversity of teaching staff with a wide range of educators in the classroom.

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

RESOLUTION NO. 553-09Re: **CLOSED SESSION RESOLUTION**

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

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

Resolved, That the Board of Education of Montgomery County conduct closed sessions on Tuesday, January 12, 2010, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:00 to 1:00 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 to 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 meeting shall continue in closed session until the completion of business.

RESOLUTION NO. 554-09Re: REPORT OF CLOSED SESSION

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

On November 10, 2009, by unanimous vote, 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 November 10, 2009, from 9:00 to 10:05 a.m. and 12:30 to 2:25 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and approved the closed session minutes for August 27, September 8, September 21, and October 13, 2009.
2. Unanimously approved the Decision and Order in Appeal 2009-32 in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the State Government Article).
3. 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): 2009-23 and 2009-33.
4. Discussed collective bargaining negotiations, as permitted under Section 10-508(a)(9) of the State Government Article and Section 4-107(d)(2)(ii) of the Education Article.
5. Received legal advice regarding an attorney general opinion pursuant to Section 10-508(a)(7) of the State Government Article.
6. Authorized certain actions regarding bond payments in light of the uncertainty surrounding the penalty that may be imposed for the County's failure to meet maintenance of effort requirements.

In attendance at the closed session for appeals were Chris Barclay, Laura Berthiaume,

Shirley Brandman, Pat Clancy, Judy Docca, Mike Durso, Tim Hwang, Roland Ikheloa, Phil Kauffman, Suzann King, Patricia O'Neill, Glenda Rose, and Laura Steinberg. At 9:25 a.m., the following staff joined the Board in closed session: Aggie Alvez, Steve Bedford, Larry Bowers, Brian Edwards, Don Kopp, Frieda Lacey, Jody Leleck, Chris Richardson, Dana Tofig, and Jerry Weast. At 12:30 p.m., the following people joined the Board and staff in closed session: Judith Bresler and Marshall Spatz.

RESOLUTION NO. 555-09Re: **CALENDAR FOR THE ELECTION OF THE STUDENT MEMBER OF THE BOARD OF EDUCATION**

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

WHEREAS, The Montgomery County Region of the Maryland Association of Student Councils submits a yearly calendar of the major events surrounding the election of the student member of the Board of Education for review and approval; now therefore be it

Resolved, That the Montgomery County Board of Education approve the calendar of major events for the election of the 33rd student member of the Board of Education as proposed by the Montgomery County Region of the Maryland Association of Student Councils.

The Montgomery County Region of the Maryland Association of Student Councils submits this calendar of major events for the election of the student member of the Board of Education for your review.

CALENDAR OF MAJOR EVENTS

Advertising Period	December 10, 2009–January 22, 2010
Filing Period	January 4–22, 2010
Nominating Convention	March 4, 2010
Town Meeting I*	March 4, 2010
Town Meeting II*	April 22, 2010
General Campaign Period	January 25–April 28, 2010
General Election	April 28, 2010

*In the event that no more than two eligible students file for the office, two half-day town meetings will be held in place of the all-day nominating convention.

RESOLUTION NO. 556-09Re: **APPOINTMENTS TO BOARD'S FISCAL MANAGEMENT COMMITTEE**

On recommendation of the superintendent and on motion of Mr. Barclay seconded by

Ms. Brandman, the following resolution was adopted unanimously by members present:

WHEREAS, On July 28, 2008, the Board reconstituted the Audit Committee and renamed it the Fiscal Management Committee; and

WHEREAS, The Fiscal Management Committee consists of three members serving staggered terms of three years each, and the term of office begins on the date of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Mrs. Patricia O'Neill's term expired on November 30, 2009; and

WHEREAS, Mr. Christopher Barclay was appointed to serve until November 30, 2010; and

WHEREAS, Mr. Philip Kauffman was appointed to serve until November 30, 2011; and

WHEREAS, Mr. Christopher Barclay's term as chairperson expired on November 30, 2009; now therefore be it

Resolved, That Mr. Michael Durso be appointed to serve until November 30, 2012; and be it further

Resolved, That Mr. Christopher Barclay serve as chairperson of the Fiscal Management Committee until November 30, 2010.

RESOLUTION NO. 557-09Re: **APPOINTMENTS TO THE BOARD'S
STRATEGIC PLANNING COMMITTEE**

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

WHEREAS, The Strategic Planning Committee consists of three members serving staggered terms of three years each, and the term of office begins on the date of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Dr. Judith Docca's term expired on November 30, 2009; and

WHEREAS, Mr. Michael Durso was appointed to serve until November 30, 2010; and

WHEREAS, Ms. Laura Berthiaume was appointed to serve until November 30, 2011, and

WHEREAS, Dr. Judith Docca's term as chairperson expired on November 30, 2009; now therefore be it

Resolved, That Mrs. Patricia O'Neill be appointed to serve until November 30, 2011, replacing Ms. Laura Berthiaume; and be it further

Resolved, That Dr. Judith Docca be appointed to serve until November 30, 2012; and be it further

Resolved, That Dr. Judith Docca be appointed to serve as chairperson of the Strategic Planning Committee until November 30, 2010.

RESOLUTION NO. 558-09Re: **APPOINTMENTS TO THE BOARD'S POLICY COMMITTEE**

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

WHEREAS, The Policy Committee consists of three members serving staggered terms of three years each, and the term of office begins on the day of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, The Student Member of the Board also serves on the committee during the term in office; and

WHEREAS, Mrs. Patricia O'Neill was appointed to serve until November 30, 2009; and

WHEREAS, Ms. Shirley Brandman was appointed to serve until November 30, 2010; and

WHEREAS, Mr. Christopher Barclay was appointed to serve until November 30, 2011; and

WHEREAS, Mr. Timothy Hwang was appointed to serve until June 30, 2010; and

WHEREAS, Mrs. Patricia O'Neill's term as chairperson expired on November 30, 2009; now therefore be it

Resolved, That Mrs. Patricia O'Neill be appointed to serve until November 30, 2012; and be it further

Resolved, That Ms. Shirley Brandman be appointed to serve as chairperson of the Policy Committee until November 30, 2010.

RESOLUTION NO. 559-09Re: **APPOINTMENTS TO THE BOARD'S**

**COMMUNICATIONS AND PUBLIC
ENGAGEMENT COMMITTEE**

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

WHEREAS, The Communications and Public Engagement Committee consists of three members serving staggered terms of three years each and the term of office begins on the day of the all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Dr. Judith Docca's term expired on November 30, 2009, and

WHEREAS, Mr. Michael Durso was appointed to serve until November 30, 2010; and

WHEREAS, Mrs. Patricia O'Neill was appointed to serve until November 30, 2011; and

WHEREAS, Dr. Judith Docca's term as chairperson expired on November 30, 2009 now therefore be it

Resolved, That Mr. Timothy Hwang be appointed to serve until June 30, 2010; and be it further

Resolved, That Ms. Shirley Brandman be appointed to serve until November 30, 2011, replacing Mrs. Patricia O'Neill; and be it further

Resolved, That Dr. Judith Docca be appointed to serve until November 30, 2012; and be it further

Resolved, That Dr. Judith Docca be appointed to serve as chairperson of the Communications and Public Engagement Committee until November 30, 2010.

RESOLUTION NO. 560-09Re: **APPOINTMENTS TO THE BOARD'S
COMMITTEE ON SPECIAL POPULATIONS**

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

WHEREAS, On April 28, 2008, the Board reconstituted the Ad Hoc Committee on Special Education into a standing committee, expanded its charge, and renamed it the Committee on Special Populations; and

WHEREAS, Ms. Shirley Brandman's term expired on November 30, 2009; and

WHEREAS, Ms. Laura Berthiaume was appointed to serve until November 30, 2010; and

WHEREAS, Mr. Philip Kauffman was appointed to serve until November 30, 2011; now therefore be it

Resolved, That Ms. Shirley Brandman be appointed to serve until November 30, 2012; and be it further

Resolved, That Ms. Shirley Brandman serve as chairperson of the Committee on Special Populations until November 30, 2010.

RESOLUTION NO. 561-09Re: **APPEALS**

On recommendation of the superintendent and on motion of Mr. Barclay seconded by Ms. Brandman, 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* of the *Annotated Code of Maryland*; 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>
2009-34	Tuition Waiver
2009-36	Personnel Placement
2009-37	Personnel Suspension

RESOLUTION NO. 562-09Re: **MINUTES (OCTOBER 26, 2009, AND RETREAT MINUTES)**

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

Resolved, That the Board of Education approve the October 26, 2009, and retreat minutes.

RESOLUTION NO. 563-09Re: **BOARD COMMITTEE UPDATES**

There were no updates.

RESOLUTION NO. 564-09Re: **NEW BUSINESS**

On motion of Mr. Kauffman and Mr. Barclay, the following motion was placed on the table:

WHEREAS, The school modernization schedule is based on a standardized assessment tool called FACT – Facilities Assessment with Criteria and Testing; and

WHEREAS, The superintendent has proposed updating the FACT assessment tool; and following the update of the FACT assessment tool, the next round of schools will be assessed for modernization; and

WHEREAS, The superintendent has proposed that Policy FKB, *Modernization/Renovation*, be rescinded and provisions from that policy be incorporated into Policy FAA, *Long-Range Educational Facilities Planning*, and Regulation FAA-RA, *Long-Range Educational Facilities Planning*; and

WHEREAS, The Board of Education would prefer that the timeframes currently associated with the design and construction of modernization and capacity projects be shortened to the minimum duration possible to ensure that projects be bid at the earliest time to take maximum advantage of the favorable construction market; and

WHEREAS, The Board of Education's Capital Improvement Priorities list *Modernizations/Replacements* behind *Critical health and safety projects*, *Capacity projects*, and *Capital maintenance projects*; and

WHEREAS, At the current pace, Montgomery County Public Schools elementary schools are modernized on a 65-year cycle, middle schools on a 76-year cycle, and high schools on a 50-year cycle; and

WHEREAS, The pace of modernizations is limited by the availability of holding facilities; and

WHEREAS, Given fiscal restraints, there is a need to review alternative financing methods for our school construction program, including public-private partnerships; now therefore be it

Resolved, That the Board convene a retreat to begin the process of addressing the following: a comprehensive review of the FACT assessment tool; plans to reassess remaining schools for modernization; the optimal proposed schedule for modernizing schools, including the adequacy of our holding facilities; consideration of any changes to the Capital Improvements Priorities list; and alternatives to MCPS' current contracting methods that might shorten and accelerate the pace of already planned projects, including alternative financing methods for school construction.

Re: **ITEMS OF INFORMATION**

The following documents were available:

1. Legal Fees Report
2. Construction Progress Report
3. Update on Contract Awards for On-Call Heating, Ventilation, and Air Conditioning Replacement Services and On-Call Construction Services

RESOLUTION NO. 565-09Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of December 8, 2009, at 5:05 p.m.

PRESIDENT

SECRETARY

JDW:gr

RESOLUTION	BARCLAY	BERTHIAUME	BRANDMAN	DOCCA	DURSO	HWANG	KAUFFMAN	O'NEILL
White Flint Sector Plan	A	A	A	A	A	A	A	A

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

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET
October 26, 2009**

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