

APPROVED
7-2010

Rockville, Maryland
February 22, 2010

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, Rockville, Maryland, on February 22, 2010, at 6:35 p.m.

Present: Mrs. Patricia O'Neill, President
in the Chair
Mr. Christopher Barclay
Ms. Laura Berthiaume
Ms. Shirley Brandman
Dr. Judy Docca
Mr. Michael Durso
Mr. Timothy Hwang
Mr. Philip Kauffman
Dr. Jerry Weast, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 85-10 Re: **RESOLUTION FOR CLOSED SESSION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on February 22, 2010, in Room 120 from 5:30 to 6:30 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed session on February 22, 2010, 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 session until the completion of business.

Re: **PLEDGE OF ALLEGIANCE**

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

RESOLUTION NO. 86-10 Re: APPROVAL OF THE AGENDA

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

Resolved, That the Board of Education approve its agenda for February 22, 2010.

RESOLUTION NO. 87-10 Re: WOMEN'S HISTORY MONTH

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

WHEREAS, Women's History Week was initiated in March of 1978 as a time to honor American women and in 1987, Women's History Week became Women's History Month, and

WHEREAS, With passion and courage women have taught us that when we band together to advocate for our highest ideals, we can advance our common well-being and strengthen the fabric of our nation; and

WHEREAS, The National Women's History Project has selected the theme, *Writing Women Back into History*, to commemorate Women's History Month in 2010; and

WHEREAS, Women continue to strengthen our nation and the world by excelling as leaders in all areas of life including politics, law, education, medicine, science, business, family life, community services, and the arts; now therefore be it

Resolved, That the Montgomery County Board of Education and the superintendent of schools hereby declare the month of March 2010 to be observed as "Women's History Month," and be it further

Resolved, That the Montgomery County Board of Education and the superintendent of schools call upon all our schools and staff members to observe the month of March 2010 with appropriate programs, ceremonies, and activities that honor the history, accomplishments, and contributions of American women and our female parents, students, and staff members.

**RESOLUTION NO. 88-10 Re: RECOGNITION OF EDUCATORS WHO
EARNED CERTIFICATION FROM THE
NATIONAL BOARD FOR PROFESSIONAL
TEACHING STANDARDS IN 2009**

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

WHEREAS, The National Board for Professional Teaching Standards has established a voluntary certification program to recognize outstanding teacher competency; and

WHEREAS, The Maryland State Department of Education and the Montgomery County Public Schools have participated in financial aid programs to encourage educators to engage in the rigorous process of becoming a National Board Certified Teacher; and

WHEREAS, Montgomery County Public Schools provides a variety of supports to assist candidates as they work through the process of National Board Certification; and

WHEREAS, Montgomery County Public Schools has identified the skills, competencies, and rigor of the National Board's Five Core Propositions as the foundation for the Montgomery County Public Schools Teacher Professional Growth System; now therefore be it

Resolved, That Montgomery County Public Schools recognizes and appreciates the leadership skills and abilities of National Board Certified Educators that benefit our staff, students, and communities; and be it further

Resolved, That the Board of Education and the superintendent of schools urge all Montgomery County residents to join in recognizing these educators and express their appreciation for the skills they bring to build workforce excellence that benefit teaching and learning for the students of Montgomery County Public Schools; and be it further

Resolved, That the Board of Education hereby recognizes the educators on the attached list for having completed the National Board Certification process and received the certificate in November 2009.

Full Name	Position	Office/School Location
Ambrosio, Jaime L.	Teacher, Special Education	John F. Kennedy High School
Arens, Sara E.	Teacher, Elementary	Montgomery Knolls Elementary School
Awono, Jean A.	Teacher, Resource	Seneca Valley High School
Bailey, Leah M.	Teacher, Elementary	Bannockburn Elementary School
Baylin, Andrea L.	Teacher, Special Education	Cashell Elementary School
Borno, Suzan	Teacher, ESOL	Walter Johnson High School
Cavanaugh Okeefe, Elizabeth B.	Teacher, Beginnings	Strawberry Knoll Elementary School
Coogan, Aileen S.	Teacher, ESOL	Sherwood High School
Daniello, Kathleen C.	Teacher, Elementary	William Tyler Page Elementary School
Dethlefsen, Theresa M.	Counselor, Resource	Northwest High School
Dolim, Emily S.	Teacher, High	Sherwood High School
Fair, Jennifer L.	Teacher, Art	Spark M. Matsunaga Elementary School
Figer, Alvin J.	Teacher, High	Winston Churchill High School
Finelli, Joanne P.	Teacher, Elementary	Oakland Terrace Elementary School
Flather, Kristen R.	Teacher, High	Rockville High School

Foerster Luu, Anne Marie	Teacher, ESOL	Dr. Charles R. Drew Elementary School
Freely, Amanda J.	Teacher, Elementary	Belmont Elementary School
Geddes Jr, Walter C.	Teacher, Middle	William H. Farquhar Middle School
Gil, Joellyn E.	Teacher, ESOL	Montgomery Blair High School
Greenwald, Sharon F.	Teacher, Elementary	Goshen Elementary School
Hager, Hannah P.	Teacher, Elementary	Dr. Charles R. Drew Elementary School
Hall, Jennifer K.	Teacher, High	Walter Johnson High School
Halvorsen, Kristin M.	Teacher, Elementary	Spark M. Matsunaga Elementary School
Hammie-Bonner, Angela D.	Counselor, Secondary	Tilden Middle School
Harmon, Cecelia	Counselor, Elementary	Whetstone Elementary School
Harp, Lawrence L.	Teacher, High	Gaithersburg High School
Henderson, Jill D.	Teacher, Art	Olney Elementary School
Honerkamp, Katie M.	Teacher, ESOL	Montgomery Blair High School
Horn, David R.	Teacher, Physical Education	Little Bennett Elementary School
Howard, Natalie M.	Teacher, Focus	Strathmore Elementary School
Hunsicker-Blair, Michelle L.	Media Specialist	Earle B. Wood Middle School
Jaffe, Katherine A.	Teacher, High	Sherwood High School
James, Julie A.	Teacher, Resource	Rockville High School
Janney, Dorian W.	Teacher, Resource	Parkland Middle School
Jefferson, Jason A.	Content Specialist	Silver Spring International Middle School
Jones-Arroyo, Larosa	Teacher, High	Springbrook High School
Joyce-McCarron, Sarah V.	Teacher, Art	Rolling Terrace Elementary School
Kelly, Tara C.	Teacher, Resource	Thomas W. Pyle Middle School
Komal, Shalini N.	Teacher, Focus	R. Sargent Shriver Elementary School
Kunin, Valerie B.	Teacher, Middle	Earle B. Wood Middle School
Leatherman, Jessica S.	Teacher, Elementary	Gaithersburg Elementary School
Leber, Lori M.	Teacher, Physical Education	Cashell Elementary School
Leonard, Lori	Teacher, High	Sherwood High School
Lifshitz, Eva M.	Teacher, Special Education	Burning Tree Elementary School
Link, Dina S.	Teacher, High	Northwest High School
Liu, Jade	Teacher, Elementary	Spark M. Matsunaga Elementary School
Mantello, Barbara L.	Teacher, High	Springbrook High School
Marino, Meegan A.	Teacher, Elementary	Germantown Elementary School
McKee, Craig M.	Teacher, Resource	Robert Frost Middle School
Meyer Viladegut, Tricia R.	Teacher, ESOL	A. Mario Loiederman Middle School
Michaels, Todd A.	Teacher, High	Walt Whitman High School
Miller, Kaleisha A.	Teacher, Elementary	Dr. Charles R. Drew Elementary School
Mohan, Tanya	Teacher, High	Quince Orchard High School
Monaco, Nicole R.	Teacher, Elementary	Fields Road Elementary School
Moore, Megan T.	Teacher, ESOL	Gaithersburg Elementary School

Nestuk, Lauren A.	Teacher, High	Montgomery Blair High School
Newell, Annette L.	Teacher, Special Education	Rockville High School
Niverth, Shelly H.	Teacher, Elementary	Viers Mill Elementary School
Ohm, Christopher J.	Teacher, Special Education	Rocky Hill Middle School
Pasternak, Stephanie J.	Teacher, Sp. Ed. Resource	John F. Kennedy High School
Pavlik, Sarah J.	Counselor, Resource	Poolesville High School
Pennington, Pamela A.	Teacher, Middle	Rocky Hill Middle School
Perez, Tali S.	Teacher, Elementary	R. Sargent Shriver Elementary School
Piper, Lorraine M.	Teacher, Kindergarten	Gaithersburg Elementary School
Reynolds, Gale S.	Counselor, Secondary	James Hubert Blake High School
Richey, Kathryn E.	Teacher, ESOL	Northwood High School
Richter, Kurt H.	Teacher, High	Gaithersburg High School
Ross, Monica L.	Teacher, Elementary	Carderock Springs Elementary School
Rowe, Gundry E.	Media Specialist	Gaithersburg Elementary School
Sander, Kathryn E.	Teacher, High	Thomas S. Wootton High School
Scaletti, Kathryn T.	Teacher, Elementary	Whetstone Elementary School
Schreckengost, Ashley M.	Teacher, High	Wheaton High School
Schwartz, Anat	Teacher, High	Winston Churchill High School
Schwartz, Nathan H.	Teacher, High	Walter Johnson High School
Shapiro, Amy A.	Teacher, Elementary	Somerset Elementary School
Shrager, Nadine R.	Teacher, Reading Initiative	Travilah Elementary School
Smith, Jean A.	Counselor, Secondary	James Hubert Blake High School
Southworth, Curtis W.	Teacher, High	Winston Churchill High School
Stimely, Kimberly D.	Teacher, Elementary	Farmland Elementary School
Stolba, Linda M.	Teacher, Elementary	Monocacy Elementary School
Sutter, Christina P.	Teacher, Special Education	Rockville High School
Umana, Erminia F.	Teacher, Resource	Rockville High School
Vandenplas, Françoise	Teacher, High	James Hubert Blake High School
Wong, Heather R.	Teacher, Resource	John T. Baker Middle School
Woodward, Shannon M.	Team Leader-Middle School	Roberto W. Clemente Middle School
Yates, Lita M.	Counselor, Elementary	Cashell Elementary School

RESOLUTION NO. 89-10

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education supports **HB0932, *Public Schools - New Construction or Renovation - Children's Environmental Health***, which would require each county board of education to adopt an environmental health plan for school construction or renovation projects that includes specified standards; requiring a plan

adopted under the Act to include specified additional provisions for school construction or renovation that will be conducted while the public school is occupied; requiring specified hazardous substance removal standards adopted under the Act to include specified provisions.

RESOLUTION NO. 90-10 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education supports **HB0462, Education - Discrimination Prohibited - Protected Classes**, which would alter a provision of law relating to discrimination in the employment of teachers in the public schools in the State to conform to other provisions of State law governing discrimination in employment

RESOLUTION NO. 91-10 Re: **ITEM OF LEGISLATION**

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 supports **SB0412, Teacher Certification - Career Professionals**, which would require the State Department of Education to establish teacher certification for career professionals in specialized fields; and requiring the Department to adopt specified regulations.

RESOLUTION NO. 92-10 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education supports **HB0352, Education - Maryland Data Warehouse Council**, which would establish the Maryland Data Warehouse Council and providing its membership and duties; specifying that the Council is an advisory body only and is prohibited from making final decisions regarding policy; providing for the leadership and staffing of the Council; requiring the Council to hold specified meetings and establish an advisory panel; specifying the Council's goals; requiring the Council annually to submit a specified report to the Governor and to publish a list of written reports that are available from the Council.

RESOLUTION NO. 93-10 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education supports **HB0467, Education - Maryland Longitudinal Data System**, which would establish the Maryland Longitudinal Data System

as a statewide data system containing individual-level student data from all levels of education and into the workforce; establishing the purpose of the system; establishing the Maryland Longitudinal Data System Center as an independent unit of State government; providing for the organizational placement, location, staffing, and funding of the Center.

RESOLUTION NO. 94-10 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education opposes **HB0503, *Education - High School Sports - Mandatory Playing Guidelines***, which would require the State Board of Education, in conjunction with the Maryland Public Secondary Schools Athletic Association, to adopt regulations to establish athletic participation guidelines for students on public high school athletics teams; and requiring the guidelines to include provisions requiring that students be allowed to play in athletic contests, subject to exceptions; and exempting public high school varsity athletics teams.

RESOLUTION NO. 95-10 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education opposes **HB0505, *Student Participation in High School Sports - Academic Requirements***, which would require the State Board of Education to adopt regulations to establish academic performance standards that students in public high schools in the State must meet in order to participate in high school athletic competitions, as specified; requiring the regulations to include specified provisions; requiring county boards of education to allow public high school students in the county to participate in specified high school athletic competitions only in accordance with the regulations of the State Board.

RESOLUTION NO. 96-10 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education opposes **SB0528, *Education - Development of Curriculum Content for Chess Instruction***, which would authorize the State Board of Education to develop curriculum content for a semester-long course in chess instruction; and authorizing county boards of education to implement chess instruction.

RESOLUTION NO.97-10 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education supports **SB0557, Education - Alternate Maryland School Assessment - Review and Revision**, which would require the State Department of Education to review and revise the Alternate Maryland School Assessment (ALT-MSA) on or before July 1, 2011; requiring the Department to consider providing greater guidance and taking primary responsibility for the creation of the ALT-MSA, reducing the number of mastery objectives required, creating State- approved artifacts for each mastery objective, and for specified students, incorporating a living skills-based assessment into the existing academic-based assessment.

RESOLUTION NO. 98-10 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education opposes **HB0294, Education - Immunizations - Children Entering Seventh Grade or Higher**, which would require the Department of Health and Mental Hygiene's regulations regarding immunizations to include the requirement that the parent or legal guardian of a child born on or after January 1, 1990, entering the seventh grade or the equivalent in this State or transferring into a school in this State at the seventh grade or higher level on or after September 1, 2010, to have specified immunizations administered to the child.

RESOLUTION NO. 98(a)-10 Re: **ITEM OF LEGISLATION**

On recommendation of the superintendent and on motion of Mr. Barclay seconded by Dr. Docca, the following resolution was adopted with Mr. Barclay, Ms. Brandman, Dr. Docca, Mr. Durso, Mr. Hwang, Mr. Kauffman, and Mrs. O'Neill voting in the affirmative; Ms. Berthiaume voting in the negative:

Resolved, That the Board of Education opposes **SB0727, Vehicle Laws - School Buses - Prohibition on Permitting Sitting on Floor or Standing**, which would prohibit a person who is responsible for pupils on a school bus from permitting any pupil to stand while the bus is in motion; prohibiting a person who is responsible for pupils on a school bus from permitting any pupil to sit on the floor of the school bus.

RESOLUTION NO. 98(b)-10 Re: **ITEM OF LEGISLATION**

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 opposes **HB1131, Education - Maintenance of Effort Waiver - Appeal Process**, where current law contemplates circumstances in which a county might need relief from meeting MOE, and in fact, Montgomery County availed itself of that provision last spring. While surprised and disappointed when the State Board of Education rejected the county's waiver request especially in light of the Montgomery

County Board of Education's support, the Montgomery County Board of Education does not believe that expanding the appeal process to the Office of Administrative Hearings would provide any benefit. Rather, the Board believes that strengthening the criteria to be considered by the State Board of Education provides the greatest remedy to the current MOE law.

Re: **PUBLIC COMMENTS**

There were no speakers.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Mr. Hwang reported that he had attended the Asian Lunar New Year Dinner. Also, he will be working with student government leaders to register students to vote.

** At this point the building lost electrical power.

Ms. Berthiaume commented that she attended Rockville's celebration of the Lunar New Year, and there were great performances.

Dr. Docca stated that she attended the (1) drop in for parents sponsored by the Department of Family and Community Partnerships, and (2) the Historically Black Colleges and Universities Fair.

Mr. Barclay commented that he attended the same parent drop in, and he suggested that the next coffee should be in the community, possibly a local school.

Dr. Weast commented that many of the Board members attended the annual Lunar New Year dinner held by the Asian American Educators Association. Also he pointed out that although the worst of the storm's aftermath has passed, MCPS employees were still hard at work doing cleanup. Millions of tons of snow have been cleared from approximately 475 acres of parking lots and sidewalks. Melting has helped this process, but there will be piles of snow for some time. According to Todd Watkins, director of Transportation, there are more than eight acres of rooftop on the school system's 1,272 buses. Removing snow from bus rooftops presents a particular challenge. Watkins and his staff have been using a device called a roof rake—a specially shaped shovel at the end of a telescoping pole—to get the job done. He said everyone—students, parents, and staff—was more than ready to go back to school.

RESOLUTION NO. 99-10

Re: **COMMERCIAL OFFICE LEASE RENEWAL
AT 4 CHOKE CHERRY ROAD**

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

WHEREAS, The Board of Education approved and executed a five-year lease agreement with TA Western, LLC, to create the Center for Technology Innovation at 4 Choke Cherry Road in Rockville in 2005; and

WHEREAS, The Center for Technology Innovation has been a success at this location; and the Board desires to extend its occupancy beyond the September 30, 2010, lease termination for office space and space for staff training and other programs; and

WHEREAS, Department of Facilities Management staff has negotiated favorable financial terms commensurate with market conditions to extend the lease for an additional five years; and

WHEREAS, The Board of Education's legal counsel has reviewed the language of the proposed Lease Amendment to protect the school system's interests; now therefore be it

Resolved, That the superintendent of schools and president of the Board of Education be authorized to execute an Amendment and Extension of Lease for office and training space at 4 Choke Cherry Road in Rockville for a base rental rate of \$19.50 per square foot with escalations of 2.5 percent annually.

RESOLUTION NO. 100-10Re: **MONTROSE CENTER – THIRD
AMENDMENT TO LEASE WITH
REGINALD S. LOURIE CENTER FOR
INFANTS AND YOUNG CHILDREN**

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

WHEREAS, The Reginald S. Lourie Center for Infants and Young Children (Lourie) entered into a lease with the Board of Education for the shared occupancy of the Montrose Center in 1998; and

WHEREAS, A Second Amendment to the Lease was executed in 2007 to extend the lease and provided for Lourie to pay an annual operating assessment in exchange for the Board taking over the maintenance and operation of its 20,850 square-foot portion of the Montrose Center; and

WHEREAS, Lourie has requested that the Board extend its purview to a relocatable classroom installed at the premises for Lourie's program in exchange for a commensurate increase in its annual operating assessment; now therefore be it

Resolved, That the superintendent of schools and the president of the Board of Education be authorized to execute a Third Lease Amendment with the Reginald S. Lourie Center for Infants and Young Children to extend maintenance to a relocatable classroom of 1,045 square feet at the Montrose Center in exchange for a commensurate increase in Lourie's annual operating assessment at the same rate per square foot for the remaining term.

RESOLUTION NO. 101-10Re: FY 2011 SUMMER SCHOOL FEES

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

WHEREAS, The Board of Education approves tuition fees each year for summer school; and

WHEREAS, Summer School Revenue-based Program costs are projected to rise only slightly; now therefore be it

Resolved, That the Summer School Revenue-based Program full fees be maintained at the current FY 2010 rate (\$335 for elementary courses; and \$300 and \$310 for high school core and non-core courses, including student online learning, respectively); and be it further

Resolved, That the Summer School Revenue-based Program reduced fees be maintained at the current FY 2010 rate (\$85 and \$120, respectively, depending upon family income); and be it further

Resolved, That the total annual family income guidelines for qualifying for reduced fees and waivers be \$0–\$29,812 for the lowest reduced fee; \$29,813–\$42,425 for the higher reduced fee; and below \$42,425 for waivers; and be it further

Resolved, That the Summer School Minimal Fee-based Program course fees be maintained.

Re: FACILITIES WORK SESSION**Superintendent's Recommendation for Middle School Assignment for
Lois P. Rockwell Elementary School**

Dr. Weast commended the work of the Boundary Advisory Committee in its review of the middle school assignment for Lois P. Rockwell Elementary School. He has carefully considered all of the input received, including the Boundary Advisory Committee report, committee member option evaluations, PTA position papers, and community input. He also has considered Board of Education's Policy FAA, *Long-range Educational Facilities Planning*, and Montgomery County Public Schools Regulation FAA-RA, *Long-range Educational Facilities Planning*, in developing recommendations. Based on that review, Dr. Weast recommended Lois P. Rockwell Elementary School service area students be reassigned from Rocky Hill Middle School to John T. Baker Middle School, beginning with Grades 6 and 7 in August 2010.

Re: DISCUSSION

Ms. Brandman noted that the enrollment at Baker drops to 733. Staff pointed out that there

is a large cohort moving through the school at this time.

**Superintendent's Recommendation for
Elementary School Assignment for the Western Portion of the Bethesda
Elementary School Service Area**

Dr. Weast commended the work of the Boundary Advisory Committee in its review of the elementary school assignment for the western portion of the Bethesda Elementary School service area. He carefully considered all of the input received, including the Boundary Advisory Committee Report, committee member option evaluation, PTA position papers, community input, and the Board of Education's Policy FAA, *Long-range Educational Facilities Planning*, and MCPS Regulation FAA-RA, *Long-range Educational Facilities Planning*, in developing his recommendations. He recommended that the western portion of the Bethesda Elementary School service area be reassigned to Bradley Hills Elementary School effective August 2013 with Grades K–4. Grade 5 in that year would be grandfathered at Bethesda Elementary School.

Re: DISCUSSION

Ms. Berthiaume inquired about the media center at Bradley Hills, and she asked if there would be a flexible transfer policy. Staff explained that the media center is not the smallest in the county, and it is suitable for the elementary school since only one class at a time utilizes that space. Further, the media center is in a location where it would be difficult to add space without triggering other modifications. Staff stated that transfers will be handled as in the past, even though the system is solving overcrowding with this boundary change.

Mrs. O'Neill pointed out that this recommendation unites the articulation pattern for the students being moved to Bradley Hills. Ms. Brandman asked if there would be an impact on Thomas W. Pyle Middle School and Walt Whitman High School. Staff assured the Board that there would be no significant impact on student enrollment at those two schools.

**Superintendent's Recommendation for
Oakland Terrace Elementary School at Sligo Middle School
Satellite Plan**

Dr. Weast acknowledged the community and staff for preparing a thorough presentation of the issues and questions that were raised during the public information meetings concerning the possibility of creating a satellite location at Sligo Middle School for Oakland Terrace Elementary School students. He considered all of the input received, including the information and correspondence from concerned parents. In addition, he considered the impact of retaining all enrollment at Oakland Terrace Elementary School for the next two years. Dr. Weast recommended that the kindergarten classes from Oakland Terrace Elementary School be housed in the lower level of Sligo Middle School for the 2010–2011 and 2011–2012 school years, until the Downcounty Consortium Elementary School #29 (McKenney Hills site) reopens in August 2012. Dr. Weast believed that moving the kindergarten students provided the best opportunity to minimize the interaction of

elementary and middle school students because of the large difference in age between the two groups of students. In addition, because the kindergarten program operates more independently compared with the other elementary grade levels; this recommendation will have minimal impact on the instructional program of all students.

Re: **DISCUSSION**

The Board members appreciated the staff and community coming together with this recommendation. Staff assured the Board that details will be worked out, such as playground equipment, added staff, plumbing issues, and transportation.

Re: **ALTERNATIVES**

There were no alternatives put forth by the Board. A hearing will take place on March 3, 2010, regarding the superintendent's recommendations.

RESOLUTION NO.102-10

Re: **CLOSED SESSION RESOLUTION**

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

WHEREAS, The Board of Education of Montgomery County is authorized by the *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, March 9, 2010, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:30 to 1:30 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*; consult with counsel to obtain legal advice while the Board reviews and adjudicates appeals in its quasi-judicial capacity; and to discuss matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*); and be it further

Resolved, That such meeting shall continue in closed session until the completion of business.

RESOLUTION NO. 103-10 Re: **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:

On February 17, 2010, by unanimous vote of members present, the Board of Education voted to conduct closed sessions as permitted under the *State Government Article* Section 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed sessions on February 17, 2010, from 8:40 to 9:55 a.m. and 12:45 to 1:50 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and considered the following appeal with a subsequent vote in open session in its quasi-judicial capacity outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State Government Article*): 2009-39. The Board decided to hold 2009-31 until the next meeting.
2. Unanimously approved the Decision and Order in Appeal 2009-38 in its quasi-judicial capacity outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State Government Article*).
3. Discussed the Human Resources Monthly Report with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
4. Received legal advice to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the *Open Meetings Act* under Section 10-503(a) of the *State Government Article*.
5. Discussed matters of an administrative function (strategy for obtaining funding of the operating budget, strategy for funding maintenance of effort fine, federal funding, and school calendar strategy to meet state law) outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State Government Article*).
6. Discussed collective bargaining negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article*.

In attendance at the closed sessions were Aggie Alvez, Christopher Barclay, Laura Berthiaume, Larry Bowers, Patrick Clancy, Mike Durso, Judy Docca, Brian Edwards, Tim Hwang, Roland Ikheloa, Phil Kauffman, Suzann King, Frieda Lacey, Jody Leleck, Susan Marks, Patricia O'Neill, Chris Richardson, Glenda Rose, Laura Steinberg, Frank Stetson, Dana Tofig, Jamie Virga, and Jerry Weast.

RESOLUTION NO. 104-10Re: **APPEALS**

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

WHEREAS, The Board of Education has met in closed session and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-503(a) of the *State Government Article* 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>	<u>Disposition</u>
2009-40	Early Entrance to Kindergarten	Reversed

Re: **NEW BUSINESS**

There was no new business.

RESOLUTION NO. 105-10 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of February 22, 2010, at 7:40 p.m.

PRESIDENT

SECRETARY

JDW:gr

Resolution	Barclay	Berthiaume	Brandman	Docca	Durso	Hwang	Kauffman	O'Neill
Summer School Fees	A	A	A	A	A	A	A	A

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

MONTGOMERY COUNTY BOARD OF EDUCATION INDEX

ADJOURNMENT	15
ALTERNATIVES	13
APPEALS	14
APPROVAL OF THE AGENDA	2
RESOLUTION FOR CLOSED SESSIONS	1
BOARD/SUPERINTENDENT COMMENTS	9
CLOSED SESSION RESOLUTION	13
COMMERCIAL OFFICE LEASE RENEWAL AT 4 CHOKE CHERRY ROAD	9
FACILITIES WORK SESSION	11
FY 2011 SUMMER SCHOOL FEES	11
ITEMS OF LEGISLATION.....	5
MONTROSE CENTER – THIRD AMENDMENT TO LEASE WITH REGINALD S. LOURIE CENTER FOR INFANTS AND YOUNG CHILDREN.....	10
NEW BUSINESS	15
PLEDGE OF ALLEGIANCE	1
PUBLIC COMMENTS	9
REPORT OF CLOSED SESSION	13
WOMEN'S HISTORY MONTH.....	2