

APPROVED  
23-2001

Rockville, Maryland  
July 26, 2001

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Thursday, July 26, 2001, at 8:30 p.m.

ROLL CALL Present:                   Mrs. Nancy J. King, President  
  in the Chair  
  Mr. Stephen Abrams  
  Ms. Sharon Cox  
  Mr. Walter Lange  
  Mrs. Patricia B. O'Neill  
  Mr. Dustin Jeter, Student Board Member  
  Dr. Jerry Weast, Secretary/Treasurer

Absent:                   Mr. Kermit V. Burnett  
  Mr. Reginald M. Felton

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

RESOLUTION NO. 401-01 Re:   **CLOSED SESSION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a portion of its closed session on July 26, 2001, in Room 120 from 6:30 to 8:30 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education consult with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed session on July 26, 2001, to acquit its executive functions and to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act under Section 10-503(a) of the *State Government Article*; and be it further

Resolved, That this portion of the meeting continue in closed session until the completion of business.

**RESOLUTION NO. 402-01 Re: APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for July 26, 2001.

**Re: PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Franklin Tucker	Special Education
2.	Reuben Gist	Silver Spring International Middle School
3.	Steve Marriott	Dr. Weast's Contract
4.	Doug Schiffman	Dr. Weast's Contract

**RESOLUTION NO. 403-01 Re: PROCUREMENT CONTRACTS OF \$25,000 OR MORE**

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

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

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

SA1497 Uniform Rental and Sales – Extension

Awardee

Nick Bloom Uniform Company, Inc. \$ 78,277

4035.2 HVAC/Refrigeration Equipment and Parts

Awardees

Aireco Supply, Inc.	\$ 54,017
Allied Air Compressor, Inc.	3,000
Boland Trane	50,000
Capitol Compressor, Inc.	25,000
Capp, Inc.	121,000
Chesapeake System	68,000

	Heritage Food Service Equipment	9,500
	Industrial Controls Dist.	1,000
	R.E. Michel Company, Inc.	2,500
	Noyes A/C Company, Inc.	50,000
	Pameco Corporation	107,044
	Siemens Building Technologies, Inc.	5,000
	Smart Supply Company, Inc.	12,000
	H M Sweeney Company	59,008
	United Refrigeration, Inc.	<u>16,000</u>
	Total	\$ 583,069
4091.2	Art and School Paper	
	<u>Awardees</u>	
	AFP School Supply/Division of AFP Industries, Inc.*	\$ 103,759
	Dick Blick East	1,332
	Integrity School Supplies*	93,676
	Pyramid School Products	268,542
	Sax Arts and Crafts	3,005
	Windtree Enterprises	<u>6,615</u>
	Total	\$ 476,929
4095.1	Lamps – Extension	
	<u>Awardees</u>	
	C.N. Robinson Lighting Company	\$ 81,007
	Scott Electric	<u>36,369</u>
	Total	\$ 117,376
4096.1	Computer Carts – Extension	
	<u>Awardee</u>	
	Glover Equipment, Inc.	\$ 63,225
7066.2	Fleet Vehicle Repair and Inspection	
	<u>Awardees</u>	
	Auto Truck and RV	\$ 25,000
	General Automotive Servicer, Inc.	30,000
	J & M Truck Repair	30,000
	Vehicare Corporation	<u>15,000</u>
	Total	\$ 100,000



7070.3	Printing Supplies	
	<u>Awardees</u>	
	A B Dick Company	\$ 22,601
	Printers Ink and Supply Company, Inc.	22,827
	Printers' Service	22,446
	Valley Litho Supply	<u>31,387</u>
	Total	\$ 99,261
7073.1	Novell Software License Agreement	
	<u>Awardee</u>	
	Novell, Inc.	\$ 100,000
7078.1	Air Filters – Extension	
	<u>Awardee</u>	
	Vair Corporation	\$ 102,313
7083.1	Custodial Equipment – Extension	
	<u>Awardees</u>	
	Acme Paper & Supply Company	\$ 10,965
	Daycon Products Company, Inc.	39,050
	Fitch Company*	7,906
	Spectrowax Corporation	11,790
	Viking Chemicals, Inc.*	<u>15,717</u>
	Total	\$ 85,428
7086.1	Custodial Equipment Supplement – Extension	
	<u>Awardees</u>	
	Acme Paper & Supply Company	\$ 10,095
	Daycon Products Company, Inc.	42,271
	National Supply Company	8,130
	Odorite	<u>23,520</u>
	Total	\$ 84,016
9099.1	Security System Installation/Cabling at Various Montgomery County Public Schools Locations (addition to original contract)**	
	<u>Awardees</u>	

	East West Telecom, Inc.	
	EAI Security, Inc.	
	Total	\$ 350,000
9101.4	Processed Meats and Refrigerated and Frozen Foods – Fall	
	<u>Awardees</u>	
	Carroll County Foods, Inc.	\$ 286,086
	Cloverdale Foods, Inc.	132
	Dori Foods, Inc.	193,499
	Eastern Imports, Inc.*	32,450
	Hood's Institutional Foods, Inc.*	1,169
	Karetas Foods, Inc.	10,587
	Manassas Frozen Foods	19,507
	Mutual Wholesale Company	21,362
	Ragozzino Foods, Inc.*	30,730
	Silver Spring Farm, Inc.	7,380
	Sysco Food Services of Baltimore/DC Region	<u>224,082</u>
	Total	\$ 826,984
	TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000	\$3,066,878

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

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

RESOLUTION NO. 404-01 Re: **BETHESDA-CHEVY CHASE HIGH SCHOOL  
SUBCONTRACTOR CLAIMS**

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

WHEREAS, On September 14, 1999, Worcester Eisenbrandt, Inc. (WEI), was awarded a contract to complete the historic preservation work for the Bethesda-Chevy Chase High School modernization project; and

WHEREAS, Subsequent to beginning work on the project, WEI refused to comply with certain requirements that were part of their contract; and

WHEREAS, The construction manager and architect instructed WEI to comply with the contract documents or another contractor would be employed to complete the work; and

WHEREAS, WEI filed a claim with the District Court for Montgomery County against the

Montgomery County Public Schools (MCPS) for breach of contract and other charges; and

WHEREAS, Outside counsel from Venable, Baetjer and Howard successfully defended our position and obtained a judgment dismissing all of the charges filed; and

WHEREAS, WEI was notified that MCPS intended to terminate their contract for failure to comply with the provisions and terms of the specifications; and

WHEREAS, WEI and their bonding company asked staff to reconsider the termination and offered to settle the contract dispute; and

WHEREAS, Staff and outside counsel negotiated a settlement with WEI that allows MCPS to retain the balance of the funds in the contract, including the retainage, to pay another contractor(s) to complete the remaining historic preservation work; and

WHEREAS, The agreement also requires WEI to drop all further legal action regarding any claims against MCPS for the Bethesda-Chevy Chase High School project; and

WHEREAS, Staff has recommended the settlement agreement be accepted; now therefore be it

Resolved, That the contract for historic preservation work on the Bethesda Chevy-Chase High School, dated September 14, 1999, be amended based on the settlement agreement negotiated by staff and outside counsel from Venable, Baetjer and Howard to deduct the uncompleted work from the contract with Worcester Eisenbrandt, Inc.; and be it further

Resolved, That a change order in the amount of \$314,696 be approved, deducting the balance of any remaining funds from the contract with Worcester Eisenbrandt, Inc., for the Bethesda-Chevy Chase High School project.

RESOLUTION NO. 405-01 Re: **BETHESDA-CHEVY CHASE HIGH SCHOOL – CHANGE ORDER EXCEEDING \$100,000**

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

WHEREAS, Staff has received a proposal from the electrical contractor for the Bethesda-Chevy Chase High School project to install the lighting, sound system, stage rigging, and curtains for the auditorium; and

WHEREAS, These systems were excluded from the initial bids because the design work was not completed at that time; and

WHEREAS, The construction manager has reviewed the cost proposal and determined that it is comparable with prices that would be obtained if the work were bid to another contractor; and

WHEREAS, Staff has recommended that the installation of these systems be added to the current electrical contract to avoid potential coordination problems if a separate contractor were retained to complete the work; now therefore be it

Resolved, That a change order in the amount of \$764,829 for auditorium lighting, sound system, stage rigging, and curtains be added to the contract with C. T. Electrical Corporation for the Bethesda-Chevy Chase High School modernization project.

RESOLUTION NO. 406-01 Re: **ARCHITECTURAL APPOINTMENT – BURNT MILLS ELEMENTARY SCHOOL FEASIBILITY STUDY**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services to conduct a design feasibility study for an addition to Burnt Mills Elementary School; and

WHEREAS, Funds for feasibility planning have been programmed as part of the FY 2002 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, identified Wiencek + Zavos 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 based on the project scope; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with Wiencek + Zavos Architects, P.C., to provide professional architectural services for the Burnt Mills Elementary School feasibility study project for a fee of \$25,000.

RESOLUTION NO. 407-01 Re: **ARCHITECTURAL APPOINTMENT – SOUTH LAKE ELEMENTARY SCHOOL FEASIBILITY STUDY**

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



WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services to conduct a design feasibility study for an addition to South Lake Elementary School; and

WHEREAS, Funds for feasibility planning have been programmed as part of the FY 2002 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, 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 based on the project scope; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with Delmar Architects, P.A., to provide professional architectural services for the South Lake Elementary School feasibility study project for a fee of \$26,000.

**RESOLUTION NO. 408-01 Re: ROCKY HILL MIDDLE SCHOOL REPLACEMENT – SITE SELECTION AND AGREEMENT OF SALE**

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

WHEREAS, The approved FY2001-2006 Capital Improvements Program includes feasibility planning for a replacement facility for Rocky Hill Middle School so that the existing facility can be converted to a high school for the Clarksburg area; and

WHEREAS, The Site Selection Advisory Committee was convened and recommended that the Martens Tract, located on the south side of Wims Road opposite the existing middle school, be considered for the Rocky Hill Middle School replacement; and

WHEREAS, The Board, on March 27, 2000, authorized staff to proceed with procuring appraisals and initiating negotiations with the contract-purchaser of the Martens Tract, Toll Brothers, Inc.; and

WHEREAS, Montgomery County Public Schools staff and the contract-purchaser have negotiated an Agreement of Sale on the purchase price; and

WHEREAS, Funds were approved in the FY 2002 Capital Budget for the purchase of the property for the replacement facility; now therefore be it

Resolved, That the Martens tract be selected for the Rocky Hill Middle School replacement; and be it further

Resolved, That the president and secretary of the Board of Education be authorized to execute a Sales Agreement with Toll Brothers, Inc., at a purchase price of \$2,410,000; and be it further

Resolved, That the County Council and State Interagency Committee for School Construction be made aware of this action.

RESOLUTION NO. 409-01 Re: **REDUCTION OF RETENTION – ROCK CREEK VALLEY ELEMENTARY SCHOOL**

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

WHEREAS, Henley Construction Company, Inc., general contractor for the Rock Creek Valley Elementary School modernization project, has completed 89 percent, as of July 1, 2001, of all specified requirements and requested that the 10-percent retainage, which is based on completed work to date, be reduced to 5 percent; and

WHEREAS, The project bonding company, Hartford Accident and Indemnity Company, has consented to this reduction; and

WHEREAS, The project architect, McKissack & McKissack of Washington, Inc., recommends approval of the reduction; now therefore be it

Resolved, That the 10-percent retainage withheld from periodic payments to Henley Construction Company, Inc., general contractor for the Rock Creek Valley Elementary School modernization project, be reduced to 5 percent, with the remaining 5 percent to become due and payable after completion of all remaining contract requirements and formal acceptance of the completed project.

RESOLUTION NO. 410-01 Re: **REDUCTION OF RETENTION – EARLE B. WOOD MIDDLE SCHOOL**

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

WHEREAS, Porter Construction Management, Inc., general contractor for the Earle B. Wood Middle School modernization project, has completed 88 percent, as of July 1, 2001, of all

specified requirements and requested that the 10-percent retainage, which is based on completed work to date, be reduced to 5 percent; and

WHEREAS, The project bonding company, United States Fidelity and Guaranty Company, has consented to this reduction; and

WHEREAS, The project architect, Smolen ■ Emr + Associates Architects, recommends approval of the reduction; now therefore be it

Resolved, That the 10-percent retainage withheld from periodic payments to Porter Construction Management, Inc., general contractor for the Earle B. Wood Middle School modernization project, be reduced to 5 percent, with the remaining 5 percent to become due and payable after completion of all remaining contract requirements and formal acceptance of the completed project.

**RESOLUTION NO. 411-01 Re: GRANT OF RIGHT OF WAY AT MONTGOMERY VILLAGE MIDDLE SCHOOL**

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

WHEREAS, The Washington Suburban Sanitary Commission has requested a grant of right of way at Montgomery Village Middle School, located at 19300 Watkins Mill Road in Gaithersburg; and

WHEREAS, The proposed grant of right of way, consisting of 240 square feet, is necessary for the relocation of a fire hydrant and appurtenances as a part of the modernization of the school; and

WHEREAS, The proposed 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 grant of right of way of 240 square feet to the Washington Suburban Sanitary Commission at the Montgomery Village Middle School.

**RESOLUTION NO. 412-01 Re: AWARD OF CONTRACT – MODULAR CLASSROOM RELOCATION AND INSTALLATION**

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

WHEREAS, The following sealed bids were received July 20, 2001, for the relocation and installation of 38 leased modular classroom units, with work to begin immediately and to be completed in phases, with 26 units to be completed by August 24, 2001, and 12 units to be completed during October 2001:

<u>Bidder</u>	<u>Amount</u>
J & L Services, Inc.	\$1,083,000
Cottonwood Construction, Inc.	1,334,600
Tex/Am Construction Co., Inc.	2,214,780

and

WHEREAS, The low bidder, J & L Services, Inc., has completed similar work successfully for the Montgomery County Public Schools; and

WHEREAS, The low bid is within the staff estimate; and

WHEREAS, There is limited opportunity for Minority Business Enterprise (MBE) participation on this project because of the work scope: and

WHEREAS, Staff recommends waiving the MBE participation goal for this project; now therefore be it

Resolved, That a contract be awarded to J & L Services, Inc., in the amount of \$1,083,000 for relocation and installation of modular classroom units, in accordance with plans and specifications prepared by the Department of Facilities Management.

**RESOLUTION NO. 413-01 Re: UTILIZATION OF FY 2002 FUTURE SUPPORTED PROJECT FUNDS**

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

WHEREAS, The grant qualifies for a transfer of appropriation from the Provision for Future Supported Projects pursuant to the provisions of County Council Resolution No. 14-890, approved May 24, 2001; and

WHEREAS, The program does not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available, within the FY 2002 Provision for Future Supported Projects, to permit the transfer within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2002 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Amount</u>
Maryland Model for School Readiness	\$17,800
Total	<u>\$17,800</u>

and be it further

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

RESOLUTION NO. 414-01 Re: **GRANT SUBMISSION AND FY 2002 SUPPLEMENTAL APPROPRIATION FOR A TECHNOLOGY PROJECT AT CARDEROCK SPRINGS ELEMENTARY SCHOOL**

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

Resolved, That the superintendent of schools be authorized to submit a grant proposal for \$140,000 to Startec Global Communications, Inc., and, if awarded the grant, receive and expend the funds, subject to County Council approval, for a period of two years to provide financial support for a technology project at Carderock Springs Elementary School; and be it further

Resolved, That the superintendent of schools be authorized to create the position of technology coordinator at Carderock Springs Elementary School for the duration of the grant period; and be it further

Resolved, That the county executive be requested to recommend approval to the County Council; and be it further

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

RESOLUTION NO. 415-01 Re: **RECOMMENDATION TO APPROVE DEMUTUALIZATION OF PRUDENTIAL INSURANCE COMPANY**

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

WHEREAS, The Prudential Insurance Company's board of directors unanimously adopted a Plan of Reorganization (the Plan) to convert Prudential from a mutual life insurance company to a stock company, a process called demutualization; and

WHEREAS, Policyholders are being asked to vote on the proposed demutualization plan; and

WHEREAS, The Montgomery County Board of Education holds four policies with the Prudential Insurance Company that are impacted by the proposed demutualization; and

WHEREAS, The Board of Education and plan participants would receive compensation if the demutualization occurs; and

WHEREAS, staff has recommended that the Board of Education vote to approve the Prudential Plan of Reorganization and, with respect to Prudential Policy #E0173728, to elect to receive demutualization compensation in the form of a cash payment; now therefore be it

Resolved, That the Board of Education hereby authorize the superintendent of schools or his designee to cast MCPS' three votes in favor of the Prudential Plan of Reorganization; and be it further

Resolved, That with respect to Policy #E0173728, an election be made to receive compensation in the form of cash to be deposited into the account established under Policy #E0173728; and be it further

Resolved, That the superintendent of schools or his designee be authorized to take such actions and execute such documents as may be necessary or advisable to effect such actions.

**RESOLUTION NO. 416-01 Re: DEATH OF DONALD E. HURT, BUS OPERATOR I,  
DEPARTMENT OF TRANSPORTATION**

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

WHEREAS, The death on June 13, 2001, of Donald E. Hurt, bus operator I at the West Farm Depot in the Department of Transportation, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the six years and seven months that Mr. Hurt was an employee of Montgomery County Public Schools, he demonstrated competence as a bus operator and always showed a willingness to make the extra effort to get the job done; and

WHEREAS, Mr. Hurt's dependability and his good relationships with his fellowworkers made him a valuable employee; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Donald E. Hurt 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. Hurt's family.

**RESOLUTION NO. 417-01 Re: DEATH OF DONNA C. CROMWELL, SCHOOL SECRETARY I, WHITE OAK MIDDLE SCHOOL**

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

WHEREAS, The death on June 15, 2001, of Donna C. Cromwell, school secretary I at White Oak Middle School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the two years and six months that Mrs. Cromwell was an employee of Montgomery County Public Schools, she showed traits of being extremely organized and initiated systems within the front office to facilitate the flow of tasks in an efficient manner; and

WHEREAS, Mrs. Cromwell's flexibility and human relation skills made her an asset to the staff, students, and community; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Donna C. Cromwell 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 Mrs. Cromwell's family.

**RESOLUTION NO. 418-01 Re: HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated July 26, 2001.

**RESOLUTION NO. 419-01 Re: HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 27, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Jeanette Dixon	Principal, White Oak MS	Principal, Paint Branch HS

RESOLUTION NO. 420-01 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 27, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Donald Masline	Elementary School Intern, Wyngate ES	Principal, Georgian Forest ES

RESOLUTION NO. 421-01 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective August 1, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Dianne Thornton	Principal, C. Elizabeth Rieg School, Prince George's County Public Schools	Principal, Rock Terrace School

RESOLUTION NO. 422-01 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 27, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Darlene Merry	Director, Department of Staff Development	Associate Superintendent, Office of Staff Development



**RESOLUTION NO. 423-01 Re: HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 30, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Walter Gibson	Senior Associate, National Center on Education and the Economy	Director, Down-County Consortium

**RESOLUTION NO. 424-01 Re: HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 30, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Raymond Frappolli	Human Resources Specialist, Office of Human Resources	Director, Performance Evaluation

**RESOLUTION NO. 425-01 Re: HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective August 13, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Cary Kuhar	Manager, Network Infrastructure and Operations, Dow, Lohnes & Albertson, PLLC	Director, Division of Systems, Architecture and Operational Support, OGAT

**RESOLUTION NO. 426-01 Re: HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 30, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Kathy Kolan	Supervisor, Special Education	Supervisor, Transition Services

RESOLUTION NO. 427-01 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 30, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Felicia Piacente	Acting Supervisor, Special Education	Supervisor, Special Education

**RESOLUTION NO. 428-01 Re: HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective August 13, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Sandi Posner	Principal, Frances Fuchs Early Childhood Center, Prince George's County Public Schools	Supervisor, Programs for Students with Emotional Disabilities

**RESOLUTION NO. 429-01 Re: HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 30, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
O. Niecey Pearson	Vice President/Director of Marketing, Montgomery County Chamber Workforce Corp.	Customer Support Specialist

**RESOLUTION NO. 430-01 Re: HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 27, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Rochelle Kraus	Staffing Analyst, Office of Human Resources	Human Resources Specialist

**RESOLUTION NO. 431-01 Re: HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 27, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Ellen H. Williams	Sabbatical Leave	Human Resources Specialist, Office of Human Resources

**RESOLUTION NO. 432-01 Re: FY 2001 OPERATING BUDGET CATEGORICAL TRANSFER**

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

WHEREAS, Category 5 Other Instructional Costs reflected a deficit as of June 30, 2001, as a result of Success for Every Student program expenditures in this category rather than Category 4, where the funds were budgeted and tuition costs for teacher training partnership programs; and

WHEREAS, Category 6 Special Education reflected a deficit as of June 30, 2001, due to higher-than-anticipated state-approved rates for nonpublic placement; and

WHEREAS, The required funds are available for transfer from Category 2 Mid-level Administration, Category 3 Instructional Salaries, and Category 4 Textbooks and Instructional Supplies; and

WHEREAS, Transfers are not required from instructional categories to noninstructional categories; now therefore be it

Resolved, That the superintendent of schools be authorized, subject to the approval of the County Council, to effect the following transfers within instructional categories:

<u>Category</u>	<u>Description</u>	<u>To</u>	<u>From</u>
2	Mid-level Administration		\$250,000
3	Instructional Salaries		750,000
4	Textbooks and Instructional Supplies		250,000
5	Other Instructional Costs	\$400,000	
6	Special Education	<u>850,000</u>	_____

Total \$1,250,000    \$1,250,000

**RESOLUTION NO. 433-01 Re:    FY    2001    OPERATING BUDGET CATEGORICAL TRANSFER**

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

WHEREAS, Category 7 Student Personnel Services reflected a deficit as of June 30, 2001, due to higher-than-anticipated costs for the registration of students in the International Student Admissions Office; and

WHEREAS, Category 9 Student Transportation reflected a deficit as of June 30, 2001, due to higher-than-anticipated costs for diesel fuel; and

WHEREAS, The required funds are available for transfer from Category 12 Fixed Charges; and

WHEREAS, Transfers are not required from instructional categories to noninstructional categories; now therefore be it

Resolved, That the superintendent of schools be authorized, subject to the approval of the County Council, to effect the following transfers within noninstructional categories:

<u>Category</u>	<u>Description</u>	<u>To</u>	<u>From</u>
7	Student Personnel Services	\$175,000	
9	Student Transportation	450,000	
12	Fixed Charges	<u>                    </u>	<u>\$625,000</u>
	Total	<u>\$625,000</u>	<u>\$625,000</u>

and be it further

Resolved, That the county executive and County Council be given a copy of this resolution; and be it further

Resolved, That the county executive be requested to recommend approval of the categorical transfer to the County Council.



RESOLUTION NO. 434-01

Re: **REQUEST TO DEVELOP CHINESE IMMERSION CURRICULUM FOR HERBERT HOOVER MIDDLE SCHOOL**

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

WHEREAS, a Chinese Immersion Program was established at Potomac Elementary School in 1996; and

WHEREAS, Students in September 2001 who started at Potomac Elementary School in the Chinese Immersion Program will enter Herbert Hoover Middle School; and

WHEREAS, The Montgomery County Public Schools has been awarded a grant to develop a middle school continuation program; and

WHEREAS, To follow the successful Spanish and French Immersion programs, two immersion courses will need to be developed; and

WHEREAS, The courses that have been identified are Immersion Chinese Language and Chinese through the Arts; now therefore be it

Resolved, That the Board of Education approve the development of the Chinese Immersion Curriculum for Herbert Hoover Middle School.

Re: **REPORT OF CAREER AND TECHNOLOGY EDUCATION ADVISORY COMMITTEE AND SUPERINTENDENT'S RESPONSE**

Dr. Weast invited the following people to the table: Dr. Judy Blumenthal, chair, Montgomery County Advisory Council for Career and Technology Education, and Mr. Barry Burke, director, Division of Career and Technology Education.

Dr. Blumenthal presented the following recommendations of the committee:

The Montgomery County Advisory Council for Career and Technology Education (MCAC) continues to be active in the pursuit of strong academics for students, plus partnering with the business community since 1978 when the law was enacted to establish the Council by the State Government of Maryland.

As established by that statute, MCAC “shall advise the county Board of Education and each institution of postsecondary education in the county that receives federal support for a career and technology education program on

1. the distribution of career and technology education funds;
2. county career and technology education program accountability reports;
3. county job needs; and
4. the adequacy of career and technology education programs being offered.”

Toward this end, MCAC shared the following topics of discussion and accomplishments from the 2000–2001 academic year. Where appropriate, the Council offered support and ideas for moving forward.

### **Career Futures**

MCAC has been involved in the discussion and provided input and guidance to the Division of Career and Technology Education’s (CTE) Career Futures Initiative. The Council is pleased with the renewal of and aggressive interest in helping all children see themselves in their futures. This initiative, which provides for program improvement, accountability, staff development, and marketing/outreach, reflects a solid direction for implementing CTE programs countywide.

### **Advisory to Montgomery County Board of Education and Montgomery College Board of Trustees**

MCAC is working to enhance its relationship with both MCPS and Montgomery College (MC). The advisory council has consulted in great depth with both entities to ensure active dialogue and progression toward meeting CTE goals at both institutions. MCAC has had several meetings with senior-level administrators from the college to establish a productive working relationship in the wake of MC’s reorganization. MCAC, MC, and MCPS are currently working together to establish a strong partnership for all three counterparts to work toward common goals in the most cohesive fashion.

MCAC is planning a presentation, similar to this one, to the Montgomery College Board of Trustees in September of this year. Once this relationship with the Board of Trustees is established, minutes of MCAC’s monthly meetings will be forwarded to them, as they are currently forwarded to the Board of Education. MCAC would be interested in hosting an annual meeting with the MC Board of Trustees, the MCPS Board of Education, and the Council.

### **Student Representation on MCAC**

MCAC believes it is crucial to continue student participation on MCAC, even if the representation is ex-officio. Toward this end, there are currently three active students on MCAC, who participate in dialogue exchange, bringing to the table fresh ideas and the



concerns of the students regarding CTE. The students participate in problem solving and the development of recommendations that enhance the effectiveness of MCAC. The Council applauds the Board for its appointment of a student member to MCAC in June 2001.

**The Distribution of Career and Technology Education Funds**

Again this year, MCAC was involved in the development of the annual plans for the use of both Perkins and state categorical funds. These plans are submitted each year to the Maryland State Department of Education on June 1 for the coming fiscal year. Funds are used to support career development programs at all 23 high schools and the Thomas Edison High School of Technology.

MCAC has been actively involved in consulting with members of the Board to promote career and technology education and program enrollment. Specifically, MCAC met with Board President Nancy King to consult on the process of a strategic plan for a panel discussion on CTE. Other suggestions the Council developed include setting up booths at shopping malls and creating videotapes for presentation on Montgomery County Cable.

Toward this end, MCAC supports a substantive marketing effort to promote and describe CTE programs at PTSA meetings and other venues throughout the county. It is suggested that a media campaign be developed to increase public awareness. Buy-in by parents of students already enrolled in the program, as well as those children approaching admission age, is critical to the further success and expansion of the program.

**County Economic Development Needs**

Currently, there is not a very effective workmen's compensation program for students in unpaid internships. Over many years, proposals that address this need have been submitted to the Maryland State Legislature. MCAC appreciates the concern and cost of such a program, as it could be a rather large line item in any employer's budget. Nonetheless, without a workmen's compensation program for these students, employers are reluctant to (and some even refuse to) allow students to intern, shadow, or volunteer in their organizations. The application of knowledge in a real-life work environment accelerates learning, speeds up the formation of critical thinking, and betters the community at large. MCAC would urge the Board to support legislation that provides workmen's compensation or other suitable alternatives for students in unpaid internships.

Limited CTE options exist for students with special needs who graduate with a Maryland Certificate of Attendance. Students unable to meet general diploma requirements are often unable to meet career and technology program requirements. As CTE programs are aligned with industry standards and become more rigorous, fewer students with special needs are able to access these programs.

In lieu of enrollment in CTE programs, students with special needs seek other means of career preparation. They participate in on-the-job training (OJT) programs to learn skills through paid or unpaid employment. They enroll in "in-school work," where they receive a training wage to learn jobs within their school or communities. Other students receive job training by accessing local grant sources (Marriott Bridges, High School High Tech, Career Transition Program of

St. Luke's House). There is little or no skill-specific preparation available to students with special needs before the actual job begins. The expansion of options is critical to engaging these students to compete in the workforce of the 21<sup>st</sup> century. MCAC supports the development of opportunities for students with special needs and is willing to undertake such an assignment in collaboration with MCPS and MC.

### **Montgomery County Business Roundtable for Education**

Dr. Robert Anastasi, executive director of the Montgomery County Business Roundtable for Education (MCBRE), was a guest speaker at the Advisory Council. He explained in detail the mission of MCBRE and the vision for getting the business and education communities aligned. MCAC wants to explore ways to communicate and collaborate with the Roundtable, which will enhance the relationship with CTE programs.

### **Partnership with the U.S. Department of Health and Human Services**

The U.S. Department of Health and Human Services (DHHS) has established a national network of High School Health Academics and Health Focused Programs Ad Hoc Advisory Board to provide and generate support for high school students to learn about and pursue careers in health-related occupations through the collaboration of school systems. This Advisory Board appears to be an excellent entrance into the business community through paid and unpaid arrangements for CTE students. MCAC will support establishing a partnership with CTE and the DHHS Advisory Board to establish a system for CTE students to work in paid or unpaid positions in Montgomery County health care businesses. The partnership will be arranged in the year ahead by the chair of MCAC, who is also a member of the DHHS Advisory Board.

### **Rigorous Academics and Career and Technology Education**

MCAC was very pleased with the release of the study by Dr. Weast that followed up on students from the class of 1993. The study confirmed that students who completed career and technology education programs fared as well or better in college and at work – Lifelong Learning and Earning. The study clearly showed that providing a focus for a student's future has a positive effect on his/her achievement and level of preparation for postsecondary education.

To support the idea of a rigorous academic foundation for all students, Dr. William Schafer from the Maryland State Department of Education presented to the Council the thinking behind the Maryland School Performance Assessment Program (MSPAP) and the High School Assessments. His detailed presentation drove home the critical need for all CTE students to master reading and math skills in high school and that extended day/year programs can help accomplish this goal.

### **Career and Technology Education Programs**

MCPS has done an outstanding job of establishing CTE programs at 23 high schools and the Thomas Edison High School of Technology. Implementing career and technology programs throughout the school system strengthens the implementation of Career Futures. There are variables that prevent some MCPS students from attending CTE programs that are offered outside their home school. MCAC supports the development and offering of additional CTE programs outside of Edison.

### **Summary and Recommendations to the Board**

MCAC strongly endorses the current CTE programs and initiatives, Career Futures in particular, and would like to suggest the following:

- Increase marketing and outreach to all stakeholders of CTE programs
- Continue staff development for teachers in CTE programs, and for increased academic integration
- Focus on curriculum and getting career concepts embedded throughout MCPS
- Change the name of the Division of Career and Technology Education to the Division of Career, College, and Technology Studies, to better reflect the services the division provides to students, schools, and the business community.

### **Re: DISCUSSION**

Mrs. King thanked the committee for its dedicated work.

Mr. Lange asked about the partnership with the U.S. Department of Health and Human Services. Dr. Blumenthal replied that students would shadow federal employees and serve as interns, and volunteers.

Mr. Lange inquired about Recommendation 3 – “Focus on curriculum and getting career concepts embedded throughout MCPS.” Mrs. Muntner answered that the New Career Futures interdisciplinary specialists at each level will address this recommendation in developing curriculum guides with program supervisors.

Mr. Abrams focused on Recommendation 4 – “Change the name of the Division of Career and Technology Education to the Division of Career, College, and Technology Studies, to better reflect the services the division provides to students, schools, and the business community.” In looking at the future workforce, education is looking at K-14 as a minimum. He was curious about the discussions on the name change within the Council. Dr. Blumenthal replied that the name change was based on how children perceive themselves. If educators believe in students, an ultimate goal is achievable. Therefore, if college is in the title, career and technology education is part of human development with added skills, academic achievement, and increased self worth. Mr. Abrams noted that being a life-long learner is the

concept, which breaks away from the idea that graduation is the end of one's education. He hoped there would be some way to incorporate that concept.

Mrs. O'Neill commented on Recommendation 1 – "Increase marketing and outreach to all stakeholders of CTE programs." She thought that Thomas Edison High School of Technology was a gem that very few people know about. Also, the partnerships in the trades need more publicity. There are opportunities for students in biomedical research and computer technology. The school system has an obligation to do a better job of disseminating information to the community. There also needs to be technology credits for other subjects, such as journalism.

Ms. Cox was pleased with the breadth of the committee. She asked about the issue of workmen's compensation and alternatives. Dr. Blumenthal replied that the committee was hoping to develop alternatives. Mr. Abrams noted that the system could self-insure as an alternative, which would require legislation. There could be a hold-harmless approach, but that concerns the County Council because of potential liability exposure.

Ms. Cox asked about the focus on curriculum and getting career concepts embedded throughout MCPS. How do students and parents view career education? Is this view representative of CTE program participants or the general population? Mr. Burke replied that both parent groups view CTE as the old vocational education. A marketing outreach is needed to change that cultural view. There is a need to poll non-CTE students to ascertain their views. Ms. Cox thought guidance counselors should present CTE as part of the whole menu of options for students' high school education.

Ms. Cox thought special education students could take CTE courses designed for students who would receive certificates rather than diplomas. Mr. Burke said there are programs, but not a full range of opportunities, for special needs' students. It is hoped that those opportunities will become available as new curriculum is developed.

RESOLUTION NO. 435-01            Re:    **REPORT OF CAREER AND TECHNOLOGY  
EDUCATION ADVISORY COMMITTEE AND  
SUPERINTENDENT'S RESPONSE**

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

WHEREAS, The Montgomery County Advisory Council for Career and Technology Education has submitted its annual report for 2000–2001; and

WHEREAS, The Montgomery County Advisory Council for Career and Technology Education expressed support for increased marketing and outreach to all stakeholders of career and

technology education programs; continued staff development for teachers in career and technology education programs; and increased academic integration, focus on curriculum, and getting career concepts embedded throughout MCPS; and expressed support for changing the name of the Division of Career and Technology Education to the Division of Career, College, and Technology Studies, to better reflect the services the division provides to students, schools, and the business community; and

WHEREAS, The superintendent and MCPS staff have reviewed the *2000-2001 Annual Report for the Montgomery County Advisory Council for Career and Technology Education* and prepared the superintendent's response; now therefore be it

Resolved, That the Board of Education thank the members for their outstanding contribution to our schools; and be it further

Resolved, That the Board of Education accept the *2000-2001 Annual Report from the Montgomery County Advisory Council for Career and Technology Education*.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Mr. Lange recognized that many principals and administrators were working hard over the summer to open schools in the fall. Also, in September/October, there will be 60 study circles in the Blair, Wheaton, Einstein, and Kennedy clusters. The goal of the circles is to provide opportunities for parents and community members to discuss issues in the local community and frame ideas for involvement to raise student achievement.

Ms. Cox attended a Leadership Maryland seminar on the hiring and retention of teachers. It was a discussion of broad issues with many people from Montgomery County presenting possible solutions. Also, she had the opportunity with Mr. Lange, Mrs. O'Neill, and Mrs. King to attend the luncheon sponsored by the Maryland Business Roundtable for the staff who were grading the MSPAP. Staff was seeing students take information and turn it into knowledge.

Dr. Weast was pleased to take part in the Early Childhood Celebration on Tuesday, July 24. The meeting provided an opportunity for the county agencies and organizations that are collaborating to support young children and their families to celebrate progress to date and talk about next steps. MCPS can certainly take pride in the initiatives that have reduced class size in the early grades, expanded all-day kindergarten, and revised the kindergarten curriculum. Early results of the preliminary kindergarten assessment of reading released earlier this month indicate that students are showing gains in basic literacy skills. It is appropriate that the Early Childhood Initiative Planning Group was recently honored by the National Association of Counties as an Achievement Award winner.

Dr. Weast said the process of hiring teachers for the 2001-2002 school year is progressing very well. More than 950 teachers have been hired, with less than 200 more teachers needed for the opening of school.

Dr. Weast noted that enrollment in summer school is about 13,000 students, similar to last year's numbers. He understood from Ed D'Aiutolo that 72 percent of the students are taking these summer courses for enrichment or to clear their schedule for other academic subjects, not because they have failed a course. Particularly interesting are the statistics for Algebra 1 and Geometry. In the past, approximately 55 percent of students took these courses because they had failed to pass them during the regular school year.

Dr. Weast reported that Washington Grove Elementary School Principal Kathy Brake was awarded the Mark Mann Excellence and Harmony Award at the July 9 Summer Conference for administrators. Under Mrs. Brake's leadership, Washington Grove has recorded impressive improvements in student performance and community support.

RESOLUTION NO. 436-01            Re:    **CLOSED SESSION RESOLUTION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a portion of its meeting on Tuesday, August 28, 2001, in Room 120 of the Carver Educational Services Center to meet in closed sessions from 9:00 a.m. to 1:30 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*, consult with counsel to obtain legal advice, as permitted by Section 10-508(a)(7) of the *State Government Article*; and review and adjudicate appeals in its quasi-judicial capacity and to discuss matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*); and be it further

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

Re:    **REPORT OF CLOSED SESSIONS**

On July 2, 2001, by unanimous vote of members present, the Board of Education voted to conduct a closed session as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed session on July 2, 2001, from 8:50 to 10:00 a.m. and 12:55 to 1:55 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and/or adjudicated the following appeals: 2001-24, 2001-28, T-2001-13, T-2001-15, T-2001-16, T-2001-17, T-2001-18, T-2001-19, and T-2001-22.
2. Reviewed the Superintendent's recommendations for personnel appointments, subsequent to which the votes to approve were taken in open session.
3. Consulted with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
4. Discussed matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

In attendance at the closed session were: Steve Abrams, Elizabeth Arons, Larry Bowers, Judy Bresler, Kermit Burnett, Sharon Cox, Reggie Felton, Theresa Flak, Roland Ikheloa, Dustin Jeter, LaVerne Kimball, Nancy King, Don Kress, Walter Lange, Freida Lacey, George Margolies, Louis Martinez, Judie Muntner, Brian Porter, Glenda Rose, Kim Statham, Frank Stetson, Jerry Weast, and James Williams.

On July 18, 2001, by unanimous vote of members present, the Board of Education voted to conduct a closed session as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed session on July 18, 2001, from 5:30 to 7:30 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and/or adjudicated the following appeal: 2001-6.
2. Consulted with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
3. Discussed the employment, assignment, and compensation of employees as permitted under Section 10-508(a)(1)(i) of the *State Government Article*.
4. Discussed matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

In attendance at the closed session were: Steve Abrams, Kermit Burnett, Sharon Cox, Roland Ikheloa, Dustin Jeter, Nancy King, Walter Lange, George Margolies, Pat O'Neill, Glenda Rose, Roger Titus, and James Williams.



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

Resolved, That the Board of Education adopt its Order in Appeal 2001-29, student expulsion, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, and Mr. Lange voting to reverse; Mrs. O'Neill was absent when the case was adjudicated; Mr. Jeter had not been sworn in when this appeal was considered.

RESOLUTION NO. 438-01            Re:    **APPEAL 2001-28**

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

Resolved, That the Board of Education adopt its Order in Appeal 2001-28, admission to immersion program, reflective of the following vote: Mr. Burnett, Ms. Cox, Mr. Felton, and Mr. Lange voting to affirm; Mr. Abrams and Mrs. King voting to reverse; Mrs. O'Neill was absent when the case was adjudicated; Mr. Jeter had not been sworn in when this appeal was considered. (Lacking a majority of the full Board to either affirm or reverse, the decision of the Deputy Superintendent shall stand.)

RESOLUTION NO. 439-01            Re:    **APPEAL 2001-24**

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

Resolved, That the Board of Education adopt its Order in Appeal 2001-24, student expulsion, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, and Mr. Lange voting to affirm; Mrs. O'Neill was absent when the case was adjudicated; Mr. Jeter had not been sworn in when this appeal was considered.

RESOLUTION NO. 440-01            Re:    **APPEAL 2001-26**

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

Resolved, That the Board of Education adopt its Order in Appeal 2001-26, student discipline, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, and Mr. Lange voting to affirm; Mrs. O'Neill was absent when the case was adjudicated; Mr. Jeter had not been sworn in when this appeal was considered.

RESOLUTION NO. 441-01            Re:    **APPEAL T-2001-24**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-24, student transfer, reflective of the following vote: Mr. Abrams, Ms. Cox, Mr. Jeter, Mr. Lange, and Mrs. O'Neill

voting to affirm; Mrs. King voting to reverse; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 442-01            Re:    **APPEAL T-2001-31**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-31, student transfer, reflective of the following vote: Mr. Abrams, Mr. Jeter, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Ms. Cox voting to reverse; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 443-01            Re:    **APPEAL T-2001-26**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-26, student transfer, reflective of the following vote: Mr. Abrams, Ms. Cox, Mr. Jeter, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 444-01            Re:    **APPEAL T-2001-36**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-36, student transfer, reflective of the following vote: Mr. Abrams, Ms. Cox, Mr. Jeter, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 445-01            Re:    **APPEAL T-2001-32**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-32, student transfer, reflective of the following vote: Mr. Abrams, Ms. Cox, Mr. Jeter, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 446-01            Re:    **APPEAL T-2001-27**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-27, student transfer, reflective of the following vote: Mr. Abrams, Ms. Cox, Mr. Jeter, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 447-01            Re:    **APPEAL T-2001-29**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-29, student transfer, reflective of the following vote: Mr. Abrams, Ms. Cox, Mr. Jeter, Mrs. King, Mr. Lange, and

Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 448-01            Re:    **APPEAL T-2001-33**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-33, student transfer, reflective of the following vote: Mr. Abrams, Ms. Cox, Mr. Jeter, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 449-01            Re:    **APPEAL T-2001-35**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-35, student transfer, reflective of the following vote: Mr. Abrams, Ms. Cox, Mr. Jeter, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to reverse; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 450-01            Re:    **APPEAL T-2001-30**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-30, student transfer, reflective of the following vote: Mr. Abrams, Ms. Cox, Mr. Jeter, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to reverse; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 451-01            Re:    **APPEAL T-2001-34**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-34, student transfer, reflective of the following vote: Mr. Abrams, Ms. Cox, Mr. Jeter, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to reverse; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

Re:    **NEW BUSINESS**

The following new business items were introduced:

1. Mr. Jeter moved and Mr. Abrams seconded the following:

WHEREAS, Legislation, supported by the Board of Education, was passed in the 2001 session of the General Assembly that repeals the prohibition on the possession of portable pagers and cellular phones on public school property and is effective October 1, 2001; and

WHEREAS, In the absence of state law, local school systems have been left with the responsibility of developing policies on this issue, and

WHEREAS, The first meeting of the MCPS work group to discuss and develop a proposed policy and accompanying regulation is scheduled for August 6; and

WHEREAS, School administrators, staff, students, and parents need to have guidance regarding policies governing student use of cellular phones and pagers; now therefore be it

Resolved, That the superintendent of schools, upon gathering input from representatives of a wide range of stakeholders, submit a proposed policy to the Board in time for action at one of its September meetings of the Board; and be it further

Resolved, That consideration be given to including in the proposed policy the following provisions: that pagers be banned; that students be authorized to use cellular phones before and after school; that cellular phones carried by students be turned off at all times during the school day on school grounds; and that imposition of penalties for infraction of the policy be left to the discretion of the principal, up to and including a ten-day suspension, as warranted.

2. Ms. Cox moved and Mr. Abrams seconded the following:

WHEREAS, The Board of Education and MCPS are dedicated to ensuring academic rigor; and

WHEREAS, MCPS is reviewing and revising standards, curriculum, and accountability; and

WHEREAS, The Office of Instruction and Program Development (OIPD) will be reporting to the Board on the development of K-8 curriculum supporting the standards adopted by the Board of Education; and

WHEREAS, MCPS will continue to review and revise curriculum at the secondary level through Grade 12; now therefore be it

Resolved, That OIPD also report to the Board on how the K-6 curriculum addresses academic rigor and make appropriate recommendations for enhancement in FY 03 and beyond that will support efforts to challenge each student to fulfil his/her academic potential; and be it further

Resolved, That the superintendent of schools recommend for the Board's approval a work group to review these issues at the secondary level during the 2001-2002 school year.

**Re: ITEMS OF INFORMATION**

The following items were available:

1. Legal Fees Report
2. Construction Status Report

**RESOLUTION NO. 452-01      Re: ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of July 26, 2001, at 9:55 p.m.

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PRESIDENT

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SECRETARY

JDW:gr

# MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

July 26, 2001

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