

APPROVED  
33-2001

Rockville, Maryland  
November 13, 2001

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, November 13, 2001, at 10:25 a.m.

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

Absent:                   None

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

RESOLUTION NO. 590-01            Re:   **CLOSED SESSION**

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 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 sessions on November 13, 2001, in Room 120 from 9:00 to 10:00 a.m. and 12:15 to 2:00 p.m. 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 November 13, 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.

\*\* Mrs. King was absent for the morning session; Mr. Abrams temporarily left the meeting.

RESOLUTION NO. 591-01            Re:    **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for November 11, 2001.

RESOLUTION NO. 592-01            Re:    **VETERANS' DAY**

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

WHEREAS, In 1918, on the eleventh hour of the eleventh day in the eleventh month, the world rejoiced and celebrated the signing of an armistice to end four years of bitter war; and

WHEREAS, In 1938, Congress voted Armistice Day as a legal holiday; and

WHEREAS, In 1953, Congress passed a bill renaming the national holiday to Veterans' Day; and

WHEREAS, Each Veterans' Day, Americans continue to celebrate with ceremonies and speeches remembering and honoring those who fought for peace; and

WHEREAS, November 12, 2001, was this year's opportunity to remember and acknowledge the sacrifices of men and women who served our country in the Armed Forces of the United States; now therefore be it

Resolved, That the Board of Education commends students, parents, MCPS staff, and the entire community for reflecting, commemorating, honoring, and celebrating the contributions of our veterans.

RESOLUTION NO. 593-01            Re:    **AMERICAN EDUCATION WEEK**

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 theme for the observance of American Education Week is "Together: Making Public Schools Great for Every Child;" and

WHEREAS, Aside from their families, schools are the primary influence in children's lives;

and

WHEREAS, Schools are community linchpins, bringing together adults and children, educators and volunteers, business leaders and elected officials in a common enterprise; and

WHEREAS, Education employees at all levels of Montgomery County Public Schools work tirelessly to serve our children and communities with dedication, professionalism, and compassion; now therefore be it

Resolved, That the Montgomery County Board of Education hereby recognizes the period November 11 through November 17, 2001, as the 80<sup>th</sup> annual observance of American Education Week; and be it further

Resolved, That the Board of Education and superintendent of schools urge all Montgomery County residents to join in recognition of American Education Week and appreciation of the educators who are so vital in maintaining the high quality education offered in our schools; and be it further

Resolved, That all schools strongly encourage parent and community involvement in the education process, especially during American Education Week, to enhance the academic and personal success of all our students.

Re: **LEGISLATIVE PLATFORM**

The Legislative Platform was introduced to increase the efficiency of the Board's positions, and it would be available to members of the General Assembly, partner organizations, and the community prior to start of the legislative session. This would not preclude other bills introduced, and the bills would come before the Board for action.

RESOLUTION NO. 594-01      Re: **AMENDMENT TO THE LEGISLATIVE PLATFORM**

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

Resolved, That the Board of Education has concerns about the recent decision of the Thornton Commission to wealth equalize LEP funding that goes beyond the current \$1,350-per-student grant.

RESOLUTION NO. 594-01(a)      Re: **AMENDMENT TO THE LEGISLATIVE PLATFORM**

On motion of Mr. Felton and seconded by Ms. Cox, the following resolution was adopted

unanimously by members present:

Resolved, That the Board of Education clarify within the paragraph on public funding for private schools the issue of Title I and special education funding.

RESOLUTION NO. 595-01            Re:    **LEGISLATIVE PLATFORM**

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

**Montgomery County Board of Education**  
**Legislative Platform**  
2002 Session of the Maryland General Assembly

**School Construction**

The FY 2003 State Capital Improvements Program request for MCPS of \$25,042,000 has been submitted to the State Interagency Committee on Public School Construction. As required, this request is based only on projects approved by the County Council in May of this year. State funding of school construction has been, and continues to be, critical to the county's efforts to provide the new and modernized facilities necessary to meet the needs of the county's students and communities now and in the future.

**Commission on Education Funding, Equity, and Excellence**

The Montgomery County Board of Education's goal of improving performance and decreasing the achievement gap is based on educational standards established by the State Board of Education. While achieving these standards requires a significant increase in resources, our county has shown its commitment by providing additional funds to reduce class size, expand full-day kindergarten, increase special education services, and improve reading and math instruction. Through the deliberations of the "Thornton" Commission, stakeholders from across the state have examined what the State must do to achieve an adequate level of education financing. The Montgomery County Board of Education supports the following:

- In addition to using the basic current expense formula as the primary vehicle for directing state education funds to local school systems, certain programs that are targeted to particular local needs, including the program for students with Limited English Proficiency (LEP), should remain as categorical programs and be based on enrollment, and the Board has concerns about the recent decision of the Thornton Commission to wealth equalize LEP funding that goes beyond the current \$1,350-per-student grant.

- The interim recommendations of the Commission which focused on special education (increasing the State's contribution to 2.3 times the State's share of the FY 2001 per pupil foundation amount), transportation of disabled students (increasing the current \$500-per-student grant to \$1,000, and eliminating the current offset), and programmatic enhancements in the areas of academic intervention, Judith P. Hoyer Centers/early education initiatives, and full-day kindergarten.
- The teacher retirement program should be maintained as a state-funded categorical program, and state contributions to teacher salaries, as legislated by the Governor's Teacher Salary Challenge Program, should be continued in order to attract and retain the teachers that will be needed in our county and across the state over the next decade.
- A "down payment" to be included in the FY 2003 State budget which provides first-year funding of the "Thornton" Commission's recommendations.

### **Collective Bargaining**

The Montgomery County Board of Education supports the current system in which the State Board of Education determines negotiability. Local boards should retain the ability to negotiate under terms established by the State Board rather than a labor board, which has no connection to the public school classroom setting. Education policy matters – including curriculum, class size, and school calendar – should continue to be determined by a local board of education. It is the local boards that have the ability to balance the needs and concerns of all interested stakeholders in the community; bringing education policy issues to the bargaining table would allow unions to have greater input into decision-making than parents, students, the business community, political leaders, education advocacy organizations, and other stakeholders. We oppose expanding the scope of collective bargaining to part-time employees as well as negotiating the discipline and discharge of non-certificated personnel. A recent memorandum issued by the MSDE Office of the Attorney General concluded that there is no provision in the Montgomery County Education Association Agreement with the county Board of Education that violates any of the relevant State Board opinions on scope of bargaining. This contract ensures employee participation in an open and collaborative decision-making process that allows all stakeholders to be at the table together.

### **Special Education**

*Maryland Infants and Toddlers Program* – Federal mandates require services for infants and toddlers with developmental delays beginning at birth and continuing to 33 months of age. Currently MCPS provides services to these children as part of a local interagency collaboration. Last year, the county provided 1,600 children and their families with early intervention services. Of the nearly \$7 million spent, only 1 percent came from State dollars. Recently, the State Board of Education approved an additional \$5.2 million to

include in its request to the Governor. The Montgomery County Board of Education supports this request.

*Return-Diversion Program* – State funding for the return-diversion program has been level-funded at \$14 million per year since the program's inception, despite continuing and growing needs for the services provided. Recent policy statements, which caused great concern among families and advocates, from the Governors' Office for Children, Youth, and Families seek to clarify eligibility requirements as well as the State intent of having these services available to children for no more than two years. Though OCYF recently announced its intent to continue services for these families beyond the two-year limit, there is great concern about the availability of services to new families entering the program if funding remains stagnant. The Montgomery County Board of Education supports the inclusion of additional state funds for the return-diversion program in the FY 2003 budget.

### **Public Funding for Private Schools**

Nonpublic schools are neither subject to State accountability measures nor to the same legal requirements as public schools, such as special education laws and teacher certification regulations. While acknowledging current federal mandates for use of public funds for public school students educated under the Title I program, as well as public funding provided for public school students educated in private special education placements, the Board opposes the appropriation of public funds for private and parochial schools and direct aid to private and parochial students. With the many unmet needs in public schools, state funds must be used to meet the continuing and growing needs of public school students in Montgomery County and throughout the state.

### **Local School Board Authority**

The State Board of Education establishes, through regulations, broad statewide policies and mandates, and it is the responsibility of the local board to establish local policies and procedures for the public schools within its jurisdiction. Likewise, it is the authority of local boards to develop curriculum within the broad guidelines set by the State Board. The program of studies in each school system is developed as a whole and is linked to State and local assessments. To the extent that statewide legislation on charter schools gives the authority for establishing public charter schools solely to the local board of education, such legislation could be supported. The Montgomery County Board of Education supports local control of educational policy, administration, and curriculum, and opposes any legislative initiatives that have the effect of reducing local and State board authority or creating unfunded mandates. By retaining decision-making authority at the local level, a local board of education can best balance educational practices, available resources, public input, and accountability.

**Board Redistricting**

The boundaries of the five Board of Education resident districts in Montgomery County must be redrawn after each decennial census to bring the districts into conformance with the requirement for substantial equality in population among the districts. Pursuant to this law, the General Assembly, during the 2002 legislative session, must redraw the districts to be in place for the 2002 elections. At the suggestion of several members of the county delegation who felt that it was in the Board's and public's interest for the Board to study and recommend to our delegation a redistricting plan that embodies certain established criteria, the Board voted to recommend a specific plan at its September 2001 meeting. We continue to support this plan, and support legislation that will embody this plan when it comes before the county delegation and full General Assembly.

**Re: BOARD/SUPERINTENDENT COMMENTS**

Mr. Jeter thanked members of the Board and students who attended the annual meeting of student government leaders. The students expressed their concerns about a variety of school issues, and the Board and staff were very responsive to their questions. Also, Mr. Jeter visited Gaithersburg High School, and the students had interesting questions and ideas on things they thought could be changed within the school system. Finally, Mr. Jeter participated in the Maryland Youth Forum, in which the Attorney General invited students to share their concerns.

Mr. Lange noted that President Bush was at Thomas S. Wootton High School, where he focused on Veterans' Week and tied it to a program called Lessons of Liberty in which veterans participate in schools to share their experiences with students. Also, he spent time with the staff development training program in the analysis of teaching, and he was pleased with the high quality of the instruction and participation of the teachers.

Mr. Felton congratulated the recipients of the Distinguished Service to Education Awards. It is another reminder that the success of the school system is dependent on staff, volunteers, and the business community.

Ms. Cox stated that she enjoyed meeting with the students from MCR and MCJC, and that meeting highlighted the need for the school system to be consistent in all programs across the county.

Mrs. O'Neill noted that on Veterans Day schools held open houses for parents, and the turn out was amazing this year. Also, Ms. Cox and Mrs. O'Neill attended the Mental Health Association breakfast, and the discussion was on joint efforts for school-based mental health services.

Dr. Weast reported that sixteen 2001 MCPS graduates earned National Scholar status for their exceptional performance on Advanced Placement Exams. They are among 1,100 MCPS students who were recognized for their strong performance on the exams. This is the third consecutive year that MCPS has shown improvement, and 61 percent of MCPS students are enrolled in honors and Advanced Placement courses. Second, Dr. Weast was proud that President Bush came to Montgomery County to celebrate veterans and students working together. Third, the state has recognized the extra help for early childhood level students, and Montgomery County is one of 13 districts to receive a Judy Center, which is located in Takoma Park. Finally, Dr. Weast announced that through the business community, MCPS has an AmeriCorp Project with 12 volunteers that will assist with adult ESOL, parent volunteers, and help parents access the schools.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

|    | <u>Person</u>    | <u>Topic</u>    |
|----|------------------|-----------------|
| 1. | Reuben Gist      | Test Security   |
| 2. | Cynthia Tuttle   | Food in Schools |
| 3. | Michelle Fain    | Food in Schools |
| 4. | Bernard LaFrance | Phoenix II      |

Re: **UPDATE ON THE CONTINUOUS IMPROVEMENT FOR SPECIAL EDUCATION**

Dr. Weast invited the following people to the table: Dr. Raymond W. Bryant, associate superintendent for the Office of Student and Community Services; Dr. Bobbi Jasper, director of the Department of Special Education; Dr. Margaret McLaughlin, associate director of the Institute for Exceptional Children and Youth, University of Maryland; Ms. Madeleine Will, cochairperson of the Continuous Improvement Team; and Ms. Ricki Sabia, cochairperson of the Continuous Improvement Team.

\*\*Mr. Abrams rejoined the meeting.

The presentation was to provide the Board of Education with an update on the work of the Continuous Improvement Team (CIT) for Special Education as well as recommendations for the future tasks and direction of CIT.

In response to the 1998 special education audit conducted by the Maryland State Department of Education (MSDE), the Department of Special Education (department) established a CIT. The group is charged with ongoing program review and monitoring to



ensure continuous improvement within the department. The CIT provides critical analysis of the department's development of collaborative partnerships with families and the community and the delivery of high-quality instruction in the least-restrictive environment. Through data analysis, the development of benchmarks, and program evaluation, the CIT assesses the department's identification and implementation of best practices, the development and implementation of high-quality programs, and the equitable distribution of resources and services based on need. Recommendations for improvement are made as appropriate.

Listed below are some of the accomplishments of the CIT:

1. Revised and refined a draft set of indicators to use to determine whether students receiving special education are making progress
2. Designed a study of nine MCPS middle schools where the draft indicators were piloted
3. Designed preliminary survey questions that will be asked of students, parents, teachers, and administrators at the nine selected middle schools beginning first semester
4. Collected and began to analyze performance data pertaining to special education students
5. Prepared and submitted a state improvement grant proposal to MSDE and explored other grant opportunities through the federal Office of Special Education and Rehabilitation Services

As a result of the preliminary findings from the CIT middle school study, the department and the CIT are focused on, but not limited to, the following future tasks:

1. Working with the Office of Shared Accountability on the detailed analysis of special education student achievement data – aggregated as well as disaggregated
2. Identifying specific outcomes for staff and administrator training, having been indicated by both quantitative and qualitative data
3. Using elements identified in the MCPS Self-Evaluation of the MSDE Monitoring for Continuous Improvement and Results as performance measures for internal benchmarks of progress

**Re: DISCUSSION**

Mr. Abrams thanked the CIT for its presentation. He was gratified to hear from knowledgeable people that Montgomery County is at the forefront with pioneering efforts in special education. Regarding the differing expectations between the parent and teacher, he asked if this paralleled the differing expectations with minority achievement.

Dr. McLaughlin responded that it is very similar, but more pernicious and pervasive because there is a sense that special education students are qualitatively different learners.

Mr. Abrams noted the disparity and the growth in the gap on MSPAP. Regarding divergence as the students move to the higher grades, Mr. Abrams asked if there was more, less, or the same divergence compared nationally with these outcomes. Dr. McLaughlin replied that (1) there are some jurisdictions where there is less of a gap than in Montgomery County, but MCPS has an upward trend, and (2) it is a different population of students when they reach eighth grade since some of the younger children have returned to regular education. Mr. Abrams asked if that population could be tracked. Dr. McLaughlin replied that individuals could be tracked, but not through MSPAP. Dr. Bryant stated that the data warehouse will facilitate ascertaining the continuum of education of an individual child as well as a cohort within the school system.

Mr. Abrams asked about access to the staff development specialist within the school, and how much integration there is for special education teachers. Is there movement in that direction? Dr. Jasper explained that staff development teachers in the schools are responsible for all teachers, and staff encourages strategy training for content teachers in order to achieve balance in the classroom for all learners. Staff development has been designed for all teachers. Mr. Abrams asked if there were recommendations on the training of the use of disaggregated data. Dr. Bryant said there will be one curriculum with strategies for all students as well as staff development unified for all students.

Mr. Felton inquired as to what the CIT envisioned to address teachers' low expectations for students. Are there trends to address this issue in colleges and universities? Dr. McLaughlin replied that colleges and universities are struggling with this concept; however, joint collaboration in curriculum and professional development works to raise expectations. What is lacking in MCPS is the requirement for teachers to come together to develop strategies to move each child to the same standards.

Mr. Felton asked about disaggregated data and the concerns from the community that special education students should participate in MSPAP and other exams. What is MCPS doing? Dr. McLaughlin thought the participation of special education students in MCPS was superb. The difficulty is when the tests are invalidated and unrecorded based on accommodations, and those scores are pulled out and considered exempted. There is pressure on test developers to expand the number and type of accommodations to avoid this issue.

Ms. Cox mentioned there are students with Section 504 accommodations, and there are students with IEPs. Does MCPS disaggregate between those two groups of students? Dr. McLaughlin replied that will begin this year since this discrepancy has been remedied

by the state. For the purposes of all performance data, MCPS chose to disaggregate data for students receiving 15 or more hours of service, not for all students with IEPs. Therefore, the performance data is skewed to those receiving more services.

Ms. Cox noted that principals have maintained that there are no clear indicators for successful special education programs. Are there indicators for some students and not others? Dr. Jasper noted that even though some students are not on a diploma track, MCPS has indicators for students who are on an alternative curriculum. Ms. Cox thought this indicated a need for principal development and training.

Ms. Cox asked about staffing allocations for general and special education to expand the model and new approaches for inclusion. Dr. Jasper stated that staff is reviewing staffing based on the children and the resources needed.

Ms. Cox mentioned the parent surveys and asked about the difficulties of parents accessing special education and understanding who they need to contact. Has staff used parent feedback to develop a better structure? Dr. Bryant replied that staff was assessing equity assurance and parent training, and developing a parent-friendly environment. Dr. Jasper added that quality instruction through early intervention will be provided to avoid the need for special education.

Ms. Cox complimented the CIT because it is collaborative and constructive, and the team is leading the way to major change. She asked if the system had responded to the CIT's suggestions for the special education goal on the school improvement plan. Dr. Bryant suggested adding the special education population to an inclusive plan, but did not advocate a separate special education goal.

Mrs. O'Neill thought the superintendent should act on the recommendations so a change could take place at the school level. Dr. Jasper responded that the increased funding will provide resources for change and a unified delivery model. Dr. McLaughlin thought it would be useful if principals examined the disaggregated data and set a performance target.

Mr. Lange thanked the CIT for its work and suggestions. Regarding unified delivery of instruction, he asked for clarification on training especially at the high school level. Dr. Jasper replied that staff must do much more with administrative training, and teacher training is expanding. Mr. Lange asked when a full training program would be presented to the Board. Dr. Bryant replied that staff was assessing the essential special education skills necessary for a principal, and the presentation to the Board will be made with the staff development update.

Mr. Felton requested information on the progress MCPS has made regarding the overidentification for special education of African-American and Hispanic students.

Mr. Burnett noted in the report that high school students with disabilities are not taking advantage of certain opportunities because their families are not aware of the opportunities. How does CIT address this issue? Dr. Jasper replied that those opportunities are advertised in newsletters and on the website. Another issue to address is the number of children in special education who speak other languages.

Mr. Burnett asked how the CIT is reaching out to Hispanic and Asian parents. Dr. Jasper responded that there were flyers soliciting volunteers of diverse backgrounds, as well as telephone calls and personal invitations. Mr. Burnett noted that the parents he was asking about generally are not active through a PTA, and he had been told there was a lack of information to these diverse communities. Dr. Bryant reported that there is an Asian-American outreach effort with forums and mailings to all Asian families. Mr. Burnett asked if the parent survey was broken down based on the race of the parent, student, and teacher. Dr. McLaughlin replied that the survey was systemwide and disaggregated by school only.

Mr. Burnett noted that special education was a difficult area because of the many concerns of the parents and federal/state laws. Since the budget, training, and accountability costs money, an inexpensive approach is to examine why a student has been identified as special education. The right student must be placed in the right program for the right reasons.

Mr. Lange asked how difficult it would be to include the cultural background on future surveys. Mr. Bowers replied that staff would investigate this possibility.

**Re: LUNCH AND CLOSED SESSION**

The Board of Education recessed for lunch and closed session from 12:35 to 2:15 p.m.

\*\*Mrs. King joined the meeting at this point; Mr. Jeter left the meeting before the afternoon session.

RESOLUTION NO. 596-01

**Re: PROCUREMENT CONTRACTS FOR MORE THAN  
\$25,000**

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

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

WHEREAS, It is recommended that Bid No. 9115.3, Frozen Potatoes, be rejected and rebid due to changes in specifications; and

WHEREAS, Funds have been budgeted for Montgomery County Bid No. 0507000028BD, Off-the-Lot New and Used Vehicles for the Department of School Facilities; and

WHEREAS, The acquisition of such vehicles through lease-purchase arrangements has been reviewed by legal counsel; now therefore be it

Resolved, That Bid No. 9115.3, Frozen Potatoes, be rejected and rebid due to changes in specifications; and be it further

Resolved, That Montgomery County Bid No. 0507000028BD, Off-the-Lot New and Used Vehicles for the Department of School Facilities, in the amount of \$76,468, be leased/purchased under the Master Lease/Purchase Agreement with First Union National Bank; and be it further

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

|                     |  |            |
|---------------------|--|------------|
| MC0507<br>000028BD  | Off-the-Lot New and Used Vehicles for the Department of Facilities<br>Management |            |
|                     | <u>Awardee</u><br>Criswell Chevrolet, Inc.                                       | \$ 76,468  |
| MC1505<br>00178-AA  | Elevator Equipment Preventative Maintenance                                      |            |
|                     | <u>Awardee</u><br>Elevator Control Service                                       | \$ 250,000 |
| MC8507<br>000231-AA | Antifreeze Recycling—Extension   |            |
|                     | <u>Awardee</u><br>B-Environmental, Inc.  | \$ 35,500  |
| 4007.2              | Asbestos Abatement Supplies and Equipment—Extension                              |            |
|                     | <u>Awardees</u>  |            |

|        |  |               |
|--------|--|---------------|
|        | Airgas Direct Industrial/IPCO Safety Division      | \$ 7,167      |
|        | Aramco   | 31,158        |
|        | Bullseye Environmental Corporation                 | 4,552         |
|        | BWI Distribution, Inc.                             | 6,070         |
|        | Eddor Safety                                       | 1,927         |
|        | Grainger, Inc.                                     | 113           |
|        | MFASCO Health and Safety                           | 948           |
|        | Safeware, Inc.                                     | <u>22,966</u> |
|        | Total  | \$ 74,901     |
| 4021.2 | HVAC Service Contract                              |               |
|        | <u>Awardee</u>                                     |               |
|        | Baltimore Trane Service                            | \$ 102,692    |
| 4082.3 | Science Equipment                                  |               |
|        | <u>Awardees</u>                                    |               |
|        | American Scale and Equipment                       | \$ 11,254     |
|        | Benz Microscope Optics Center                      | 2,312         |
|        | Carolina Biological Supply Company                 | 1,217         |
|        | Edvotek, Inc.                                      | 3,682         |
|        | ETA Cuisenaire*                                    | 5,451         |
|        | Fisher Science Education                           | 42,374        |
|        | Flinn Scientific, Inc.                             | 1,440         |
|        | Frey Scientific                                    | 17,043        |
|        | Nada Scientific, Ltd.                              | 293           |
|        | Para Scientific Company                            | 5,007         |
|        | Pasco Scientific                                   | 24,398        |
|        | Pitsco, Inc.                                       | 2,085         |
|        | Science Kit, Inc.                                  | 292           |
|        | VWR Scientific/Sargent Welch                       | 30,526        |
|        | Wards Natural Science Est., Inc.                   | <u>1,837</u>  |
|        | Total  | \$ 149,211    |
| 4083.1 | Chalkboards, Tackboards, and Whiteboards—Extension |               |
|        | <u>Awardee</u>                                     |               |
|        | Building Specialties, Inc.                         | \$ 34,288     |

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|--------|--|---------------|
| 7006.3 | Hand Held Calculators and Calculator-based Laboratory Data<br>Collection Systems |               |
|        | <u>Awardees</u>  |               |
|        | D & H Distributing Company   | \$ 535,125    |
|        | Pasco Scientific   | <u>46,285</u> |
|        | Total  | \$ 581,410    |
| 7102.1 | Automotive Batteries   |               |
|        | <u>Awardee</u>   |               |
|        | East Penn Manufacturing Company, Inc.  | \$ 47,000     |
| 9018.2 | Operable Wall System—Preventive Maintenance                                      |               |
|        | <u>Awardee</u>   |               |
|        | Modern Door and Equipment Sales, Inc.  | \$ 46,800     |
| 9019.1 | Roofing Supplies—Extension   |               |
|        | <u>Awardees</u>  |               |
|        | Bradco Supply Corporation  | \$ 39,125     |
|        | Roof Center  | 219,098       |
|        | Seamless Gutter Supply of MD   | 115,590       |
|        | Standard Supplies, Inc.*   | <u>1,441</u>  |
|        | Total  | \$ 375,254    |
| 9024.1 | Industrial and Technology Education at<br>Bethesda Chevy-Chase High School       |               |
|        | <u>Awardees</u>  |               |
|        | Adventure Company/Division of McKilligan   | \$ 1,250      |
|        | Brodhead Garrett Company   | 9,638         |
|        | K. Layne, Inc.*  | 7,304         |
|        | Paxton/Patterson   | 5,065         |
|        | Satco, Inc.  | 16,874        |
|        | Tools on Sale  | 1,448         |
|        | Woodworkers World  | <u>1,659</u>  |
|        | Total  | \$ 43,238     |

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|---|--|----|-------------|
| 9097.3  | Removal/Disposal and Testing of Underground Fuel Tanks |    |             |
|   | <u>Awardee</u>   |    |             |
|   | Apex Environmental, Inc.                               | \$ | 28,461      |
| 9098.1  | Window Balances—Extension**                            |    |             |
|   | <u>Awardee</u>   |    |             |
|   | Window Repair Systems, Inc.                            | \$ | 60,000      |
| 9204.3  | Elementary Mathematics Supplies                        |    |             |
|   | <u>Awardees</u>  |    |             |
|   | Delta Education, LLC                                   | \$ | 5,650       |
|   | EAI Education/Division of Eric Armin, Inc.             |    | 1,440       |
|   | ETA Cuisenaire   |    | 27,607      |
|   | NADA Scientific, LTD                                   |    | 246         |
|   | Nasco  |    | 12,751      |
|   | School Specialty                                       |    | <u>435</u>  |
|   | Total  | \$ | 48,129      |
| TOTAL PROCUREMENT CONTRACTS OF \$25,000 OR MORE |  |    | \$1,953,352 |

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

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

RESOLUTION NO. 597-01      Re:    **AWARD OF CONTRACT – BETHESDA-CHEVY CHASE HIGH SCHOOL**

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

WHEREAS, The following sealed bids represent the fourteenth in a series of subcontracts that were bid for the Bethesda-Chevy Chase High School modernization project:

| <u>Bidder</u>                         | <u>Amount</u> | <u>Consultant's Estimate</u> |
|---------------------------------------|---------------|------------------------------|
| <u>Final Cleaning—Phases I and II</u> |               | \$50,000                     |
| Motir Services, Inc.                  | \$39,700      |                              |



|   |        |
|---|--------|
| Extra Clean Services, Inc.                | 39,910 |
| Marathon Cleaning, Inc.                   | 63,500 |
| Affirm, Inc.                              | 70,000 |
| Brener Building Maintenance Company, Inc. | 72,300 |

and

WHEREAS, The proposal submitted by the low bidder has been deemed nonresponsive;  
and

WHEREAS, The aggregate Minority Business Enterprise participation for the subcontracts bid to date is 48.82 percent; now therefore be it

Resolved, That a \$39,910 contract be awarded to Extra Clean Services, Inc., for the final cleaning work for the Bethesda-Chevy Chase High School modernization project, in accordance with drawings and specifications prepared by Dewberry Design Group, Inc.

RESOLUTION NO. 598-01            Re:    **AWARD OF CONTRACT – WALT WHITMAN HIGH SCHOOL**

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

WHEREAS, The following sealed bids were received on October 11, 2001, for the Walt Whitman High School addition project, with work to begin immediately and be completed by August 15, 2002:

| <u>Bidder</u>                             | <u>Amount</u> |
|---|---------------|
| M. Raina Associates, Inc.                 | \$2,428,301   |
| Keller Brothers, Inc.                     | 2,723,290     |
| Dynasty Construction, Inc.                | 2,954,093     |
| Renovations Unlimited, Inc.               | 2,973,383     |
| R. J. Crowley, Inc.                       | 2,988,000     |
| Tuckman-Barbee Construction Company, Inc. | 3,051,003     |
| Bob Porter Company, Inc.                  | 3,062,000     |
| Desbuild, Inc.                            | 3,294,000     |

and

WHEREAS, The low bidder, M. Raina Associates, Inc., has asked to withdraw its bid due to an error: and

WHEREAS, State procurement statutes give vendors the right to withdraw bids if sufficient evidence is provided to demonstrate that a pricing error was made that would cause an unfair economic burden; and

WHEREAS, The low bidder has provided documentation to support an error in its bid; and

WHEREAS, The second low bidder, Keller Brothers, Inc., has submitted 6-percent, women-owned, Maryland Department of Transportation-certified Minority Business Enterprise (MBE) participation and requested a waiver for 19 percent; and

WHEREAS, Staff has verified that the contractor has made a good-faith effort to meet the MBE goal of 25 percent; or

WHEREAS, The MBE coordinator has validated the exception request and recommends a waiver of the balance of the MBE requirements; and

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

Resolved, That a \$2,723,290 contract be awarded to Keller Brothers, Inc., for the Walt Whitman High School addition project, in accordance with drawings and specifications prepared by Grimm and Parker, P.C.

RESOLUTION NO. 599-01            Re:    **GRANT OF EASEMENTS AT LAKEWOOD  
ELEMENTARY SCHOOL**

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

WHEREAS, The Mayor and City of Rockville Council requested a sanitary sewer easement and a water main easement in connection with the modernization of Lakewood Elementary School, located at 2534 Lindley Terrace; and

WHEREAS, The proposed grant of sanitary sewer easement is contained in a parcel consisting of 377 square feet of land that will be used for a sanitary sewer and provide rights to the City of Rockville for future inspection and maintenance; and

WHEREAS, The proposed grant of water main easement is contained in a parcel consisting of 1,718 square feet of land that will be used for a water main and provide rights to the City of Rockville for future inspection and maintenance; and

WHEREAS, The proposed easements 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 Sanitary Sewer Easement granting certain rights in 377 square feet of land at Lakewood Elementary School to the Mayor and City of Rockville Council; and be it further

Resolved, That the president and secretary of the Board of Education be authorized to execute a Water Main Easement granting certain rights in 1,718 square feet of land at Lakewood Elementary School to the Mayor and City of Rockville Council.

RESOLUTION NO. 600-01

Re: **GRANT OF STORMWATER EASEMENT AND  
STORMWATER MANAGEMENT INSPECTION  
AND MAINTENANCE AGREEMENT AT  
LAKEWOOD ELEMENTARY SCHOOL**

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

WHEREAS, The Mayor and the City of Rockville Council requested easements relating to stormwater management inspection and maintenance in connection with modernization of the Lakewood Elementary School located at 2534 Lindley Terrace; and

WHEREAS, The proposed easement is contained in a parcel consisting of 17,785 square feet of land in which the Board of Education will install and construct underground stormwater quality and quantity control structures during the modernization; and

WHEREAS, All construction and future maintenance will be undertaken by the Board of Education with the City of Rockville being granted the right to inspect and maintain the stormwater structures should the Board fail to do so; and

WHEREAS, The proposed easement 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 Stormwater Management Easement and Stormwater Management Inspection and Maintenance Agreement granting inspection and maintenance rights in 17,785 square feet of land at Lakewood Elementary School to the Mayor and City of Rockville Council.

RESOLUTION NO. 601-01

Re: **GRANT OF STORMWATER EASEMENT AND STORMWATER MANAGEMENT INSPECTION AND MAINTENANCE AGREEMENT AT ROBERT FROST MIDDLE SCHOOL**

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

WHEREAS, The Mayor and the City of Rockville Council requested easements relating to stormwater management inspection and maintenance in connection with an addition to Robert Frost Middle School located at 9201 Scott Drive; and

WHEREAS, The proposed easement is contained in a parcel consisting of 19,392 square feet of land in which the Board of Education will install and construct underground stormwater quality and quantity control structures as part of the addition project; and

WHEREAS, All construction and future maintenance will be undertaken by the Board of Education with the City of Rockville being granted the right to inspect and maintain the stormwater structures should the Board fail to do so; and

WHEREAS, The proposed easement 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 Stormwater Management Easement and Stormwater Management Inspection and Maintenance Agreement granting inspection and maintenance rights in 19,392 square feet of land at Robert Frost Middle School to the Mayor and City of Rockville Council.

RESOLUTION NO. 602-01

Re: **REDUCTION OF RETENTION – EASTERN MIDDLE SCHOOL**

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

WHEREAS, Tuckman-Barbee Construction Company, Inc., general contractor for the Eastern Middle School addition project, has completed 80 percent 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, Travelers Casualty and Surety Company of America, has consented to this reduction; and

WHEREAS, The project architect, Grimm & Parker, P.C., recommends approval of the reduction; now therefore be it

Resolved, That the 10-percent retainage withheld from periodic payments to Tuckman-Barbee Construction Company, Inc., general contractor for the Eastern Middle School addition 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. 603-01            Re:    **FY 2001-06 CAPITAL IMPROVEMENTS PROGRAM – TRANSFER OF FUNDS**

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

WHEREAS, On May 14, 2001, the Board of Education and County Council jointly imposed a construction moratorium for certain FY 2002 Capital Budget projects as a result of higher-than-expected bid prices received in April and May 2001; and

WHEREAS, The moratorium resulted in a significant cost avoidance that will enable the Board of Education to proceed with the following FY 2002 projects:

1. Classroom Additions—Walter Johnson High School, Walt Whitman High School, Robert Frost Middle School, Greenwood Elementary School, Oak View Elementary School, Oakland Terrace Elementary School, and the Kingsley Wilderness Center
2. School Reopening—former Newport Junior High School facility
3. Modernizations—Montgomery Village Middle School, Glen Haven Elementary School, Lakewood Elementary School, William Tyler Page Elementary School, and Wood Acres Elementary School

and

WHEREAS, While the moratorium produced significant cost avoidance, the Board of Education will not be able to proceed with the elementary school gymnasium projects planned for FY 2002 without the County Council's appropriating additional funds from the Capital Budget reserve; and

WHEREAS, The FY 2002 capital budget reserve approved as part of the FY 2001-2006 Capital Improvements Program has been allocated for the Walter Johnson High School classroom addition project and other county needs, and additional funds are not available for school construction; now therefore be it

Resolved, That the Board of Education request a transfer of \$4.5 million from the Capital Budget allocation for school gymnasiums and \$750,000 from the Capital Budget Unliquidated Surplus Account to the FY 2002 current modernization program to proceed with the following modernization projects: Montgomery Village Middle School, Glen Haven Elementary School, Lakewood Elementary School, and William Tyler Page Elementary School; and be it further

Resolved, That the county executive be requested to recommend approval of these transfers to the County Council.

RESOLUTION NO. 604-01            Re:    **RECOMMENDED    FY 2002 SUPPLEMENTAL  
APPROPRIATION FOR THE ADULT EDUCATION  
AND SUMMER SCHOOL FUND**

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

Resolved, That the superintendent of schools be authorized, subject to County Council approval, to receive and expend a FY 2002 supplemental appropriation of \$816,750 from the County Council for the Adult Education and Summer School Fund in Category 41 Adult Education and Summer School Fund; and be it further

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

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

RESOLUTION NO. 605-01            Re:    **RECOMMENDED    FY 2002 SUPPLEMENTAL  
APPROPRIATION FOR TITLE I BASIC GRANT**

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

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 2002 supplemental appropriation of \$585,867 in Title 1 Basic Grant Funds from the Maryland State Department of Education, School Accountability for Excellence Program, in the following categories:

| <u>Category</u> | <u>Positions</u> | <u>Amount</u> |
|-----------------|------------------|---------------|
|-----------------|------------------|---------------|

|  |     |                |
|--|-----|----------------|
| 1 Administration                       |     | \$ 4,230       |
| 2 Mid-level Administration             | 2.0 | 87,782         |
| 3 Instructional Salaries               |     | 220,043        |
| 4 Instructional Materials and Supplies |     | 24,880         |
| 5 Other Instructional Costs            |     | 9,000          |
| 12 Fixed Charges                       |     | <u>239,932</u> |

|       |             |                  |
|-------|-------------|------------------|
| Total | <u>2.0*</u> | <u>\$585,867</u> |
|-------|-------------|------------------|

Positions

|  |  |          |
|--|--|----------|
| *1.0 Early Childhood Assessment Specialist (B-D) |  | \$54,856 |
| 1.0 Secretary (12)                               |  | 32,926   |

and be it further

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

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

RESOLUTION NO. 606-01      Re:    **FY 2002 SUPPLEMENTAL APPROPRIATION FOR  
THE ACADEMIC INTERVENTION PROGRAM**

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

Resolved, That the superintendent of schools be authorized to effect categorical transfers totaling \$1,145,828 within the Maryland Academic Intervention and Support Program—Every Child Achieving, in accordance with the County Council provision for transfers as follows:

| <u>Category</u>             | <u>From</u>        | <u>To</u>          |
|-----------------------------|--------------------|--------------------|
| 3 Instructional Salaries    |                    | \$1,145,828        |
| 5 Other Instructional Costs | <u>\$1,145,828</u> | _____              |
| Total                       | <u>\$1,145,828</u> | <u>\$1,145,828</u> |

and be it further

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, a FY 2002 supplemental appropriation of \$908,863 from the Maryland State Department of Education for the Maryland Academic Intervention and Support Program—Every Child Achieving in the following categories:

| <u>Category</u>                        | <u>Positions</u> | <u>Amount</u>    |
|--|------------------|------------------|
| 3 Instructional Salaries               | 0.6              | \$356,584        |
| 4 Textbooks and Instructional Supplies |                  | 427,020          |
| 12 Fixed Charges                       |                  | <u>125,259</u>   |
| Total                                  | <u>0.6</u>       | <u>\$908,863</u> |

Positions

\*0.6 Instructional Specialist (BD)

and be it further

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

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

RESOLUTION NO. 607-01

Re: **FY 2002 SUPPLEMENTAL APPROPRIATION  
FOR PARENTING RESOURCE CENTER**

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

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 2002 supplemental appropriation for the Parenting Resource Centers of \$72,185 in the following category:

| <u>Category</u>             | <u>Amount</u> |
|-----------------------------|---------------|
| 02 Mid-level Administration | \$72,185      |

and be it further



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

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

RESOLUTION NO. 608-01            Re:    **FY 2002 CATEGORICAL TRANSFERS FOR THE  
PROVISION FOR FUTURE SUPPORTED  
PROJECTS**

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

WHEREAS, The FY 2002 Operating Budget adopted by the Board of Education on June 12, 2001, included \$10,289,041 for the Provision for Future Supported Projects; and

WHEREAS, The Board of Education will receive additional projects that are eligible for funding through the Provision for Future Supported Projects during FY 2002; and

WHEREAS, Actual revenue and expenditure requirements of grant projects require that categorical transfers be made in the Provision for Future Supported Projects; now therefore be it

Resolved, That the superintendent of schools be authorized to effect categorical transfers totaling \$1,000,000 within the FY 2002 Provision for Future Supported Projects, in accordance with the County Council provision for transfers, as follows:

| <u>Category</u>            | <u>From</u> | <u>To</u>      |
|----------------------------|-------------|----------------|
| 1 Administration           | \$100,000   |                |
| 2 Mid-level Administration | 200,000     |                |
| 3 Instructional Salaries   | 500,000     |                |
| 6 Special Education        |             | 810,000        |
| 12 Fixed Charges           | 200,000     |                |
| 14 Community Services      | _____       | <u>190,000</u> |
| Total                      | \$1,000,000 | \$1,000,000    |

and be it further

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

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

RESOLUTION NO. 609-01      Re:    **FY 2002 TRANSFERS WITHIN GRANT  
PROJECTS AND FIRST QUARTER OBJECT  
TRANSFERS**

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

Resolved, That the superintendent of schools be authorized to effect an FY 2002 object transfer of \$651,362 in the following objects:

#### **Focus on Teachers**

| <u>Object</u>             | <u>From</u>     | <u>To</u>       |
|---------------------------|-----------------|-----------------|
| 01 Salaries and Wages     | \$19,586        |                 |
| 02 Contractual Services   |                 | \$22,403        |
| 03 Supplies and Materials | 1,250           |                 |
| 04 Other Charges          | <u>1,567</u>    | _____           |
| Total                     | <u>\$22,403</u> | <u>\$22,403</u> |

#### **Even Start Family Literacy**

| <u>Object</u>             | <u>From</u>     | <u>To</u>       |
|---------------------------|-----------------|-----------------|
| 01 Salaries and Wages     | \$8,938         |                 |
| 02 Contractual Services   |                 | \$20,818        |
| 03 Supplies and Materials |                 | 9,622           |
| 04 Other Charges          | 11,502          |                 |
| 05 Equipment              | <u>10,000</u>   | _____           |
| Total                     | <u>\$30,440</u> | <u>\$30,440</u> |

#### **Northeast Consortium**

| <u>Object</u> | <u>From</u> | <u>To</u> |
|---------------|-------------|-----------|
|---------------|-------------|-----------|

|                           |                  |                  |
|---------------------------|------------------|------------------|
| 01 Salaries and Wages     | \$21,953         |                  |
| 02 Contractual Services   |                  | \$24,400         |
| 03 Supplies and Materials |                  | 84,814           |
| 04 Other Charges          |                  | 3,463            |
| 05 Equipment              | 90,724           |                  |
|                           | <hr/>            | <hr/>            |
| Total                     | <u>\$112,677</u> | <u>\$112,677</u> |

**Department of Transportation**

| <u>Object</u>             | <u>From</u>      | <u>To</u>        |
|---------------------------|------------------|------------------|
| 02 Contractual Services   |                  | \$150,000        |
| 03 Supplies and Materials | \$150,000        |                  |
|                           | <hr/>            | <hr/>            |
| Total                     | <u>\$150,000</u> | <u>\$150,000</u> |

**FASTER Program**

| <u>Object</u>           | <u>From</u>     | <u>To</u>       |
|-------------------------|-----------------|-----------------|
| 02 Contractual Services | \$50,000        |                 |
| 05 Equipment            |                 | \$50,000        |
|                         | <hr/>           | <hr/>           |
| Total                   | <u>\$50,000</u> | <u>\$50,000</u> |

**Judy Center**

| <u>Object</u>             | <u>From</u>     | <u>To</u>       |
|---------------------------|-----------------|-----------------|
| 01 Salaries and Wages     |                 | \$ 1,500        |
| 02 Contractual Services   |                 | 12,761          |
| 03 Supplies and Materials |                 | 21,082          |
| 04 Other Charges          | \$35,343        |                 |
|                           | <hr/>           | <hr/>           |
| Total                     | <u>\$35,343</u> | <u>\$35,343</u> |

**Challenge Grants**

| <u>Object</u>             | <u>From</u>     | <u>To</u>       |
|---------------------------|-----------------|-----------------|
| 01 Salaries and Wages     | \$25,000        |                 |
| 03 Supplies and Materials |                 | \$25,000        |
|                           | _____           | _____           |
| Total                     | <u>\$25,000</u> | <u>\$25,000</u> |

**Real Estate Management Fund**

| <u>Object</u>           | <u>From</u>      | <u>To</u>        |
|-------------------------|------------------|------------------|
| 02 Contractual Services |                  | \$100,000        |
| 04 Other Charges        | \$100,000        |                  |
|                         |                  |                  |
| Total                   | <u>\$100,000</u> | <u>\$100,000</u> |

**Secondary Schools**

| <u>Object</u>           | <u>From</u>     | <u>To</u>       |
|-------------------------|-----------------|-----------------|
| 02 Contractual Services |                 | \$60,000        |
| 05 Equipment            | \$60,000        |                 |
|                         | _____           | _____           |
|                         | <u>\$60,000</u> | <u>\$60,000</u> |

**Technology Literacy**

| <u>Object</u>             | <u>From</u>     | <u>To</u>       |
|---------------------------|-----------------|-----------------|
| 01 Salaries and Wages     | \$51,499        |                 |
| 03 Supplies and Materials |                 | \$65,499        |
| 04 Other Charges          | 8,000           |                 |
| 05 Equipment              | 6,000           |                 |
|                           | _____           | _____           |
| Total                     | <u>\$65,499</u> | <u>\$65,499</u> |

Resolved. That the superintendent of schools be authorized to effect an FY 2002 categorical transfer of \$261,510 in the following categories:

### Focus on Teachers

| <u>Category</u>                         | <u>From</u>     | <u>To</u>       |
|---|-----------------|-----------------|
| 02 Mid-level Administration             |                 | \$34,864        |
| 03 Instructional Salaries               | \$32,450        |                 |
| 04 Textbooks and Instructional Supplies | 1,250           |                 |
| 05 Other Instructional Costs            |                 | 403             |
| 12 Fixed Charges                        | 1,567           |                 |
| Total                                   | <u>\$35,267</u> | <u>\$35,267</u> |

### Even Start Family Literacy

| <u>Category</u>       | <u>From</u>    | <u>To</u>      |
|-----------------------|----------------|----------------|
| 12 Fixed Charges      | \$6,312        |                |
| 14 Community Services |                | \$6,312        |
| Total                 | <u>\$6,312</u> | <u>\$6,312</u> |

### Northeast Consortium

| <u>Category</u>                         | <u>From</u>     | <u>To</u>       |
|---|-----------------|-----------------|
| 03 Instructional Salaries               | \$21,953        |                 |
| 04 Textbooks and Instructional Supplies |                 | \$84,814        |
| 05 Other Instructional Costs            | 61,174          |                 |
| 12 Fixed Charges                        | 1,687           |                 |
| Total                                   | <u>\$84,814</u> | <u>\$84,814</u> |

### Judy Center

| <u>Category</u> | <u>From</u> | <u>To</u> |
|-----------------|-------------|-----------|
|-----------------|-------------|-----------|

|   |                 |                 |
|---|-----------------|-----------------|
| 03 Instructional Salaries               |                 | \$ 1,500        |
| 04 Textbooks and Instructional Supplies |                 | 21,082          |
| 05 Other Instructional Costs            | \$ 8,275        |                 |
| 12 Fixed Charges                        | 36,343          |                 |
| 14 Community Services                   |                 | 22,036          |
| Total                                   | <u>\$44,618</u> | <u>\$44,618</u> |

**Challenge Grants**

| <u>Category</u>                         | <u>From</u>     | <u>To</u>       |
|---|-----------------|-----------------|
| 03 Instructional Salaries               | \$25,000        |                 |
| 04 Textbooks and Instructional Supplies |                 | \$25,000        |
| Total                                   | <u>\$25,000</u> | <u>\$25,000</u> |

**Technology Literacy**

| <u>Category</u>                         | <u>From</u>     | <u>To</u>       |
|---|-----------------|-----------------|
| 03 Instructional Salaries               | \$51,499        |                 |
| 04 Textbooks and Instructional Supplies |                 | \$65,499        |
| 05 Other Instructional Costs            | 6,000           |                 |
| 12 Fixed Charges                        | 8,000           |                 |
| Total                                   | <u>\$65,499</u> | <u>\$65,499</u> |

and be it further

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

RESOLUTION NO. 610-01

Re: **UTILIZATION OF FY 2002 FUTURE SUPPORTED  
PROJECT FUNDS**

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

WHEREAS, These grants qualify 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 25, 2001; and

WHEREAS, These programs do 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>      |
|-------------------------------|--------------------|
| Gifted and Talented Education | \$ 250,200         |
| Refugee ESOL Training         | 92,680             |
| Summer Intervention Academy   | 79,646             |
| HHMI Projects                 | 430,000            |
| Medical Assistance            | <u>643,897</u>     |
| Total                         | <u>\$1,496,423</u> |

and be it further

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

RESOLUTION NO. 611-01

Re: **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education accept the Human Resources Monthly Report dated November 13, 2001.

Re: **MONTHLY FINANCIAL REPORT AND YEAR-END  
PROJECTS AS OF SEPTEMBER 30, 2001**

Mr. Bowers stated that the report reflects the projected financial condition through September 30, 2001, based on program requirements and estimates made by primary and secondary account managers. At this time, revenues are on budget while expenses have a projected surplus of \$1,200,000. Staff will continue to monitor closely both revenues and expenditures.

Re: **TENTATIVE ACTION ON POLICY JEE, *STUDENT  
TRANSFERS***

On recommendation of the Superintendent and on motion of Mr. Felton seconded by Mr. Abrams, the following resolution was placed on the table:

WHEREAS, On October 6, 1999, the United States Court of Appeals for the Fourth Circuit invalidated the use of race in the MCPS transfer policy; and

WHEREAS, On December 14, 1999, the Board of Education suspended its transfer policy and directed the superintendent to revise Regulation JEE-RA to allow transfers on the basis of a documented hardship, the presence of an older sibling attending the requested school, and/or continuation of a feeder pattern at transition points from elementary to middle school or middle to high school; and

WHEREAS, MCPS has implemented additional program initiatives to address the needs of impacted schools; and

WHEREAS, Final action on Policy JEE, *Student Transfers*, will occur during the middle of the transfer season and school year, the revised Policy JEE, *Student Transfers*, will not go into effect until the close of the 2002-2003 school year; and

WHEREAS, Policy JEE, *Student Transfers*, has been revised to complement MCPS' initiatives; now therefore be it

Resolved, That the Board of Education take tentative action to adopt changes to Policy JEE, *Student Transfers*, as shown on attached draft; and be it further

Resolved, That the tentative adoptive draft Policy JEE, *Student Transfers*, be sent out for public comment; and be it further



Resolved, That the Board of Education resolution adopted on December 14, 1999, will remain in effect until the close of the 2002-2003 school year when it will be superseded by the Board's final action to adopt Policy JEE, *Student Transfers*.

RESOLUTION NO. 612-01            Re:    **AN AMENDMENT TO THE TENTATIVE ACTION ON POLICY JEE, *STUDENT TRANSFERS***

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

WHEREAS, Final action on Policy JEE, *Student Transfers*, will occur during the middle of the transfer season and school year, the revised Policy JEE, *Student Transfers*, will ~~not~~ go into effect ~~until the close of the~~ **for the transfer season for the 2003-2004 school year.**

RESOLUTION NO. 613-01            Re:    **AN AMENDMENT TO THE TENTATIVE ACTION ON POLICY JEE, *STUDENT TRANSFERS***

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

Parents either accepting a hardship transfer or receiving an approved exemption under 2 a) or b) assume responsibility for transportation, **and recognize that student parking is regulated on a school-by-school basis.**

RESOLUTION NO. 613(a)-01        Re:    **AN AMENDMENT TO THE TENTATIVE ACTION ON POLICY JEE, *STUDENT TRANSFERS***

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

An older sibling attends the requested school **in the regular program. If the older sibling attends a magnet or special program, an exemption may be granted on a case-by-case basis.**

RESOLUTION NO. 614-01            Re:    **TENTATIVE ACTION ON POLICY JEE, *STUDENT TRANSFERS***

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

WHEREAS, On October 6, 1999, the United States Court of Appeals for the Fourth Circuit invalidated the use of race in the MCPS transfer policy; and

WHEREAS, On December 14, 1999, the Board of Education suspended its transfer policy and directed the superintendent to revise Regulation JEE-RA to allow transfers on the basis of a documented hardship, the presence of an older sibling attending the requested school, and/or continuation of a feeder pattern at transition points from elementary to middle school or middle to high school; and

WHEREAS, MCPS has implemented additional program initiatives to address the needs of impacted schools; and

WHEREAS, Final action on Policy JEE, *Student Transfers*, will occur during the middle of the transfer season and school year, the revised Policy JEE, *Student Transfers*, will go into effect for the transfer season for the 2003-2004 school year; and

WHEREAS, Policy JEE, *Student Transfers*, has been revised to complement MCPS' initiatives; now therefore be it

Resolved, That the Board of Education take tentative action to adopt changes to Policy JEE, *Student Transfers*, as shown on attached draft; and be it further

Resolved, That the tentative adoptive draft Policy JEE, *Student Transfers*, be sent out for public comment; and be it further

Resolved, That the Board of Education resolution adopted on December 14, 1999, will remain in effect until the close of the 2002-2003 school year when it will be superseded by the Board's final action to adopt Policy JEE, *Student Transfers*.

## **Student Transfers**

### **A. PURPOSE**

To explain the limited circumstances under which students may be granted a transfer to attend a school other than their home school or the school assigned in accordance with their Individual Education Plan

### **B. ISSUE**

Students are expected to attend the school within the established area in which they reside (home school) or assigned in accordance with their IEP. Transfers

from the home school or the school assigned through the IEP process may be permitted in cases of documented unique hardship.

#### C. POSITION

1. Transfers should be honored whenever there is a documented unique hardship circumstance. Problems that are common to large numbers of families do not constitute a hardship.

2. Exemptions

The following circumstances are exempted from the student transfer process:

a) An older sibling attends the requested school in the regular program. If the older sibling attends a magnet or special program, an exemption may be granted on a case-by-case basis.

b) Continuation at the articulation point from middle school to high school

c) Students have met the criteria for and been admitted to countywide programs

3. An athlete who transfers to another school without a change in residence of his/her parents or legal guardian shall attend the new school for one calendar year in order to be able to participate in athletics.

4. Parents either accepting a hardship transfer or receiving an approved exemption under 2 a) or b) assume responsibility for transportation, and recognize that student parking is regulated on a school-by-school basis.

#### D. DESIRED OUTCOMES

To maintain the stability of school attendance boundaries by promoting home school attendance.

#### E. IMPLEMENTATION STRATEGIES

This policy is implemented through administrative regulation.

#### F. REVIEW AND REPORTING

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

\*\*Mr. Burnett left the meeting at this point.

RESOLUTION NO. 615-01      Re:    **FINAL ACTION ON POLICY BFA,  
POLICYSETTING**

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

WHEREAS, Policy BFA, *Policysetting*, establishes the process for development, revision, and review of policies in Montgomery County Public Schools; and

WHEREAS, The process has changed to allow greater involvement by the Board of Education earlier in the process; and

WHEREAS, The new process permits more efficient use of the full Board's time by eliminating the need for three Board meetings to consider one policy; and

WHEREAS, On July 2, 2001, the Board of Education took tentative action to adopt a draft Policy BFA, *Policysetting*, and request that it be sent out for public comment; and

WHEREAS, Nineteen comments have been received and recommendations for changes have been made; now therefore be it

Resolved, That the Board of Education take final action to adopt the attached Policy BFA, *Policysetting*, with the accompanying recommendation.

## **Policysetting**

### A.    PURPOSE

To establish a definition of policy and **consistent uniform process** format for policy development and implementation

### B.    ISSUE

State law provides that the county Board of Education, with the advice of the superintendent, determines the educational policies of the school system.

Therefore, there should be a comprehensive and **consistent** uniform process for policy analysis, formulation, implementation, monitoring, and evaluation.

## C. POSITION

### 1. Definition

Policy is defined as principles adopted by resolution of the Board of Education to guide the development and implementation of educational programs and/or for management of the school system. (State laws, bylaws of the State Board of Education, and federal guidelines are, in effect, mandated policies.)

### 2. Policy development

- a) A three-member committee of the Board of Education, whose initial membership shall be designated by the president for staggered three-year terms with new members and the chair chosen annually at the Board's December meeting, reviews and presents policy drafts for adoption to the full Board as needed.
- b) The superintendent and/or Board of Education recognizes the need for a policy, or significant revisions to an existing policy, and how **the need** it relates to Board **governance including its mission**, goals, and objectives.
- c) The committee meets with appropriate staff to develop a draft policy. The draft policy shall take into account as appropriate:
  - (1) Other policies of the Board of Education and of other governmental agencies
  - (2) Federal, state, and local laws and regulations
  - (3) Court decisions and other legal limits or conditions
  - (4) Cost implications
  - (5) Effect on school system operation
  - (6) Impact on those affected by the policy

- (7) National, state, and local literature and research
- (8) Similar policies adopted by other school systems
- d) The committee presents the proposed policy item to the Board for discussion and tentative action.
- e) The policy item will be accompanied by a resolution that:
  - (1) Indicates the policy will lie on the table until at least the next regularly scheduled Board meeting before being voted upon as final action. (If there is an emergency, this provision may be waived without notice if all members are present and there is unanimous agreement.)
  - (2) Provides opportunity for public comment and/or public hearing, if the Board desires
- (f) The Board will adopt a policy with a standard format that will include as appropriate:
  - (1) A statement of the purpose of the policy
  - (2) A description of the problem or issue that the policy addresses and purports to resolve
  - (3) A statement of the policy position or positions adopted by the Board, including a brief statement of the reasons and/or justification for these positions as appropriate
  - (4) A statement of the results or outcomes desired
  - (5) The strategies to be used in guiding the implementation of the policy
  - (6) Specification of when reports are to be made to the Board of Education and the public on implementation and effectiveness, results achieved, and next steps. The frequency of reports will be specified by the Board of Education and may depend on such factors as high public interest, legal mandates, and the experimental/innovative nature of the activity

3. Policy Implementation

After adoption, the superintendent will follow up with:

- a) Regulations for implementation, if appropriate
- b) Publication of policy and regulation in the Handbook and distribution to affected parties
- c) Continuous monitoring of the policy and implementation and reporting to the Board as required under Section F., Review and Reporting

D. DESIRED OUTCOME

Policies that are well researched and analyzed prior to adoption or amendment and monitored by staff with results reported to the Board subsequent to adoption.

E. IMPLEMENTATION STRATEGIES

1. The superintendent will develop a process for implementing this policy that will include coordination of policy research and development, presentation to the Board, implementing regulations, monitoring reports, and maintaining the process.
2. All regulations developed in support of Board adopted policies shall be sent to the Board as items of information.

F. REVIEW AND REPORTING

1. The committee shall be apprised of the up-to-date status of the review process, including the number of policies that were reviewed, revised, and rescinded on an on-going basis.
2. The superintendent will review policies on an ongoing basis in accordance with established practices for prioritizing policy matters, but the Board may call for review of any policy at its discretion. In the event the Board directs that a new or revised policy be developed, it may establish a timeline for the committee to bring a draft policy to the full Board for its consideration.

- a) When the review results in recommended content changes to the policy including rescinding the policy, the process for policy formulation described above will be followed.
- b) Until such time as all policies are in the appropriate format, and the review reveals that no **substantive** changes are recommended, the policy will be reformatted and reprinted and will be forwarded to the Board as an item of information. Any member of the Board may identify any of these policies for further review as needed.

\*\*Ms. Cox left the meeting at this point.

RESOLUTION NO. 616-01            Re:    **FINAL ACTION ON POLICY EEA, *STUDENT TRANSPORTATION***

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

WHEREAS, The Montgomery County Inspector General's Report was presented to the Board of Education on April 3, 2001; and

WHEREAS, The draft revision of Policy EEA, *Student Transportation* was tentatively adopted by the Board of Education on June 12, 2001, and sent out for public comment; and

WHEREAS, The Board of Education has received comments and the superintendent's recommendations thereto; now therefore be it

Resolved, That the Board of Education authorize the superintendent to make appropriate, stylistic editorial corrections to the draft policy and; be it further

Resolved, That the Board of Education adopt draft Policy EEA, *Student Transportation*.

## **Student Transportation**

A.    PURPOSE

To delineate MCPS transportation services and safety guidelines for transporting public and nonpublic school students

B.    ISSUE



The Montgomery County Public Schools is authorized by the regulations of the State of Maryland to provide safe and efficient transportation to the students residing within the county. It is the Montgomery County Board of Education's responsibility to establish the parameters under which students are deemed eligible for such transportation. Furthermore, it is the shared responsibility of the Montgomery County Board of Education and other state and local government departments to assure student safety in walking to and from school.

### C. POSITION

1. The Board of Education encourages participation and involvement of PTAs and other citizens in the identification and resolution of transportation and safety issues.
2. Eligibility for Transportation
  - a) General Terms and Conditions for Public and Nonpublic School Students

- (1) The Board of Education-adopted attendance areas for each school will be the basis upon which transportation service is provided. Under special circumstances, students may ride established bus routes across attendance boundaries for valid educational reasons.
- (2) Mixed grade-/age-level student loads shall be permitted.
- (3) The walking distance factor for student transportation eligibility will be as follows:

Elementary Schools – 1 mile  
Middle Schools – 1.5 miles  
Senior High Schools – 2.0 miles

as measured from nearest point of residential property to the curb in front of the nearest entrance door to the school. (In the implementation of these mileage distances, the superintendent of schools is authorized to extend by one-tenth of a mile from these distances in establishing the line of demarcation between walking and transported students.)

- (4) The distance factors above may be modified if safety or other conditions warrant. Such modifications shall be terminated when safety hazards or other conditions are corrected.
    - (5) MCPS will provide appropriate transportation service to students with disabilities in accordance with applicable laws and program placement as defined by the student's Individual Educational Plan (IEP)
  - b) Nonpublic school students may be transported as specified under provisions of the Montgomery County Code, as shown in Exhibit EEA-EA. This service will be provided only on established bus routes having available seating capacity, designed to serve public schools in keeping with the terms and conditions as set forth in this policy.
- 3. Factors and Standards for Determining Transportation Safety and Safe Walking Conditions
  - a) Transportation may be provided for distances less than that authorized by Board policy if a condition is considered hazardous to the safety of students walking to or from school, or to establish a reasonable boundary. Such conditions shall be reviewed by the transportation department on an annual basis and corrected, where feasible, by the responsible agency as soon as possible. The public is encouraged to express its views on the safety of bus stops and/or recommended walking routes by writing to the director of the Department of Transportation. In the event that a disagreement arises between the public's views and that of the transportation department on the hazardous nature of the condition arises, a joint assessment will be conducted by MCPS transportation staff, MCPS School Safety and Security Department staff, the Montgomery County Police Department School Safety Unit staff and the Department of Public Works and Transportation. The public's views will be considered in this assessment. Their recommendation will be forwarded to the Director of Transportation for a final decision and notification of all parties. This decision can be appealed in accordance with Policy KLA: *Responding to Inquiries and Complaints from the Public* beginning with the Chief Operating Officer.

The following factors shall be considered in determining the need for student transportation service within the walking distance:

- (1) Absence of traffic signals, lined crosswalks, or other traffic control devices to assist secondary school students, or the absence of an adult crossing guard to assist elementary school students who are required to cross a multilane highway as listed on the Maryland Highway Map.
- (2) Presence of building and other construction activities, other safety hazards, or natural or man-made barriers that create potentially dangerous situations on an established walking route and where other walking routes are not available.
- (3) Absence of a sidewalk, or in some cases absence of a buffer strip or guard rail between sidewalk and road, along a major highway or heavily traveled street in a residential area.
- (4) Students who, because of physical or mental disabilities, are not able to perform the walking assignments expected of students enrolled in general education classes.

b) The following standards shall be considered in making decisions relative to the factors listed above:

- (1) Students are expected to walk safely without sidewalks in residential subdivisions, on side streets, and to bus stops along roads where traffic is not heavy, where space is available at the side of the road, or where the road is of sufficient width to allow walking off the main road. Buses are not an alternative to the absence of sidewalks in a subdivision unless other safety factors such as inadequate sight distances are determined to jeopardize student safety. Communities desirous of obtaining sidewalks should initiate their requests with the appropriate governmental agencies.
- (2) Schools will supplement parental teaching of safe walking practices by emphasizing the need for safe walking practices while en route to and from school.
- (3) Sidewalks, where available, should be so constructed and designed so that students can walk safely on them.

- (4) The absence of buffer strips between a sidewalk and the traveled portion of the roadway, or the presence of telephone poles, bushes, trees or protruding objects or signs on the sidewalk shall be considered in determining if the walkway is safe.
- (5) MCPS staff, in cooperation with the Montgomery County Police Department's School Safety Unit, the Montgomery County Department of Public Works and Transportation and the Maryland State Highway Administration shall work diligently to make certain that in every instance involving school children the need for safe walkways is made clear to the responsible county and state agencies.
- (6) Snow and/or ice accumulation on sidewalks during inclement weather shall not be considered sufficient cause for providing transportation. Parent help is needed on those few days when all walking students are subject to the same conditions. When snow or ice causes conditions that are generally considered unsafe, school may be canceled or the starting time delayed until heavy traffic has subsided.
- (7) Crossing guards may be employed, by the Montgomery County Police Department, to assist students in crossing intersections. MCPS will request their assignment when the presence of a crossing guard will enhance safety and when, it is more economical to utilize crossing guards than to provide bus transportation.
- (8) Secondary students are expected to be able to cross all controlled intersections safely except that middle school students are not required to cross mainline railroad tracks at grade level.
- (9) Elementary school students are expected to be able to cross controlled intersections safely except on major highways and mainline railroad tracks at grade level. It is recognized that in some instances this may not apply to five-and six-year-olds.
- (10) Students are expected to be able to walk to established bus stops to await the arrival of school buses. While waiting, students should observe safe practices, respect persons and

private property, and stand well off the traveled portion of the road.

- (11) Students are expected to walk across private property only where paths or foot bridges are constructed and maintained by a public agency such as the Maryland-National Capital Park and Planning Commission, the Department of Public Works, the Montgomery County Public Schools or are part of walkways provided by a homeowners association or similar private development group.
  - c) MCPS school buses shall operate in accordance with the State of Maryland COMAR 13A.06.07.
  - d) In the interest of increased student safety and route efficiency, no MCPS bus shall be routed onto a dead end, cul de sac or other street requiring the bus to perform a three-point turn or backing up maneuver to exit, unless the alternative bus stop would present a safety hazard. Similarly, no MCPS bus shall be required to travel on an undedicated street or private road not maintained by the state or county.
4. The principals and presidents of the PTA or equivalent parent organization of public and nonpublic schools shall be notified in writing by the superintendent of schools or his/her designee of any prospective changes in bus service preceding the new school year. If budget or other Board of Education action makes systemwide change necessary, a general notification to the public will follow within ten calendar days and a specific notice to parents and communities affected by the change will follow as soon as possible thereafter. The superintendent of schools is obligated to assure that affected communities and parents are informed.
  5. In those instances when parents are pre-approved jointly by the Department of Transportation and the Central Admissions, Review and Dismissal committee to provide transportation services to special education students, the reimbursement shall not exceed the Board-approved mileage rate for staff travel.

D. DESIRED OUTCOME

Implementation of this policy will assure that the students of the Montgomery County Public Schools will have safe walking routes and a safe and efficient system of student transportation.

E. IMPLEMENTATION STRATEGIES

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

F. REVIEW AND REPORTING

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

RESOLUTION NO. 617-01            Re:    **CLOSED SESSION RESOLUTION**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Mr. Felton, 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, December 11, 2001, in Room 120 of the Carver Educational Services Center to meet in closed session from 9:00 to 10:00 a.m. and 12:30 to 2:00 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*, consult with counsel to obtain legal advice, as permitted by Section 10-508(a)(7) of the *State Government Article*; 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 SESSION**

On October 16, 2001, by unanimous vote of members present, the Board of Education voted to conduct closed sessions as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed sessions on October 16, 2001, from 9:00 a.m. to 10:00 a.m. and 1:15 to 2:00 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and/or adjudicated the following appeals: 2001-54, 2001-57, 2001-58, 2001-60, T-2001-51, T-2001-52, and T-2001-53.
2. Reviewed the Superintendent's recommendation for personnel appointments and the Human Resources Monthly Report, 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, Sharon Cox, Reggie Felton, Roland Ikheloa, Dustin Jeter, Nancy King, Frieda Lacey, Walter Lange, George Margolies, Pat O'Neill, Brian Porter, Glenda Rose, Jerry Weast, and James Williams.

RESOLUTION NO. 618-01

Re: **MINUTES OF AUGUST 28, 2001, BOARD MEETING**

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

Resolved, That the Board of Education approved the minutes for its August 28, 2001, meeting.

RESOLUTION NO. 619-01

Re: **MINUTES OF SEPTEMBER 12, 2001, BOARD MEETING**

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

Resolved, That the Board of Education approved the minutes for its September 12, 2001, meeting.

RESOLUTION NO. 620-01

Re: **MINUTES OF SEPTEMBER 24, 2001, BOARD MEETING**

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

Resolved, That the Board of Education approved the minutes for its September 24, 2001, business meeting.

RESOLUTION NO. 621-01

Re: **MINUTES OF SEPTEMBER 24, 2001, BOARD MEETING**

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

Resolved, That the Board of Education approved the minutes for its September 24, 2001, meeting with MCEA.

RESOLUTION NO. 622-01

Re: **APPEAL T-2001-26**

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

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

Re: **NEW BUSINESS**

The following new business item was introduced on motion of Mr. Felton and seconded by Mrs. O'Neill:



WHEREAS, MCPS has undertaken a comprehensive strategy to achieve successful teaching and learning throughout the school district; and

WHEREAS, MCPS desires parents to be effective partners in raising standards for their children; and

WHEREAS, All students need to be encouraged to meet the challenges of their instructional programs; and

WHEREAS, Students who successfully complete challenging courses increase their chances of acceptance and success at the college or university of their choice, establish strong qualifications for scholarships and other financial aid, and broaden their range of career choices; and

WHEREAS, Reports on students' progress to parents of elementary school students in Grades 3 - 6 are provided on official forms designed by MCPS that allow teachers to grade students "based on the materials used for instruction" and not the grade-level objectives; and

WHEREAS, Such report formats allow students to receive outstanding grades without functioning on grade level; now therefore be it

Resolved, That the Board of Education request the Superintendent to review current report card policy and format and make recommendations to the Board of Education that will ensure that grades adequately reflect student academic performance related to grade-level objectives; and be it further

Resolved, That the review procedures provide for formal participation from parents, teachers, and principals, and that the review is completed in sufficient time to allow the Board of Education to approve changes, if necessary, for implementation by the 2002-2003 academic year.

**Re: ITEMS OF INFORMATION**

The following items were available:

1. Items in Process
2. Legal Fees Report for August
3. Construction Progress Report
4. Minority-, Female-, or Disabled-owned Business Procurement Report for the First Quarter of FY 2002

RESOLUTION NO. 623-01

Re: **ADJOURNMENT**

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 Board of Education adjourn its meeting of November 13, 2001, at 3:00 p.m.

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PRESIDENT

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SECRETARY

JDW:gr

# MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

November 13, 2001

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