The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Monday, August 26, 2002, at 1:30 p.m.

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

Absent: Mr. Reginald M. Felton

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

RESOLUTION NO. 368-02  Re: CLOSED SESSION

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

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

Resolved, That the Board of Education of Montgomery County conduct portions of its closed sessions on August 26, 2002, in Room 120 from 9:00 a.m. to 1:30 p.m., and 4:00 to 4:05 p.m. to discuss personnel appointments and the Human Resources Monthly Report, as permitted under Section 10-508(a)(1) of the State Government Article; and be it further

Resolved, That the Board of Education of Montgomery County conduct a portion of its closed sessions 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 consider the acquisition of real property for a public purpose and matters directly related thereto, as permitted under Section 10-508(a)(3) of the State Government Article and Section 4-107(d) of the Education Article; and be it further
Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on August 26, 2002, to acquit its executive functions and to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act under Section 10-503(a) of the *State Government Article*; and be it further

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

RESOLUTION NO. 369-02     Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for August 26, 2002.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast stated that about 3,600 students at 18 Title I schools attended Summer Adventures in Learning for an extended learning opportunity. 10,000 students attended summer school programs held at six high school, two middle school, and five elementary school sites. In addition, 2,360 special education students attended Extended School Year programs. Additional summer school opportunities included a wide variety of school-based programs.

Schools will open on August 27, 2002, with 1,000 new teachers, 28 principal vacancies filled, and 12 central office administrators hired. MCPS has nearly 19,800 employees, including more than 10,000 teachers, a record enrollment projection of 138,796, and 300,442 square feet of new and modernized space. In addition, MCPS will open Newport Mill Middle School, the system’s 191st school, and will have a modernized Wood Acres Elementary School ready for students.

Dr. Weast also said that MCPS is improving achievement with $15 million for targeted schools to improve instruction for low-income families, ESOL students, and special education, expansion of full-day kindergarten and class-size reduction in Grades 1 and 2 from 34 to 56 schools, curriculum revision, including a new strengthened mathematics curriculum offering early acceleration, and an external review of curriculum to be conducted by Achieve, Inc., and The College Board to assure alignment with the High School Assessments and state and national standards.

The downcounty consortium will begin with ninth grade academies this year, a $1.9 million federal grant, and $1.4 million in county funding for FY 2003.

Workforce excellence has a two-year phase-in of the Professional Growth System. This year, all 191 schools will participate, and there will be staff development teachers in every
school, consulting teachers, mentors for newly hired teachers, and expanded staff
development and evaluation initiatives during the summer and during the school year.

Ms. Cox commented that she had visited three of the sites for the extended learning
opportunities for elementary students. It was very impressive, and she is looking forward
to the evaluation of how well the students do with the new curriculum and how long the
instructional effects last. Also, Ms. Cox reported that the Board meeting materials are on
the MCPS Website, and she thanked Mr. Felton for spearheading that innovation with the
help of staff.

Mr. Burnett noted that he and Mr. Alnifaidy attended the graduation ceremony for 135
summer school graduates at Wheaton High School. It was an outstanding ceremony, and
it was rewarding to see students move to college or other careers. Also, he wanted to
acknowledge and thank staff who transport children to and from school, and said the public
should be watchful to assure the safety of all students.

Mrs. O'Neill called attention to special report on “How to Get Your Kid into Harvard,”
published by Worth magazine. Two of the top 50 high schools across the nation are in
Montgomery County – Richard Montgomery and Walt Whitman high schools. The Board
is proud of their success.

Mr. Abrams requested a brief discussion with staff on the mathematics curriculum.
Dialogue with staff covered: (1) differentiated instruction, (2) the comprehensive math
program and the revisions with rigor; (3) advanced mathematics; (4) the curriculum
framework and instructional guides; (5) assessments; (6) consistency with training and
resources; (7) Singapore math; (8) inventory of the need for additional gifted and talented
programs to identify differentiation and gifted centers; (9) implications of grouping and
resources; (10) how algebra is taught and tested; and (11) introduction of high math
concepts at the elementary level. Mrs. O'Neill said a broader discussion of the math
curriculum would be placed on a future Board agenda.

Mr. Lange commented that through his travels this summer, he had seen and heard
concerns about class size, student readiness, and teacher quality. Based on that,
Montgomery County has a lot to be proud about. He commended the superintendent and
staff for their preparation efforts over the summer. The Board and its policies express a
commitment to parental involvement, and he hoped parents and community members will
become fully engaged in the support of the children in the county.

Mr. Alnifaidy had attended several leadership conferences across the county and state.
He was excited to get back to school, and he looked forward to working with the Board.

Re: PUBLIC COMMENTS

The following people testified before the Board of Education:
RESOLUTION NO. 370-02  Re: PROCUREMENT CONTRACTS OF $25,000 OR MORE

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

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

WHEREAS, It is recommended that Bid No. 9132.1, Ham and Cheese Stromboli, be rejected as the brand submitted was tested and found unacceptable by the Division of Food and Nutrition Services; now therefore be it

Resolved, That Bid No. 9132.1, Ham and Cheese Stromboli, be rejected as the brand submitted was tested and found unacceptable by the Division of Food and Nutrition Services; 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:

SA1497    Uniform Rental and Sales—Extension

Awardee  Muscatello’s Uniforms  $ 78,277

05070 00028BD Off-the-Lot New and Used Vehicles for the Division of Maintenance

Awardee  Criswell Chevrolet, Inc.  $ 46,094

232400 0011 Loss Prevention Services

Awardee  AON Risk Services, Inc. of Washington, D.C.  $ 57,000

3270 56-12 Plumbing Supplies—General and Specialty

Awardees  Hughes Supply  $ 19,000
Noland Company 62,000  
PDQ Supply, Inc. 1,000  
Thomas Somerville Company 78,250  
Total $ 160,250

1091.2 Services for Infants & Toddlers with Developmental Delays

Awardees
Care Resources, Inc.*  
Pediatric Therapy Associates*  
TRI Rehab of Germantown, Inc.*  
Total $ 60,000

1092-2 Propane Gas

Awardee
Suburban Propane L.P. $ 32,966

1101-1 Polyliner Bags—Extension

Awardees
Calico Industries, Inc. $ 106,352  
Central Poly Corporation 10,372  
Total $ 116,724

4027.3 Two-Way Radios

Awardees
Bay Electronics* $ 74  
National Radio 675  
Ohlin Sales, Inc. 323  
Teltronic, Inc. 27,550  
Total $ 28,622

4041.2 Boiler Supplies and Associated Material—Extension

Awardees
Applied Industrial Technologies $ 17,500  
CAPP, Inc. 12,494  
Complete Boiler System 59,590  
Ferguson Enterprises, Inc. 99,850  
H M Sweeny Company 16,671  
J & L Valve and Fitting Corporation 4,135  
M & M Controls, Inc. 2,000
National Energy Control Corporation 1,698
Noland Company 173,642
R.E. Michel Company, Inc. 10,677
R & J Supply* 27,049
Southern Utilities Company, Inc. 53,910
Superior Specialty Company 1,533
Tate Engineering System, Inc. 29,500
Total $ 510,249

4046.3 Flooring Materials

Awardees
B & B Concepts* $ 24,445
Capitol Building Supply 4,172
Interiors Unlimited, Inc.* 1,292
L & R Floors of Washington, DC 124
L. Fishman & Son, Inc.* 2,518
Pikesville Lumber Company 260
Total $ 32,811

4101.1 Recycled Toner Cartridges—Extension

Awardee
Advanced Business Concepts, Inc. $ 44,143

7049.5 Photographic Supplies and Equipment

Awardees
B & H Photo Video $ 7,087
Bernies Photo Center, Inc. 809
East Coast Trading 15,540
Hollinger Corporation 560
Kunz, Inc.* 382
Penn Camera Exchange, Inc. 4,502
Service Photo Supply, Inc. 17,484
Unique Photo, Inc. 10,433
Valley Litho Supply 7,333
Total $ 64,130

7065.4 Custodial Supplies

Awardees
Acme Paper and Supply Company, Inc. $ 428,743
AFP Industries, Inc.* 3,192
<table>
<thead>
<tr>
<th>Company Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calico Industries, Inc.</td>
<td>48,331</td>
</tr>
<tr>
<td>City Group, Inc.</td>
<td>1,159</td>
</tr>
<tr>
<td>Consolidated Maintenance Supply, Inc.*</td>
<td>70,290</td>
</tr>
<tr>
<td>Daycon Products Company, Inc.</td>
<td>170,328</td>
</tr>
<tr>
<td>Joseph Gartland, Inc.</td>
<td>176</td>
</tr>
<tr>
<td>Genesis II, Inc.*</td>
<td>15,088</td>
</tr>
<tr>
<td>Grainger, Inc.</td>
<td>947</td>
</tr>
<tr>
<td>Holt Paper and Chemical Company, Inc.</td>
<td>66,582</td>
</tr>
<tr>
<td>Industrial Products Supply*</td>
<td>990</td>
</tr>
<tr>
<td>Laniado Wholesale Company</td>
<td>32,045</td>
</tr>
<tr>
<td>Leonard paper Company</td>
<td>316,722</td>
</tr>
<tr>
<td>Lynn Ladder and Scaffold Company/Waco</td>
<td>4,000</td>
</tr>
<tr>
<td>Matworks</td>
<td>8,612</td>
</tr>
<tr>
<td>Metrochem Industries, Inc.</td>
<td>5,940</td>
</tr>
<tr>
<td>National Supply Company</td>
<td>88,024</td>
</tr>
<tr>
<td>PortionPac Chemical Corporation</td>
<td>1,584</td>
</tr>
<tr>
<td>Powell Manufacturing Industries, Inc.*</td>
<td>4,406</td>
</tr>
<tr>
<td>Pyramid School Products</td>
<td>9,041</td>
</tr>
<tr>
<td>Safeware, Inc.</td>
<td>563</td>
</tr>
<tr>
<td>Spectrowax Corporation</td>
<td>10,658</td>
</tr>
<tr>
<td>Unisource</td>
<td>24,863</td>
</tr>
<tr>
<td>Viking Chemicals, Inc.*</td>
<td>16,489</td>
</tr>
<tr>
<td>Frank W. Winne and Son, Inc.</td>
<td>1,102</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,329,875</strong></td>
</tr>
</tbody>
</table>

**7072.1** Novell Software License Agreement

**Awardee**

- Novell, Inc. $167,500

**7082.2** Custodial Equipment

**Awardees**

- Acme Paper and Supply Company, Inc. $10,095
- Daycon Products, Inc. $92,756
- Fitch Company* $15,633
- National Supply Company, Inc. $30,299
- Odorite $53,730
- Weiss Brothers of Hagerstown $44,750

**Total** $247,263
7111.1 Lawn Maintenance Equipment

Awardees
Gaithersburg Equipment Company $ 42,785
Gaithersburg Rental Center 37,363
Kohler Equipment, Inc. 5,755
Lawn & Power Equipment 41,903
Total $ 127,806

9005.2 Shade and Upholstery Materials

Awardees
Crown Shade Company $ 92,362
Frankel Associates, Inc. 30,095
Loktite, Inc. 5,167
Mileham & King, Inc. 3,748
Rocky Mount Cord Company, Inc. 4,579
Total $ 135,951

9007.3 Glass and Glazing Materials—Extension

Awardees
Gardner Glass Products $ 15,501
G.E. Polymershapers 38,580
Hawkins Glass Company 139,491
Maryland Glass and Mirror Company 1,500
Total $ 195,072

9027.1 Tree Removal Service

Awardees
Excel Tree Expert Company, Inc. $ 60,000
Davey Tree and Lawn Care 60,000
Total $ 120,000

9053.2 Playground Equipment

Awardees
All Recreation, Inc. $ 60,588
Arbor Recreation 17,024
Rapidan Resources, Inc. 168,819
West Recreation, Inc. 101,574
Total $ 348,005
9096.1 Corridor Lockers for Various Locations—Extension**

Awardee
Partition Plus, Inc. $ 50,000

9096.3 Removal, Disposal, and Testing of Underground Fuel Tanks Extension**

Awardee
Apex Environmental, Inc. $ 28,461

Groceries and Staples—Addition to Contract

Awardees
Carroll County Foods, Inc. $ 247,638
Princess Ann Products $ 50,643
Total $ 298,281

9124.2 Refrigerators, Freezers, and Milk Coolers

Awardee
Calico Industries, Inc. $ 62,424

9162.2 Tennis Court Color Coating and Accessories—Addition to Contract **

Awardee
American Tennis Courts* $ 65,000

9317.1 Public Address System Replacement—Extension**

Awardee
Corbett Technology Solutions, Inc. $ 766,728

9318.1 Exterior Wall Façade Replacement for Portable Classrooms—Extension**

Awardee
Custom Masonry $ 70,000

Standards and Assessment Review

Awardee
Achieve $ 195,000
RESOLUTION NO. 371-02  Re:  AWARD OF CONTRACT – CARVER EDUCATIONAL SERVICES CENTER REROOFING

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

WHEREAS, The following sealed bids were received on August 1, 2002, for the reroofing of the Carver Educational Services Center:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interstate Corporation</td>
<td>$247,000</td>
</tr>
<tr>
<td>R. D. Bean, Inc.</td>
<td>331,174</td>
</tr>
<tr>
<td>Orndorff &amp; Spaid, Inc.</td>
<td>344,459</td>
</tr>
<tr>
<td>J. E. Wood &amp; Sons Company, Inc.</td>
<td>353,950</td>
</tr>
</tbody>
</table>

and

WHEREAS, Interstate Corporation, a Maryland Department of Transportation-certified minority firm, has completed similar work successfully for the Montgomery County Public Schools; and

WHEREAS, The low bid is below the staff estimate of $280,000; now therefore be it

Resolved, That a $247,000 contract be awarded to Interstate Corporation for the reroofing of the Carver Educational Services Center, in accordance with drawings and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 372-02  Re:  AWARD OF CONTRACT – EMERGENCY RESCUE WINDOWS

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

WHEREAS, The following sealed bids were received on July 18, 2002, for the installation of emergency rescue windows at five schools:
WHEREAS, There is limited opportunity for Minority Business Enterprise (MBE) participation on this project because of the scope of work; and

WHEREAS, Staff recommends waiving the MBE participation goal for this project; and

WHEREAS, Engineered Construction Products, Ltd., has completed similar work successfully for the Montgomery County Public Schools; now therefore be it

Resolved, That a $51,890 contract be awarded to Engineered Construction Products, Ltd., for the installation of emergency rescue windows at Richard Montgomery High School; Rock Terrace School; and Farmland, Maryvale, and Twinbrook elementary schools, in accordance with drawings and specifications prepared by Delmar Architects, P.A.

RESOLUTION NO. 373-02 Re: AWARD OF CONTRACT – RELOCATABLE CLASSROOMS

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

WHEREAS, The following sealed bids were received on August 7, 2002, for the relocation and installation of relocatable classroom buildings:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Amount</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>J &amp; L Services, Inc.</td>
<td>$340,174</td>
<td>10</td>
</tr>
<tr>
<td>Cottonwood Construction, Inc.</td>
<td>347,291</td>
<td>10</td>
</tr>
<tr>
<td>EMH Environmental, Inc.</td>
<td>355,900</td>
<td>10</td>
</tr>
</tbody>
</table>

and

WHEREAS, There is limited opportunity for Minority Business Enterprise (MBE) participation on this project because the work is largely self-performed by the low bidder; and

WHEREAS, Staff recommends waiving the MBE participation goal for this project; and
WHEREAS, J & L Services, Inc., has completed similar work successfully for the Montgomery County Public Schools; and

WHEREAS, The low bid is within the staff estimate; now therefore be it

Resolved, That a $340,174 contract be awarded to J & L Services, Inc., for the relocation and installation of modular classrooms, in accordance with drawings and specifications for Bid 7 prepared by the Department of Facilities Management.

RESOLUTION NO. 374-02 Re: BETHESDA-CHEVY CHASE HIGH SCHOOL MASONRY CONTRACT FINAL SETTLEMENT

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

WHEREAS, On July 2, 2001, the Board of Education and Parkinson Construction Company, Inc., agreed to a termination, for mutual convenience, of the masonry contract for the Bethesda-Chevy High School project, dated August 24, 1999; and

WHEREAS, Staff and our outside counsel from Venable, Baetjer and Howard have negotiated acceptable terms and conditions for the termination agreement, as well as an equitable settlement of the final contract payment; now therefore be it

Resolved, That the Board of Education approve the termination, for mutual convenience, of the agreement with Parkinson Construction Company, Inc., prepared by Venable, Baetjer and Howard and a final payment in the amount of $379,549 for the masonry contract, dated August 24, 1999, for the Bethesda-Chevy Chase High School project.

RESOLUTION NO. 375-02 Re: CLARKSBURG/DAMASCUS ELEMENTARY SCHOOL #7 – SITE SELECTION

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

WHEREAS, The approved FY 2003–2008 Capital Improvements Program includes a new elementary school to open by September 2006 to relieve over-enrollment at Clarksburg and Cedar Grove elementary schools; and

WHEREAS, A Site Selection Advisory Committee (SSAC) was convened that considered six potential locations; and

WHEREAS, The SSAC recommended that a site known as the Clarksburg Town Center be selected for Clarksburg/Damascus Elementary School #7; and
WHEREAS, The site, located near the intersection of Clarksburg and Piedmont roads in Clarksburg, is well located to serve the Clarksburg Master Plan area and is available at no cost; now therefore be it

Resolved, That the Clarksburg Town Center site be selected for Clarksburg/Damascus Elementary School #7; and be it further

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

RESOLUTION NO. 376-02 Re: GRANT OF DEED AND SLOPE EASEMENT AGREEMENT AT FAIRLAND CENTER

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

WHEREAS, Montgomery County has requested a grant of deed and slope easement agreement at Fairland Center, located at 13313 Old Columbia Pike in Silver Spring, in order to install sidewalks on Old Columbia Pike; and

WHEREAS, The road improvements will require a public dedication of 1,890 square feet in fee simple and a temporary slope easement configured in two parcels of 1,461 square feet; and

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

WHEREAS, The proposed grant of deed and slope easement agreement will benefit both the school and community by providing needed road improvements; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a deed dedicating 1,890 square feet of land in fee simple with a 1,461-square-foot temporary slope easement for road improvements at Fairland Center.

RESOLUTION NO. 377-02 Re: GRANT OF DEED OF DONATION AT SHERWOOD ELEMENTARY SCHOOL

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

WHEREAS, The Maryland State Highway Administration (MSHA) has requested a grant of Deed of Donation at Sherwood Elementary School, located at 1401 Olney-Sandy Spring Road in Sandy Spring, in order to widen and improve the road; and
WHEREAS, Final design and construction of the road improvement requires a fee simple conveyance of 12,332 square feet; and

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

WHEREAS, The land conveyance will benefit the surrounding community and Sherwood Elementary School by increasing safety and will not affect any land that could be used for school programming or recreational activities; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a deed of donation to the Maryland State Highway Administration conveying 12,332 square feet in fee simple for road improvements in front of Sherwood Elementary School.

RESOLUTION NO. 378-02    Re:    CHANGE ORDERS EXCEEDING $100,000

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

WHEREAS, The Department of Facilities Management has received the following change orders from various contractors that exceed $100,000; and

WHEREAS, Staff and the engineering consultant have reviewed these change orders and found them to be reasonable; now therefore be it

Resolved, That the Board of Education approve the following change orders for the amounts indicated:

Activity 1

Project: Relocatables

Description: Relocate and install five modular classroom units at Forest Knolls Elementary School.

Contractor: J & L Services, Inc.

Amount: $222,500

Activity 2

Project: Relocatables
Description: Relocate and install six modular classroom units at Stedwick Elementary School.

Contractor: EMH Environmental, Inc.

Amount: $257,324

RESOLUTION NO. 379-02 Re: UTILIZATION OF FY 2003 PROVISION FOR FUTURE SUPPORTED PROJECT FUNDS

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

WHEREAS, The grants qualify for a transfer of appropriation from the Provision for Future Supported Projects pursuant to the provisions of County Council Resolution No. 14-1270, approved May 23, 2002; and

WHEREAS, The programs do not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available, within the FY 2003 Provision for Future Supported Projects, to permit the transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2003 Provision for Future Supported Projects, as specified below:

<table>
<thead>
<tr>
<th>Project</th>
<th>Positions</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Least Restrictive Environment in Reading</td>
<td></td>
<td>$179,681</td>
</tr>
<tr>
<td>Takoma Park MS—Saving the Bay Starts Here</td>
<td></td>
<td>10,170</td>
</tr>
<tr>
<td>School Improvement Grant—Year 4</td>
<td></td>
<td>12,500</td>
</tr>
<tr>
<td>Emotionally Disabled Cluster Program</td>
<td>0.7*</td>
<td>65,000</td>
</tr>
</tbody>
</table>

Total 0.7 $267,351

*0.7 FTE Social Worker

and be it further

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

RESOLUTION NO. 380-02 Re: HUMAN RESOURCES MONTHLY REPORT

On recommendation of the Superintendent and on motion of Mr. Lange seconded by Mrs. King, the following resolution was adopted unanimously by members present:
Resolved, That the Board of Education approve the Human Resources Monthly Report dated August 26, 2002.

RESOLUTION NO. 381-02 Re: DEATH OF JOHN R. LEE, BUS OPERATOR I, SHADY GROVE DEPOT DEPARTMENT OF TRANSPORTATION

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

WHEREAS, The death on July 1, 2002, of John R. Lee, bus operator I at the Shady Grove Depot in the Department of Transportation, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the short time that Mr. Lee worked for Montgomery County Public Schools, he demonstrated competence as a bus operator; and

WHEREAS, Mr. Lee’s dependability and his good relationships with his fellow workers made him a valuable employee; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of John R. Lee and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Mr. Lee’s family.

RESOLUTION NO. 382-02 Re: DEATH OF VICTORIA L. BEAN, FOOD SERVICE FIELD MANAGER, DIVISION OF FOOD AND NUTRITION SERVICES

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

WHEREAS, The death on July 3, 2002, of Victoria L. Bean, food service field manager in the Division of Food and Nutrition Services, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the six years that Mrs. Bean worked for Montgomery County Public Schools, she demonstrated strong technical and operational knowledge of the food service operation; and

WHEREAS, Mrs. Bean performed her duties with accuracy, thoroughness, and effectiveness while always displaying a pleasant, cheerful disposition; now therefore be it
Resolved, That the members of the Board of Education express their sorrow at the death of Victoria L. Bean and extend deepest sympathy to her family; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting and a copy be forwarded to Mrs. Bean's family.

RESOLUTION NO. 383-02 Re: APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective August 27, 2002:

<table>
<thead>
<tr>
<th>Appointment</th>
<th>Current Position</th>
<th>As</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suzanne Speicher</td>
<td>Instructional Specialist, Division of Programs and Services</td>
<td>Director, Division of Placement and Assessment Services</td>
</tr>
</tbody>
</table>

RESOLUTION NO. 384-02 Re: APPOINTMENT

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

Resolved, That the following personnel appointment be approved effective August 27, 2002:

<table>
<thead>
<tr>
<th>Appointment</th>
<th>Current Position</th>
<th>As</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steven Neff</td>
<td>Acting Special Education Supervisor</td>
<td>Special Education Supervisor</td>
</tr>
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Re: TENTATIVE POLICY CNE, FACILITY IMPROVEMENTS THAT ARE NOT FUNDED WITH MONTGOMERY COUNTY REVENUES

On motion of Ms. Cox and seconded by Mrs. King, the following resolution was placed on the table:

WHEREAS, On October 16, 2001, the Board of Education took tentative action to adopt Policy CNE, Facility Improvements That Are Not Funded with Montgomery County Revenues, and release it for public comment; and

WHEREAS, The Board of Education Policy Committee has reviewed the public comments, conducted information forums to answer questions regarding the proposed policy,
Resolved. That the draft Policy CNE, Facility Improvements That Are Not Funded with Montgomery County Revenues, which was tentatively adopted by the Board of Education on October 16, 2001, be revised to incorporate recommended changes received from the Board of Education Policy Committee; and be it further

Resolved. That the revised draft policy be tentatively adopted and released for public comment.

RESOLUTION NO. 385-02   Re:   AN AMENDMENT TO THE TENTATIVE POLICY CNE, FACILITY IMPROVEMENTS THAT ARE NOT FUNDED WITH MONTGOMERY COUNTY REVENUES

On motion of Mr. Burnett and seconded by Mrs. King, the following resolution was adopted unanimously by members present:

Resolved. That the Board of Education amendment the tentative policy at C.3.c):

The director of the Department of Facilities Management will present the request for facilities improvement and the funding plan to the Board of Education for its approval prior to notifying the entity that whether they may proceed with the fund-raising activities.

RESOLUTION NO. 386-02   Re:   TENTATIVE POLICY CNE, FACILITY IMPROVEMENTS THAT ARE NOT FUNDED WITH MONTGOMERY COUNTY REVENUES

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

WHEREAS, On October 16, 2001, the Board of Education took tentative action to adopt Policy CNE, Facility Improvements That Are Not Funded with Montgomery County Revenues, and release it for public comment; and

WHEREAS, The Board of Education Policy Committee has reviewed the public comments, conducted information forums to answer questions regarding the proposed policy, and considered staff input; now therefore be it

Resolved. That the draft Policy CNE, Facility Improvements That Are Not Funded with Montgomery County Revenues, which was tentatively adopted by the Board of Education on October 16, 2001, be revised to incorporate recommended changes received from the Board of Education Policy Committee; and be it further
Resolved, That the revised draft policy be tentatively adopted and released for public comment.

Facility Improvements That Are Not Funded with Montgomery County Revenues

A. PURPOSE

To provide guidelines for accepting non-Montgomery County government funds for facility improvements

B. ISSUE

The Board of Education recognizes that private organizations, parent groups, or non-Montgomery County governmental agencies at times want to provide financial support for facility improvements that would normally not be funded as part of county-supported programs. The Board also recognizes that while these improvements are not essential, they do provide opportunities to create facility features that are compatible with neighboring buildings or enhance community and school activities.

C. POSITION

1. Non-Montgomery County government funds may be used for facility improvements that:
   
   a) Support activities that benefit a school-sponsored activity or the school as a whole
   
   b) Supplement architectural or aesthetic enhancements to the facility for neighborhood compatibility
   
   c) Enhance community use of schools; such as a larger gymnasium than would normally be provided as part of a new school, modernization, or addition project
   
   d) Provide replacement of equipment or physical plant elements

2. Appropriate funding sources include:

   a) Parent-Teacher associations
b) Other parent-sponsored groups, such as booster clubs

c) Non-Montgomery County governmental agencies

d) Private organizations

3. Guidelines

a) Requests to provide financial support for facilities improvements must be reviewed and receive tentative approval in advance of any such activities by the director of the Department of Facilities Management in collaboration with the principal or site administrator.

b) The request must include a plan for financial support and sufficient assurances that the entity donating the funds will meet the agreed upon financial obligation.

c) The director of the Department of Facilities Management will present the request for facilities improvement and the funding plan to the Board of Education for its approval prior to notifying the entity whether they may proceed with the fund-raising activities.

d) The group providing the funds for facility improvements under this policy will plan and supervise all fund-raising activities sponsored by the organization and will abide by established financial management procedures.

e) All funds received for facility improvements under this policy must be appropriated in accordance with Montgomery County financial regulations.

f) The director of the Department of Facilities Management will ensure that the necessary appropriation requests are presented to the Board of Education for approval and the funding is allocated by the Montgomery County Council before any work begins on the facility improvements.

D. DESIRED OUTCOMES

This policy is designed to allow for contributions for facilities improvements from non-Montgomery County funding sources. This will strengthen the relationships between the school system and various groups within the community.
E. IMPLEMENTATION STRATEGIES

The superintendent will establish administrative regulations or other administrative procedures that may be necessary for implementing the guidelines outlined in this policy.

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. 387-02  Re:  CLOSED SESSION RESOLUTION

On recommendation of the Superintendent and on motion of Mrs. King seconded by Mr. Burnett, 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 Thursday, September 12, 2002, in Room 120 of the Carver Educational Services Center to meet in closed sessions from 8:30 to 10:00 a.m., 12:00 to 2:00 p.m., and 5:00 to 5:05 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the State Government Article, consult with counsel to obtain legal advice, as permitted by Section 10-508(a)(7) of the State Government Article; review and adjudicate appeals in its quasi-judicial capacity; and to discuss matters of an 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 July 25, 2002, by unanimous vote of members present, the Board of Education voted to conduct a closed session as permitted under the Education Article § 4-107 and State Government Article § 10-501, et seq., of the Annotated Code of Maryland.

The Montgomery County Board of Education met in closed session on July 25, 2002, from 6:30 to 7:55 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and/or adjudicated the following appeals: 2001-32, 2002-10, 2002-
2. Reviewed the Superintendent’s recommendation for human resources appointments, subsequent to which the votes to approve were taken in open session.

3. Considered the acquisition of real property for a public purpose and matters directly related thereto.

4. Consulted with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the State Government Article.

5. 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, Mihyar Alnifaidy, Larry Bowers, Judith Bresler, Kermit Burnett, Sharon Cox, Reggie Felton, Sean Gallagher, Roland Ikheloa, Nancy King, Don Kress, Frieda Lacey, Walter Lange, Joe Lavorgna, George Margolies, Judie Muntner, Pat O’Neill, Brian Porter, Glenda Rose, Janice Turpin, Jerry Weast, James Williams, and Mary Pat Wilson.

RESOLUTION NO. 388-02  Re:  MINUTES OF THE MAY 28, 2002, MEETING

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

Resolved, That the Board of Education approve its minutes of the May 28, 2002, meeting.

RESOLUTION NO. 389-02  Re:  MINUTES OF THE JUNE 11, 2002, MEETING

On motion of Mr. Lange and seconded by Mrs. King, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve its minutes of the June 11, 2002, meeting.

RESOLUTION NO. 390-02  Re:  MINUTES OF THE JUNE 24, 2002, MEETING

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

Resolved, That the Board of Education approve its minutes of the June 24, 2002, meeting.

RESOLUTION NO. 391-02  Re:  MINUTES OF THE JULY 1, 2002, MEETING

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

Resolved, That the Board of Education approve its minutes of the July 1, 2002, meeting.

RESOLUTION NO. 392-02 Re: MINUTES OF THE JULY 1, 2002, SWEARING IN OF THE STUDENT BOARD MEMBER

On motion of Mr. Alnifaidy and seconded by Mr. Burnett, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve its minutes of the July 1, 2002, swearing in ceremony.

RESOLUTION NO. 393-02 Re: MINUTES OF THE JULY 9, 2002, MEETING

On motion of the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve its minutes of the June 11, 2002, meeting.

RESOLUTION NO. 394-02 Re: MINUTES OF THE JULY 25, 2002, MEETING

On motion of — the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve its minutes of the June 11, 2002, meeting.

RESOLUTION NO. 395-02 Re: APPEAL 2002-29

On motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-29, admission to Blair magnet, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm.

RESOLUTION NO. 396-02 Re: APPEAL 2002-35

On motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-35, admission to Eastern magnet, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm.

RESOLUTION NO. 397-02 Re: APPEAL 2002-37

On motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted:
Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-37, admission to Blair magnet, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Lange, and Mrs. O’Neill voting to affirm.

RESOLUTION NO. 398-02 Re: APPEAL T-2002-41

On motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-41, student transfer, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O’Neill voting to affirm; Mr. Felton was absent.

RESOLUTION NO. 399-02 Re: APPEAL T-2002-42

On motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-42, student transfer, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O’Neill voting to reverse; Mr. Felton was absent.

RESOLUTION NO. 400-02 Re: APPEAL T-2002-43

On motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-43, student transfer, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O’Neill voting to affirm; Mr. Felton was absent.

RESOLUTION NO. 401-02 Re: APPEAL T-2002-44

On motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-44, student transfer, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O’Neill voting to reverse; Mr. Felton was absent.

RESOLUTION NO. 402-02 Re: APPEAL T-2002-45

On motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-45, student transfer, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O’Neill voting to reverse; Mr. Felton was absent.
RESOLUTION NO. 403-02  Re:  APPEAL T-2002-48

On motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-48, student transfer, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O’Neill voting to reverse; Mr. Felton was absent.

RESOLUTION NO. 404-02  Re:  APPEAL T-2002-49

On motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-49, student transfer, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O’Neill voting to reverse; Mr. Felton was absent.

RESOLUTION NO. 405-02  Re:  APPEAL T-2002-50

On motion of Mrs. King seconded by Ms. Cox, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-50, student transfer, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O’Neill voting to affirm; Mr. Felton was absent.

RESOLUTION NO. 406-02  Re:  APPEAL T-2002-51

On motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-51, student transfer, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O’Neill voting to reverse; Mr. Felton was absent.

RESOLUTION NO. 407-02  Re:  APPEAL T-2002-52

On motion of Mrs. King seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-52, student transfer, reflective of the following vote: Mr. Abrams, Mr. Alnifaidy, Mr. Burnett, Ms. Cox, Mrs. King, Mr. Lange, and Mrs. O’Neill voting to reverse; Mr. Felton was absent.

Re:  NEW BUSINESS

There was no new business.
Re: ITEMS OF INFORMATION

The following items were available:

1. Legal Fees Report
2. Minority-, Female-, or Disabled-owned Business Procurement Report for the Fourth Quarter of FY 2002
3. Construction Status Report

RESOLUTION NO. 408-02 Re: ADJOURNMENT

Resolved, That the Board of Education adjourn its meeting of August 26, 2002, at 2:45 p.m.

_____________________________________________________________________

PRESIDENT

_____________________________________________________________________

SECRETARY

JDW:gr