

APPROVED
25-2004

Rockville, Maryland
August 24, 2004

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, August 24, 2004, at 1:00 p.m.

Present: Mr. Sharon W. Cox, President
in the Chair
Dr. Charles Haughey
Mr. Walter Lange
Dr. Henry Lee
Mrs. Patricia B. O'Neill
Mr. Gabe Romero
Mr. Sagar Sanghvi, Student Board Member
Dr. Jerry Weast, Secretary/Treasurer

Absent: Mr. Kermit V. Burnett

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

RESOLUTION NO. 489-04 Re: **CLOSED SESSION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Romero, 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 closed session on August 24, 2004, in Room 120 from 9:00 a.m. to 1:00 p.m. to discuss the Human Resources Monthly Report and Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) 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 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 August 24, 2004, 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. 490-04 Re: APPROVAL OF THE AGENDA

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

Resolved, That the Board of Education approve its agenda for August 24, 2004.

Re: PUBLIC COMMENTS

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Kate Savage	Richard Montgomery High School
2.	J. P. Marple	Staffing at Lucy V. Barnsley Elementary School
3.	Mark Drury	Career Education
4.	Phyllis Marcuccio	East Rockville Master Plan

RESOLUTION NO. 491-04 Re: PROCUREMENT CONTRACTS OF \$25,000 OR MORE

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Sanghvi, 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. 9365.1, Tilden Middle School Interior Wood Doors, Hardware, and Accessories, be rejected due to budgetary restrictions; and

WHEREAS, Funds have been budgeted and/or identified for the purchase of copier systems through RFP No. 4139.1; and

WHEREAS, The acquisition of copier systems through lease/purchase arrangements has been reviewed by legal counsel; and

WHEREAS, The Board of Education of Montgomery County determined that BCE Corporation was the lowest responsible bidder meeting specification on RFP No. 4139.1, Copier Systems, and awarded a contract to BCE Corporation at its June 21, 2004, meeting; and

WHEREAS, The Board of Education of Montgomery County has determined that it is in the public interest and that the cost parameters are within the current budget for the school system to acquire the copiers through a Lease/Purchase agreement subject to cancellation in the event of non-appropriation; and

WHEREAS, BCE Corporation has arranged for M&T Bank to finance the acquisition of the copiers through a Lease/Purchase Agreement totaling \$6,200,271 for the five-year period, in accordance with the terms and conditions of the specifications; now therefore be it

Resolved, That Bid No. 9365.1, Tilden Middle School Interior Wood Doors, Hardware, and Accessories, be rejected due to budgetary restrictions; and be it further

Resolved, That the Board of Education of Montgomery County authorize the acquisition of the copiers from BCE Corporation through a Lease/Purchase Agreement with M&T Bank at favorable municipal rates; and be it further

Resolved, That the proceeds from the financing be used to reimburse Montgomery County Public Schools' accounts to the extent that copier systems will be acquired before closing; and be it further

Resolved, That the Board president and superintendent be authorized to execute the documents necessary for this transaction; and be it further

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

001IT 814724	Vehicle Purchases for the Division of Construction	
	<u>Awardee</u>	
	Criswell Chevrolet, Inc.	\$ 59,727
1033.2	Legal Services	
	<u>Awardees</u> (See note)	
	Knight, Manzi, Nussbaum & LaPlaca, P.A.	
	Jeffrey A. Krew, LLC	
	Reese & Carney, LLP	
	Total	\$ 600,000
4042.3	Boiler Supplies and Associated Materials—Extension	
	<u>Awardees</u>	

	Applied Industrial Technologies	\$ 17,799
	The Boiler Store	19,000
	Complete Boiler System	44,091
	HM Sweeny Company	38,040
	M&M Controls, Inc.	10,000
	Noland Company	114,214
	Thomas Somerville Company	129,491
	Southern Utilities Company, Inc.	<u>33,366</u>
	Total	\$ 406,001
4045.6	Telephone Equipment—Extension	
	<u>Awardees</u>	
	Allegheny Electronics	\$ 400
	Alltel Communications Products, Inc.	2,738
	Capitol Cable & Technology, Inc.	16,044
	Chesapeake Communications	4,350
	Chesapeake Telephone Systems, Inc.	25,750
	Graybar Electric Company, Inc.	28,450
	JT Tronics, Inc.	134,650
	Mouser Electronics, Inc.	<u>200</u>
	Total	\$ 212,582
4047.4	Flooring Materials—Extension	
	<u>Awardee</u>	
	Capitol Building Supply	\$ 32,176
	Continental Flooring Company	<u>5,993</u>
	Total	\$ 38,169
4075.3	Plumbing Supplies—Extension	
	<u>Awardees</u>	
	Best Plumbing Specialties, Inc.	\$ 802
	Colt Plumbing	2,000
	Grainger, Inc.	3,205
	JA Sexauer, Inc.	814
	PDQ Supply, Inc.	1,208
	Share Corporation	540
	Thomas Somerville Company	127,044
	Southern Utilities, Company, Inc.	1,338
	Superior Specialties Company, Inc.	46,750

	Trayco of SC, Inc.	4,857
	US Supply Company	1,741
	Wolverine Brass Works	<u>1,044</u>
	Total	\$ 191,343
4095.2	Lamps—Extension	
	<u>Awardees</u>	
	B&B Lighting Supply, Inc.*	\$ 41,476
	CN Robinson Lighting Supply Company	51,223
	Scott Electric	39,452
	Shepherd Electric Company, Inc.	2,428
	United Electric Supply	1,881
	Vantage Lighting, Inc.	4,539
	Vista, Inc.	<u>2,197</u>
	Total	\$ 143,196
4102.2	Recycled Toner Cartridges—Extension	
	<u>Awardee</u>	
	PS Data Supply	\$ 134,271
7065.5	Custodial Supplies—Extension	
	<u>Awardees</u>	
	Abel Industries, Inc.	\$ 7,690
	Acme Paper & Supply Company, Inc.	413,280
	Calico Industries, Inc.	71,078
	City Group, Inc.*	2,202
	Consolidated Maintenance Supply, Inc.*	175,650
	Daycon Products Company, Inc.	169,193
	S. Freedman & Sons, Inc.	666
	Gabriel First Corporation	3,001
	Genesis II, Inc.*	32,330
	Holt Paper & Chemical Company	36,999
	The L.L. Clean Company*	16,655
	Lynn Ladder & Scaffolding Company, Inc.	1,708
	Matworks	8,835
	Metrochem Industries, Inc.	12,318
	National Supply Company	13,591
	Porters Supply Company, Inc.	9,698
	Portionpac Chemical Corporation	1,980

	Pyramid School Products	1,582
	Safeware, Inc.	1,270
	Spectrowax Corporation	11,493
	Unisource	109,043
	W. Wiederrecht Marketing, Inc.	558,449
	Frank W. Winne & Son, Inc.	<u>655</u>
	Total	\$1,659,366
7083.3	Custodial Equipment—Extension	
	<u>Awardees</u>	
	A. Liss & Company	\$ 770
	Abel Industries, Inc.	10,823
	Acme Paper & Supply Company, Inc.	10,165
	Best Supply, Inc.	326
	J.D. Brophy, Inc.*	1,284
	City Group, Inc.*	43,155
	Daycon Products Company, Inc.	99,398
	District Janitorial Repair Company, Inc.	699
	Fitch Company*	2,188
	National Supply Company	21,657
	Odorite	49,890
	Xpedx	<u>4,300</u>
	Total	\$ 244,655
7125.1	Transportation Services for MCPS Students—Extension	
	<u>Awardee</u>	
	Regency Cab, Inc.	\$ 130,000
7126.1	Paper Towels—Extension	
	<u>Awardee</u>	
	S. Freedman & Sons, Inc.	\$ 130,849
7130.1	Poster Printer and Supplies	
	<u>Awardee</u>	
	Signature Presentation Products	\$ 35,927
7134.1	Computer-to-plate Lithographic Printing Equipment	

	<u>Awardee</u> Walker Supply Company, Inc.	\$ 88,300
9135.2	Frozen Cookie Dough	
	<u>Awardee</u> Otis Spunkmeyer, Inc.	\$ 50,000
	Software for Automating DIBELS and Running Recording Assessment	
	<u>Awardee</u> Wireless Generation	\$ 375,000
	Instructional Content for On-line Media Services	
	<u>Awardee</u> United Learning	\$ 223,851
	Reading Assessment Software	
	<u>Awardee</u> Northwest Evaluative Association	\$ 333,000
	TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000	\$5,056,237

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

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 492-04 Re: AWARD OF CONTRACTS – NORTHWOOD HIGH SCHOOL ADDITION

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

WHEREAS, On December 9, 2003, the Board of Education authorized staff to utilize a construction management process for the Northwood High School reopening project, with work to begin July 1, 2004, and be completed by August 2006; and

WHEREAS, The following low bids were received on July 8, 2004, from the listed subcontractors for the specified trades for the Northwood High School reopening project:

<u>Low Bids</u>	<u>Amount</u>
Concrete—Dance Brothers	\$1,048,200
Masonry—KaRon Masonry, Inc.	1,158,000
Carpentry—Homewood General Contractors, Inc.	3,102,100
Mechanical—C & H Mechanical Corporation	6,841,000
Electrical—Mills-Russell, Inc.	2,413,300

and

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

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

WHEREAS, The low bidders have all completed similar work successfully; now therefore be it

Resolved, That contracts be awarded to the above-referenced subcontractors meeting specifications for the Northwood High School project, for the amounts listed, in accordance with drawings and specifications prepared by Fanning/Howey Associates.

RESOLUTION NO. 493-04 Re: **AWARD OF CONTRACT – CHEVY CHASE ELEMENTARY SCHOOL WATER REMEDIATION**

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

WHEREAS, The following sealed bid was received on July 15, 2004, for the Chevy Chase Elementary School water remediation project:

<u>Bidder</u>	<u>Amount</u>
C. A. Lindman, Inc.	\$176,000

and

WHEREAS, The work included in this project is largely self-performed by the bidder, and there is limited opportunity for Minority Business Enterprise (MBE) participation; and

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

WHEREAS, C. A. Lindman, Inc., has completed similar work successfully; now therefore be it

Resolved, That a \$176,000 contract be awarded to C. A. Lindman, Inc., for the Chevy Chase Elementary School water remediation project, in accordance with drawings and specifications prepared by Zavos Architecture + Design.

RESOLUTION NO. 494-04 Re: AWARD OF CONTRACT – NEELSVILLE INFANTS & TODDLERS

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

WHEREAS, The following sealed bids were received on August 10, 2004, for the foundation, utilities, and site work for the modular building to house the Infants and Toddlers Program at Neelsville Middle School:

<u>Bidder</u>	<u>Amount</u>
Stevenson Group Contracting, Inc.	\$761,846
Smith & Haines, Inc.	820,000
Keller Brothers, Inc.	842,000

and

WHEREAS, The low bidder, Stevenson Group Contracting, Inc., is an African-American, Maryland Department of Transportation-certified minority firm; and

WHEREAS, Stevenson Group Contracting, Inc., has completed similar work successfully; now therefore be it

Resolved, That a \$761,846 contract be awarded to Stevenson Group Contracting, Inc., for the foundation, utilities, and site work for the modular building to house an Infants and Toddlers Program at Neelsville Middle School, in accordance with drawings and specifications prepared by SmolenPEmr + Associates Architects.

RESOLUTION NO. 495-04 Re: ARCHITECTURAL APPOINTMENT – ELEMENTARY SCHOOL CLASSROOM ASSESSMENT STUDY

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

WHEREAS, It is necessary to appoint an architectural firm to assess facility needs for the implementation of full-day kindergarten to all students and prekindergarten programs to economically disadvantaged students by September 2007; and

WHEREAS, Funds for this assessment were programmed as part of the FY 2005 Capital Budget; and

WHEREAS, The scope of the study requires more than one firm; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, selected JK Architects + Associates and The K Group, who are minority firms, to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated fees for these architectural services; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firms of JK Architects + Associates and The K Group, to provide professional architectural and engineering services for an elementary school classroom assessment study for fees of \$179,235 and \$182,080, respectively.

RESOLUTION NO. 496-04 Re: **ARCHITECTURAL APPOINTMENT – FARMLAND ELEMENTARY SCHOOL**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Farmland Elementary School addition, which includes a 28,000-square-foot building and various site modification work; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$5,200,000; and

WHEREAS, Funds for this architectural planning were programmed as part of the FY 2005 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, selected Cochran, Stephenson, and Donkervoet, Inc., to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for these architectural services that includes one consultant, who is a minority firm; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Cochran, Stephenson, and Donkervoet, Inc., to provide professional architectural and engineering services for the Farmland Elementary School addition for a fee of \$397,700.

RESOLUTION NO. 497-04 Re: **ARCHITECTURAL APPOINTMENT – LOIS P. ROCKWELL ELEMENTARY SCHOOL GYMNASIUM**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Lois P. Rockwell Elementary School gymnasium addition; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$850,000; and

WHEREAS, Funds for this architectural planning were programmed as part of the FY 2005 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, selected SmolenPEmr + Associates Architects, the architects for the original building, to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for these architectural services that includes one consultant who is a minority firm; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of SmolenPEmr + Associates Architects to provide professional architectural and engineering services for the Lois P. Rockwell Elementary School gymnasium addition for a fee of \$94,550.

RESOLUTION NO. 498-04 Re: **GRANT OF UTILITY EASEMENT AT ROCKY HILL MIDDLE SCHOOL**

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

WHEREAS, The Potomac Electric Power Company, Verizon Maryland, Inc., and Washington Gas have jointly requested a grant of utility easement at Rocky Hill Middle School, located at 22401 Brickhaven Way in Clarksburg; and

WHEREAS, The utility easement, consisting of 41,640 square feet, will allow the installation, operation, and maintenance of electrical, communication, and gas transmission facilities to serve the adjacent residential community; and

WHEREAS, The easement will not affect any land that could be used for school programming and recreational facilities; and

WHEREAS, All construction, restoration, and future maintenance will be performed without disrupting the instructional program and at no cost to the Board of Education, and with Potomac Electric Power Company, Verizon Maryland, Inc., and Washington Gas or their contractors assuming liability for all work; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a grant of utility easement of 41,640 square feet to Potomac Electric Power Company, Verizon Maryland, Inc., and Washington Gas at Rocky Hill Middle School.

RESOLUTION NO. 499-04 Re: **DECLARATION OF PUBLIC IMPROVEMENTS EASEMENT AT ROCKY HILL MIDDLE SCHOOL**

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

WHEREAS, The Washington Suburban Sanitary Commission (WSSC) and Montgomery County have requested a Declaration of Public Improvements Easement at Rocky Hill Middle School, located at 22401 Brickhaven Way in Clarksburg, as a part of the final design and construction of Little Seneca Parkway; and

WHEREAS, The Declaration of Public Improvements Easement, consisting of 12,110 square feet configured in a 12-foot-wide strip, is for the purposes of installing, maintaining, operating, rehabilitating, or removing public improvements such as street paving, curb and gutter, street lights, street trees, traffic control signs, and water meters; and

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

WHEREAS, The Declaration of Public Improvements Easement will benefit the surrounding community by providing pedestrian 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 Declaration of Public Improvements Easement of 12,110 square feet to the Washington Suburban Sanitary Commission and Montgomery County along Little Seneca Parkway, adjacent to Rocky Hill Middle School.

RESOLUTION NO. 500-04 Re: **PROPERTY EXCHANGE AGREEMENT – LINCOLN CENTER**

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

WHEREAS, In August 2003, proposals were received by the Department of Facilities Management for the exchange of land and improvements along North Stonestreet Avenue for a new materials management facility; and

WHEREAS, The proposals were evaluated using criteria to determine the most beneficial proposal in terms of location, cost, and other related factors; and

WHEREAS, Based on the evaluation criteria, the proposal submitted by a partnership between Webb Tract, LLC, and Centex Homes was determined to be the most beneficial proposal; and

WHEREAS, An Exchange Agreement with a 120-day study period has been negotiated with Web Tract, LLC, and Centex Homes for the sale and redevelopment of the Board's landholdings on North Stonestreet Avenue in exchange for a turnkey 120,000-square-foot warehouse on a 10.5-acre industrial subdivision lot; and

WHEREAS, The exchange site, located on Snouffer School Road, is well located to serve the school system's materials management and ancillary operations; and

WHEREAS, The agreement is contingent on obtaining the necessary governmental approvals to dispose of the North Stonestreet Avenue property; and

WHEREAS, The agreement has been reviewed by the Board's attorney and recommended for acceptance by staff; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute an Exchange Agreement with a 120-day study period with Webb Tract, LLC, and Centex Homes for the sale and redevelopment of the Board's landholdings on North Stonestreet Avenue in exchange for a turnkey 120,000-square-foot warehouse on a 10.5-acre

industrial subdivision lot, subject to governmental approvals; and be it further

Resolved, That staff be authorized to begin the process to obtain approval of this agreement by the appropriate governmental authorities; and be it further

Resolved, That the County Council be requested to pass a special bill to Chapter 11B, Section 45 of the Montgomery County Code of 1994 on the Disposition of Real Property to authorize the exchange of the North Stonestreet Avenue property for a new warehouse on the Webb Tract property.

RESOLUTION NO. 501-04 Re: UTILIZATION OF THE FY 2005 PROVISION FOR FUTURE SUPPORTED PROJECT FUNDS

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

WHEREAS, The grant qualifies for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 15-631, approved May 27, 2004; and

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

WHEREAS, Sufficient appropriation is available, within the FY 2005 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 2005 Provision for Future Supported Projects, as specified below:

<u>Projects</u>	<u>Amount</u>
Maryland Equipment Incentive Fund Program	<u>\$ 26,985</u>
Total	<u>\$ 26,985</u>

and be it further

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

RESOLUTION NO. 502-04 Re: HUMAN RESOURCES MONTHLY REPORT

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by

Dr. Haughey, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve the Human Resources Monthly Report dated August 24, 2004.

RESOLUTION NO. 503-04 Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective August 25, 2004:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Michael Smith	Special Education Teacher, Rocky Hill MS	Coordinator, Alternative Programs at Emory Grove Center

Re: READINESS FOR THE OPENING OF SCHOOLS

Dr. West invited the following people to make a presentation: Dr. Frieda K. Lacey, deputy superintendent of schools; Mr. John Q. Porter, deputy superintendent, Office of Strategic Technologies and Accountability; and Mr. Larry A. Bowers, chief operating officer. The following people were available to answer Board questions: Mr. Matthew A. Tronzano, associate superintendent, Office of Human Resources; Mr. Dale E. Fulton, associate superintendent, Office of Curriculum and Instructional Programs; Ms. Darlene Merry, associate superintendent, Office of Organizational Development; Dr. Carey M. Wright, associate superintendent, Office of Special Education and Student Services; and Mr. Donald H. Kress, chief school performance officer, Office of School Performance.

Staff members throughout the school system have been working since well before the closure of the previous school year to prepare not only for another successful opening of school for students, but also for a successful school term. Dr. Weast knew that the Board would join him in thanking all MCPS staff members for their excellent work and effort to get ready for the arrival of students on August 30.

The presentation was organized by the executive staff office responsible for certain activities, projects, and work related to the opening of schools and the establishment of a successful school year. There is a significant cross-functional collaboration among many of the offices, departments, and units signifying the degree to which the readiness efforts reflect a high level of organizational cooperation, team work, and strategic planning.

The summer involved significant training and planning. The primary goal is to build the capacity of all staff to meet the objectives in *Our Call to Action: Pursuit of Excellence* strategic plan. A comprehensive professional development plan for the year was devised. Important work related to this plan began rolling out this summer in a number of areas, including curriculum implementation, improvement in instructional practices, and leadership development. Training focused on providing consistent messages and expectations to staff by requiring training for teachers and communicating the content of that training to building administrators and teacher leaders. The common thread throughout the curriculum implementation and leadership training was meeting the needs of all students, with emphasis on English language learners and special education students.

At the elementary level, curriculum-implementation training continued on the revised curriculum for kindergarten through Grade 5. In addition, first and second grade teachers received training to deepen their understanding of meeting the learning needs of English language learners and special education students. All third grade teachers received mandatory training in curriculum implementation. All fourth and fifth grade teachers received mandatory training in reading/language arts and mathematics implementation.

On the secondary level, training in instructional strategies for the successful inclusion of students in the Least Restrictive Environment occurred in the areas of Algebra, Mathematics C, and English 9. Also, Geometry teachers were trained in how to use the revised curriculum.

In addition to the required training, a number of opportunities for voluntary training were offered this summer, including prekindergarten training, kindergarten training, and enhancement of curriculum implementation in middle schools.

Summer school was available to students at either regional or local school locations. Approximately 7,000 high school students and 1,300 elementary school students attended the regional summer school that was held at four high schools and six elementary schools. Class offerings included English for Speakers of Other Languages (ESOL), English, social studies, math, science, and health. Local summer school offerings included enrichment and credit-recovery programs. These courses included Algebra 1, Geometry, Biology and English. In collaboration with the Office of Curriculum and Instructional Programs, 16 high schools offered Essentials of Algebra to incoming Grade 9 students who needed extra support and preparation in order to be successful in Algebra 1.

Summer assessment teams conducted evaluations of approximately 615 students to have the students' Individualized Education Programs (IEPs) in place prior to the start of school. Extended School Year (ESY) services were provided in 37 different school locations for approximately 2,151 students. These services were provided to students from preschool to high school, addressing IEP goals associated with autism, emotional disabilities, learning disabilities, deaf and hard of hearing, vision, augmentative and alternative communication, physical therapy, occupational therapy, and speech/language services.

The International Student Admissions Office (ISAO) implemented a vigorous outreach program to encourage an early enrollment of incoming international students. This outreach included information sent to local ethnic newspapers and broadcasts on television stations, such as Univision and Telemundo. The ISAO expected to process approximately 2,400 students during the peak summer enrollment period. Staff members in the ISAO speak Spanish, three dialects of Chinese, Korean, French, Portuguese, and Italian. Additional staff brought in for the summer speak Farsi, Hindi, Punjabi, and Urdu.

The Office of School Performance (OSP) worked with administrators, the Office of Organizational Development, and a broad stakeholder group to implement successfully the A&S Professional Growth System (PGS). In collaboration with the Office of Curriculum and Instructional Programs, OSP piloted the kindergarten-readiness materials and organized training on the new SAT and writing across the curriculum. To advance the goal of ensuring success for every student, cluster meetings and retreats were held to plan vertical articulation and cluster-specific supports for student achievement. In addition, 46 schools participated in training on the Baldrige School Improvement process, joining 39 others who are currently

employing the Baldrige process. All schools conducted successful leadership weeks that examined school-based data to drive the instructional focus for the FY 2005 school year. Aggressive recruitment and selection processes in the Office of Human Resources (OHR) have resulted in more than 540 teachers being under contract for the opening of school this year. At the same time last year, 650 teachers were under contract. MCPS has experienced lower teacher turnover during the past two years. This is a result of a lower retirement rate and the strong support provided to new teachers which fosters success.

In conjunction with the Office of Organizational Development, each novice teacher has been assigned a consulting teacher, and each teacher new to MCPS with previous teaching experience is assigned an in-school mentor. Over the summer, the Department of Staffing conducted daily monitoring of new hires and transfers into Title I schools to achieve compliance with the *No Child Left Behind Act of 2001* (NCLBA) requirements to have teachers and paraeducators designated "highly qualified" in all Title I schools.

Support services employment significantly increased due to the FY 2004 hiring freeze. The pool of candidates for support services positions is strong. The revised procedures for filling paraeducator vacancies has streamlined the process for placing involuntary transfers, and all placements were completed by the end of the first week in August. It is expected that all paraeducator vacancies will be filled in time for the opening of schools.

Student Systems staff has continued to work on adding Web-based student information system functionality. New Web-based features, enabling standardized student test results and student demographic data to be accessed online, are nearing completion and will be ready to be implemented in late September. Similarly, in late October, an additional Web-based attendance collection application module will be implemented for elementary schools. Also in October, the Student Systems team will pilot the high school vertical articulation model in the Downcounty Consortium schools. This application provides school administrators with additional information on student achievement.

The Office of Organizational Development and the Instructional Management System (IMS) project team provided foundational training in the use of the IMS to Grades 4 and 5 teachers, in support of the curriculum rollout. Teachers in kindergarten through Grade 3 also received refresher IMS training. The registration process for this summer's professional development offerings was managed through the IMS for the first time. Beginning in March 2004 and continuing throughout the summer, teachers were able to register using the IMS. The added enhancements to the IMS staff development module also have begun to more closely integrate registration, course management, and payroll functions. Work continues to integrate into the IMS additional functionalities to support the display and reporting of assessment data captured through handheld devices, providing further time savings and real-time information for teachers.

The technology refreshment in schools continued throughout the summer. This process enables staff and students to receive maximum benefit of the technology from the opening day of school. Additionally, the technology modernization program supports the implementation of many initiatives in the school system's educational technology plan. More than 9,900 computers were installed in 47 schools, including 10 high schools, 13 middle schools, 21 elementary schools, and 3 special schools. More than 8,200 old computers were removed from schools and prepared for cascading to other schools, donating to nonprofit organizations, or disposing of in an environmentally safe manner. In addition to computers, schools received printers, projectors, and updates to their network infrastructure.

The Data Warehouse System component of the Integrated Quality Management System continues to evolve, and profiles have been included to support the NCLBA and Maryland School Assessment requirements. These profiles provide both summary and student-level information on school performance. Through the Data Warehouse System, users have information available that can be accessed and used to guide student instruction, support school improvement plan development, identify focus subgroups for instruction, and follow academic achievement trends of ethnic and gender groups.

Implementation of the Grade 8 Residency Verification Initiative has continued throughout the summer. As of August 16, 2004, required documentation verifying Montgomery County residency has been submitted for about 99.0 percent of rising Grade 9 students. Efforts will continue to obtain residency compliance for the remaining 161 students through home visits made by pupil personnel workers.

The Office of the Chief Operating Officer provides high-quality products, resources, and services essential to the educational success of students. A number of critical activities occurred during the summer to ensure a smooth opening of schools.

The modernizations of Rockville High School and Glen Haven Elementary School were completed. The new Rocky Hill Middle School is complete; however, the fields will not be available for the beginning of the school year. All but 17 of the needed 72 relocatable classrooms will be ready when school begins. The remaining 17 units will be installed and ready to use by the end of September. Principals have made contingency plans to house students in the main building until the relocatable classrooms are available. Other major summer projects included improvements to the corridor at Damascus High School; an addition of a gymnasium at Dr. Charles Drew Elementary School; and improved safe access to Beverly Farms, Cold Spring, Galway, Monocacy, Stedwick, Judith A. Resnick, and Washington Grove elementary schools and Ridgeview and Shady Grove middle schools.

Rockville High School and Glen Haven Elementary School were relocated back to their modernized facilities, and Northwood High School reopened this summer. New furniture for all three projects is in place in classrooms for the start of the school year. Oak View

Elementary School was relocated to the Fairland Center, Kensington Parkwood Elementary School was moved to the Grosvenor Center, and Rocky Hill Middle School was relocated to the "new" Rocky Hill facility.

Numerous logistical relocations of small programs, such as learning and academic disabilities classes, a Special Education Learning Center, autism classes, and pre-K and Infants and Toddlers programs, have been completed. Through collaboration with the Office of Strategic Technologies and Accountability, the Department of Materials Management delivered more than 9,500 computers to 46 schools for the Tech Mod computer program. Staff at the Taylor Science Materials Center has refurbished more than 9,900 science kits. The delivery of these kits was completed by August 15. The Procurement Office and Media Processing Services have processed more than 17,000 purchase transactions for schools and offices. All major warehouse supply deliveries were completed by August 18.

The Department of Food Services and Nutrition worked to ensure that all schools will open with a manager position that is filled with either a permanent placement or a substitute. On August 12, 2004, start-up food and supply orders were delivered to the schools. Staff also is working with Division of Construction staff to ensure that all new/renovated kitchens and dining rooms are ready for the opening of schools. Information for August school newsletters on the cafeteria School Nutrition Accountability Program (SNAP) was sent to schools in mid-June. The preprinted Free and Reduced-price Meals System (FARMS) applications for the 2004–2005 school year were delivered to school offices by August 24, 2004, for distribution to students on the first day of school.

The Department of Transportation began work on outfitting all buses with two-way radios using the old Montgomery County Police Department frequencies and transmitters. This project is scheduled for completion by the end of September. A total of 1,230 buses will be on the road for the first day of school. Route planning for students in general education programs was completed by mid-July, including transportation to and from schools at the mid-day hour, such as prekindergarten, Head Start, and school community-based programs. Planning for students in special and alternative programs has progressed smoothly. A countywide Student Orientation Day is scheduled for Thursday, August 26, and all bus operators and bus attendants will complete a dry run on that day in preparation for the opening of school.

The Department of School Safety and Security has been working with all schools and facilities to upgrade their individual emergency/crisis plans. Field security coordinators will meet with their assigned school administrators to assist in completing the emergency/crisis plan and train school-based staff. All members of the school's on-site emergency team, including principals and facility directors, are required to attend both levels of crisis preparedness training if they have not already done so. Also, schools are required to practice a minimum of two Code Red and two Code Blue drills throughout the school year. All school-based security staff will have received training prior to the start of the new school year, and will meet

on a monthly basis with the security teams to discuss issues and concerns. This school year, the Educational Facilities Officer (EFO) program has expanded to 17 EFOs working with county schools. The EFO and the school's field security coordinator will participate in the school's emergency/crisis preparedness efforts, including fire evacuation drills, Code Red/Blue drills, and emergency/crisis preparedness training.

The Department of Communications and Public Information has prepared to support the opening of school with publicity activities that include press conferences; press releases and advisories; media telephone contacts; and Web and Internet postings to highlight major events, activities, and projects associated with the opening of schools. This office has worked with staff from the Board of Education to set up the strategic budget forums occurring in September and October.

The new publication, *Navigating the System: A Parent's Guide to the Montgomery County Public Schools*, was distributed to all families. Other parent information and publications are being updated. The Electronic Graphics and Publishing Services unit has designed and produced publications and graphic products required for the opening of schools. These publications include the *Student Rights & Responsibilities* booklet; the *Parental Safeguards* booklet; the new *Learning, Grading, and Reporting Guidelines*, a grading and reporting brochure for schools and parents; an SAT preparation brochure, and the Middle School Program bulletin. The Web Services unit has updated the MCPS Web site. A countdown to the first day of school will appear on the home page, beginning the day the teachers return. The unit has launched the new version of the staff directory, and it has prepared to launch the Strategic Plan Web site by late September.

The Instructional TV unit is preparing numerous television programs to support communication to parents and staff training. A parent video on grading and reporting will be available to schools for back-to-school nights. Regular programs, such as "Our Schools Today" (in six languages), "Take Ten," "Diez Minutos," "Education Matters," "Cover to Cover," and "News Update" have been airing in the summer; and new programs will start in the fall. These shows provide important information about school system programs, initiatives, and activities.

Re: DISCUSSION

Dr. Lee was impressed by the work of staff. He was at White Oak Middle School, and he was pleased with the training that took place this summer.

Dr. Haughey asked if there would be an opportunity for Board members to have a demonstration of some of the new technology. He also asked if there were alternatives to the traditional buses for special education students. Mr. Bowers replied that the Department of Transportation works to find alternatives that are cost-effective. Since vans cannot be used based on state law, the department uses regular school buses or, in some cases, taxis for

special education students.

Mr. Romero inquired about staffing for ESOL positions. Mr. Bowers reported that there were no full-time ESOL vacancies and only one part-time vacancy.

Mr. Romero commented on the diversity of the workforce. He commended staff for their work. Also, he noted that the diversity workforce must be qualified. Even though there is not a pool for diverse math and social studies teachers, he hoped that MCPS would continue to hire diverse staff in those disciplines.

Mr. Romero asked what provisions were made at schools that will not have all their portables in place before the beginning of school. Mr. Bowers stated that all principals have a contingency plan for setting up the classrooms in the main building.

Mr. Lange stated that he appreciated the booklet, *Navigating the System*. That information will go a long way to inform parents what is available and how students can participate. He was gratified by the extent of staff development over the summer. He asked for clarification on the training for staff for ESOL and special education students. Ms. Merry replied that all teachers of first and second graders received a full-day of training, one-half of which was on ESOL and the other half on special education students. The training focused on the least restrictive environment (LRE) and teaching strategies.

Ms. Cox asked if this kind of training would be embedded with all curriculum staff development. Ms. Merry responded that this training was for 3rd, 4th, and 5th grade teachers. It is now integrated into all future training.

Ms. Cox was interested in schools that offer the Essentials of Algebra to incoming 9th graders who need extra support. How is that evaluated? How is the system tracking to ascertain success? Mr. Fulton responded that the Department of Shared Accountability is doing a study to evaluate those courses. Ms. Cox thought that information would be helpful for budget and strategic discussions.

Mr. Lange thought there was tremendous progress on the data warehouse and technology modifications, and he looked forward to a full presentation on these topics. In speaking to a parent at the International Student Admissions Office, he discovered that the parent learned about the school system through searching the Web, and he concluded that the Web is a very powerful tool for the school system.

Mrs. O'Neill encouraged all Board members to have a technology demonstration, especially for handheld data recording devices.

Ms. Cox congratulated staff on behalf of the Board for all the hard work that had been

accomplished over the summer. She was pleased that communications and public information were proactive in anticipating questions from the community. She asked about Baldrige training and the number of parents involved. Mr. Kress responded that 46 schools participated in training, and the initial report was that 13 schools did not have parent participation. In following up, four schools did have parents and the other nine had invited parents but their schedules precluded involvement. Principals understand that parents are a vital part of the school improvement teams.

**Re: NUTRITION AND PHYSICAL EDUCATION
PROGRAMS**

Dr. Weast invited the following people to the table: Mrs. Kathleen Lazor, director, Division of Food and Nutrition Services; Mr. Russ Henke, coordinator of health education, Department of Curriculum and Instruction; and Ms. Terri McCauley, coordinator of physical education, Department of Curriculum and Instruction.

During the September 9, 2003, Board of Education meeting, the Board received information regarding the public health issues related to overweight and obese youth that have reached epidemic proportions in Montgomery County and the nation. In the past two decades, the number of overweight children and teens has tripled. Twenty-five percent of children are either overweight or at risk of being overweight. Diseases that once were thought to be "adult" diseases, such as hypertension, elevated cholesterol levels, and Type II diabetes, are now appearing in children. There has been a tenfold increase in the number of children with Type II diabetes in the past five years. Only 2 percent of youth have diets that meet the Food Guide Pyramid recommendations for all five major food groups, and fewer than 20 percent of teenage girls have diets that meet the recommended daily intake for calcium. Causes of obesity can be attributed to a decrease in physical activity, changes in food supply, food portions, and types of foods eaten.

Schools play a powerful role in influencing student behavior. Dietary habits that contribute to students' learning, achievement, and lifelong health are influenced at school. Nutrition education provides students with the knowledge, skills, and foundation for healthy eating. MCPS has well-integrated nutrition education and physical education programs. The county's school meals, nutrition education, and physical education programs are nationally known for being planned with foresight and for being an integral part of the school day.

On October 27 and December 9, 2003, the Board of Education passed resolutions to convene a work group of stakeholders to include principals, parents, students, parent-teacher association representatives, and health/nutrition professionals. They were charged with reviewing the types of snacks and beverages available to students during the school day through vending machines and school stores and making recommendations to change to healthier options. The group also examined the current contract language for the snack

machines. The work group's recommendations were accepted by the Board on March 3, 2004, and will be implemented with the start of the 2004–2005 school year.

School Meals Program

School breakfast and lunch meals must meet the nutritional requirements established by the United States Department of Agriculture (USDA). Averaged over a week, the breakfast meal must meet 25 percent and the lunch meal must meet 33 percent of the Recommended Dietary Allowances for children, based on age ranges. The meals must provide 30 percent or less of their calories from fat and less than 10 percent of their calories from saturated fat. The meals also must meet specific requirements for protein, calcium, iron, vitamin A, and vitamin C. The USDA has no specific nutritional requirements for the a la carte program that is intended to supplement a student's meal. However, the Division of Food and Nutrition Services incorporated nutritional parameters for a la carte foods and beverages offered, beginning with the 2002–2003 school year. Currently, the revised nutritional requirements established by the committee also will apply to foods and beverages offered through the a la carte program.

The division is continually revising the student menu to meet student needs and expectations and to provide a well-balanced, nutritious meal at an affordable price. This year, the menu will include two new items—a cheese quesadilla and a taco pocket. The secondary school menu will add a specialty salad, in addition to other entrée salads. Also, the formulation of the smoothie beverage has been changed to 100 percent fruit juice. The a la carte offerings have been changed to meet the new requirements. Portion sizes of items, specifically chips and some snack cakes, will be smaller. Ice cream will be low fat, and a frozen fruit bar will be offered.

The division has created a focus group that includes representatives from six high schools to explore ways to better meet the needs of students and staff. The group met with students and staff to listen to their ideas. Many suggestions were offered including enhancing the dining space to modifying the food offerings and packaging. Initiatives identified by the focus group will be implemented in the 2004–2005 school year. The division will continue to roll out enhancements to the middle school meals program, based on the 2003–2004 Team Nutrition project at North Bethesda Middle School.

The Division of Food and Nutrition Services will have oversight of the foods and beverages sold to students during the school day. Staff from the Office of the Chief Operating Officer and the Division of Food and Nutrition Services met with the beverage and snack vending companies to review contract language, the process for approving snack foods and beverages that meet the established nutritional requirements, and the hours of operation. In addition, the Division of Food and Nutrition Services staff met with high school business managers to clarify questions and discuss the implementation for the changes relating to vending machine and school store food and beverage sales.

Nutrition Education Instruction

During the 2003–2004 school year, nutrition education was emphasized in the health education curriculum. Teacher training and instructional materials were provided through a partnership with the MCPS Division of Food and Nutrition Services, the Montgomery County Department of Health and Human Services, and the University of Maryland Cooperative Extension Service.

In an effort to provide teachers with instructional strategies that emphasize practical application of nutrition information, staff from the Department of Health and Human Services and the University of Maryland Cooperative Extension Service developed lesson plans that focused on healthy food selection. The lesson plans include Web-based activities that require students to develop menus and perform a nutritional analysis. The lessons were developed for the middle and high school levels and were shared with teachers at their spring health education teacher workshops. Teachers then had the opportunity to implement the lessons with their students during the spring semester health education classes.

Throughout the school year, teachers periodically received updated information about national trends in obesity prevention and nutrition education. This information was provided, for the most part, by school system partners and was distributed at teacher workshops or as e-mail attachments. As part of the Secondary Leaders Curriculum and Leadership Summer Training in July 2004, secondary health and physical education resource teachers received a half-day update on obesity prevention and nutrition education. Once again, this was planned and implemented collaboratively. Resource teachers indicated that they found the information helpful for use with students.

During the 2004–2005 school year, the Division of Food and Nutrition Services staff will continue to inform staff, students, and the community about the changes being made to improve the nutritional value of foods provided in vending machines, school stores, and on the school's a la carte menu. Staff will continue to work with MCPS partners and provide classroom teachers at each level with updated information, instructional strategies, and materials that emphasize good nutrition and healthy approaches to weight control and exercise.

Physical Education Program

The MCPS physical education curriculum is currently under revision. This summer, the curriculum-writing team developed a pre-K–12 Physical Education Curriculum Framework based on the Maryland Physical Education Content Standards. The content standards are based on the scientific principles of exercise physiology, biomechanics, social psychology, and motor learning. These scientific principles enhance health and well-being, contribute to fitness and motor-skill development, and explain why and how movements can be performed safely and effectively. The six standards reflect knowledge and skills that students acquire

throughout the pre-K–12 physical education curriculum to improve their ability to plan and engage in lifelong physical activity.

The updated curriculum will provide teachers and students with a continuous sequence of learning that is firmly rooted in educational research and focus on the total self by addressing the cognitive, social, emotional, and physical development of the student. The revised curriculum will emphasize critical thinking, decision-making, and problem-solving skills in physical education and serve as a guide for teaching children and youth how to apply new knowledge and how to become lifelong learners.

Information on health-related fitness and nutrition will be added to the curriculum. This content will provide students with the fundamental knowledge and skills necessary for a healthy, active lifestyle. Fitness, nutrition, and wellness concepts will be integrated into instructional units. It is important to note that the nutrition content that was previously delivered to students only in health education classes, now will be included in the revised physical education curriculum. Because an understanding of nutrition information is so vital to developing and maintaining a healthy lifestyle, the Maryland State Department of Education and MCPS have recognized the need to have these concepts taught in physical education, thereby complementing the health education curriculum in showing the relationship between fitness and nutrition.

In addition, MCPS will increase “active learning time” during class meetings to improve achievement in health and physical fitness. The development of a standards-based curriculum in physical education demands more active learning as students strive to mark progress toward achievement of each standard. Teachers will use technological equipment to keep students actively participating in physical education activities. Equipment will include the following:

- Heart rate monitors to measure the heart rate, as well as time spent in the training zone.
- Pedometers to measure steps taken inside and outside of class (as students strive to take 10,000 steps a day) and caloric burn (as students begin to understand how food is fuel and that burning calories is important in weight maintenance).
- Accelerometers to measure energy expenditure in class and provide a reading of active learning time for students during a class period.

The Fitnessgram also will be used to enable students to tailor their activities to their own needs, as determined by fitness testing. This criterion-referenced software program stores data and provides students with written summaries and recommendations for improving and maintaining fitness levels. A number of schools across the county have begun to introduce this resource to students. In MCPS, the goal is to have students learn how to measure, record, and monitor their individual fitness (with age-appropriate tools); assess their individual goals; and modify their movement behavior to ensure a healthy level of fitness.

MCPS Instructional TV produced "Healthy Bodies, Healthy Minds," which presents the relationship between the school meal program, the nutrition education curriculum, and the physical education curriculum offered to students. Mr. Russ Henke, coordinator of health education, Department of Curriculum and Instruction, and Mrs. Kathy Lazor, director, Division of Food and Nutrition Services, have collaborated on another TV production to discuss the new nutritional requirements.

Re: DISCUSSION

Mrs. O'Neill thanked staff for its efforts in nutrition and physical education. A year ago, the Board started the conversation about vending machines and nutritious food. Instructional television did a wonderful program on linking health issues.

Mr. Lange thanked the community and its urging for the school system to move forward on nutritional issues. He asked if there was any parent education on nutrition. Ms. Lazor replied that information is provided through the Web site, elementary school menu, media, and newsletters.

Mr. Lange was pleased that physical fitness training includes critical-thinking and decision-making skills. He would like to see those skills woven into all curricula.

Mr. Romero asked how the software package works for students. Ms. McCauley replied that the students go to the computer lab. The heart rate monitors are used in the gym, but downloaded in the labs. This information is used to monitor the physical fitness of students.

Dr. Haughey asked what is meant by a tactical approach to a game. Ms. McCauley explained that the teacher would create an environmental design with a series of problems for the student to solve to improve game skills.

Dr. Haughey wanted staff to continue informing parents on the changes in nutrition and physical education. The more families understand what is being done, the more beneficial instruction will become.

Mr. Sanghvi stated that he appreciated the vegetarian foods provided by the cafeteria. He asked about the procurement process for foods. Ms. Lazor explained that foods come through a procurement bid process. All vendors must comply with the specifications for nutritional standards.

Dr. Lee noted that many ethnic groups do not get information on traditional outreach efforts. He also pointed out that serving sizes are as important as the food served. Finally, pediatricians believe that juices are not a whole lot better than sodas because they are simple carbohydrates.

Ms. Cox remarked that she had the benefit of a presentation by the PE teacher at Darnestown Elementary School on the heart monitors and how engaging they are for students and families. She asked staff to address the relationship of grading and curriculum revisions. Ms. McCauley explained that the grading policy provides various opportunities for multiple assessments. If a student does not master a skill, the student may have an understanding of skills with technical aspects.

Ms. Cox noted that the system was moving toward coordination of health and physical education curriculums. She asked if the teachers will have certification in both health and physical education. Mr. Henke stated that at the middle and high school levels more teachers are dually certified than certified in only one area.

**Re: UPDATE ON MARYLAND SCHOOL
ASSESSMENTS**

Dr. Weast invited the following people to the table: Dr. Karen K. Harvey, director, Department of Curriculum and Instruction; Mr. Donald H. Kress, chief school performance officer, Office of School Performance; and Dr. Theresa Alban, director, Department of Shared Accountability.

Maryland State Department of Education's (MSDE) accountability program will comply with the mandates of the *No Child Left Behind (NCLB) Act*. In the upcoming weeks, final decisions regarding the status of Adequate Yearly Progress (AYP) for schools and the school system, as well as proficiency results for Grades 4, 6, and 7 on the MSA will be announced by MSDE. Monitoring progress on the MSA is a data point for Goal 1 of *Our Call to Action: Pursuit of Excellence*, the MCPS strategic plan.

On June 15, 2004, Dr. Weast provided the Board of Education with a report on the performance on the most recent MSA for MCPS. The school system exceeded the state's proficiency rate at every grade level on the MSA. In addition, the achievement gap by race and ethnicity was narrowed, and improvements were made in the performance of students receiving special education services. From this information, it is apparent that MCPS continues to progress toward the goal of having all students college ready by the time they graduate. New information about baseline student performance in Grades 4, 6, and 7 is pending release by MSA.

Student performance and participation on the MSA in reading and mathematics are the major components in determining whether or not schools make AYP. The preliminary AYP report issued by MSDE in late June 2004 showed that 90 percent of all MCPS schools had met the requirement so far in 2004 compared to 75 percent in 2003. While there are many reasons to celebrate success in achieving AYP, the years ahead will present increasingly difficult challenges as the school system strives to achieve the goal of 100 percent of students being proficient in reading and mathematics by 2014. These challenges and how MCPS is preparing to address them are an important component of today's presentation.

Students in Grades 3–8 and Grade 10 participated in the MSA and Alternate MSA (Alt MSA) testing in the 2003–2004 school year. Students' scores on these tests in reading and mathematics are categorized as basic, proficient, and advanced. According to NCLB standards, 100 percent of students are to reach proficient status on these assessments by 2014. The reading and mathematics scores for students in Grades 3, 5, and 8 and the reading scores for students in Grade 10 were released in June 2004. This was the second administration of the MSA in these grades and proficiency standards had already been determined. Scores for the geometry MSA, the mathematics test for high school, will be released shortly. This test is an end-of-course test administered in late May or early June and

scoring occurs over the summer. The reading and mathematics scores for students in Grades 4, 6, and 7 also will be released soon. The MSA was administered for the first time in these grade levels, and standards for proficiency had to be set over the summer and adopted by the Maryland State Board of Education in July.

Adequate Yearly Progress

Student performance and participation in MSA testing for reading and mathematics are the major components in determining whether or not schools make AYP. Schools must reach annual measurable objectives (AMOs) in the percentage of students achieving proficient or above in reading and mathematics and have at least 95-percent participation in testing for the total school population including the five racial/ethnic subgroups (African American, American Indian, Asian American, Hispanic, and White), students with limited English proficiency, students receiving special education services, and students receiving free and reduced-price meals. In all, there are 37 cells for which schools must meet targets in order to meet AYP. Failure to achieve the target in any of these cells prevents a school from meeting AYP. For elementary and middle schools, attendance for the total school population is considered a measure in determining AYP, whereas in high schools, the graduation rate is the additional measure considered. To meet AYP, the school system must meet targets in 38 cells because it is responsible for both attendance and graduation rates. Failure by a school or the school system to meet AYP for two consecutive years will result in entering the state improvement process.

After several changes in the federal NCLB requirements, the MSDE applied for approval of changes to the state's accountability system. Some of these changes were approved and some are pending. The following changes to AYP calculations were implemented in 2004:

- Students with limited English proficiency who entered a United States school for the first time were exempt from MSA testing. Their participation in the IDEA Proficiency Test (IPT) fulfilled their requirement to participate in state testing.
- The calculation for the Limited English Proficiency (LEP) subgroup included students who had exited the ESOL program within the past two years.
- In 2003, students who received the verbatim reading accommodation on the Grade 3 reading test had their scores invalidated and counted as "basic" in AYP calculations. In 2004, the scores of these students were not invalidated. Students receiving this accommodation in Grade 3 were given a score based on two of the three reading subtest scores for the MSA, thus making it possible for these students to achieve proficient status.
- In 2003, the geometry scores of students in high school were counted using a cohort model (scores of Grade 12 students only, to be followed in 2004 with scores of Grades 11 and 12 students, and so on). In 2003, the scores of middle school students were counted in the school system's AYP calculations. For 2004, this cohort model was discontinued. The scores of all students taking the geometry MSA will be counted in

the school system's AYP calculations, and the scores of students in Grades 9–12 will be counted in the calculation of AYP for high schools.

- There was an AMO of 80.99 percent for the graduation rate in 2003. In 2004, schools and school systems will have to show an improvement of 0.1 percent over the 2003 graduation rate in order to meet AYP.
- Safe Harbor was applied for the first time in 2004 because there were MSA data for two years on which to base the decision. Safe Harbor is applied when the percentage of students in a subgroup that did not make AYP decreased by 10 percent from the previous year, and the same subgroup showed improvement on one or more of the other academic indicators.

A preliminary report on AYP calculations was issued by MSDE in June 2004. The data were preliminary because geometry scores were not yet available for high schools or the school system calculations. Also, the MSDE is still waiting for a final decision by federal officials on potential rule changes for calculating school system results, which may impact the AYP status of school systems.

Based on these preliminary AYP calculations, nine schools entered Alert Status in 2004. These schools met AYP in 2003 but not in 2004; thus, if these schools do not make AYP in 2005, they will enter School Improvement Year 1 status. In 2004, 10 schools moved into School Improvement Year 1 after not making AYP in 2003 or 2004. Six schools maintained their School Improvement Year 2 status because they met AYP in 2004 and will exit school improvement if they meet AYP in 2005. One school (Highland Elementary School) entered Corrective Action after not meeting AYP in 2003 or 2004. Three schools exited School Improvement in 2004—Broad Acres, Burnt Mills, and Summit Hall elementary schools—because they met AYP in both 2003 and 2004.

Elementary schools and middle schools that did not meet AYP were given the opportunity to review the data used by MSDE in making the determination in case there were reasons for appeal. The most common reasons for appealing AYP decisions were discrepancies occurring from the miscoding of students who were then incorrectly attributed to the wrong subgroup or including students in AYP calculations who had not been enrolled in the school for a full academic year. Schools were asked to submit documentation to support their appeals. Four schools applied for an appeal in 2004—Benjamin Banneker, Shady Grove, and Montgomery Village middle schools, and Colonel Zadok Magruder High School. On August 16, 2004, we received a response from the state indicating that the appeals of both Montgomery Village Middle School and Colonel Zadok Magruder High School resulted in the determination that they had met AYP. The appeals of Benjamin Banneker and Shady Grove middle schools resulted in no further action. They remain on the list of schools that did not make AYP.

When final AYP calculations are released by MSDE in late August, any high school whose

status changes because of the inclusion of geometry results also will have the opportunity to review the data and file appeals, if appropriate.

While there are many reasons to applaud the performance of schools on achieving AYP in 2004, several considerations and cautions must be noted for the future.

- Many schools have met AYP because of the confidence interval or Safe Harbor, which means they have not actually reached the AMO. Each year, the AMO will increase in order to reach the goal of 100 percent proficient by 2014. Schools that are below the AMO, but meeting AYP because of the confidence interval or Safe Harbor will face a considerable challenge as the difference between their actual performance and the target continues to widen.
- In 2005, the AMO will be calculated using scores from Grades 3, 4, and 5 for elementary schools and Grades 6, 7, and 8 for middle schools. The addition of these other grades will increase the number of students in each cell. As the number of students increases, the width of the confidence interval will decrease. Schools that have met AYP for certain subgroups because of the confidence interval must be aware of the potential impact of the increase in the number of students participating in testing.
- Schools that did not meet AYP in 2003, but met AYP in 2004, will be placed in School Improvement Year 1 if they fail to make AYP in 2005.
- Making AYP requires improvement in every cell. Several schools did not meet AYP in 2003 because of particular cells. These schools improved performance in those cells only to have their performance in a different cell not meet the AMO in 2004. The improvement does not prevent the school from moving into the next phase of School Improvement because AYP requires that the AMO for every cell be achieved every year.

Elementary reading in MCPS employs a balanced literacy model that addresses reading, writing, speaking, listening, and viewing. The approach incorporates guided reading, shared reading, and independent reading during a reading block. Although this approach works well for the majority of students, some students need additional support. Students enter school at various readiness levels, and the early success program for pre-K–Grade 2 is very effective in preparing students to be proficient readers. The high mobility rate of students in MCPS and the varying learning styles of children affect the ability of all students to read on grade level.

MCPS is focused on the development and implementation of an aligned curriculum, instruction, assessment, and reporting system. The alignment began with pre-K–2 curriculum and assessment as the *Early Success* plan was implemented. The assessments were developed internally and validated externally to predict student performance on state assessments. The MCPS Assessment Program-Primary Reading (MCPSAP-PR) began the focus on early assessment and has evolved into the Dynamic Indicators of Basic Early Literacy Skills (DIBELS) Plus. This is a partnership between MCPS and Wireless Generation

to develop an early literacy assessment using handheld technology. For all students in Grades 3–5, the reading assessments will include a technology-based achievement test, Measure of Academic Performance–Reading (MAP–R) from Northwest Evaluation Associates. The Stanford Diagnostic Reading Test will be administered to students identified as exhibiting reading difficulties to diagnose specific skill deficits. All of the assessment data will provide a body of evidence that will assist the teacher in planning instruction and monitoring progress in reading.

The Office of Curriculum and Instructional Programs in collaboration with the Office of School Performance began a reading intervention program in fall 2003. The Department of Shared Accountability (DSA) provided data on the students who met the identified criteria in Grades 2, 3, and 5. The plan supported the 25 schools that were most at risk of not meeting AYP, including Title I schools in School Improvement Year 2. Other schools that had disaggregated groups that met the criteria also were invited to participate.

Generally, the interventions were scheduled for five days per week for 45–60 minutes per session. The principal determined who would provide the interventions to small groups of students. Reading specialists, staff development teachers, media specialists, special education teachers, ESOL teachers, etc. were individuals who were trained on the interventions.

Horizons Fast Track and *Language for Learning* published by SRA were the interventions for Grades 2 and 3. These scientifically based reading research materials were selected because they use a direct-instruction approach. This process for teaching provided the students with a different approach for learning to read. For Grade 5, schools were provided with the options to use *Corrective Reading* by SRA, *Quick Reads* by Modern Curriculum Press, or *Soar to Success* by Houghton-Mifflin. DIBELS was used as the outcome monitoring for Grades 2 and 3, and Grade 5 used MSA.

The 25 schools were offered the opportunity to participate this year. Four of the 25 schools are Reading First schools and their interventions are directed by the Reading First program for Grades K–3. Grades 2 and 3 in selected schools will continue to use *Horizons Fast Track*. Grade 4 has been added to the interventions at the request of the principals to provide support for both intermediate grades. In Grades 4 and 5, schools selected one of four pilots available to study the impact and effectiveness of the reading models being implemented. The Reading First schools will implement the core reading program, *Houghton Mifflin 2005* and *Corrective Reading*, as the intervention. Four schools have selected balanced literacy and additional guided reading groups. Fifteen schools have selected balanced literacy and *Corrective Reading* as the intervention. Two schools have selected balanced literacy and *Corrective Reading* or additional guided reading as the intervention with specific students.

Schools will identify staff to attend training on *Corrective Reading*, *Horizons* and additional

guided reading groups. The Department of Shared Accountability is working with the Department of Curriculum and Instruction to flag the students in each of the interventions to study the impact of the programs on student achievement. The study will be evaluated over a three-year period. Grade 2 will use the California Test of Basic Skills (CTBS) and the MCPS–Assessment Program (MCPSAP) as data points. Grades 3, 4, and 5 will use MAP-R from Northwest Evaluation Association and Maryland School Assessment (MSA).

The plan is to begin the interventions in September to affect student achievement. Fidelity of implementation is key and will be monitored by principals, assistant principals, and reading specialists. In the Reading First schools, the fidelity will be monitored by principals, assistant principals, reading coaches, Reading First project specialists, and MSDE Reading First project specialists.

The MCPS provides a curriculum and assessments that are aligned to the MSA. Fidelity of implementation of the curriculum guide and the Harcourt math materials is essential to improve student achievement. All students must be exposed to the curriculum to the fullest extent possible and provided opportunities for the challenge items. Reteaching and reassessment are essential for students who have minimal understanding. Special education students should receive their mathematics instruction from the regular classroom teacher to the extent possible.

Assessments in the guides include preassessments, formative assessments, and summative assessments. To provide teachers with just-in-time data, the Department of Curriculum and Instruction is researching computer-assisted assessments that will serve as springboards to action.

Currently, the interventions for mathematics are scheduled for Extended Day and Extended Year programming due to time constraints in the regular school day. The recommended mathematics program for these sessions outside of school is the After School Achievers Math Club for Grades 3, 4, and 5. The Department of Curriculum and Instruction continues to research programs that can be used to support students beyond the regular school day or year.

As previously stated, MCPS has its first school to move into corrective action, Highland Elementary School. Applying the MSDE performance standards and evaluative criteria, Highland was identified as a “School in Need of Improvement” in the 2002–2003 school year, based on not achieving AYP for two consecutive years on the MSPAP.

Year 1 of the Maryland school improvement process required that Highland develop an improvement plan designed to raise the performance of any subgroup of students that did not meet the state standard. In addition, as a Title 1 school in need of improvement, Highland was required to offer parents the option of school choice. Highland did not make AYP at the end

of its first year of school improvement for Limited English Proficiency (LEP) students in both reading and mathematics, for Hispanic students in reading, and for Free and Reduced-price Meals System (FARMS) students in reading. In addition, in six other subgroups of student performance, Highland met the confidence interval but not the Annual Measurable Objective (AMO) target for the school. Based on these results, Highland entered Year 2 of school improvement. Parents were again offered school choice with the additional provision of supplemental services, which included tutoring and academic intervention programs.

At the end of the Year 2 of school improvement, the 2003–2004 school year, Highland again did not make AYP. It is important to note, however, that the school did make AYP in all of the subgroup scores that it had not met the previous year, achieving major gains across many groups of test takers. It did not make AYP for special education mathematics students in Grades 3 and 5, and the number of subgroups in which it made AYP through the application of the confidence interval was reduced to three. The school now will move into Year 3 of School Improvement for the 2004–2005 school year, deemed by MSDE as “Corrective Action.”

MSDE regulations provide that the local school system direct all changes to schools in the corrective action phase of school improvement. MSDE suggests, “These changes could include replacing school staff, adopting a new curriculum, decreasing school level management authority, and extending the school day or school year.” In addition to any of these corrective actions, the school must continue to offer school choice and supplemental services.

This summer, Dr. Frieda K. Lacey, deputy superintendent of schools, in close collaboration with the Office of School Performance, has assembled a cross-functional team to guide the corrective actions to be taken at Highland. That team has been committed to developing and supporting a framework for how all stakeholders will work together to design the plan that will support high levels of achievement for all students at Highland. It is anticipated that, if necessary, this framework will be comprehensive enough to guide any future corrective actions in any other schools.

The first step in the corrective action framework has been to develop the Highland Achievement Steering Committee (HASC). In addition to the principal, assistant principal, and representative staff of Highland, members of the HASC include representatives from the following stakeholder groups:

- The Office of the Deputy Superintendent of Schools
- The Office of the Deputy Superintendent of Strategic Technology and Accountability
- The Office of School Performance
- The Office of Human Resources
- The Office of Curriculum and Instructional Programs

- The Office of Special Education and Student Services
- The Office of Organizational Development
- The Division of ESOL/Bilingual Programs
- The Division of Academic Support, Federal and State Programs
- Montgomery County Association of Administrative and Supervisory Personnel (MCAASP)
- Montgomery County Education Association (MCEA)
- Service Employees International Union, Local 500 (SEIU)
- Highland Elementary School Parents
- Title I Principals
- Maryland State Department of Education

The HASC has identified specific goals for the school for 2004–2005, and will hold the Highland School Improvement Planning Team (SIPT) accountable for developing objectives and action steps leading to the achievement of those goals. There will be a consistent and defined relationship between the HASC and the SIPT. One central services staff member of the HASC will serve as a regular member of the SIPT. This individual will be determined by the HASC as the person who could best serve as a liaison between the two groups. In addition, individual members of the HASC will attend SIPT meetings when needed to support the school team. The HASC will facilitate the acquisition of supports and resources that are needed to support the school's plan and to monitor progress.

The processes for designing the School Improvement Plan will be developed by the SIPT. These processes must include continuous assessment of progress toward school goals and modification as appropriate by the SIPT. On a monthly basis, HASC will review the data and progress, and recommend modifications as appropriate. The procedures that are developed by the SIPT should include opportunities for other members of the school community to provide input and feedback in the decision-making processes. The SIPT will identify appropriate subgroups of school, central office staff, and community members to work on specific aspects of its charge. These subgroups will include the appropriate individuals to meet the demands of the assigned tasks. By October 1, 2004, the first report of the SIPT to the HASC will include the school-identified objectives and descriptions of the strategies to monitor delivery of curricula, use of intervention programs, the professional development plan, and the monitoring of student achievement.

Re: DISCUSSION

Mr. Lange asked about the cohort of five students. If one student is absent, the attendance would be less than 95 percent. Dr. Alban explained that the student would be given a score of basic proficiency, but the cohort could not do better than 80 percent. Dr. Weast pointed out that there was a window for a make-up test.

Mr. Romero was interested in the disaggregated data for Highland. He stated that AYP was a complex dynamic with an every changing goal. Dr. Weast stated that the maps give staff an idea of where to focus since next year the assessment for AYP will become more complicated by adding a grade and increasing the rigor.

Mr. Lange inquired about the subgroups of students. He had heard that these groups would count a child once even though the student fit into several categories, such as FARMS, special education, or ESOL. Dr. Weast explained that whatever category a child falls into – that child is counted. For example, if a student is poor, needs special education, and is an English language learner, that child is counted three times. The state has asked for an interpretation of the law, and the state requested that the student be counted only once. So far, the federal government has not responded.

In the chart ramping up the expectations to 100 percent by 2014, Mr. Lange thought it was very aggressive, and he could not imagine anyone attaining that goal. Dr. Weast thought it was important to have a goal, and politically, it is important to aim for 100 percent. These are laudable goals for all school systems, but there needs to be a dialogue throughout the community.

Ms. Cox pointed out that MCPS has a goal of having 100 percent of students ready for college or a career upon graduation. She thought that between now and 2014, there would be changes in the regulations.

Mrs. O'Neill thought that there may be changes to the legislation. There has been a great deal of discussion at the National School Board Association that everything is on hold until after the presidential election. Congress will need to look at funding as well as the regulations in January. The state set the cut scores so that the trajectory is realistic. While MCPS has worked with the Maryland Association of School Boards and the superintendents' organization on the timing of the testing, there has been no decision to make the test later. Furthermore, the cohort in Maryland is five and other states have selected a higher number of students (Virginia at 50 and West Virginia at 25). The state superintendent is committed to move each child forward, and a larger cohort may leave some students behind.

Ms. Cox commented that MCPS has had the same direction as NCLB since the superintendent was hired. The work of the system prior to the legislation and regulations has served the system well. There has been a complete dedication and commitment to the strategic plan to advance student achievement. She asked about the reading initiative and whether the system was tracking the success of students, especially LEP and disabled students. Dr. Harvey stated that some students will need additional help on their IEPs. Additionally, those students are tracked to ascertain the effectiveness of teaching and the curriculum.

Ms. Cox stated that the mission of MCPS is to provide every student with a world-class education. While MCPS is doing well on the MSAs, she understood that NCLB uses the National Assessment of Educational Progress (NAEP) as a benchmark for the states since all states have different assessments and curricula. Does MCPS know if the 75-percent proficiency level equates to achievement at a high level on the NAEP? Dr. Alban replied that when the information is available, the Board will be apprised.

Ms. Cox stated that the goal MCPS is achieving with reading at the third grade level will provide students with a basis for a world-class education. Based on a comparison with the NAEP, people will know that MCPS' students perform well compared to other countries.

Re: BOARD/SUPERINTENDENT COMMENTS

Dr. Weast commented that the Board has taken an important step in involving the public in the early stages of the development of the operating budget. Three public forums this fall will tie budget planning to the goals and initiatives that are part of the school system's strategic plan. He would like to take this opportunity to encourage interested citizens to attend and participate in one or all three of these community forums that are scheduled for September 9, September 23, and October 7. All meetings will begin at 7:00 p.m. and will be held in the Carver Educational Services Center auditorium.

Mr. Lange said he was pleased with the progress made toward the opening of schools which has been confirmed by his recent visits to schools. He was concerned about outreach to parents since several schools plan to rely on e-mail and Web sites. There should be a reminder that there are a variety of ways to communicate to the community.

Mr. Romero reported that he attended the open house at the International Student Admissions Office (ISAO), and he was impressed by the work that is done in that office. Students are coming to MCPS from all over the world.

Dr. Haughey stated that he had been at the open house of the ISAO, and he learned that many students are coming to MCPS from China. Also, he was pleased with the quality of the new teachers hired for the coming school year.

Dr. Lee announced that he was very impressed with the hard work of staff in the preparation for the opening of school.

RESOLUTION NO. 504-04 Re: CLOSED SESSION RESOLUTION

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on Tuesday, September 14, 2004, in Room 120 of the Carver Educational Services Center to meet from 9:00 a.m. to 10:00 a.m. and 12:00 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*; review and adjudicate appeals in its quasi-judicial capacity; and 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.

RESOLUTION NO. 505-04 Re: REPORT OF CLOSED SESSION

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

On July 29, 2004, 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 29, 2004, from 7:00 to 8:30 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and considered the following appeals in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): 2004-37, 2004-38, 2004-39, 2004-40, 2004-41, 2004-42, 2004-44, and 2004-48.
2. Reviewed and adjudicated the following appeals in its quasi-judicial capacity outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*) with a subsequent vote to approve in open session: 2004-17, 2004-18, 2004-19, 2004-20, 2004-21, 2004-22, 2004-23, 2004-24, 2004-25, 2004-26, 2004-27, 2004-28, 2004-29, 2004-30, 2004-31, 2004-32, NEC-2004-21, DCC-2004-22, T-2004-26, NEC-2004-29, T-2004-29, T-2004-30, DCC-2004-31, NEC-2004-33, DCC-2004-34, DCC-204-35, T-2004-38, NEC-2004-40, T-2004-41, NEC-2004-42, T-2004-43, and NEC-2004-45

3. Reviewed the Superintendent's recommendation for a Human Resources Appointments, subsequent to which the vote to approve was taken in open session.
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 sessions were: Aggie Alvez, Kermit Burnett, Pat Clancy, Sharon Cox, Dale Fulton, Charles Haughey, Roland Ikheloa, Mark Kelsch, Frieda Lacey, Walt Lange, Henry Lee, George Margolies, Pat O'Neill, John Q. Porter, Cynthia Rattley, Gabe Romero, Lori Rogovin, Glenda Rose, Sagar Sanghvi, Frank Stetson, and Jerry Weast.

RESOLUTION NO. 506-04 Re: MINUTES FOR MAY 24, 2004, BOARD MEETING

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

Resolved, That the Board of Education approve the minutes for its May 24, 2004, meeting.

RESOLUTION NO. 507-04 Re: MINUTES FOR JUNE 8, 2004, BOARD MEETING

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

Resolved, That the Board of Education approve the minutes for its June 8, 2004, meeting.

RESOLUTION NO. 508-04 Re: MINUTES FOR JUNE 21, 2004, BOARD MEETING

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

Resolved, That the Board of Education approve the minutes for its June 21, 2004, meeting.

RESOLUTION NO. 509-04 Re: APPEAL 2004-37

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2004-37, magnet program admission, reflective of the following vote: Mr. Burnett, Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm.

RESOLUTION NO. 510-04 Re: **APPEAL 2004-38**

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2004-38, magnet program admission, reflective of the following vote: Mr. Burnett, Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm.

RESOLUTION NO. 511-04 Re: **APPEAL 2004-39**

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2004-39, magnet program admission, reflective of the following vote: Mr. Burnett, Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm.

RESOLUTION NO. 512-04 Re: APPEAL 2004-40

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2004-40, magnet program admission, reflective of the following vote: Mr. Burnett, Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm.

RESOLUTION NO. 513-04 Re: APPEAL 2004-41

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2004-41, magnet program admission, reflective of the following vote: Mr. Burnett, Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm.

RESOLUTION NO. 514-04 Re: APPEAL 2004-44

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2004-44, student discipline, reflective of the following vote: Mr. Burnett, Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm.

RESOLUTION NO. 515-04 Re: APPEAL NEC-2004-44

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

Resolved, That the Board of Education adopt its Order in Appeal NEC-2004-44, student assignment, reflective of the following vote: Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm; Mr. Burnett was absent when this case was adjudicated.

RESOLUTION NO. 516-04 Re: APPEAL T-2004-51

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

Resolved, That the Board of Education adopt its Order in Appeal T-2004-51, student transfer, reflective of the following vote: Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm; Mr. Burnett was absent when this case was adjudicated.

RESOLUTION NO. 517-04 Re: APPEAL DCC-2004-54

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

Resolved, That the Board of Education adopt its Order in Appeal DCC-2004-54, student assignment, reflective of the following vote: Ms. Cox, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm; Dr. Lee voted to reverse; Mr. Burnett was absent when this case was adjudicated.

RESOLUTION NO. 518-04 Re: APPEAL T-2004-58

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

Resolved, That the Board of Education adopt its Order in Appeal T-2004-58, student transfer, reflective of the following vote: Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm; Mr. Burnett was absent when this case was adjudicated.

RESOLUTION NO. 519-04 Re: APPEAL T-2004-56

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

Resolved, That the Board of Education adopt its Order in Appeal T-2004-56, student transfer, reflective of the following vote: Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm; Mr. Burnett was absent when this case was adjudicated.

RESOLUTION NO. 520-04 Re: APPEAL NEC-2004-58

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

Resolved, That the Board of Education adopt its Order in Appeal NEC-2004-58, student assignment, reflective of the following vote: Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm; Mr. Burnett was absent when this

case was adjudicated.

RESOLUTION NO. 521-04 Re: APPEAL T-2004-60

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

Resolved, That the Board of Education adopt its Order in Appeal T-2004-60, student transfer, reflective of the following vote: Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm; Mr. Burnett was absent when this case was adjudicated.

RESOLUTION NO. 522-04 Re: APPEAL T-2004-61

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

Resolved, That the Board of Education adopt its Order in Appeal T-2004-61, student transfer, reflective of the following vote: Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to affirm; Mr. Burnett was absent when this case was adjudicated.

RESOLUTION NO. 523-04 Re: APPEAL DCC-2004-58

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

Resolved, That the Board of Education adopt its Order in Appeal DCC-2004-58, student assignment, reflective of the following vote: Ms. Cox, Dr. Haughey, Mr. Lange, and Mr. Sanghvi voting to affirm; Dr. Lee, Mrs. O'Neill, and Mr. Romero voting to reverse; Mr. Burnett was absent when this case was adjudicated.

RESOLUTION NO. 524-04 Re: APPEAL T-2004-67

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

Resolved, That the Board of Education adopt its Order in Appeal T-2004-67, admission to French Immersion Program, reflective of the following vote: Ms. Cox, Dr. Lee, Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to reverse; Mr. Burnett was absent when this case was adjudicated.

Re: **NEW BUSINESS**

There was no new business.

Re: **ITEMS OF INFORMATION**

The following items were available:

1. Legal Fees Report
2. Construction Progress Report
3. Minority-, Female-, or Disabled-owned Business Procurement Report for the Fourth Quarter of FY 2005

RESOLUTION NO. 525-04 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of August 24, 2004, at 5:10 p.m.

PRESIDENT

SECRETARY

JDW:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

August 24, 2004

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