

APPROVED
19-2011

Rockville, Maryland
July 25, 2011

The Board of Education of Montgomery County held a business meeting and closed session at the Carver Educational Services Center, Rockville, Maryland, on July 25, 2011, beginning at 5:05 p.m.

Present: Mr. Christopher Barclay, President
in the Chair
Ms. Laura Berthiaume
Ms. Shirley Brandman
Dr. Judy Docca
Mr. Michael Durso
Mr. Philip Kauffman
Mrs. Patricia O'Neill
Mr. Alan Xie
Dr. Joshua Starr, Secretary/Treasurer

Absent: None

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

With a quorum of the Board of Education, the Board met in open session at 5:00 p.m. in Room 114.

RESOLUTION NO. 383-11 Re: **RESOLUTION FOR CLOSED SESSION**

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Mrs. O'Neill, the following resolution was adopted unanimously:

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 July 25, 2011, in Room 120 from 5:00 to 6:00 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County discuss the Monthly Human Resources and Development Appointments as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County consult with counsel to obtain advice on legal issues concerning the proposed Community Montessori Public Charter School as permitted by Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County select the recipients of the Distinguished Service Awards, which is an administrative function and outside the purview of the *Open Meetings Act*, and to the extent it may fall within the purview of the Act, as permitted under Section 10-508(a)(ii) of the *State Government Article* as a personnel matter that affects one or more specific individuals; and be it further

Resolved, That the superintendent will provide the Sexual Harassment Quarterly Report to the Board which is an administrative function and outside the purview of the *Open Meetings Act*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed session on July 25, 2011, to acquit its administrative functions (receive an update from the superintendent on the transition) and to receive legal advice as the Board adjudicates and reviews appeals, which is a quasi-judicial function outside the purview of the *Open Meetings Act* and as permitted by Section 10-508(a)(7) of the *State Government Article*; and be it further

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

Re: **OPEN SESSION**

The Board of Education met in closed session from 5:05 to 6:05 p.m. After a ten minute break, the Board of Education reconvened in open session at 6:15 p.m.

To view specific portions of the meeting or the entire meeting, please watch
<http://www.montgomeryschoolsmd.org/boe/meetings/archive/2011/2011-0725.shtm>

Re: **PLEDGE OF ALLEGIANCE**

The Board members, staff, and community members recited the Pledge.

RESOLUTION NO. 384-11 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for July 25, 2011.

Re: **PUBLIC COMMENTS**

The following people commented before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Dr. Jennifer Dobbins	Crossway Charter School
2. Serena Crawford	Crossway Charter School

- | | |
|------------------------|---------------------------------------|
| 3. Jaredine Yohn | Crossway Charter School |
| 4. Darlene Baker | Crossway Charter School |
| 5. Kathleen Thompson | Crossway Charter School |
| 6. Kathleen Guinan | Crossway Charter School |
| 7. Radha Nandagopal | Crossway Charter School |
| 8. Dr. Mary Starich | Crossway Charter School |
| 9. Michelle Harris | Crossway Charter School |
| 10. Marianella Peralta | Crossway Charter School |
| 11. James Pekar | Bethesda-Chevy Chase Middle School #2 |
| 12. Winnie Holbrooke | Bethesda-Chevy Chase Middle School #2 |
| 13. Sarah Yoon | Crossway Charter School |
| 14. Shannon Hamm | Bethesda-Chevy Chase Middle School |

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Docca commented on the proposed Montgomery County curfew for young people, and noted Mr. Xie's advocacy on this matter. Both Mr. Barclay and Ms. Brandman commented on the Drive for Supplies thanking the community partners and describing the growing need. Dr. Starr pointed out the 89 National Merit Scholarship Awards, Summer Meals Program celebrated at John F. Kennedy High School, and the Maryland State Department of Education's Summer Academy.

RESOLUTION NO. 385-11

Re: **CONTRACTS OF \$25,000 OR MORE**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Ms. Brandman, the following resolution was adopted unanimously:#

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

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

980300 0105-AA	Maintenance and Repair Underground Stormwater Facilities— Extension	
	<u>Awardee</u> Stormwater Management FRG, Inc.	\$250,000
4271.1	Professional and Supporting Service Training— Extension	
	<u>Awardee</u> Research for Better Teaching	\$ 72,750
4285.1	Consultant for Continuous Improvement Services— Extension	

	<u>Awardee</u> 3M CB, LLC	\$ 75,000
4318.1	Vertical Portable Wheelchair Lift	
	<u>Awardee</u> AGM Container Controls, Inc.	\$ 37,105
7070.9	Printing Supplies	
	<u>Awardees</u> E. H. Walker Supply Company	\$ 1,000
	G. E. Richards Graphic Supplies of Maryland	32,234
	Keystone Printing Ink Company	15,720
	Presstek, Inc.	9,496
	Printers Service	<u>14,024</u>
	Total	\$ 72,474
8151250	Restoration, Service, Remodel at Shady Grove Middle School*	
	<u>Awardee</u> Royln Companies, Inc.	\$ 126,063
9028.3	Tree Removal Services- Extension	
	<u>Awardees</u> (See note below) Mead Tree & Turf Care, Inc.	
	Takoma Tree Experts, Inc.	
	Total	\$ 300,000
9113.4	Smoothie Beverages and Equipment	
	<u>Awardee</u> Ridgefields Brand Corporation	\$ 275,702
TOTAL PROCUREMENT CONTRACTS OVER \$25,000		\$1,209,094

* This is an emergency purchase order.

Note: Contract amounts will be based on individual requirements

RESOLUTION NO. 386-11

Re: **CONTRACT APPROVAL FOR BID NO.
7133.9, CAFETERIA DISPOSABLE
SUPPLIES**

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

WHEREAS, Funds have been budgeted for the purchase of cafeteria disposable supplies through Bid No. 7133.9; now therefore be it

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

7113.9 Cafeteria Disposable Supplies

Awardees

Acme Paper & Supply Company, Inc.	\$ 21,885
Calico Industries, Inc.	5,058
Eastern Bag & Paper Company, Inc.*	7,539
Flavorseal, LLC	18,381
Form Plastics Company	452,025
FPC Holdings	432,817
Par-Pak, Inc.	26,497
Preferred Packaging Sales & Service	2,506
Riverside Paper Supply	171,521
S. Freedman & Sons, Inc.	293,256
Transilwrap Company, Inc.	<u>146,763</u>
Total	\$1,578,248

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

RESOLUTION NO. 387-11

Re: **CONTRACT APPROVAL FOR BID NO.
7094.4, AFTERMARKET AUTOMOTIVE
PARTS—EXTENSION**

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

WHEREAS, Funds have been budgeted for the purchase of aftermarket automotive parts through Bid No. 7094.4; now therefore be it

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

7094.4 Aftermarket Automotive Parts—Extension

Awardees

Academy Ford Sales*	\$ 35,000
American Bus Sales and Service	600,000
Best Battery Company, Inc.	10,000
Fleetpride, Inc.	10,000
J. G. Parks & Son, Inc.	845,700
Johnson & Towers, Inc.	180,300
Johnson Truck Center	235,000
K Neal International Trucks, Inc.*	1,400,000
Kingmor Supply, Inc.	174,000
Looper Servicenter, Inc.	40,000
Northern Virginia Supply, Inc.	90,000
Parts Authority Southern	150,000
R&S Auto & Truck Spring Works, Inc.	25,000
Uni-Select USA, Inc.	<u>5,000</u>
Total	\$3,800,000

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

RESOLUTION NO. 388-11 Re: **AWARD OF CONTRACT—NORTH CHEVY
CHASE ELEMENTARY SCHOOL
GYMNASIUM ADDITION**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Ms. Brandman, the following resolution was adopted unanimously:#

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

WHEREAS, The following sealed bids were received on June 28, 2011, for the North Chevy Chase Elementary School gymnasium addition project:

<u>Bidder</u>	<u>Amount</u>
Keller Brothers, Inc.	\$2,000,000
Henley Construction Company, Inc.	2,046,000
William F. Klingensmith, Inc.	2,084,000
Meridian Construction Company, Inc.	2,084,000
R. J. Crowley, Inc.	2,120,000
Tuckman-Barbee Construction Company, Inc.	2,120,000
J. A. Scheibel, Inc.	2,175,000

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 12 percent; and

WHEREAS, The low bidder, Keller Brothers, Inc., has submitted 12.5 percent Maryland Department of Transportation-certified Minority Business Enterprise participation, of which 6.9 percent is women owned, and 5.6 percent is other Maryland Department of Transportation certified; and

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

Resolved, That a \$2,000,000 contract be awarded to Keller Brothers, Inc. for the North Chevy Chase Elementary School gymnasium addition project, in accordance with drawings and specifications prepared by Grimm + Parker Architects.

RESOLUTION NO. 389-11 Re: **CHANGE ORDER OVER \$100,000**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Ms. Brandman, the following resolution was adopted unanimously:#

WHEREAS, There is a need to increase the capacity of Garrett Park Elementary School from 662 students to 754 students; and

WHEREAS, The modernization of Garrett Park Elementary School, currently under construction, is on schedule to open in January 2012; and

WHEREAS, The master plan for Garrett Park Elementary School included a future four-classroom addition; and

WHEREAS, The proposed addition includes four classrooms and related support spaces for a total of approximately 7,060 square feet; and

WHEREAS, The proposed classroom addition will be complete by June 2012; and

WHEREAS, The completion date for the current contract will be extended to June 30, 2012, for the proposed addition only; and

WHEREAS, The Department of Facilities Management has received the following guaranteed maximum price change order proposal for additional classrooms for the Garrett Park Elementary School modernization project in excess of \$100,000; and

WHEREAS, Staff in the Department of Facilities Management and project architects have reviewed the change order and found it to be acceptable; now therefore be it

Resolved, That the Board of Education approves the following guaranteed maximum price change order for the amount indicated:

Activity 1

Project:	Garrett Park Elementary School Modernization
Description:	Four Classrooms and Related Support Spaces
Construction Manager:	Dustin Construction, Inc.
Amount:	\$1,900,000

RESOLUTION NO. 390-11

Re: **CONSULTANT APPOINTMENTS—
ENVIRONMENTAL STUDIES FOR VARIOUS
PROJECTS**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Ms. Brandman, the following resolution was adopted unanimously:#

WHEREAS, It is necessary to appoint engineering firms to provide environmental consulting services for site and building inspections and preparation of Phase I and Phase II environmental studies on various construction projects on an as-needed basis; and

WHEREAS, A Professional Consultant Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Apex Companies, LLC; ECS Mid-Atlantic, LLC; Schnabel Engineering Consultants, Inc.; and Specialized Engineering as the most qualified firms to provide the necessary professional engineering environmental studies services; and

WHEREAS, Staff in the Department of Facilities Management will negotiate fees for the necessary engineering environmental consulting services based on the size and complexity of individual projects; now therefore be it

Resolved, That the Montgomery County Board of Education enters into a contractual agreement with the firms of Apex Companies, LLC; ECS Mid-Atlantic, LLC; Schnabel Engineering Consultants, Inc.; and Specialized Engineering to provide professional engineering environmental consulting services as requirements arise for a fee not to exceed \$25,000 for an individual project.

RESOLUTION NO. 391-11

Re: **GAITHERSBURG MIDDLE SCHOOL—
CONSERVATION EASEMENT AGREEMENT**

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

WHEREAS, As a part of the modernization project at Gaithersburg High School, the City of Gaithersburg requires forestation and reforestation in accordance with its Forest Conservation law; and

WHEREAS, There is inadequate space at the Gaithersburg High School site to meet the forestation and reforestation requirements without jeopardizing the efficiency of the site for recreational and instructional activities; and

WHEREAS, Suitable area is available for forest conservation at Gaithersburg Middle School, located at 2 Teachers Way in Gaithersburg; and

WHEREAS, A proposed Category I Conservation Easement will protect existing and future forest cover, individual trees, streams and adjacent buffer areas, wetlands, and other sensitive natural features contained in 81,583 square feet at Gaithersburg Middle School and will meet the off-site requirements imposed by the City of Gaithersburg; and

WHEREAS, The proposed conservation easement on the Gaithersburg Middle School site will not affect any land that could be used for school programming or recreational activities and will benefit both the school site and the community by preserving sensitive environmental areas; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Category I Conservation Easement Agreement consisting of 81,583 square feet with the City of Gaithersburg at Gaithersburg Middle School.

RESOLUTION NO. 392-11

Re: **GLENALLAN ELEMENTARY SCHOOL—
GRANT OF FOREST CONSERVATION
EASEMENT**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Ms. Brandman, the following resolution was adopted unanimously:#

WHEREAS, The Maryland-National Capital Park and Planning Commission has requested a Conservation Easement Agreement at Glenallan Elementary School, located at 12520 Heurich Road in Silver Spring, in connection with the school construction project; and

WHEREAS, The proposed conservation easement will protect and prevent any alteration, construction, or destruction of sensitive environmental areas consisting of forest, wetlands, and stream valley buffers configured in two parcels contained in 90,621 square feet within the school site; and

WHEREAS, The proposed conservation easement will not affect any land that could be used for school programming or recreational activities and will benefit both the school site and the community by preserving sensitive environmental areas; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Conservation Easement Agreement consisting of 90,621 square feet with the Maryland-National Capital Park and Planning Commission at Glenallan Elementary School.

RESOLUTION NO. 393-11 Re: **HUMAN RESOURCES APPOINTMENT**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Dr. Docca, the following resolution was adopted unanimously:

Resolved, That the following appointment be approved effective July 26, 2011:

Donna S. Hollingshead, currently executive director, Office of the Deputy Superintendent of Schools, as community superintendent for the Winston Churchill, Richard Montgomery, Rockville, Poolesville, and Thomas S. Wootton Clusters, Office of School Performance

RESOLUTION NO. 394-11 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following appointment be approved effective July 26, 2011:

Beth Schiavino-Narvaez, currently assistant superintendent/chief academic officer, Springfield Public Schools, Springfield, MA, as community superintendent for the Northeast Consortium and Sherwood Cluster, Office of School Performance

RESOLUTION NO. 395-11 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following appointment be approved effective July 26, 2011:

Marcia S. Vogel, currently general manager, communications, Houston Independent School District, Houston, Texas, as supervisor of special projects, Office of Communications

RESOLUTION NO. 396-11 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following appointment be approved effective July 26, 2011:

Jae W. Hwang, currently social studies team leader, grade 8, White Oak Middle School, as administrative assistant to the chief technology officer, Office of the Chief Technology Officer

RESOLUTION NO. 397-11 Re: **HUMAN RESOURCES APPOINTMENT**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Ms. Brandman, the following resolution was adopted unanimously:

Resolved, That the following appointment be approved effective July 26, 2011:

Nancy A. Lucas, currently assistant principal, Burning Tree Elementary School, as coordinator, Preschool Education Program

RESOLUTION NO. 398-11 Re: **HUMAN RESOURCES APPOINTMENT**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Ms. Brandman, the following resolution was adopted unanimously:

Resolved, That the following appointment be approved effective July 26, 2011:

Adrienne L. Karamihas, currently capital budget manager, Department of Facilities Management, as budget and operations manager, Department of Facilities Management

RESOLUTION NO. 399-11 Re: **HUMAN RESOURCES APPOINTMENT**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Dr. Docca, the following resolution was adopted unanimously:

Resolved, That the following appointment be approved effective July 26, 2011:

L. Vicky Lake-Parcan, currently director, Middle School Instruction and Achievement, as principal, Neelsville Middle School

RESOLUTION NO. 400-11 Re: **HUMAN RESOURCES APPOINTMENT**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Dr. Docca, the following resolution was adopted unanimously:

Resolved, That the following appointment be approved effective July 26, 2011:

Arthur Williams, currently principal, Francis C. Hammond Middle School 2,

Alexandria City Public School, as principal, Forest Oak Middle School

RESOLUTION NO. 401-11 Re: **HUMAN RESOURCES APPOINTMENT**

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Ms. Brandman, the following resolution was adopted unanimously:

Resolved, That the following appointment be approved effective July 26, 2011:

Wanda P. Coates, currently assistant principal, Dr. Sally K. Ride Elementary School, as principal, S. Christa McAuliffe Elementary School

RESOLUTION NO. 402-11 Re: **RESOLUTION FOR COMMUNITY
MONTESSORI CHARTER SCHOOL
APPLICATION**

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

WHEREAS, Montgomery County Board of Education Policy CFB, *Public Charter Schools*, sets forth the process for reviewing public charter school applications; and

WHEREAS, Montgomery County Public Schools received a charter school application for Community Montessori, a proposed Grades Pre-K-3 Montessori school; and

WHEREAS, In accordance with Board Policy CFB, *Public Charter Schools*, the technical review, a nonsubstantive review that ensures that the application is complete prior to the substantive review, was completed and the application was deemed complete; and

WHEREAS, An extensive review and examination of the application was conducted by a multistakeholder panel consisting of members with different areas of expertise including, among others, the offices of School Performance, Special Education and Student Services, Curriculum and Instructional Programs, and the Chief Operating Officer; and panelists comprised of representatives from the community, higher education, businesses, and the Montgomery County Public Schools employee associations; and

WHEREAS, The review panel through consensus recommended that the Montgomery County Board of Education approve the application; and

WHEREAS, The superintendent of schools supports the recommendation of the review panel; and

WHEREAS, The Board of Education has received and reviewed the application and related materials and met with the applicant at a public meeting on June 27, 2011, where the applicant made a presentation and answered questions from Board members; now therefore be it

Resolved, That for the reasons stated in the superintendent of schools' memorandum, dated June 27, 2011, and for the reasons set forth by the Board members on July 7, 2011 and July 25, 2011, the Board of Education of Montgomery County approves the application of Community Montessori to open a public charter school in Montgomery County, subject to satisfactory completion of interior modifications for space reconfiguration and kitchen upgrade, compliance with all legal requirements applicable to the facility and contingent upon successful negotiation of the charter agreement; and be it further

Resolved, That the superintendent of schools is directed to complete negotiation of the charter agreement, within the time required and in accordance with this approval resolution, and be it further

Resolved, That the president of the Board of Education and the superintendent of schools are authorized to execute the completed charter agreement and amendments involving operational and auditing details.

Re: DISCUSSION

For the full discussion of the Board's reasons please refer to <http://www.montgomeryschoolsmd.org/boe/meetings/archive/2011/2011-0725.shtm>.

A brief summary of the Board's reasons for granting the charter application are as follows:

- Strong academic design including appropriate, experiential learning assessments;
- Well developed implementation plan with accountability
- Montessori model is proven but is unique to MCPS as is the assignment of teachers to follow students across the grades
- Cross age instruction beginning at age three years
- Interest in this hands-on instructional model and success in improving outcomes for special needs students
- Evidence of high expectation for all students and shared commitment to equity and excellence
- Correction of financial model included in prior year application that would have resulted in co-mingling of public/private funds

RESOLUTION NO. 403-11

Re: **STRATEGIC PLAN B OUR CALL TO ACTION: PURSUIT OF EXCELLENCE**

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

Mr. Kauffman, the following resolution was adopted unanimously:

WHEREAS, The Board of Education aligned the budget and strategic planning process by adopting a set of recommendations to increase public involvement in the development of the Montgomery County Public Schools strategic plan and operating budget; and

WHEREAS, The revisions to *Our Call to Action: Pursuit of Excellence* reflect input from the public and continue our efforts to improve the instructional program in every school by focusing on systemwide strategic goals, milestones, data points, and key performance targets for Goals 1 and 2 that reflect the priorities of the Board of Education; and

WHEREAS, *Our Call to Action: Pursuit of Excellence* reflects a significant effort to identify and establish realistic targets for Montgomery County Public Schools and each school that raise expectations and standards for student achievement and reinforce the commitment to close the gap in student performance by race and ethnicity, as well as other student groups; and

WHEREAS, The Board of Education remains committed to ensure that every child regardless of race, ethnicity, gender, limited English proficiency, socioeconomic status, or disability succeeds at high levels; and

WHEREAS, The Framework for Equity and Excellence describes expectations, cultural competence, and positive relationships as critical conditions that support student success; now therefore be it

Resolved, That the revisions to *Our Call to Action: Pursuit of Excellence* be approved and the updated strategic plan reflect the goals and academic priorities of the Board of Education and a shared commitment to raise the bar for student achievement and close the gap in student performance by race and ethnicity and among students impacted by disabilities, limited English proficiency, and poverty.

Re: **DISCUSSION**

During the discussion of the Strategic Plan, the following issues were referred to the Strategic Planning Committee for review and recommendations. It was suggested that the plan should:

1. articulate the Board's explicit commitment that MCPS prepare students for career/college. This should be reflected in the guiding tenets. (Ms. Brandman)
2. define the Board's commitment to Goal 1 for critical thinking, communication, and collaboration. Should there be non-math related data points to assess reading, writing, and critical thinking? (Ms. Brandman)
3. establish data points regarding Career and Technology Education (CTE) since many students will seek employment after school or join the military. (Ms. Berthiaume)
4. clarify/review whether the data point in Goal 1 concerning passing Algebra 1 with a "C" includes passing the final exam for 8th graders. What is the impact on this data point given that high school students are not required to pass the final exam?(Mr. Kauffman)

5. review what initiatives are working, and a way to present data that makes it obvious where the system is closing the gaps. There needs to be a place where the initiatives are evaluated and determine where progress is being made. (Ms. Brandman)
6. establish measures on whether or not graduates are ready for college or work. Do college enrollees need remediation? (Mr. Kauffman)

RESOLUTION NO. 404-11

Re: **CLOSED SESSION RESOLUTION**

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

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 Wednesday, August 24, 2011, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 11:30 a.m. The Board anticipates that the closed session will include a discussion of personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article* and Section 4-107(d) of the *Education Article*; review and adjudicate appeals in its quasi-judicial capacity; consultation with counsel to obtain legal advice on those appeals, as permitted under Section 10-508(a)(7) of the *State Government Article*; and discussion of matters of an administrative function outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State Government Article*). The Board will publish a more detailed Resolution for Closed Session when particular topics for discussion are indentified; and be it further

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

RESOLUTION NO. 405-11

Re: **REPORT OF CLOSED SESSION**

On recommendation of the superintendent and on motion of Ms. Brandman seconded by Mr. Kauffman, the following report was approved unanimously:

On July 7, 2011, the Board of Education voted unanimously to conduct a closed session as permitted under the *Education Article* Section 4-107(d) and *State Government Article* Section 10-508(a), *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in a closed session on July 7, 2011, from 8:40 to 9:45 a.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and:

1. Received legal advice on appeals and adjudicated the following appeals: T-2011-22, T-2011-23, and T-2011-25, as permitted under Section 10-508(a)(7) of the *State Government Article* with a subsequent vote in open session in its quasi-judicial capacity outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State*

Government Article).

2. Reviewed the Monthly Human Resources and Development Report and Appointments with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
3. The superintendent provided the Board with the Equal Employment Opportunity Quarterly Report which is an administrative function and outside the purview of the *Open Meetings Act*.
4. Considered an appointment to the Board's Policy Committee, which is an administrative function and outside the *Open Meetings Act*, and to the extent, if any, it may be within the purview of the Act it is permitted under Section 10-508(a)(1) of the *State Government Article* with a subsequent vote in open session.
5. Received legal advice concerning a recent Opinion of the Open Meetings Compliance Board, the Open Meetings Act in general, and the use of a facility by the Community Montessori Charter School as permitted under Section 10-508(a)(7) and (8) of the *State Government Article*.

In attendance at the 8:30 a.m. closed session were Chris Barclay, Laura Berthiaume, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, Patricia O'Neill, Alan Xie, Ikhide Roland Ikheloa, Suzann King, Glenda Rose, Laura Steinberg, and Pat Clancy. At 8:40 a.m., the following staff joined the meeting: Larry Bowers, Judy Bresler, Brian Edwards, Chris Garran, Carole Goodman, Frieda Lacey, Erick Lang, Chris Richardson, Joshua Starr, and Frank Stetson. At 9:15 a.m., Mr. Clancy left the meeting.

RESOLUTION NO. 406-11 Re: **APPEALS**

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

WHEREAS, The Board of Education has met in closed session and deliberated on appeals brought before its members acting in its quasi-judicial capacity under Section 10-508(a) of the *State Government Article* of the *Annotated Code of Maryland*; now therefore be it

Resolved, That the Board of Education hereby decides the following appeals reflective of the Board members' votes in closed session, the dispositions of which will be recorded in the minutes of today's meeting:

<u>Appeal Number</u>	<u>Type</u>	<u>Disposition</u>
T-2011-24	Student Transfer	Affirmed
NEC-2011-27	Student Assignment	Affirmed
T-2011-28	Student Transfer	Affirmed
NEC-2011-29	Student Assignment	Affirmed
T-2011-31	Student Transfer	Affirmed
NEC-2011-32	Student Assignment	Affirmed
2011-11	Magnet Program	Affirmed

2011-12	Magnet Program	Affirmed
2011-13	Student Placement	Affirmed
2011-14	Magnet Program	Affirmed
2011-15	Student Expulsion	Affirmed
2011-16	Athletic Waiver	Affirmed
2011-17	Early Entrance to Kindergarten	Affirmed
2011-18	Teacher Dismissal	Affirmed

RESOLUTION NO. 407-11 Re: **AMENDED REPORT OF CLOSED SESSION
(Resolution No. 241-11)**

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

WHEREAS, The Board of Education adopted Resolution No. 241-11 on May 10, 2011, that lacked clarity about the subject matters discussed, now therefore be it

Resolved, That the Board amend and adopt Resolution No. 241-11 from May 10, 2011 as indicated below:

On April 28, 2011, the Board of Education voted unanimously to conduct a closed session as permitted under the *Education Article* Section 4-107(d) and *State Government Article* Section 10-508(a), *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in a closed session on April 28, 2011, from 5:09 to 6:25 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and:

1. Discussed personnel matters, including promotion and transfer of professional employees, and received legal advice on those matters, as permitted under Section 10-508(a)(1) of the *State Government Article* and Section 4-107(d) of the *Education Article*.
2. Received legal advice and considered Appeals T-2011-1, T-2011-2, T-2011-3, T-2011-4, 2011-6, and 2011-7, involving requests for change of school assignment and student discipline, as permitted under Section 10-508(a)(7) of the *State Government Article* with a subsequent vote in open session in its quasi-judicial capacity outside the purview of the *Open Meetings Act* (Section 10-508(a) of the *State Government Article*).
3. Discussed provisions in existing deeds between the Board of Education and the County Government and provisions of leases and agreements between the County Government and others as they relate to the acquisition of real property for a

public purpose and matters related thereto, as permitted under Section 10-508(a)(3) of the *State Government Article* and Section 4-107(d) of the *Education Article*.

In attendance at the 5:09 p.m. closed session were Chris Barclay, Laura Berthiaume, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, Patricia O'Neill, Alan Xie, Ikhide Roland Ikheloa, Suzann King, and Pat Clancy. At 5:34 p.m. Glenda Rose joined the meeting. At 5:52 p.m., Mr. Clancy left the meeting and the following staff joined the meeting: Larry Bowers, Sean Bulson, Carole Goodman, Ursula Herrmann, Don Kress, Frieda Lacey, Sherry Liebes, Brian Edwards, Bronda Mills, Chris Richardson, Frank Stetson, Adrian Talley, and Dana Tofig.

Re: **NEW BUSINESS**

There was no new business.

RESOLUTION NO. 408-11 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of July 25, 2011, at 9:05 p.m.

PRESIDENT

SECRETARY

JPS:gr

Resolution	Barclay	Berthiaume	Brandman	Docca	Durso	Kauffman	O'Neill	Xie
Community Montessori Charter School	A	A	A	N	N	A	A	A
Strategic Plan	A	A	A	A	A	A	A	A

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