

APPROVED  
11-2012

Rockville, Maryland  
April 17, 2012

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, on April 17, 2012, beginning at 9:00 a.m.

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

Absent: Mr. Alan Xie

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

With a quorum present, the Board of Education met in open session at 9:00 a.m.

RESOLUTION NO. 148-12 Re: **RESOLUTION FOR CLOSED SESSION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on April 17, 2012, in Room 120 of the Carver Educational Services Center, Rockville, Maryland, from 9:00 to approximately 10:00 a.m. and 12:30 to approximately 2:00 p.m.; and be it further

Resolved, That the Board president and superintendent of schools brief the Board on strategies in presenting the operating budget before the county government, which is an administrative function outside the purview of the *Open Meetings Act*; and be it further

Resolved, That legal counsel brief the Board and provide legal advice on issues pertaining to the William H. Farquhar Middle School modernization and pending litigation matters, as permitted under Sections 10-508(a)(7) and (a)(8) of the *State*

*Government Article*; and be it further

Resolved, That the superintendent of schools will provide the Equal Employment Opportunity 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 receive legal advice as the Board adjudicates an appeal, which is a quasi-judicial function outside the purview of the *Open Meetings Act* and as permitted under 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 9:02 to 9:56 a.m. After a break, the Board of Education reconvened in open session at 10:03 a.m.

To view specific sections or the entire meeting, please watch at  
<http://www.montgomeryschoolsmd.org/boe/meetings/archive/2012/2012-0417.shtm>

Re: **PLEDGE OF ALLEGIANCE**

"I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

RESOLUTION NO. 149-12 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 by members present:

Resolved, That the Board of Education approve its agenda for April 17, 2012.

RESOLUTION NO. 150-12 Re: **ADMINISTRATIVE PROFESSIONALS WEEK**

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

WHEREAS, Administrative Professionals Week will be celebrated nationally the week of April 22 through April 28, 2012; and

WHEREAS, The Board of Education wishes to publicly recognize the ability, dedication, and effectiveness of its staff of administrative professional employees and express its appreciation for their efforts in the productive, courteous, and efficient operation of Montgomery County Public Schools; and

WHEREAS, The Board of Education thanks its administrative professional staff

members for their contributions to excellence in education; now therefore be it

Resolved, That Administrative Professionals Week be observed by the school system during the week of April 22 through April 28, 2012; and be it further

Resolved, That Wednesday, April 25, 2012, be designated as Administrative Professionals Day for Montgomery County Public Schools.

RESOLUTION NO. 151-12      Re:    **NATIONAL VOLUNTEER WEEK**

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

WHEREAS, Montgomery County Public Schools embraces parent and community involvement as significant features that enhance the quality of our schools and the success of all students; and

WHEREAS, Volunteers connect with local schools to serve students by taking actions that support student learning to improve academic achievement; and

WHEREAS, Volunteers of all ages, from all walks of life and economic and cultural backgrounds give generously of their time and knowledge; and

WHEREAS, Montgomery County Public Schools' volunteer force of more than 30,000 individuals models the best in citizenship and giving back to the community; and

WHEREAS, Montgomery County Public Schools supports the county executive's First Annual Montgomery Serves Awards that highlight volunteers who make a significant difference in Montgomery County; and campaign to encourage volunteer service in Montgomery County; and

WHEREAS, During National Volunteer Week, volunteers throughout the school system are honored and recognized for their commitment of service to our students; and

WHEREAS, Three elementary schools, three middle schools, three high schools, one special education center, and one Title I elementary school accumulating the most hours of volunteer service for this school year will be presented with the Outstanding Volunteer Program Award at Montgomery County Public Schools' Back-to-School Fair on August 25, 2012; now therefore be it

Resolved, That the Montgomery County Board of Education celebrates and recognizes our volunteers—parents, community and business partners, and students helping other students—for their dedicated service to education and the children in our schools; and be it further

Resolved, That National Volunteer Week, *Celebrating People in Action*, be observed by Montgomery County Public Schools during the week of April 15–21, 2012.

**RESOLUTION NO. 152-12      Re:    NATIONAL STUDENT LEADERSHIP WEEK**

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

WHEREAS, National Student Leadership Week is a time when schools and communities across our nation recognize student leaders for their outstanding service and accomplishments with this year's national theme of "Building Schools—Building Futures;" and

WHEREAS, National Student Leadership Week serves as an ideal time to bring attention to the important and integral contributions that student leaders and leadership training make in our nations' schools; and

WHEREAS, Schools sponsor student leadership activities to develop the essential traits and characteristics of a leader by providing the positive experiences necessary to expand students' leadership skills; and

WHEREAS, In April 2012, student leadership activities include the student voter registration drive, the election of the student member of the Board of Education, and National Student Leadership Week; and

WHEREAS, The Board of Education encourages our youth to participate in leadership positions, to model good character and scholarship in and out of the classroom, to be a positive influence on their peers, and make a sustained commitment to serving their communities; now therefore be it

Resolved, That the Montgomery County Board of Education hereby joins with the superintendent of schools in recognizing the week of April 15–21, 2012, as National Student Leadership Week in Montgomery County Public Schools; and be it further

Resolved, That the Montgomery County Board of Education commends student leaders for their efforts and achievements on behalf of Montgomery County Public Schools and urges citizens to seek opportunities to recognize student leaders in our schools and support their training and activities as they prepare themselves for their future stations as leaders of our cities, states, and nation.

**Re:    PUBLIC COMMENTS**

The following people commented before the Board of Education:

- | <u>Person</u>       | <u>Topic</u>         |
|---------------------|----------------------|
| 1. Francois Carrier | Site Selection       |
| 2. Kristin Tribble  | Community Engagement |
| 3. Byron Johns      | Community Engagement |

- |                       |                      |
|-----------------------|----------------------|
| 4. Craig Brown        | B-CC MS              |
| 5. Bowen Fong         | Community Engagement |
| 6. John Robinson      | B-CC MS              |
| 7. Jill Gallagher     | B-CC MS              |
| 8. Sandra Van Bochove | B-CC MS              |
| 9. Lynn King          | B-CC MS              |
| 10. Teddy Springer    | B-CC MS              |
| 11. Teresa Murray     | B-CC MS              |
| 12. Hill Carter       | B-CC MS              |
| 13. Antonio Hernandez | Community Engagement |
| 14. Sanrda Landsman   | B-CC MS              |
| 15. Maren Laughlin    | B-CC MS              |

Re: **DISCUSSION**

Ms. Berthiaume pointed out that the transfer of the land for the nursing home was not an MCPS decision since the action was taken by the county in direct derogation of MCPS rights to the property. It was suggested in testimony that the Montgomery County Planning Board (MCPB) was open for further negotiations. If Lynnbrook is taken off the table, Ms. Berthiaume asked if Planning was willing to negotiate joint use of the North Chevy Chase Local Park site.

Mrs. O'Neill stated that she was surprised by the recommendation from MCPB to use Lynnbrook site. Because there is a disagreement on this issue, the school system and its sister agency will continue to work together on projects of mutual interest. The school system has a genuine problem of too many children to educate and finding seats for those children. Furthermore, Lynnbrook will be needed for an elementary school.

Mr. Barclay agreed with his colleagues, but added he was also surprised with the letter from MCPB and its decision undermines the work of the Site Selection Advisory Committee (SSAC). He did not understand the choice of the MCPB with their representation on the SSAC where this recommendation should have been made. Furthermore, he was unhappy with the assertion that MCPS staff was not helpful in the process. There is no land suitable for a school in the Downcounty. The school board is elected to make educational decision for children. He did not understand why the recommendation from the MCPB was codified in a letter with opposition to the selection of the site for a middle school.

Dr. Docca stated that she was surprised by the recommendation of Lynnbrook since that site is appropriate for an elementary school.

Mrs. O'Neill concluded that MCPS has the right to reclaim the Rock Creek Hills Local Park, but did not have that same legal right with North Chevy Chase Local Park.

**Re: BOARD/SUPERINTENDENT COMMENTS**

Dr. Docca stated that she had attended the Holocaust Cerebration at Montgomery College; State of Maryland International Reading Association; Alcohol Prevention – Under 21; and Delta Sigma Theta Sorority’s STEM Program.

Dr. Starr commented on the Spring Forum on Special Education, the Student Town Hall, Superintendent’s Book Club, Hispanic Alliance for Education Annual Dinner and Spring Silent Auction, National Achievement Scholars, Green Ribbon School, and Noticias de MCPS.

**Re: SITE SELECTION FOR BCC MIDDLE SCHOOL #2: DISCUSSION**

Dr. Starr and staff provided the background and process for the recommendation for the site selection for the new Bethesda-Chevy Chase Middle School.

Mr. Barclay thanked the committee since there was a lot of time and energy expended working through the sites and coming to a consensus. He asked about the issues raised by Ms. Murray’s testimony about future enrollment and racial isolation. Dr. Starr noted that populating the school is a separate process from selecting a facility location and site. The Board and community may want to look at the rules that guide the boundary selection process.

Mrs. O’Neill noted that the MCPB looks out for the parks, and MCPS look out for the education of children. This is not a popular decision with some community members. In hindsight, MCPS should have kept the building and land for future development. What outreach was there for the residents of Kensington Park? Staff stated the management company was contacted asking for a representative, but no one attended the meetings. Mrs. O’Neill noted that there were requests for the Middle Years Programs for the new middle school. Dr. Starr stated that program decisions will be made at a later date. Mrs. O’Neill asked about the soccer fields now located at the site. Staff explained that the two fields will be combined into one field with tennis and basketball courts. Mrs. O’Neill understood the community grieving the loss of a park, but they are gaining a school which is always a treasure to the community.

Mr. Kauffman asked staff to go through all the factors (except for availability) and explain why, as between Rock Creek and North Chevy Chase parks, Rock Creek was the best site.

Ms. Berthiaume noted that the problem with North Chevy Chase Local Park was availability. If it were available, could the system build a larger school on that site? Dr. Starr stated he would not advocate for a large middle school, such as an enrollment of 1500 students.

Mr. Barclay concluded that Rock Creek Hills Local Park is the appropriate site. There

are additional issues that will need to be addressed in the future. Since there is growth in this area, there will be a need to work with other county agencies. Finally, there is a need to have a conversation on community use of facilities in order to build to those specifications.

RESOLUTION NO. 153-12            Re:    **SITE SELECTION FOR BCC MIDDLE SCHOOL #2**

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

WHEREAS, The Report of the Site Selection Advisory Committee for Bethesda-Chevy Chase Middle School #2 identified Rock Creek Hills Local Park, located at 3701 Saul Road, Kensington, as the preferred site for the middle school and North Chevy Chase Local Park, located at 4105 Jones Bridge Road, Chevy Chase, as the recommended alternate site; and

WHEREAS, The Site Selection Advisory Committee, comprising 47 members who reviewed 38 candidate sites, met in January and February 2012 and submitted their report, along with 7 minority reports, to the superintendent of schools and the members of the Board of Education on March 12, 2012; and

WHEREAS, The Report of the Site Selection Advisory Committee was posted for public comment on the Montgomery County Public Schools website from March 12, 2012, through the close of business on March 26, 2012; and

WHEREAS, On March 15, 2012, the Montgomery County Planning Board was briefed by Montgomery County Public Schools staff on the report and recommendations of the Site Selection Advisory Committee, and the superintendent of schools was made aware of comments and advice of the Montgomery County Planning Board during the briefing; and

WHEREAS, On March 30, 2012, the superintendent of schools released his recommendation of Rock Creek Hills Local Park as the site for Bethesda-Chevy Chase Middle School #2; and

WHEREAS, On April 9, 2012, the Montgomery County Planning Board conducted the mandatory referral process regarding the report and recommendations of the Site Selection Advisory Committee, and the Board of Education subsequently received the comments and advice of the Montgomery County Planning Board; and

WHEREAS, Following the closing of Kensington Junior High School in 1979, the Board of Education-owned property was transferred to the county, and the county subsequently transferred a 13.38-acre portion of the property to the Maryland-National Capital Park and Planning Commission in 1990, which became Rock Creek Hills Local Park; and

WHEREAS, Montgomery County and subsequently the Maryland-National Capital Park and Planning Commission accepted the property subject to the ability of the Board of Education to reclaim the property for use as a public school if needed; and

WHEREAS, The Board of Education notes that the middle school building and outdoor play area will be available for community use after school hours and that school facilities frequently become important anchors in a community; now therefore be it

Resolved, That the Rock Creek Hills Local Park site, located at 3701 Saul Road, Kensington, is selected as the site for Bethesda-Chevy Chase Middle School #2 (see Attachment A—location map and Attachment B—aerial photograph); and be it further

Resolved, That the Board of Education requests that the county executive be notified of the need for the new middle school at this location and that the reclamation provision be used so that the property can be transferred back to Board of Education ownership as soon as possible; and be it further

Resolved, That pursuant to Maryland State law, the Montgomery County Superintendent of Schools shall request the Maryland State Superintendent of Schools to approve the school site selected by this resolution; and be it further

Resolved, That the Maryland-National Capital Park and Planning Commission, county executive, County Council, and the state of Maryland Interagency Committee for Public School Construction be made aware of this action.

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed for lunch and closed session (12:45 to 1:51 p.m.)

The Board of Education reconvened on Open Session at 2:03 p.m.

RESOLUTION NO. 154-12 has been omitted on purpose.

\*\* Mr. Barclay temporarily left the meeting.

RESOLUTION NO. 155-12      Re: **CONTRACTS OF \$25,000 OR MORE**

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

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

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



SMPCS- 2001-MPU	Music Program Uniforms <u>Awardee</u> DeMoulin Brothers and Company	\$ 34,746
042109	Telecommunication Related Equipment and Services <u>Awardee</u> Mitel Business Systems, Inc.	\$140,000
1007885	Consultant Services for Building Envelope Construction and Repair** <u>Awardee</u> Gale Associates, Inc.	\$ 25,000
101411.1	Job Order Contracting Services** <u>Awardee</u> Centennial Contractors	\$750,000
340-10	Band Uniforms for Richard Montgomery High School <u>Awardee</u> Stanbury Uniforms, Inc.	\$ 35,000
440000 0714	Underground Storage Tanks, Spills, and Drums <u>Awardee</u> Apex Companies, LLC	\$130,000
4022.5	On Call Painting Contractors—Extension** <u>Awardees</u> (See note) Colossal Contractors* Hann & Hann JNA Painting Company, Inc. OMF Contractors, Inc.* Tito Contractors* Unisource Services, LLC* Total	\$500,000
4045.9	Telephone Equipment <u>Awardees</u> Call One, Inc.*	\$ 5,000

	Capitol Cable & Tech, Inc.	1,500
	Graybar Electric Co., Inc.	<u>59,600</u>
	Total	\$ 66,100
4120.4	Science Lab Tables—Extension	
	<u>Awardee</u>	
	Diversified Educational Systems	\$150,000
4124.4	Library Furniture—Extension	
	<u>Awardees</u>	
	American Design Associates	\$ 278
	Demco, Inc.	4,478
	Douron, Inc.*	64,743
	Glover Equipment, Inc.	<u>31,759</u>
	Total	\$101,258
4240.2	Gestetner 9002 Copier Supplies and Parts—Extension	
	<u>Awardees</u>	
	Capitol Document Solutions	\$428,000
	Ikon Office Solutions, Inc.	75,000
	Ricoh Americas Corporation	20,000
	Sharp Electronics Corporation	<u>300,000</u>
	Total	\$823,000
4312.1	Project North Star Evaluator—Extension	
	<u>Awardee</u>	
	RMC Research Corporation	\$ 89,250
4323.1	2012 Autodesk 3D Design and Engineering Software	
	<u>Awardee</u>	
	Ronald A. Williams, Ltd.	\$127,145
4876.1	Benefits Workstation Software	
	<u>Awardee</u>	
	Morneau Shepell SBC Limited Corporation	\$352,000
7076.5	Automotive Shop Equipment Repair, Service, and Parts—Extension	
	<u>Awardees (See note)</u>	
	B&R Associates	

	Hughes Supply Company	
	Sefac, Inc.	
	The Myco Companies	
	Total	\$ 75,000
7083.6	Custodial Equipment—Extension	
	<u>Awardees</u>	
	Acme Paper & Supply Company, Inc.	\$ 50,895
	Best Battery Company, Inc.	23,049
	Laniado Wholesale Corporation.*	12,446
	S. Freedman & Sons, Inc.	44,022
	S&E Paper, Inc.	58,150
	Sid Tool Company, Inc.	<u>21,060</u>
	Total	\$209,622
7114.4	Bus Wash Chemicals—Extension	
	<u>Awardee</u>	
	The Myco Companies	\$ 36,075
7123.3	Vehicle Glass Repair and Replacement—Extension	
	<u>Awardee</u>	
	Royal Glass Company	\$ 75,000
7149.3	Tires, Mounting, Balancing, and Alignment	
	<u>Awardee</u>	
	S&S Tire Services, Inc.*	\$ 31,000
9051.7	Athletic, Cheerleader and Pom Pon Uniforms	
	<u>Awardees</u> (see note)	
	Cisco, Inc.	
	Maryland's Athletic House	
	EBA Enterprises, Inc.*	
	Marlow Sports, Inc.*	
	Varsity Spirit Fashions	
	Sport Supply	
	Total	\$120,000
9052.8	Portable and Team Bleachers	
	<u>Awardees</u>	
	American Park and Recreation Company	\$ 10,020

	Bleachers International*	10,221
	BSN Sports, Inc.	<u>10,229</u>
	Total	\$ 30,470
9058.9	Basketball Supplies and Equipment—Extension	
	<u>Awardees</u>	
	Baden Sports, Inc.	\$ 192
	Basketball Products International, Inc.	3,023
	Bill Fritz Sports Corporation	1,346
	Cannon Sports, Inc.*	34,394
	Hat World, Inc.	9,672
	Pyramid Paper Company	5,263
	Sport Supply Group, Inc.	15,541
	Sports Stop, Inc.	<u>1,926</u>
	Total	\$ 71,357
9106.8	Corrugated Boxes	
	<u>Awardee</u>	
	Cantwell-Cleary Company, Inc.	\$ 30,780
9107.7	Uniforms for Division of Food and Nutrition Services	
	<u>Awardee</u>	
	Chesapeake Uniform	\$ 30,000
9213.1	Industrial and Technology Education Equipment Upgrade	
	<u>Awardee</u>	
	Chesapeake Automotive Equipment, LLC	\$ 58,600
9637.2	Fire Alarm Replacement at Various Locations—Extension**	
	<u>Awardees</u>	
	SPC, Inc.	\$800,000
9716.1	Emergency Roof Repair at Clarksburg Elementary School	
	<u>Awardee</u>	
	Orndorff & Spaid	\$ 34,792
	TOTAL PROCUREMENT CONTRACTS OVER \$25,000	\$4,926,195

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

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

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 156-12      Re:    **CONTRACT APPROVAL FOR RFP NO.  
1083.4, PROFESSIONAL SERVICES—  
EXTENSION**

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

WHEREAS, Funds have been budgeted for the purchase of professional services through RFP No. 1083.4; 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:

1083.4      Professional Services—Extension

Awardees (See note)

Advanced Software Systems, Inc.\*

AETNA Information Technology

Business Integra, Inc.\*

Ciber, Inc.

Cost & Performance Solutions, Inc\*

Dell, Inc.

Digicon Corporation\*

Elixir

Gantech, Inc.\*

Gateway Solutions, Inc.\*

LifeCycle Corporation

Lighthouse Management Consulting\*

Dennis McKay

Microsoft Services

Micro Strategy

NEAUSYS, Inc.\*

Primescape Solutions, Inc.

Qlarion, Inc.

RDA Corporation

Sogeti USA, LLC

Tech Democracy

TestPros, Inc.

United Solutions, LLC\*

US Tech Solutions, Inc.\*

Vangent, Inc.\*

Total

\$1,700,000

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

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 157-12      Re:    **CONTRACT APPROVAL FOR BID NO.  
4121.12, OFFICE PAPER, VIRGIN AND  
RECYCLED**

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

WHEREAS, Funds have been budgeted for the purchase of office papers, virgin and recycled; 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:

4121.12      Office Papers, Virgin and Recycled

Awardees

Ariva Distribution, Inc.	\$ 116,987
Central National Gottesman, Inc.	340,226
Officemax	12,808
TSRC, Inc.	72,340
Unisource Worldwide, Inc.	595,470
W. B. Mason Company, Inc.	<u>2,767,738</u>
Total	\$3,905,569

RESOLUTION NO. 158-12      Re:    **CONTRACT APPROVAL FOR BID NO.  
7065.10, CUSTODIAL SUPPLIES—  
EXTENSION**

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

WHEREAS, Funds have been budgeted for the purchase of custodial supplies through Bid No. 7065.10; 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:

7065.10      Custodial Supplies—Extension

Awardees

Acme Paper & Supply Company, Inc.	\$323,178
Calico Industries, Inc.	125,528

Daycon Products Company, Inc.	17,217
Fastenal Company	3,315
FPC Distributions	36,460
Genesis II, Inc.*	57,449
Holt Paper & Chemical Company	274,799
Laniado Wholesale Corporation.*	22,074
Leonard Paper Company	759,627
L. L. Clean Company*	2,000
S. Freedman & Sons, Inc.	569,628
S&E Paper, Inc.	13,260
Solutex, Inc.	25,172
Superior Supply, Ltd.	<u>19,024</u>
Total	\$2,248,731

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

RESOLUTION NO. 159-12      Re:    **CONTRACT APPROVAL FOR BID NO.  
9159.4, METAL DOORS, FRAMES,  
WINDOWS, AND ACCESSORIES—  
EXTENSION**

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

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

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

9159.4      Metal Doors, Frames, Windows, and Accessories—Extension\*\*

Awardee

Metro Metal Services, Inc.

\$1,000,000

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

RESOLUTION NO. 160-12      Re:    **UTILIZATION OF THE FY 2012 PROVISION  
FOR FUTURE SUPPORTED PROJECTS**

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

WHEREAS, The above-noted grants qualify for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 17-150, approved May 26, 2011; and

WHEREAS, The above-noted projects do not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available within the Fiscal Year 2012 Provision for Future Supported Projects to permit the above-noted transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized by the Montgomery County Board of Education to receive and expend \$912,104 within the Fiscal Year 2012 Provision for Future Supported Projects, as specified below:

<b>Project</b>	<b>Amount</b>
Quality Teacher Incentive Program	\$ 899,204
IB Research Study	<u>12,900</u>
<b>Total</b>	<b>\$ 912,104</b>

and be it further

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

RESOLUTION NO. 161-12      Re:    **RECOMMENDED CATEGORICAL  
TRANSFERS FOR THE FISCAL YEAR 2012  
PROVISION FOR FUTURE SUPPORTED  
PROJECTS**

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

WHEREAS, The current Fiscal Year 2012 Operating Budget adopted by the Board of Education includes \$9,448,354 for the Provision for Future Supported Projects; and

WHEREAS, The Board of Education will receive additional projects that are eligible for funding through the Provision for Future Supported Projects during Fiscal Year 2012; and

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

Resolved, That the superintendent of schools be authorized to effect categorical transfers totaling \$1,150,000 within the Fiscal Year 2012 Provision for Future Supported



Projects, in accordance with the County Council provision for transfers, as follows:

	Category	From	To
1	Administration	100,000	
2	Mid-level Administration	50,000	
3	Instructional Salaries	150,000	
4	Textbooks and Instructional Supplies	50,000	
5	Other Instructional Costs	800,000	
6	Special Education		700,000
9	Student Transportation		250,000
11	Maintenance of Plant		25,000
12	Fixed Charges		95,000
13	Food and Nutrition Services		80,000
	Total	<u>1,150,000</u>	<u>1,150,000</u>

and be it further

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

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

RESOLUTION NO. 162-12      Re:    **ARCHITECTURAL APPOINTMENT—  
KENSINGTON PARKWOOD ELEMENTARY  
SCHOOL ADDITION FEASIBILITY STUDY**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services to perform a feasibility study for the Kensington Parkwood Elementary School addition; and

WHEREAS, Funds for conducting feasibility studies were programmed as part of the Fiscal Year 2012 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on April 20, 2006, identified Grieves, Worrall, Wright & O'Hatnick, Inc. as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff in the Department of Facilities Management has negotiated a fee for the necessary architectural services; now therefore be it

Resolved, That the Montgomery County Board of Education enters into a contractual agreement with the architectural firm of Grieves, Worrall, Wright & O'Hatnick, Inc. to provide feasibility study services for the Kensington Parkwood Elementary School addition for a fee of \$35,000.

RESOLUTION NO. 163-12      Re:    **AWARD OF CONTRACT—BROAD ACRES  
ELEMENTARY SCHOOL HEATING,  
VENTILATION AND AIR CONDITIONING  
UPGRADE**

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

WHEREAS, The following sealed bids were received on March 14, 2012, for the Broad Acres Elementary School Heating, Ventilation, and Air Conditioning upgrade project:

<u>Bidder</u>	<u>Amount</u>
Shapiro & Duncan, Inc.	\$2,772,000
W.L. Gary Company, Inc.	2,950,000
Welch and Rushe, Inc.	3,027,201

and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 10 percent; and

WHEREAS, The low bidder, Shapiro & Duncan, Inc., has submitted 10.7 percent other-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, Shapiro & Duncan, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$2,772,000 contract be awarded to Shapiro & Duncan, Inc. for the Broad Acres Elementary School Heating, Ventilation, and Air Conditioning upgrade project, in accordance with drawings and specifications prepared by Gipe Associates, Inc.

RESOLUTION NO. 164-12      Re:    **AWARD OF CONTRACT—GERMANTOWN  
ELEMENTARY SCHOOL HEATING,  
VENTILATION AND AIR CONDITIONING  
RENOVATIONS**

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

WHEREAS, The following responsive sealed bids were received on March 15, 2012, for the Germantown Elementary School Heating, Ventilation, and Air Conditioning renovations project:

<u>Bidder</u>	<u>Amount</u>
W.L. Gary Company, Inc.	\$1,123,900
Shapiro & Duncan, Inc.	1,186,000

and

WHEREAS, A third bid was received but was considered nonresponsive; and

WHEREAS, The goal for Maryland Department of Transportation-certified Minority Business Enterprise participation established for this project was 10 percent; and

WHEREAS, The low bidder, W.L. Gary Company, Inc., has submitted 15 percent women-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, W.L. Gary Company, Inc. has completed similar work successfully for other jurisdictions; now therefore be it

Resolved, That a \$1,123,900 contract be awarded to W.L. Gary Company, Inc. for the Germantown Elementary School Heating, Ventilation, and Air Conditioning renovations project, in accordance with drawings and specifications prepared by Burdette, Koehler, Murphy & Associates.

RESOLUTION NO. 165-12            Re:    **AWARD OF CONTRACT—GYMNASIUM  
WOOD FLOORING SYSTEM INSTALLATION  
OVER EXISTING SYNTHETIC FLOORING AT  
VARIOUS FACILITIES**

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

WHEREAS, The following responsive sealed bids were received on March 1, 2012, for the gymnasium wood flooring system to be installed over the existing synthetic flooring at various schools based on unit prices:

<u>Bidder</u>	<u>Amount</u>
Weyer's Floor Service, Inc.	\$540,055
Goel Services, Inc.	835,593

and

WHEREAS, A third bid was received but was considered nonresponsive; and

WHEREAS, There are limited opportunities for Minority Business Enterprise subcontracting on this project, therefore no goal was set; and

WHEREAS, Weyer's Floor Service, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$540,055 contract be awarded to Weyer's Floor Service, Inc. for the gymnasium wood flooring system to be installed over the existing synthetic flooring at various schools based on unit prices, in accordance with drawings and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 166-12      Re:    **AWARD OF CONTRACT—POOLESVILLE  
HIGH SCHOOL HEATING, VENTILATION,  
AND AIR CONDITIONING EQUIPMENT  
REPLACEMENT, PHASE V**

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

WHEREAS, The following sealed bids were received on March 16, 2012, for the Poolesville High School Heating, Ventilation, and Air Conditioning equipment replacement, Phase V project:

<u>Bidder</u>	<u>Amount</u>
Shapiro & Duncan, Inc.	\$1,023,000
M & M Welding and Fabricators, Inc.	1,206,000
Welch and Rushe, Inc.	1,275,000

and

WHEREAS, The low bidder, Shapiro & Duncan, Inc., has asked to withdraw its bid due to an error; and

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

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

WHEREAS, The goal for Maryland Department of Transportation-certified Minority

Business Enterprise participation established for this project was 10 percent; and

WHEREAS, The second low bidder, M & M Welding and Fabricators, Inc., is a Maryland Department of Transportation-certified minority firm and has submitted 10 percent women-owned Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, M & M Welding and Fabricators, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a \$1,206,000 contract be awarded to M & M Welding and Fabricators, Inc. for the Poolesville High School Heating, Ventilation, and Air Conditioning equipment replacement, Phase V project, in accordance with drawings and specifications prepared by Building Dynamics, LLC.

RESOLUTION NO. 167-12            Re:    **AWARD OF CONTRACT—WATKINS MILL  
HIGH SCHOOL GIRLS' ATHLETIC ROOM  
LOCKER REPLACEMENTS**

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

WHEREAS, The following responsive sealed bids were received on March 15, 2012, for the Watkins Mill High School girls' athletic room locker replacements project:

<u>Bidder</u>	<u>Amount</u>
Steel Products, Inc.	\$68,268
Partition Plus, Inc.	\$71,530
W. A. Hamilton Co., Inc.	\$73,694

and

WHEREAS, There are limited opportunities for Minority Business Enterprise subcontracting on this project, therefore no goal was set; and

WHEREAS, The low bidder, Steel Products, Inc. is a Maryland Department of Transportation-certified women-owned firm; and

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

Resolved, That a \$68,268 contract be awarded to Steel Products, Inc. for the Watkins Mill High School girls' athletic room locker replacements project, in accordance with drawings and specifications prepared by the Department of Facilities Management.

\*\* Mr. Barclay rejoined the meeting.

Re: **MONTHLY FINANCIAL REPORT**

Mr. Larry Bowers, chief operating officer, stated that this financial report reflects the actual financial condition of Montgomery County Public Schools (MCPS) as of February 29, 2012, and projections through June 30, 2012, based on program requirements and estimates made by primary and secondary account managers. At this time, expenditures have a projected surplus of \$20,000,000. Revenues have a projected surplus of \$400,000.

Due to Fiscal Year (FY) 2011 comprehensive expenditure restrictions, including a hiring freeze, MCPS achieved a reduction of expenditures compared to budget. The FY 2012 Operating Budget included fund balance of \$17.0 million of the total savings as a source of appropriation, leaving fund balance of \$11.9 million available for appropriation in FY 2013 or future years. This unappropriated FY 2011 ending fund balance, together with the FY 2012 projected surplus of \$20.4 million, equals \$32.3 million that will be available to fund future year operating budgets. My expectation is that the available fund balance will be used for appropriation over several years to avoid any sudden increase in the need for local contribution to replace fund balance as a revenue source. The FY 2013 Operating Budget Request assumes that \$17.0 million of fund balance will be appropriated next year.

Re: **STRATEGIC PRIORITIES: UPDATE ON  
COMMUNITY ENGAGEMENT**

Dr. Starr commented that partnerships among schools, families, and community groups are not a luxury—they are a necessity. We know from research and experience that when schools, families, and community groups work together to support learning, children—no matter what their families' income or background—are more likely to attend school regularly, have better social skills, earn higher grades, enroll in higher-level courses, graduate from high school, and enroll in postsecondary education.

In an era of increasing academic standards and the challenging expectations of the 21<sup>st</sup> century global economy, Montgomery County Public Schools (MCPS), families, businesses, government and community organizations, and institutions of higher education must come together to ensure the success of our students and the viability of our county. We must empower our youth and families to take full advantage of the many resources within Montgomery County.

Our community engagement work will be guided by the following theory of action: *If we provide direct services to children and families that empower them to fully access all that MCPS and the community have to offer, and if we develop strategic public and private partnerships in order to expand the services we provide to children and their*

*families, then all MCPS students and families will have the supports needed to be college and career ready.* Given this theory of action, it is essential that collectively, our vision for community engagement be viewed through the lenses of—

- **Empowerment and communication:** a shared responsibility in which schools and other community agencies and organizations are committed to engaging families in meaningful and culturally respectful ways, and families are committed to actively supporting their children's learning and development; and
- **Partnership development:** carried out wherever children learn—at home, in prekindergarten programs, in school, in after-school programs, in faith-based institutions, and in community programs and activities.

In building a framework for community engagement over the coming years, we will need to work with the community to focus on the following questions: What are the services we need to provide? When will we provide them? Who will be providing them? How much will it cost?

The following preliminary steps will help us answer these questions:

- Begin work this summer to design a plan and strategies for community engagement, which may have Fiscal Year 2014 budget implications, including the addition and/or realignment of positions and the involvement of an outside partner in the work. The announced departure of the current director of the Department of Family and Community Partnerships provides us an opportunity to rethink the roles and responsibilities of this position.
- Create an asset map of district and community resources, which will provide an inventory of existing services and identify gaps and areas of greatest need.
- Build on work that has begun with Montgomery College and the Universities at Shady Grove to provide a more seamless transition to higher education and support for those students who are the first in their families to attend college.
- Determine the leadership role of the Board in relation to our community engagement efforts.

MCPS has numerous systems and processes in place to engage parents and the community at the district and local school levels. By building on successful partnerships and implementing our theory of action, we will create a coherent framework for family and community engagement.

Re: **DISCUSSION**

Dr. Docca observed that the Communications and Public Engagement Committee is working on some of these items. There is a need to collaborate with other agencies in the county to avoid duplication of services. An asset map of the services is essential to facilitate that collaboration. Finally, the Kennedy Cluster Project illustrated the need for community services in that area, especially health services, transportation, and libraries.

Ms. Berthiaume thought the white paper was a good start in focusing on community engagement. In thinking about the culture of engagement, what is the attitude toward the parents and the families served? It comes down to trust and accountability with two-way communication.

Mr. Barclay thought the access map needs to be established to focus and align resources within the county. Cultural competency will give people the ability to understand others based on their backgrounds in order for parents to feel respected. The Board of Education can be great ambassadors for the school system in meeting parents within the community.

Dr. Docca mentioned the small organizations that give immense help to students. Furthermore, study circles are a means for people to gain cultural competency and understand each other.

Mr. Durso pointed out that those who deal with the school system want to feel that they have been heard and their views respected. As the school system talks about the whole child, there is a need to be involved in a broad range of activities and mentors.

Mrs. O'Neill agreed that there has to be two-way communication, but there is a need to listen and understand what is being said.

Ms. Brandman thought there were different reasons for reaching out to the community. One of those reasons is for the Board to put themselves in places to talk about what the school system is doing, such as curriculum. Sometimes the Board just has to listen and learn to engage in real conversations. The Communications and Public Engagement Committee could talk with various groups to create opportunities for meaningful engagement. There are also groups that have identified themselves as partners who bring different insights for the Board. Ms. Brandman asked the Communications and Public Engagement Committee to review the information presented by the Parent Leadership Group during public comments.

**Re: UPDATE ON LEGISLATED EDUCATION  
REFORM INITIATIVES**

The following staff were at the table: Ms. Laura M. Steinberg, staff assistant, Office of the Montgomery County Board of Education; Mrs. Chrisandra A. Richardson, associate superintendent, Office of Special Education and Student Services; Mr. Adrian B. Talley, associate superintendent, Office of Shared Accountability; Mrs. Carole Goodman, associate superintendent, Office of Human Resources and Development; Ms. Betsy Brown, director, Department of Curriculum and Instruction; and Ms. Lori-Christina Webb, executive director to the deputy superintendent of schools, Office of the Deputy Superintendent of Schools.

Education policy at both the national and state level is in a state of transition. A number of earlier initiatives have either reached a critical stage or have stalled. As a result, the



discussions surrounding school reform legislation have become bogged down in the morass of an election season. Three critical reform elements are all currently in flux: *Elementary and Secondary Education Act of 1965*, Common Core State Standards (CCSS), and *Maryland Education Reform Act of 2010*. These initiatives, while separate, are nevertheless interrelated. Below is a snapshot of the status of each of the three.

### ***Elementary and Secondary Education Act of 1965 Waiver***

The *Elementary and Secondary Education Act of 1965* (ESEA), amended in 2001 by No Child Left Behind (NCLB), was scheduled for reauthorization in 2007. Despite several false starts, as of now, there is no clear timeline for the reauthorization in the near future.

Among the key requests under Principle 2 are the following:

- School Choice and Supplemental Services no longer be required.
- School Improvement plans still required for all schools.
- Modified Maryland School Assessment (Mod-MSA) eliminated.
- The Maryland Performance Index, comprised of three components at each level, used to evaluate each school.
  - Elementary and Middle
    - Achievement—percentage of all students scoring proficient or advanced on the MSA in mathematics, reading, and science in Grades 3–8
    - Growth (Annual Individual Student Performance Growth)—percentage of all students and specific subgroups demonstrating growth in performance over the previous year
    - Gap Reduction—decrease in the performance gap between the highest and lowest performing subgroups
  - High School
    - Achievement—percentage of all students scoring proficient or advanced on High School Assessment in Algebra, Biology, and English in Grades 9–12
    - Gap Reduction—decrease in the performance gap between the highest and lowest performing subgroups
    - College and Career Readiness—cohort graduation rate, attendance, and career attainment (measured by the number of Career and Technology Education students who have achievement concentrator status at exit from high school in the reporting year)
- Priority and Focus school designation limited to Title I schools.
  - Priority Schools, identified as the five percent lowest achieving Title I schools in the state based on performance of all students, currently located in Prince George’s County and Baltimore City.
  - Focus Schools, identified by “gap analysis,” including some schools located in Montgomery County, are eligible to apply for supplemental funds for a three year period.

### **Common Core State Standards**

The Common Core State Standards (CCSS) in English language arts/content literacy

and mathematics are the culmination of a broad-based effort by national experts to articulate standard expectations at grade levels or grade-level bands. The CCSS fulfill the charge issued by the states to create the next generation of K–12 standards to ensure that all students are college- and career-ready in English language arts/content literacy and mathematics no later than the end of high school.

In December 2010, the Montgomery County Board of Education unanimously approved the Elementary Integrated Curriculum (EIC) Framework, which incorporates the CCSS for English language arts and mathematics in Grades K–5. In December 2011, the Board approved the Secondary English Language Arts/Content Literacy and Mathematics Curriculum Frameworks, which fully incorporate the CCSS for Grades 6–12.

In order to address the need for assessments aligned with the CCSS, the Partnership for Assessment of Readiness for College and Careers (PARCC), a consortium of 24 states, including Maryland, came together to develop a common set of K–12 assessments in English and mathematics, as well as literacy in other content areas. The goal is to create an assessment system and supporting tools, with support from Achieve, Inc.

### ***Maryland Education Reform Act of 2010***

In July 2009, President Obama and Secretary of Education Duncan announced Race to the Top (RTTT), a \$4.35 billion competitive program created to spur innovation and reforms in education. The following April, the Maryland General Assembly passed the *Education Reform Act of 2010* to ensure the state would be competitive in the RTTT grant process. A significant area of reform identified in the Act pertained to recruiting, developing, and retaining effective teachers and principals. In June 2010, Maryland applied for a \$250 million RTTT grant, with 22 of the 24 school systems signing on to the application. Only Montgomery County Public Schools (MCPS) and Frederick County Public Schools did not agree to participate in the grant.

The proposed regulations require all teacher and principal evaluation systems to adhere to general standards. The regulation also appears to relieve those school systems that did not sign the RTTT application from the requirement that student growth account for 50 percent of a teacher's or principal's evaluation. However, the regulation continues to require an overall rating of highly effective, effective, or ineffective and that teachers and principals be evaluated annually.

\*\* Ms. Berthiaume and Mr. Durso left the meeting at this point.

### Re: **DISCUSSION**

Mr. Barclay added what was happening with the teacher and principal evaluations. It is a concern that the whole focus has been on teacher evaluations. There is very little focus on principal evaluation and the training of principals to be better evaluators of quality teachers. There are many concerns at the local and state level. Even though

Montgomery County Public Schools did not commit to RTTT, all counties will need to deal with student growth in the evaluation of teachers. All of the pilot counties are struggling with the evaluations, especially in areas that do not have clear tests. There will be three categories of highly effective, effective, and ineffective which is different than the current local evaluation system.

Mrs. O'Neill commented that the Board received negative comments on not receiving funds from RTTT; however, there were serious strings attached to that commitment. Current assessments are not designed to measure teacher effectiveness.

Mr. Barclay pointed out that there was concern about the testing under NCLB; however, student growth in teacher evaluations indicates the potential for increased testing.

Ms. Brandman asked if MCPS will meet with its partners and our proposal, such as the Professional Growth System. Dr. Starr commented that there are cross roads that staff is eager to organize around the Common Core Standards and good assessments are helpful to students and teachers.

RESOLUTION NO. 168-12      Re:    **CLOSED SESSION RESOLUTION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on Monday, April 30, 2012, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, to meet from 5:30 to approximately 6:00 p.m.; and be it further

Resolved, That the Board of Education 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*; the review and adjudication of 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*; a discussion of matters constituting an administrative function outside the purview of the *Open Meetings Act* (Section 10-502(b) of the *State Government Article*); and the Board will publish a more detailed Resolution for Closed Session when particular topics for discussion are identified; and be it further

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

**RESOLUTION NO. 169-12      Re:    REPORT OF CLOSED SESSION**

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

On March 26, 2012, the Board of Education voted unanimously by members present 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 Board of Education of Montgomery County met in closed session on March 26, 2012, from 4:32 to 7:04 p.m. in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, and:

1. Received legal advice on appeals and adjudicated the following appeals involving student transfers and student placements: T-2012-1, T-2012-2, 2012-3 and 2012-4, as permitted under Section 10-508(a)(7) of the *State Government Article* and in its quasi-judicial capacity outside the purview of the *Open Meetings Act*, with a subsequent vote in open session.
2. Selected a Board member to be nominated for the Board of Directors of the Maryland Association of Boards of Education, which is an administrative function and outside the *Open Meetings Act*.
3. Received a briefing by the superintendent and discussed qualifications of an individual for promotion to an administrative and supervisory position in central office, as permitted under Section 10-508(a)(1) of the *State Government Article*, with a subsequent vote in open session.
4. Received a briefing by legal counsel on legal issues pertaining to the William H. Farquhar Middle School modernization, as permitted under Section 10-508(a)(7) of the *State Government Article*.
5. Received an update by staff and discussed ongoing collective bargaining negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article*; and
6. Received a briefing by the Board president and superintendent of schools on legislative and operating budget strategies, which is an administrative function outside the purview of the *Open Meetings Act*.

In attendance at the 4:32 p.m. closed session were Christopher Barclay, Shirley Brandman, Judy Docca, Michael Durso, Phil Kauffman, Patricia O'Neill, Alan Xie, Ikhide Roland Ikheloa, Suzann King, Glenda Rose, and Patrick Clancy. At 5:00 p.m., Mr. Clancy left the meeting and the following administrative staff and counsel joined the meeting: Larry Bowers, Judy Bresler, Brian Edwards, Frieda Lacey, James Song, and Joshua Starr. At 5:43 p.m., Judy Bresler and James Song left the meeting and Stan Damas joined the Board and staff.

**RESOLUTION NO. 170-12      Re:    APPEAL**

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

WHEREAS, The Board of Education has met in closed session and deliberated on an appeal 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 appeal reflective of the Board members' votes in closed session, the disposition of which will be recorded in the minutes of today's meeting:

<u>Appeal Number</u>	<u>Type</u>	<u>Disposition</u>
T-2012-4	Student Transfer	Affirmed

Re: **UPDATE ON LEGISLATION (ORAL)**

Ms. Laura Steinberg, Legislative Aide, presented the following information:

#### BUDGET

- Unusual ending to session
- Much already reported, no additional insights or information
- In essence, MD requires balanced budget
  - Budget passed, but revenue enhancements did not
  - As a result, contingent cuts of \$500M, half impacting K-12 education
  - However, because the legislature did not specifically authorize some of the contingent cuts, the budget is not technically balanced Governor will minimally need to call the legislature into session to address this issue
  - Of course, hope and belief is that differences will be resolved and that these "doomsday cuts" will be but a passing distraction
  - If not, MCPS faces up to a \$41M reduction in State aid-clearly, significant implications moving through this budget season

#### PENSION PASS BACK

- Also failing was the legislation that would trigger pension pass back
- Plan we expected to pass would pass back normal costs over 4 years- beginning with 50%, 65%, 85%, 100% outside of MOE, and then in year 5 embedded within MOE

#### Some Specific Legislation

- Maintenance of Effort Reform
  - Hallmark of good governance, as it provides accountability, transparency, fairness, predictability and stability
  - Establishes a floor for local funding
  - Requires a waiver if funding floor cannot be met

- Provides continuum of waiver processes depending on the circumstances, including one that would allow a rebasing of effort
  - More stringent factors to be considered when waiver is requested
  - Provides flexibility for counties that have tax caps which limit education funding
  - Shifts penalty to county under very extreme circumstance ignoring requirement to request a waiver and then funding below the required floor
- Compulsory Age of Attendance
    - Phased in beginning July 2015
    - Allows for exceptions, including students seeking a GED
    - Requires numerous reports, including compiling from LEA's programs, interventions and services necessary for implementation

#### Core Content Area

- Restores Government end of course state assessment
- Requires middle school grade band social studies assessment be added (an additional MSA)

#### FACILITIES

- Maximum Student Enrollment Policy
  - Task force to study
    - ✓ adequacy of education funding
    - ✓ school size, including best practices, educational and extracurricular impacts, contributing factors to large school sizes, ideal size, impacts on school construction programs of mandated smaller schools, etc.

#### OTHER BILLS

- Green Product Cleaning Supply policy
- Carbon Monoxide detection system
- Advisory Council for Virtual Learning

#### RESOLUTION NO. 171-12      Re:    **FY 2013-2018 CAPITAL IMPROVEMENTS PROGRAM PRIORITIES**

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

WHEREAS, The capital projects requested in the Board of Education's FY 2013 Capital Budget and FY 2013–2018 CIP are needed in order to provide quality educational facilities for all MCPS students; and

WHEREAS, The County Council has requested that the Board prioritize its capital projects in the event that the County Council must reduce the expenditures in the Board's requested six-year CIP; now therefore be it

Resolved, That the Montgomery County Board of Education authorizes the President of the Board to transmit a letter to the County Council documenting the priorities outlined in this document as the Board's adopted priorities.

Re: **BOARD COMMITTEE UPDATES**

Mrs. O'Neill reported that the Policy Committee will be reviewing Policy CNA in order to make a recommendation to the Board.

Re: **NEW BUSINESS**

There was no new business.

Re: **ITEMS OF INFORMATION**

The following documents were available:

1. Legal Fees Report
2. Construction Progress Report
3. Minority-, Female-, or Disabled-owned Business Procurement Year-to-Date Report for Fiscal Year 2012 Through March 31, 2012

RESOLUTION NO. 172-12 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of April 17, 2012, at 4:46 p.m.

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
SECRETARY

JPS:gr

Resolution	Barclay	Berthiaume	Brandman	Docca	Durso	Kauffman	O'Neill	Xie
Site Selection for BCC MS #2	A	A	A	A	A	A	A	O

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