The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, on July 30, 2012, beginning at 5:00 p.m.

Present: Mr. Christopher Barclay, Vice President in the Chair
Dr. Judy Docca
Mr. Michael Durso
Mr. Philip Kauffman
Mr. John Mannes
Mrs. Patricia O’Neill
Dr. Joshua Starr, Secretary/Treasurer

Absent: Ms. Shirley Brandman
Ms. Laura Berthiaume

# 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 5:00 p.m.

RESOLUTION NO. 357-12 Re: RESOLUTION FOR CLOSED SESSION

On recommendation of the superintendent and on motion of Mr. Durso seconded by Mr. Barclay, 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 July 30, 2012, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, from 5:00 to approximately 6:00 p.m.; and be it further

Resolved, That the Board receive legal advice as the Board adjudicates appeals, 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 superintendent of schools brief the Board on individual candidates for appointments, with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the State Government Article; and be it further
Resolved, That the superintendent of schools 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 superintendent of schools brief the Board on capital budget strategy, which is an administrative function outside the purview of the Open Meetings Act; 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 5:02 to 6:19 p.m. After a break, the Board of Education reconvened in open session at 6:28 p.m.

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. 358-12 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 July 30, 2012.

Re: PUBLIC COMMENTS

The following people commented before the Board of Education:

<table>
<thead>
<tr>
<th>Person</th>
<th>Topic</th>
</tr>
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<tbody>
<tr>
<td>Tom Hearn</td>
<td>Concussions</td>
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</table>

Re: DISCUSSION

Mr. Durso referred to Mr. Hearn’s testimony. He asked about the statement that the August 2010 state Concussion policies “do not require notice to the school nurse or to the principals, which appears to be required under current MCPS regulations.” Also, Mr. Durso asked about the recommendations to limit the number of full contract practices per week in football and eliminate repetitive header drills in soccer.
Re: BOARD/SUPERINTENDENT COMMENTS

Mr. Kauffman asked that the staff remind Montgomery County Delegation of the Board’s platform during the special General Assembly. Mrs. O’Neill pointed out that the legislature should be reminded that funds derived from gambling are supposed to be designated for education.

Dr. Starr provide an update on how our schools performed against the state’s Annual Measurable Objectives.

Mr. Barclay asked for clarification of the AMO chart presented during the superintendent’s comments.

Dr. Starr also commented on preparations for the new school year as well as summer school.

RESOLUTION NO. 359-12 Re: CONTRACTS OF $25,000 OR MORE

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, 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:

MBU-528-11 Ice Cream—Extension

Awardee
Briggs Ice Cream $150,000

290731 Fuel Management System—Extension

Awardee
Octagon Services, Inc. $218,310

4095.5 Lamps—Extension

Awardees
Capitol Lighting and Supply $19,380
C. N. Robinson Lighting Supply Co. 70,356
Competitive Edge 3,583
Scott Electric 7,161
Vehicle Maintenance Program, Inc. 1,308
4260.1 Social Work Services for Students in Alternative Programs—Extension

Awardee
Family Support Center $184,500

4801.5 Supplies and Repairs of String Instruments

Awardees (See note)
Lashof Violins, LLC*
Potter Violin Company
Guitar Center, Inc.
Washington Music Sales Center, Inc.*
Wood Bridge Music Shop, Inc.*
Total $ 25,000

7085.3 Information Technology Support and Integration Services—Extension

Awardees (See note)
Bell TechLogix
Ciber, Inc.
Data Networks
Ease Technologies, Inc.
Net Results, Inc.
Total $200,000

9013.8 Industrial and Technology Hand Tools—Extension

Awardees
Fastenal Company $ 28,200
Liberty Lumber and Supply Company 1,000
Metco 8,057
Paxton/Patterson, LLC 8,107
Powerhouse Tool and Supply, Inc.* 19,727
Republic Drill/APT Corporation 85,627
RSR Electronics 7,000
School Specialty, Inc. 1,500
Sid Tool Company 5,000
Total $164,218

9065.9 Lacrosse Supplies and Equipment

Awardees
BSN Sports, Inc. $ 42,086
Longstreth Sporting Goods, LLC* 2,555
Pyramid Paper Company 3,709
Sports Stop Inc. 9,425
Harrow Sports, Inc. 10,719
Total $ 68,494

9096.4 Corridor Lockers for Various Facilities**

Awardee
Partition Plus, Inc. $150,000

9103.10 Groceries and Staples—Extension

Awardees
Cains Food $ 16,278
Dori Foods, Inc. 418,641
Eastern Food Services, Inc.* 31,162
Feesers, Inc. 29,423
Interstate Gourmet Coffee Roasters, Inc. 19,693
Kellogg’s Food Away From Home 51,416
Mr. Enterprises, Inc.* 265,396
PFG-Carroll County Foods, Inc.* 142,991
Total $975,000

9140.1 Miscellaneous Food Services

Awardees
ConAgra Foods, Inc. $ 71,100
Dori Foods, Inc. 108,203
Feesers, Inc. 39,895
Idahoan Foods, LLC 40,080
J&J Snack Foods Corporation 10,560
J.R. Simplot Company 41,070
Land O’Lakes Inc. 403,649
Let’s Do Lunch, Inc. 1,663
McCain Foods USA, Inc. 44,700
Midas Foods 39,712
Performance Food Group, Inc. 223
Schwan’s Food Service, Inc. 108,900
The J.M. Smucker Company 75,600
Tyson Sales and Distribution, Inc. 817
Total $ 986,172

9318.6 Public Address System Replacements at Various Locations—Extension**

Awardee
TI Garden and Associates/Life Safety Solutions $ 200,000

9637.2 Fire Alarm Replacement at Various Locations—Extension**

Awardee
SPC, Incorporated $ 800,000

TOTAL PROCUREMENT CONTRACTS OVER $25,000 $ 4,229,726

* Denotes Minority-, Female-, or Disabled-owned Business
**Planned Life-cycle Asset Replacement (PLAR)

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 360-12 Re: AWARD OF CONTRACT—SHERWOOD HIGH SCHOOL STAGE LIGHTING, RIGGING, AND DIMMER CONTROL REPLACEMENT

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, The following sealed bid was received on July 5, 2012, for the stage lighting, rigging, and dimmer control replacement project at Sherwood High School:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas Scenic Company, Inc.</td>
<td>$308,795</td>
</tr>
</tbody>
</table>

and

WHEREAS, The bid is within the Department of Facilities Management budget; and

WHEREAS, There are limited opportunities for Minority Business Enterprise subcontracting on this project; and

WHEREAS, Texas Scenic Company, Inc. has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That a $308,795 contract be awarded to Texas Scenic Company, Inc. for the Sherwood High School stage lighting, rigging, and dimmer control replacement project, in accordance with drawings and specifications.

RESOLUTION NO. 361-12 Re: CONSULTANT APPOINTMENTS—ENVIRONMENTAL STUDIES FOR VARIOUS PROJECTS
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, 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.

Re: FISCAL YEAR 2012 OPERATING BUDGET YEAR-END FINANCIAL REPORT

At the end of each fiscal year, Montgomery County Public Schools (MCPS) typically requests transfers among state categories to align budgeted appropriation with actual expenditures. These transfers are subject to approval by the County Council. For Fiscal Year (FY) 2012, MCPS does not require any transfers among state categories. Nevertheless, it is incumbent to report financial results by state category and the reasons for surpluses in each of the categories to the Board of Education.

Overall, the FY 2012 MCPS Operating Budget ended with an expenditure surplus of $27,600,000. In addition to the expenditure surplus, there is a revenue surplus of $700,000, for a total surplus of $28,300,000.

Due to 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 surplus of $28.3 million, equals $40.2 million available. The County Council used $17.0 million of the fund balance as a source of revenue for the FY 2013
Operating Budget, leaving an available balance of $23.2 million. The available fund balance may 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.

During the past fiscal year, staff closely monitored revenue and expenditures. Coordinated by the Office of the Chief Operating Officer, monitoring is led by the Department of Management, Budget, and Planning and the Department of Financial Services, with the assistance of the Office of Human Resources and Development. This financial monitoring process is extremely careful, comprehensive, and detailed. Primary and secondary account managers review each of their accounts on a monthly basis and report expenditure projections for the rest of the fiscal year. Department of Management, Budget, and Planning staff reviews and analyzes these projections using quantitative models, as well as knowledge of previous expenditure patterns and changing circumstances. Implementation of the Financial Management System (FMS), a comprehensive financial system integrated with the Human Resources Information System, has improved the ability to monitor and control expenditures and to implement expenditure restrictions successfully.

The Board of Education received detailed financial status reports throughout the past year. Each month, beginning in November, the Board has discussed the financial status report at its public meetings. These reports have been transmitted to the county executive, the county’s Office of Management and Budget, and the County Council. Final FY 2012 expenditures are in line with the trends indicated in the monthly reports. The following summary presents the principal reasons for surpluses in each of the state categories of expenditure.

Category 1, Administration, reflected a surplus of $861,000. The surplus is a result of greater than budgeted salary lapse and turnover savings ($900,000). There also are savings in non-position salary accounts, including temporary part-time salaries ($300,000). The surplus in salary accounts is offset by a deficit of $350,000 in operating expenses, primarily due to expenditures for information technology applications (that are offset by information technology savings in other categories). Savings in Category 1 are 2.2 percent of budgeted expenditures.

Category 2, Mid-level Administration, reflected a surplus of $2,804,000. The surplus is primarily a result of savings in position salary accounts due to higher than anticipated lapse and turnover ($2,000,000). There also are savings in professional part-time salaries and other non-position salary accounts ($500,000) and in a variety of operating expenses, including consultants and local travel ($300,000). Savings in Category 2 are 2.1 percent of budgeted expenditures.

Category 3, Instructional Salaries, reflected a surplus of $12,912,000. The surplus is primarily a result of higher than anticipated salary lapse and turnover savings ($10,300,000). The higher than anticipated number of retirements and the lower than budgeted rate for new hires significantly affected the surplus in this category. There also are savings in a variety of non-position salary accounts, primarily in the
expenditures for substitutes ($1,700,000) and savings in professional development and other activities ($900,000).

Category 4, Textbooks and Instructional Supplies, reflected a surplus of $634,000. The surplus is a result of reduced central acquisition of instructional materials ($400,000) and savings in expenditures for professional development training materials ($200,000).

Category 5, Other Instructional Costs, reflected a surplus of $87,000. The surplus is a result of lower than anticipated contractual services expenditures ($200,000), professional development expenditures ($200,000), local travel ($100,000) and miscellaneous accounts ($100,000). Savings are offset partially by higher than budgeted costs for students in state institutions, a new reimbursement mandate approved by the 2011 Maryland General Assembly and implemented in FY 2012 ($500,000).

Savings in regular instruction program costs in Categories 3, 4, and 5 are 1.6 percent of budgeted expenditures.

Category 6, Special Education, reflected a surplus of $2,527,000. The surplus is due primarily to higher than anticipated salary lapse and turnover savings ($2,300,000). There also is a surplus in position salaries due to a required shift of locally funded positions to the Individuals with Disabilities Education Act (IDEA) grant ($2,000,000). This surplus is partly offset by a deficit in substitute salaries ($700,000), due to the required compliance with federal grant regulations. There also is a deficit in part-time salaries for critical staffing ($300,000), in non-public tuition for special education students ($300,000) because more students than expected required non-public placement, and in a variety of contractual and local travel accounts ($500,000). Savings in Category 6 are 1.0 percent of budgeted expenditures.

Category 7, Student Personnel Services, reflected a surplus of $113,000. The surplus is the result of higher than anticipated salary lapse and turnover savings. Savings in Category 7 are 1.1 percent of budgeted expenditures.

Category 8, Health Services, reflected a surplus of $37,000 due to lower than anticipated program needs.

Category 9, Student Transportation, reflected a surplus of $39,000. The surplus is primarily the result of higher than anticipated lapse and turnover savings ($3,100,000). Some work budgeted in position accounts is typically charged to regular rate overtime and other non-position accounts that experienced a deficit of $2,000,000. There also is a surplus in contractual expenses ($300,000). This surplus is partially offset by higher than projected costs for diesel fuel for school buses ($1,400,000). Diesel fuel was budgeted at $2.87 per gallon for FY 2012, and actual diesel fuel costs averaged approximately $3.40 per gallon.

Category 10, Operation of Plant and Equipment, reflected a surplus of $6,016,000. The
surplus results primarily from lower utilities expenditures resulting from energy conservation savings and lower electricity prices ($4,000,000) and lower than budgeted prices for natural gas ($1,700,000). Utilities savings are reflected in the estimates in the FY 2013 Operating Budget. The surplus also is the result of salary savings due to higher than anticipated lapse and turnover ($1,400,000). The surplus is partially offset by higher than anticipated non-position salary expenditures, primarily resulting from moving schools undergoing modernizations during winter break ($500,000), and deficits in a variety of contractual and other operating expenditures ($600,000). Savings in Category 10 are 5.2 percent of budgeted expenditures.

Category 11, Maintenance of Plant, reflected a surplus of $183,000. Savings in position salaries due to higher than anticipated lapse and turnover ($450,000); overtime costs ($100,000); and worker’s compensation costs ($100,000) are offset by deficits in maintenance supplies ($200,000) and vehicle operations due to higher fuel costs ($300,000). Savings in Category 11 are 0.6 percent of budgeted expenditures.

Category 12, Fixed Charges, reflected a surplus of $1,670,000. The surplus results primarily from savings in social security (FICA) costs due to higher than anticipated salary lapse and turnover savings ($700,000), university partnership tuition expenses ($900,000), and worker’s compensation expenses ($250,000). These savings are offset partially by deficits in unemployment insurance payments ($100,000) and the net of other employee benefit expenses ($100,000). In addition to the projections for Category 12, the most recent report on the Employee Benefit Plan (EBP) Trust Fund indicates a projected surplus in FY 2012 of $2,800,000 due to lower than anticipated claims expenses for active employees and retirees. The projected surplus will increase the year-end EBP fund balance. These resources will be available in future years to offset unexpected cost increases. Savings in Category 12 are 0.4 percent of budgeted expenditures.

MCPS also experienced a net surplus in revenue for FY 2012, totaling $713,000. The reasons for the surplus in revenue include the following:

- An increase in federal Impact Aid ($203,000)
- Additional tuition income ($354,000)
- Additional sale of surplus equipment ($268,000)
- Increased state reimbursement for nonpublic placement of special education students ($310,000)

This surplus was offset partially by a deficit in decreased state reimbursement for out-of-county living arrangements ($448,000).

Re: **DISCUSSION**

The Board members thanked Dr. Spatz for his years of excellent service to Montgomery County Public Schools and his explanation of the budget process to the Board, staff, and the community.
RESOLUTION NO. 362-12  Re:  HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT

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 following personnel appointment be approved effective July 31, 2012:

Timothy B. Warner, currently community liaison for the African American and faith communities, Montgomery County Executive’s Office of Community Partnerships, as Chief Engagement and Partnership Officer, Office of the Deputy Superintendent of Teaching, Learning, and Programs

RESOLUTION NO. 363-12  Re:  HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT

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 following personnel appointment be approved effective July 31, 2012:

Michael D. Bayewitz, currently principal, Broad Acres Elementary School, as director of school performance, Office of School Support and Improvement

RESOLUTION NO. 364-12  Re:  HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT

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 following personnel appointment be approved effective July 31, 2012:

Karin Tulchinsky Cohen, currently special education teacher, High Road Academy, as coordinator, special initiatives, Department of Instructional Programs

RESOLUTION NO. 365-12  Re:  HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT

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 following personnel appointment be approved effective July 31, 2012:
Tina W. Shrewsbury, currently principal intern, Luxmanor Elementary School, as principal, Waters Landing Elementary School

RESOLUTION NO. 366-12  Re:  HUMAN RESOURCES AND DEVELOPMENT APPOINTMENT

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 following personnel appointment be approved effective July 31, 2012:

Peter A. Daddone, currently signature program coordinator, James Hubert Blake High School, as magnet coordinator, Argyle Magnet Middle School for Digital Design and Development

Re:  BOARD’S OPERATING BUDGET INTERESTS

Dr. Starr noted that the Board generated list is grouped into three categories—Instruction, Staff and Other. He took the board language and designated it to be either a position or an interest. If the two are grouped together it reflects work done at the board table to restate the position as an interest. If it stands alone it was his determination of which category (position or interest) the statement fits into. At the last meeting there was a need to continue to determine whether the language denotes a position or an interest, reframe positional language as interest language, reduce redundancy and prioritize.

INSTRUCTION

Position: Secondary literacy
Interest: Address student performance issues

Position: Appropriately tailoring instruction so each child can learn at his/her own pace in each subject
Interest: Meet the needs of each individual child

Position: Opportunities for African-American and Latino students, including access to higher level courses
Interest: Ensure all students, regardless of race, have equity of access to appropriate and higher level courses

Interest: Continue to reduce variability of performance

Position: Offer adequate access to technological immersion for the changing world
Interest: Enable graduates to be globally competitive
Position: Improve instruction in the middle years and prepare middle school students for high school
Interest: Pay attention to areas of great need, in particular middle school

Position: Continue to support our challenging academic programs
Interest: Focus on all students

Position: Provide remediation to struggling students
Interest: Focus on all students

Position: Support physical development of our students including nutrition, exercise, and safe athletic instructional practices
Interest: Meet the needs of the whole child (full agreement)

Position: Address problems of concussions
Interest: Foster the health and well-being of students (Moved here)

Interest: Support the whole child through programs that support social and emotional well-being (full agreement)

Interest/Position?: Promote discovery and exploration into extra-curricular and other opportunities for students (divide into two and/or incorporate into others, list as an interest)

Position: Support whole child development through continued investment in music and art instruction
- Possible Word Change—investment in music, art, and extra-curricular activities
- Code all interests related to whole child

Interest: Maintain and improve our special education programs (could change to focus on all students with an emphasis on special education students)

Position: Promote hands-on and other out of the box curriculum delivery strategies (Wording change needed: ensuring/promoting/developing instructional strategies and curriculum that engages students through innovative delivery methods, 21st century physical spaces)

Position: Review the validity of credit recovery and high school plus (Possible Additions/Changes: Take hard look at current strategies to meet whole child needs, provide interventions to students; Remediation)

Position: Continue to support and expand career pathways and career and technical education
Interest: Prepare students to be college and career-ready; Provide multiple paths
for students to be college and career-ready

Position: Ensure local school culture is such that every child feels safe at school every day
Interest: Provide safety for students (and staff?), feeling and being safe
Does new work need to be done to promote well-being and comfort?
Are there safety issues to address?
Interest: Promote school cultures, such that every student and adult feels safe

Position: Review position allocations that have not kept up with enrollment
Alignment of resources and needs? Enrollment increases?
Possible Interest:
Ensure budget is aligned to the systems’ needs
- Enrollment
- Alignment issues

Position: Develop a strategic plan to deploy technological resources
Interest: Provide state of the art technology to students and teachers (move into curriculum area)—engaging for kids

STAFF
Interest: Retain and support staff

Position: Review our Professional Growth Systems
Interest: Ensure systems have integrity; are fair, valid, and successful; provide equitable capacity-building and support

Position: Protect classroom resources
Interest: Make sure staff has what they need to do the job they’re asked to do; Minimize adverse impact on the classroom in difficult budget decisions

Position: Diversity in hiring, promotions, and retention
Interest: Recognize that diverse backgrounds and a diverse workforce strengthen us

OTHER
Interest: Maintain commitment to equitable distribution of resources
Interest: Environmental stewardship
Interest: Begin sustainable restoration---Sustainability

Position: Offer innovative feedback to students, parents, teachers, and administrators
Interest: Adequate communication to ensure all levels of the system capably function together
Position: Develop a strategic plan to deploy technological resources
Interest: Provide state of the art technology to students and teachers (moved into curriculum area)—engaging for kids

Position: Continue to make sure the community has information about college and career program
Underlying interest: Work hard to ensure communities and families know what they need to do to support their kids

Interest: Expand and support community engagement in our schools
Interest: Maximize schools as community assets
Interest: Invest in innovation

Position: Make sure we know what works
Interest: Allocate resources in the right places. Connect to alignment and best practices.

Position: Address problems of concussions
Interest: Foster the health and well-being of students—Moved to meeting whole child needs

Re: DISCUSSION

The Board members agreed with the reframing. The next step will be for the Board to review the budget interests and rank their priorities.

RESOLUTION NO. 367-12 Re: FUTURE CLOSED SESSION RESOLUTION

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, 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 Thursday, August 23, 2012, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, to meet from 9:00 to approximately 11:30 a.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. 368-12  Re: REPORT OF CLOSED SESSION

On recommendation of the superintendent and on motion of Mrs. O’Neill seconded by Mr. Kauffman, the following report was approved unanimously by members present:

On July 17, 2012, 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 Board of Education of Montgomery County met in closed session on July 30, 2012, from 9:06 to 10:31 a.m. in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, and:

1. Reviewed the Decisions and Orders in Appeals T-2012-15 and DCC-2012-19, and received legal advice and adjudicated the following appeals involving student transfers, placements, and Complaint from the Public: T-2012-23, DCC-2012-24, DCC-2012-25, T-2012-28, NEC-2012-29, NEC-2012-32, 2012-6, and 2012-8, 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. Received legal advice regarding pending litigation in Montgomery County Circuit Court, as permitted under Section 10-508(a)(7) of the State Government Article.
3. Discussed an individual candidate for appointment to the Policy Committee, with a subsequent vote in open session, which is an administrative function outside the purview of the Open Meetings Act and as permitted under Section 10-508(a)(1) of the State Government Article.
4. Received a briefing by the superintendent on the Monthly Human Resources and Development Report, which is an administrative function outside the purview of the Open Meetings Act.
5. Received a briefing by the superintendent of schools on an individual candidate for an appointment as a principal, with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the State Government Article.
6. Received the Equal Employment Opportunity Quarterly Report, which is an administrative function outside the purview of the Open Meetings Act.
7. Discussed the compensation for the superintendent of schools, as permitted under Section 10-508(a)(1) of the State Government Article.
In attendance at the 9:06 a.m. closed session were Christopher Barclay, Shirley Brandman, Laura Berthiaume, Judy Docca, Michael Durso, Phil Kauffman, John Mannes, Patricia O'Neill, Ikhide Roland Ikheloa, Suzann King, Glenda Rose, and Patrick Clancy. At 9:53 a.m., Mr. Clancy left the meeting and the following staff and counsel joined the meeting: Larry Bowers, Judy Bresler, Samantha Cohen, Heather Malloy, Joshua Starr, Kimberly Statham, Dana Tofig, and Kimberly Yearns. At 10:26 a.m., Ikhide Roland Ikheloa, Suzann King, Glenda Rose, Larry Bowers, Judy Bresler, Samantha Cohen, Heather Malloy, Kimberly Statham, Dana Tofig, and Kimberly Yearns left the meeting.

RESOLUTION NO. 369-12 Re: APPEALS

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, 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 disposition of which will be recorded in the minutes of today’s meeting:

<table>
<thead>
<tr>
<th>Appeal Number</th>
<th>Type</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>T-2012-1</td>
<td>Student Transfer</td>
<td>Affirmed</td>
</tr>
<tr>
<td>T-2012-16</td>
<td>Student Transfer</td>
<td>Affirmed</td>
</tr>
<tr>
<td>NEC-2012-27</td>
<td>Student Placement</td>
<td>Affirmed</td>
</tr>
<tr>
<td>DCC-2012-31</td>
<td>Student Placement</td>
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<tr>
<td>2012-9</td>
<td>Magnet Program</td>
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Re: NEW BUSINESS

There was no new business.
RESOLUTION NO. 370-12  Re:  ADJOURNMENT

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 adjourn its meeting of July 30, 2012, at 7:38 p.m.

__________________________
PRESIDENT

__________________________
SECRETARY

JPS:gr