

APPROVED
23-2012

Rockville, Maryland
August 23, 2012

The Board of Education of Montgomery County held a business meeting at the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, on August 23, 2012, beginning at 9:05 a.m.

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

Absent: Dr. Judy Docca
Mr. John Mannes

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. 371-12 Re: **RESOLUTION FOR CLOSED SESSION**

On recommendation of the superintendent and on motion of Mr. Barclay 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 August 23, 2012, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, from 9:00 to approximately 11:30 a.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 Board receive legal advice regarding various litigation matters pending in the Montgomery County Circuit Court, as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board receive legal advice regarding the Board property located at Brickyard Road, 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 the Monthly Human Resources and Development Report, with a subsequent vote in open session, which is an administrative function outside the purview of the *Open Meetings Act* and, to the extent any individual employee is discussed, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the superintendent of schools brief the Board on an individual candidate for appointment, 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 meeting continue in closed session until the completion of business.

Re: **OPEN SESSION**

The Board of Education met in closed session from 9:03 to 11:33 a.m. After a break, the Board of Education reconvened in open session at 11:40 a.m.

To view specific sections or the entire meeting, please watch at <http://www.montgomeryschoolsmd.org/boe/meetings/archive/2012/2012-0823.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. 372-12 Re: **APPROVAL OF THE AGENDA**

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:

Resolved, That the Board of Education approve its agenda for August 23, 2012.

Re: **PUBLIC COMMENTS**

The following people commented before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Donna Evans	Drug Awareness
2. Patty Winters	Under Age Substance Abuse
3. Saqib Ali	School holidays for Muslim Students
4. Sophia Maravell	Educational Farm

- | | |
|--------------------|------------------|
| 5. Ben Joseph | Educational Farm |
| 6. Gaia Jinsi | Educational Farm |
| 7. Tory Cowles | Educational Farm |
| 8. Naomi Bloch | Educational Farm |
| 9. Dolores Milmoie | Educational Farm |
| 10. Molli Chan | Educational Farm |
| 11. Neil Zimmerman | Educational Farm |

Re: **DISCUSSION**

Regarding the public comments on the Brickyard Educational Farm, Mrs. O'Neill noted that someone had stated they purchased chickens and turkeys from the farm. Mr. Joseph stated in his testimony that there were chickens at the farm. Is this a violation of zoning for the area? Please provide clarification.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Mr. Durso remarked on the summer school graduation that he attended at Richard Montgomery High School. It is encouraging to see the students graduate. He mentioned the administrative and supervisory meeting, and it is always a highlight to see new administrators.

Mrs. O'Neill noted on the upcoming Back-to-School Fair with the hope that there will be good weather this year.

Mrs. Brandman welcomed back staff and students for the coming school year,

Dr. Staff commented on the Back-to-School Fair, ACT results, 2012 Science Maryland School Assessment results, and the 2012 Achievement of Excellence in Procurement Award from the National Procurement Institute, Inc.

RESOLUTION NO. 373-12 Re: **CONTRACTS OF \$25,000 OR MORE**

On recommendation of the superintendent and on motion of Mr. Barclay 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:

03670058 Unleaded Gasoline—Extension

Awardee

Truman Arnold Companies

\$890,000

11-12-01	Frozen Food and Staple Groceries	
	<u>Awardee</u> Peterson Farms Fresh, Inc.	\$ 99,000
1033.3	Legal Services for Special Education-Related Issues	
	<u>Awardees</u> Carney, Kelehan, Bresler, Bennett & Sherr, LLP Jeffrey A. Krew, LLC Nussbaum Law, LLC PK Law Total	\$625,000
4306.1	Implementation Services Under the Autism Waiver—Extension	
	<u>Awardee</u> Department of Health and Human Services	\$425,000
4335.1	Maximo Subscription and Support—Extension	
	<u>Awardee</u> IBM Corporation	\$ 25,237
4336.1	Employment Engagement Consulting Project	
	<u>Awardee</u> Gallup, Inc.	\$900,000
4337.1	EpiPen Purchase	
	<u>Awardee</u> Bioridge Pharma	\$ 45,000
TOTAL PROCUREMENT CONTRACTS OVER \$25,000		\$3,009,237

Re: **DISCUSSION**

Noting that the Fiscal Management Committee is reviewing various models on how legal services are provided by school systems, Mr. Kauffman recommended that if the superintendent recommends renewal of the special education contracts, that staff come to the Fiscal Management Committee to share the process that will be used to decide that the renewal clause will be invoked and other factors to be considered, as well as Board input. These factors should include a comprehensive review of the performance

of the legal services contracts.

RESOLUTION NO. 374-12

Re: **CLARKSBURG HIGH SCHOOL AND
CLARKSBURG TRANSPORTATION
DEPOT—SHAWNEE LANE IMPROVEMENTS**

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, The Clarksburg Master Plan, approved and adopted by Montgomery County in 1994, envisioned Shawnee Lane as a four-lane divided arterial road with a 120-foot wide right-of-way between Gateway Center Drive and Frederick Road (MD 355); and

WHEREAS, Miller and Smith at Eastside, LLC is required to construct the widened Shawnee Lane in connection with its site plan approval for development of the Gallery Park subdivision adjacent to the Clarksburg Transportation Depot; and

WHEREAS, In the spirit of cooperation, Miller and Smith at Eastside, LLC has offered to the Board of Education a Memorandum of Understanding to install fencing, landscaping, and screening along the common property line between Gallery Park and the Clarksburg Transportation Depot; to provide a public sanitary sewer stub capable of serving the depot; to provide driveway enhancements at the depot; and to amend the forest conservation plan for Clarksburg High School in exchange for certain grants of rights-of-way and easements to Montgomery County for the road improvement and a temporary construction easement to Miller and Smith at Eastside, LLC for improvements along the common property boundary; and

WHEREAS, Montgomery County has requested a Deed of Dedication and Deed of Easement from each of the following Board properties: Clarksburg Transportation Depot, located at 13100 Shawnee Lane in Clarksburg and Clarksburg High School, located at 22500 Wims Road in Clarksburg, as these properties front on Shawnee Lane; and

WHEREAS, Montgomery County has requested a Declaration of Public Utility Easement from both the Clarksburg Transportation Depot and Clarksburg High School to be contained in a 10-foot-wide strip of land running along the boundary line of each parcel adjacent to the public right-of-way; and

WHEREAS, The proposed easements and rights-of-way will not affect any land that could be used for school programming and recreational activities and will provide improved vehicular and pedestrian access for the high school, the depot, and the larger community; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of

schools be authorized to execute a Memorandum of Understanding with Miller and Smith at Eastside, LLC to provide certain improvements at the Clarksburg Transportation Depot and Clarksburg High School in exchange for the Board's cooperation on the timely granting of rights-of-way and easements to Montgomery County for the Shawnee Lane widening and temporary construction easement to Miller and Smith at Eastside, LLC for improvements along the common property boundary; and be it further

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Deed of Dedication and Deed of Easement to dedicate to public use 21,703 square feet in fee simple, a perpetual drainage easement of 8,102 square feet, and a temporary construction easement of 22,443 square feet to Montgomery County at Clarksburg High School; and be it further

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Deed of Dedication and Deed of Easement to dedicate to public use 12,243 square feet in fee simple and a temporary construction easement of 25,642 square feet to Montgomery County at the Clarksburg Transportation Depot; and be it further

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Declaration of Public Utility Easement in, on, and over a 10-foot-wide strip of land running along the boundary line of Clarksburg High School and the adjacent Shawnee Lane right-of-way for the installation, maintenance, repair, and replacement of public utility lines; and be it further

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a Declaration of Public Utility Easement in, on, and over a 10-foot-wide strip of land running along the boundary line of the Clarksburg Transportation Depot and the adjacent Shawnee Lane right-of-way for the installation, maintenance, repair, and replacement of public utility lines.

RESOLUTION NO. 375-12

Re: **SOUTH LAKE ELEMENTARY
SCHOOL—GRANT OF EASEMENT AND
RIGHT-OF-WAY**

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, The Washington Suburban Sanitary Commission has requested a grant of easement and right-of-way at South Lake Elementary School, located at 18201 Contour Road in Gaithersburg; and

WHEREAS, The proposed grant of easement and right-of-way, consisting of 1,659 square feet, is needed for the installation of a water main, meter vault, and appurtenances; and

WHEREAS, A temporary construction easement, consisting of 3,504 square feet, is needed during the period of original construction; and

WHEREAS, The Washington Suburban Sanitary Commission will assume responsibility for the initial expense and liability of damages or injury resulting from the installation and will be responsible for all future maintenance and repair activities; and

WHEREAS, The proposed easement and right-of-way will not affect any land that could be used for school programming and recreational activities and will provide improved water meter equipment and appurtenances; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a permanent grant of easement and right-of-way of 1,659 square feet and a temporary construction easement of 3,504 square feet to the Washington Suburban Sanitary Commission at South Lake Elementary School.

RESOLUTION NO. 376-12 Re: **STRATHMORE ELEMENTARY SCHOOL—
GRANT OF EASEMENT AND RIGHT-OF-
WAY**

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, The Washington Suburban Sanitary Commission has requested a grant of easement and right-of-way at Strathmore Elementary School, located at 3200 Beaverwood Lane in Silver Spring; and

WHEREAS, The proposed grant of easement and right-of-way, consisting of 1,380 square feet, is needed for the installation of a water main, meter vault, and appurtenances; and

WHEREAS, A temporary construction easement, consisting of 4,336 square feet, is needed during the period of original construction; and

WHEREAS, The Washington Suburban Sanitary Commission will assume responsibility for the initial expense and liability of damages or injury resulting from the installation and will be responsible for all future maintenance and repair activities; and

WHEREAS, The proposed easement and right-of-way will not affect any land that could be used for school programming and recreational activities and will provide improved water meter equipment and appurtenances; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a permanent grant of easement and right-of-way of 1,380 square feet and a temporary construction easement of 4,336 square feet to the

Washington Suburban Sanitary Commission at Strathmore Elementary School.

RESOLUTION NO. 377-12 Re: **TILDEN HOLDING CENTER—GRANT OF
EASEMENT AND RIGHT-OF-WAY**

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, The Washington Suburban Sanitary Commission has requested a grant of easement and right-of-way at Tilden Holding Center, located at 6300 Tilden Lane in Rockville; and

WHEREAS, The proposed grant of easement and right-of-way, consisting of 959 square feet, is needed for the installation of a water main, meter vault, and appurtenances; and

WHEREAS, A temporary construction easement, consisting of 901 square feet, is needed during the period of original construction; and

WHEREAS, The Washington Suburban Sanitary Commission will assume responsibility for the initial expense and liability of damages or injury resulting from the installation and will be responsible for all future maintenance and repair activities; and

WHEREAS, The proposed easement and right-of-way will not affect any land that could be used for school programming and recreational activities and will provide improved water meter equipment and appurtenances; now therefore be it

Resolved, That the president of the Board of Education and the superintendent of schools be authorized to execute a permanent grant of easement and right-of-way of 959 square feet and a temporary construction easement of 901 square feet to the Washington Suburban Sanitary Commission at Tilden Holding Center.

RESOLUTION NO. 378-12 Re: **UTILIZATION OF THE FY 2013 PROVISION
FOR FUTURE SUPPORTED PROJECTS**

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, 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. 17-444, approved May 24, 2012; 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 2013 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 \$72,378 within the Fiscal Year 2013 Provision for Future Supported Projects, as specified below:

Project	Amount
Educator Effectiveness Academy and Teacher Induction Academy	\$ 1,500
Infants and Toddlers FY 2012	5,480
Infants and Toddlers FY 2013	<u>65,398</u>
Total	\$ 72,378

and be it further

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

RESOLUTION NO. 379-12 Re: **OFFICE OF HUMAN RESOURCES AND DEVELOPMENT MONTHLY REPORT**

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, The educators and others who are employed by Montgomery County Public Schools are key partners in the important work and achievements of the school system; now therefore be it

Resolved, That the Board of Education approves the monthly Human Resources and Development Report with its listings identifying new employees, employee resignations, and other employee status updates; and be it further

Resolved, That the members of the Board of Education and the superintendent of schools express their condolences to the family of the deceased employee; and be it further

Resolved, That this resolution be made a part of the minutes of this meeting.

RESOLUTION NO. 380-12 Re: **DEATH OF MR. MARK HARDING, SECURITY ASSISTANT QUINCE ORCHARD HIGH SCHOOL**

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, The death on August 2, 2012, of Mr. Mark Harding, security assistant at Quince Orchard High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, During the 13.11 years with Montgomery County Public Schools, when called on to assist any staff member, Mr. Harding always placed the students first in his decision making; and

WHEREAS, Mr. Harding was a team member and was an effective resource for not only the security team but the school administration as well; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Mr. Mark Harding and extend deepest sympathy to his family; and be it further

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

RESOLUTION NO. 381-12 Re: **APPOINTMENT**

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:

Resolved, That the following personnel appointment be approved effective August 24, 2012:

Sharon H. Gooding, acting supervisor, Equity Assurance and Compliance Unit, as supervisor, Equity Assurance and Compliance Unit, Office of Special Education and Student Services

RESOLUTION NO. 382-12 Re: **2012-2016 SUBDIVISION STAGING POLICY**

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, A comprehensive review of the *2012–2016 Subdivision Staging Policy* has been conducted by the Montgomery County Planning Board during the past few months, and this review has included consideration of the school test in the policy; and

WHEREAS, The Montgomery County Planning Board's recommended *2012–2016 Subdivision Staging Policy* school test continues to incorporate the use of the Montgomery County Public Schools program capacity as the appropriate measure of school adequacy, which aligns with Montgomery County Public Schools facility planning and capital programming; and

WHEREAS, The Montgomery County Planning Board's recommended *2012–2016 Subdivision Staging Policy* school test continues the cluster utilization thresholds of 105 percent for triggering the school facilities payment and 120 percent for triggering residential moratorium; and

WHEREAS, The Montgomery County Planning Board's recommended *2012–2016 Subdivision Staging Policy* includes a new provision for a mid-cycle finding of school adequacy to take account of school capacity projects that may be acted on by the County Council during the year; and

WHEREAS, All other elements of the current school test are retained in the Montgomery County Planning Board's recommended *2012–2016 Subdivision Staging Policy*; now therefore be it

Resolved, That the Board of Education supports the Montgomery County Planning Board's recommendations for *2012–2016 Subdivision Staging Policy* school test, including the use of Montgomery County Public Schools program capacity as the basis for calculations used for the imposition of the school facilities payment (when cluster facility utilization is more than 105 percent) and imposition of moratorium (when cluster facility utilization is more than 120 percent); and be it further

Resolved, That the Board of Education supports the Montgomery County Planning Board's recommendations for the *2012–2016 Subdivision Staging Policy* school test, including the retention of current school test provisions, which include the testing of cluster utilization five years in the future at the elementary school, middle school, and high school levels; the monitoring of preliminary plan approvals during the year; the factoring in of the student impact of these approvals in the school test during the year; and the exemption of subdivisions of three or fewer housing units from the school test; and be it further

Resolved, That the Board of Education supports the inclusion of a mid-cycle finding of school adequacy when school capacity projects are adopted by the County Council during the year; and be it further

Resolved, That the Board of Education supports the Montgomery County Planning Board's recommendations for calculation of the school facilities payment; and be it further

Resolved, That the Board of Education requests the County Council place the school facility payment revenue in the general fund and not in separate funds that apply to the cluster where it is collected; and be it further

Resolved, That a copy of this resolution be forwarded to the County Council, the county executive, and the Montgomery County Planning Board; and be it further

Resolved, That a copy of this resolution be forwarded to mayors and councils of

Montgomery County municipalities.

Re: **DISCUSSION**

The Board suggested that the transmittal letter of the 2012-2016 Subdivision Staging Policy should include the Board's concern about adequate facilities not based solely on development, but also other factors that include turnover of housing in established neighborhoods, increase in multi-family houses, and school sites in established areas.

Re: **READINESS FOR OPENING SCHOOLS
(VIDEO)**

<http://www.montgomeryschoolsmd.org/boe/meetings/archive/2012/2012-0823.shtm>

Re: **REPORT ON HARVARD PUBLIC
EDUCATION LEADERSHIP PROJECT
(PELP) WORK**

The Board of Education received an update on MCPS' participation in Harvard University's Public Education Leadership Project (PELP). For the past several years, MCPS has been attending PELP to refine and improve its leadership and management practices in order to raise student achievement and make operations more efficient in the district. Dr. Starr said this year's work focused around how a high-functioning organization like MCPS can adapt to a new set of circumstances so that performance continually improves and variability is reduced. Each summer, MCPS and several other districts send teams of system leaders to participate in seminars taught by Harvard faculty as a part of professional development. PELP is a collaborative effort between the Harvard Business School and Harvard Graduate School of Education.

RESOLUTION NO. 383-12 Re: **FUTURE 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 Tuesday, September 11, 2012, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, to meet from 9:00 to approximately 10:00 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. 384-12 Re: **REPORT OF PREVIOUS CLOSED SESSION**

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

On July 30, 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 5:02 to 6:19 p.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-2012-23, DCC-2012-24, DCC-2012-25, T-2012-28, NEC-2012-29, NEC-2012-32, and 2012-8 and received legal advice and adjudicated the following appeals involving student transfers, placements, and magnet programs: T-2012-1, NEC-2012-27, DCC-2012-31, T-2012-32, NEC-2012-33, T-2012-35, T-2012-36, T-2012-37, NEC-2012-38, NEC-2012-39, T-2012-40, DCC-2012-41, DCC-2012-43, T-2012-44, T-2012-46, and 2012-9, 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 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*.
3. Received a briefing by the superintendent of schools on individual candidates for appointments to the following positions: three central office staff, an elementary school principal, and magnet coordinator, with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the *State Government Article*.
4. Received from the superintendent the Sexual Harassment Quarterly Report, which is an administrative function and outside the purview of the *Open Meetings Act*.
5. Received a briefing by the superintendent of schools on capital budget strategy, which is an administrative function outside the purview of the *Open Meetings Act*.

In attendance at the 5:02 p.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, Laura Steinberg, and Patrick Clancy. At 5:48 p.m., Mr. Clancy left the meeting and the following staff joined the meeting: Samantha Cohen, Brian Edwards, Beth Schiavino-Narvaez, Joshua Starr, Kimberly Statham, Dana Tofig, and Kimberly Years.

RESOLUTION NO. 385-12 Re: MINUTES

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

Resolved, That the Board of Education approve its minutes for May 8, May 21, June 11, June 14, and June 20, 2012.

RESOLUTION NO. 386-12 Re: APPEALS

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 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:

<u>Appeal Number</u>	<u>Type</u>	<u>Disposition</u>
T-2012-1	Student Transfer	Moot
T-2012-34	Student Transfer	Affirmed
T-2012-47	Student Transfer	Affirmed
T-2012-48	Student Transfer	Affirmed
T-2012-49	Student Transfer	Affirmed
T-2012-50	Student Transfer	Affirmed
2012-10	Student Placement	Affirmed
2012-11	Early Entrance to Kindergarten	Affirmed
2012-12	Early Entrance to Kindergarten	Affirmed
2012-13	Early Entrance to Kindergarten	Affirmed
2012-14	Highly Gifted Center	Affirmed
2012-15	Highly Gifted Center	Affirmed
2012-16	Promotion	Affirmed

Re: **COMMITTEE UPDATES**

There were no committee updates.

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 June 30, 2012

RESOLUTION NO. 387-12 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of August 23, at 2:03 p.m.

PRESIDENT

SECRETARY

JPS:gr

Resolution	Barclay	Berthiaume	Brandman	Docca	Durso	Kauffman	Mannes	O'Neill
2012-16 Subdivision Staging Policy	A	A	A	O	A	A	O	A

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