

APPROVED  
10-2008

Rockville, Maryland  
April 28, 2008

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Monday, April 28, 2008 at 6:30 p.m.

Present: Mrs. Nancy Navarro, President  
in the Chair  
Mr. Steve Abrams  
Mr. Christopher Barclay  
Ms. Shirley Brandman  
Ms. Sharon Cox  
Dr. Judy Docca  
Mr. Ben Moskowitz  
Mrs. Patricia O'Neill  
Dr. Jerry Weast, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 125-08 Re: **RESOLUTION FOR CLOSED SESSION**

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

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

Resolved, That the Board of Education of Montgomery County conduct a closed session on April 28, 2008, in Room 120 from 5:30 to 6:00 p.m.; and be it further

Resolved, That the Board of Education of Montgomery County receive legal advice, as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

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

Resolved, That the Board of Education of Montgomery County dedicate part of the closed session on April 28, 2008, to acquit its administrative functions and to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act under Section 10-503(a) of the *State Government Article*; and be it further

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

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. 126-08 Re: **AMENDMENT TO THE AGENDA**

On motion of Mr. Abrams and seconded by Ms. Brandman, the following resolution was adopted unanimously:

Resolved, That the Board of Education amend its agenda by moving Public Comments to the beginning of the meeting.

RESOLUTION NO. 127-08 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for April 28, 2008, as amended.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Fred Stichnoth	Reconstituting the Special Education Ad Hoc Committee
2.	Brittney Johnson	Study Circles Program
3.	Janice Goldwater	Budget Cuts at RICA
4.	Louis Wasserman	Gifted Education Budget Cuts
5.	Susan Avijian	Budget Cuts at RICA

Re: **DISCUSSION**

Mrs. O'Neill requested a RICA update to the full Board based on her conversation with Dr. Wright. Ms. Brandman asked what was driving the staffing, was there a lack of guidance counselors, and what is the transition plan for 20 Twain students?

Mrs. O'Neill thought that there should be a letter to the delegation and governor regarding the continual lack of state funding for RICA.

RESOLUTION NO. 128-08      Re:    **NATIONAL VOLUNTEER WEEK**

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

WHEREAS, National Volunteer Week is about inspiring, recognizing, and encouraging parents, students, and the entire community in volunteer efforts that effect positive experiences for our students; and

WHEREAS, Volunteers perform multiple tasks and service projects to enhance and support student learning and achievement in all of our schools;

WHEREAS, Parents, students, and community members volunteer to provide support to our students as mentors and tutors; as classroom and office assistants; as well as by serving on systemwide and school committees, the Parent Teacher Student Association, advisory groups, and work groups; and

WHEREAS, Over the next few weeks, schools throughout the United States will recognize the volunteers for their commitment to our students and education; and

WHEREAS, More than 30,000 parents, students, and community members who volunteer in Montgomery County Public Schools valuably enrich the lives of our students; and

WHEREAS, "Volunteers Light the Way" affirms the commitment volunteers make on behalf of our children; now therefore be it

Resolved, That the Montgomery County Board of Education applaud and recognize the significant efforts of all volunteers, volunteer coordinators, and community partners; and be it further

Resolved, That National Volunteer Week be observed by Montgomery County Public Schools during the week of April 27–May 3, 2008.

RESOLUTION NO. 129-08      Re:    **ASIAN    PACIFIC AMERICAN HERITAGE  
MONTH**

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

WHEREAS, The United States Congress passed a resolution proclaiming the month of May as Asian Pacific American Heritage Month; and

WHEREAS, The Asian Pacific American community has made significant contributions within the broader community by the accomplishments of extraordinary individuals in the

areas of science, politics, technology, law, medicine, education, economics, research, and the arts; and

WHEREAS, Montgomery County Public Schools recognizes and honors our Asian Pacific American students, staff, businesses, and community leaders who, by their hard work, vision, and achievements, are creating a better tomorrow for our community; and

WHEREAS, Montgomery County recognizes and celebrates the rich heritage of Asian Pacific American accomplishments and contributions that have been an inspiration to families, communities, and the country; and

WHEREAS, In 2006–2007, Asian Pacific American students met the expected rate of enrollment in at least one Honors or Advanced Placement course; now therefore be it

Resolved, That, on behalf of the superintendent of schools, staff, students, and parents of Montgomery County Public Schools, the members of the Board of Education hereby declare May 2008 to be observed as “Asian Pacific American Heritage Month.”

RESOLUTION NO. 130-08            Re:    **TEACHER APPRECIATION WEEK**

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

WHEREAS, Education is the process by which one generation passes on to the next generation the knowledge of “how to learn” as well as a zest and passion for the joy of learning itself; and

WHEREAS, Teachers open children’s minds to the magic of ideas, knowledge, and dreams; and

WHEREAS, Teachers work tirelessly to serve our children and communities with care and professionalism, filling many roles as listeners, explorers, role models, motivators, and mentors; and

WHEREAS, The Board of Education wishes to recognize publicly all of the ways that teachers contribute to the lives of children; and

WHEREAS, The Board of Education encourages families and schools to show teachers the appreciation they so richly deserve; and

WHEREAS, The Board of Education thanks its teachers for their contributions to excellence in education; now therefore be it

Resolved, That Teacher Appreciation Week be observed by the school system during the

week of May 4–10, 2008; and be it further

Resolved, That Tuesday, May 6, 2008, be designated as Teacher Appreciation Day for Montgomery County Public Schools.

Re: **SUMMARY OF THE 2008 REGULAR SESSION  
OF THE MARYLAND GENERAL ASSEMBLY**

Ms. Laura Steinberg, staff assistant for Legislative and Inter-Governmental Relations, reported that when the 2008 regular session of the Maryland General Assembly came to a close at midnight on April 7, a total of 2,641 bills had been introduced. Of the 1,014 Senate bills, 295 passed. Of the 1,627 House bills, 425 passed. None of the 10 joint resolutions passed. On Tuesday April 8, the governor signed 111 bills, with additional bill signings scheduled for April 24, May 13, and May 22.

The 2008 regular session maintained the key provisions of the adjustments to education funding agreed to during the 2007 special session. The General Assembly held firm to their commitments to increase state aid for education through the new 1 percent hold harmless grants and to increase the Geographic Cost of Education Index (GCEI) funding to the 60 percent level. Montgomery County's share of direct aid for primary and secondary education was nearly \$407 million, a 2.7 percent increase from FY 2008. The capital budget includes \$333.4 million for school construction and full funding for the Aging School Program at \$19 million. By March, \$300.1 million of school construction funds was allocated, with Montgomery County recommended to receive \$40 million. The remaining \$33.3 million will be allocated by mid-May.

Overall, education-related bills totaled more than 300 of the approximately 2,600 introduced. The General Assembly by and large deferred to the State Board of Education on issues relating to education policy and curriculum. They considered, but did not enact, many bills that would have impacted the direct operation of school systems. Additionally, the assembly did not enact any bills that would have resulted in significant unfunded mandates.

Enacted bills will impact, among other issues, bullying policies, student transfers, the Positive Behavioral Interventions and Supports (PBIS) program, access to athletics for disabled students, and procurement procedures. Several bills were amended to become task forces that will study expanded physical education offerings, obesity, financial literacy, issues affecting military children, and issues related to students subject to multiple suspensions. Bills defeated would have created tuition vouchers, mandated student drug testing, eliminated the High School Assessments, increased compulsory attendance to age 17, and created a labor relations Board.

## Budget Highlights

Senate Bill 90, the *Budget Bill*, authorizes a \$31.2 billion budget, an increase of \$1.2 billion, or 4 percent above last year. Medicaid, education aid, and personnel expenses account for much of the increase, in addition to modest initiatives. State aid for primary and secondary education will increase by \$185.1 million to a total of \$5.35 billion in FY 2009, a boost of 3.6 percent over the FY 2008 funding level of \$5.17 billion. The additional \$129.8 million in funding provided to local boards of education increases direct state aid from \$4.60 billion in FY 2008 to \$4.73 billion in FY 2009, a 2.8 percent increase. Teachers' retirement, which is paid by the state on behalf of local school systems, will grow from \$566.4 million to \$621.8 million, an increase of \$55.4 million or 9.8 percent (Attachment 1).

The governor and General Assembly held to their commitments to education funding made during the 2007 special session. The GCEI and the supplemental grants account for \$112.6 million of the \$129.8 million in direct aid increases. The foundation program and the special education formula will actually receive less funding in FY 2009 than they did in FY 2008, due to decreases in statewide enrollment. The increase of nearly 10 percent in the teachers' retirement program is mostly due to an 8.8 percent increase in the salary bases for local boards of education.

The largest increase in FY 2009, \$75.8 million, is for the GCEI, the formula that provides additional state funding to 13 school systems where costs for educational resources are above the state average. The GCEI was initially envisioned as part of the *Bridge to Excellence in Public Schools Act of 2002* but has never been funded. With the reductions to mandated education aid approved during the 2007 special session, the administration agreed, instead, to phase the GCEI formula in over just two years, with 60 percent of the formula being provided in FY 2009. In FY 2010, the full formula amount is expected to total approximately \$125 million.

The supplemental grants, which will provide \$36.8 million in fiscal 2009, were established during the 2007 special session to help mitigate the elimination of inflationary increases for the education aid formulas in FY 2009 and FY 2010. Based on a calculation that considers a combination of direct aid increases and increases in teachers' retirement payments, the supplemental grants will ensure each school system annual increases of at least 1 percent in FY 2009 and FY 2010. Funding for each school system is first calculated under the major state aid formulas, and if the calculations do not result in an increase of at least 1 percent, additional direct state aid is provided through the supplemental grants to reach the 1 percent guarantee. Supplemental grants will be recalculated in FY 2010. Beginning in FY 2011, when the education aid formulas will again be inflated each year by no more than 5 percent, the 1 percent guarantee will no longer be in effect, but local school systems will continue to receive supplemental grants equal to the amounts they receive in FY 2010. As a result of the supplemental grants, every school system will receive an increase in state funding in FY 2009.

Overall, state education aid to Montgomery County Public Schools increased by 2.7 percent. While foundation aid decreased by more than \$17 million, GCEI provided more than \$18 million. Additionally, monies for Compensatory Education, Special Education, Limited English Proficiency Grants, and Student Transportation increased (Attachment 1).

**Senate Bill 150**, the *Maryland Consolidated Capital Bond Loan of 2008*, authorizes \$333.4 million for public school construction. Seventy-five percent of the preliminary \$300 million announced by the governor in October (or \$225.0 million) was recommended for specific projects by the Interagency Committee on School Construction (IAC) and approved by the Board of Public Works (BPW) in January 2008. For the first time in three years, the capital budget bill does not detail the distribution of the remaining funds. The IAC, in accordance with a new requirement, made recommendations equal to 90 percent of the total allowance. Montgomery County is scheduled to receive a minimum of \$40 million. The remaining school construction funds, an additional \$33.3 million and any additional contingency funds that are available, will be allocated by the BPW after May 1, 2008 (Attachment 2).

### **Key Enacted Bills of Interest**

Eighty-seven bills were brought before the Board of Education for consideration over the course of the 2008 regular session. Twenty-eight have been enacted by the General Assembly. The following provides the Board's position, the legislative outcome, and a summary of key provisions, including any amendments for each of these 28 bills. A quick summary of all 87 bills brought before the Board, including the Board's position, legislative outcome, and bill synopsis, is attached (Attachment 3).

#### ***Construction/Maintenance***

The Board supported **HB376/SB208—High Performance Buildings Act**. This bill requires that new public school buildings be constructed as high-performance buildings, which is defined as achieving at least a silver rating under the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) program. The Board of Public Works must develop a process to provide waivers that includes review and approval of the waiver request by the Interagency Committee on School Construction. The requirement applies to construction of new school buildings that have not issued a request for proposals for design before July 1, 2009. Under the bill, the state will pick up one-half of the local share of the increased construction costs associated with green building technologies in FY 2010 through FY 2014.

#### ***Civil Liability***

The Board supported **HB1134/SB579—Immunity from Liability: Use of Automated External Defibrillator**. This bill alters the circumstances for immunity from civil liability for providing automated external defibrillation (AED). Specifically, the bill repeals the following eligibility requirements under a current statutory provision that provides civil immunity for conduct by individuals or facilities relating to the use of an AED: (1) the act or omission

occurs while an individual is providing automated external defibrillation at an authorized facility; (2) the individual has successfully completed an AED training course and is authorized to provide automated external defibrillation; or (3) the individual is using an AED obtained by a prescription issued by a physician. The bill takes effect October 1, 2008.

### ***Fiscal***

The Board opposed **HB472/SB375—*Imposition of Administrative Fees on Employers***. These bills, which were sponsored by the Joint Committee on Pensions, authorize the Board of Trustees of the State Retirement and Pension System to adopt regulations that allow it to impose an administrative fee on any employer that does not provide enrollment paperwork for new employees in a timely fashion. The bill takes effect July 1, 2008.

The Board supported **SB297—*Tax Credit for Employer Established Work-Based Learning Programs***, which reestablishes the tax credit program for approved work-based learning programs. The Maryland State Department of Education (MSDE) must evaluate the effectiveness of the program and report its findings to the Senate Budget and Taxation Committee and the House Ways and Means Committee by November 1, 2012. The bill takes effect July 1, 2008, and applies to tax years 2009 through 2012. The bill terminates June 30, 2013.

### ***Human Resources***

The Board supported **HB652—*Criminal Convictions***. This bill prohibits a local Board of education from knowingly hiring an individual who has been convicted of a crime of violence or a sex crime. The bill removes the requirement that the Maryland State Board of Education adopt regulations to prohibit a local Board of education from knowingly hiring an individual for a noncertificated position who has been convicted of a violent or sex crime. The bill takes effect October 1, 2008.

### ***Procurement***

The Board supported **HB696/SB158—*Farm-to-School Program***. This bill establishes the Jane Lawton Farm-to-School Program in the Maryland Department of Agriculture for various purposes generally aimed at promoting and facilitating the sale of farm products grown in the state to Maryland schools. The bill takes effect October 1, 2008.

### ***Students***

The Board opposed **HB1411/SB849—*Fitness and Athletics Equity for Students with Disabilities Act***, as originally introduced. As amended, this bill requires the Maryland State Department of Education and local boards to ensure that students with disabilities have equal opportunities to participate in mainstream physical education and athletic programs in public schools. Local boards must develop policies and procedures to promote and protect the inclusion of students with disabilities in mainstream physical education and athletic programs, and the Maryland State Board of Education must adopt a model policy to assist local boards with implementation of the bill. MSDE must monitor local boards'

compliance and provide technical assistance to local boards. The bill takes effect July 1, 2008. Local boards must be in compliance with the bill's requirements as expeditiously as possible but no later than three years from the effective date.

The Board opposed **HB169/SB77—*Children in Informal Kinship Care Relationships***, as originally introduced. This bill allows a child to attend a public school outside of the attendance area of the child's permanent residence if the child is living in the school's attendance area with a relative who is providing informal kinship care due to a serious family hardship. The relative must verify the informal kinship care relationship through a sworn affidavit. The bill takes effect October 1, 2008.

The Board supported with amendment **HB953/SB264—*Alternative Education Programs and GED Requirements***. As amended, this bill requires the appropriate representative of a local Board of education to provide, to the extent possible, information on alternative education and General Educational Development (GED) programs to each individual who has dropped out of high school, is known to be preparing to drop out of high school, or who has participated in an exit interview at a public high school without obtaining a high school diploma or certificate. The bill takes effect October 1, 2008.

The Board opposed **HB199—*Bullying and Cyber-Bullying: Policy and Disciplinary Standards***, as originally introduced. This bill, as amended, requires the Maryland State Board of Education to develop a model policy that prohibits bullying, harassment, and intimidation by March 31, 2009, in consultation with local school systems. Using the state board's model policy, local boards of education have to establish policies prohibiting bullying, harassment, and intimidation by July 1, 2009, and develop educational materials to prevent bullying in schools.

In addition to a definition of bullying, harassment, or intimidation, and a rule prohibiting bullying and retaliation against individuals who report acts of bullying, the model policy developed by the Maryland State Board of Education must include procedures for reporting bullying, investigating reports of bullying, and disciplining students who have violated school bullying policies. The model policy also has to include information about the support services available to students involved in or witnessing bullying and information about the availability and use of the standard bullying report forms developed by the Maryland State Department of Education.

Local policies must be developed in consultation with students, parents, school personnel, school volunteers, and members of the community and must include a chain of command in the bullying-reporting process. Copies of local policies must be included in student handbooks and posted on websites. In addition, local boards of education must develop educational programs for students, staff, volunteers, and parents, as well as professional development programs that train teachers and administrators to implement the local policies. Finally, the bill further specifies the current definition of harassment and

intimidation and includes bullying through electronic communication as part of the definition. The bill takes effect July 1, 2008.

The Board opposed **HB653/SB600—*Hearing and Vision Screenings***, as originally introduced. As amended, this bill eliminates the requirements for screenings in Grades 4, 5, or 6, and Grade 9, and replaces them with required screenings in Grade 1 and Grade 8 or 9. Further screenings must also be done in accordance with policies adopted by local boards of education and local health departments. The parent or guardian of a student who does not pass a screening must report on the recommended services received by the student, and the report must be submitted on a form provided by the local Board of education or health department. The bill takes effect October 1, 2008.

The Board opposed **HB285/SB96—*Education-Truancy Rates-Positive Behavioral Interventions and Support Programs and Behavior Modification Programs***, as originally introduced. This bill, as amended, requires schools with truancy rates in excess of 8 percent of their enrollment during the 2008-2009 school year to implement a Positive Behavioral Interventions and Supports (PBIS) program or a comparable behavior modification program. The truancy rate that triggers the requirement is then reduced each subsequent year until it reaches 1 percent of enrollment for the 2012-2013 school year and thereafter. A school that has already implemented PBIS or an alternate program must expand its program if its truancy rate exceeds the limits set in the bill or if the existing suspension rate limits set for elementary schools are exceeded. The bill takes effect July 1, 2008.

The Board supported **HB536/SB473—*Youth Risk Behavior Surveillance System: Passive Parental Consent***. As amended, this bill alters the parental consent procedures for the Youth Risk Behavior Surveillance System (YRBSS) to utilize passive parental consent for participation in the survey. Rather than requiring a parental consent form for participation in the survey, a local school system is required to provide each parent with a denial of permission form that may be returned to the school. The denial of permission form must be part of the emergency contact information form. In addition, local school systems must notify parents that the survey is confidential, survey responses will be kept private, students' names will not be required on the survey response sheets, and the survey is designed to identify risk behaviors. As amended, the bill provides that the denial of permission form shall be distributed only to a student or the parent or guardian of a student who may be subject to the survey administered. The bill takes effect October 1, 2008.

The Board opposed **SB428—*Military Recruiters-Opportunity to Opt Out***, as originally introduced. As amended, this bill requires schools to notify each student and the parent or guardian of each student that they may request that the student's name, address, and telephone number not be released to military recruiters. Notification of the option to not release contact information to military recruiters must be provided on the emergency contact information form. The bill takes effect October 1, 2008.

The Board opposed **HB139—*Multiple Suspensions***, as originally introduced. As amended, the bill creates a task force to look at the feasibility and fiscal impact of requiring student services teams to provide case management to students who incur suspensions that result in 10 or more days of absences during a school year. The task force must make recommendations about this requirement and about parental involvement in matters related to student suspensions. The Maryland State Department of Education has to provide staff support, and a final report is due by January 15, 2009. The bill takes effect June 1, 2008, and terminates May 31, 2009.

The Board opposed **SB955—*Brian Moore Student Health and Fitness Act of Maryland***, as originally introduced. As amended, this bill establishes a Task Force on Student Physical Fitness in Maryland Public Schools to study the advisability and the effects of requiring public schools to provide students with a minimum level of physical activity or physical education each week. The Maryland State Department of Education must provide staff support for the task force, and a report is due by November 20, 2008. The bill takes effect July 1, 2008, and terminates June 30, 2009.

The Board opposed **HB1242/SB533—*Financial Literacy***, as originally introduced. As amended, the bill establishes a task force to study how to improve financial literacy in the state. The task force will study the ability of high school students to understand basic financial concepts; evaluate the provision of financial literacy education in Maryland's public schools; and assess the utility of financial literacy education in primary and secondary education; determine the ability of consumers older than age 21 who hold a high school diploma to understand basic financial concepts; and study the problems created for the average consumer by a lack of financial literacy or knowledge. The task force has to make recommendations regarding how to address the aforementioned issues. It takes effect July 1, 2008, and terminates June 30, 2009.

### **Other Items or Enacted Bills of Interest**

#### ***Infants and Toddlers Program***

The governor's supplemental budget proposed an additional \$7.6 million to supplement the \$5.8 million budget for the Infants and Toddlers Program, bringing the total to \$13.4 million. The General Assembly agreed to a lesser \$3.1 million increase.

#### ***Textbooks for Private Schools***

The final budget includes \$3.4 million for textbooks and computers for private schools. Separate legislation authorizes the transfer of \$1 million in Cigarette Restitution Funds from the Medical Assistance Program to the Maryland State Department of Education to supplement this textbook funding.

**SB203—*Transfer of Adult Education and Literacy Services***, transfers adult education and literacy services along with education programs from the Maryland State Department

of Education (MSDE) to the Department of Labor, Licensing, and Regulation (DLLR). The bill also expands the purview of the Education Coordinating Council for Correctional Institutions to include workforce development and transfers jurisdiction from MSDE to DLLR and the Department of Public Safety and Correctional Services. DLLR is required to provide education and workforce skills training programs in the state's adult correctional institutions.

**HB865—*eMaryland Marketplace*** requires units of state government, including those otherwise exempt from state procurement law – except for the Maryland Health and Higher Education Facilities Authority – and all local governmental entities to publish notices of procurements and procurement awards on eMaryland Marketplace (eMM). The requirement extends only to contracts procured through competitive sealed bidding, competitive sealed proposals, and noncompetitive negotiations, and to procurements with values that equal or exceed those for state contracts that must be published on eMM. The requirement does not prohibit state or local governments from publishing notices of procurements or procurement awards according to other laws or policies. The bill specifies that unintentional violation of the bill's requirements is not grounds for challenging or appealing a contract award or procurement process. The bill takes effect June 1, 2008.

**SB577—*Individuals with Disabilities-Service Animals*** grants to all individuals with disabilities the same rights of access to public places, accommodations, and conveyances, as well as housing accommodations that are currently afforded to blind, visually impaired, deaf, and hard of hearing individuals. A parent of a minor with a disability who is accompanied by a service animal cannot be denied admittance or be required to pay extra compensation for the service animal. In addition, a parent of a minor with a disability using a service animal not wearing an orange license tag or orange collar and on a leash has the same rights and privileges as other individuals, as does a parent of a minor with a disability using a service animal in a place, accommodation, or conveyance.

**HB1176—*Task Force on Childhood Obesity*** establishes a Committee on Childhood Obesity within the Department of Health and Mental Hygiene. The committee is charged with studying childhood obesity and reporting on the following: insurance reimbursements paid to health care providers to diagnose and treat childhood obesity; a system for collecting, analyzing, and maintaining statewide data relating to childhood obesity; best and promising practices to address childhood obesity, including community and school-based approaches; methods to enhance public awareness of the chronic diseases related to childhood obesity, including the increased number of children developing diabetes; and methods to increase the rate of obesity screenings for children. A report with findings and recommendations is due December 1, 2009.

**Table 1**  
**State Education Aid**  
**Fiscal Years 2008 and 2009**

(\$ in Millions)				
Direct State Aid Programs	2008	2009	Dollar Change	Percen tChang e
Foundation Program	\$2,782.7	\$2,756.8	-\$25.9	-0.9%
Geographic Cost of Education Index	0.0	75.8	75.8	-
Supplemental Grants	0.0	36.8	36.8	-
Compensatory Education	902.1	914.2	12.2	1.3%
Special Education Formula	280.0	272.7	-7.3	-2.6%
Limited English Proficiency	126.2	144.0	17.9	14.2%
Guaranteed Tax Base	78.9	90.0	11.1	14.1%
Student Transportation	219.0	225.1	6.1	2.8%
Nonpublic Special Education	125.2	127.6	2.4	2.0%
Other Programs	87.5	88.4	0.9	1.0%
Direct Aid Subtotal	\$4,601.6	\$4,731.6	\$129.8	2.8%
Teachers' Retirement	566.4	621.8	55.3	9.8%
<b>Grand Total</b>	<b>\$5,168.1</b>	<b>\$5,353.2</b>	<b>\$185.1</b>	<b>3.6%</b>

Table 2  
State Education Aid to Montgomery County  
(\$ in Thousands)

	<b>FY2008</b>	<b>FY2009</b>	<b>\$Diff</b>	<b>%Diff</b>
Foundation Aid	\$193,324	\$176,038	-\$17,286	-8.9
Geographic Cost of Education Index	0	18,373	18,373	0.0
Compensatory Education	82,534	85,773	3,239	3.9
Special Education	48,345	49,225	881	1.8
Limited English Proficiency Grants	38,024	42,674	4,650	12.2
Student Transportation	30,678	31,482	804	2.6
Adult Education	394	394	0	0.0
Aging Schools	1,178	1,096	-82	-7.0
Other Education Aid	2,634	2,634	0	0.0
Primary & Secondary Education	<b>397,111</b>	<b>407,689</b>	<b>10,579</b>	<b>2.7</b>

Fiscal Year 2009 Approved and Proposed  
School Construction Funding  
(\$ in Thousands)

LEA	BPW Approved	Additional IAC Recommend	Total LEA Recommend	Total LEA Request	LEA A-B Request	% of A-B Request Funded
Allegany	\$0	\$0	\$0	\$0	\$0	n/a
Anne Arundel	18,078	7,340	25,418	32,834	28,242	90.0%
Baltimore City	19,182	12,176	31,358	149,925	138,781	22.6%
Baltimore County	19,659	11,192	30,851	73,391	33,243	92.8%
Calvert	6,009	1,800	7,809	12,804	12,804	61.0%
Caroline	7,300	800	8,100	9,422	9,422	86.0%
Carroll	10,700	1,000	11,700	28,320	28,320	41.3%
Cecil	2,588	0	2,588	5,646	5,646	45.8%
Charles	11,304	400	11,704	32,064	32,064	36.5%
Dorchester	9,500	900	10,400	21,668	21,668	48.0%
Frederick	12,220	2,400	14,620	72,928	72,928	20.0%
Garrett	3,020	0	3,020	3,020	3,020	100.0%
Harford	13,705	900	14,605	64,109	58,051	25.2%
Howard	14,024	1,003	15,027	50,397	35,556	42.3%
Kent	0	0	0	0	0	N/A
Montgomery	20,294	19,738	40,032	132,748	103,844	38.6%
Prince George's	20,201	13,811	34,012	134,914	51,804	65.7%
Queen Anne's	4,551	400	4,951	6,849	6,849	72.3%

St. Mary's	6,860	200	7,060	7,266	7,266	97.2%
Somerset	0	0	0	0	0	N/A
Talbot	0	0	0	446	0	N/A
Washington	8,568	800	9,368	11,777	11,777	79.5%
Wicomico	11,955	0	11,955	15,000	15,000	79.7%
Worcester	5,283	200	5,483	5,886	5,886	93.2%
<b>Subtotal</b>	<b>\$225,000</b>	<b>\$75,060</b>	<b>\$300,060</b>	<b>\$871,413</b>	<b>\$682,170</b>	<b>44.0%</b>
<b>Unallocated</b>			<b>\$33,340</b>			

Re: **DISCUSSION**

Ms. Brandman asked about the positive behavior intervention support. How many of the schools will be affected? Which schools already have this support? Which ones will need this support?

Re: **BOARD/SUPERINTENDENT COMMENTS**

Mr. Moskowitz congratulated Mr. Christopher Orlando, teacher at Bethesda-Chevy Chase High School, for being honored as Montgomery County Teacher of the Year. Mr. Moskowitz thanked the Student Advisory Committee for meeting with Board members on communication issues. He congratulated the students who received the scholarships at the NAACP Freedom Fund Dinner. Finally, he thanked the Springbrook Cluster for the recent meeting and presentations on best practices.

Dr. Docca commented on Springbrook Cluster's initiatives as a reaction to Study Circles. She attended the National Center for Children and Families, where a young man was given an award for overcoming many obstacles to succeed in school. She attended the Latino Student Conference, and there were sessions on getting students ready for school. Many staff members attended because of their concern for and interest in the students. She read to the third graders at Goshen Elementary School, where the students were prepared with questions about the Board of Education. Dr. Docca attended Maryvale Elementary School's fundraiser, which was well attended. Finally, Ms. Brandman and Dr. Docca were co-chairs for the NAACP scholarship committee.

Mr. Abrams commended Mr. Fernandez, principal at Albert Einstein High School, for his leadership and communication with the community during the recent incident.

Ms. Brandman added to the comments of her colleagues. This was the first year she worked on the NAACP Scholarship and the students' stories were very inspirational, highlighting commitment to family and school.

Dr. Weast congratulated Julie Zhu, a Presidential Scholar semifinalist from Montgomery

Blair High School. She is one of two in the United States in both academics and the arts. Eight elementary schools produced operas this spring in the second grade. There is a second set of concerts at Strathmore Hall for fifth graders. Finally, there is a Media Festival for 1,500 students and their work will be showcased at the AFI Silver Theater.

Mrs. O'Neill shared that she spoke at the American Association of University Women and staff did a wonderful job with preparing packets of information.

Ms. Cox thanked the people who attended the Wheaton Cluster and Springbrook Cluster meetings. It is always a pleasure to speak to folks in the schools on a daily basis. In the county executive's remarks, he stated that there will not be specific cuts, but the amount approved will allow the Board of Education to determine how to allocate the resources. He also stated that full modernizations might not be needed, but that topic has been discussed and rejected. Frankly, she was disappointed in that remark by the county executive.

Mr. Barclay agreed with Mr. Abrams' comments regarding Mr. Fernandez. The system needs to engage students with a responsible adult in order to understand what is happening, especially with safety issues. He also mentioned the following successful programs: (1) City of Peace, (2) student opera, (3) elementary read-aloud, and (4) NAACP Scholarships.

Mrs. Navarro said she concurred with the previous comments of her colleagues, and added that she represented the Board at the first Early Care in Education Congress held in Montgomery County. Finally, she attended the NAACP Youth Leadership Forum held at Quince Orchard High School.

**RESOLUTION NO. 131-08            Re:    CONTRACTS OF \$25,000 OR MORE**

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

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

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

4011.6            Maintenance Lumber and Related Materials—Extension

Awardees

Leland L. Fisher, Inc.	\$ 112,606
Pikesville Lumber Company	<u>114,277</u>
Total	\$ 226,883

4021.5	On-call Painting Services for Various Facilities**	
	<u>Awardees</u> (See note)	
	Colossal Contractors*	
	Hann & Hann	
	JNA Painting Company, Inc.	
	OMF Contractors, Inc.*	
	Tito Contractors*	
	Unisource Services, LLC*	
	Total	\$ 300,000
4115.4	Microscopes	
	<u>Awardees</u>	
	3Z's Instruments, LLC	\$ 12,323
	Benz Microscope Optics Center	4,400
	Cynmar Corporation*	13,335
	Donegan Associates*	17,920
	Fisher Science Education	26,084
	Nebraska Scientific	6,056
	Science Kit, Inc.	<u>4,242</u>
	Total	\$ 84,360
4120.8	Office Papers, Virgin and Recycled	
	<u>Awardees</u>	
	Frank Parsons Paper Company, Inc.	\$ 499,686
	Ricoh Corporation	43,888
	RIS Paper Company, Inc.	2,808,078
	Unisource	267,149
	Xpedx	<u>7,308</u>
	Total	\$3,626,109
4141.2	Purchase of Uniforms—Extension	
	<u>Awardee</u>	
	Morgan's Inc.	\$ 153,474
4143.2	Technology Laboratory Workstations	
	<u>Awardee</u>	
	Diversified Educational Systems	\$ 81,478
4873.1	Art Supplies	

	<u>Awardee</u>	
	Sax Arts & Crafts	\$ 32,945
7050.8	Photographic Equipment and Supplies	
	<u>Awardees</u>	
	B&H Photo Video	\$ 7,512
	Freestyle Sales Company	20,270
	Penn Camera Exchange, Inc.	73,650
	Service Photo Supply, Inc.	14,887
	Unique Photo, Inc.	1,127
	W.B. Hunt Company, Inc.	<u>36,083</u>
	Total	\$ 153,529
7082.5	Custodial Supplies	
	<u>Awardees</u>	
	Abel Industries, Inc.	\$ 5,347
	Acme Paper & Supply Company, Inc.	298,304
	Calico Industries, Inc.	55,882
	Central Poly Corporation	12,777
	Daycon Products Company, Inc.	146,917
	FPC Distribution	208,231
	S. Freedman & Sons, Inc.	514,056
	Genesis II, Inc.*	34,592
	Holt Paper & Chemical Company	130,527
	Industrial Products Supply*	2,285
	Laniado Wholesale MTC Products, Inc.*	42,630
	Leonard Paper Company	201,200
	Lynn Ladder & Scaffold Company	187,737
	National Supply Company	25,466
	Porter's Supply Company, Inc.	60,392
	Pyramid School Products	12,772
	Solutex, Inc.	21,116
	Supreme Industrial Products, Inc.	11,955
	W. Wiederrecht Marketing, Inc.	<u>22,061</u>
	Total	\$1,994,247
7082.5	Custodial Equipment	
	<u>Awardees</u>	
	Abel Industries, Inc.	\$ 1,028
	Acme Paper & Supply Company, Inc.	39,997
	Daycon Products Company, Inc.	383,175

	Fitch Company*	282
	Meyer Material Handling Products, Inc.	576
	National Supply Company	<u>8,685</u>
	Total \$ 433,743	
7093.3	Aftermarket Automotive Parts—Extension	
	<u>Awardees</u>	
	Academy Ford Sales*	\$ 20,000
	American Bus Sales and Service	350,000
	Arrow Auto Parts	124,000
	Bus Parts Warehouse	10,000
	Delcoline, Inc.	110,000
	Harco Auto Electric & Parts	59,705
	J.G. Parks & Son	547,700
	Johnson & Towers, Inc.	160,000
	K & M Supply, Inc.	174,625
	K. Neal International Trucks, Inc.*	987,480
	Keller Truck Parts, Inc.	9,000
	Looper Servicenter, Inc.	54,360
	Northern Virginia Supply, Inc.	246,234
	Ourisman's Rockmont Chevrolet	15,000
	R & S Auto & Truck Spring Works, Inc.	19,500
	School Bus Parts Company	<u>22,500</u>
	Total	\$2,910,104
7131.3	Kitchenware and Small Equipment	
	<u>Awardees</u>	
	Buller Fixture Company	\$ 16,286
	Calico Industries, Inc.	15,088
	Kitchen Specialties*	<u>724</u>
	Total	\$ 32,098
7147.2	Purchase of New Tires	
	<u>Awardee</u>	
	Service Tire Truck Center	\$ 414,726
7161.1	Wipes for Transportation Depots—Extension	
	<u>Awardee</u>	
	S. Freedman & Sons, Inc.	\$ 40,875

9046.1	Water Treatment Supplies and Equipment—Extension	
	<u>Awardees</u>	
	Superior Water Services, Inc.	\$ 41,899
	Tricon Chemical Corporation*	<u>22,043</u>
	Total	\$ 63,942
9050.5	Athletic Cheerleader and Pom Pon Uniforms—Extension	
	<u>Awardees</u> (See note)	
	Athletic House of Maryland	
	Cisco, Inc.	
	Marlow Sports, Inc.*	
	Maryland Athletic and Corporate Supply*	
	Team Distributors	
	Varsity Spirit Fashions	
	Total	\$120,000
9058.8	Developmental Activities Supplies and Equipment—Extension	
	<u>Awardees</u>	
	Cannon Sports, Inc.*	\$ 2,937
	Flaghouse, Inc.	2,840
	Bill Fritz Sports Corporation	44,401
	Gopher Sport	1,437
	Passon's Sports	41,811
	Pyramid School Products	2,860
	S&S Worldwide	7,417
	Sportime, LLC	22,509
	Sports Stop, Inc.	14,076
	Sports USA Jenco Enterprises*	<u>308</u>
	Total	\$140,596
9062.8	Fitness and Team Handball Supplies and Equipment—Extension	
	<u>Awardees</u>	
	Flaghouse, Inc.	\$ 9,579
	Gopher Sport	1,018
	Passon's Sports	37,651
	Pyramid School Products	447
	Sportime, LLC	10,840
	Sports Stop, Inc.	<u>262</u>
	Total	\$ 59,797

9064.7	Lacrosse Supplies and Equipment—Extension	
	<u>Awardees</u>	
	Aluminum Athletic Equipment Company	\$ 2,048
	Bill Fritz Sports Corporation	2,499
	Longstreth Sporting Goods*	2,864
	Passon's Sports	9,648
	Sports Stop, Inc.	<u>33,805</u>
	Total	\$ 50,864
9115.4	Detergents and Cleaners, Laundry and Kitchen Use	
	<u>Awardee</u>	
	Acme Paper & Supply Company, Inc.	\$ 48,793
9160.2	Athletic Field Renovation—Extension**	
	<u>Awardee</u>	
	Walker Willis/T/A Custom Masonry	\$422,741
9414.1	Energy Management Automation System Upgrade at Earle B. Wood Middle School	
	<u>Awardee</u>	
	Engineered Services, Inc.	\$138,000
9622.1	Re-roofing at S. Christa McAuliffe Elementary School**	
	<u>Awardee</u>	
	Interstate Corporation*	\$144,000
9622.1	Re-roofing at Quince Orchard High School**	
	<u>Awardee</u>	
	R. D. Bean, Inc.	\$914,194
9624.1	Re-roofing at Ronald McNair Elementary School**	
	<u>Awardee</u>	
	R. D. Bean, Inc.	\$392,082
9653.1	Athletic Locker Replacement at Col. E. Brooke Lee Middle School and Col. Zadok Magruder High School**	

<u>Awardee</u> Steel Products, Inc.*	\$ 57,837
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TOTAL PROCUREMENT CONTRACTS OVER \$25,000	\$13,037,417
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\* Denotes Minority-, Female-, or Disabled-owned Business

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

Note: Contract amounts will be based on individual requirements.

RESOLUTION NO. 132-08      Re:    **AWARD OF CONTRACT—HEATING,  
VENTILATION, AIR CONDITIONING UNIT  
REPLACEMENTS—TILDEN MIDDLE SCHOOL**

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

WHEREAS, There is a job order contract on bid with Montgomery County for general construction services, including heating, ventilation, and air conditioning installations with Centennial Contractors Enterprises, Inc.; and

WHEREAS, Centennial Contractors Enterprises, Inc. has provided staff with a proposal based on the job order contract for the heating, ventilation, and air conditioning unit ventilator replacements at Tilden Middle School; and

WHEREAS, Staff has reviewed the proposal and finds it reasonable based on the required scope of work; and

WHEREAS, The Minority Business Enterprise participation submitted is 4.5 percent Maryland Department of Transportation-certified; and

WHEREAS, A request has been submitted to waive the balance of the Maryland Department of Transportation-certified Minority Business Enterprise participation; and

WHEREAS, The Department of Facilities Management staff has reviewed and certified that the waiver meets the contract requirements and recommends waiving the remaining balance of the Maryland Department of Transportation-certified Minority Business Enterprise requirements; now therefore be it

Resolved, That a \$1,866,298 contract be awarded to Centennial Contractors Enterprises, Inc. for the heating, ventilation, and air conditioning unit ventilator replacements at Tilden Middle School, in accordance with drawings and specifications prepared by Building

Dynamics, LLC; and be it further

Resolved, That the contract be forwarded to the Interagency Committee for School Construction for approval to reimburse Montgomery County Public Schools for the state-eligible portion of this project.

RESOLUTION NO. 133-08      Re:    **BELLS MILL ELEMENTARY SCHOOL—  
GRANT OF RIGHT-OF-WAY**

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

WHEREAS, The Washington Suburban Sanitary Commission has requested a grant of right-of-way at Bells Mill Elementary School, located at 8225 Bells Mill Road in Potomac; and

WHEREAS, The proposed grant of right-of-way, consisting of 1,050 square feet, is needed for the installation of a water main and appurtenances as a part of the modernization of the school; and

WHEREAS, All construction and liability for damages or injury will be undertaken by Montgomery County Public Schools as a part of the school construction; and

WHEREAS, The proposed right-of-way will not affect any land that could be used for school programming and recreational activities; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a grant of right-of-way of 1,050 square feet to the Washington Suburban Sanitary Commission at Bells Mill Elementary School.

RESOLUTION NO. 134-08      Re:    **CLARKSBURG ELEMENTARY SCHOOL  
#8—GRANT OF RIGHT-OF-WAY**

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

WHEREAS, The Washington Suburban Sanitary Commission has requested a grant of right-of-way at Clarksburg Elementary School #8, located at 12615 Royal Crown Drive in Germantown; and

WHEREAS, The proposed grant of right-of-way, consisting of 966 square feet, is needed for the installation of a water main and appurtenances as a part of the construction of the

school; and

WHEREAS, All construction and liability for damages or injury will be undertaken by Montgomery County Public Schools as a part of the school construction; and

WHEREAS, The proposed right-of-way will not affect any land that could be used for school programming and recreational activities; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a grant of right-of-way of 966 square feet to the Washington Suburban Sanitary Commission at Clarksburg Elementary School #8.

RESOLUTION NO. 135-08      Re:    **UTILIZATION OF THE FY 2008 PROVISION FOR FUTURE SUPPORTED PROJECTS FUNDS**

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

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. 15-631, approved May 27, 2007; and

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

WHEREAS, Sufficient appropriation is available, within the FY 2008 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 to receive and expend \$100,976 within the FY 2008 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Positions*</u>	<u>Amount</u>
Model Learning Center	0.8	\$ 40,976
MDK-12 Digital Summit Project		50,000
Tech Prep-Biomedical Sciences		<u>10,000</u>
	—	
Total	<u>0.8</u>	<u>\$ 100,976</u>

Positions\*

.8 Secretary

and be it further

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

RESOLUTION NO. 136-08            Re:    **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated April 28, 2008.

RESOLUTION NO. 137-08            Re:    **DEATH OF ELIZABETH E. MIDKIFF,  
TRANSPORTATION CLUSTER SUPERVISOR,  
DEPARTMENT OF TRANSPORTATION**

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

WHEREAS, The death on February 29, 2008, of Elizabeth E. Midkiff, transportation cluster supervisor in the Department of Transportation, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the 25.1 years that Mrs. Midkiff worked for Montgomery County Public Schools, she was a conscientious employee and took great pride in working with the staff for the Blair Cluster; and

WHEREAS, Mrs. Midkiff had good working relationships and earned the respect and admiration of her peers, which made her a valuable employee; 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 Elizabeth E. Midkiff and extend deepest sympathy to her 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 Mrs. Midkiff s family.

RESOLUTION NO. 138-08

Re: **DEATH OF LEROY W. HACKEY, BUILDING SERVICE WORKER, POTOMAC ELEMENTARY SCHOOL**

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

WHEREAS, The death on March 18, 2008, of Leroy W. Hackey, building service worker at Potomac Elementary School. has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the more than seven years that Mr. Hackey worked for Montgomery County Public Schools, he was a conscientious employee who went above and beyond to ensure that the school was clean and secure; and

WHEREAS, Mr. Hackey's dependability and good relationships with his fellow workers made him a valuable employee; 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 Leroy W. Hackey 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. Hackey's family.

RESOLUTION NO. 139-08

Re: **DEATH OF MR. PAUL A. LOUVIERE CLASSROOM TEACHER, SPECIAL EDUCATION, HERBERT HOOVER MIDDLE SCHOOL**

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

WHEREAS, The death on March 31, 2008, of Mr. Paul A. Louviere, special education classroom teacher at Herbert Hoover Middle School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the more than four years that Mr. Louviere had been employed by Montgomery County Public Schools, he had proven himself to be a highly supportive and committed teacher; and

WHEREAS, Mr. Louviere was a true professional who took pride in his work by encouraging his students to take risks when they were unsure of their answers, thus

making him an asset to the Hoover community; 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. Paul A. Louviere 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. Louviere's family.

**RESOLUTION NO. 140-08      Re:    HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved, effective April 29, 2008:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Linda Ferrell	Acting Director, Middle School Instruction	Director, Middle School Instruction

**RESOLUTION NO. 141-08      Re:    HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved, effective July 1, 2008:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Suzanne Maxey	Principal, Seneca Valley HS	Consulting Principal

**RESOLUTION NO. 142-08      Re:    HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved, effective July 1, 2008:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Nancy Erdrich	Principal Intern, Goshen ES	Principal, Burning Tree ES

**RESOLUTION NO. 143-08      Re:    HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved, effective July 1, 2008:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Niki Hazel	Principal, East Silver Spring ES	Principal, Gaithersburg ES

RESOLUTION NO. 144-08      Re:    **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved, effective July 1, 2008:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Gail West	Principal Intern, Bannockburn ES	Principal, Brooke Grove ES

RESOLUTION NO. 145-08      Re:    **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved, effective July 1, 2008:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Rebecca Nelson	Instructional Specialist	Coordinator of Special Initiatives

RESOLUTION NO. 146-08      Re:    **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved, effective May 12, 2008:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Lyn Schaefer	Director of Test Development	Coordinator of Student Assessment

Re: **CONTINUING THE DIALOGUE ON RACE:  
STUDY CIRCLES**

Dr. Weast invited the following people to the table: Ms. Aggie Alvez, director, Department of Communications; Mr. Eric Davis, acting director, Division of Family and Community Partnerships; Mr. John Landesman, coordinator, Division of Family and Community Partnerships; Mrs. Ruby Rubens, parent outreach coordinator, Study Circles; Mr. Adrian B. Talley, community superintendent, Office of School Performance; and representatives from Cannon Road Elementary School and Rosa Parks Middle School.

Montgomery County Public Schools (MCPS) is striving to become a school system where student achievement is no longer predictable by race. MCPS “put race on the table” to address individual and institutional barriers to academic achievement and to eliminate the achievement gap by race and ethnicity. Professional development and a variety of strategies and processes are being implemented to promote equitable classroom practices and raise awareness and understanding of institutionalized racial disparities.

Study Circles, a Department of Communications program, complements these efforts to close the achievement gap by engaging diverse stakeholders in dialogue and problem-solving strategies. The program helps schools bring together parents, teachers, and students from different backgrounds to talk, build relationships, develop a better understanding of racial and ethnic barriers to student achievement and parent involvement, and plan action steps to help all students succeed. The Study Circles program has four components: the core multiethnic Study Circles, Spanish-language Study Circles, student Study Circles, and department workshops.

This discussion intends to update the Board of Education on how the Study Circles program supports Goal 3, Strengthen Productive Partnerships for Education, in *Our Call to Action: Pursuit of Excellence—The Strategic Plan for the Montgomery County Public Schools*, and the Board of Education’s academic priority to strengthen family-school relationships and continue to expand civic, business, and community partnerships that support improved student achievement. Data from the two-year evaluation conducted by the Office of Shared Accountability (OSA), anecdotal information from facilitators, and written action plans illustrate how the program is contributing to the school system’s goal of closing the achievement gap.

Re: **DISCUSSION**

Mrs. Navarro commented that she often hears a parent talk about how different education is in their country, in terms of expectations. There is a clear delineation of the school’s responsibilities to deliver education and the student should do well. Parents were invited to school when the student was not doing well. Therefore, the assumption is that the principal and teachers were primarily responsible for making sure the student’s education was progressing smoothly, and it was disrespectful for the parents to be at school all the

time.

Mrs. O'Neill pointed out that there are dynamic populations in the schools, and she asked if more Study Circles would be planned in the future. The principals explained that it is a start and not the end. There will be some form of self-study and analysis will be par of the school improvement plan.

Mrs. Navarro congratulated the principals and the actions that they are taking are innovative and needed. The Study Circles are making a difference in the school community.

Mr. Abrams asked if staff could monitor the success rate and a correlation between those going through the Study Circles and become a non-PTA activist, especially in the middle school. Staff replied that the Department of Shared Accountability evaluations reflect that the activism in the school now have different profiles that in the past.

Mr. Abrams asked where the activism model came from and has it been modified for MCPS. Staff replied that the model comes form the Study Circles Resource Center that has been renamed to Everyday Democracy. They have organized many events to bring people together from different backgrounds or issues.

Ms. Cox she thought Study Circles was an important tool in the array of strategies in MCPS to address minority achievement gaps. It is important because it occurs at the nexus of all stakeholders in the school building. She asked if the system as set up is sufficient to provide the capacity for all schools who want Study Circles. Staff commented that the community superintendent identify schools with other schools volunteering. There is not the capacity to do Study Circles for the schools who request facilitators since it is an intensive process that requires training for the facilitators.

Ms. Cox asked if staff is taking the learnings from the Study Circles and share that information with other schools. Staff replied that M-Stat has a process to share best practices and the web will be utilized to transfer knowledge.

Ms. Navarro asked for information on what it would take to increase Study Circles., including scenarios for the future based on FARMS, mobility, and race. She also requested a budget impact statement.

Mr. Barclay asked how decisions are made on participants within combinations, such as students and parents. For example, if a school fits a particular criterion, would that school be targeted for a Study Circle? Staff explained that when they are contacted for a Study Circle, the community superintendent sets the priority.

Ms. Brandman noted that the Department of Shared Accountability evaluation had suggested Study Circles be held during the change in school administration. Staff stated

that this process is led by the community superintendent when priorities are set.

**Re: FY 2009 OPERATING BUDGET: NON-RECOMMENDED REDUCTIONS**

On recommendation of the superintendent and on motion of Mr. Barclay seconded by Mrs. O'Neill, the following resolution was placed on the table:

WHEREAS, On April 15, 2008, the County Council declined to modify the preliminary Spending Affordability Guidelines for the FY 2009 Operating Budget as adopted on December 10, 2007; and

WHEREAS, The Spending Affordability Guidelines include an allocation to Montgomery County Public Schools of \$1,873,300,000 (excluding grants and enterprise funds), \$104.8 million less than the Board of Education's request of \$1,978,149,523; and

WHEREAS, The Board of Education supports implementation of the negotiated agreements with each of the Montgomery County Public Schools employee associations; and

WHEREAS, Implementation of the strategic plan for the Montgomery County Public Schools requires continuing the funding for the elementary school initiatives that have resulted in significant gains in student achievement and increasing our investment in middle school reform, continuation of the Middle School Magnet Consortium, and expansion of hours-based staffing for special education in middle schools; and

WHEREAS, In accordance with the Montgomery County Code, Section 20-63, each county agency and the county executive "must provide ...prioritized expenditure reductions that would be necessary to comply with the recommended budget allocation," and

WHEREAS, If the County Council requires reductions in the FY 2009 Montgomery County Public Schools Operating Budget Request of the magnitude implied by the recently adopted Spending Affordability Guidelines, then it will be necessary to reduce a variety of positions in state Category 1, Administration; Category 2, Mid-level Administration; Category 3, Instructional Salaries; Category 6, Special Education; Category 10, Operation of Plant and Equipment; and Category 11, Maintenance of Plant; and the exact number and type of positions would depend on the amount of reductions made by the Council in each state category; and

WHEREAS, Reductions of this magnitude would have a direct and serious effect on schools, including the significant loss of classroom staff; now therefore be it

Resolved, That the Board of Education is aware of the financial difficulties that confront the county, but believes that the magnitude of reductions envisioned by the Spending

Affordability Guidelines adopted by the County Council would significantly reduce the quality of education available in Montgomery County Public Schools; and be it further

Resolved, That the Board of Education reaffirms its support for the implementation of negotiated agreements with its employee associations; and be it further

Resolved, That the Board of Education supports continued funding for the Early Success Performance Plan and expansion of middle school reform initiatives, continuation of the Middle School Magnet Consortium, and expansion of hours-based staffing for special education in middle schools; and be it further

Resolved, That the Board of Education requests the County Council to close the gap between the Board of Education's FY 2009 Operating Budget Request and the County Council's operating budget Spending Affordability Guidelines; and be it further

Resolved, That if budget reductions are required by the County Council, it will be necessary for the County Council to make non-recommended reductions harmful to students and schools, including a variety of positions in state Category 1, Administration; Category 2, Mid-level Administration; Category 3, Instructional Salaries; Category 6, Special Education; Category 10, Operation of Plant and Equipment; and Category 11, Maintenance of Plant; and the exact number and type of positions would depend on the amount of reductions made by the County Council in each state category; and be it further

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

Re: **DISCUSSION**

Mr. Abrams thanked the officers and staff for accommodating a concern that he had. He appreciated the inclusion of the second resolve clause. He thought it was important to give some indication of what the Board would not cut and areas that reflected the Board's priorities. He said he thought what was paramount was the system's greatest successes, which could be the most vulnerable to budget cuts (i.e., early childhood and middle school reforms). It is important that constituents have a clear picture of what they do not need to worry about regarding budget reductions. The Board has made a commitment to close the achievement gaps, but the Board has accomplished a great deal by remaining steadfast in its willingness to build the accomplishments where the need was the greatest. Mr. Abrams has suggested reordering the clauses to reflect that commitment, but it is not as important. What is important is that the minutes from this meeting reflect the Board's comments to send a strong and clear signal on what the Board thinks is important. For him, one of the most important tasks the Board has done is develop strategies to yield objectively higher levels of performance in communities that heretofore had not had those levels. He did not want to take a step backward, especially after the presentations on successes the Board has had with Study Circles and other interventions on courageous

conversations.

Ms. Cox appreciated Mr. Abrams' comments on priorities. The last time the Board met in joint session with the County Council, Mr. Leventhal made the point that it was going to be a difficult budget year, and there was a need to collaborate to protect the initiatives of the Board. She said she was not clear on how the process is going to work in terms of the Board's ability to make the decision at the end of the budget process. The last time there were specific non-recommended reductions was in 2001. In the past, there were minor differences between what the Board requested and what the County Council provided. In fact, the Council gave the Board \$1.8 million more in 2004. One year that was similar to this year was when the Council negotiated a delay in the pay increases with the unions. In that process, the Board worked with the Council's Education Committee on reductions the system could manage. However, this year the Council packet indicates that the Board's initiatives are on the table, including middle school reform. Ms. Cox wanted to know whether when the budget comes to the Board in June, will the Board have an opportunity to make changes to reflect priorities or will the Council's reductions be tied to actions that will have no flexibility. Staff replied that the flexibility in the budget comes with the ability to move dollars within categories.

Ms. Cox wanted to know if the Council had a feel for what would be catastrophic to education in Montgomery County. Dr. Weast said he thought the Council was very supportive of education since they know that the school system has successful outcomes and is the economic engine in Montgomery County.

Ms. Cox said she knows that the county executive and Council support education. However, 75 percent of the residents in Montgomery County do not have children in school. Her question related to whether or not the Council had an understanding of the balance needed to maintaining the level of teaching and learning without harming the system. She stated that she could not support this resolution because it relates to the positions, as well as the history. After increasing class size by one child, it took the Board seven years to recover and return to the same level prior to the reduction. She worried about sending the wrong message to the Council via this resolution without laying out priorities.

Mr. Abrams disagreed with Ms. Cox because there is better level of communication and collaboration with this Council. Mr. Abrams said that the issue that was driving him was the unintended consequences of some discussions, and the thought that the Board's priorities will be allowed to slip back. Instead of alarming the community, the Board should reassure the community. Ideally, the Board will be able to fulfill its commitment to initiatives, reforms, and employees. Those areas where the Board has had success have been recourse driven.

Mrs. Navarro stated that the resolution reflects the Board's priorities and the operating budget sent to the county executive and County Council. The county executive stated that it was a "bare bones" budget. The Board acted in good faith in the budget with the

necessary items and investments that need to be made to continue to maintain the gains already made. The budget is not unreasonable and reiterates the Board's beliefs and priorities.

Mr. Barclay thanked Mr. Abrams, and said it was a prudent way to move forward to keep doors open. He was comfortable with stating what he supported the move, with clarity. The statement from the Board is important in setting priorities. The Board will not lose sight of the key initiatives and reforms. This resolution allows for that process and sends the message without overstating that fact.

Mrs. O'Neill commented that the decisions made in June may be difficult based on what the Council is predicting for the revenues. She said she believed that the resolution was a professional and managed way to deal with the topic. Mrs. O'Neill agreed with Mr. Abrams that the Board was sending a message about priorities.

Ms. Brandman stated that this resolution communicates the priorities of the Board with the reforms as a cornerstone of the budget. Progress has been achieved by steadiness.

Dr. Docca agreed that the Board wants to preserve the initiatives, and she supported the resolution.

RESOLUTION NO. 147-08      Re:    **FY 2009 OPERATING BUDGET: NON-RECOMMENDED REDUCTIONS**

On recommendation of the superintendent and on motion of Mr. Barclay seconded by Mrs. O'Neill, the following resolution was adopted with Mr. Abrams, Mr. Barclay, Ms. Brandman, Dr. Docca, (Mr. Moskowitz), Mrs. Navarro, and Mrs. O'Neill voting in the affirmative; Ms. Cox voting in the negative:#

WHEREAS, On April 15, 2008, the County Council declined to modify the preliminary Spending Affordability Guidelines for the FY 2009 Operating Budget, as adopted on December 10, 2007; and

WHEREAS, The Spending Affordability Guidelines include an allocation to Montgomery County Public Schools of \$1,873,300,000 (excluding grants and enterprise funds), \$104.8 million less than the Board of Education's Request of \$1,978,149,523; and

WHEREAS, The Board of Education supports implementation of the negotiated agreements with each of the Montgomery County Public Schools employee associations; and

WHEREAS, Implementation of the strategic plan for the Montgomery County Public Schools requires continuing the funding for the elementary school initiatives that have resulted in significant gains in student achievement and increasing our investment in middle

school reform, continuation of the Middle School Magnet Consortium, and expansion of hours-based staffing for special education in middle schools; and

WHEREAS, In accordance with the Montgomery County Code, Section 20-63, each county agency and the county executive “must provide ...prioritized expenditure reductions that would be necessary to comply with the recommended budget allocation”; and

WHEREAS, If the County Council requires reductions in the FY 2009 Montgomery County Public Schools Operating Budget Request of the magnitude implied by the recently adopted Spending Affordability Guidelines, then it will be necessary to reduce a variety of positions in state Category 1, Administration; Category 2, Mid-level Administration; Category 3, Instructional Salaries; Category 6, Special Education; Category 10, Operation of Plant and Equipment; and Category 11, Maintenance of Plant; and the exact number and type of positions would depend on the amount of reductions made by the County Council in each state category; and

WHEREAS, Reductions of this magnitude would have a direct and serious effect on schools, including the significant loss of classroom staff; now therefore be it

Resolved, That the Board of Education is aware of the financial difficulties that confront the county, but believes that the magnitude of reductions envisioned by the Spending Affordability Guidelines adopted by the County Council would significantly reduce the quality of education available in Montgomery County Public Schools; and be it further

Resolved, That the Board of Education reaffirms its support for the implementation of negotiated agreements with its employee associations; and be it further

Resolved, That the Board of Education supports continued funding for the Early Success Performance Plan and expansion of middle school reform initiatives, continuation of the Middle School Magnet Consortium, and expansion of hours-based staffing for special education in middle schools; and be it further

Resolved, That the Board of Education requests the County Council to close the gap between the Board of Education’s FY 2009 Operating Budget Request and the County Council’s operating budget Spending Affordability Guidelines; and be it further

Resolved, That if budget reductions are required by the County Council, it will be necessary for the County Council to make non-recommended reductions harmful to students and schools, including a variety of positions in state Category 1, Administration; Category 2, Mid-level Administration; Category 3, Instructional Salaries; Category 6, Special Education; Category 10, Operation of Plant and Equipment; and Category 11, Maintenance of Plant; and the exact number and type of positions would depend on the amount of reductions made by the County Council in each state category; and be it further

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

RESOLUTION NO. 148-08            Re:    **CLOSED SESSIONS RESOLUTION**

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

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

Resolved, That the Board of Education of Montgomery County conduct closed sessions on Tuesday, May 13, 2008, in Room 120 of the Carver Educational Services Center to meet from 9:00 to 10:00 a.m. and 12:00 to 2:00 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*; consult with counsel to obtain legal advice, as permitted by Section 10-508(a)(7) of the *State Government Article*; review and adjudicate appeals in its quasi-judicial capacity; and to discuss matters of an administrative function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*); and be it further

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

RESOLUTION NO. 149-08            Re:    **REPORT OF CLOSED SESSION**

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

On April 8, 2008, by unanimous vote of members present, the Board of Education voted to conduct closed sessions, as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed sessions on April 8, 2008, from 9:00 to 10:45 a.m., and 1:30 to 2:25 p.m., in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and unanimously approved the closed session minutes from November 13, 2007.
2. Unanimously approved the Decisions and Orders for Appeals 2008-2 and 2008-5.
3. Reviewed and considered the following appeal in its quasi-judicial capacity, outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*): 2008-6.

- 4. Discussed the Human Resources Appointment with a subsequent vote in open session, as permitted under Section 10-508(a)(1) of the State Government Article.
- 5. Received legal advice, as permitted under Section 10-508(a)(7) of the State Government Article.
- 6. Discussed matters of an administrative function outside the purview of the Open Meetings Act (Section 10-503(a) of the State Government Article).

In attendance at the closed sessions were Steve Abrams, Christopher Barclay, Larry Bowers, Shirley Brandman, Judy Bresler, Patrick Clancy, Sharon Cox, Judy Docca, Brian Edwards, Roland Ikheloa, Suzann King, Frieda Lacey, Ben Moskowitz, Pat O’Neill, Glenda Rose, Laura Steinberg, Holli Swann, Jerry Weast, and Carey Wright.

RESOLUTION NO. 150-08            Re:    **MINUTES**

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

Resolved, That the Board of Education approve the minutes of the December 11 and 17, 2007, meetings.

RESOLUTION NO. 151-08            Re:    **APPEAL**

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

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 10-503(a) of the *State Government Article*; 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>
2008-8	Student Placement	Affirmed

RESOLUTION NO. 152-08

Re: **RECONSTITUTING THE SPECIAL  
EDUCATION AD HOC COMMITTEE**

On motion of Special Education Ad Hoc Committee, the following resolution was adopted, with Mr. Barclay, Ms. Brandman, Ms. Cox, Dr. Docca, Mr. Moskowitz, Mrs. Navarro, and Mrs. O'Neill voting in the affirmative; Mr. Abrams voting in the negative:

WHEREAS, Over the past 10 years demographic changes in race, ethnicity, and socioeconomics have reshaped the population of Montgomery County Public Schools (MCPS) from a homogeneous population to one that is rich in diversity; and

WHEREAS, The Board of Education has responded to these demographic shifts by working to ensure that the appropriate instructional programs are in place to address the needs of all MCPS students, as reflected in the strategic plan, *Our Call to Action: Pursuit of Excellence*; and

WHEREAS, The Board seeks to ensure that resources are sufficiently and efficiently allocated to meet the needs of all MCPS students; and

WHEREAS, These needs include areas in special needs populations, for students receiving special education programs, alternative programs, gifted and talented education, English for Speakers of Other Languages (ESOL), and students who need multilingual support in order to be successful in the classroom; and

WHEREAS, The Special Education Ad Hoc Committee was originally established in 2003 to engage in dialogue with individuals and groups concerned about children with disabilities, to gather input on concerns and issues relating to the delivery of special education services, report to the Board of Education, no later than December 2003, outlining its findings and recommendations for further action; and

WHEREAS, In the course of the committee's work, it has become apparent that a standing committee is absolutely essential to address the needs of children with disabilities and students of other populations who need appropriate supports in order to be successful in the general education environment; now therefore be it

Resolved, That, effective immediately, the Board reconstitutes the Special Education Ad Hoc Committee into a standing committee that shall be named the Committee on Special Populations, charged specifically with reviewing issues and instructional programs designed to meet the needs of special populations that require special education services, gifted and talented instruction, alternative programs, ESOL services, and multilingual supports.

Re: **BOARD COMMITTEE UPDATES**

The Policy Committee noted that a presentation of Pinnacle should be scheduled for Board discussion.

Mrs. O'Neill reported that there was a joint meeting with the Strategic Planning Committee and the Communications and Public Engagement Committee with the NAACP Education Committee. Also, it was agreed that one of the MCR meetings in the fall will be a Strategic Planning Forum for students. The questions for the forums will be forwarded to students for the other two forums.

Re: **NEW BUSINESS**

There was no new business.

RESOLUTION NO. 153-08 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of April 28, 2008, at 10:00 p.m.

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
SECRETARY

JDW:gr

Resolution	Abrams	Barclay	Brandman	Cox	Docca	Moskowitz	Navarro	O'Neill
FY 2009 Operating Budget: Non-recommended Reductions	A	A	A	N	A	A	A	A

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

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