

WHEREAS, African American History Month has served as a model for other ethnic heritage months; and

WHEREAS, Increased knowledge of and respect for all ethnic groups continue to be crucial to the well-being of the students and staff in Montgomery County Public Schools; now therefore be it

Resolved, That on behalf of the superintendent, staff, students, and parents of Montgomery County Public Schools, the members of the Board of Education hereby declare the month of February 1997 to be observed as "African American History Month."

RESOLUTION NO. 32-97 Re: **ITEM OF LEGISLATION**

On recommendation of the superintendent and on motion of Mrs. Gordon seconded by Mrs. King, the following resolution was adopted with Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Mrs. King, Ms. Prager, and Ms. Signer voting in the affirmative; Ms. Gutiérrez abstaining.

Resolved, That the Board of Education oppose Senate Bill (SB) 74 *American Sign Language, Foreign Language Credit* which would mandate that American Sign Language be deemed a foreign language course awarding academic credit and satisfy graduation as a matter of state law.

RESOLUTION NO. 33-97 Re: **ITEM OF LEGISLATION**

On recommendation of the superintendent and on motion of Mrs. King seconded by Mrs. Gordon, the following resolution was adopted unanimously:

Resolved, That the Board of Education oppose House Bill (HB) 73 *Education, Minors, School Attendance, Classification and Driving Privileges* which would prohibit students from taking driver education in a school system and be ineligible for a driver's license or learners permit if the student is excessively absent from school, a dropout, expelled or suspended for more than 10 days or otherwise not attending a state approved educational or training program.

RESOLUTION NO. 34-97 Re: **ITEM OF LEGISLATION**

On recommendation of the superintendent and on motion of Mrs. King seconded by Mrs. Gordon, the following resolution was adopted unanimously:

Resolved, That the Board of Education oppose HB 190 *"Education, School Buses, Charging of Fees Prohibited"* which would prohibit local school systems from charging a fee to transport public school students to and from schools.

RESOLUTION NO. 35-97 Re: **ITEM OF LEGISLATION**

On recommendation of the superintendent and on motion of Mrs. King seconded by Mrs. Gordon, the following resolution was adopted unanimously:

Resolved, That the Board of Education oppose SB 118 *Vehicle Laws, School Vehicles, Standing by Pupils* which would prohibit schools bus drivers from transporting students in excess of the school bus seating capacity or allowing students to stand on a moving school bus except in an emergency.

RESOLUTION NO. 36-97 Re: **ITEM OF LEGISLATION**

On recommendation of the superintendent and on motion of Mrs. King seconded by Mrs. Gordon, the following resolution was adopted unanimously:

Resolved, That the Board of Education strongly oppose HB 115 *County Boards of Education, Election Propositions, Prohibitions* which would prohibit local boards of education from distributing written or printed material advocating support or defeat of a ballot referendum to students or parents and from spending funds on such materials.

RESOLUTION NO. 37-97 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education viewed the legislation and settlement (HB 312 *Primary and Secondary Education, New Baltimore City Board of School Commissioners*) as unsatisfactory and not meeting the needs of MCPS, and the Board of Education joined the county executive and County Council in a common position to develop alternatives to the legislation.

Re: **PUBLIC COMMENTS**

The following people appeared before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Sue Buswell	Maryland Association of Boards of Education
2.	Chris Lloyd	<i>Shades of Grey</i>

- 3. Andrea Stuart *Shades of Grey*
- 4. Shanon Henry *Shades of Grey*
- 5. Michael Akman *Shades of Grey*
- 6. Wafer Abuzeineh Testing Schedule
- 7. Dr. Rachel Ritvo *Shades of Grey*
- 8. Dr. Radwan Masmoudi Testing Schedule
- 9. David Schultz *Shades of Grey*
- 10. Barbara Henry *Shades of Grey*
- 11. Marna Katzel Head Lice
- 12. Carol Jarvis Media Specialists
- 13. Samira Hussain Testing Schedule

RESOLUTION NO. 38-97 Re: PROCUREMENT CONTRACTS MORE THAN \$25,000

On recommendation of the superintendent and on motion of Mrs. Gordon seconded by Ms. Prager, the following resolution was adopted with Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Mrs. King, Ms. Prager, and Ms. Signer voting in the affirmative; Ms. Gutiérrez abstaining:#

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

WHEREAS, Funds have been budgeted for the lease/purchase of school buses for the Division of Transportation; now therefore be it

Resolved, That school buses be lease/purchased under the Master Lease/Purchase Agreement; and be it further

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

221-95 Science Supplies - Extension

Awardee

Fisher Scientific
\$ 210,000

45-97 Lease/Purchase of School Buses Under the Master
Lease/Purchase Agreement

Awardee

American Bus Sales and Services, Inc.
\$7,019,921

219-97 Computers for Administrative and Instructional Use

Awardees

Daly Computers, Inc.*
Data Networks, Inc.
Gateway 2000, Inc.
Pulsar Data Systems, Inc.
SSI Business Centers*
Socrates Computer Systems
Total
\$1,542,857

MD PC DGS Computer Server Equipment for Administrative and
POC-9701 Instructional Use

Awardee

Avnet Computer
\$ 257,143

TOTAL MORE THAN \$25,000
\$9,029,921

* Denotes MFD vendor

RESOLUTION NO. 39-97 Re: **GRANT OF DEED AND EASEMENT TO MONTGOMERY
COUNTY GOVERNMENT AT GERMANTOWN
ELEMENTARY SCHOOL**

On recommendation of the superintendent and on motion of Mrs. Gordon seconded by Ms. Prager, the following resolution was adopted unanimously:#

WHEREAS, The Montgomery County Government requested a Deed and Easement Agreement at Germantown Elementary School, located at 19110 Germantown-Darnestown Road, in order to construct road improvements associated with the relocation of

Germantown-Darnestown Road (MD 118) and construction of future arterial road (A-254) in Germantown; and

WHEREAS, The road improvements will require a public dedication of 11,093 square feet of land in fee simple, 11,282 square feet of slope easement, and 17,729 square feet of temporary construction easement; and

WHEREAS, The Montgomery County Government held public hearings on its plans and has agreed to reconfigure the affected areas of the school parking lot, relocate playground equipment, install landscaping and permanent fencing, and restore all disturbed areas; and

WHEREAS, The proposed dedication will benefit both the school system and the community by providing needed road improvements; and

WHEREAS, All construction and restoration will be performed without disruption to the instructional program at the school and at no cost to the Board of Education, with the Montgomery County Government and its contractors assuming liability for all damages or injury and all work; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a deed dedicating 11,093 square feet of land in fee simple, 11,282 square feet of slope easement, and 17,729 square feet of temporary construction easement for road improvements associated with the Germantown-Darnestown Road (MD 118) relocation project at Germantown Elementary School.

RESOLUTION NO. 40-97

Re: **ACCEPTANCE OF MARTIN LUTHER KING, JR.
MIDDLE SCHOOL**

On recommendation of the superintendent and on motion of Mrs. Gordon seconded by Ms. Prager, the following resolution was adopted unanimously:#

Resolved, That having been duly inspected on December 19, 1996, Martin Luther King, Jr. Middle School now be formally accepted; and be it further

Resolved, That the official date of completion be established as that date upon which formal notice is received from the architect that the building has been completed in accordance with the plans and specifications, and all contract requirements have been met.

RESOLUTION NO. 41-97

Re: **CHANGE ORDER OVER \$25,000 - NORTHWEST AREA HIGH SCHOOL**

On recommendation of the superintendent and on motion of Mrs. Gordon seconded by Ms. Prager, the following resolution was adopted unanimously:#

WHEREAS, The architect's contract for the new Northwest Area High School was based on the new facility being opened in September 1997; and

WHEREAS, The opening date was deferred as a result of the County Council's approval of the FY 1995 - 2000 CIP; and

WHEREAS, The project budget was reduced by the County Council as part of the 1996 - 2001 CIP; and

WHEREAS, These changes to the project resulted in additional architectural/engineering services that were not part of the original architectural contract; and

WHEREAS, Staff has negotiated a fee for the changes that were necessary to incorporate the budget reductions in the contract documents and provide architectural/engineering staff services for an additional year; now therefore be it

Resolved, That the architectural contract with Samaha Associates for the new Northwest Area High School project be increased \$130,000 for additional design services.

RESOLUTION NO. 42-97

Re: **NETWORK SYSTEMS DESIGN - ENGINEERING SERVICES**

On recommendation of the superintendent and on motion of Mrs. Gordon seconded by Ms. Prager, the following resolution was adopted unanimously:#

WHEREAS, Engineering services are required to design and administer the installation of the CATV and building-wide data/communications network systems for new and modernized schools; and

WHEREAS, An engineering consultant was selected in accordance with Board of Education policy for the selection of architectural and engineering services; and

WHEREAS, A price has been negotiated to provide the engineering services on new and modernized school projects for a period of one year; now therefore be it

Resolved, That the Board of Education approve a contract with the firm of Von Otto & Bilecky, Professional Corporation, for CATV and data/communications network engineering design services for a period of one year for the following amounts:

Elementary Schools	\$ 7,500 per school
Middle Schools	\$14,680 per school
High Schools	\$18,350 per school

RESOLUTION NO. 43-97 Re: **UTILIZATION OF FY 1997 FUTURE SUPPORTED PROJECT FUNDS FOR THE MIDDLE SCHOOL STUDENT SERVICE-LEARNING TRAINING PROGRAM**

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Mrs. Gordon, the following resolution was adopted unanimously:#

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1997 Provision for Future Supported Project Funds a grant award of \$16,882 from the Maryland State Department of Education for the Middle School Student Service Learning Training Program in the following categories:

<u>Category</u>	<u>Amount</u>
2 Instructional Salaries	\$ 13,263
3 Other Instructional Costs	2,558
10 Fixed Charges	<u>1,061</u>
Total	<u>\$ 16,882</u>

and be it further

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

RESOLUTION NO. 44-97 Re: **PERSONNEL APPOINTMENT**

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Mrs. Gordon, the following resolution was adopted unanimously:

Resolved, That the following personnel appointment be approved effective February 3, 1997:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Rose Ann G. Armes	Principal, Viers Mill ES	Principal, Northwest MS

Re: **MEDICAL ADVISORY COMMITTEE'S ANNUAL
REPORT FOR 1995-96 AND STAFF RESPONSE**

Dr. Vance invited the following people to the table: Dr. Jerry Shier, 1995-96 chairman of the Medical Advisory Committee; Ms. Robin Confino, assistant to the deputy superintendent and staff liaison to the committee; Mr. G.C. Edward Masood, director of the Division of Aesthetic, Health, and Physical Education; and Mr. Russell Henke, coordinator of Health Education.

Dr. Shier presented the following recommendations from the Medical Advisory Committee (MAC):

Recommendation I - MCPS Health Curriculum

Provide greater staff oversight of the health education curriculum in the elementary and middle school levels to better guarantee less variability in the delivery of the health education program.

Reinforce to school administrators that this portion of the student's education should be an integral part of the curriculum (such that appropriate classroom space is available, reference materials and adequate time are made available to teach this material, and that teachers are encouraged to take the time to educate themselves so they are better prepared to teach the material).

Continue to fund instructional materials and teacher training.

Take advantage of the Montgomery County Medical Society as a source of experts in certain health education areas. These physicians have always been, and will continue to be, available for classroom time to teach portions of the health education curriculum.

Finally, MAC is impressed by the high school education course which includes the discussion of many unhealthy lifestyle choices and their consequences. Unfortunately, there is a lack of reinforcement beyond the half-credit. MAC would like to see the Board of Education encourage high school principals to creatively continue this education through assemblies, discussion groups, or the development of half-credit electives in health education.

Recommendation II - Medical Emergencies

MAC has made direct recommendations to the Montgomery County Department of Health and Human Services on certain issues and would like your ideas on how to better verify medical card information. MAC would like to understand the back-up system if no medical support staff is available. Finally, MAC would like to see a better reporting system of medical emergencies in the schoolhouse.

Recommendation III - Anaphylaxis

Due to the variability in the delivery of acute care for an allergic reaction, MAC would like to see the availability of life saving medication (epinephrine) in every school. Montgomery County has the opportunity to be a state leader in this area. Twenty (20) states have enacted legislation similar to Bill 438 so we are not entering uncharted territory. The Maryland legislature has solicited public comment on how best to structure and administer the provisions in Bill 438.

MAC feels that any protocol created by the state should include standard emergency procedure which includes dialing 911. In the case of anaphylaxis on the school grounds, an unsupervised non-medical individual would never be acting alone if 911 was called.

Epinephrine is a safe and effective means of reviving a life threatening allergic reaction. The previous history of allergic reactions in our schools should not guide our decision process. The saving of one life will justify our efforts.

Recommendation IV - Physical Education

MAC had a consensus that physical education at all levels should be five days a week, but there was general understanding of the conflict of requirements with that philosophy. MAC recommends a two credit or four semester requirement for high school students and would like to see a minimum of three days of physical education per week at the elementary school level.

Recommendation V - Tobacco Use

MAC agrees with the concept of smoke-free schools, but the enforcement seems to be an issue as reported by many of our patients with respiratory disorders. Reportedly the bathrooms, in particular, continue to be a major problem. MAC would like to see the consistent enforcement of tobacco-free schools.

Recommendation VI - Violence in The Schoolhouse

Peer mediation is a worthwhile program that is **not** present in each school. MAC would like to see a push for expansion of this program to all schools. Peer mediation is also only available to a select few in each school. MAC would like to see conflict resolution skills taught to the entire student body. MAC would like to see better reporting of incidents of violence in order to better assess this issue. MAC recommends continued funding for security and also recommends continued funding for peer mediation training.

Recommendation VII - Alternative Programs in MCPS

Although MAC did not review the curriculum in the alternative programs in detail, we feel that these students have benefitted enormously from their experiences in these settings. MAC applauds the Board of Education for funding alternative programs and encourages continued funding for programs that meet the needs of students at risk.

Recommendation VIII - HIV and Other Sexually Transmitted Diseases

MAC has provided all Board Members previously with the full report from the American Academy of Pediatrics and recommends that each Board Member review this information in order to keep current on this issue.

RESOLUTION NO. 45-97

Re: **MEDICAL ADVISORY COMMITTEE'S ANNUAL
REPORT FOR 1995-96**

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Mrs. Gordon, the following resolution was adopted unanimously:

Resolved, That the Board of Education accept the Medical Advisory Committee's Annual Report for 1995-96 as information.

Dr. Cheung thought the committee had provided a very good report. The issues raised are very important, not only for the students, but also from a public health standpoint. He had no problem with staff being trained to administer the EPI-PENS, but the issue of liability is always a concern. He questioned whose responsibility it is to educate citizens about health remedies and how the care for themselves. He hoped that the Medical Advisory Committee (MAC) would work with the school system to develop curriculum to include health care of common symptoms.

Mr. Ewing spoke about the recommendation on anaphylaxis and the use of epinephrine in the schools. He requested a legal opinion on the administration of epinephrine by staff. Staff at the school are overtaxed, and it would be hard to add another task to their job

descriptions. If MCPS moves forward with training staff to administer epinephrine, how would it be handled and by whom, who would pay for it, and how would MCPS manage it.

Ms. Prager was impressed with MAC's recommendations with some being plausible while others are more controversial. She remarked about the prohibition of tobacco use on school grounds, but implementation of that policy varies greatly throughout the school system. Dr. Vance assured her that security assistants will emphasize the enforcement of the policy. Ms. Prager mentioned that 13 schools have peer mediation and asked if there was a way to promote expansion of the program. She also asked for information on why there are no nurses available to alternative programs. She asked for a copy of the American Academy of Pediatrics' report that recently approved a policy statement on condom availability for youths. She also requested more information on programs where condom availability was successful in combating pregnancy and disease.

Ms. Gutiérrez was interested in hearing from the committee on the staff responses. Dr. Shier commented that from a medical standpoint, the issues related to condom availability and epinephrine availability are specific issues that the committee would like to see action on. Ms. Gutiérrez asked about the date when the regulations from the state would be available for implementation within the county. Mr. Henke replied that the Department of Health and Mental Hygiene is still in the process of drafting the regulation.

Ms. Gutiérrez stated that national and locally there have been increasing reports of the use of marijuana, and she was interested in MAC looking into that situation. Her final inquiry was on the violence in the school system and peer mediation/conflict resolution. She asked if there was a structured conflict resolution program that MCPS is providing to students, and are there areas that could be improved?

Mrs. King asked how many life threatening episodes from anaphylaxis are encountered by the school system within a year. Ms. Confino replied that there were 10 since July 1, 1996. Mrs. King stated that the "smoking corner" bothers her the most. Mr. Masood replied that it is a state law prohibiting tobacco use of any kind on school grounds.

Mr. Felton stated that the trend toward tobacco use must be stemmed, and it is very frightening health issue. Condom availability is also a health issue in the community.

Mrs. Gordon stated that the health technicians and nurses should be responsible first for administering epinephrine before MCPS staff is trained for this purpose. Regarding tobacco use, it is not just students, but adults. Use of tobacco is not just in the bathrooms, but on school grounds. The state law has not been very well advertised, and people have not been well educated about that law. She also asked if there was a directive or was the peer mediation program voluntary.

RESOLUTION NO. 46-97

Re: **MEDICAL EMERGENCY/ANAPHYLAXIS**

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

Resolved, That the Board of Education request that the superintendent provide the Board of Education with a legal opinion on the nature and extent of staff liability regarding the use of epinephrine for students and staff; and be it further

Resolved, That the superintendent develop a plan to be considered by the Board, County Executive, and County Council for school nurses and health technicians adequate in number to meet the needs of students, not only for anaphylaxis, but for other medical emergencies and other health needs; and be it further

Resolved, That the superintendent bring to the Board for information a copy of the legislation on this subject and the draft of state regulations, when those are available, so that comments can be made on those regulations, if the Board chooses to do so.

Re: **SPECIAL EDUCATION ISSUES THAT HAVE BUDGETARY IMPLICATIONS**

Dr. Vance invited the following staff members to the table: Dr. Mary Helen Smith, associate superintendent of the Office of Instruction and Program Development; Dr. Raymond Bryant, director of the Department of Special Education; and Dr. Marshall Spatz, director of the Department of management, Budget and Planning.

Dr. Smith focused on the vision for special education in Montgomery County which is to increase the availability for every school to implement early intervention strategies. Therefore, students do not need to be coded for higher level and more expensive services, but could receive services earlier that will enable them to be successful. MCPS would like to serve students in their home schools, wherever possible. Finally, MCPS is looking at unification of services that provide for student's special needs.

Dr. Bryant highlighted the following areas of the paper:

1. Budget Recommendations - a process in gathering stakeholders to develop recommendations reflecting prior issues, concerns with special education, and working together to consolidate needs and services.
2. Comparative Costs - staff looked at the costs of public and private providers.
3. Joint Study Committee - the group looked at workload (reducing, preventing, and managing) and other concerns and issues that have been utilized in developing the budget.
4. Comprehensive Programs - MCPS special education offers many methodologies and programs for children from birth to age 21.

5. Cluster Model - this concept is included in this year's budget which saves transportation costs by keeping students in their home schools or clusters.
6. Non-public Placements - staff has worked to reduced non-public placements by increasing the number of programs within MCPS that are comparable to other placements.
7. Technology - staff is utilizing technology to minimize workloads and meet compliance deadlines.
8. Collaboration with Non-public Schools - staff has explored ways to work with these schools where it is are cost effective and meets the needs of students.
9. COMAR - MCPS has worked with the state to revise regulations to reflect the IDEA.
10. Mediation - MCPS continues to promote mediation as a dispute resolution mechanism.

Mrs. Gordon questioned enrollment growth and the lack of being able to accurately forecast growth in special education populations to the point that MCPS had quite a large increase this year that was not anticipated. She asked if there was another way to anticipate enrollment outside the facilities planning process. Dr. Bryant replied that end and beginning of year counts have been used this year for projections. Mrs. Gordon asked if MCPS does any work with other agencies that may have students poised for entering MCPS. Dr. Smith stated that there are MCPS programs including pre-schoolers and, therefore, staff is prepared to service them when they become school aged. Staff also works with private providers, and the students they are serving. Finally, staff works with Health and Human Services with the Infants and Toddlers Program and the System Reform Initiative where information on students is also collected. Mrs. Gordon inquired about the Takoma Park unification and the number of special education students that were in private placements. Dr. Smith stated that MCPS knows who they are and will encourage the students to enrollment in MCPS programs.

Ms. Signer was concerned about the increasing legal fees in special education. During the budget hearings, she asked about the allegation that MCPS has children in classes that are above the COMAR ratios and will the increase in staffing address that problem? She also asked about the mediation process in private placements. Is there data on the extent to which IEPs are met? Finally, has MCPS recently looked at the cost benefit of hiring an in-house attorney to handle some of the special education cases? Mr. Bowers replied that the increase in staffing will meet the projected increases in enrollment. Dr. Bryant reacted that mediation is not used when a family requests private placement and that family rejects all of MCPS' alternatives. IEPs will be tracked with the new technology. With legal fees, it is beneficial to have the flexibility of having both in-house and outside counsel when dealing with multiple appeals at the same time.

Ms. Gutiérrez wanted more information on the positions and funds in special education and asked to be provided with the linkage, in more detail, on the charts provided to her as a supplement of the Board agenda item. As the theme of the conference she attended, special education is a national issue with respect to unfunded mandates. It is very important for school systems to disaggregate all the costs in providing special education

services. This is a good start, but MCPS has a lot more to do especially with tangential services. The reasons it is important for the school system to do this is because there is a ramification of costs that infiltrate the total budget. If the proposals for legislation are passed at the federal level, there will be a need to specifically respond to the costs in order for reimbursements or services allocated to other agencies.

Mr. Ewing requested information on the effort to better estimate future special education enrollment projections, what has been done to develop that forecast better, the factors, the calculations, and assumptions.

Mr. Felton asked for the special education costs per student by categories, intensities, and/or group of conditions.

Re: BOARD/SUPERINTENDENT COMMENTS

Dr. Vance stated that a press conference was held to announce official confirmation from the International Baccalaureate Organization in Geneva, Switzerland, of Bethesda-Chevy Chase High School as part of the academically rigorous International Baccalaureate program. This addition to the school's curriculum is the result of the combined efforts of school staff and community members and of the support provided by the Board of Education for this and other signature programs in the school system.

Mrs. King reported that she and Dr. Vance joined other representatives of the school community for the press conference, which described the opportunities for students that will be provided by the International Baccalaureate program of studies. It was very special being there, and the excitement was electric. Mrs. King also remarked that she and Ms. Prager went to Annapolis to argue for several of the proposed bills. The student vote was defeated, the 6th grade vote was a four - four split, the activity fee bill is delayed, and the transportation bill also delayed for lack of information.

Ms. Gutiérrez reported that she has been attending the NSBA Federal Relations Network Conference. There are three major issues: (1) special education costs, especially discipline and legal costs; (2) asbestos abatement; and (3) funding for a technology infrastructure.

Mr. Ewing hoped Lucy Maurer's name would be placed on the list of eligible future school names. Mr. Ewing commented that he was a reporter in his youth, and he has high regard for reporters and journalism as a profession. As a Board member, he has always been reluctant to criticize the media. He was distressed by the stories on educational load and student per capita expenditures. The stories are examples of the worst in journalistic practice. The stories feature incomplete data, analyses that fails to reflect the complexity of the relationship of the factors that go into these considerations, comparisons of unlike phenomena, conclusions that are poorly substantiated or not substantiated at all, and consider, in many cases, only those data that support a hypothesis with which the stories clearly began. They state hypotheses as fact (when there is no real evidence that sustains

those hypotheses), and blatant editorializing in what purports to be news stories (such as the title of the story — “The Rich Get Richer”). Educational load is only one mechanism for allocating resources, and it is one that is new and not all together tried as a method for doing that. Resources are not staff salaries, they are staff efforts. Differences or variations among schools are enormous and go well beyond the differences that have to do with staff salaries. They have to do with transportation, expense of maintaining old heating and air-conditioning equipment. Some programs are more expensive than others -- French Immersion is cheap; special education programs are expensive. Extra staff is assigned to schools with gifted and talented programs and ESOL programs. The size of the school leads to variations because of the efficiencies or lack thereof. All of these factors are reasons why an approach to budgeting that gives each school a certain amount of dollars makes no sense whatsoever, unless you insist that every school have an equal number of teachers at every salary level. That is not the way we staff, and not the way we ought to staff. The result of all of this is that the public has been misled, controversy has begun on incomplete and poorly analyzed facts, anger has been generated over what is asserted to be inequity in allocations, and the suggestion has been made that either the school system is indifferent to all of that or has taken deliberate action to give more to the schools that are attended by affluent students. Apart from the inaccuracies and apart from the fact that it misleads, it does great harm to this public school system. That is not a concern of the media, and Mr. Ewing does not ask them to be concerned about that. The quality of this journalism is the worst Mr. Ewing has seen in many years in reporting on the public schools in Montgomery County. He is deeply distressed by it, and he thought every citizen in Montgomery County ought to be distressed by it. He hoped they would all let the Gazette know that this is no way to get accurate information to the public about what the public schools are all about.

Mr. Felton commented that the Board had an opportunity to go with the county executive and other county officials before the Governor with regard to construction funding. The Board also met with the delegation in Annapolis. Both events were successful.

RESOLUTION NO. 47-97 Re: **RESOLUTION FOR CLOSED SESSION**

On recommendation of the superintendent and on motion of Mrs. King seconded by Ms. Gutiérrez, the following resolution was adopted unanimously:

WHEREAS, The Board of Education of Montgomery County is authorized by the Education Article of the Annotated Code of Maryland and Title 10 of the State Government Article to conduct certain meetings or portions of its meetings in closed session; now therefore be it

Resolved, That the Board of Education of Montgomery County conduct a portion of its meeting on Tuesday, February 11, 1997, at 8:30 to 10:00 a.m. and 12:00 to 2:00 p.m. to discuss personnel matters and other matters protected from public disclosure by law, to review and adjudicate appeals, and to address other issues including consultation with counsel to obtain legal advice; and be it further

Resolved, That these meetings be conducted in Room 120 of the Carver Educational Services Center, Rockville, Maryland, as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and State Government Article 10-508; and be it further

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

Re: REPORT ON CLOSED SESSION

On December 10, 1996, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on January 14, 1997, as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and State Government Article 10-501.

The Montgomery County Board of Education met in closed session on January 14, from 8:30 to 10:00 a.m. and 12:50 to 1:15 p.m. The meeting took place in Room 120, Carver Educational Services Center, Rockville, Maryland.

The Board met to discuss personnel issues, legal matters with its attorney, appointment to the Subcommittee on Research and Evaluation, and process for superintendent's mid-year evaluation. The Board reviewed and adjudicated Appeal No. 1996-35, 1996-36, and 1996-39.

In attendance at part or all of the closed sessions were: Betsy Arons, Alan Cheung, Blair Ewing, Reggie Felton, David Fischer, Kathy Gemberling, Bea Gordon, Ana Sol Gutiérrez, Pat Hahn, Roland Ikheloa, Nancy King, George Margolies, Brian Porter, Rachel Prager, Glenda Rose, Ruby Rubens, Mona Signer, Roger Titus, and Paul Vance.

RESOLUTION NO. 48-97 Re: MINUTES OF NOVEMBER 12, 1996

On recommendation of the superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its minutes for November 12, 1996.

RESOLUTION NO. 49-97 Re: MINUTES OF DECEMBER 2, 1996

On recommendation of the superintendent and on motion of Mr. Ewing seconded by Mrs. King, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its minutes for December 2, 1996.

RESOLUTION NO. 50-97 Re: **MINUTES OF DECEMBER 5, 1996**

On recommendation of the superintendent and on motion of Mrs. Gordon seconded by Ms. Prager, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its minutes for December 5, 1996.

RESOLUTION NO. 51-97 Re: **BOE APPEAL NO. 1996-35**

On motion of Mrs. King seconded by Mrs. Gordon, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in BOE Appeal 1996-35, a tuition matter, reflective of the following vote: Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Mrs. King, Ms. Signer, and Ms. Prager voting to affirm the superintendent's decision; Ms. Gutiérrez had a dissenting opinion.

RESOLUTION NO. 52-97 Re: **BOE APPEAL NO. 1996-36**

On motion of Mrs. King seconded by Mrs. Gordon, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in BOE Appeal 1996-36, a placement matter, reflective of the following vote: Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Mrs. King, Ms. Signer, and Ms. Prager voting to affirm the superintendent's decision; Ms. Gutiérrez had a concurring opinion.

RESOLUTION NO. 53-97 Re: **BOE APPEAL NO. 1996-39**

On motion of Mrs. King seconded by Mrs. Gordon, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in BOE Appeal 1996-39, a placement matter, reflective of the following vote: Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Mrs. King, Ms. Signer, and Ms. Prager voting to affirm the superintendent's decision; Ms. Gutiérrez had a concurring opinion.

Re: **POOLESVILLE CLUSTER MIDDLE SCHOOL**

Mrs. King moved and Ms. Signer seconded the following:

WHEREAS, The new Poolesville Cluster Middle School is currently under construction, scheduled to open in September, 1997; and

WHEREAS, This project first received planning monies in Fiscal Year 1995; and

WHEREAS, The State of Maryland previously has approved reimbursement for eligible costs; and

WHEREAS, The Superintendent of Schools, as part of the “non-recommended reductions to address spending affordability guidelines” included with his Fiscal Year 1998 Operating Budget Request, has suggested delaying the opening of the new middle school for one year in order to accrue savings of \$1.6 million; and

WHEREAS, In light of his recommendation, the Superintendent has put a hold on the selection process for a principal for the new school until such time as the Board has acted upon the “non-recommended reductions”; now therefore be it

Resolved, That the sense of the Board is not to include the delay of the opening of the Poolesville Cluster Middle School at such time as a formal vote is taken in February on the “non-recommended reduction” list; and be it further

Resolved, That the Superintendent proceed with the selection process for the new principal, with any appointment of an individual by the Board, upon the recommendation of the Superintendent, to await final action on the “non-recommended reduction” list.

RESOLUTION NO. 54-97 Re: **AMENDMENT TO POOLESVILLE CLUSTER MIDDLE SCHOOL**

On motion of Mrs. Gordon and seconded by Mrs. King, the following amendment was adopted unanimously:

Resolved, That the Board of Education strike the first resolved in the above motion.

RESOLUTION NO. 55-97 Re: **POOLESVILLE CLUSTER MIDDLE SCHOOL**

On motion of Mrs. King and seconded by Ms. Signer, the following resolution as amended was adopted with Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Mrs. King, Ms. Prager, and Ms. Signer voting in the affirmative; Ms. Gutiérrez voting in the negative:

WHEREAS, The new Poolesville Cluster Middle School is currently under construction, scheduled to open in September, 1997; and

WHEREAS, This project first received planning monies in Fiscal Year 1995; and

WHEREAS, The State of Maryland previously has approved reimbursement for eligible costs; and

WHEREAS, The Superintendent of Schools, as part of the “non-recommended reductions to address spending affordability guidelines” included with his Fiscal Year 1998 Operating Budget Request, has suggested delaying the opening of the new middle school for one year in order to accrue savings of \$1.6 million; and

WHEREAS, In light of his recommendation, the Superintendent has put a hold on the selection process for a principal for the new school until such time as the Board has acted upon the "non-recommended reductions"; now therefore be it

Resolved, That the Superintendent proceed with the selection process for the new principal, with any appointment of an individual by the Board, upon the recommendation of the Superintendent, to await final action on the "non-recommended reduction" list.

Re: NEW BUSINESS

Mr. Felton moved and Mrs. King seconded the following:

WHEREAS, the Montgomery County Public Schools (MCPS) System is committed to Success for Every Student; and

WHEREAS, MCPS has achieved national recognition for its innovation and creativity in adopting an Educational Load concept which attempts to ensure equity in the allocation of funding and services to accommodate critical differences among school populations such as mobility, poverty, emotional and physical disabilities; and

WHEREAS, MCPS has continued to provide information to the community regarding funding allocations with the publication of Schools at a Glance, and other funding documents; and

WHEREAS, The citizens of Montgomery County, Superintendent of Schools, Administrators, Principals, Teachers, Staff, and Students continue to pursue excellence in the delivery of our educational system; and

WHEREAS, The concept of "educational load" continues to be endorsed by the public at large as a means of further understanding the complexity of factors which impact a quality learning environment; now therefore be it

Resolved, That the Board of Education request the Superintendent to review the current educational load factors in deterring equitable funding allocations, and to make recommendations, as appropriate regarding modification of factors; and be it further

Resolved, That the staff refine the information provided to the public regarding MCPS base operating costs per student to include, but not be limited to, instructional, administrative, support, transportation, technology, materials and supplies, and other categories as determined appropriate by staff, and that costs associated with special programs (Special Needs, Magnet, Signature, etc.) be identified separately.

Mr. Ewing moved and Mrs. Gordon seconded the following:

WHEREAS, The Management and Fiscal Policy (MFP) Committee of the County Council reviewed capital projects planning for all agencies; and

WHEREAS, The MFP Committee discussed the concept of consolidating all facility planning functions for the county into one agency; and

WHEREAS, A response from each agency will be requested; now therefore be it

Resolved, That the Board of Education schedule time, in a timely fashion given the schedule of the MFP Committee, to discuss this issue and to take action, if appropriate.

Mrs. Gordon moved and Mrs. King seconded the following:

WHEREAS, Pediculosis is common in schools; and

WHEREAS, Pediculosis causes great concern, anxiety, and distress for students, parents, and staff; and

WHEREAS, Pediculosis is easily treated once detected; and

WHEREAS, Information and education about pediculosis and its spread can lead to prevention; now therefore be it

Resolved, That consistent, accurate information be available to parents and staff through countywide implementation of MCPS Regulation JPB-RA; and be it further

Resolved, That the superintendent review and make appropriate revisions, if any, to MCPS Regulation JPB-RA - Pediculosis.

Ms. Gutiérrez moved and Ms. Prager seconded the following:

WHEREAS, Many MCPS high school students are not completing a full secondary school program leading to a Maryland High School degree or certificate due to truancy and chronic attendance problems, placing these students academically or socially at-risk and leading to failure in the classroom, loss of credit, and school abandonment; and

WHEREAS, Those students that do not complete a high school program are statistically over-represented in low-wage jobs and occupations, and/or can

become involved in illegal or nonsocial behaviors in their future adult lives;
and

WHEREAS, MCPS, Montgomery County government agencies, non-profits, and community-based organizations each have many alternative programs, intervention strategies, and attempt to provide support services for the same population of at-risk adolescents, yet, with little or no coordination of effort, resources, and services; and

WHEREAS, A number of student-retention programs which have been developed in various urban school districts are yielding significant improvements and measurable results in dropout reduction rates (See attached program summaries for FACTS, MSAP, SOAR, FAST TRACK, STRIVE, and others); now therefore be it

Resolved, That the Montgomery County Board of Education establish a Zero Drop-Out Task Force to identify, review, and propose strategies and initiatives to the Board and to the superintendent for improving high school attendance and graduation rates for at-risk students in all MCPS high schools in support of our Success for Every Student Plan; and be it further

Resolved, That the Task Force be constituted by no more than two members of the Board, selected members of our Advisory Committee on Minority Student Education, and have representation of parents of affected students, at-risk and dropped-out students, alternative education teachers, specialists, and administrators, and selected local interagency service providers. The Task Force should include consultations with representatives from juvenile justice, youth employment, and vocational training programs, and other relevant non-profit, community-based organizations serving our at-risk student populations; and be it further

Resolved, That the Preliminary Task Force Report be presented to the full Board for review and action no later than the June 1997 All-Day Board meeting.

Ms. Gutiérrez moved and Mr. Ewing seconded the following:

Resolved, That the Board of Education request the superintendent to review and consider the request from the Muslim students to schedule the test dates within the window provided the local education agencies.

RESOLUTION NO. 56-97

Re: **VOTE ON PROPOSED RESOLUTION**

On motion of Mr. Ewing and seconded by Ms. Gutiérrez, the following resolution was adopted with Mr. Ewing, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, Ms. Prager, and Ms. Signer voting in the affirmative; Dr. Cheung and Mr. Felton abstaining:

Resolved, That the Board of Education take immediate action on the scheduling of test dates.

Re: **MOTION BY MS. GUTIÉRREZ ON TEST DATES
(FAILED)**

On motion of Ms. Gutiérrez and seconded by Mr. Ewing to request the superintendent to review and consider the request from the Muslim students to schedule the test dates within the window provided the local education agencies failed with Mr. Ewing, Mr. Felton, and Ms. Gutiérrez voting in the affirmative; Dr. Cheung, Mrs. Gordon, Mrs. King, Ms. Prager, and Ms. Signer voting in the negative.

RESOLUTION NO. 57-97

Re: **ADJOURNMENT**

Resolved, That the Board of Education adjourn its meeting of January 27, 1997, at 11:25 p.m.

PRESIDENT

SECRETARY

PLV:gr

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET
JANUARY 27, 1997**

APPROVAL OF AGENDA	1
AFRICAN AMERICAN HISTORY MONTH -- FEBRUARY 1997	1
ITEMS OF LEGISLATION	2
PUBLIC COMMENTS	3
PROCUREMENT CONTRACTS MORE THAN \$25,000	4
GRANT OF DEED AND EASEMENT TO MONTGOMERY COUNTY GOVERNMENT AT GERMANTOWN ELEMENTARY SCHOOL	5
ACCEPTANCE OF MARTIN LUTHER KING, JR. MIDDLE SCHOOL	6
CHANGE ORDER OVER \$25,000 - NORTHWEST AREA HIGH SCHOOL	7
NETWORK SYSTEMS DESIGN - ENGINEERING SERVICES	7
UTILIZATION OF FY 1997 FUTURE SUPPORTED PROJECT FUNDS FOR THE MIDDLE SCHOOL STUDENT SERVICE-LEARNING TRAINING PROGRAM	8
PERSONNEL APPOINTMENT	8
MEDICAL ADVISORY COMMITTEE'S ANNUAL REPORT FOR 1995-96 AND STAFF RESPONSE	9
MEDICAL EMERGENCY/ANAPHYLAXIS	12
SPECIAL EDUCATION ISSUES THAT HAVE BUDGETARY IMPLICATIONS	13
BOARD/SUPERINTENDENT COMMENTS	15
RESOLUTION FOR CLOSED SESSION	16
REPORT ON CLOSED SESSION	17
MINUTES	17
APPEALS	17
POOLESVILLE CLUSTER MIDDLE SCHOOL	18
NEW BUSINESS	19
MOTION BY MS. GUTIÉRREZ ON TEST DATES (FAILED)	22
ADJOURNMENT	22