

DRAFT
40-1997

Rockville, Maryland
November 11, 1997

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, November 11, 1997, at 10:05 a.m.

ROLL CALL Present: Mr. Reginald M. Felton, President
 in the Chair
 Dr. Alan Cheung
 Mr. Blair G. Ewing
 Mrs. Beatrice B. Gordon
 Ms. Ana Sol Gutiérrez
 Mrs. Nancy J. King
 Ms. Mona M. Signer
 Ms. Debra Wheat
 Dr. Paul L. Vance, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 647-97 Re: **AGENDA**

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

Resolved, That the Board of Education approves its agenda for November 11, 1997.

RESOLUTION NO. 648-97 Re: **VETERANS' DAY**

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

WHEREAS, In 1918, on the eleventh hour of the eleventh day in the eleventh month, the world rejoiced and celebrated the signing of an armistice to end four years of bitter war; and

WHEREAS, In 1938, Congress voted Armistice Day as a legal holiday; and

WHEREAS, In 1953, Congress passed a bill renaming the national holiday to Veterans' Day; and

WHEREAS, On Veterans' Day, Americans continue to celebrate with ceremonies and speeches remembering and honoring those who fought for peace; now therefore be it

Resolved, That the Montgomery County Board of Education and the Superintendent of schools hereby recognize today as an opportunity to remember and acknowledge the sacrifices of men and women who served our country in the Armed Forces of the United States; and be it further

Resolved, That we urge students, parents, MCPS staff, and the entire community to join us in reflecting, commemorating, honoring, and celebrating the contributions of our veterans.

RESOLUTION NO. 648-97(a) Re: **AMERICAN EDUCATION WEEK**

On motion of Mr. Felton and seconded by Dr. Cheung, the following resolution was adopted unanimously:

WHEREAS, America's schools are the backbone of our democracy, providing each new generation with the tools to maintain our nation's precious values of freedom, civility, and equality; and

WHEREAS, The theme for this 76th year of observance of American Education Week is "Teaching Children to Think and Dream"; and

WHEREAS, Aside from their families, schools are the primary influence in children's lives; and

WHEREAS, Schools are vital in bringing together adults and children, educators and volunteers, business leaders and elected officials in a common enterprise; and

WHEREAS, There is nothing more crucial to the health and the future of our nation than education; and

WHEREAS, Education employees at all levels of Montgomery County Public Schools work tirelessly to serve our children and communities with dedication, professionalism and compassion; now therefore be it

Resolved, That the Montgomery County Board of Education does hereby recognize the period of November 16 through November 22, 1997, as America Education Week; and be it further

Resolved, That the Board of Education and Superintendent of Schools urge all Montgomery County residents to join in recognition of American Education Week and appreciation of the educators who are so vital in maintaining the high quality education offered in our schools; and be it further

Resolved, That all our schools strongly encourage parent and community involvement in the education process especially during American Education Week to enhance the academic and personal success of all our students.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Ms. Gutiérrez shared with the Board her experience at the Technology and Learning Conference. The conference provided a wealth of information on what other school systems are doing with technology, and all of the workshops were relevant and informative. She was impressed with the quality of the presentations and exhibits. There were three primary issues that she wanted to bring to the attention of the Board and Superintendent: (1) the new educational library discount rate that the FCC will be announcing; (2) the use of technology for assessments of students and technology; and (3) the use of technology for at-risk students.

Mr. Ewing mentioned the proposal he had submitted to the Board and Superintendent that details ideas of class size reduction and links than to efforts to improve reading and writing performance. He urged the Board and Superintendent to read the memorandum and consider it.

Dr. Vance brought to the attention of the Board the "always-fascinating" results of the annual "Survey of Seniors" conducted by the Department of Educational Accountability. The 1997 survey of more than 6,400 seniors revealed a high level of satisfaction with their education and a high degree of optimism about attending college and pursuing professional careers. Ninety-one percent of the students said that the school system had prepared them for their future at an adequate or better rating. Eighty-seven percent of the students said they planned to continue their education in a two- or four-year college or university.

The first annual "Heroes in Education" awards were presented by the Montgomery County Chamber of Commerce recognizing outstanding contributions. Five of the seven awards went to representatives of the Montgomery County Public Schools: Mr. Mark Kelsch, principal of Sligo Middle School; the Clopper Mill Elementary School PTA; Mark Twain School; Ms. Surekha Krishiiari, an instructional assistant at Kensington-Parkwood Elementary; and Mr. Paul Dermont, an art teacher at Flower Valley Elementary School.

Dr. Vance was extremely pleased to announce that 23 twelfth-grade students have been named scholars in the 1997-98 National Hispanic Scholar Recognition Program, and another two local students have received Honorable Mention awards. The winners represent 42 percent of the scholars chosen in Maryland. The 1997 results show a significant increase over last year, when the school system was represented by 38 percent of the scholars in Maryland. These students certainly deserve congratulations for their achievements.

Finally, Dr. Vance congratulated Dr. Dawn F. Thomas, coordinator of elementary social studies, who recently received a prestigious national award from the National Social Studies Supervisors Association. The award is given annually to an individual who best exemplifies leadership roles in the field of social studies.

Re: **SECOND ANNUAL UPDATE ON THE
IMPLEMENTATION OF THE *POLICY ON GIFTED AND
TALENTED EDUCATION***

Dr. Vance invited the following people to the table: Dr. Steven G. Seleznow, associate superintendent for the Office of School Administration; Dr. Mary Helen Smith, associate superintendent for the Office of Instruction and Program Development; Mr. Donald Kress and Dr. Kimberly Statham, directors in the Office of School Administration; Dr. Patricia B. Flynn, director of the Department of Academic Programs; and Ms. Virginia A. Tucker, director of the Division of Enriched and Innovative Instruction.

Dr. Vance reported that two years of progress will be reviewed on the implementation of Board policy. The purpose of the policy is to ensure that differentiated educational programs and services are systematically provided for gifted and talented (G/T) students in grades K-12. He was pleased with the progress of the schools in working collaboratively with the Office of School Administration (OSA) and the Office of Instruction and Program Development (OIPD). Everyone recognizes what is necessary to achieve the key elements of a fully developed G/T program. Staff believes that they are moving ahead with implementing this challenging initiative in developing an accelerated and enriched curriculum, as well as developing training models that will support the efforts of the schools.

Dr. Smith wanted to share the results of the strong collaboration between OSA and OIPD. Staff feels that the working relationship has been cemented among the directors, principals, staff in the Division of Enriched and Innovative Instruction (EII), and the curriculum coordinators. This relationship has led to exciting work in addressing the Policy on Gifted and Talented Education. Training opportunities are being maximized by working across offices and within clusters, as well as using the information from the program reviews to group schools that have similar program objectives in order to make use of staff

and training. The reviews of the local SES plans and G/T objectives have given staff information as they work in curriculum and instructional design.

Dr. Seleznow reported that OSA monitored every elementary and middle school G/T program. It took OSA five months to complete the process which illustrates the intensity of the review. Staff did not institute a program evaluation, but monitored how the policy was being implemented. During the monitoring phase, staff was interested in what principals were doing and how the policy should be interpreted and implemented. Dr. Seleznow pointed out that part of the monitoring included data analysis when looking at the performance of G/T students that used a variety of measurements. Throughout the process, OSA recommended the following: (1) include a specific G/T improvement initiative in their Local School Success for Every Student (SES) Plan for each elementary school and middle school; (2) establish clear performance expectations systemwide to assure that the appropriate level of academic achievement and pacing for elementary G/T students occurs; (3) make the monitoring of the academic achievement and pacing of G/T students easier for principals; (4) develop and implement a comprehensive training program addressing all aspects of program delivery for G/T students; (5) establish specific criteria and procedures to help staff identify G/T students who are in the primary grades (K-2), receiving ESOL services, learning disabled, and/or from under-served or under-represented groups; (6) provide guidelines and models for grouping practices to help staff (a) make greater use of methods other than cluster grouping and (b) extend these practices to subjects in addition to mathematics and reading/language arts; (7) identify effective outreach procedures for students from under-served and under-represented groups and share "best practices" among schools; (8) decide which instructional strategies (e.g., telescoping or curriculum compacting) and/or commercial programs should be in wider use; and (9) consider new or alternative communication models that provide more direct support to teachers and G/T students.

Ms. Tucker focused on three of OSA's recommendations. The heart is the development of curriculum and training models that will clearly articulate to staff in their acceleration and enrichment efforts. Recommendation Two speaks to the creative of systemwide performance standards that look at the differentiated needs of G/T students. Staff has chosen to work within the existing framework in curriculum areas. There are elements that have been strongly recommended as part of the accelerated and enriched curriculum materials. As staff has looked at the revision of the scope and sequence in each of the curriculum documents, they have identified those areas that require compacting in order to make time for students to take on issues, problems, and tasks of greater complexity. Staff has identified those concepts in each area that lend themselves to both acceleration and enrichment. Staff also has focused on making recommendations for pre-assessment tasks that will allow classroom staff to ascertain what students currently know and are able to do within that segment of instruction.

Staff has chosen to look at tiered assignments or robust tasks in order to open instruction to a larger group of students with curriculum development. By layering a problem from entry level through more sophisticated applications, a wide range of students have the opportunity to take on challenging instruction and experience both acceleration and enrichment whether or not the students have been identified as gifted and talented. Curriculum guides are used to train staff and open the dialogue about what pre-assessment means, where it leads, and how those groupings lead to tiered assignments. As these materials are piloted, staff is gathering information on utility, effectiveness, and appropriateness for meeting the needs of high-end learners as well as those learners requiring nurturing. The open inclusive models of acceleration and enrichment will broaden and deepen staff understanding of students' capabilities and how they can be refined and extended. The linkages among pre-assessment, groupings, and challenges are key to the understanding of students' readiness to take on acceleration and enrichment as well as key to their demonstration of achievement.

Recommendation Four speaks to a comprehensive training program that revolves around the key components of the monitoring process. As staff embarks on the pilot for accelerated and enriched math programs, there will be a collaboration of staff from the teacher on special assignment to ELL staff to curriculum coordinators and instructional specialists. Staff is approving this in two ways: (1) clear direction about how the curriculum document in elementary math needs to be used to provide acceleration and enrichment, and (2) what the new accelerated and enriched documents are telling them about expectations for students.

Recommendation Eight focuses on training for specific instructional strategies and programs. Over the past year, there have been two-day training sessions on the William and Mary Program for language arts that have met the initial training needs of over 1,300 elementary and middle school classroom teachers and principals.

Dr. Seleznow directed Board members to the summary of Gifted and Talented Program Improvement Initiatives, Rationales, and Approaches to Implementation for both elementary and middle schools. The schools were given four approaches to use with their initiatives: (1) create a specific G/T objective related to performance of G/T students; (2) implement a new instructional program; (3) change organizational structure (the way of delivering G/T instruction); and (4) embed G/T activities and initiatives in larger objectives that dealt with the entire school population.

Mr. Felton thought what has been done over the past year was an outstanding effort. The difference is that monitoring is not a compliance review, but focuses on the policy and how steps can be taken to improve that process. It is important to access those specific issues with a focus to bring about a difference.

Ms. Signer was impressed with the job done by OSA, Dr. Seleznow, and all the directors in creating a snapshot of what has been happening in the schools, working with the schools to implement a program, and monitoring that program. She felt very comfortable that the school system has a process in place to do that, but what she was less comfortable about is that the school system has a curriculum to implement. She had hoped to see the curriculum standards in the material for the Board meeting. She asked what the status was for developing curriculum standards. Using accelerated and enriched math as an example, Ms. Tucker reported that a workgroup was put together of high, middle, and elementary schools staff who had a strong track record in working with able learners. In the spring of 1996, staff identified those areas in the math objectives that could be compacted. Those concepts and skills that could be introduced to students at an earlier time were presented to a number of advisory committees. Since that time, staff has tried to provide that layered approach and give students access to enriched programs so that they can move at their individual pace.

Ms. Signer pointed to the number of ISM objectives by grade, and she noted that, although the G/T grade 3 students cover more objectives than the curriculum guideline, the fact is that the incremental numbers of objectives year after year are roughly the same. Therefore, the acceleration that she had hoped for is not there. Clarifying her first question, Ms. Signer asked about the status of the development of curriculum standards and the scope of the objectives in language arts, math, social studies, and science at the elementary and middle levels. Dr. Seleznow stated that the pilots that are in place with the new accelerated and enriched mathematics curriculum is getting favorable reviews from teachers and principals.

Ms. Signer's concern was that the school system does not expect the principals and staff to be held accountable for meeting objectives if they have not been provided with the curriculum they need to implement the policy; that is an unreasonable expectation.

Mr. Ewing pointed out that the summary of Gifted and Talented Program Improvement Initiatives, Rationales, and Approaches to Implementation for both elementary and middle schools was useful and produces a picture of where schools are. It is at the same time provocative and limited. It is provocative because it suggests there are a good number of schools where a great deal of work needs to be done. It is limited because he did not understand whether or not a given school has reached a level of commitment for a comprehensive program of G/T instruction, which is what the policy requires. Mr. Ewing asked Dr. Seleznow if the school system has achieved implementation of the policy. Dr. Seleznow responded that, through monitoring, it has been found that there is not a comprehensive G/T program that is in place across the school system. OSA is committed to finding ways to provide information on implementation that is fair, valid, and reliable. There is not complete consistency across schools at this time, but OSA has undertaken a systematic effort for schools to identify initiatives to put the policy in place.

Given the fact that the school system does not have curriculum standards or instructional strategies and techniques available for schools to use, it is very difficult to hold principals accountable for a comprehensive program. As long as the school system does not have those things in place, Mr. Ewing thought it will be extraordinarily difficult for the school system to declare at any point in the near future that there is a comprehensive program for the gifted and talented students throughout the county. The policy stated that those things would be in place in six months, and that was two years ago. The Board needs to be assured that there is a timetable to which the school system intends to adhere and a time certain when those tasks will be complete. Ms. Tucker responded that there was a timetable attached to the first annual review, and staff has been meeting frequently on the curriculum standards in math and language arts.

With regard to the development of curriculum standards for implementation of the policy on gifted and talented, Mr. Felton asked for a timeline and copies of the standards under development. Ms. Tucker agreed to share this information with Board members.

Mr. Ewing stated that no one expects staff to do anything but a first class job, but he was concerned that the school system is unable to tell the public, principals, and teachers when the curriculum will be available. The Board needs to be assured of what the timetable is, when the public will know, when staff will know, and some expectation that the program is complete and comprehensive for all students in all schools.

Ms. Gutiérrez observed that a great deal of work has been done, and the implementation of the policy must be done with careful planning as well as training staff. There is a philosophical dilemma in educational services for gifted and talented students that enriches the experiences of a few students. She asked if that education becomes exclusive or to what extent does the school system provide those services in a much more inclusive model with a larger number of students participating in an enrichment program. She was concerned for how participation of the under-represented and under-served groups is monitored. Her next concern was the negative side of tracking students. As the policy on gifted and talented is implemented there should not be a negative influence on those students not involved in the program. She asked where the state's gifted and talented dollars are applied to increase the participation of the under-represented and under-served students.

* Ms. Gutiérrez temporarily left the meeting at this point.

Dr. Cheung congratulated staff for the second annual report on the implementation of the policy. The report not only highlights the successes, but addresses some of the problems and opportunities for improvement. First, there needs to be a plan with the initiatives within current resources, and then comes the implementation of the policy. After implementation, the Board and community will want to know what the results are with this

organized approach. Gifted and talented students have special needs and must be evaluated individually. The school system must look at the individual learning plan of each child and ascertain how well he or she is learning based on his or her ability for acceleration and enrichment. His approach was to look at the individual child and determine his or her gifts, and then have a continuous improvement plan for that child.

Mrs. King was interested in whether each school has a gifted and talented program, and what actually happens within that program. Some schools have fairly comprehensive programs while other schools appear in need of more direction. She will look forward to the next report to see how each school has improved.

Mrs. Gordon agreed with Mr. Ewing and Ms. Signer on the time line and how very slowly the implementation of the policy was moving. While waiting until the plan is 100 percent appropriate for all students, a great number of students will be eliminated from receiving acceleration and enrichment within that four-year period. Since this is focusing on the elementary and middle school levels, she hoped that the school system would not forget the honors program in the high schools. At best, that program is old and weary and in need of improvement. Also, not every student who is identified as gifted and talented is in an honors program. In future reports, she would like to see what is happening at the high school level. Mrs. Gordon asked that a discussion on the average student be scheduled with an emphasis on how gifted and talented and honors instruction benefit the average student.

Ms. Signer shared Mrs. Gordon's concern about the time table since five years from adoption of the policy to the creation of the last set of standards will be a long time, and, in fact, a generation of elementary school students. She wanted to see the draft standards that had been developed. It also is important to ensure that copies of the standards are distributed to appropriate groups.

Mr. Felton asked if staff had evaluated other districts' gifted and talented programs, and, if so, are they used to establish a benchmark. He hoped that, as the school system develops the program and makes progress with guides and documents, this material could be nominated for the enterprise fund.

Re: **FINAL ACTION ON TELECOMMUNICATIONS
TRANSMISSION FACILITIES POLICY (ECN)**

Dr. Vance invited the following people to the table: Mr. David G. Fischer, associate superintendent for the Office of Supportive Services; Mr. William M. Wilder, director of Facilities Management; Dr. Pam Splaine, director of Policy and Records Unit; and Mr. Michael Molinaro, attorney from Reese and Carney.

Re: **FINAL ACTION ON TELECOMMUNICATIONS
TRANSMISSION FACILITIES POLICY (ECN)**

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Dr. Cheung, the following resolution was placed on the table:

WHEREAS, The 1996 Federal Telecommunications Act and related Montgomery County legislation requires that all public land-owning agencies, which would include the Board of Education, consider legitimate requests from the private sector to place telecommunications transmission facilities on school sites; and

WHEREAS, The Board of Education reviewed and discussed the draft policy on July 8, 1997; and

WHEREAS, The draft policy was circulated to interested community members for public comment; and

WHEREAS, The accompanying policy (ECN) and recommendations have been developed with input from government representatives, PTAs, vendors, legal representatives, community members, and school system staff; and

WHEREAS, This policy provides a reasonable process to evaluate prospective proposals to place telecommunications transmission facilities on school sites; and

WHEREAS, This policy satisfies the legal requirements of federal and local legislation; now therefore be it

Resolved, That the Board of Education take final action to adopt Policy ECN, Telecommunications Transmission Facilities, including staff recommendations.

RESOLUTION NO. 649-97 Re: **AN AMENDMENT TO THE FINAL ACTION ON
TELECOMMUNICATIONS TRANSMISSION FACILITIES
POLICY (ECN)**

On motion of Mrs. Gordon and seconded by Ms. Signer, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education amends Policy ECN, Telecommunications Transmission Facilities, at C.2. to read:

Factors such as site size, compatibility with the county's Master Plan **and school site development plan**, impact on school operations, school and community input

RESOLUTION NO. 650-97

Re: **AN AMENDMENT TO THE FINAL ACTION ON
TELECOMMUNICATIONS TRANSMISSION FACILITIES
POLICY (ECN)**

On motion of Mrs. Gordon and seconded by Mr. Ewing, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education amends Policy ECN, Telecommunications Transmission Facilities, at C.2.b) to read:

Telecommunications providers must show evidence of pursuit of co-location with ~~existing transmission~~ **other vendors and/or existing** facilities.

RESOLUTION NO. 651-97

Re: **AN AMENDMENT TO THE FINAL ACTION ON
TELECOMMUNICATIONS TRANSMISSION FACILITIES
POLICY (ECN)**

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

Resolved, That the Board of Education amends Policy ECN, Telecommunications Transmission Facilities, at C.2.d)(2) to read:

No private structure shall be placed on school buildings **unless specifically negotiated and agreed to in the terms of a lease**

Re: **FUNDS RECEIVED FROM THE
TELECOMMUNICATIONS TRANSMISSION FACILITIES
POLICY (ECN) (FAILED)**

On motion of Mrs. Gordon and seconded by Mrs. King, the following resolution failed with Mrs. Gordon, Mrs. King, Ms. Signer, and Ms. Wheat voting in the affirmative; Dr. Cheung, Mr. Ewing, and Mr. Felton voting in the negative:

Resolved, That the Board of Education instructs the Superintendent to share the revenues from installation of telecommunication equipment with 25 percent to the school, 25 percent to the cluster, and 50 percent to the school system and this language will not be part of the policy.

RESOLUTION NO. 652-97

Re: **FUNDS RECEIVED FROM THE
TELECOMMUNICATIONS TRANSMISSION FACILITIES
POLICY (ECN)**

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

Resolved, That the Board of Education directs the Superintendent to develop a plan for sharing the revenues that may come from telecommunication transmission facilities with the local school and cluster as well as Montgomery County Public Schools.

Ms. Signer made the following statement: "I understand that the Board is required as an owner of public land to have this policy. However, I will be abstaining on it because I cannot support a policy that allows the location of transmission facilities on school sites."

RESOLUTION NO. 653-97 Re: **FINAL ACTION ON TELECOMMUNICATIONS TRANSMISSION FACILITIES POLICY (ECN)**

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

WHEREAS, The 1996 Federal Telecommunications Act and related Montgomery County legislation requires that all public land-owning agencies, which would include the Board of Education, consider legitimate requests from the private sector to place telecommunications transmission facilities on school sites; and

WHEREAS, The Board of Education reviewed and discussed the draft policy on July 8, 1997; and

WHEREAS, The draft policy was circulated to interested community members for public comment; and

WHEREAS, The accompanying policy (ECN) and recommendations have been developed with input from government representatives, PTAs, vendors, legal representatives, community members, and school system staff; and

WHEREAS, This policy provides a reasonable process to evaluate prospective proposals to place telecommunications transmission facilities on school sites; and

WHEREAS, This policy satisfies the legal requirements of federal and local legislation; now therefore be it

Resolved, That the Board of Education take final action to adopt Policy ECN, Telecommunications Transmission Facilities, including staff recommendations.

Telecommunications Transmission Facilities

A. PURPOSE

To establish the criteria by which the Board of Education will evaluate and make decisions concerning applications to place private telecommunications transmission facilities on sites owned by the Board of Education

B. ISSUE

There have been requests to place private telecommunications transmission facilities on sites owned by the Board of Education. Federal and county laws provide for such placements. The Board of Education needs to have criteria with which to consider such requests without compromising the school system's primary mission to provide a safe and supportive environment for the academic success of every student.

C. POSITION

1. The Board of Education supports federal and county legislation relating to the infrastructure of modern telecommunications systems and wishes to implement these laws without contravening the primary mission of the organization which is to provide a safe and supportive environment for the academic success of every student.
2. Factors such as site size, compatibility with the county's Master Plan and school site development plan, impact on school operations, school and community input (including school personnel and neighborhood citizens' concerns), compensation, and the ability to co-locate telecommunication facilities at the site shall all be considered when evaluating sites for telecommunications facilities on school property. Specifically, the following criteria will be considered in the evaluation of proposals:
 - a) Conformance of the proposal with federal and county legislation as demonstrated in the county's Telecommunications Transmission Facility Coordinating Group's (TTFCG) recommendation and the Maryland-National Capital Park and Planning Commission (M-NCPPC) report.
 - b) Telecommunications providers must show evidence of pursuit of co-location with other vendors and/or existing facilities.
 - c) Telecommunications providers must have a long-range master plan for future telecommunications transmission facilities throughout the county.
 - d) Impact on the school site and operations based on input from school staff, PTSA, community groups, and facilities staff. These considerations should include the following:
 - (1) No site shall be considered unless it meets the acreage needed for standard setback requirements
 - (2) No private structure shall be placed on school buildings unless specifically negotiated and agreed to in the terms of the lease
 - (3) Any proposed installation must satisfy all legal, safety, and health requirements set forth in federal, state, and county codes and regulations
 - (4) Any proposed installation must be architecturally and aesthetically compatible with the school site

- (5) For applications involving new monopoles or towers, the applicant making the proposal is responsible for notification of potentially affected communities
 - (6) Installation and location shall not disrupt normal operation of school system activities and/or community activities as determined by the principal or site manager
 - (7) The applicant shall bear all responsibility and related costs for liability and maintenance arising from the installation and its operation. This would include related upkeep, repair, and appearance of the tower, monopole, equipment building, enclosed grounds and fencing, and provision for its removal.
- e) Demonstrated record in other site installations of compliance with contractual agreements and adherence to regulatory standards. In the event of the telecommunications company's bankruptcy, a sufficient bond is in place to cover the cost of removing the transmission facility and returning the site to its previous condition.
 - f) Benefit to the Board including provision of revenue to support educational improvements.
3. A standard MCPS lease form shall govern all leases and permits for telecommunications facilities on school property. The lease/permit shall require indemnification of the Board, its employees, and agents by the applicant for any contingent liability arising from the operation of the facility. The telecommunications company may not access the property during school hours except with prior notice and approval of the official designated by the building administrator. The school system reserves the right, prior to the conclusion of its stated term, to terminate the lease for cause, including lack of adequate maintenance. Revisions to the standard lease/permit form, except for changes required due to site specific concerns, shall not be accepted.
 4. The Superintendent will review and, if necessary, gather additional views of the community as well as principals and/or site managers and evaluate those views prior to making a decision.
 5. Based on the criteria set forth in this policy, the Superintendent will decide whether to approve the request and, if so, negotiate the most favorable terms.

The applicant will be responsible for removing the installation completely and returning the site to its previous condition at conclusion of the contract.

D. DESIRED OUTCOME

Fair and consistent criteria with which to evaluate the appropriateness of placing telecommunication transmission infrastructures on school sites so that they do not detract from the primary mission of the school system

E. IMPLEMENTATION STRATEGIES

1. In compliance with Montgomery County Executive Regulation 14-96, the TTFCG will submit recommendations on proposed installations to the school system.
2. For those actions for which M-NCPPC approval is required, the Superintendent will transmit that recommendation to the M-NCPPC for its review under the mandatory referral or special exception process. The review will include expert testimony and citizen input.
3. The Superintendent will notify site managers and school PTAs of the proposed installation.
4. The Superintendent will receive the M-NCPPC Report or Board of Appeals decision and any other relevant information and make a decision concerning the application.

F. REVIEW AND REPORTING

1. This policy will be reviewed on an ongoing basis in accordance with the Board of Education's policy review process.
2. Periodic reports on the implementation of this policy, including input from affected schools and communities, will be reviewed by the Board.

The Board of Education recessed from 12:50 to 2:25 p.m. for lunch and closed session.

* Ms. Gutiérrez rejoined the meeting at this time.

Re: **PUBLIC COMMENTS**

The following people appeared before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Meg O'Hare	Gifted and Talented Policy
2.	Gail Pressburg	Live Programming

3. Chris Lloyd Live Programming
4. Stephanie Coster Live Programming
5. Stuart Merkel Live Programming
6. Jonah Eaton Live Programming
7. Sharon Cox Boundary Process
8. John Hoven Gifted and Talented Policy
9. Judy Tankersley Parkland Middle School and the CIP

Ms. Signer wanted to know if the regulation on students rights has recently been edited, and she asked the Superintendent to respond to Mr. Lloyd's concerns.

RESOLUTION NO. 654-97 Re: **AMENDMENT OF THE AGENDA**

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

Resolved, That the Board of Education amends its agenda for November 11, 1997, by adding a proposed resolution on the *Classical Program Review of Special Education* before the Personnel Monthly Report.

* Mrs. Gordon temporarily left the meeting at this point.

Re: **DISCUSSION OF CONTRACTS FOR MORE THAN \$25,000**

Dr. Cheung asked for (1) a matrix showing comparative prices of Apple products versus IBM compatibles, and (2) the rationale for selecting Apple products over IBM compatibles. Indicate specifically why the Apple product is preferred to an IBM compatible.

RESOLUTION NO. 655-97 Re: **CONTRACTS FOR MORE THAN \$25,000**

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

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

WHEREAS, It is recommended that Bid No. 4005, Woodwind and Brass Instrument Repairs, be rejected due to lack of competition; now therefore be it

Resolved, That Bid No. 4005, Woodwind and Brass Instrument Repairs, be rejected due to lack of competition; 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:

81-97	Chalkboards, Tackboards and White Boards - Extension		
	<u>Awardee</u>		
	Building Specialties, Inc.	\$	34,887
82-97	Heavy Equipment, Tractor and Mower Parts for the Division of Maintenance - Extension		
	<u>Awardees</u>		
	Bills Lawnmower Service	\$	18,200
	Gaithersburg Ford Tractor Company		106,700
	Gaithersburg Rental Center		3,000
	Gladhill Brothers		27,000
	Kohler Equipment, Inc.		<u>24,000</u>
	Total	\$	178,900
216-97	Apple Platform Computer Products for the Office of Global Access - Extension		
	<u>Awardee</u>		
	Apple Computer, Inc.	\$	2,000,000
217-97	Classroom Furniture - Extension		
	<u>Awardees</u>		
	Douron, Inc.	\$	928,019 *
	Jakanna, Inc.		4,950 *
	State Use Industries		<u>20,044</u>
	Total	\$	953,013
1008	Consulting, Programming and Temporary Services for Implementation of Year 2000 Compliant Software		

Awardee

	Metro Technical Consulting, LLC	\$ 55,000
4004	Snow Plow and Parts	

Awardee

	Antietam Equipment Company	\$ 28,682
4008	Motor Vehicles, Chassis with Tilt Cab for the Division of Maintenance	

Awardee

	Criswell Chevrolet, Inc.	\$ 42,193
7005	Custom Science Kits	

Awardees

	Carolina Biological Supply Company	\$ 303
	Delta Education, Inc.	81,601
	NASCO	24,084
	SCI-MA Education, Inc.	104,565
	Sempco, Inc.	<u>165,193</u> *
	Total	\$ 375,746
7006	Hand Held Calculators and CBL Data Collection Systems	

Awardee

	Eric Armin, Inc.	\$ 304,176
7009	Canned Juices, Miscellaneous Groceries	

Awardees

	Canada Dry Potomac Corporation	\$ 109,817
	Carroll County Foods, Inc.	9,839
	Smelkinson Sysco	<u>671</u>
	Total	\$ 120,327

7010 Canned Fruits and Vegetables

Awardee

Smelkinson Sysco \$ 475,572

7012 Elementary Mathematics Supplies

Awardees

Cuisenaire Dale Seymour Publications	\$ 2,965
Delta Education, Inc.	4,475
Educational Teaching Aids	11,354
J.L. Hammett Company, Inc.	854
Nada Scientific Limited	355
NASCO	9,541
School Specialty	2,610
Summit Learning, Inc.	<u>1,520</u>
Total	\$ 33,674

7013 Science Equipment

Awardees

Carolina Biological Supply Company	\$ 4,933
Edmund Scientific Company	897
Fisher Scientific Company	39,894
Flinn Scientific, Inc.	1,495 *
Frey Scientific/Div Beckley Cardy	23,021
Macalaster Bicknell Company	9,476
Nada Scientific Limited	2,860
NASCO	2,418
Para Scientific Company	12,295
Robert Wagemann	4,536
Sargent Welch Scientific Company	49,823
Science Kit, Inc.	<u>1,026</u>
Total	\$ 152,674

MORE THAN \$25,000

\$4,754,844

* Denotes MFD vendors

* Mrs. King temporarily left the meeting at this point.

RESOLUTION NO. 656-97 Re: **AWARD OF CONTRACTS - TAKOMA PARK MIDDLE SCHOOL**

On recommendation of the Superintendent and on motion of Ms. Gutiérrez seconded by Ms. Signer, the following resolution was adopted unanimously by members present:#

WHEREAS, On October 16, 1997, the following sealed bids were received for subcontract work for the Takoma Park Middle School project:

<u>Contractor</u>	<u>Amount</u>	<u>% MBE Participation</u>
<u>Site Concrete</u>		
AMA Construction Company, Inc.	\$152,300	100
<u>Food Service Equipment</u>		
Restaurant Equipment Sales	233,120	1.4

and

WHEREAS, These companies have completed similar work successfully for Montgomery County Public Schools; and

WHEREAS, The bids are within the consultant's estimate; and

WHEREAS, The subcontractors have submitted Minority Business Enterprise participation as stated above, and staff has verified that the subcontractors have made a good faith effort to obtain minority participation; now therefore be it

Resolved, That contracts be awarded for the above-referenced subcontractors meeting specifications for the Takoma Park Middle School project for the bids and amounts listed in accordance with plans and specifications prepared by Grimm and Parker, P.C.

RESOLUTION NO. 657-97 Re: **AWARD OF CONTRACT - STORMWATER MANAGEMENT AT SHADY GROVE MAINTENANCE FACILITY**

On recommendation of the Superintendent and on motion of Ms. Gutiérrez seconded by Ms. Signer, the following resolution was adopted unanimously by members present:#

WHEREAS, The following sealed bids were received on October 28, 1997, for the retrofit of a stormwater management system at the Shady Grove Maintenance Facility, with work to begin immediately, and be completed by June 1, 1998:

<u>Bidder</u>	<u>Amount</u>
Meridian Construction Company, Inc.	\$184,900
Ft. Myer Construction Corporation	208,495
Highway and Safety Services, Inc.	234,900

and

WHEREAS, The low bidder, Meridian Construction Company, Inc., has completed similar work successfully for Montgomery County Public Schools; and

WHEREAS, The low bid is below the staff estimate of \$205,000; and

WHEREAS, Meridian Construction Company, Inc., has submitted 21.2 percent of Minority Business Enterprise participation, and staff has verified that the contractor has made a good faith effort to obtain minority participation; now therefore be it

Resolved, That a contract for \$184,900 be awarded to Meridian Construction Company, Inc., for the retrofit of a stormwater management system at the Shady Grove Maintenance Facility.

RESOLUTION NO. 658-97 Re: **ENGINEERING FEE INCREASE - RANDOLPH MAINTENANCE/TRANSPORTATION DEPOTS**

On recommendation of the Superintendent and on motion of Ms. Gutiérrez seconded by Ms. Signer, the following resolution was adopted unanimously by members present:#

WHEREAS, The FY 1997-2002 approved Capital Improvements Program (CIP) contains funds to improve industrial stormwater management measures at Montgomery County Public Schools (MCPS) Maintenance/Transportation Depots; and

WHEREAS, Improvements have been completed at the Shady Grove Depot and work is currently underway at the Bethesda Depot; and

WHEREAS, It is necessary to increase the existing engineering services contract for this project to begin planning for the next phase that involves improvements to the Randolph Depots; and

WHEREAS, Staff has negotiated a fee for the engineering and construction administration services required to complete the Randolph Depots work; and

WHEREAS, The adjusted fee is 7.2 percent of the construction budget; now therefore be it

Resolved, That the contract with Chester Engineers to provide engineering services for stormwater management improvements at the MCPS Maintenance/Transportation Depots be increased by \$71,450 to complete contract documents and provide construction administration for work at the Randolph Maintenance/Transportation Depots.

RESOLUTION NO. 659-97 Re: **EMERGENCY SUPPLEMENTAL APPROPRIATION
REQUEST FOR ADA COMPLIANCE**

On recommendation of the Superintendent and on motion of Ms. Gutiérrez seconded by Ms. Signer, the following resolution was adopted unanimously by members present:#

WHEREAS, Montgomery County Public Schools has not been able to respond in a timely manner to legitimate requests for facilities improvements to accommodate the disabled; and

WHEREAS, Funds appropriated in the FY 1998 Capital Budget for Americans with Disabilities Act Compliance have been depleted; and

WHEREAS, A significant number of existing and projected accommodation requests should be honored during the remainder of the fiscal year; and

WHEREAS, The County Council, on October 28, 1997, agreed that \$11.2 million from the FY 1997 reserve should be used for supplemental appropriation for FY 1998; now therefore be it

Resolved, That the FY 1998 Capital Budget and FY 1998-2003 Capital Improvements Program be amended to include an emergency supplemental appropriation of \$400,000 for FY 1998; and be it further

Resolved, That the county executive and the Montgomery County Council be requested to approve an emergency supplemental request of \$400,000 for FY 1998.

RESOLUTION NO. 660-97 Re: **AWARD OF CONTRACT FOR MAINTENANCE
PROJECTS AT VARIOUS SCHOOLS**

On recommendation of the Superintendent and on motion of Ms. Gutiérrez seconded by Ms. Signer, the following resolution was adopted unanimously by members present:#

WHEREAS, The following sealed bid was received on October 20, 1997, in accordance with Montgomery County Public Schools (MCPS) procurement practices, for Operable Wall System Preventive Maintenance, Inspections, and Repairs at various schools, with work to begin on November 12, 1997, and to be completed by November 11, 1998:

<u>Bidder</u>	<u>Amount</u>
Modern Door and Equipment Sales, Inc.	\$ 32,400.00

and

WHEREAS, One bid was received, and it is below staff estimates, and Modern Door and Equipment Sales, Inc., has met specifications and completed similar work successfully for MCPS; now therefore be it

Resolved, That a contract for \$32,400.00 be awarded to Modern Door and Equipment Sales, Inc., for Operable Wall System Preventive Maintenance, Inspections, and Repairs at various MCPS facilities.

RESOLUTION NO. 661-97 Re: **ENERGY MANAGEMENT SYSTEM INSTALLATION AT
TAKOMA PARK MIDDLE SCHOOL**

On recommendation of the Superintendent and on motion of Ms. Gutiérrez seconded by Ms. Signer, the following resolution was adopted unanimously by members present:#

WHEREAS, The following sealed bids were received on October 28, 1997, for the energy management system installation at Takoma Park Middle School:

<u>Contractor</u>	<u>Amount</u>
Control Systems Sales, Inc.	\$ 404,500
Barber-Colman Pritchett, Inc.	415,640
Engineered Services, Inc.	434,000
Systems 4, Inc.	474,200

and

WHEREAS, The low bid is below the staff estimate of \$418,000 and the recommended contractor, Control Systems Sales, Inc., has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That the Board of Education award a contract in the amount of \$404,500 to Control Systems Sales, Inc., to install an energy management system at Takoma Park Middle School.

RESOLUTION NO. 662-97 Re: **ACCEPTANCE OF WESTLAND**

On recommendation of the Superintendent and on motion of Ms. Gutiérrez seconded by Ms. Signer, the following resolution was adopted unanimously by members present:#

WHEREAS, Westland Middle School was duly inspected on October 17, 1997; now therefore be it

Resolved, That Westland 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.

* Mrs. Gordon rejoined the meeting at this point.

RESOLUTION NO. 663-97 Re: **UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECTS FUNDS FOR THE SIX HOWARD HUGHES MEDICAL INSTITUTE SUPPORTED PROJECTS**

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

Resolved, That in accordance with the resolution from the Montgomery County Public Schools Educational Foundation, Inc., the Board of Education accept the interest earnings from grants to the foundation by the Howard Hughes Medical Institute; and be it further

Resolved, That the Superintendent of Schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects \$70,958 in interest earnings from grants awarded to Montgomery County Public Schools by the Howard Hughes Medical Institute, through the Montgomery County Public Schools Educational Foundation, Inc., in the following categories:

<u>Category</u>	<u>Amount</u>
3 Instructional Salaries	\$ 25,940
4 Textbooks and Instructional Supplies	8,333
5 Other Instructional Costs	33,803

12	Fixed Charges	<u>2,882</u>
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	Total	<u>\$ 70,958</u>
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and be it further

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

RESOLUTION NO. 664-97

Re: **UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECTS FUNDS FOR THE CATEGORICAL TRANSFER WITHIN THE STATE CATEGORICAL FUNDS FOR CAREER AND TECHNOLOGY EDUCATION PROGRAMS**

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

Resolved, That the Superintendent of Schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects a grant award of \$55,790 from the Maryland State Department of Education, under the State Categorical Funds for Career and Technology Education Program in Category 4, Textbooks and Instructional Supplies; and be it further

Resolved, That the Superintendent of Schools, subject to the approval of the County Council be authorized to effect the following FY 1998 categorical transfer for \$65,628 within this same program:

	<u>Category</u>	<u>From</u>	<u>To</u>
4	Textbooks and Instructional Supplies		\$ 65,628
5	Other Instructional Costs	\$ 65,628	_____
	Total	<u>\$ 65,628</u>	<u>\$ 65,628</u>

and be it further

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

Resolved, That the county executive be requested to recommend approval of the categorical transfer to the County Council.

RESOLUTION NO. 665-97

Re: **UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECTS FUNDS FOR THE COMPUTER REPAIR AND NETWORKING ACADEMY**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects a grant award of \$25,000

under the federal Job Training Partnership Act and Maryland's Forward, through the Montgomery County Workforce Development Corporation, for the Computer Repair and Networking Academy, in the following categories:

<u>Category</u>	<u>Amount</u>
3 Instructional Salaries	\$ 13,018
4 Textbooks and Instructional Supplies	5,275
5 Other Instructional Costs	5,600
12 Fixed Charges	<u>1,107</u>
Total	<u>\$ 25,000</u>

and be it further

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

RESOLUTION NO. 666-97

Re: **UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECTS FUNDS FOR THE EMERGENCY IMMIGRANT FUND**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects a grant award of \$199,086 from the Maryland State Department of Education, under the Emergency Immigrant Education Act (P.L. 98-511, Title VI), to provide supplementary educational services to immigrant students in Grades K-12, in the following categories:

<u>Category</u>	<u>Amount</u>
3 Instructional Salaries	\$ 152,617
5 Other Instructional Costs	31,183
12 Fixed Charges	<u>15,286</u>
Total	<u>\$ 199,086</u>

and be it further

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

RESOLUTION NO. 667-97

Re: **UTILIZATION OF FY 1998 FUTURE SUPPORTED
PROJECTS FUNDS FOR THE WESTERN MARYLAND
COLLEGE PROGRAM IN MATHEMATICS EDUCATION**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects a grant award of \$9,000 from Western Maryland College for the master's of science degree program in mathematics education, in the following categories:

<u>Category</u>	<u>Amount</u>
3 Instructional Salaries	\$7,000
4 Textbooks and Instructional Materials	900
5 Other Instructional Costs	200
12 Fixed Charges	<u>900</u>
Total	<u>\$9,000</u>

and be it further

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

RESOLUTION NO. 668-97

Re: **UTILIZATION OF FY 1998 FUTURE SUPPORTED
PROJECTS FUNDS FOR THE TRINITY COLLEGE
PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects a grant award of \$28,200 from Trinity College for the continuation of the Trinity College master of arts degree program in special education, in the following categories:

<u>Category</u>	<u>Amount</u>
6 Special Education	\$ 26,600
12 Fixed Charges	<u>1,600</u>

Total \$ 28,200

and be it further

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

RESOLUTION NO. 669-97 Re: **UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECTS FUNDS FOR THE TECHNOLOGY IN MARYLAND SCHOOLS PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects a grant award of \$64,428 from the Maryland State Department of Education for the Technology in Maryland Schools program in the following categories:

<u>Category</u>	<u>Position*</u>	<u>Amount</u>
3 Instructional Salaries	0.5	\$ 37,375
4 Textbooks and Instructional Supplies		12,200
5 Other Instructional Costs		7,378
12 Fixed Charges	—	<u>7,475</u>
Total	<u>0.5</u>	<u>\$ 64,428</u>

* 0.5 Instructional Specialist - 12 month, (B-D)

and be it further

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

RESOLUTION NO. 670-97 Re: **UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECTS FUNDS FOR THE LITERACY WORKS PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects a grant award of \$15,114 from the U.S. Department of Education, under the Adult Basic Education Act, via the Maryland State Department of Education for the Literacy Works program, in the following categories:

<u>Category</u>	<u>Amount</u>
3 Instructional Salaries	\$ 9,059
5 Other Instructional Costs	5,330
12 Fixed Charges	<u>725</u>
Total	<u>\$15,114</u>

and be it further

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

RESOLUTION NO. 671-97

Re: **UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECTS FUNDS FOR THE SMITHSONIAN INSTITUTION/NATIONAL SCIENCE RESOURCES CENTER FOR THE SCIENCE AND TECHNOLOGY CONCEPTS PROJECT AND THE NATIONAL INSTITUTE OF HEALTH/MONTGOMERY COUNTY PUBLIC SCHOOLS SCIENCE EDUCATION SUPPORT PROJECT**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects \$98,519 from the Smithsonian Institution for the Smithsonian Institution/National Science Resources Center project and \$91,484 from the National Institutes of Health for the National Institutes of Health/Montgomery County Public Schools Science Education Support project, in the following categories:

<u>Category</u>	<u>Positions*</u>	<u>Amount</u>
3 Instructional Salaries	2.0	\$132,671
12 Fixed Charges		<u>57,332</u>
Total	<u>2.0</u>	<u>\$190,003</u>

* 2.0 Classroom Teachers, (B-D), 10 month

and be it further

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

Re: **RECOMMENDED WITHIN FY 1998 CATEGORICAL
TRANSFER FOR THE PROVISION FOR FUTURE
SUPPORTED PROJECTS**

Ms. Signer asked for an explanation of the Recommended Within FY 1998 Categorical Transfer For The Provision For Future Supported Projects. Dr. Spatz responded that this is an issue where the school system has an appropriation by category within supported projects, and looking at the pattern on the various grants, and adjusts division by category to meet all needs within the project.

Ms. Signer asked if this was or was not a change in the way the school system is using the grant money compared to the way MCPS proposed to use the funds when the grant was sought. She stated that the school system is, in fact, not funding any less staff out of instructional salaries than anticipated when the school system sought the funds. Mr. Bowers explained that within \$7.5 million staff makes its best estimate on how the funds are divided among the categories using experience from prior years. The actual grants are different than what prior history would have lead staff to believe; therefore, the money needs to be moved among categories to accept the grants.

Ms. Gutiérrez stated that the monies were earmarked for projects rather than a baseline of funding. Dr. Spatz pointed out that the grants are sometimes adjusted indicating how they want the money spent. Ms. Gutiérrez suggested that the cover memo clarify that point because, on the surface, it looks like funds are being taken from class size and put into a grant.

RESOLUTION NO. 672-97

Re: **RECOMMENDED WITHIN FY 1998 CATEGORICAL
TRANSFER FOR THE PROVISION FOR FUTURE
SUPPORTED PROJECTS**

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

Resolved, That the superintendent of schools be authorized to effect categorical transfers totaling \$650,000 within the FY 1998 Provision for Future Supported Projects, in accordance with the County Council provision for transfers, in the following categories:

<u>Category</u>	<u>From</u>	<u>To</u>
1 Administration	\$ 50,000	
3 Instructional Salaries	400,000	
4 Textbooks and Instructional Supplies	200,000	
5 Other Instructional Costs		\$300,000
6 Special Education		170,000
12 Fixed Charges		<u>180,000</u>
Total	<u>\$ 650,000</u>	<u>\$ 650,000</u>

and be it further

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

Resolved, That the county executive be requested to recommend approval of the categorical transfer to the County Council.

Re: **DISCUSSION OF THE RECOMMENDED ADDITIONAL
FY 1998 SUPPLEMENTAL APPROPRIATION FOR THE
YEAR 2000 PROJECT**

Ms. Gutiérrez requested the Superintendent to provide before the upcoming action on the budget an update, timeline, and costs for the solution of the Year 2000 Project.

RESOLUTION NO. 673-97 Re: **RECOMMENDED ADDITIONAL FY 1998
SUPPLEMENTAL APPROPRIATION FOR THE YEAR
2000 PROJECT**

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

Resolved, That the Board of Education request from the County Council an FY 1998 supplemental appropriation for \$77,052 for the Year 2000 project in the following categories:

<u>Category</u>	<u>Amount</u>
1 Administration	\$ 70,525
12 Fixed Charges	<u>6,527</u>
Total	<u>\$ 77,052</u>

and be it further

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

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

RESOLUTION NO. 674-97 Re: **AWARD OF CONTRACT TO PROVIDE MEDICARE RISK HEALTH MAINTENANCE ORGANIZATION COVERAGE**

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

WHEREAS, The Board of Education by Resolution No. 563-58 established in 1958 an Employee Benefit Plan (EBP) to provide life and health insurance to eligible employees and retirees; and

WHEREAS, The Board of Education expanded the EBP by Resolutions Nos. 448-72, 457-72, and 43-76 to include dental coverage, vision coverage, a prescription drug plan, and dependent life insurance; and

WHEREAS, The Board of Education has periodically rebid elements of the EBP for the benefit of employees and retirees and to improve service and reduce administrative costs; and

WHEREAS, The superintendent's FY 1997 Category 10 Budget Review Committee recommended that MCPS consider pursuing Medicare risk HMOs as an option for its retirees; and

WHEREAS, The superintendent's FY 1997 Budget Review Committee recommended that MCPS consider lowering the cost sharing obligation to retirees for dental, vision, and prescription drug benefits to provide an incentive for retirees to select a Medicare risk HMO and as a way to share some of the savings with retirees; and

WHEREAS, MCPS has joined the Montgomery County Government, Montgomery College, and the Washington Suburban Sanitary Commission to solicit proposals from Health Maintenance Organizations to provide Medicare Risk HMO coverage to eligible retirees effective January 1, 1998; and

WHEREAS, Having been duly advertised under RFP No. 1001.1, companies were asked to submit proposals for consideration; and

WHEREAS, Retirees will receive HMO services at reduced cost, and MCPS will achieve annual savings ranging from \$200,000 to \$500,000 from this award; now therefore be it

Resolved, That contracts to provide Medicare Risk HMO services to Montgomery County Public Schools' retirees be awarded to Blue Cross/Blue Shield, Kaiser Permanente, NYL Care, and Optimum Choice; and be it further

Resolved, That MCPS retirees be offered two alternative ways to participate in a Medicare risk HMO.

Medical coverage provided by the HMO and dental, vision and prescription coverage provided under the current arrangement with the retiree and MCPS each paying 50 percent of the cost of dental, vision, and prescription coverage

or, at the retiree's election

Medical and prescription coverage provided by the HMO and dental and vision coverage provided under the current arrangement with the retiree and MCPS each paying 50 percent of the cost of dental, vision, and prescription coverage; and be it further

Resolved, That MCPS retirees be provided the opportunity to elect to participate in a Medicare risk HMO from November 1997 through February 1998, with the ability to "opt out" of the plan after 6 months if they are dissatisfied with the plan and at the annual transfer season thereafter; and be it further

Resolved, That the Board of Education president and superintendent of schools be authorized to execute the documents necessary for this transaction.

RESOLUTION NO. 675-67 Re: **CLASSICAL PROGRAM REVIEW OF SPECIAL EDUCATION**

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

WHEREAS, On October 27, 1997, the Board of Education approved a resolution that the superintendent of schools conduct a classical program review focusing on special education; and

WHEREAS, This comprehensive program review should focus on Montgomery County Public Schools' implementation of local, state, and federal laws, regulations, and policies pertaining to the provision of special education services to students with disabilities; and

WHEREAS, The superintendent of schools has received a comprehensive report from the Superintendent's Budget Review Committee/Special Education Subcommittee regarding the special education legal fees costs in Montgomery County Public Schools; and

WHEREAS, The Special Education Advisory Monitoring Committee will be issuing a report concerning the compliance of Montgomery County Public Schools regarding Reusch v. Fountain (Extended School Year services); and

WHEREAS, The Individuals with Disabilities Education Act was reauthorized in June 1997; and

WHEREAS, The Code of Maryland Regulations regarding special education are in the process of being revised in accordance with the recently revised Individuals with Disabilities Education Act; and

WHEREAS, The Maryland State Department of Education will conduct an audit of Montgomery County Public Schools' implementation of state and federal guidelines addressing students with disabilities, and such audit will be conducted in February 1998; and

WHEREAS, The Department of Special Education in conjunction with the Department of Planning and Capital Programming has developed a service delivery model for special education; and

WHEREAS, The Department of Special Education in conjunction with the Montgomery County Education Association has worked to develop a draft vision for special education; and

WHEREAS, Montgomery County Public Schools, the Maryland Association for Nonpublic Special Education Facilities, and the Montgomery County Department of Health and Human Services are collaboratively investigating ways of cost effectively providing services to students with special needs; and

WHEREAS, The Office of Instruction and Program Development Special Education Advisory Committee has taken an active role in reviewing programmatic issues in special education; and

WHEREAS, Montgomery County Public Schools has worked to develop comparable cost efficient options to nonpublic special education placements; now therefore be it

Resolved, That the Board of Education direct the superintendent to prepare program reviews in special education, transportation, and legal services; and be it further

Resolved, That each of these reviews should include analysis of present situations, past trends, and future projections involving the relevant laws, regulations, and policies at the federal, state, and local levels; and characteristics of the programs including services offered, budgeted dollars, personnel involved, and students or other clientele; and be it further

Resolved, That the reviews should address major issues of funding, including how budget estimates are developed, what funding shortfalls exist, what program problems exist, proposed strategies for controlling costs, and recommendations for solving identified issues.

RESOLUTION NO. 676-97 Re: **PERSONNEL MONTHLY REPORT**

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

Resolved, That the Board of Education approves the Personnel Monthly Report dated November 11, 1997.

Mrs. Gordon made the following statement: "For the record, I am abstaining because I am taking action on employing a family member, and I feel that is not appropriate for me to do."

Ms. Gutiérrez stated for the record: "I am abstaining because the effort to increase the unrepresented in staffing is not to my satisfaction."

RESOLUTION NO. 677-97 Re: **DEATH OF MRS. MARY L. HENDERSON, SPECIAL
EDUCATION BUS ATTENDANT, DIVISION OF
TRANSPORTATION**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Dr. Cheung, the following resolution was adopted unanimously by members present:

WHEREAS, The death on October 25, 1997, of Mrs. Mary L. Henderson, special education bus attendant in the Division of Transportation, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Mrs. Henderson had been a loyal and dedicated employee of Montgomery County Public Schools for more than eight years; and

WHEREAS, Students and fellow employees will miss her cheerfulness, dependability, and attentiveness to the needs of her passengers; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Mrs. Mary L. Henderson and extend deepest sympathy to her family; and be it further

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

RESOLUTION NO. 678-97 Re: **DEATH OF MR. EDDIE THOMAS, BUILDING SERVICES
WORK LEADER II, MARK TWAIN SCHOOL**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Dr. Cheung, the following resolution was adopted unanimously by members present:

WHEREAS, The death on October 23, 1997, of Mr. Eddie Thomas, building services work leader II at Mark Twain School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Mr. Thomas had been a loyal employee of Montgomery County Public Schools for more than 30 years; and

WHEREAS, Mr. Thomas' pride in his work and his dedication to duty were recognized by staff and associates alike; now therefore be it

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

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

Re: **REVIEW OF BOUNDARY CHANGE PROCESS**

Dr. Vance invited the following people to the table: Mr. Larry Bowers, chief financial officer; Mr. Joseph Lavorgna, director of the Department of Educational Facilities Planning and Capital Programming; and Mr. Bruce Crispell, senior planner.

Mr. Lavorgna reported that the Board gave the Superintendent the charge in June to survey other school systems, elicit from MCCPTA their concerns, and consult with other community groups. In the past, Montgomery County communities have developed some very good options, even though the MCPS process is very divisive. If there is a way to improve the process by removing the divisiveness, that is certainly a goal for MCPS.

Under the proposal before the Board, staff would still be obtaining three forms of evaluation from the community:

1. the individual committee members would evaluate the options based against the criteria that they establish in the beginning, including the Board's criteria and policy about what is important to these specific communities;
2. each PTA would have the opportunity to submit a written report based on their evaluation of the options; and
3. a community briefing would be scheduled as part of the process with feedback forms.

Mr. Crispell highlighted the recommendations for revised community involvement in the boundary process. The basic steps are:

Committee Meetings 1, 2 and 3

1. Staff presents charge and written ground rules
2. Staff presentation on enrollment and facilities issues and overview of the boundary process.
3. Committee establishes priorities to evaluate options. Committee does not rank priorities.
4. Staff presents maps with geographic zones identified for committee review and possible modification.

Committee Meetings 4 and 5

5. Staff presents range of options that reflect committee priorities and Board policy. Committee determines whether additional options are desirable. Committee members do not specify how options should be developed.
6. Staff presents additional options, if requested by the committee. No more than 10 options in total are developed by staff in this two-step process.

Between next to last and last committee meeting

Committee representatives evaluate options based on criteria and prepare written comment on each option from their perspective to be submitted with the report.

Community Briefing

7. Public meeting held to present the range of options that have been prepared for the committee. Feedback paper on the options for inclusion in the appendix of the committee report.

8. Local PTA meetings scheduled to follow public briefing. PTAs have the option of drafting a position paper on the options for inclusion in the appendix of the committee report.

Committee Meeting 6

9. Committee receives draft committee report from staff and finalizes language. Individual representative evaluation of options are inserted. No ranking or voting on options.

Ms. Signer echoed the comments made by Mrs. Cox about how well the review process had worked from the standpoint of MCCPTA, staff and the Board. The Board saw a problem and moved to address it with a broad range of community input. She was pleased that the Superintendent adopted many of the MCCPTA recommendations, particularly the one that does not require communities to vote on options and priorities. What the Board has seen over the past few years in this highly developed community process was that communities created their own options and that caused problems within communities. She was somewhat disappointed in the recommendation that staff will remain totally neutral in the process. She hears from people serving on boundary committees that staff should do a better job of educating community members on the outcomes of the options and what the overall constraints are in terms of other policies as well as the ultimate effect of those options.

Ms. Signer quoted Mrs. Cox's testimony stating that the MCCPTA was interested in the possibility of separating boundary decisions from the CIP process. Ms. Signer asked that the staff address the pros and cons of such a move. Mr. Lavorgna replied that if the boundary decisions are separated from the CIP and if a boundary decision required a facility improvement, that situation creates a problem for the CIP.

Ms. Signer understood that view, but she interpreted Mrs. Cox's statement to mean that boundary decisions could be made in September knowing that those decisions would have an impact on the CIP. She had no problem with using the Superintendent's recommendations for one year, but this may, in fact, be something that the Board might want to look at in the future.

Ms. Gutiérrez supported the staff remaining neutral; however, they should present the positive and negative aspects of each option. She congratulated the MCCPTA boundary review committee for their excellent work and analysis of the options. She was very interested and surprised at the variety of the demographic indicators from other school systems; however, the Superintendent's recommendations did not include a change in demographic data. In addition to the pain of boundary decisions, there is a destructive interpretation of the data when a small increase in FARMS appears to be a calamity, and

there should be some consideration on how FARMs data could be presented differently. She asked the Superintendent to for a copy of the Arlington Court decision on socioeconomic data since it appears that Arlington has been able to rationalize the use of data.

Mrs. Gordon was glad that the Board was looking at the boundary change process, but she was concerned that the process was still very complicated and structured. She did not know why there was a need to list six meetings when it might be done in two meetings. One of the procedures used in the past was: (1) there was a public meeting when the Superintendent made his recommendations, and (2) the community worked to develop viable alternatives which were adopted and supported by the cluster. Putting all the options before the community will continue to foster the anxiety and tension between different communities. There needs to be a focused approach, and when ten options are placed before a community, it is very difficult to sense how each one will affect a particular community. It is important for the staff to work with the community to come up with viable options. Staff should be very open in clarifying what is or is not a viable option. If it is not a viable option, the committee can then focus on something that could work. She hoped that the pilot would provide for flexibility. If a committee feels that they can shorten or simplify the process, they should be allowed that choice. There should be a way of clearly stating the difference between evaluating options and ranking options. She was pleased to hear in Mrs. Cox's comments that MCCPTA is willing to work with MCPS in this process.

Dr. Cheung complimented staff and MCCPTA for their work. There are long-term implications for each community in the boundary review process. The Board needs to look at the growth and reassignments with a the long-term solution and not just solve the immediate problems.

Mrs. King liked the boundary change review, and she asked for a brief description of the boundary process for distribution to the public.

Mr. Ewing thought the Superintendent's recommendations were excellent and well analyzed, and MCCPTA was a great help in the process. It is important for the Board to get recommendations from the Superintendent on the use of demographic data characterizing students and communities. At this time, the discussion before the Board is process and not substance, but the Superintendent needs to address the socioeconomic data.

Mr. Felton pointed out that beyond the process there is a great deal of misinformation about boundaries. The Board of Realtors and staff should institutionalize a plan for the realtors to inform perspective buyers of present and future attendance areas.

Ms. Signer pointed out that she has been told that when residents call MCPS, they are told that a specific area is not up for a boundary change. The staff should never say that an area is or is not ripe for a boundary change. Unfortunately, residents take that as a guarantee.

RESOLUTION NO. 679-97 Re: REVIEW OF BOUNDARY CHANGE PROCESS

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

WHEREAS, On June 11, 1997, the Board of Education requested a study be undertaken of the Montgomery County Public Schools' boundary change process; and

WHEREAS, A survey was conducted of nearby school systems' boundary change processes and other county planning agencies' community involvement processes; and

WHEREAS, The Montgomery County Council of Parent and Teacher Associations (MCCPTA) formed a subcommittee to assess the boundary change process and made recommendations for modifications that were adopted on October 28, 1997, by the MCCPTA Delegate Assembly; and

WHEREAS, The input from other school systems, other planning agencies, and the MCCPTA report have been carefully considered and the Superintendent has made recommendations for changes to the boundary change process considering these inputs; and

WHEREAS, There is a need to evaluate the merits of a revised process after a trial period of one year; now therefore be it

Resolved, That for community involvement processes conducted during the 1997-98 school year and for Board action in spring 1998 and fall 1998, the recommendations on community involvement contained in the paper "Review of the Boundary Change Process" be applied; and be it further

Resolved, That the calendar for the Superintendent's recommendations and Board of Education worksessions, public hearings, and action for spring 1998 boundary actions use the current policy timelines: Superintendent's recommendation to be released mid-February, Board worksession to be held first week of March, public hearings to be held in mid-March, and the Board action to occur at the end of November; and be it further

Resolved, That subsequent to Board of Education action on boundaries in the fall of 1998 an assessment of the revised process be conducted and recommendations for revisions

to the *Policy on Long-range Educational Facilities Planning* be presented in order to incorporate any changes in light of knowledge gained during the trial period; and be it further

Resolved, That any provisions of the *Policy on Long-range Educational Facilities Planning* that are inconsistent with the timelines or processes used during the trail period shall be temporarily suspended.

Re: **PROPOSED HIGH SCHOOL IMPROVEMENT PROGRAM**

Dr. Cheung thanked staff for their outstanding support to the Board's Subcommittee on Research and Evaluation. The Board members on the Committee are Dr. Cheung, Mr. Felton, Ms. Gutiérrez, and Ms. Signer. Also, there was timely input from Mrs. Gordon who serves at the state level on the High School Improvement Program. The subcommittee is reporting on its work and recommending a resolution for adoption by the Board of Education.

The subcommittee has discussed this topic for 2 ½ years. The High School Improvement Program has been reviewed in the last three months at two different meetings. The resolution clearly states the Board of Education's position that has been consistently brought to the Maryland State Board of Education's and state Superintendent's attention. Briefly, the Board: (1) fully supports the state's goals program for high standards for high school students; (2) needs local flexibility to meet the needs of students; (3) maintains the rigor of the MCPS curriculum; (4) is concerned about the accommodations for students with special needs; and (5) is concerned about being able to provide appropriate remediation efforts.

Mrs. Gordon was very concerned about the action the Maryland State Board of Education will take in December. There are two recommendations from the state superintendent before them: (1) to require the passage of the test as a graduation requirement, and (2) the phasing in of the tests. It was her opinion, shared by other board and board members around the state, that, until they address the issues raised by local school systems, the State Board is moving too quickly to make a determination. If they make the determination that this is a requirement for graduation, then they must abide by the rigid standards that are recommended in the ETS (Educational Testing Service) report, and there will be no local flexibility or local testing. Everyone will take the same test on the day at the same time. Frederick County Board of Education has taken the position that, while they believe that high school assessments ought to test the Core Learning Goals, they do not believe it should be a requirement for graduation. She thought that it was curious that, when the Montgomery County Board of Education and ten other boards testified before the State Board of Education, the State Board took a vote with only one member voting against holding a public hearing; however, on November 17, at the conclusion of the meeting, the

State Board stated there would be no public hearing and the time would be a work session for the Board. The State Board needs to hear very clearly what the concerns are of the local boards.

Mr. Ewing asked about the difference in language between the Superintendent's paper and the position paper prepared by the Subcommittee on Assessment Design and Implementation and the resolution. In the last two *resolves* of the resolution, there are statements that the "High School Improvement Program will allow each local school system to certify to the Maryland State Board of Education that all Core Learning Goals are embedded in the local curriculum" and "Maryland High School Improvement Program also will allow each local school system to certify to the Maryland State Department of Education that the school system's accountability structure assesses the level at which each high school student has mastered the core Learning Goals." However, in the Superintendent's paper it speaks to demonstrating as to the school system's accountability structure, and he asked what was the difference in those concepts. Dr. Hartzman replied that the language was used interchangeably. As it was discussed, staff was thinking that it would have to demonstrate to the state and, in turn, they would certify that the Core Learning Goals were embedded in the curriculum and MCPS was assessing them. Mr. Ewing thought the resolution should use both terms for clarification.

Ms. Gutiérrez supported all the issues and concerns that the Board has been raising and fully encouraged all efforts to voice those concerns. She did not understand why the Maryland State Board of Education was moving so quickly without modifying the process in dealing with the local boards' concerns. No matter how right MCPS' concerns are, if they are dismissed by the state because the alternative is singular, then MCPS has lost an opportunity to slow or modify the process of the High School Improvement Program. Something that is not said in this paper, which is very important, is alternative assessments of the differentiated diplomas. Also, the time frame for implementation of the High School Improvement Program is very aggressive. She was concerned by the statements in the CADI (Committee on Assessment Design and Implementation) paper which was contradictory and inflammatory, such as the state is trying to restrict and put a cap on what MCPS teaches. Strategically, that is not the best way to influence the process.

Dr. Cheung responded to Ms. Gutiérrez stating that, when there are compulsory high school examinations, the goals are taught — no more or no less. To pass the test is the only important thing to be done well. Dr. Cheung believes that MCPS wants to do more. Unfortunately, there is no incentive to do that with the state's High School Improvement Program. That is the danger and that is where the ceiling occurs and students regurgitate the information that is required on the test. That does not lead to innovation and continuous improvement to teach students beyond what is required. The state can lift the bar, but minority students will suffer because they will be spoon fed in order to pass the test. The local board has asked many questions of the state, and, to date, the state has

not responded to those concerns. He was very concerned how the High School Improvement Program will affect the lives of MCPS students as well as their families.

Mr. Felton stated that, collectively, the Board must articulate the issues where there is concern. Other local boards around the state are not where MCPS is, and, therefore, do not perceive the same concerns for their students. MCPS does not want a ceiling, and other school systems are in the process of trying to raise the floor. One of the things that is driving this program is that President Clinton congratulated the state of Maryland for leaping forward along with California to establish standards; therefore, Maryland is committed to implement these standards. However, the Board has to continue to articulate the concerns that it believes will become the issues of other local boards as they progress toward these standards. He thought that MCPS needs to rethink its strategy, not just with the state, but on the national level. There should be a collaboration with California and any other states that are facing the same issues.

Mrs. Gordon pointed out that the state of Maryland has taken no position and has not agreed to participate in national standards. She thought there were a lot of comments that have been made which have merit; however, she did not want to see Montgomery County be the negative voice or statements that its standards are the highest and there is no room for improvement. On the other hand, Montgomery County is not the only county that is raising these issues and concerns. If, on December 10, the State Board ties the test to a requirement for a diploma, there will be no local flexibility. That is the single issue that is driving all of the state's decisions. Mrs. Gordon suggested a cover letter transmitting the resolution that would reiterate those same five or six big issues that the state Board has not responded to in any form.

Mr. Ewing asked what drives the State Board, since they have not communicated about that process either. One can speculate that it is their judgment that school systems in Maryland have failed repeatedly to be effective in the education of children, particularly disadvantaged children. They are right in thinking that this situation cannot be tolerated, and something must be done. Whether they are doing the right thing to deal with that issue is another question. Some years ago, there were those on the Board that wanted to adopt something exactly like the Regents Exam in New York. The Board did not do that and one of the arguments was that it would cause everyone to teach to the test. One of the things that has been learned over the years is people vary and some teach to the test and that is all they do, but others go beyond what the Regents Exam requires. Therefore, there will be no limit on what MCPS can teach, but there will be complications if the issue of testing cannot be worked out with the state.

Mr. Ewing hoped that the Board would listen to Dr. Vance because there needs to be a method of comparison for the purpose of public accountability so the public knows what the school system is doing and how well it is doing it. There is now a determination on the

part of the public that challenges the school system and demands accountability for results. The school system must recognize that and make sure that the commitment to comparative and historical analysis is clear and unequivocal, and that the school system is publicly accountable for what it does.

Mrs. King pointed out that in New York students do not need to pass the Regents Exam to pass the course. When a student gets to graduation and has passed all the Regents Exams, the student gets a Regents Diploma. However, if a student did not pass all of the Regents Exams, the student still got a diploma. That is a big difference between New York's system and that which is proposed in Maryland.

Ms. Gutiérrez stated that the state has the authority to mandate the requirements for graduation. The functional tests have been instituted for some time. Therefore, everything should be weighted realistically. She suggested that CADI should have a plan if the State Board adopts the High School Improvement Program on December 10.

RESOLUTION NO. 680-97 Re: **AN AMENDMENT TO THE HIGH SCHOOL IMPROVEMENT PROGRAM**

On motion of Mrs. Gordon and seconded by Ms. Gutiérrez, the following resolution was adopted unanimously:

Resolved, That until issues of local flexibility and responses to previously raised local issues are addressed, the Montgomery County Board of Education questions the viability and validity of tying high school assessment as a requirement for graduation.

RESOLUTION NO. 681-97 Re: **PROPOSED HIGH SCHOOL IMPROVEMENT PROGRAM**

On motion of Dr. Cheung and seconded by Ms. Signer, the following resolution as amended was adopted unanimously:

WHEREAS, The Maryland State Board of Education has adopted Core Learning Goals that establish high standards for high school students throughout the state; and

WHEREAS, The Montgomery County Board of Education is committed to provide all students with a rigorous high school program and supports the Core Learning Goals set by the Maryland State Board of Education; and

WHEREAS, The Maryland State Board of Education is designing a High School Improvement Program to assess student proficiency on the Core Learning Goals; and

WHEREAS, The Maryland state superintendent of schools has recommended individual student accountability assessments of the Core Learning Goals; and

WHEREAS, The Maryland state superintendent of schools has recommended that achieving a yet to be established passing score on the assessments will be a requirement students must meet to receive a Maryland high school diploma; and

WHEREAS, Maryland school systems have been asked to provide feedback to the Maryland State Board of Education on the assessment component of the High School Improvement Program; now therefore be it

Resolved, That the Montgomery County Board of Education urges the Maryland State Board of Education to provide for maximum local flexibility in the design of the assessment component of its High School Improvement Program; and be it further

Resolved, That the Montgomery County Board of Education urges the Maryland State Board of Education to adopt a High School Improvement Program that will allow each local school system to certify and demonstrate to the Maryland State Board of Education that all Core Learning Goals are embedded in the local curriculum; and be it further

Resolved, That this Maryland High School Improvement Program also will allow each local school system to certify and demonstrate to the Maryland State Department of Education that the school system's accountability structure assesses the level at which each high school student has mastered the core Learning Goals; and be it further

Resolved, That the position paper of the high school subcommittee of the Montgomery County Public Schools' Committee on Assessment Design and Implementation be forwarded with this resolution to each member of the Maryland State Board of Education as the Montgomery County Board of Education's rationale for a High School Improvement Program that allows each local school system to develop its own structure to assess mastery of the Core Learning Goals; and be it further

Resolved, That until issues of local flexibility and responses to previously raised local issues are addressed, the Montgomery County Board of Education questions the viability and validity of tying high school assessment as a requirement for graduation.

Re: **MONTHLY FINANCIAL REPORT AND YEAR-END PROJECTIONS AS OF SEPTEMBER 30, 1997**

Dr. Vance invited the following people to the table: Mr. Larry Bowers, chief financial officer, and Dr. Marshall Spatz, director of the Department of Management, Budget and Planning.

Mr. Bowers noted that the report reflects a revenue surplus of about \$1 million which is carried forward from the prior fiscal year. There are four categories that have deficits: administration, special education, student transportation, and maintenance of plant. There are three categories with surpluses: instructional salaries, operation of plant/equipment, and fixed charges. One of the underlying budget issues is legal fees and transportation, mainly due to underbudgeted categories. Another issue is that staff assures that the school system ends the year with a surplus which is required by law. In order to accomplish a surplus, decisions are made to hold back funding in certain categories that results in an end-of-the-year categorical transfers.

Ms. Signer stated that, at the last meeting when a categorical transfer was discussed, her personal position was that the category of instructional salaries should be spent down to the lowest extent possible. If, in fact, the school system runs a deficit in legal fees or elsewhere, then the Board could ask for an emergency supplemental appropriation. The school system may well be facing the situation in which a surplus will not be the school system's to transfer among categories, but will, instead, revert back to the county. She noticed that there will be a substantial deficit in legal fees, and asked when the Board would be furnished with a copy of the plan to control legal fees as promised by staff. Mr. Bowers stated that it should be done within the week. Ms. Signer asked if the plan would be for Board discussion. Mr. Bowers thought the Board officers will decide if it will be a discussion item on the agenda. Ms. Signer stated that in the context of building the next operating budget, the Board needs to look at the possibility that it may not be able to use surpluses from one category to fund deficits in other categories.

Ms. Gutiérrez agreed with the approach that Ms. Signer was suggesting. The school system needs to learn a lesson from the past. She heard the discussions on the issue in the Education Committee and the full County Council. Questions were asked, if there is a deficit, what is being done to control it. The Council has said that the Board needs to be more vigilant. There is no way the Board can do it with the amount of information before it. The school system should not let one category become deficit and then balance it with another category. She suggested to Dr. Vance and Mr. Bowers that the monthly financial report could be more meaningful to the Board members if it would include (1) a quantitative explanation of budgeted versus actual, (2) a corrective action for the variance, and (3) a recommended action. The Board should have a directive to the Superintendent to address deficits.

Mr. Felton asked if other organizations were having similar problems with the categorical issues. Mr. Bowers replied that within the county this is the standard operating procedure to have transfers at the end of the year. The school system has never asked for a supplemental appropriation, which is standard among other agencies. School systems throughout the state regularly ask for categorical transfers, whereas MCPS does it at the end of the year.

Mr. Ewing thought it is important for the school system to develop strategies for dealing with deficits in certain categories, but to plan for sufficient funding in future budgets. The study in special education should help develop a plan, but that will take some time. The Board needs to be clear with the Council where the situation is wildly misunderstood. Where the school system has deficits, those deficits are a direct result of the Council not funding adequately legal fees and transportation. In the case of special education transportation, the school system does not have full control over that since it is a civil right under federal and state laws. While there are certain options, one option is not providing services. What is clear is that the school system asks for funding for legal fees and transportation, and the Council does not appropriate it adequately. Then, the Council accuses the school system of mismanaging the money. That is unfair and inappropriate, but it gets repeated over and over again.

RESOLUTION NO. 682-97 Re: **CLOSED SESSION RESOLUTION**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, 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 sessions; now therefore be it

Resolved, That the Board of Education of Montgomery County conduct a portion of its meeting on Thursday, November 20, 1997, from 7:15 to 7:30 p.m. and Tuesday, December 9, 1997, from 8:30 to 10:00 a.m. and 12:05 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 Section 10-508 of the State Government Article; and be it further

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

Re: **REPORT OF CLOSED SESSION**

On October 7, 1997, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on October 27, 1997, as permitted under § 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 October 27, 1997, from 7:30 to 8:30 p.m. The meeting took place in Room 120, Carver Educational Services Center, Rockville, Maryland.

The Board met to discuss personnel issues and legal matters with its attorney. The Board reviewed and adjudicated Appeal No. 1997-23, Appeal No. T-1997-66, Appeal No. T-1997-71, Appeal No. T-1997-74, Appeal No. 1997-27, Appeal No. 1997-28, and Appeal No. 1997-29.

In attendance at part or all of the closed sessions were: Elizabeth Arons, Larry Bowers, Blair Ewing, David Fischer, Reggie Felton, Bea Gordon, Ana Sol Gutiérrez, Pat Hahn, Roland Ikheloa, Nancy King, George Margolies, Brian Porter, Glenda Rose, Ruby Rubens, Steven Seleznow, Mona Signer, Roger Titus, Paul Vance, Debbie Wheat, and Arianna Wright.

RESOLUTION NO. 683-97 Re: **BOARD MINUTES OF AUGUST 25, 1997**

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

Resolved, That the Board of Education approves the minutes of August 25, 1997, meeting.

RESOLUTION NO. 683-97

Re: **BOARD MINUTES OF SEPTEMBER 3, SEPTEMBER 11, SEPTEMBER 29, AND SEPTEMBER 30, 1997**

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

Resolved, That the Board of Education approves the minutes of September 3, September 11, September 29, and September 30, 1997, meetings.

RESOLUTION NO. 684-97

Re: **BOARD APPEAL 1997-27**

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

Resolved, That the Board of Education adopts its Decision and Order in Appeal 1997-27, a student expulsion matter, reflective of the following vote: Mr. Ewing, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, Ms. Signer, and Ms. Wheat voting to affirm; Dr. Cheung was absent.

RESOLUTION NO. 685-97

Re: **BOARD APPEAL 1997-28**

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

Resolved, That the Board of Education adopts its Decision and Order in Appeal 1997-28, exclusion from a regular high school program, reflective of the following vote: Mr. Ewing, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, Ms. Signer, and Ms. Wheat voting to affirm; Dr. Cheung was absent.

RESOLUTION NO. 686-97

Re: **BOARD APPEAL 1997-29**

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

Resolved, That the Board of Education adopts its Decision and Order in Appeal 1997-29, a student expulsion matter, reflective of the following vote: Mr. Ewing, Mr. Felton, Mrs. Gordon, Mrs. King, Ms. Signer, and Ms. Wheat voting to affirm; Ms. Gutiérrez voting to reverse; Dr. Cheung was absent.

RESOLUTION NO. 687-97

Re: **BOARD APPEAL T-1997-72**

On motion of Mrs. King and seconded by Dr. Cheung, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education adopts its Order in Appeal T-1997-72, a student transfer matter, reflective of the following vote: Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, Ms. Signer, and Ms. Wheat voting to affirm.

RESOLUTION NO. 688-97 Re: **BOARD APPEAL T-1997-73**

On motion of Mrs. King and seconded by Dr. Cheung, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education adopts its Order in Appeal T-1997-73, a student transfer matter, reflective of the following vote: Dr. Cheung, Mr. Ewing, Mrs. Gordon, Mrs. King, and Ms. Signer voting to affirm; Mr. Felton, Ms. Gutiérrez, and Ms. Wheat voting to reverse.

RESOLUTION NO. 689-97 Re: **VETERANS' DAY**

On motion of Mr. Felton and seconded by Dr. Cheung, the following resolution was adopted unanimously:

WHEREAS, The Board has approved a resolution that recognized the sacrifice and contribution of the men and women, who have served our country in the Armed Forces of the United States; and

WHEREAS, Veterans' Day is a national holiday, the significance of which is observed by the closing of Federal offices, post offices, most banks, State of Maryland offices, and Montgomery County Government offices, among others; and

WHEREAS, Among the school districts in our metropolitan area, Prince George's, District of Columbia, Alexandria, Arlington, and Prince William are closed in commemoration of Veterans' Day; and

WHEREAS, The Board will be considering the 1998-99 school calendar at its business meeting of December 9, 1997; now therefore be it

Resolved, That the Superintendent provide the Board with an analysis as to cost and feasibility of adding Veterans' Day as a holiday on which both schools and central offices would be closed; and be it further

Resolved, That the analysis take into account various options for adopting a calendar that includes Veterans' Day, one of which would be its substitution for another holiday previously observed so as to minimize its fiscal impact; and be it further

Resolved, That this analysis be provided in advance of the December 9, 1997 meeting.

Re: **NEW BUSINESS**

Ms. Wheat moved and Mrs. Gordon seconded the following:

WHEREAS, Pursuant to section 13A.03.02.03 of the Code of Maryland Regulations, the State Board of Education requires that all students complete a locally designed program in student service learning, as a requirement for graduation; and

WHEREAS, The Montgomery County Public Schools has implemented this requirement through Administration Regulation ISB-RA, defining student service learning as “unpaid activity within the curriculum, school, or community that provides service to an individual or group to address a school or community need” and further provides that any such activity “must be developmentally appropriate and meaningful to the student”; and

WHEREAS, The Student Member of the Board of Education provides countless hours of on-going service--to his or her fellow students, to his or her fellow Members of the Board of Education, and to the school system as a whole--without compensation; now therefore be it

Resolved, That every Student Member of the Board of Education who completes his or her term of office shall be awarded 100 hours of student service learning credit; and be it further

Resolved, That these hours shall be reflected on the Student Member’s official transcript and in his or her cumulative file.

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

WHEREAS, By Resolution 565-93, the Board adopted its current Handbook to reflect its operating procedures and organizational structure; and

WHEREAS, This Handbook is codified as part of Policy BP; and

WHEREAS, The section of the Handbook and Policy BP that is entitled “Duties of Officers” states, in pertinent part, that: “The officers of the Board of Education are the president, vice president, and, by law, the superintendent of schools as the executive officer, secretary and treasurer.”, and

WHEREAS, The Board would greatly benefit by including its immediate past president among the officers of the Board so that his or her experience can be drawn upon as agendas are set, as meetings with the County Executive, County Council, and County Delegation occur, and as the Board testifies at public hearings before legislative bodies; now therefore be it

Resolved, That Policy BP be amended to include the immediate past president among those cited as being officers of the Board; and be it further

Resolved, That the immediate past president of the Board be invited to participate on any occasion that the presence of the officers of the Board is requested.

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

Resolved, The Board of Education schedule a discussion of recent changes to Regulation JFA-RA, Section F-3, entitled Students Right and Responsibilities on Publications and Productions, Print and Non-Print; and be it further

Resolved, That it is preferable that this discussion take place at the same time the Board discusses proposals to change MCPS policy on live programming.

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

Resolved, That the Board of Education request a complete report on the current plans for the relocation of the Kingsley Wilderness Alternative Program to accommodate the construction of the new county detention center, including arrangements for temporary and permanent housing, capital costs anticipated over time, and other outstanding issues and concerns regarding this move.

Mr. Ewing moved and Dr. Cheung seconded the following:

Resolved, That the Board of Education schedule for discussion and possible action a plan sent by Mr. Ewing to the Board on November 9, 1997, entitled A Proposed Comprehensive Plan for Class Size Reduction, and the Achievement of Greatly Improved Reading and Writing Results.

Re: **ITEMS OF INFORMATION**

1. Items in Process
2. Minority-, Female-, or Disabled-owned Business Procurement Report for the First Quarter of FY 1998
3. Construction Progress Report

RESOLUTION NO. 690-97

Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourns its meeting of November 11, 1997, at 5:07 p.m.

PRESIDENT

SECRETARY

PLV:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

November 11, 1997

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