

APPROVED
22-1998

Rockville, Maryland
June 9, 1998

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, June 9, 1998, at 9:00 a.m.

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

Absent: Ms. Debra Wheat
 Mr. Geonard Butler, Student Board Member-elect

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

RESOLUTION NO. 357-98 Re: **RETIREE RECOGNITION CEREMONY**

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

WHEREAS, The persons listed are retiring from Montgomery County Public Schools; and

WHEREAS, Each person, through outstanding performance of duties and dedication to the education of our youth, has made a significant contribution to the school system which is worthy of special commendation; now therefore be it

Resolved, That the members of the Board of Education express their sincere appreciation to each person for faithful service to the school system and to the children of the county and also extend to each one best wishes for the future; and be it further

Resolved, That this resolution be made part of the minutes of the meeting and a copy be forwarded to each retiree. (A list of retirees is appended to the file copy of these minutes.)

RESOLUTION NO. 358-98 Re: **AGENDA**

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

Resolved, That the Board of Education approve its agenda for June 9, 1998.

Re: **RECOGNITION OF GAITHERSBURG HIGH SCHOOL
OUTDOOR TRACK AND FIELD STATE CHAMPIONS**

The Board recognized the state outdoor track and field championship won by Gaithersburg High School.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Vance announced that the Boys' Double Tennis Team from Thomas S. Wootton High School and the Girls' Double Tennis Team from Montgomery Blair High School were state champions this season.

Two local elementary teachers have been named finalists for 1998 Presidential Awards for Excellence in Mathematics and Science Teaching, the nation's most prestigious honor for a K-12 science or math teacher. Brenda Hines Hammond, second grade teacher and mathematics liaison at William Tyler Page Elementary School, and Mary Beth Johnson, science teacher at Greencastle Elementary School, were among six Maryland elementary school finalists.

Students in Montgomery County won 27 National Merit Scholarships with more to be announced in July.

Dr. Vance shared the excitement and pride in the graduations of 7,500 students from Montgomery County Public Schools.

Mr. Felton had the opportunity to participate in the Sligo Middle School Recognition of its students who volunteered in the community. There was a tremendous amount of work taking place throughout the community.

Ms. Signer commented that the Board had received information on the schools that had agreed to establish Quality Management Councils (QMCs). She was disappointed that only ten schools voted to create QMCs for the coming year. For example, there were some schools with the reading initiative that felt overwhelmed with both the initiative and establishing a QMC. However, she had heard that staff in some schools were not interested. She asked the Superintendent to survey schools and find out why they did not apply or what prevented them from applying for QMCs. Also, she asked the Superintendent to address the specifics of the QMCs before there are misunderstandings regarding the participation of parents.

Mr. Ewing requested a copy of the MCPS comments on the final draft of the Annual Growth Policy. This was a continuing issue related to the Board's position that there was a need

to accelerate modernizations.

Mr. Ewing urged the Board officers to schedule as soon as possible the discussion on the autism program and the placement of special education programs. He had heard a number of comments reflecting continuing discontent with the temporary approach rather than a systematic plan for the placement and articulation of the programs as well as their relationship with the regular education program.

Ms. Gutiérrez recognized the graduations of all the students, and Board members were honored to participate in these graduations. She wished the graduates and their families the best.

Mrs. King updated the Board on the Odyssey of the Mind students from Greenwood Elementary School. They finished 6th in the world following the competition in Orlando. At graduations, she was impressed by the number of teachers and former principals that attended and lent their support and encouragement to the students.

Dr. Cheung pointed out that every graduate was an investment in the future.

**Re: 1997-98 REPORT OF MONTGOMERY COUNTY
ADVISORY COUNCIL FOR CAREER AND
TECHNOLOGY AND STAFF RESPONSE**

Dr. Vance invited the following people to the table: Mr. Stuart Weinstein, chair of the committee; Ms. Janice McCall, director of the Division of Career and Technology Education, and Mr. Jack Schoendorfer, director of the Department of Instructional Support Programs.

Mr. Weinstein presented the following recommendations:

1. In computer science classes, hardware and software are the “textbooks” for these classes. Separate, line item funding for hardware and software for computer science classes need to be considered so each high school is able to offer the variety and number of sections requested by students.
2. A review of the staff resources allocated to the Division of Career and Technology Education should be undertaken. Options should be considered to assure that sufficient coverage is given to the expansion of the initiatives with the broad group of stakeholders DCTE staff interfaces with on a year-round basis. The DCTE staff is extremely capable in furthering the systemwide initiatives proposed in the document, *Success for Every Student*.
3. Support the expansion of paid and unpaid internships for more high school students and teachers. Build the infrastructure to assure that there are coordinated and supervised internship programs at all high schools and sufficient sites in the

business and corporate community to support an expanded program. Review the liability risks and proposed solutions for placing more students in unpaid work settings.

4. MCPS Department of Information, and the Guidance Unit should further their collaborative relationship with DCTE, the MCAC, and the Montgomery County Career Connections grant. They should design additional initiatives that encourage students to choose both a college program and a career-focused program while in high school.

Mrs. Gordon thanked the committee for the report and the work the committee did on an ongoing basis. There had been a survey done by the Workforce Development Corporation High Tech Council that indicated negative information about the preparedness of students entering the workplace. MCPS' statistics reflect a very different picture. Since the advisory committee had members that participated with the Council, Mrs. Gordon asked how experiences in Montgomery County were shared with others around the state and region. Mr. Weinstein replied that they have addressed how the students perceive the workplace or work ethic. The committee had stressed that promptness and accountability should be addressed in the curriculum. He was not familiar with the data collection for the survey.

Mrs. Gordon stated that the Council surveyed more than 1,000 corporations and small business in the state, and they had worked with the Maryland Business Roundtable in collecting the data. Generally, the report was negative about the quality of the students and the employable needs that were not being met. Ms. McCall reported that staff had surveyed over 1,000 employers of students in the cooperative education and marketing programs and received positive feedback. Mrs. Gordon hoped that MCPS would share that information because the Maryland Business Roundtable was completely unaware of MCPS' survey.

Mrs. King was impressed with the number of different teachers who work to obtain jobs for students. Also, they coach the students on how to act and dress and, in general, be a good employee. This information needs to be communicated to the general public.

Ms. Gutiérrez thought it was important to promote that Montgomery County employers are satisfied with MCPS students in supported-site employment. The training costs specifically beneficial for employers cannot be passed on to the school system. However, the school system can provide a person that has the skills to be trained for job-specific expertise.

Ms. Gutiérrez considered the committee and its recommendations very important since they stretch the Board into new initiatives to attract resources from state and federal funding. Each high school should promote the technology scholarships available for students entering that field. She hoped that the advisory committee would offer

suggestions on how the school system could best utilize such funding.

Ms. Gutiérrez would like to have more specific recommendations on how internships could extend into full-time summer jobs. With new collaborative groups, the focus on summer jobs could be emphasized. If business provided summer jobs, the students and school programs would be invigorated with real-life experiences. She hoped that the school system would follow through to help students obtain summer employment.

Ms. Gutiérrez encouraged the school system to follow up on the advisory committee's recommendation of providing better offerings in career and technology education with a more aggressive promotion of what was currently offered. The possibility of using the Edison facility for afternoon and evening classes for adults would be a natural expansion of technology education within the community.

Ms. Gutiérrez was concerned about how the school system was meeting the increased requirements in technology and how individual school offerings fulfill the needs of the students. She suggested that the advisory committee might review that aspect of career and technology education. She had learned that many students attend evening school simply to get the technology required courses for graduation.

Mr. Felton asked if the advisory committee considered communicating with employers to determine how their insights could be shared with the school system. Many companies provided educational mentors acquainting students with the skills and expectations of future employees. He asked if the advisory committee had any specific recommendations. Mr. Weinstein thought manpower would be a problem with the committee investigating those possibilities.

Mr. Ewing thought the recommendations of the advisory committee were excellent. He focused on Recommendation 2 regarding staff resources. It was important to make that a high priority because, all of the suggestions that had been made, there were implications for additional resources. He hoped that the Superintendent's review would look at not only the current mission, but at the opportunities that could be exploited if the school system had additional resources for the staff functions. He would like to do all the things that were recommended in the report and suggested at the table, but he wanted to do that with appropriate staffing and supervision.

Dr. Cheung agreed with Mr. Ewing that the school system's commitment for resources to support career education. The success of career and technology education depends not only on the school system's investment, but also the collaboration of employers.

RESOLUTION NO. 359-98 Re: **DEATH OF MRS. SANDRA BARUCH, ART TEACHER
ON LONG-TERM LEAVE FROM BROOKHAVEN
ELEMENTARY SCHOOL**

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

WHEREAS, The death on May 11, 1998, of Mrs. Sandra F. Baruch, art teacher on long-term leave from Brookhaven Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the more than 19 years that Mrs. Baruch had worked for Montgomery County Public Schools, she demonstrated outstanding competence as a master art teacher; and

WHEREAS, Mrs. Baruch promoted greater student involvement in the school art program by providing opportunities to students in a variety of artistic tools and media; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Mrs. Sandra F. Baruch 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. Baruch's family.

RESOLUTION NO. 360-98 Re: **PERSONNEL MONTHLY REPORT**

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

Resolved, That the Board of Education approved the report dated June 9, 1998.

RESOLUTION NO. 361-98 Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 1998:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Mark E. Kelsch	Principal, Sligo MS	Principal, Richard Montgomery HS

RESOLUTION NO. 362-98 Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 1998:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Carlos Hamlin	Assistant Principal, Paint Branch HS	Principal, Parkland MS

RESOLUTION NO. 363-98 Re: **PERSONNEL APPOINTMENT**

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 following personnel appointment be approved effective July 1, 1998:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Sherry Liebes	Principal, Gladys Noon Spellman ES, PGCPs	Principal, College Gardens ES

RESOLUTION NO. 364-98 Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 1998:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Margo Fonoroff	Principal Trainee, Jackson Road ES	Principal, Lake Seneca ES

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed for lunch and closed session from 12:15 to 1:55 p.m.

Re: PUBLIC COMMENTS

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	John Hoven	Gifted Standards
2.	Joanne Fleisher	Lacrosse in High School
3.	George Nolfi	Math Standards
4.	Katherine Nolfi	Math Standards
5.	Kelly McQuighan	Math Curriculum
6.	Stan Boyd	Math in Elementary School
7.	Margaret Hare	Gifted and Talented Programs
8.	Kathleen Woody-Baker	Autism Program
9.	Sharon Cox	Operating Budget
10.	Elizabeth Roth	Autism Program
11.	John Azhdam	Bid

Mrs. King asked for an update on the autism program. Ms. Signer asked the Superintendent for a status report and feasibility of Ms. Fleischer's proposal for junior varsity lacrosse.

**Re: RECOGNITION OF DAMASCUS HIGH SCHOOL
BASEBALL STATE CHAMPIONS**

The Board recognized the state baseball championship won by Damascus High School.

** Mrs. Gordon temporarily left the meeting.

**RESOLUTION NO. 365-98 Re: AWARD OF CONTRACT - HARMONY HILLS
ELEMENTARY SCHOOL**

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

WHEREAS, The following sealed bids were received on May 5, 1998, for the modernization of Harmony Hills Elementary School, with work to begin June 20, 1998, and be completed by July 15, 1999:

<u>Bidder</u>	<u>Amount</u>
The McAlister-Schwartz Company	\$ 5,985,832
Porter Construction Management, Inc.	6,103,900
PEC Construction, Inc.	6,163,000

S. B. Construction Company, Inc.	6,269,000
Toepfer Construction Company, Inc.	6,355,143
Meridian Construction Company, Inc.	6,411,000
Gardiner & Gardiner, Inc.	6,428,700
Kimmel & Kimmel, Inc.	6,429,200
Essex Construction, LLC	6,517,655
Chamberlain Construction Corporation	6,723,700
The Leapley Company	6,832,000
Pantech Construction Company, Inc.	7,294,540

and

WHEREAS, The low bidder, The McAlister-Schwartz Company, has completed similar work successfully for Montgomery County Public Schools; and

WHEREAS, The low bid is slightly above the architect's estimate of \$5,950,000; and

WHEREAS, Contingency funds are available to cover the small overage; and

WHEREAS, The McAlister-Schwartz Company, has submitted \$834,857 (14.11 percent) of certified Minority Business Enterprise participation; now therefore be it

Resolved, That a contract for \$5,985,832 be awarded to The McAlister-Schwartz Company for the modernization of Harmony Hills Elementary School, in accordance with plans and specifications prepared by Wiencek & Zavos, Architects; and be it further

Resolved, That the contract be forwarded to the State Interagency Committee for Public School Construction for approval to reimburse Montgomery County Public Schools for the state eligible portion of the modernization of Harmony Hills Elementary School.

RESOLUTION NO. 366-98 Re: **AWARD OF CONTRACT - ROCK VIEW ELEMENTARY SCHOOL MODERNIZATION**

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

WHEREAS, The following sealed bids were received on May 21, 1998, for the modernization of Rock View Elementary School, with work to begin June 20, 1998, and be completed by July 15, 1999:

<u>Bidder</u>	<u>Amount</u>
Porter Construction Management, Inc.	\$7,526,700
Toepfer Construction Company, Inc.	7,541,500
The Leapley Company	7,555,000
PEC Construction, Inc.	7,608,700
Meridian Construction Company, Inc.	7,854,000
Dustin Construction, Inc.	7,853,800
Kimmel & Kimmel, Inc.	7,930,300

and

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

WHEREAS, The low bid is below the architect's estimate of \$7,550,000; and

WHEREAS, Porter Construction Management, Inc., has submitted 14.2 percent of certified Minority Business Enterprise participation; now therefore be it

Resolved, That a contract for \$7,526,700 be awarded to Porter Construction Management, Inc., for the modernization of Rock View Elementary School, in accordance with the plans and specifications prepared by Delmar Architects; and be it further

Resolved, That the contract be forwarded to the State Interagency Committee for Public School Construction for approval to reimburse Montgomery County Public Schools for the state eligible portion of the modernization of Rock View Elementary School.

RESOLUTION NO. 367-98 Re: **AWARD OF CONTRACT - MONTGOMERY BLAIR HIGH SCHOOL THEATER SYSTEMS EQUIPMENT**

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

WHEREAS, The County Council recently approved funds to install theater lighting and sound systems for the auditorium at the new Montgomery Blair High School; and

WHEREAS, The following sealed bids were received on May 21, 1998, to provide theater systems equipment:

<u>Contractor</u>	<u>Amount</u>
Kinetic Artistry, Inc.	\$376,384
HP Electronics, Inc.	419,000

and

WHEREAS, The low bid is slightly over the estimate; however, sufficient funds are available to award the contract; and

WHEREAS, 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 \$376,384 be awarded to Kinetic Artistry, Inc., for the Montgomery Blair High School theater systems equipment.

RESOLUTION NO. 368-98 Re: **AWARD OF CONTRACT - BETHESDA ELEMENTARY SCHOOL**

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

WHEREAS, The following sealed bids represent the first in a series of subcontracts that were bid as part of a construction management process for the Bethesda Elementary School project:

<u>Low Bids</u>	<u>Amount</u>
<u>Asbestos Abatement</u>	
ARC Construction Services, Inc.	\$ 136,600
<u>Electrical</u>	
C.T. Electrical Corporation	611,100
<u>Masonry</u>	
A. Myron Cowell	657,275
<u>Rough Carpentry; Doors/Frame/Hardware/ & Expansion Joints</u>	
Master Carpentry Corporation	290,000
<u>Sitework & Demolition</u>	
Driggs Corporation	1,139,600
<u>Sprinkler</u>	
Kennedy Fire Protection	104,000

and

WHEREAS, Staff has verified that the subcontractors have made good faith efforts to obtain minority participation; and

WHEREAS, Details of the bid activity are available in the Department of Facilities Management; and

WHEREAS, The low bids are within the estimates and sufficient funds are available to award the contracts; now therefore be it

Resolved, That contracts be awarded for the above-referenced subcontractors meeting specifications for the Bethesda Elementary School project, in accordance with the plans and specifications prepared by Walton, Madden, Cooper, Robinson, Poness, Inc.

RESOLUTION NO. 369-98 Re: **AWARD OF CONTRACT - STEPS, RAMPS, DECKS, SKIRTING AND CANOPIES FOR MODULAR CLASSROOM BUILDINGS**

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

WHEREAS, The following sealed bids were received on May 27, 1998, to provide steps, ramps, decks, skirting, canopies and handrails for modular classroom buildings at various schools, with work to begin June 20, 1998, and to be completed by August 21, 1998:

<u>Bidder</u>	<u>Unit Price</u>
Cynthia M. Hastings, Inc.	\$3,990
D. L. Brown Construction	5,000
EMH Environmental, Inc.	5,200

and

WHEREAS, Cynthia M. Hastings, Inc., has completed similar work successfully for Montgomery County Public Schools; and

WHEREAS, These unit prices will be the basis for determining the cost of steps, decks, ramps, canopies, skirting and handrails at each site where portable classrooms will be relocated; and

WHEREAS, The low bid is within the staff estimate of \$4,500 per unit; and

WHEREAS, The low bidder is a female-owned firm and is currently under review for MBE certification by the Maryland Department of Transportation; now therefore be it

Resolved, That a contract be awarded not to exceed \$350,000 to Cynthia M. Hastings, Inc., to provide steps, ramps, decks, canopies, skirting and handrails at each site where portable classrooms will be relocated, in accordance with plans and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 370-98 Re: **AWARD OF CONTRACT - CABIN JOHN MIDDLE SCHOOL AND LUXMANOR ELEMENTARY SCHOOL AIR-CONDITIONING EQUIPMENT INSTALLATION**

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

WHEREAS, The following sealed bids were received on May 27, 1998, for the installation of air-conditioning equipment for Cabin John Middle School and Luxmanor Elementary School, with work to begin June 20, 1998, and be completed by August 15, 1998:

<u>Bids</u>	<u>Amount</u>
R. M. Thornton	\$ 802,500
Techno Magic Plumbing & Heating, Inc.	1,106,000

and

WHEREAS, The low bidder, R. M. Thornton, has completed similar work successfully for Montgomery County Public Schools; and

WHEREAS, The low bids are below staff estimates of \$675,000 for Cabin John Middle School and \$200,000 for Luxmanor Elementary School; and

WHEREAS, Staff has verified that the above contractor has made a good faith effort to obtain minority participation; now therefore be it

Resolved, That a contract for \$802,500 be awarded to R. M. Thornton, for installation of air-conditioning equipment for Cabin John Middle School and Luxmanor Elementary School, in accordance with plans and specifications prepared by Mendoza, Ribas, Farinas & Associates, contingent upon approval of an FY 1998 supplemental appropriation to the FY 1997-2002 Capital Improvements Program by the County Council.

RESOLUTION NO. 371-98 Re: **AWARD OF CONTRACTS FOR MAINTENANCE PROJECTS AT VARIOUS SCHOOLS/FACILITIES**

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

WHEREAS, The following sealed bids were received on May 15, May 19, May 20, and May 21, 1998, in accordance with Montgomery County Public Schools procurement practices, for asbestos abatement at various school locations, public address system replacements at various school locations, fuel oil tank replacement at Sherwood High School, and athletic/activity field renovations at various schools, with work to begin on June 10, 1998, and be completed by August 1, 1998, August 17, 1998, and June 9, 1999, respectively; and

WHEREAS, Details of the bid activity are available in the Department of Facilities Management; and

WHEREAS, The low bidders are below staff estimates and meet specifications; now therefore be it

Resolved, That contracts be awarded to the low bidders meeting specifications for the projects and amounts listed below:

<u>PROJECT</u>	<u>AMOUNT</u>
Asbestos Abatement Various schools (14) Low Bidder: A-L Abatement, Inc.	\$ 42,975.00
Various schools (6) Low Bidder: ARC Construction	22,585.00
Public Address System Replacements Various Schools (unit price bids) Low Bidder: A-Com, Inc.	445,244.66
Fuel Oil Tank Replacement Sherwood High School Low Bidder: R.M. Thorton, Inc.	38,991.00
Athletic/Activity Field Renovations Various Schools (unit price bids) Low Bidder: Classic Landscaping, Inc.	87,825.00

RESOLUTION NO. 372-98 Re: **ARCHITECTURAL APPOINTMENT - MONTGOMERY VILLAGE MIDDLE SCHOOL FEASIBILITY STUDY**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services to conduct a design feasibility study of alternatives for the modernization of Montgomery Village Middle School; and

WHEREAS, Funds for feasibility planning have been programmed as part of the FY 1999 Capital Budget; and

WHEREAS, The Architect Selection Committee, in accordance with procedures adopted by the Board of Education on May 13, 1986, identified The Lukmire Partnership, Inc., as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for necessary architectural services; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of The Lukmire Partnership, Inc., to provide professional architectural services for the Montgomery Village Middle School modernization feasibility study project for a fee of \$45,000.

RESOLUTION NO. 373-98 Re: **GRANT OF DEED AND EASEMENT TO MONTGOMERY COUNTY GOVERNMENT AT SENECA VALLEY HIGH SCHOOL**

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

WHEREAS, The Montgomery County Government requested a deed and easement agreement at Seneca Valley High School, located at 12700 Middlebrook Road, in order to widen and improve Wisteria Drive in Germantown; and

WHEREAS, The road improvements will require a public dedication of 4,513 square feet of land in fee simple and 5,596 square feet of temporary slope easement; and

WHEREAS, The Montgomery County Government has agreed to restore all disturbed areas and replace trees that will be removed; and

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

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

injury and all work; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a deed dedicating 4,513 square feet of land in fee simple and 5,596 square feet of temporary slope easement for road improvements associated with the widening and improvements to Wisteria Drive at Seneca Valley High School.

RESOLUTION NO. 374-98 Re: **RELOCATION OF STATE-OWNED MODULAR
CLASSROOM BUILDINGS**

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

WHEREAS, The following sealed bids were received on May 27, 1998, to provide relocation of state-owned modular classroom buildings, with work to begin June 20, 1998, and to be completed by August 7, 1998:

<u>Bidder</u>	<u>Amount</u>
Cynthia M. Hastings, Inc.	\$299,900
EDH Environmental, Inc.	419,900

and

WHEREAS, Cynthia M. Hastings, Inc., has completed similar work successfully at various schools; and

WHEREAS, The State Interagency Committee for School Construction has approved the movement of the state-owned modular classrooms and agreed to fund 50 percent of the eligible items; and

WHEREAS, The low bid is within the staff estimate of \$325,000; and

WHEREAS, The low bidder is a female-owned firm and is currently under review for MBE certification by the Maryland Department of Transportation; now therefore be it

Resolved, That a contract be awarded for \$299,900 to Cynthia M. Hastings, Inc., to provide relocation of state-owned modular classroom buildings at various schools in accordance with plans and specifications prepared by the Department of Facilities Management; and be it further

Resolved, That a copy of this contract be forwarded to the State Interagency Committee for School Construction, and that reimbursement be requested.

** Mrs. Gordon rejoined the meeting.

RESOLUTION NO. 375-98 UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS AND CATEGORICAL TRANSFER WITHIN THE HEAD START PROGRAM

On recommendation of the Superintendent and on motion of Mr. Ewing seconded by Dr. Cheung, 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 \$8,503 from the federal government, under the Head Start program in Category 5, Other Instructional Costs; 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 \$88,237 within this same program:

<u>Category</u>	<u>From</u>	<u>To</u>
3 Instructional Salaries	\$43,596	
4 Textbooks and Instructional Supplies	26,174	
5 Other Instructional Costs		\$88,237
12 Fixed Charges	<u>18,467</u>	<u> </u>
Total	<u>\$88,237</u>	<u>\$88,237</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. 376-98 Re: UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS FOR TWO SECONDARY SCIENCE PROGRAMS

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

Resolved, That the superintendent of schools be authorized to receive within the FY 1998

Provision of Future Supported Projects a grant award of \$300,000 from the Howard Hughes Medical Institute, through the Montgomery County Public Schools Educational Foundation, Inc., for two secondary science programs; and be it further

Resolved, That the superintendent of schools be authorized to expend \$185,000 of the award to continue the internship program at the National Institutes of Health for teachers and students in the following categories:

	<u>Category</u>	<u>Amount</u>
3	Instructional Salaries	\$103,495
4	Textbooks and Instructional Materials	31,985
5	Other Instructional Costs	41,240
12	Fixed Charges	<u>8,280</u>
	Total	<u>\$185,000</u>

and be it further

Resolved, That the superintendent of schools be authorized to expend \$115,000 of the award to continue a biotechnology training program in the following categories:

	<u>Category</u>	<u>Positions*</u>	<u>Amount</u>
3	Instructional Salaries	1.5	\$ 77,250
4	Textbooks and Instructional Materials		4,964
5	Other Instructional Costs		11,000
12	Fixed Charges		<u>21,786</u>
	Total	<u>1.5</u>	<u>\$115,000</u>

*.5 classroom teacher and 1.0 secretary

and be it further

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

RESOLUTION NO. 377-98

Re: **RECOMMENDATION TO SUBMIT AN FY 1999 GRANT PROPOSAL FOR THE EVEN START FAMILY LITERACY GRANT**

On recommendation of the Superintendent and on motion of Mr. Ewing seconded by

Dr. Cheung, the following resolution was adopted unanimously by members present:#

Resolved, That the superintendent of schools be authorized to submit a grant proposal in the amount of \$400,000 to the Maryland State Department of Education for the Federal Even Start Family Literacy Grant; and be it further

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

RESOLUTION NO. 378-98 Re: **RECOMMENDATION TO SUBMIT AN FY 1998 GRANT PROPOSAL FOR THE TEACHER ENHANCEMENT: ALGEBRA IN THE NEW MILLENNIUM PROJECT**

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

Resolved, That the superintendent of schools be authorized to submit an FY 1998 planning grant proposal in the amount of \$49,745 to the National Science Foundation for the Teacher Enhancement: Algebra in the New Millennium project; and be it further

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

RESOLUTION NO. 379-98 Re: **OPERATING BUDGET TRANSFER FROM THE REAL ESTATE MANAGEMENT FUND TO THE GENERAL FUND**

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

WHEREAS, There are insufficient funds available in the furniture and equipment account to meet \$230,000 for John Poole Middle School; and

WHEREAS, \$44,000 was transferred from the unliquidated surplus account to the John Poole Middle School project account number 240-01; and

WHEREAS, There are sufficient funds available in the Real Estate Management Fund to permit an operating transfer of \$186,000 to the General Fund; now therefore be it

Resolved, That the Board of Education request approval from the County Council to increase Category 5 Other Instructional Costs by \$186,000, with funding provided by the Real Estate Management Fund; and be it further

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

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

RESOLUTION NO. 380-98 CONTRACTS FOR MORE THAN \$25,000

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

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

WHEREAS, Funds have been budgeted for the lease/purchase of step vans for the Department of Materials Management; now therefore be it

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

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

750205 0104	Stormwater Management Construction Services for the Division of Maintenance	
	<u>Awardee</u>	
	Highway and Safety Services, Inc.	\$ 340,960 *
139-96	Book Binding - Extension	
	<u>Awardee</u>	
	Shenandoah Valley Bindery	\$ 25,535
57-97	Pizza, Baked, Frozen, Individual – Extension	
	<u>Awardees</u>	
	Nardone Brothers Baking Company, Inc.	\$ 177,000
	Profera, Inc.	<u>610,000</u>
	Total	\$ 787,000

110-97 Fleet Vehicle Repair - Extension

Awardees

District International Trucks, Inc.
General Automotive Servicer, Inc.
J & M Truck Repair, Inc.
Light Truck Service Company

Total \$ 55,000

142-97 Snack Cakes and Pies – Extension

Awardee

McKees Food Corporation \$ 275,000

145-97 Fresh Donuts – Extension

Awardee

Montgomery Donut Company, Inc. \$ 68,000

313-97 On-Site Repair for Science Equipment for Middle and
High Schools

Awardees

Dominion Microscope, Inc.
Universal Scientific Instruments
Total

\$ 29,868

316-97 Pizza, Baked, Frozen, 5"Round - Extension

Awardee

Carroll County Foods, Inc. \$ 173,000

322-97	Computer Carts – Extension	
	<u>Awardee</u>	
	Landon Systems Corporation	\$ 60,496
4019.1	Laundering of Uniforms for the Division of Maintenance and the Division of Transportation per Contractual Agreement	
	<u>Awardee</u>	
	Coyne Textile Services	\$ 51,184
4025.1	Purchase of Step Vans under the Master/Lease Plan for the Department of Materials Management	
	<u>Awardee</u>	
	District International Trucks, Inc.	\$ 85,360
4026.1	Paint and Paint Sundries	
	<u>Awardees</u>	
	Duron, Inc.	\$ 84,436
	McCormick Paint Works Company	1,661
	Potomac Paint Company	383
	Sherwin Williams Company	<u>6,240</u>
	Total	\$ 92,720
7003.1	Processed Cheese	
	<u>Awardee</u>	
	Dori Foods, Inc.	\$ 111,680
7037.1	Poultry Products, Frozen and Processed	
	<u>Awardees</u>	
	Carroll County Foods, Inc.	\$ 719

Dori Foods, Inc.	29,490
Karetas Foods, Inc.	91,120
Oak Valley Farms, Inc.	4,791
Smelkinson/SYSCO	<u>147,470</u>
Total	\$ 273,590

7040.1 Library Furniture

Awardees

ATD American Company	\$ 413
Douron, Inc.	58,762 *
Library Store	6,446 *
School Specialty	6,931
Single Source, Inc.	<u>1,977</u>
Total	\$ 74,529

7043.1 Art Equipment for High Schools

Awardees

Bailey Pottery Equipment Corporation	\$ 3,376
Charrette Corporation	1,957
Cutlass Enterprises, Inc.	759
Douron, Inc.	5,880
J.L. Hammett Company, Inc.	8,257
Paxton/Patterson	6,282
Pyramid School Products	1,129
Sax Arts and Crafts	640
School Specialty	1,378
Windtree Enterprises, Inc.	<u>1,138</u>
Total	\$ 30,796

MORE THAN \$25,000

\$2,534,718

RESOLUTION NO. 381-98

Re: **MICROCOMPUTERS, PRINTERS AND RELATED PERIPHERALS FOR THE OFFICE OF GLOBAL ACCESS TECHNOLOGY AND NEW SCHOOLS**

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 current bid for computers, 1009.1, expires on June 15, 1998; and

WHEREAS, The Maryland state contract is intended for the use of all Maryland public schools; and

WHEREAS, Counsel concurred in the recommendation; now therefore be it

Resolved, That having been duly advertised, the award of contracts for Bid DGSP0C 9701, Microcomputers, Printers and Related Peripherals, be awarded as follows:

Awardees

Daly Computers, Inc. (Compaq VAP)	\$5,889,950 *
Gateway 2000	<u>500,000</u>
Total	\$6,389,950

Re: **MONTHLY FINANCIAL REPORT AND YEAR-END PROJECTIONS AS OF APRIL 30, 1998**

Dr. Spatz, director of the Department of Management, Budget, and Planning, reported that the report was similar to that presented last month. The changes in expenditures were the projections in Category 5 and Category 11 (air quality). There had been a slight improvement in Category 1 due to savings in legal fees.

Mr. Felton asked about Category 5 and a projected deficit increase of \$200,000, but by the end of the fiscal year that category would be deficit by \$100,000. Dr. Spatz replied that category was expected to have a deficit of \$400,000 and the \$100,000 deficit referred to the reunification students from Prince George's County.

Re: **UPDATE ON SCHOOL CONSTRUCTION**

Dr. Vance invited the following people to the table: Mr. David G. Fischer, associate superintendent for the Office of Supportive Services; Mr. William W. Wilder, director of the Department of Facilities Management; and Mr. Richard G. Hawes, director of the Division of Construction.

Dr. Vance provided an update on the major school construction projects that were scheduled to be completed in the summer. There are three new facilities: the new Montgomery Blair, Northwest, and James Hubert Blake high schools; two modernizations: Lucy V. Barnsley and Westover elementary schools; and a classroom addition to Kingsview Middle School being readied to open this September. MCPS will move 73 relocatable classrooms this summer to handle overcrowding at various facilities.

The deputy superintendent of schools and associate superintendent for supportive services have made site visits with construction staff to monitor progress, assist with the

resolution of problems, and confer with impacted parties to keep everyone updated. Staff from the Office of School Administration has worked with principals to support the moves to the completed projects.

In addition to the work explained above, staff was relocating Rock View Elementary School to the Grosvenor Center, Harmony Hills Elementary School to the North Lake Center, and Bethesda Elementary School to the Radnor Center while their facilities are modernized. These relocations are taking place in conjunction with the moves of the schools, which have been occupying the holding facilities, back to their modernized buildings.

Ms. Signer asked if all the fields had been graded at James Hubert Blake High School. Mr. Hawes replied that the fields had been graded and the last field would be sodded shortly.

Ms. Signer asked if the bleachers were safe at Northwest High School. Mr. Hawes replied that there had been difficulties with the installation of the bleachers. If the manufacturer could not supply safe bleachers according to specifications, the bleachers will be removed and another model installed.

Ms. Signer commented that she had received a list of major items to be completed at Albert Einstein High School. Since she was the Board member who did the walk through and did not accept the project, she was frustrated with the length of time it had taken to complete the project. She asked when the project could be accepted and brought to completion. Mr. Hawes replied that some of those items were not the contractor's responsibility. The track was not general contractor's work, and the score boards were donated, among other things. The general contractor's work was stopped in May because the construction was disrupting the school's educational program. That contractor had between June 18 and July 15 to complete all work. Ms. Signer asked if the school system had any recourse if the construction was not completed. Mr. Hawes replied that the school system at \$200,000 as an outstanding balance of the contract.

Mrs. Gordon complimented staff on the tremendous amount of work that had gone into the completion of all of the projects. She was concerned about the Johnson Road access to James Hubert Blake High School. That problem was identified years ago, and she thought everything had been worked through with members of the interagency committee and members of the community. She was very distressed that the school system was at the point where alternative arrangements must be made for the opening of the school. She hoped that in the future staff would solve these types of problems well in advance of the school's opening. Mr. Fischer agreed and staff had been working hard to resolve the problem without any legal action. At this point, there was a backup plan if things could not be worked out.

Mr. Felton also was concerned about Johnson Road. He asked when the plan would be ready or available for the Board. Mr. Hawes stated that staff would be meeting with the principal and county personnel in the near future. Johnson Road would be used primarily for the exit of buses. The backup plan would bring the buses out at the main entrance. Mr. Felton asked if the practical impact was minor or major. Mr. Hawes was concerned about taking the buses back out the entrance, but staff would ensure the pedestrian and vehicular safety. Mrs. Gordon asked for regular updates on this project in the event the Board needs to take action.

Dr. Cheung was impressed with the number of buildings and modernizations, and he asked for the number of square feet of all MCPS schools.

**Re: RECOMMENDATIONS ON THE FY 1999 OPERATING
BUDGET FOLLOWING COUNTY COUNCIL ACTION**

Dr. Vance stated that on May 28, 1998, the County Council approved the Montgomery County Public Schools' (MCPS) Operating Budget appropriation for FY 1999. The Council approved a total of \$945,189,869 (excluding grants and enterprise funds), a reduction of \$11,221,323 from the Board of Education's request of \$956,411,192. Including grants and enterprise funds, the Council appropriated \$1,034,768,530, which is \$1,063,435 below the Board's requested budget of \$1,035,831,965 submitted to the county executive and the County Council on March 1, 1998. As required by state law, the Council approved the appropriation by state categories.

The Council's action was an increase in the spending affordability budget above the original FY 1998 operating budget of \$58,444,671 or 6.6 percent. The total operating budget including grants and enterprise funds increased by \$76,352,334 or 8.0 percent over the original FY 1998 budget.

The Council's \$1.1 million reduction relates to the delay in opening the Montgomery Blair Middle School #3, now scheduled to open in FY 2000 (\$808,870), a \$200,000 reduction in legal costs, and \$50,000 in retirement contribution. The Council appropriation includes \$10.2 million in additional state aid for Montgomery County included in companion bills SB 171/HB 1, School Accountability Funding for Excellence (SAFE), adopted by the General Assembly during the 1998 legislative session. These funds were considered restricted revenue. To the extent that state regulations for the use of these funds require changes in the budget, the Board might need to request approval of a categorical transfer of funds from the County Council.

**Re: RECOMMENDATIONS ON THE FY 1999 OPERATING
BUDGET FOLLOWING COUNTY COUNCIL ACTION**

On recommendation of the Superintendent and on motion of Mr. Felton seconded by

Dr. Cheung, the following resolution was placed on the table:

WHEREAS, The Board of Education adopted an FY 1999 Operating Budget of \$1,035,831,965 on February 10, 1998; and

WHEREAS, The County Council approved a total of \$945,189,869 (excluding grants and enterprise funds), a reduction of \$11,221,323 from the Board of Education's request of \$956,411,192; and

WHEREAS, The County Council appropriated a total \$1,034,768,530 for MCPS, which is \$1,063,435 below the Board's requested budget of \$1,035,831,965; and

WHEREAS, The County Council understood that it may be necessary for the Board of Education to request categorical transfers as a result of the need to comply with the requirements of the additional state aid for programs not in the approved budget; and

WHEREAS, The Superintendent has submitted to the Board of Education a plan for the reorganization of the Office of Supportive Services; and

WHEREAS, The Superintendent has submitted to the Board of Education a plan for the transitional organization for FY 1999 of employee training and organizational development activities; and

WHEREAS, The County Council made reductions of \$1,063,435 from the various budget categories, as shown in the following schedule, in appropriating \$1,034,768,530 for the Board of Education's FY 1999 Operating Budget:

Category	BOE Approved as of 02/10/98	County Council Reduction	Council Approved 05/28/98
1 Administration	\$ 30,281,479		\$30,281,479
2 Mid-level Administration	64,984,451		64,984,451
3 Instructional Salaries	450,240,224		450,240,224
4 Textbooks and Instructional Supplies	21,773,850	(\$400,251)	21,373,599
5 Other Instructional Costs	9,863,382	20,435	9,883,817
6 Special Education	122,922,303	(200,000)	122,722,303
7 Student Personnel Services	4,063,749		4,063,749
8 Health Services	22,420		22,420
9 Student Transportation	45,532,062		45,532,062
10 Operation of Plant and Equipment	60,432,598	(268,943)	60,163,655
11 Maintenance of Plant	22,450,381	(25,000)	22,425,381

Category	BOE Approved as of 02/10/98	County Council Reduction	Council Approved 05/28/98
12 Fixed Charges	169,191,637	(189,676)	169,001,961
14 Community Services	655,195		655,195
Current Fund Subtotal	<u>\$1,002,413,731</u>	<u>(\$1,063,435)</u>	<u>\$1,001,350,296</u>
41 Adult Ed/Summer School Fund	2,916,504		2,916,504
51 Real Estate Management Fund	1,167,369		1,167,369
61 Food Services Fund	27,257,433		27,257,433
71 Field Trip Fund	1,793,516		1,793,516
81 Entrepreneurial Activities Fund	283,412		283,412
Enterprise Fund Subtotal	<u>\$33,418,234</u>		<u>\$ 33,418,234</u>
All Funds	<u>\$1,035,831,965</u>	<u>(\$ 1,063,435)</u>	<u>\$1,034,768,530</u>

now therefore be it

Resolved, That based on an appropriation of \$1,034,768,530, that includes an appropriation of \$33,418,234 for enterprise funds and \$56,160,427 for restricted grants, approved by the County Council on May 28, 1998, the Board of Education adopt its FY 1999 Operating Budget reflecting the changes shown in Schedule A; and be it further

Resolved, That the Board of Education will request approval of the categorical transfers that are necessary in order to receive and expend supplementary state aid; and be it further

Resolved, That the Board of Education affirm its support for the negotiated agreements with its employees' organizations and for the increases in salary that they contain; and be it further

Resolved, That the Board of Education approve for FY 1999 the reorganization plan within the Office of Supportive Services as shown on Schedule B and the related reclassification of positions; and be it further

Resolved, That the Board of Education approve for FY 1999 the transitional reorganization of employee training and development activities as shown on Schedule C; and be it further

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

Re: DISCUSSION

Mrs. Gordon was very pleased by the level of support that MCPS received from both the state and County Council. For those of us who were there, it was not always clear that the school system would come out as well as it did. For the work of staff and support of the state and County Council, she stated that she was pleasantly surprised to have that level of support.

However, she was deeply troubled by the way in which the school system was diverting funds to fixed charges, some of which do not have any justification to be funded. Had the Board understood that the funds were going to be diverted to pay for fixed charges that were intended for at-risk students, she thought the Board may have made different budgetary decisions. The school system had to look at its integrity when it did these kinds of things, and while the school system was complying with the letter of the law, she did not feel that it was complying with the spirit of the law. She did not think that it would make budget actions in future years any easier if, in fact, the school system goes through with this type of exercise where \$8 million that could have been and was intended to be spent on classroom programs was diverted to pay back accounts, such as the employees' retirement plan. She was pleased that the Board did not have to look at large reductions in the budget, but she was deeply troubled by the accounting methods to make the reconciliation. After speaking to several Council members, she thought they were concerned since they did not think they were funding \$8 million for fixed charges. As the Board went through the budget page by page and voted against increasing programs for children, it was troubling to have \$10.1 million that was not recommended for use in the classroom.

Ms. Signer was not only troubled by what she saw in the Superintendent's memorandum to the Board, but she was angry. She agreed wholeheartedly with Mrs. Gordon that the funds of \$10.1 million ought to be spent on programs for children and, in particular, programs for some of the neediest children in the county. When she sat through Council meetings on the operating budget, it was clear to her that the Council thought it was cutting \$8 million out of fixed charges, including \$3.3 million for the Retiree Health Benefit Trust and \$600,000 from attorneys' fees. That was not what she saw in the Superintendent's recommendations. The Board had an opportunity to provide programs for children to make some headway to remedy the cuts made in the past years. This would be a lost opportunity that would not be regained if passed up this year.

Mr. Felton commented on the support the school system had during the budget process. When there was a budget that was approximately \$1 billion and it was supported except for \$1 million, the Board should be rejoicing because of the tremendous support from the community. There is not a perfect budget, but he wanted to make sure that where there was a diversion of funds, that shifted a positive experience for the entire community into

a negative one. He believed that the process offered the Board an opportunity to deal with categorical changes and, while he believed that the priority should continue to be with children and instruction, everyone understood the complexity of the system and that all things impact on the instructional quality for students. If the Board had another opportunity, perhaps it would have made some changes. He hoped that the Board did not lose sight of the fact that the reduction was a very small percentage of the entire budget. He believed that the Board must rely on the Superintendent for the best possible recommendations. He did not want the Board to go into individual programs, because each Board member sacrificed some priority because he or she did not believe there was sufficient funding. If there were another cycle of identifying programs, it would not be productive. He was concerned how that would be perceived, but it was incumbent upon the Board to ensure there was not the intention to divert or supplant funds. Collectively, everyone wanted what was best for all students. He supported the Superintendent's recommendations unless there were other compelling options.

Ms. Gutiérrez was concerned about the Superintendent's resolution and outraged because of the clever accounting practices. All of the major decisions and shifts of funding get to the Board five days before the meeting. She thought the recommendation was supplanting funds. The memorandum before the Board could have been written by the staff of the County Council or a public relations firm. Only in the one sentence was there clear visibility of the \$11 million lack of funding from the County Council. There was \$10 million of state aid that was carefully brought in and supplanted for everything but what it was intended for. She did not understand why the Superintendent was proposing these recommendations to the Board. It was totally contrary to what the Board had been verbalizing from the beginning of the budget process.

The budget process starts out with same services, moves forward with initiatives, and salary increases. The maintenance of effort was a floor, even though the County executive saw it as a cap. There was an \$11 million difference from the original MCPS proposal. Now, the Superintendent recommends taking what MCPS received from state aid and assume that it was directed for those and other initiatives and/or cuts the Board accepted and suggested that did not seem correct or ethical. She could not support what the Board had before it. There had been little opportunity to suggest more acceptable approaches.

She addressed the limited English proficiency (LEP) program with \$7.3 million from state aid. Somehow that had been reduced to \$1.1 million and that represented \$6 million from that very specific and targeted population, and it had been supplanted elsewhere throughout the budget. She did not know how those decisions were made, but it was not brought to the Board with its input. The Latino community had asked that the funds not be supplanted, and she had heard from the Latino community that they were preparing a class action suit. The grant clearly specifies who was to receive these program improvements.

She did not know what program plan the Maryland State Department of Education would approve that would allow a \$6 million difference.

She was very concerned with the \$10 million and the huge opportunity to make a significant difference in targeted instructional areas. If the Board goes along with the \$10 million that was never part of the budget proposal, the school system was setting itself up for maintenance of effort funding and, as state money comes into the local jurisdiction, it can be diverted to free funds for other programs. Soon funding for schools will be diverted for other initiatives. Right now, the school system's increase was less than that for the county government and the college. The school system was the biggest service provider, but the politics of the moment have put it in a position that was moving in the wrong direction. She hoped that the Board would not take action at this meeting in order to remedy the proposal and address the concerns of the Board.

Dr. Cheung stated that budgeting was a complex matter. Unfortunately, the school system had state mandates which were categorical requirements. When there was not enough money, the school system tried to identify where there were funds to address the greatest needs for the instruction of children. The state aid supported certain programs and limited moving funds within programs.

The Council was to blame even though it funded 99.9% of the operating budget. The school system's increase was less than that of the county government and the college. He was concerned that the Board would open the entire budget in order to reduce the budget by one percent. As a Board, it understood the politics of the positions of the state and Council. He supported the Superintendent's recommendations.

Mr. Ewing thought it was a peculiar year in that the state appropriation of an additional \$10 million was very welcome, but no one consulted the school system on what specifically was needed in MCPS. It was clear that the County Council believed that it was cutting \$11 million in areas that were not classroom related, and the \$10 million was expected to be used by the school system for classroom programs. He was interested in knowing more specifically why the Superintendent chose this approach, and what were the consequences to take \$11 million in reductions and spend \$10 million as laid out by the state. The Superintendent made his case that his recommendations were a legitimate, legal, and regulatory satisfactory approach.

Dr. Vance indicated that the process was further complicated by the funding from the state and the inability of staff to get clear direction for the state on the utilization of the funds. Subsequently, in a meeting, staff was assured that what school system proposed was appropriate. Also, there was confusion on what the Council had done; however, there was not disagreement on how the school system wanted to proceed. He was convinced that the budget proposal was appropriate and the best way to proceed.

Dr. Spatz stated that he had talked with the staffs in the Council's and County Executive's offices. One thing that was clear from the outset was that the \$10.1 million was restricted money and outside spending affordability guidelines (SAG). Last year there was state money that the Council stated was subject to SAG, and the Council realized that was a mistake. When the Council reviewed the budget, it looked at SAG and that was what made it confusing. The appropriate use of the state money was difficult since staff did not have state guidelines. In the meantime, staff presented the budget to the state and the initial feedback was that the use of the funds was appropriate.

Mr. Ewing asked why staff thought it was a better alternative when it could have taken the \$11 million in reductions that the Council made and use the \$10 million as the state's appropriation indicated on top of existing programs. He asked what was the impact of doing what he suggested.

Mr. Bowers stated that the reductions on the Board's \$20 million list of non-recommended cuts were items related to the opening Montgomery Blair Middle School #3, retirement contributions, legal fees, and utilities. When the Council took final action on the wish list, the balance was \$8 million in contributions for benefit payments for either retirees or active employees. The final budget action recommended by the Superintendent deleted the money for (1) \$1.6 million for the opening Blair #3, (2) \$500,00 for the retirement contribution, (3) \$200,000 for legal fees, and (4) \$2 million for payments into the active employees health plan. He further explained that the \$1.8 million of the additional contributions for active health and \$3.3 million for the retirees' health payment. The concern was for the non-recommended reductions and the impact was titled as "devastating." The Board and staff were very concerned about the impact the non-recommended reduction would have on the school system.

Mr. Ewing thought it was a strange situation to ask for a specific amount of funds, which the school system received. However, \$10 million was earmarked for programs that it did not initiate, and \$11 million in reductions that were non-recommended. His reaction was that there may be middle ground to assure that there were adequate amounts for the financial obligations and the remainder of the state aid to enhance existing programs. He was not convinced that he could support the Superintendent's recommendation.

Re: **AN AMENDMENT BY MS. SIGNER TO THE
RECOMMENDATIONS ON THE FY 1999 OPERATING
BUDGET FOLLOWING COUNTY COUNCIL ACTION
(FAILED)**

On motion of Ms. Signer and seconded by Mrs. Gordon to place a full-time reading specialist in every elementary school at a cost of \$820,000 (offset from Category 12) failed with Mrs. Gordon, Ms. Gutiérrez, and Ms. Signer voting in the affirmative; Dr. Cheung, Mr. Ewing, Mr. Felton, and Mrs. King voting in the negative.

RESOLUTION NO. 382-98

Re: **POSTPONEMENT TO THE RECOMMENDATIONS ON
THE FY 1999 OPERATING BUDGET FOLLOWING
COUNTY COUNCIL ACTION**

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

Resolved, That the Board of Education direct the Superintendent to provide the Board with budget options that allows the Board to address programs targeted for at-risk students (defined by the regulations governing the \$10.2 million in State Aid funding) and prioritize business issues and instructional programs for discussion and action on June 16, 1998.

RESOLUTION NO. 382-98

Re: **CLOSED SESSION RESOLUTION**

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

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 Monday, June 22, 1998, from 7:30 to 8:00 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 the meeting be conducted in Room 120 of the Carver Educational Services Center, Rockville, Maryland, as permitted under Section 4-107, *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 May 12, 1998, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on May 26, 1998, as permitted under § 4-107, *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 May 26, 1998, from 7:15 to 7:55 p.m. The meeting took place in Room 120, Carver Educational Services Center, Rockville, Maryland.

The Board met to discuss personnel and pension matters and the Board reviewed and adjudicated Appeals 1997-23 and 1998-9.

In attendance at part or all of the above closed session were: Elizabeth Arons, Giles Benson, Larry Bowers, Alan Cheung, Blair Ewing, Reggie Felton, David Fischer, Kathy Gemberling, Wes Girling, Bea Gordon, Ana Sol Gutiérrez, Pat Hahn, Roland Ikheloa, Nancy King, George Margolies, Brian Porter, Glenda Rose, Doug Rowe, Ruby Rubens, Mona Signer, Steve Seleznow, Paul Vance, and Debbie Wheat.

RESOLUTION NO. 384-98 Re: **DEFERRAL OF APPOINTMENTS TO BOARD
ADVISORY COMMITTEES**

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

WHEREAS, Citizen advisory committees are required by the Annotated Code of Maryland, Education Article, Section 4-112; and

WHEREAS, The Montgomery County Board of Education has established eight advisory committees whose members are appointed by procedures set forth in policy BMB, *Appointing Members of Board of Education of Advisory Committees*; and

WHEREAS, This policy calls for *appointments to be made at the all-day meetings in June and December*; and

WHEREAS, On May 26, 1998, the Board discussed the role and purpose of advisory committees and is scheduled to continue this discussion on July 14, 1998, with regard to the resolutions chartering the individual committees, and will next undertake a review of the existing Board policies governing advisory committees; now therefore be it

Resolved, That the Board waive the policy requirement to appoint advisory committee members in June and defer the filling of vacancies until the December all-day meeting; and be it further

Resolved, That the terms of advisory committee members expiring in June 1998 be extended until December 1998.

RESOLUTION NO. 385-98 Re: **APPOINTMENT TO ETHICS PANEL**

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

adopted unanimously by members present:

WHEREAS, On February 29, 1984, the Ethics Panel was established by the Board of Education; and

WHEREAS, The members of the Ethics Panel are appointed by the Board of Education; and

WHEREAS, One vacancy exists on the panel; now therefore be it

Resolved, That Adele Liskov be reappointed to serve a three-year term effective July 1, 1998, and ending June 30, 2001.

RESOLUTION NO. 386-98 Re: **MINUTES OF FEBRUARY 10, 1998**

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

Resolved, That the Board of Education approve its minutes for February 10, 1998.

RESOLUTION NO. 387-98 Re: **MINUTES OF FEBRUARY 23, 1998**

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

Resolved, That the Board of Education approve its minutes for February 23, 1998.

RESOLUTION NO. 388-98 Re: **MINUTES OF MARCH 10, 1998**

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

Resolved, That the Board of Education approve its minutes for March 10, 1998.

RESOLUTION NO. 389-98 Re: **BOARD APPEAL 1998-9**

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

Resolved, That the Board of Education adopts its Decision and Order in Appeal 1998-9, tuition waiver, reflective of the following vote: Mrs. Gordon voting to affirm; Dr. Cheung, Mr. Ewing, Mr. Felton, Ms. Gutiérrez, Mrs. King, and Ms. Signer voting to reverse;

Ms. Wheat voted to reverse, but was not present to reaffirm her vote.

RESOLUTION NO. 390-98 Re: STUDENTS OPPOSE SMOKING

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

WHEREAS, Students Oppose Smoking (SOS) was formed in 1994 by MCPS students dedicated to curbing the use of student tobacco use; and

WHEREAS, SOS conducted a survey of more than 10,000 MCPS students, using technology provided by the National Centers for Disease Control, to ascertain their habits and desires; and

WHEREAS, Among the findings of the survey were: the mean age for when students started smoking is 13.2 years of age; one-third of middle school students smoke two packs per week; 77% of smokers say their friends smoke; a far greater percentage of tobacco users consume alcohol and use marijuana than those who do not smoke; 29.2% of smokers say they would enroll in a cessation program if readily available; and 58.2% think they would stop if punished; and

WHEREAS, SOS has developed a four-part proposal, including recommendations: to make uniform the strict enforcement of MCPS' no-smoking policy; to widely post the laws and policies regarding the use and purchase of tobacco by minors and their consequences; to establish peer-led smoking cessation programs at all schools during the school day; and to install pulmonary function machines in all health rooms to assess the damage caused by tobacco use; and

WHEREAS, SOS leaders have met with the Superintendent and addressed the Montgomery County Council of PTAs who supported their general efforts; now therefore be it

Resolved, That the Board of Education endorse the efforts of the SOS to advocate for measures that would reduce the incidence of student smoking; and be it further

Resolved, That the Superintendent advise the Board as to which recommendations in its proposal are feasible in the short and long term and what measures could be taken to support them.

RESOLUTION NO. 391-98 Re: EDUCATION OF LIMITED ENGLISH PROFICIENT STUDENTS

On motion of Ms. Gutiérrez and seconded Mrs. Gordon, the following resolution was

adopted unanimously by members present:

WHEREAS, In February of this year, the Board of Education adopted a resolution directing the Superintendent to undertake the revision and update of Board Policy IOD, Education of Limited English Proficient Students, and Administrative Regulation IOD-RA, Placement of Limited English Proficient Students; and

WHEREAS, The requested revisions are intended to provide a meaningful and practical framework for meeting the needs of limited English proficient (LEP) students based on current research in second language learning and nationally recognized set of ESL Standards for PreK-12 students; and

WHEREAS, At the request of the U.S. Department of Education, the George Washington University's Center for Equity and Excellence in Education has developed a comprehensive educational reform initiative, "Promoting Excellence," for ensuring academic success for LEP students based on six Guiding Principles; now therefore be it

Resolved, That the Montgomery County Board of Education adopt the following six principles as the basis for revising its Limited English Proficient policy and programs:

Principle #1. Limited English proficient students are held to the same high expectations of learning established for all students.

Principle #2. Limited English proficient students develop full receptive and productive proficiencies in English in the domains of listening, speaking, reading, and writing, consistent with expectations for all students.

Principle #3. Limited English proficient students are taught challenging content to enable them to meet performance standards in all content areas including reading and language arts, mathematics, social studies, science, the fine arts, health, and physical education, consistent with those for all students.

Principle #4. Limited English proficient students receive instruction that builds on their previous education and cognitive abilities and that reflects their language proficiency levels.

Principle #5. Limited English proficient students are evaluated with appropriate and valid assessments that are aligned with state and local standards and that take into account the language acquisition stages and cultural background of the students.

Principle #6. The academic success of limited English proficient students is a responsibility shared by all educators, the family and community.

and be it further

Resolved, That MCPS staff work closely with the staff of the Center for Equity and Excellence in Education at George Washington University and use the "Promoting Excellence" resources, materials, training guides, and technical assistance to review and revise the educational standards and programs for limited English proficient students in Montgomery County Public Schools to ensure their academic success.

Re: GIFTED AND TALENTED EDUCATION

On motion of Mr. Ewing and seconded by Mr. Felton, the following resolution was placed on the table:

WHEREAS, The Board of Education has reviewed standards for gifted and talented education, Grades K - 5; and

WHEREAS, There are further actions needed to ensure effective implementation of the gifted and talented policy; now therefore be it

Resolved, That the Board of Education directs the Superintendent of Schools to implement the draft math standards for gifted and talented elementary students, as broadly as possible this fall, with the expectation that gifted students will complete on average 1 ½ years of math per year beginning in kindergarten; and be it further

Resolved, That a like effort be made to implement science standards as broadly as possible this fall; and be it further

Resolved, That monitoring and evaluation of implementation of the gifted and talented policy be continued and intensified and that individual school's implementation scores be provided to the Board of Education at least annually; and be it further

Resolved, That the Superintendent identify as specifically as possible the materials, training, curriculum, and other resources needed still to implement the gifted and talented program throughout MCPS, so that the time lines for implementation can be either maintained or accelerated, with the expectation that implementation will begin to occur in every elementary and middle school in math and science in the fall of 1998, but could be accelerated more

broadly if resources were available; and be it further

Resolved, That MCPS explore the development and publication of a brief booklet or set of guidelines primarily intended for parents, but also for teachers and administrators, on what parents ought to expect in every elementary and middle school in gifted and talented education.

RESOLUTION NO. 392-98

Re: **POSTPONEMENT OF RESOLUTION ON GIFTED AND TALENTED EDUCATION**

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

Resolved, That the Board of Education postpone the vote on the resolution for one month until the Superintendent reviews the resolution and offers suggestions on language.

For the Record: Mrs. Gordon opposed the motion because at the last minute it was postponed to a time certain, and that was not the original motion.

Re: **NEW BUSINESS**

The following new business items were introduced:

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

Resolved, That the Board of Education direct the Superintendent to include the algebra readiness for 8th graders in the scheduled discussion of the average student.

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

Resolved, That the Board of Education schedule time to discuss the current guidelines or practices on the use of behavioral contracts and the impact of those contracts in preventing dropouts, including quantitative indicators of how the contracts are used.

3. Mr. Felton moved and Dr. Cheung seconded the following:

Resolved, That the Board of Education request the Superintendent to provide information to the Board regarding current guidance given to teachers as to differentiated learning.

Re: **ITEMS OF INFORMATION**

1. Items in Process
2. Construction Progress Report

RESOLUTION NO. 393

Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of June 9, 1998, at 4:50 p.m.

PRESIDENT

SECRETARY

PLV:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

June 9, 1998

RETIREE RECOGNITION CEREMONY	1
AGENDA	1
RECOGNITION OF GAITHERSBURG HIGH SCHOOL OUTDOOR TRACK AND FIELD STATE CHAMPIONS .	2
BOARD/SUPERINTENDENT COMMENTS	2
1997-98 REPORT OF MONTGOMERY COUNTY ADVISORY COUNCIL FOR CAREER AND TECHNOLOGY AND STAFF RESPONSE	3
DEATH OF MRS. SANDRA BARUCH, ART TEACHER ON LONG-TERM LEAVE FROM BROOKHAVEN ELEMENTARY SCHOOL	6
PERSONNEL MONTHLY REPORT	6
PERSONNEL APPOINTMENTS	6
LUNCH AND CLOSED SESSION	7
PUBLIC COMMENTS	8
RECOGNITION OF DAMASCUS HIGH SCHOOL BASEBALL STATE CHAMPIONS	8
AWARD OF CONTRACT - HARMONY HILLS ELEMENTARY SCHOOL	8
AWARD OF CONTRACT - ROCK VIEW ELEMENTARY SCHOOL MODERNIZATION	9
AWARD OF CONTRACT - MONTGOMERY BLAIR HIGH SCHOOL THEATER SYSTEMS EQUIPMENT	10
AWARD OF CONTRACT - BETHESDA ELEMENTARY SCHOOL	11
AWARD OF CONTRACT - STEPS, RAMPS, DECKS, SKIRTING AND CANOPIES FOR MODULAR CLASSROOM BUILDINGS	12
AWARD OF CONTRACT - CABIN JOHN MIDDLE SCHOOL AND LUXMANOR ELEMENTARY SCHOOL AIR-CONDITIONING EQUIPMENT INSTALLATION	13
AWARD OF CONTRACTS FOR MAINTENANCE PROJECTS AT VARIOUS SCHOOLS/FACILITIES	13
ARCHITECTURAL APPOINTMENT - MONTGOMERY VILLAGE MIDDLE SCHOOL FEASIBILITY STUDY ...	14
GRANT OF DEED AND EASEMENT TO MONTGOMERY COUNTY GOVERNMENT AT SENECA VALLEY HIGH SCHOOL	15
RELOCATION OF STATE-OWNED MODULAR CLASSROOM BUILDINGS	16
UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS AND CATEGORICAL TRANSFER WITHIN THE HEAD START PROGRAM	17

**UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS FOR TWO
SECONDARY SCIENCE PROGRAMS 17**

**RECOMMENDATION TO SUBMIT AN FY 1999 GRANT PROPOSAL FOR THE EVEN START FAMILY
LITERACY GRANT 18**

**RECOMMENDATION TO SUBMIT AN FY 1998 GRANT PROPOSAL FOR THE TEACHER
ENHANCEMENT: ALGEBRA IN THE NEW MILLENNIUM PROJECT 19**

**OPERATING BUDGET TRANSFER FROM THE REAL ESTATE MANAGEMENT FUND TO THE
GENERAL FUND 19**

CONTRACTS FOR MORE THAN \$25,000 20

**MICROCOMPUTERS, PRINTERS AND RELATED PERIPHERALS FOR THE OFFICE OF
GLOBAL ACCESS TECHNOLOGY AND NEW SCHOOLS 23**

MONTHLY FINANCIAL REPORT AND YEAR-END PROJECTIONS AS OF APRIL 30, 1998 24

UPDATE ON SCHOOL CONSTRUCTION 24

**RECOMMENDATIONS ON THE FY 1999 OPERATING BUDGET
FOLLOWING COUNTY COUNCIL ACTION 26**

CLOSED SESSION RESOLUTION 33

REPORT OF CLOSED SESSION 34

DEFERRAL OF APPOINTMENTS TO BOARD ADVISORY COMMITTEES 34

APPOINTMENT TO ETHICS PANEL 35

MINUTES 35

BOARD APPEAL 36

STUDENTS OPPOSE SMOKING 36

EDUCATION OF LIMITED ENGLISH PROFICIENT STUDENTS 37

GIFTED AND TALENTED EDUCATION 38

NEW BUSINESS 39

ITEMS OF INFORMATION 40

ADJOURNMENT 40