Rockville, Maryland APPROVED 34-1983 April 18, 1983 The Board of Education of Montgomery County met in special session at the Educational Services Center, Rockville, Maryland, on Monday, April 18, 1983, at 8 p.m. ROLL CALL Present: Mr. Blair G. Ewing, President in the Chair Dr. James E. Cronin Mr. Kurt Hirsch Mrs. Suzanne K. Peyser Mrs. Marilyn J. Praisner Dr. Robert E. Shoenberg Absent: Dr. Marian L. Greenblatt Mrs. Odessa M. Shannon Others Present: Dr. Edward Andrews, Superintendent of Schools Dr. Harry Pitt, Deputy Superintendent Dr. Robert S. Shaffner, Executive Assistant Mr. Thomas S. Fess, Parliamentarian Discussion with Family Life and Re: Human Development Committee

Mr. Ewing welcomed the members of the family life committee. He said that the Board was most interested in the work of the committee, and he and Ms. Tina Ruddy, the chairman, had discussed an agenda for the meeting. Ms. Ruddy explained that the objectives and rules of the committee were outlined in the guidelines adopted in 1976. Their objective was to review curriculum and instructional materials, and the purpose of the committee was to conform to state law. The role of the committee had been to serve as advisors to the Board and superintendent on instructional materials.

Dr. Olga Fairfax stated that there was great disagreement on the committee. For example, the committee had approved a film showing an abortion clinic. Ms. Ruddy stated that the reason for the committee was to confirm with state law. Dr. Fairfax felt they were not conforming with state law because they had approved books containing information about abortion.

Mr. Ewing said that the objective was clear cut and in the rules and regulations. He said that specific issues should be taken up later in the agenda. He asked whether the committee had any problems with the objectives set forth by the state law. Mrs. Nancy Wells suggested that the Board look into the issue of whether the committee should be looking at Focus area 1 as well as Focus areas 2 and 3. Mr. Ewing asked whether the staff had views on whether the MCPS guidelines were in conflict with the state bylaw. The superintendent did not know whether there was a conflict and suggested that staff check into this. Traditionally the committee had looked at Focus areas 2 and 3.

Ms. Ruddy commented that the amount of materials in areas 2 and 3 had left the committee with quite a backlog of materials to examine. She would not like to see the committee getting into Focus area 1 which she felt should best be reviewed by the educators. Mrs. Patricia Stabler recalled that the committee felt that Focus area 1 was not required by the state because areas 2 and 3 were the sensitive areas. In the past there had not been problems with Focus area 1 materials, although at times the staff had asked the committee to review certain materials. In regard to abortion, the state guidelines did not say the materials could not mention it. She said the committee had never received information on how they should handle this information. She would like to see them make a decision so that they could move ahead with the work of the committee.

Dr. Cronin asked whether the committee had review and approval authority or was their role one of consultation. Ms. Ruddy replied that the committee was to advise. Mrs. Susan McCarter explained that they made recommendations rather than approved materials. Mr. Ewing asked staff to check into whether the committee was obliged to look at Focus area 1. The superintendent agreed to seek advice from the state on that issue as well as the abortion issue.

Mrs. Peyser asked about guidelines regarding abortion, and the superintendent replied that he was not aware of any legal statement from the Board of Education. Mrs. Wells thought Dr. Fairfax was referring to a 1974 discussion with Dr. Jimmy Nations.

Dr. Shoenberg commented that the members of the committee were representatives of particular organizations which had points of view. He wondered what they saw as their roles as members of the committee and whether they represented the points of view of their organization or tried to evaluate the material on the basis of the guidelines. He asked how they separated their own particular point of view and the views of the organizations they represented. Dr. Fairfax stated that she came to the committee with one objective which was the welfare of the youth of Montgomery County. Mrs. Praisner did not question that they had the welfare of the children in mind, but she asked how they evaluated the materials. Mrs. Stabler replied that there were representatives whose organizations did not have a particular point of view. She felt that they had balances on the committee from the points of view of organizations such as the Knights of Columbus and the Commission for Women. She felt that all of them had benefitted from discussions, and some of their decisions were changed because of these different points of view when the sharing had been honest and open.

Ms. Ruddy commented that when she reviewed materials she brought her particular educational background with her and tried to conform to the guidelines of the committee. Dr. Ronald Greger stated that the Montgomery County Medical Society did not take a stand one way or the other. However, the functioning of the committee had become bogged down by the anti-abortion side. He felt that the committee should have a give and take as opposed to a crusade for a particular point of view. Mr. Chris Misner reported that originally the committee had had a more friendly atmosphere, now it had become a soapbox for a particular point of view. They had had long debates on minute details, and the backlog of materials was growing.

Mr. Lawrence Levin stated that in the past when there was disagreement it was discussed and worked out in a democratic fashion. People went along with the committee majority. Now the discussion was rehashed. Mrs. Claire Rupert added that because of this there was a lack of materials in the schools for teaching these courses.

Mrs. Wells said that when she first joined the committee she was given the state bylaw and criteria. She was working along the guidelines given to her and measuring what she saw according to these guidelines as to whether the material violated the guidelines. After this, she brought her moral perspective. In regard to the backlog, she said that three meetings of the committee had been cancelled because staff had not performed their job of reviewing materials.

The superintendent stated that the Board and committee ought to consider ways of clearing up the backlog. If the committee's progress was impeded by strong points of view, the Board needed to know this. He was looking for an orderly process for everyone to express their opinion and for the committee to make progress.

Mrs. Judy Fialco stated that she had read about the committee in the newspapers before she became a member. She thought they needed guidelines from the Board if a meeting could be totally disrupted because someone was upset by the information that teenagers were sexually active.

Dr. Cronin asked whether the materials were now backlogged. Ms. Ruddy replied that the committee was now bogged down and ineffective. She felt that their hands were tied because of the bylaws. They had to conform to the state bylaw and MCPS guidelines and had written their own operating procedures. Some members of the committee could use the bylaws to tie up the time of the committee to assure that no educational materials could get through. She felt that they did not need more guidelines. They needed to review the materials and take a vote. She would like to have the materials presented to the committee, review them, and then take a vote. She felt that materials could be reviewed without belaboring sentences in the materials.

Mrs. Wells commented that two meetings had been cancelled during the past year because there were no materials for the committee to review. She said that the backlog was with Dr. Martin and her staff. Mr. Ewing asked Dr. Martin to review the procedure. Dr. Lois Martin, associate superintendent, explained that all materials were reviewed for units in the family life and human development program. After a staff committee reviewed the materials, they were sent to her for review and comment. This year there had been a heavy workload for staff because it was a reevaluation year. They had found many materials to be out of date and, therefore, most of the year had gone into reevaluation rather than approval of new materials. They were now searching for materials on sexually transmitted diseases. She said that in several cases she had not recommended films because they contained information on contraceptives which was removed by the Board from the eighth grade curriculum. She noted that in the past the materials had gone directly from the staff to the citizens' committee. She pointed out that she was required by Board action to review these materials and the review did take a substantial amount of time.

Ms. Ruddy reported that the Board requirement that at least six members of the committee review a film had not been much of a program. They would show the film, people would write their evaluations, a brief discussion would be held, and then the committee would vote. The results would then determine whether a film was approved or not. She would send a letter to the superintendent indicating which materials had been approved. However, with printed materials there were problems getting copies. If they did not have six copies, it slowed down the process. This year they had not reviewed any books other than pamphlets on toxic shock.

In regard to the approval process, Mr. Ewing asked whether there was or was not a feeling they had to keep on discussing until all reached agreement. He asked whether there was a sense that a unanimous vote would be rare. Dr. Fairfax replied that she did not remember revoting on materials. Mr. Ewing gathered that a split vote would become part of the record of the minutes. Mrs. Ruddy commented that at their last meeting they were unable to get through their agenda because they spent so much time rehashing the guidelines and debating about the rules.

Dr. Cronin asked whether the staff reviewed materials according to state guidelines and MCPS procedures. In other words, was there a duplication of effort on the part of the committee. Dr. Martin replied that there was, but she did not know how that could be avoided. It seemed to Mr. Ewing that the state guidelines were fairly clear; however, how one applied the guidelines would vary depending on one's point of view. Mrs. Stabler commented that the committee was required to review the materials to meet state guidelines; however, as a former teacher she would like to know where the materials fit into the curriculum. Dr. Martin described the procedure for review of instructional materials, and the superintendent stated that in this one area, family life, the involvement of the committee was an additional requirement under the state bylaw. The reason for this was the sensitivity of the topics. Miss Mary Laymon asked whether the committee still had to go over the materials for compliance with the state bylaw if the staff was already doing this. Mr. Ewing explained they were asking the committee to look at the materials and give views as to whether the material should be used in the classroom. Miss Laymon asked whether it was their opinion or according to state bylaw. Mr. Ewing replied that they were asking the committee to look at the materials. It was not assumed that the committee would be experts in the bylaw. It was assumed the committee would have a diverse point of view and provide the Board with their best judgment.

Mrs. Sue Burrage explained that the state bylaw was being used as a roadblock. For example, they had no definition of what was considered erotic. The superintendent said the state superintendent had responded that the local school community was better able to decide this issue which was consistent with the Supreme Court decision. He felt that diversity was valid, and they had to expect differences in opinion. They needed a balance between broad representative viewpoints and a committee able to perform its function.

Dr. Greger felt that they were a side track of a railroad track repeating what had been done professionally. He wondered whether they were accomplishing anything. Mr. Ewing stated that it was extremely important for them to have a committee and have an effective committee. By that, he did not mean a unani- mous committee. Dr. Greger thought that it was important for the committee to feel that their input was needed.

Miss Laymon thought the committee was bogged down by the regulations and going over what the staff had already done. She suggested that if this could be eliminated from their procedures they could go on and give their personal viewpoints. Mrs. Marilyn Leist remarked that the guideline was subject to the interpretation of the citizens and, therefore, they had never had consensus over their guidelines. She said their only objective was to represent the community and vote on the materials. By voting they were performing their function, and they could not do that if they went on discussing the guidelines ad infinitum. Dr. Greger suggesting what they needed was for the staff to say they had reviewed the material for legalities and to ask the committee for its opinion. Ms. Ruddy added that this was how the committee used to function.

Mrs. Wells felt that the so-called bog-down was seriously exaggerated. She agreed that adopting their guidelines did take time; however, last spring their procedures were sloppy. She said that the committee should not think of going back to a one-person review, and she pointed out that only one book had been assigned to the committee this year.

Mrs. Praisner asked what the committee wanted from the Board in the way of guidelines. Mrs. Stabler replied that they should ask the committee and the professionals to make a recommendation so they could review materials. She would like the Board to deal with what a junior high school curriculum in sex education should be. If these two issues were resolved, the committee could go on with its work. Mrs. Fialco suggested that the Board review its policy on contraception because they had reviewed a film about venereal disease which could not be used because it contained information about contraception. Mr. Ewing assured the committee that the Board would be reviewing this issue.

Dr. Shoenberg remarked that in reality the committee was there to represent the standards of the community and not to make the kind of judgment that staff members could make. Therefore, they should try to get people on the committee who represented various points of view. They had to consider the question of what the members represented when they sat on the committee and the sense in which they represented the views of the organizations they represented.

The sensitivities of the different factions were going to be heard in the discussions of the committee. He did not believe it was the prerogative of any committee member to enforce a doctrinaire point of point on the committee. If they had members doing that and using the bylaws for their own purpose, he believed they were abusing their position on the committee. He felt that issues considered by the committee should be treated in an as objective and unbiased way as possible. He did not think it was appropriate for people to use whatever means were at their disposal to insist on a particular point of view.

Mr. Ewing asked whether there were any more suggestions from the committee. He said that it was obvious that individual members would make their own judgments. It was important to figure out ways the committee could be fair to all of its members and still able to function. Dr. Cronin pointed out that there were disagreements on the Board about some of the films they had viewed. He praised the efforts of the chairman of the family life committee and suggested that the Board had to take control of the situation so that the committee could move on. Dr. Shoenberg suggested that the Board might review the composition of the committee and consider whether they had the best organizations representing various points of view.

Mrs. Peyser hoped that the committee would continue to take its time and be deliberative in its analysis of the materials. She said the committee was serving the community which was very diverse. She asked that the committee be sensitive to the ways in which people viewed this subject. She did not understand why they were in such a rush and why so many films were needed. She commented that they were running a school system and not a film festival. She hoped that the committee would analyze the materials and keep the state bylaws in mind.

The superintendent appreciated the work the committee had done in this sensitive area. He complimented the staff for their highly professional work and hoped that they would continue to use their best judgment. Mrs. Stephanie Karsten explained that she was new to the committee. It seemed to her that it would be helpful if the Board made some hard decisions on the kind of subjective criteria they expected the committee to use. She felt that disagreement on these issues was to be expected and encouraged, but they did need some kind of guidance. Mrs. Stabler commented that there was a value in having visual aids because parents had the right to study the materials. With visual aids, parents would come in and review them. She would hate to see the county use just teachers.

Miss Laymon asked that the Board clarify how the committee should approach the issue of abortion. Mr. Ewing agreed that the Board would address this. Dr. Cronin suggested that the committee needed more representation by gender because there were only seven men in a membership of almost 30.

Mr. Ewing said he was struck by the comment about instructional materials fitting the curriculum. He said that as a former teacher he used materials because they raised important points for students, and it was important to expose students to ideas even if one had strong disagreements about those ideas. He thought that the Board might want to discuss the context in which the instructional materials were used. He also said they had to consider the committee's views of the program as a whole. He suggested that at the next business meeting the Board discuss this issue and give the committee some guidance.

Mrs. Wells stated that she would like to discuss a particular film approved for fifth grade. Mrs. Praisner suggested that if she had a problem with a film reviewed and approved by the committee there were procedures to register that objection.

Mr. Ewing thanked the committee for taking time to meet with the Board and expressed the appreciation of the Board for the work of the committee and the work of staff. He assured them that the Board would come to grips with these issues.

Re: Adjournment

The president adjourned the meeting at 9:55 p.m.

President

Secretary

EA:mlw