



WHEREAS, The project architect, SHWC, Inc., by letter dated August 6, 1986, recommended that this request for reduction in retainage be approved; now therefore be it

RESOLVED, That the contract's specified 10 percent retainage withheld from periodic construction contract payments to Jesse Dustin & Son, Inc., general contractor for the Clopper Mill Elementary School, currently amounting to 10 percent of the contractor's request for payment to date, now be reduced to 5 percent conditional upon substantial completion and occupancy by the owner on or before September 2, 1986, with remaining 5 percent to become due and payable after formal acceptance of the completed project and total completion of all remaining contract requirements.

RESOLUTION NO. 462-86 Re: ARCHITECTURAL FEE REVISION - NEW  
HAMPSHIRE ESTATES ELEMENTARY SCHOOL  
(AREA 1)

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

WHEREAS, On July 21 the Board approved a recommendation to revise the building design for the New Hampshire Estates Elementary School project; and

WHEREAS, Staff has negotiated a revision to the architects' original fee to provide the services required to revise the building design; now therefore be it

RESOLVED, That the Montgomery County Board of Education approve an increase of the architects' original fee in the amount of \$125,000 to Abrash, Eddy & Eckhardt Architects, Inc., to provide required design services for the New Hampshire Estates Elementary School project.

RESOLUTION NO. 463-86 Re: REDUCTION OF RETAINAGE - TWINBROOK  
ELEMENTARY SCHOOL 206-09 (Area 2)

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

WHEREAS, Hess Construction Co., Inc., general contractor for the Twinbrook Elementary School, has completed 91 percent of all specified requirements as of July 31, 1986, and has requested that the 10 percent retainage amount, which is based on the completed work to date, be reduced to 5 percent retainage; and

WHEREAS, The project architect, Arley J. Koran, Inc., by letter dated August 2, 1986, recommended that this request for reduction in retainage be approved; now therefore be it

RESOLVED, That the contract's specified 10 percent retainage withheld from periodic construction contract payments to Hess Construction

Co., Inc., general contractor for the Twinbrook Elementary School, currently amounting to 10 percent of the contractor's request for payment to date, now be reduced to 5 percent conditional upon substantial completion and occupancy by the owner on or before September 2, 1986, with remaining 5 percent to become due and payable after formal acceptance of the completed project and total completion of all remaining contract requirements.

RESOLUTION NO. 464-86 RE: ARCHITECTURAL APPOINTMENT - AREA 3  
ADMINISTRATIVE OFFICE BUILDING

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

WHEREAS, It is necessary to appoint an architect to provide required design services and administration of the construction contract for the Area 3 Administrative Office Building; and

WHEREAS, Funds were approved in the FY 1987 Capital Budget for this project; and

WHEREAS, The architectural/engineer selection procedures approved by the Board of Education on May 13, 1986, were employed in this architectural appointment; now therefore be it

RESOLVED, That the Montgomery County Board of Education enter into a contractual agreement with James Soyejima Associates, P.C., to provide required design services and construction supervision for a fee of \$66,000.00 for the Area 3 Administrative Office Building to be located at an unused portion of the Longview School site.

RESOLUTION NO. 465-86 Re: ROSEMARY HILLS ELEMENTARY SCHOOL -  
ADDITION/MODERNIZATION (AREA 2) 794-85

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

BIDDER	BASE BID	ADD ALT. 1	ADD ALT. 2	ADD ALT. 3	TOTAL*
1. Fitts Construct. Company, Inc.	\$3,705,000	\$160,000	\$160,000	\$93,000	\$4,117,000
2. The Gassman Corporation	3,887,000	150,000	150,000	60,000	4,247,000*
3. The Merit Corp.	3,988,000	167,000	167,000	59,000	4,381,000
4. Kimmel & Kimmel, Inc.	4,162,000	139,000	139,000	60,000	4,500,000

\*Indicates acceptance of base bid and Add Alternates 1 through 3.

Description of alternates:

Add Alternate #1: New construction of a prefabricated building addition for two classrooms.

Add Alternate #2: New construction of a prefabricated building addition for two classrooms.

Add Alternate #3: Expansion of existing parking lot.

and

WHEREAS, On June 23, the Board voted to offer the construction contract for Rosemary Hills Elementary School Addition/Modernization to Fitts Construction Co., Inc. contingent upon its furnishing, within seven calendar days of the Board's action, a letter of intent from a State of Maryland certified surety or financial institution with a Triple A (AAA) rating to provide bonding or an appropriate security for the construction phase of the Rosemary Hills project;

and

WHEREAS, The Board further resolved, as part of the June 23 vote, to reject the bid submitted by Fitts Construction Co., Inc., if it failed to furnish the above letter of intent or appropriate form of construction security; and

WHEREAS, Fitts Construction Co., Inc., was notified of the Board's action by registered mail on June 25, and after several extensions of the submittal date failed to provide the appropriate construction security by close of business on August 21, 1986; and

WHEREAS, The Gassman Corporation's bid is in compliance with the specifications and the firm has successfully completed similar projects in the metropolitan area; and

WHEREAS, Additional funds are required in the amount of \$498,117 to effect award; now therefore be it

RESOLVED, That the bid submitted by Fitts Construction Co., Inc., be rejected for failure to furnish the appropriate form of construction security; and be it further

RESOLVED, That a contract for \$4,247,000, which constitutes acceptance of the base bid and Add Alternates 1 through 3 inclusive be awarded to The Gassman Corporation, contingent upon approval by the Montgomery County Council of a FY 1987 Capital Budget emergency supplemental appropriation in the amount of \$498,117, in accordance with plans and specifications entitled, "Additions and Renovation Rosemary Hills Elementary School," dated May 27, 1986, prepared by Garrison-Babarsky Associates, Architects; and be it further

RESOLVED, That the county executive be requested to recommend approval of this emergency appropriation to the County Council.

RESOLUTION NO. 466-86 Re: FY 1986 OPERATING BUDGET APPROPRIATION  
RECOMMENDED CATEGORICAL TRANSFER

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

WHEREAS, Category 1 Administration is reflecting a deficit as of June 30, 1986, primarily due to an increase in legal services expenditures above the budgeted amount; and

WHEREAS, Category 2 Instructional Salaries is reflecting a deficit as of June 30, 1986, primarily due to the arbitrator's award to pay driver education on-the-road trainers the difference between \$8.00 per hour and their daily rate of pay for work in 1982 and 1983, expenditures in the minigrant program for other salaries which are covered by funds budgeted for minigrants in Category 3 Instructional Other, and a higher than anticipated annual and sick leave payoff;

and

WHEREAS, Category 4 Special Education is reflecting a deficit as of June 30, 1986, due to the expenditure of other salaries above the amount which was budgeted for temporary part-time speech pathologists, occupational/physical therapists, and interpreters; and

WHEREAS, Category 7 Student Transportation is reflecting a deficit as of June 30, 1986, due to an increase in substitute and overtime salaries above the budgeted amount, and higher than anticipated costs for the transportation of handicapped children and the maintenance of buses; and

WHEREAS, Category 9 Maintenance of Plant is reflecting a deficit as of June 30, 1986, due to unanticipated needs of several schools and higher than anticipated costs for vehicle operation and maintenance;

and

WHEREAS, The required funds are available from Category 3 Instructional Other, Category 5 Student Personnel Services, Category 6 Health Services, Category 8 Operation of Plant, Category 10 Fixed Charges, and Category 11 Food Services; now therefore be it

RESOLVED, That the superintendent be authorized, subject to the approval of the County Council, to effect the following transfer:

CATEGORY	DESCRIPTION	TO	FROM
1	Administration	\$ 356,500	\$
2	Instructional Salaries	681,750	

3	Instructional Other		368,050
4	Special Education	155,700	
5	Student Personnel Services		6,300
6	Health Services		5,500
7	Student Transportation	564,000	
8	Operation of Plant		841,000
9	Maintenance of Plant	129,300	
10	Fixed Charges		661,400
11	Food Services		5,000
	Total	<u>\$1,887,250</u>	<u>\$1,887,250</u>

and be it further

RESOLVED, That the county executive and the County Council be given a copy of this resolution and that the county executive be requested to recommend approval of this action to the County Council.

RESOLUTION NO. 467-86 Re: BOND CLAIM FOR BRYAN EMBEZZLEMENT  
GRANITE STATE INSURANCE COMPANY

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

WHEREAS, The Board of Education requested its counsel to pursue the recovery of school system assets that have been diverted through the fraudulent actions of an MCPS employee; and

WHEREAS, After an appropriate criminal investigation by the State Attorney's Office and the cooperation of Board counsel, most of the assets were recovered; and

WHEREAS, Montgomery County Public Schools made a claim against two Public Employee Blanket Bonds issued by the Granite State Insurance Company covering the fraudulent or dishonest acts or misappropriations of funds by Stevenson Bryan; and

WHEREAS, Montgomery County Public Schools has been requested to execute a release in settlement of its claim against the insurance carrier insuring the losses caused by Mr. Bryan's actions; now therefore be it

RESOLVED, That the Board of Education hereby approve the settlement of its claim against the Granite State Insurance Company in the amount of \$100,000.00; and be it further

RESOLVED, That the Board authorize the president of the Board of Education to execute the necessary release in order to effectuate final settlement of this claim.

Re: BOARD/PRESS/VISITOR CONFERENCE

The following individuals appeared before the members of the Board:

1. Melvin Laney, a candidate for the Board of Education
2. Robert Hopkins, a candidate for the Board of Education
3. Andrew M. Nelson, Clopper Mill Elementary School PTA
4. Lynn Fox, Clopper Mill Elementary School PTA
5. Carol Fanconi
6. Mr. Julius Singleton, Fitts Construction Co. (Spoke prior to action on consent item 2.2.4)

RESOLUTION NO. 468-86 Re: PERSONNEL TRANSFER AND APPOINTMENTS

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

RESOLVED, That the following personnel transfer and appointments be approved:

TRANSFER	FROM	TO
Arthur P. Kulick	Assistant Principal Germantown ES	Assistant Principal Woodfield ES Effective 8-26-86
APPOINTMENT	PRESENT POSITION	AS
David N. Thomas	Supt. of Schools Santa Barbara Schools Santa Barbara, CA	Assoc. Supt. for Supportive Services Effective 10-1-86 or sooner if possible
Sandra Lebowitz	Teacher Specialist Div. of Speech/Lang. Dept. of Special Ed. and Related Services	Supervisor of Speech Language Dept. of Special Ed. and Related Services Grade 0 Effective 8-26-86
Alan L. Stein	Acting Asst. Principal Lake Seneca ES	Principal Kensington-Parkwood ES Effective 8-26-86
Fred Greene	Acting Asst. Principal Oakland Terrace ES	Assistant Principal Sligo Middle School Effective 8-26-86

Re: 1986 COMMUNITY SURVEY OF ATTITUDES  
TOWARD EDUCATION

Dr. Cody explained that since 1979 the school system had conducted a survey periodically of what parents of MCPS students and citizens of the county thought about the school system. He reported that in the 1986 survey the results were very good: 64% of the county-wide sample had given the school system an A, B or C grade, and within that 64% the number of just MCPS parents who gave the school system

an A was 30%. He noted that seven of ten parents and six of ten citizens rated achievement of minority students as successful, there was strong interest shown for after-school programs for children with special needs to participate in enrichment programs, and eight out of ten parents favored higher salaries for teachers.

Mrs. Praisner agreed the results were very good indeed, and she thought the Board should congratulate staff members for their successful role in having that kind of response. She thanked the Department of Information for again providing the survey.

Dr. Floyd pointed out that 50% of the people who responded to the question regarding their source of information about the schools said they got it from newspapers, so he believed the reporters must be printing good information.

Re: AREA 3 TASK FORCE RECOMMENDATIONS  
REGARDING SPECIAL PROGRAMS

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

WHEREAS, The Area 3 Task Force identified potential special program areas and completed a survey, with technical assistance from the Department of Educational Accountability, to determine parental interest in those special programs; and

WHEREAS, The task force survey indicates the greatest parental support is for a special high school math/science/computer science program; now therefore be it

RESOLVED, That the Board of Education authorize the superintendent of schools to appoint a staff work group to proceed to develop a plan and a report concerning a special math/science/computer science program in the up-county area in accordance with the nine issues described above; and be it further

RESOLVED, That the superintendent of schools present the report and his recommendations to the Board of Education in April, 1987, so the Board can decide whether to proceed with the detailed planning and implementation of the special program.

The Board agreed to make the following changes in the first Resolved:

Change the words "nine issues described above" to "nine issues in the paper of August 25, 1986."

Add the words "and a representative community advisory group" after the words "staff work group."

Mrs. Praisner made the following statement for the record:

"I'm going to support the superintendent's recommendation tonight because we've had a lot of discussion about that, a lot of input from individuals, without any basis of really understanding what might be involved or what the impact would be, and we really need to have that

kind of information in front of us in order to make the final determination. I think the superintendent's paper speaks to the Board's responsibilities and the superintendent's responsibilities both at the county-wide level and the responsibilities to the magnet concepts that we have put in place. At the same time it addresses the issues and concerns raised by the Area 3 Task Force. With the kind of planning that's involved in this paper, it seems to me we will be able to address the issues that we need to as far as the comprehensive high school and the impact on the sending and receiving schools, etc., and with the inclusion of a representative community advisory committee we'll have an opportunity for the citizens of the county to look at this as an option and also to look at what the implications that these programs might have on all high schools. I think that those are important questions for us to look at in the future for our high schools, so I will support this proposal because it has the kind of careful planning in it that we need before we make the final decision."

RESOLUTION NO. 469-86 Re: AREA 3 TASK FORCE RECOMMENDATIONS  
REGARDING SPECIAL PROGRAMS

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

WHEREAS, The Area 3 Task Force identified potential special program areas and completed a survey, with technical assistance from the Department of Educational Accountability, to determine parental interest in those special programs; and

WHEREAS, The task force survey indicates the greatest parental support is for a special high school math/science/computer science program; now therefore be it

RESOLVED, That the Board of Education authorize the superintendent of schools to appoint a staff work group and a representative community advisory committee to proceed to develop a plan and a report concerning a special math/science/computer science program in the up-county area in accordance with the nine issues described in the paper of August 25, 1986; and be it further

RESOLVED, That the superintendent of schools present the report and his recommendations to the Board of Education in April, 1987, so the Board can decide whether to proceed with the detailed planning and implementation of the special program.

Re: CONTINUATION OF DISCUSSION WITH MCEA

Mr. Mark Simon, president of the Montgomery County Education Association, introduced Dr. Bonita Connoley, president of TEMPCO; Mr. Charles Barkley, MCEA board of directors and also active in the math resource teachers' organization; Mr. David Kahn, MCEA board of directors and active in the social studies resource teachers' organization; Mrs. Jane Stern, past president and MCEA board of directors; Ms. Karen Craney, MCEA board of directors; Mr. Jim

Politis, MCEA board of directors; Ms. Sue Richardson, MCEA board of directors; and Ms. Angie Goffredo, MCEA board of directors.

Mr. Simon noted that there had been comments, when MCEA wrote their recommendations on language additions to the superintendent's proposed policy change on return of tests, that MCEA represented a vocal minority among teachers, and that was not true. He had met with each of the resource teacher groups and all of those groups had sent letters to the Board which concurred with the MCEA recommended language and gave additional argumentation why that language made sense and why the proposed policy did not. He stated that teachers were not opposed to returning tests or returning graded work and that most teachers virtually all of the time returned graded work and returned tests as expeditiously as possible and they would find continuing the current policy acceptable. MCEA had proposed some changes they would like to see added to the policy--specifically their Section 2.C which stated that communication between teachers and parents was very important and that teachers should provide parents with materials that would help them to work with their children and that tests and quizzes might very well be part of those materials.

Dr. Cronin asked whether MCEA meant review in school or review at home. Mr. Simon responded that the crux of their position was that there had to be some discretion on the part of the individual teacher as to what was appropriate at any given time, and if that was taken away teaching was no longer a profession. He believed that MCEA's language would not require teachers to give back automatically all test questions and all quiz questions to be taken home to be retained on a permanent basis to all students. Dr. Cronin asked if the materials could be taken home and returned. Mr. Simon responded they could because the interpretation would be that there had to be discussion between the teacher and the parent as to what would be appropriate, and with a particular set of test questions it might be appropriate to take those questions home, but with another set of test questions it might be appropriate to review the test with students in class or to invite a parent to come in to have access to the materials but not take everything home. He thought that for the Board to say that the same kinds of behavior had to happen with all tests and all quizzes at all times was overstepping the bounds of what he believed the Board had done.

Mrs. DiFonzo asked for an example of the kind of test where it would be appropriate for the questions to be taken home and an example of another one where it would not be appropriate. She asked what would make the difference. Mr. Kahn responded that in social studies he might give an exam on the English Bill of Rights where he might find it appropriate for the student to take that particular set of test questions home, but the unit exam on 17th century Britain which would include questions on the Bill of Rights he might not find appropriate for all students to take home. He wasn't sure he could quantify the distinction in all cases when he would and would not, but teachers felt what was necessary for the best education of every student was for there to be some discretion on the part of the professional in

the classroom as to what happened to a particular document. He added that teachers absolutely believed that tests must be gone over with students because after examination came remediation, and any teacher who did not go over an exam or quiz was being less than professional.

Mrs. Slye agreed with Mr. Simon that if the Board adopted such a policy it might become too prescriptive and might end up forcing a methods change in teaching practice inadvertently, but she had a concern about how a term paper would be treated under the MCEA-proposed language. Dr. Connoley said that at Whitman in the term paper process there were many points along the way at which work was due and students were given some kind of grade, so they didn't have a situation where the paper went in and there was only one grade. She added that there were points along the way where grades were given and conferences held about what needed to be corrected and there was time before the first draft and the final draft for all kinds of changes to be made in that paper to improve the quality of the student's work. Mrs. Slye noted that frequently that paper came home and it had an overall mark for content, an overall mark for style, an overall mark for mechanics, and then it had component marks that had been developed over time where the student had an opportunity to self-correct as he went along, but she thought that what the Board was hearing was that parents felt a need to be able to try to offer assistance or be part of the process on major efforts such as term papers. Dr. Connoley stated that papers were all returned to students and the term paper was also returned to the student. At the end of the semester at Whitman they had students go through their folders and they took most of their papers home. They were asked to leave a sample of their work in their folder to pass on to the second semester teacher but at the end of the year all of the work was to go home.

Mr. Simon pointed out they were talking about two issues. One was student-created work and whether students got their work back or whether it stayed in the school, and the issue MCEA was raising was that teachers plan a course and develop tests and quizzes as part of that and they did not want the Board to require teachers to give teacher-developed materials out to students on a wholesale basis. MCEA had no disagreement on the return of student-created work.

Mr. Ewing was baffled about the matter of the citation of teaching as a profession, meaning that teachers had discretion as to what to return. He had no doubt about teaching being a profession, and yet using that term raised for him some interesting points because when one thought about professions, the things that came to mind besides teaching were law and medicine and in law and medicine there were boards which established standards of ethical conduct, rules and regulations which specified what was permitted and what was not permitted behavior, and the clients of those two professions decided for themselves whether the services given were appropriate or not appropriate and disposed of those people or not as they saw fit. It seemed to him that regarding the point about teaching being a profession was that there was a contract between the professional and the person the professional served, and there were regulations which

were established for the conduct of that profession, and that was part of what being a professional was all about. He noted that teaching was unlike other professions, just as law was unlike other professions, and yet they all shared those characteristics. His view was that among other things the Board was talking about the nature of that contract--what it was that parents had a right to in that contract, what it was that students had a right to, what were the appropriate rules by which all that was to be governed, and under what circumstances did parents exercise their rights and under what circumstances did teachers exercise their discretion. He thought those were very important questions, much larger questions than the return of tests, but they were raised by that set of questions and he didn't think the Board could easily dispose of the return of tests without at least commenting tangentially on the other. His view was that teachers on the whole were very dedicated people in Montgomery County and elsewhere and that they wanted students to learn and that they understood very well the nature of the relationship between a test and what it was designed to do. It seemed to him that a key issue was under what circumstances was that likely most satisfactorily to occur, and one of the things he heard was that there was great unevenness in what occurred--that some teachers and some schools returned some tests and some papers some of the time but not all of the time, that they sometimes went over them in class with students but not always, that they sometimes made them available to parents in varying ways but not always--and it was the unevenness that caused the Board to want to act, as Mr. Ewing thought it must under his description of what a professional relationship was, namely that it was the Board which to some extent set the rules under which the profession was practiced. His conclusion was that the Board needed a clearer set of policies and also better implementation of them--more consistent implementation of them across the board--and the help of teachers in assuring that that would happen, and they needed to make certain that parents had the opportunity to participate in that in ways that were practical and feasible for them. One of the problems the Board had with the current policy was that some teachers and some principals interpreted the current policy as not requiring teachers to do anything at all in the way of returning materials to parents in some kind of practical way. Because most parents cannot make it to school during the workday there must be some other way of getting the materials to parents. Mr. Ewing was not sure that there was as much difference as the heat which the issue had generated would suggest. He believed that in general everyone agreed on the principles involved and that the issue was how to get that done, and his view was that the paper the Board had before it was good.

Dr. Cronin agreed with Mr. Ewing that there were a variety of spotty instances in which the policy was being applied unevenly, and he asked how they could remedy that without coming in with a massive policy change.

Mrs. Praisner found it interesting that no other school district in the area had a policy on return of tests, and she wondered how they were able to achieve those things without policies in place. She

noted that some concerns had been raised about the copyright issue on tests--some tests that were not professional tests and the questions of reproducing them and she did not understand why that was a problem. Mr. Barkley stated that when the policy first came up it talked about teacher-made tests and there were quite a few tests that went along with math books that were developed by the company. As far as giving those out to students in general, he didn't know what the copyright law said about them. Dr. Floyd stated the copyright law said they couldn't be reproduced and sold. Dr. Cronin asked if you could buy one copy of a workbook, reproduce the entire thing, and use it for thirty students and not run afoul of the copyright law. Mr. Barkley said if they were talking about a workbook, no, one couldn't do that, but there were some tests and quizzes that could be used for students.

Mrs. Praisner noted one letter she had received from a teacher who proposed that copies of the tests be made available to take home for a night or two. She thought part of the problem was using the word "return" and returning the tests was not the issue, it was the retention that was the issue and it seemed to her they had to keep focusing on the question of retention. She hoped they did not have any differences of opinion on the issue of returning tests, but she wondered about the tests being available to take home because of the difficulties of having to come to the school raised for some parents. Mr. Simon responded that MCEA's proposal offered language that he thought covered Mrs. Praisner's concern because it said that teachers should routinely return to their students written tests, quizzes, etc. and also said that teachers would make those materials available to parents. It simply said that it would not in either case make those materials available permanently. He didn't know why the Board would want to get any more specific than that. Mrs. Praisner explained that the problem happened when there was a policy and then people started to interpret it in different ways and then you had a teacher saying, "I can't send this home to you. I can't make it available to you as a parent because I don't have to and because I need it for X, Y or Z," and the concern she thought they were hearing around the table was that MCEA wanted to help parents have access to materials, and that in probably 99.9% or maybe 100% of the cases that test would go home.

Mrs. Stern thought the proposed language "disempowered" teachers and that was a tremendous imposition on them. She agreed that a profession should have an ethics board and probably a professional practices board. She hoped that the next time an organized profession in the state sought to get boards of that kind from the state legislature that they would have the support of Mr. Ewing because they had in the past attempted to get that kind of structure in the state and they had been unable to do so. She pointed out that teachers were very often fired in the state when they did not do the job according to the standards. On the return of tests issue, she believed the problem was that it took her four hours to make an objective unit test in her course and then she had to give it back to the students to take home, she had to make a different test for the child who was absent and then she would have to make a brand new test

every year. She had had eighteen different units last year that she taught students and that was four hours per unit test. She did give back the tests, usually the day after, they went over them together, they talked about what was right and wrong and then she collected them so that the security would be intact and so that each year she would just have to revise them slightly and the students would not substitute the memorization of specific items for the absorption of the entire concept that they had to apply to various test items. She was concerned that the concept she was hearing was that the best way to study for the final was to go over the specific test items. Mrs. Praisner pointed out that nobody had said that and that the question had been raised in a letter from a teacher who indicated that if it was the concern that parents do not have access to materials, one way to solve it was to permit parents to receive on request copies of the tests at home. She added that it might not even be permanently but at least have access at home and she was asking for their reaction to that. Mrs. Stern responded that her reaction was that she would be very foolish to send to a parent a test as her advice to what that parent should go over to help that child to do better in my class. She would send a study guide, a syllabus, and numerous copies of practice activities. Mrs. Praisner stated she was only asking as an information item for that parent, not the tools to study for an exam. She agreed with Mrs. Stern 100% and she would probably say she would not want to return the test if students were absent. What Mrs. Praisner was talking about was information to the parent. She asked if Mrs. Stern had any problems with sending that test home. Dr. Cronin explained that the parent probably felt that if the teacher thought something was important enough to test on, then the parent wanted to review it with the student. Mrs. DiFonzo added that would be so particularly if the student had not done well in a particular element of that course.

Mr. Barkley said in answer to Mrs. Praisner's question that he didn't have any problem with that in most cases, but he couldn't say he would not have a problem with it in 100% of the cases and that was the problem with the policy. There had to be some discretion where the teacher could call the parent and somehow work something out if the test couldn't go home, but under the policy there would be no choice for that.

Ms. Craney stated that one teacher she had talked to recently mentioned the same issue, and one of the ways that teacher had dealt with it very successfully was to send the test home in a sealed envelope after calling the parent and telling the parent that that was the method that was going to be utilized. The parent was aware of that, the test came home, and the test was returned to the teacher in a sealed envelope. Mr. Steinberg thought that was an excellent method because he thought students in many cases could not absorb the materials they were tested on or were deficient in in one period and they needed that time. He also believed the tests should be used for future use in exams, such as placement tests for college.

Mr. Kahn thought the issue of compliance was what divided them, and teachers were saying they felt the language they presented at least

gave the basis for some professional discretion and at the same time allowed management its prerogative to force compliance to not only the letter of the policy but the spirit of the policy.

Mr. Politis agreed with Mr. Kahn because he thought they were talking about a problem of administration. If there were teachers who were not returning tests at all, it was up to the principals to see that that happened. He believed they should fine tune and use what they already had.

Mr. Simon thought the answer to Mrs. Praisner's question was that MCEA's proposed language would under normal conditions have tests going home and the burden would be on the individual teacher to justify why materials could not go home overnight.

Dr. Connoley stated that TEMPCO's concerns focused on the students. They felt that the students would be spending more of their time focusing on review questions than on trying to learn the content of the course, taking notes in class, etc. Their other concern was that teachers would have to spend so much time generating test questions that other things would have to slide.

As Dr. Floyd looked at the MCEA proposal and then at the green sheet, he saw one outstanding different feature and that was the part in MCEA's proposal that said all teachers should routinely return tests, etc., to student but should not be required to return them permanently. Dr. Floyd asked if that meant students could see them but not keep them. Mr. Simon responded that it did and that that language had been taken from the original MCPS policy, but they had added the word "routinely" to imply that teachers did that. Dr. Cronin pointed out that the original language read "strongly encourage" rather than "routinely return."

Mrs. DiFonzo's concern was a tendency to overmanage on one hand versus the need to address problems that parents were having and how did the Board not overmanage and still address. She wished they didn't have to have a policy but could work out a way to solve the problem without that.

Dr. Cronin asked if MCEA would like to speak to E2 for a few minutes or come back to that and Mr. Simon replied that they would rather come back to it at another time; that they would like to continue the discussion on a number of items and he hoped there would be an opportunity to do that. Mrs. Praisner asked if the whole issue of honors courses and its impact was on the list and Mr. Simon said it was.

Dr. Shoenberg wanted to raise a question about E2 because the Board's committee was still working on it and he wanted to have some input from MCEA. He had not heard anyone say that there were to be no sanctions for unexcused absences from class or that the current allowable five unexcused absences was going to be extended once again. The issue that he had heard was whether in fact they gave the student a failing grade or some other kind of sanction. The

committee had asked for some statistics and it turned out that there was no appreciable difference between the number of students earning LC when there was an LC policy and the number of students getting an E2 under the E2 policy. It was about the same percentage of students. Given that information, Dr. Shoenberg asked what was the distinction in teachers' minds between an LC and an E2 as far as preventing the kind of truancy they were both trying to get at. Mr. Simon responded that the statistics that the committee needed had to correlate with attendance, not the number of students getting the E2 or the LC. He thought that the concern of teachers, and also parents, was that the current policy was working in that student attendance had improved dramatically with the current policy.

Dr. Shoenberg asked how the E2 policy improved attendance if the same number of students were losing credit for the course. Mr. Simon replied that it was a threat that meant something to students. Dr. Shoenberg noted that the only reason they went from LC to E2 was to pick up the students who deliberately took an LC when they were getting a lower grade than they wanted, and to go back to the LC would just bring that problem back again.

Dr. Pitt wanted to make clear that before LC there were a lot of kids walking around hallways and not going to class, and when they put LC's in, those kids went to class. He stated the E2 was put in to stop some people from manipulating the system and he didn't see that there would be a great change in data between LC and E2, and it was very difficult to give the committee numbers because the kids weren't truant from school always.

Dr. Cronin thanked the teachers and said they would continue the discussion at another time.

Re: DISCUSSION WITH MCCPTA ON RETURN OF  
GRADED MATERIALS POLICY

Mrs. Margaret Hammar, vice president of Montgomery County Council of Parent-Teacher Associations, reported that Mrs. Vicki Rafel, had had surgery that morning and was doing fine. Mrs. Hammar then read the following statement Mrs. Rafel had prepared earlier:

"On August 1st, we sent the following letter to you.

"The Executive Committee of MCCPTA has reviewed the draft of the Return of Tests Policy. We started from the premise that Board of Education policy should express the general objectives which the Board wishes to achieve rather than spelling out a prescription to cover all contingencies. We also looked at the amendments suggested by MCEA.

"The Executive Committee of MCCPTA voted to support the draft policy with the amendments recommended by MCEA. It is our belief that the needs of students, parents, and teachers will be well served if the Return of Tests Policy is cast in this form.'

"That letter is included in your packet for this agenda item.

"The MCCPTA Executive Committee looked at the proposed policy and the proposed MCEA amendments. We reviewed the current policy and the way it has worked. Note that we did not consider the memo from MCEA because we wanted to be able to develop our own rationale for our position on the issue.

"Please understand that the stated purpose of the proposed policy was central to our discussion. 'The purpose of this policy is to provide an opportunity for students to improve academically by learning of their progress of tests and papers and parents to review student progress.' Parents feel that these two points are crucial. The weakness of the current policy may be that the purpose is not as clearly defined in it.

"Our discussion included specific instances where students and parents have had problems with access to tests and papers. It was the sense of the group that the administrative regulations will have to be very carefully crafted to assure timely return and review by students and parents.

"There are evidently some people who have interpreted our letter as saying that we oppose the proposed policy because we can also support the MCEA amendments. Their interpretation of that position is not accurate. We did not see the two as mutually exclusive. Permanent retention in contrast to temporary retention was not as important to us as the need to empower teachers to use their professional judgment according to the circumstances.

"Local PTAs do not meet regularly in the summer. The MCCPTA Executive Committee is authorized by our by-laws to express our views in situations like this."

Dr. Floyd assumed the chair.

Re: POLICY ON RETURN OF GRADED  
MATERIALS

RESOLVED, That the Board of Education adopt the following policy on Return of Graded Work, K-12:

I. PURPOSE

The purpose of this policy is to provide an opportunity for

~ students to improve academically by learning of their progress of tests and papers

~ parents to review student progress

II. PROCESS AND CONTENT

A. All teachers shall return to their students

teacher-developed written tests, quizzes, papers, and reports with the exception of final exams. When the tests are computer-scored, copies of the questions will also be returned. Students will be permitted to retain these tests and papers permanently.

- B. The results of final exams shall be reviewed in class or available for review by students (when class review is not possible) but will be retained by staff for purposes of security and construction of new exams.
- C. At the beginning of each school year, the superintendent shall direct principals to inform staff, parents and students of this policy and its application.

III. The superintendent will report on the implementation of this policy as requested by the Board of Education.

Re: A SUBSTITUTE MOTION ON THE POLICY ON  
RETURN OF GRADED MATERIALS

Dr. Cronin moved and Dr. Shoenberg seconded the following:

RESOLVED, That the following changes be made in the Policy on Return of Graded Materials:

1. Add a section C. to the purpose of the policy which shall read, "teachers to preserve the integrity and usefulness of the instruments they develop for assessing student progress."
2. The following language will substitute for section II, A and B:
  - A. All teachers shall routinely return to their students written tests, quizzes, papers, and reports for the purpose of reviewing student achievement and progress. This shall not be construed so as to require teachers to return all quizzes and tests permanently, and does not apply to final exams. When the tests are computer-scored or have an answer sheet separate from the test questions, students shall have an opportunity to review their answers with the test questions in hand.
  - B. The results of final exams will be available for review by students upon request, and will be reviewed in class wherever practicable.
  - C. Upon request by individual parents, teachers will make available to the parent tests and quizzes given during the course of the semester so that parents can review student progress and work with their son or daughter to improve academic achievement. This shall not be construed so as to require teachers to provide parents with copies of tests or quizzes that they may keep permanently.

3. Section C becomes D and Section D becomes E.

RESOLUTION NO. 470-86 Re: POSTPONEMENT OF POLICY ON RETURN OF  
GRADED MATERIALS

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

RESOLVED, That the Board of Education postpone the item on Policy on Return of Graded Materials until the September 22, 1986 Board meeting to permit the superintendent to propose some refined statement of purpose and to obtain comment as well from MCEA, MCCPTA and other members of the public.

Dr. Cronin assumed the chair.

Re: BOARD MEMBER COMMENTS

1. Mrs. DiFonzo requested a synopsis of the Bryan embezzlement funds restitution/settlement and where the Board stood on that issue in terms of property, coins, cars, etc.

2. Mrs. Praisner mentioned the issue of health room aides which had come up in the Board/Press/Visitor Conference and noted that she had also received a letter from Rock Terrace High School on that same subject. She requested information regarding County Council budget reductions for those aides and whether the superintendent had some plan for addressing those reductions.

3. Mrs. Praisner questioned whether the Board had to take some vote or comment on the Commission on the Future of Montgomery County, but it was pointed out that the County Council won't take action on their resolution until September 16.

4. Dr. Shoenberg stated that any commission that deals with the future of the county has to deal with schools, and he had written to Mr. Fosler to indicate that there should be some school system involvement on the Commission.

RESOLUTION NO. 471-86 Re: EXECUTIVE SESSION - SEPTEMBER 10, 1986

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Mrs. DiFonzo, the following motion was adopted unanimously:

WHEREAS, The Board of Education of Montgomery County is authorized by Section 10-508, State Government Article of the ANNOTATED CODE OF MARYLAND to conduct certain of its meetings in executive closed session; now therefore be it

RESOLVED, That the Board of Education of Montgomery County hereby conduct its meeting in executive closed session beginning on September 10, 1986, at 9 a.m. to discuss, consider, deliberate,

and/or otherwise decide the employment, assignment, appointment, promotion, demotion, compensation, discipline, removal, or resignation of employees, appointees, or officials over whom it has jurisdiction, or any other personnel matter affecting one or more particular individuals and to comply with a specific constitutional, statutory or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter as permitted under the State Government Article, Section 10-508; and that such meeting shall continue in executive closed session until the completion of business; and be it further

RESOLVED, That such meeting continue in executive closed session at noon to discuss the matters listed above as permitted under Article 76A, Section 11(a) and that such meeting shall continue in executive closed session until the completion of business.

RESOLUTION NO. 472-86 Re: MINUTES OF JUNE 2, 1986

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

RESOLVED, That the minutes of June 2, 1986, be approved.

RESOLUTION NO. 473-86 Re: MINUTES OF JULY 1, 1986

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

RESOLVED, That the minutes of July 1, 1986, be approved.

RESOLUTION NO. 474-86 Re: MINUTES OF JULY 9, 1986

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

RESOLVED, That the minutes of July 9, 1986, be approved.

Re: PROPOSED RESOLUTION ON HIGH SCHOOL PROGRAMS

On August 12, 1986, Dr. Shoenberg moved and Mr. Ewing seconded the following:

WHEREAS, Montgomery County Public Schools seek continuously for ways to improve educational practices; and

WHEREAS, The Board of Education and superintendent of schools two years ago sponsored a workshop on the high school which identified a variety of needed reforms; and

WHEREAS, The Essential Schools movement, based on the ideas of

Theodore Sizer, offers a trenchant critique of high schools, a richly suggestive statement of principles, and many practical ideas for carrying out those reforms; and

WHEREAS, The MCCPTA has taken an active interest in promoting these principles and ideas; now therefore be it

RESOLVED, That the Board of Education encourages the development of programs in the spirit of or aligned with the Coalition of Essential Schools; and be it further

RESOLVED, The Board will give its support to any school staff and community interested in establishing such a program; and be it further

RESOLVED, That the Board urges the superintendent to seek out situations that will lend themselves to the development of such programs and provide the staff support necessary for interested groups to mature their plans.

Dr. Shoenberg, as the maker of the motion, deleted the second Resolved.

RESOLUTION NO. 475-86 Re: HIGH SCHOOL PROGRAMS

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

WHEREAS, Montgomery County Public Schools seek continuously for ways to improve educational practices; and

WHEREAS, The Board of Education and superintendent of schools two years ago sponsored a workshop on the high school which identified a variety of needed reforms; and

WHEREAS, The Essential Schools movement, based on the ideas of Theodore Sizer, offers a trenchant critique of high schools, a richly suggestive statement of principles, and many practical ideas for carrying out those reforms; and

WHEREAS, The MCCPTA has taken an active interest in promoting these principles and ideas; now therefore be it

RESOLVED, That the Board of Education encourages the development of programs in the spirit of or aligned with the Coalition of Essential Schools; and be it further

RESOLVED, That the Board urges the superintendent to seek out situations that will lend themselves to the development of such programs and provide the staff support necessary for interested groups to mature their plans.

RESOLUTION NO. 476-86 Re: SUBSTANCE ABUSE PREVENTION

On motion of Mr. Ewing seconded by Mrs. Praisner, the following

resolution was adopted unanimously:

RESOLVED, That the Board schedule a discussion in September 1986 of the present status of efforts by MCPS and other governmental and private agencies as appropriate and also what MCPS is doing in cooperation with those other agencies to deal with the problem of substance abuse among school age young people; and be it further

RESOLVED, That efforts involving prevention, education, treatment, control and law enforcement should be reviewed along with available statistical information, resources, groups which are served by programs and other background information which will assist the Board and the public in understanding the present situation and in pursuing any further actions needed to deal with the problems.

RESOLUTION NO. 477-86 Re: BOE APPEAL NO. 1986-13

On motion of Dr. Floyd seconded by Mrs. Praisner, the following resolution was adopted with Mrs. DiFonzo, Mr. Ewing, Mrs. Praisner, Dr. Shoenberg, Mrs. Slye and (Mr. Steinberg) voting in the affirmative; Dr. Cronin abstaining:

RESOLVED, That the Board of Education adopt its decision and order in BOE Appeal No. 1986-13.

RESOLUTION NO. 478-86 Re: BOE APPEAL NO. 1986-18

On motion of Dr. Floyd seconded by Mrs. Praisner, the following resolution was adopted unanimously:

RESOLVED, That the Board of Education affirm the superintendent's decision in BOE Appeal No. 1986-18, with a written decision and order to follow.

RESOLUTION NO. 479-86 Re: NEW BUSINESS

On motion of Mrs. Praisner seconded by Mrs. Slye the following resolution was adopted unanimously:

RESOLVED, That the Board of Education communicate to the County Council its support for the concept of a Commission on the Future of Montgomery County and also its concern for appropriate school system involvement and participation.

Re: ITEMS OF INFORMATION

Board members received the following items of information:

1. Master Calendar of Board Meetings
2. Educational Specifications for Gaithersburg Junior High School
3. Educational Specifications for Luxmanor Elementary

School

RESOLUTION NO. 480-86 Re: ADJOURNMENT

On motion of Mrs. Praisner seconded by Mrs. Slye the following motion was adopted unanimously:

RESOLVED, That the Board of Education adjourn its meeting at midnight.

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President

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Secretary

WSC:msl