

NUMBER: 26-1990  
STATUS: APPROVED  
PLACE: ROCKVILLE, MARYLAND  
DATE: MAY 21, 1990  
TEXT:



the property tax did not have to take such a drastic downturn. I also believe that some of the cuts proposed in the last week were designed to remove all flexibility and to force a renegotiation.

"All of that aside, we have been cut severely in the contracts, in some services, and in improvements. We have very little room to cut in major categories to obtain just the salary increases. Other cuts and categorical shifts require us to go back to the Council for approval. This was the same Council that denied the salaries in the first place. We are faced with only two options --to fully fund or to renegotiate.

"I had promised the leadership in both unions that I would look for the cuts. They are frankly not there unless we can renegotiate. If we do not, we are forced to cut administration severely, also to adversely impact the career of a number of our employees, and give up many classroom improvements. I do not believe that any of these improvements would be given back to us in the future if we cut them in the name of small contract increases. I also am not prepared alone to decide which of you would be those persons whose jobs were cut, who would go to other positions in order that there be a \$300 or \$400 increase for others of us. I think we need to do that together.

"I am not ruling out this evening the possibility of full funding. I look to our negotiations to explore any and every possibility to see if that can be done. At this point we must act together to see if we can find that money. If we allow the floodgates of anger to open, we play into the hands of those persons and especially some newspapers who would despise unions and declare the Board to be irresponsible in giving you those full funding increases. I ask the leadership of MCEA and MCCSSE to work with us. We may be able to find those funds to make these agreements work."

Mrs. Praisner made the following statement:

"This has been a very painful budget process for me. All the more painful knowing that it would be my last. During budget deliberations and the final actions of the Board on its budget, I did not vote for additions to the superintendent's budget because I recognized that they were not complete budgets because they did not include the fulfillment of our negotiated agreements and because of my desire to fully fund the negotiated agreements and the budget as it had been developed by the superintendent and the Board over the previous years. I supported the negotiated agreements because I thought they were good contracts, and they were good both for the school system and for its employees.

"I went to the County Council with many of you and fought for full funding of the contracts and the Board's budget. I have

lobbied and worked with you for those improvements. I believe Mr. Simon is absolutely correct in making the reference that he has to the County Council, and I believe he is correct in placing the issue squarely there. There are significant differences between 1987 and now, however. The County Council in 1987 voted that they had fully funded the negotiated agreements. They also and we also had alternatives available to us, both in same services and in improvements so that we had the latitude available to us to honor what we wanted to do.

"Given the County Council actions in not funding the negotiated agreements and the other cuts that they have made in our budget and in particular the additional million dollars that they cut most recently on May 11, I do not believe at this point that it is possible to fully fund both negotiated agreements without seriously damaging programs, improvements, services that you want, and also the number of employees that we have within our system. As I said this has been a painful process for all of us, and I really regret where we are today."

Mr. Goldensohn made the following statement:

"One sentiment already expressed that I can agree with totally is that this has been a very painful process. I happen to believe in the collective bargaining process. I always have, and I still do. And I wish people would let me speak and say my words. Thank you.

"I took a public position favoring full funding of both contracts. I expressed that in every local newspaper including the Washington POST. I still stand by that statement. One of my concerns that came from that collective bargaining process is that what we agreed upon was in fact a reduction in salaries from the prior contract levels, and I thought that was an appropriate statement to say that we recognized we didn't have the funds that we thought we could to continue the level of salary increase on the prior contract. And the numbers we wound up with the 7 and the 6 percent and lower numbers in the out years were in fact lower numbers, and I thought we were being responsive to the concerns of the citizens of Montgomery County and their taxes.

"I am greatly disturbed that the Montgomery County Council in its budget deliberations had to step into our family negotiations -- we the administration and you the people that make the system run. They should have funded those contracts and nipped away at the budget as they pleased in other areas, and we would have lobbied as we did and put back as much as possible. They should not have put the Board in the position of only authorizing distinctly lower numbers for the contract funding.

"It is a very hard choice, but I agreed to the signing of that contract. And I will stand by it."



Mr. Ewing made the following statement:

"I am, I think, one who has repeatedly said in public and in every forum that my view of the negotiations process is that when we reach an agreement we ought to stick by it.

"For four reasons which I want to list quickly, I support full funding. I feel very strongly about it. It isn't a matter that is easy to resolve, but having looked at the facts, my view is that the arguments for full funding are very strong indeed. I believe that elected officials have one currency, and that is their word. We gave our word. We ought to keep it.

"Secondly, if I thought that funding was completely inadequate for us to do what needs to be done in this next school year, I might have made an argument that we ought to reconsider. Indeed, the funding situation is a very unfortunate one. The Council is in my view very much at fault, and I don't know about the rest of you, but I know how I am going to vote come November. But I believe there is funding adequate to permit us to keep our contractual agreements.

"Thirdly, I think as a practical matter it is an obligation of Board members and others to figure out if they can how funding can be obtained for all the things that are desired. It is possible that whatever we do will do a fair amount of harm. Indeed, it is likely. My own view though is that there is a way to fund this contract, and that it is not a choice between the program improvements which the Board proposed and the Council, in part, approved on the one hand and the contract on the other. There is another option. I am not going to discuss that option here because I don't think it would be appropriate, but there is another option and it could be done.

"Finally, there is no more important factor at stake here it seems to me than the well being of our school-level employees and their firm knowledge that the Board of Education is fully in their corner. For all these reasons, I urge my colleagues to support full funding of both contracts."

Mrs. DiFonzo made the following statement:

"There have been a number of remarks made by a variety of people so far this evening with which I firmly agree beginning with some remarks by Mr. Foo and continuing on through Mr. Simon who spoke about the frustration, the concern, and the anger. You are not the only people in this room or in this county this evening who share those emotions.

"I have looked at papers that the superintendent has presented to us. I have looked at the amount of money that we are talking

about. Someone talked about morality and ethics, and while one may argue that it is immoral and unethical to not move forward with the contracts that we indeed, both sides, fought very hard for, and both sides agreed to, I have an even greater moral dilemma in funding a 1.8 percent shortfall for MCEA and a 1 percent shortfall for MCCSSE by which doing that would put some people out of work. Now you can say that won't happen, but we know it did happen three years ago. There are people who did lose their jobs, and they are no longer employed by us. To this day I feel very, very badly about that. Given the choice of putting people out on the street or renegotiating, I am sorry but I have voted to renegotiate.

Mrs. Hobbs made the following statement:

"Contract negotiations like being a Board member is a totally new experience for me. Contract negotiations have been very difficult. I have had a position, and I will shortly show you my position when we vote. I am not going to rephrase or restate the other comments made by Board members here, but after you see my vote, if anyone has a question as to the position I hold, I will be happy to answer it."

Ms. Serino made the following statement:

"I am likely the one of the eight Board members who has the most contact with teachers and supportive staff on a daily basis as I go to school. I believe that all levels of MCPS employees deserve a considerable raise. I participated in all negotiation sessions, understanding all of the issues fully, and I also testified before the County Council in hopes of getting full funding for some services, improvements, and the contracts. Unfortunately the Council decided not to fully fund."

"We all have a commitment to education, and I feel in the light of fiscal constraints we have no choice but to renegotiate."

Dr. Shoenberg made the following statement:

"I am not going to repeat a number of the remarks that other Board members have said but simply to talk about those things that weigh with me most heavily in making the difference. I certainly echo what others said that this is the most unpleasant decision I have had to make in my eight years of Board membership. Ever since it became clear that we might find ourselves faced by this Hobson's choice, I have devoted a substantial proportion of my waking hours and some that I should have been asleep thinking about it."

"Our employees are certainly deserving of the salary increases we have negotiated with them. They serve the citizens of Montgomery County well. It is important to recognize that fact, and to





RESOLUTION NO. 325-90      Re:    PROCUREMENT CONTRACTS MORE THAN  
\$25,000

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

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

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

114-90	Physical Education Supplies and Equipment	
	AWARDEES	
	Allied Recreational	\$ 146
	Aluminum Athletic Equipment Company	10,296
	Anaconda-Kaye Sports, Inc.	26,780
	Atlantic Fitness Products	585
	Bacharach Rasin Company, Inc.	406
	BSN Sports	16,114
	CMG/Cannon	18,627
	The Dugout Sporting Goods Company	6,042
	DVF Sporting Goods Company	41,100
	Fisher Athletic Equipment, Inc.	89
	Fit for U, Inc.	4,870*
	Fox Valley Systems, Inc.	1,710
	Bill Fritz Sports	10,584
	Gerstung/Gym Thing, Inc.	25,275
	Marty Gilman, Inc.	5,654*
	The Goal Line	140
	Graves-Humphreys, Inc.	5,076
	Harvey Ratner Associates	1,275
	Lax World	1,075
	Longstreth Sporting Goods	3,808*
	M-F Athletic Company	85
	Marlow Sports, Inc.	26,714
	Micro Bio-Medics, Inc.	4,283
	The Mini Gym Company	10,785
	Molten America	9,134*
	Nine Nines	1,326
	Passon's Sports	17,352
	Physical Fitness Company of Maryland, Inc.	15,085
	Pyramid School Products	36,486
	Resilite Sports Products, Inc.	29,400
	Rock Terrace High School	1,481
	S. P. World Corporation T/A Heartline	44,079
	George Santelli, Inc.	5,426*
	Sentinel Sports Products	735
	Spieth-Anderson USA, Inc.	24,532

May 21, 1990

	Sport Tapes, Inc.	4,200
	Sport-Tech	2,190
	Sports Imports	5,279
	Stealth Industries, Inc.	72
	John W. Taylor Associates	16,017
	Things From Bell, Inc.	1,644
	Tiffin Athletic Mats, Inc.	13,910*
	Time Out For Sports	3,513*
	Tomark Sports, Inc.	15,967
	U. S. Games, Inc.	5,200
	Unique Sports Products, Inc.	3,227
	Wolverine Sports	86
		-----
	TOTAL	\$477,860
122-90	Microscopes	
	AWARDEES	
	Associated Microscope, Inc.	\$ 2,650
	Benz Microscope Optics Center	8,490
	Parco Scientific Company	28,911
	Sargent-Welch Scientific Company	1,884
		-----
	TOTAL	\$ 41,935
130-90	Air Conditioning and Temperature	
	Control Service Contract	
	AWARDEES	
	Roland Services, Inc.	\$ 31,968
	Carrier Building Systems and Services	6,635
	Combustioneer/Division of Kirlin Enterprises	14,970
	Cuddeback Services, Inc.	12,986
		-----
	TOTAL	\$ 66,559
145-90	Piano Tuning and Maintenance	
	AWARDEES	
	Jonah Blaustein	\$ 7,020
	Staub's Piano Service	22,540
	James E. Tallant Jr. Piano Service	8,400
	Winzer Piano Service	11,022
		-----
	TOTAL	\$ 48,982
147-90	Building Materials	
	AWARDEES	
	Allied Plywood Corporation	\$ 5,760
	BPC Supply Corporation	10,823
	Clevenger Corporation	702
	Hudson Supply and Equipment Company	1,392*
	Lisa Lumber Company, Inc.	43,777*
	Mann and Parker Lumber Company	12,304
	Mat Works	2,605



WHEREAS, The Montgomery County Arts Council has participated in the selection as required by law; and

WHEREAS, Funds have been appropriated for this purpose in the FY 1990 Capital Improvements Program; and

WHEREAS, The law also requires County Council approval before the Board of Education can enter into contracts with the artists; now therefore be it

RESOLVED, That the Board of Education enter into the following contractual agreements subject to County Council approval for various works of art at Kentlands Elementary School:

Cary-Roton Studio	Stained Glass	\$ 5,000
Lisa Kaslow	Sculpture	\$13,000
Julio Teichberg	Stabile	\$10,000

and be it further

RESOLVED, That the County Council be requested to approve the above commissions to the indicated artists.

RESOLUTION NO. 328-90      Re: HEAD START/COMMUNITY ACTION DAY,  
JUNE 9, 1990

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

WHEREAS, June 9 will be proclaimed "Head Start/Community Action Day" by the Honorable Sidney Kramer, county executive, and the Honorable William E. Hanna, Jr., president of the County Council; and

WHEREAS, The purpose of this proclamation is to recognize twenty-five years of dedicated service by the Division of Community Action and the Head Start Program to the people of Montgomery County; and

WHEREAS, The Community Action goal is to eliminate the paradox of poverty in the midst of plenty; and

WHEREAS, The Head Start goal is to provide a comprehensive child and family development program for those with limited incomes; and

WHEREAS, The Head Start Program in Montgomery County Public Schools provides a strong educational and parental involvement emphasis; and



Walter Johnson HS	Lite-Way Communications, Inc.	22,256.00
	B & L Services, Inc.	23,200.00
	Harbei Communications Corp.	25,669.00
	E. C. Decker Service, Inc.	26,500.00
	Beltway Cable Services, Inc.	40,150.00

and

WHEREAS, The low bids are within the staff estimates of \$78,000 for the four elementary schools and \$34,000 for the high school, and funds are available to award the contracts; now therefore be it

RESOLVED, That a \$34,300 contract be awarded to E. C. Decker Service, Inc., for the installation of cable TV/telecommunications networks at Burnt Mills and Kentlands elementary schools; and be it further

RESOLVED, That a \$40,576 contract be awarded to Lite-Way Communications, Inc., for the installation of cable TV/telecommunications networks at Bowie Mill and Westbrook elementary schools and Walter Johnson High School.

RESOLUTION NO. 330-90      Re:    RELATED CONTRACT - BURNT MILLS  
ELEMENTARY SCHOOL

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

WHEREAS, The roof on the existing building at Burnt Mills Elementary School was scheduled for replacement in FY 1992; and

WHEREAS, There have been several leaks throughout the building this past year, and staff feels that the existing roof replacement should be accelerated and completed in conjunction with the new addition project currently being constructed; and

WHEREAS, The roof contractor for the new addition has completed numerous projects for MCPS and has submitted a cost proposal that is below current prices recently received on roof projects; now therefore be it

RESOLVED, That a related contract be entered into with Alcrymat Corporation of Maryland to reroof the existing Burnt Mills Elementary School in accordance with its proposal of March 9 for \$103,005, with completion of work by August 1, 1990.

May 21, 1990

RESOLUTION NO. 331-90      Re:    SCIENCE EQUIPMENT - COL. E. BROOKE  
LEE MIDDLE SCHOOL

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

WHEREAS, On May 8, 1990, the following bids were received for the science equipment at Col. E. Brooke Lee Middle School:

BIDDER	BID AMOUNT
1. Steel Products, Inc.	\$35,700
2. Greensteel Div. Adience, Inc.	41,900

and

WHEREAS, The specifications stipulated that the equipment had to be installed by August 1, 1990, and both bidders indicated in their proposals that they cannot meet this date; and

WHEREAS, School facilities staff contacted additional suppliers and found that the August 1 date can be met; now therefore be it

RESOLVED, That both bids for the science equipment at Col. E. Brooke Lee Middle School be rejected and that the equipment be rebid as soon as possible in order to assure that the equipment is installed by August 1, 1990.

RESOLUTION NO. 332-90      Re:    RELOCATION OF STATE-OWNED MODULAR  
CLASSROOM BUILDINGS AT VARIOUS  
SCHOOLS

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

WHEREAS, On May 10, 1990, the following bids were received for the relocation and repair of state-owned modular classroom buildings at various schools:

BIDDER	BASE BID
1. Oakwood Construction, Inc.	\$154,940
2. J & Services	182,598
3. Jenkins Construction Management, Inc.	382,000

and

WHEREAS, The low bidder has not previously performed work for Montgomery County Public Schools; however, it has performed



RESOLUTION NO. 334-90      Re:    ADDITION/MODERNIZATION - BURNING  
TREE ELEMENTARY SCHOOL

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

WHEREAS, On May 15, 1990, the following bids were received for the addition/modernization at Burning Tree Elementary School:

BIDDER	BID AMOUNT
1. Donohoe Construction Company	\$3,813,153
2. Columbia Construction Co., Inc.	3,828,000
3. Kettler Brothers Construction Company, Inc.	3,836,350
4. Bildon, Inc.	3,852,000
5. Hess Construction Company, Inc.	3,859,880
6. Doyle, Inc.	3,902,455
7. Dustin Construction, Inc.	3,917,200
8. Kimmel & Kimmel, Inc.	3,921,400
9. Henley Construction Co., Inc.	3,985,000
10. Glen Construction Company, Inc.	4,016,900
11. Ronald Hsu Construction Co.	4,049,000
12. The McAlister-Schwartz Company	4,072,278
13. Centennial Contractors, Inc.	4,261,000

and

WHEREAS, The low bid is below the staff estimate of \$3,950,000;  
and

WHEREAS, While the low bidder has not previously performed work for Montgomery County Public Schools, the firm has extensive commercial construction experience and meets all of the legal requirements of the specifications; now therefore be it

RESOLVED, That a \$3,813,153 contract be awarded to the Donohoe Construction Company, for the addition/modernization of Burning Tree Elementary School in accordance with plans and specifications prepared by Bryant and Bryant, Architects.

RESOLUTION NO. 335-90      Re:    ADDITION/MODERNIZATION - BEALL  
ELEMENTARY SCHOOL

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

WHEREAS, On April 19, 1990, the following bids were received for the addition/modernization of Beall Elementary School:

BIDDER	BID AMOUNT
1. S. B. Construction, Inc.	\$3,869,000
2. Columbia Construction Co., Inc.	3,898,000
3. Henley Construction Co., Inc.	4,027,000
4. The McAlister-Schwartz Company	4,053,301
5. Hess Construction Company	4,070,000
6. Kimmel & Kimmel, Inc.	4,091,000
7. The Gassman Corp.	4,247,000
8. Dustin Construction, Inc.	4,248,000
9. Glen Construction Company, Inc.	4,395,300
10. Ronald Hsu Construction Co., Inc.	4,405,700

and

WHEREAS, The low bid is below the staff estimate of \$4,300,000;  
and

WHEREAS, While the low bidder has not completed any MCPS projects, the firm has extensive commercial experience and meets all of the legal requirements of the specifications; now therefore be it

RESOLVED, That a \$3,869,000 contract be awarded to S. B. Construction Co., Inc., for the addition/modernization of Beall Elementary School in accordance with plans and specifications prepared by John S. Samperton Associates, Architect.

Re: SCHOOL INSPECTION - MONOCACY  
ELEMENTARY SCHOOL

The school inspection date for Monocacy Elementary was set for Wednesday, May 23, 1990, at 1:30 p.m. Mrs. DiFonzo will attend.

RESOLUTION NO. 336-90 Re: FY 1990 CATEGORICAL TRANSFER WITHIN  
THE VOCATIONAL EDUCATION PROGRAM

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

RESOLVED, That the superintendent of schools be authorized, subject to County Council approval, to effect the following FY 1990 categorical transfer of \$25,713 within the existing vocational education programs, as funded by the Maryland State Department of Education (MSDE) under the Carl D. Perkins Vocational Education Act in the following categories:

CATEGORY	FROM	TO
2 Instructional Salaries	\$25,713	
3 Other Instructional Costs	-----	\$25,713
		-----
TOTAL	\$25,713	\$25,713

and be it further

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

RESOLUTION NO. 337-90 Re: PERSONNEL APPOINTMENTS AND TRANSFER

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

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

APPOINTMENT	PRESENT POSITION	AS
Frieda K. Lacey	Supervisor of Special Ed. Instruction Dept. of Special Ed. and Related Services	Supervisor of Special Ed. and Pupil Services Area 1 Admin. Office Effective: 7-1-90
Elizabeth Glowa	Asst. Principal Gaithersburg HS	Principal E. Brooke Lee MS Effective: 7-1-90
Dawn M. Capron	Elem. Principal Trainee Lucy Barnsley ES	Principal Bethesda ES Effective: 7-1-90
Ellen Nobuko Horiuchi		Principal Seven Locks ES Effective: 7-1-90
Wayne T. Kranz	Asst. Principal Gaithersburg IS	Principal Beverly Farms ES Effective: 7-1-90

Brenda J. Lee	Principal Edison ES Dayton Public Schools Dayton, Ohio	Principal Glenallan ES Effective: 7-1-90
Judie Muntner	Elem. Principal Trainee Damascus ES	Principal Damascus ES Effective: 7-1-90
Roy Settles, Jr.	Acting Principal Longview School	Principal Longview School Effective: 7-1-90
Alfred J. Sklarew	Elem. Principal Trainee Diamond ES	Principal Diamond ES Effective: 7-1-90
TRANSFER	FROM	TO
Jay Breakiron	Asst. Principal Redland MS	Asst. Principal Key MS Effective: 5-22-90

RESOLUTION NO. 338-90      Re:    AMENDMENT TO THE POSITION  
CLASSIFICATION AND PAY PLAN

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

WHEREAS, As part of the established procedure for reviewing and revising the position classification and pay plan, the superintendent has recommended changes; and

WHEREAS, It is desirable to establish and maintain positions at an equitable and competitive pay level; now therefore be it

RESOLVED, That the following classification and pay plan revisions be approved effective February 10, 1990:

Establish a new classification of Coordinator of Vocational Program Development, pay grade M (\$49,159 minimum - \$59,126 maximum). The current position of Coordinator of Vocational Trades Program, pay grade O (\$56,433 minimum - \$67,977 maximum) will be assigned to the new classification.

Change the pay grade of the EEO Specialist position from pay grade 23 (\$34,715 minimum - \$55,057 maximum longevity) to pay grade 25 (\$38,272 minimum - \$60,340 maximum longevity).

Re: INTERIM GUIDELINES FOR EXTENDED  
SCHOOL YEAR SERVICES FOR  
HANDICAPPED STUDENTS

Dr. Hiawatha Fountain, associate superintendent, stated that the Board had been given copies of the interim guidelines, and staff was available to respond to questions.

Mr. Ewing noted that in the definition section there was a statement that "ESY is not intended to maintain learned skills or to teach new skills or to increase progress on instructional objectives." He thought that needed some explanation. If ESY was for students who were likely to have significant regression, he thought they would need to assure that these students maintained learned skills.

Dr. Thomas O'Toole, director of the Department of Special Education, explained that ESY provided service to a small number of students who needed extra support so that they would not get so far behind when they returned to school in the fall that it would take them too much time to regain what they had lost. In Montgomery County they had a regular summer school program for special education students, and last year about 1,400 students participated. In addition to that, about 160 students got ESY. ESY was given on an individual basis. The idea was to see that the student was able to come back in the fall and not be so far behind. Dr. Fountain added that all students lost skills during the summer break. They had developed ESY so that students did not lose so much that they could not regain these skills in a reasonable amount of time. For example, some students would not regain lost skills until November. Dr. Pitt commented that ESY was for students to be where they normally would be at the beginning of the school year. These were children with severe problems who needed an intensive program almost continuously to maintain skills. Dr. Pitt indicated that this section should be reworded.

Mr. Goldensohn suggested that what they were doing was minimizing the skills lost by children over the summer break. Dr. Shoenberg agreed that this section could be made clearer.

Dr. Cronin pointed out that in two places the guidelines read, "recoup in a reasonable period of time." He did not know that they had a legal definition of "reasonable." Dr. Fountain replied that this was going to be at the heart of case law. At present there was nothing in the federal statute or the state bylaw that said they had to have ESY. There was a case in Pennsylvania where the parents won an extended school year program. The parents cited recoupment and regression as the basis for their suit. It seemed to Dr. Cronin that they would have appeals based on "reasonable." Dr. Fountain explained that the language questioned by Mr. Ewing was to get at this point.

ESY was not to maintain but to make sure that in a reasonable amount of time the child could get back to those skills.

Dr. Shoenberg asked how adequate "reasonable" was going to be legally. Dr. Stan Sirotkin, supervisor of the Diagnostic and Professional Support Team, replied that most of this was written in legal language. The definition of regression and recoupment was being made by the courts and by case law. It was not being made by educators. "Reasonable" would vary based on the skills of the individual child. For the most part, attorneys and the courts did not want to put a definition on "reasonable."

Dr. Pitt explained that one of the problems here was that they had no state regulations on this at all. They had asked the state for help. Dr. Cronin suggested changing the language to "reasonable for that particular student." Dr. O'Toole commented that this was the way they had interpreted this.

Mr. Ewing was concerned about the guidelines because they were defensive, but he understood the reasons for this. The difficulty was that someone who was neither a lawyer nor a professional in the field was going to look at this and say this was written in a code. The parent would feel that if he or she had a view different from that of the school system he or she would not win. In addition, there were five factors in decision-making. The first and the second could be determined for every child; however, he wondered whether they had clear definitions or data to be able to respond to the other factors. For example, it would be difficult to predict the severity of regression. It seemed to him that this was a recipe for more trouble than it was worth.

Dr. O'Toole explained that in the original draft they were much briefer in this section. However, they had added the section on the likelihood of regression. Mr. Ewing realized that this was a difficult problem, but he hoped they weren't creating guidelines that would make the situation worse.

Mrs. Hobbs asked when and how the guidelines were distributed to parents. Dr. O'Toole replied that the guideline was sent to a number of parents who were on the extended school year committee. They had sent an earlier draft to a number of parents for feedback. It was also shared with Dr. Fountain's advisory committee because a number of parent advocacy groups were represented on this committee. They also ran a notice in the summer school bulletin. They had shared it with parents in individual contacts, and they had sent copies to all staff. Some of their special schools had sent copies home to all parents.

Mrs. Hobbs asked how frequently special education teachers suggested ESY to parents versus the parents having to ask for it.

Dr. O'Toole estimated that in 60 to 70 percent of the cases ESY was suggested by parents.

Mrs. Hobbs asked how students receiving ESY were grouped. For example, were students grouped by where they lived or according to handicap? She also wanted to know where the programs were located last year and would be located this year. Dr. O'Toole replied that the summer programs were in a number of the schools for handicapped students. For the most part, the 1,400 students were served where they were during the year. For ESY, the students would go to the same center they attended during the year. Private school youngsters came in during the summer. Last year about 150 students got ESY right in the private school setting.

Mrs. Hobbs asked if they were expecting more students this summer. Dr. O'Toole thought they would probably have about 50 more than last year which would bring them to about 200 students this summer. Mrs. DiFonzo asked how this compared on a percentage basis to the numbers of youngsters eligible. Dr. O'Toole thought there had been a lot more attention given to ESY this past year; therefore, they were seeing an increase in numbers. He believed the increase would be in students from MCPS.

Mrs. Hobbs asked about leadtime for the parents to know that their child would be accepted in ESY. Dr. O'Toole replied that they had been doing ESY scheduling along with the annual reviews. For most students, the annual reviews took place in April and May. In most cases where ESY was going to be a question, it was settled early to work out transportation. Most students qualifying for ESY would know during May.

Mrs. Hobbs asked about the time involved and legal services to appeal a denial of services. Dr. Sirotkin replied that this would go through the normal appeal process and would be heard by a hearing officer within 45 days. This could extend into the summer, and if the hearing officer felt the child needed ESY the decision might include compensation or compensatory services. In the case of ESY, they did try to get a hearing date as quickly as possible. The parent did not necessarily need a lawyer. Dr. Pitt added that if the parents had a lawyer and won the appeal, MCPS was required to pay legal fees.

It was Dr. Shoenberg's understanding that these were guidelines they were trying out for this season, and it might be necessary to revise the guidelines. There had been suggestions made at the Board table, and he assumed they would hear if there were problems. Dr. Pitt hoped that they would have state guidelines after this summer. Dr. Shoenberg thanked staff for sharing the guidelines.

## Re: SCHOOL CONSTRUCTION COSTS

Dr. Pitt stated that the Board had concerns about a newspaper article which stated that modernization costs had increased 1,000 percent. This was not true. Generally a job was projected, and it might be as long as six years before it was started. There were increases in cost because of inflation; however, in the cases of projects with substantial increases, the scope of the project had changed. For example, in FY 1990 the original project for Magruder High School was a second gymnasium. Because of growth in the area, there was a need for a classroom addition. Therefore, the project had changed substantially and costs had increased to cover changes in the project. Staff had compared MCPS construction costs to those of other school systems, and MCPS costs were lower. At present bid quotes were lower than estimates because of the market. He stressed that they had not misjudged their construction costs, and they had been on target.

Dr. Philip Rohr, associate superintendent, explained that the county required them to fill out a project description form which showed the initial cost estimate. The initial cost estimate stayed with the project no matter how long the project was deferred. For example, the original cost for the Whitman modernization was developed in the 1970's and had stayed with the project. MCPS was not supposed to show inflation over the six-year period of the CIP. The county government totalled all agency submissions and added their own inflation to the bottom line. Over the six-year period there could be substantial differences for individual projects from inflation alone, and the scope of the projects did change.

Mr. Ewing stated that the need was one that went beyond the paper in front of the Board. They were going to be in the construction business for a while, and this issue would come up again and again. He hoped that they could begin to construct an argument that was comprehensive in its approach and traced inflation and changes in standards for construction. Short of that, all they were doing was answering anecdote by anecdote.

Dr. Pitt agreed that they could do this. He pointed out that the County Council had not argued this point with MCPS. The county staff had not said there were cost overruns or anything like that. They had argued for reduction in the scope of projects which was a different factor. However, in the future this might be a real issue, and they ought to develop a logical process.

Dr. Cronin agreed with Mr. Ewing about the need to explain about what they were doing. However, he did not want to put a major project on people who were already overworked in terms of explaining something that didn't have to be explained. He thought they had to explain this to the county executive and the County Council.

Mrs. Praisner had a different perspective. It seemed to her it would be useful within the CIP to lay out a little bit more information about how the project description forms were developed. This would be useful information for the general public, and she did not think it would take that much more time to do this. She agreed that while one reporter might have surfaced this issue, but once surfaced, an issue took on a life of its own. She felt they had to respond through Dr. Rohr's office and the Information Office. Some citizens thought that anything in a newspaper was gospel, and she felt they should make sure the public understood what was happening.

Dr. Pitt said he would ask staff to try and come up with a logical, constructive paper that focused in on the school construction process. Mr. Goldensohn suggested that they could add an asterisk to the PDF showing the effects of inflation and changes in the scope of the project.

Mrs. DiFonzo commented that some public officials had stated that they were building very expensive schools. The paper before the Board pointed out that neighboring counties had construction costs that were 10 to 15 percent higher than MCPS. She suggested they had to be careful when talking about costs. In various areas of the country there were a variety of factors influencing construction costs.

At the National School Boards Association convention, Mrs. DiFonzo had visited the architectural display. She wished that the people who thought the schools in Montgomery County were lavish could see the expensive and phenomenal projects being built in other school districts. In other school districts, they did not need the insulation and heating plants needed in Maryland. By the same token, schools in Alaska were much higher in cost because of the environment. She knew that MCPS would continue being fiscally responsible in terms of meeting needs and in providing a sound environment for youngsters. However, they must recognize that MCPS was not out there spending public funds willy-nilly for all kinds of lavish buildings. She had seen schools with concert halls and swimming pools with retractable covers. In MCPS they were building warm, cozy, technically sound, and appropriate schools. However, because of Council cuts, they were being forced to cut these schools very close to the edge and might be compromising the quality of schools.

Mrs. Hobbs stated that she had not looked at schools in any other county or any other states. She did have a problem with new school construction versus modernization. There seemed to be an inequity between the funding of new school construction and modernizations. It seemed to her they had to do something to try and remedy this problem because they had a great number of modernizations before them. If they were not going to put the

necessary funding into modernizations, it made the new school construction seem out of line.

Dr. Pitt said he could point out some very good renovation projects. However, they had had a major battle with the Council on renovations. The Council thought they should fix the boiler and fix the roof and do a few other things. He argued that schools should be renovated and be good for 30 years; therefore, schools should be brought up to current standards. The Board had argued for this approach. For this reason, MCPS used the term "modernization" rather than renovation. However, the Council and its staff looked at projects in terms of renovation.

Mr. Ewing thought there was a reason for being more systematic about the data presented to the Board both comparatively and historically which went beyond responding to the public or newspaper stories. The Board itself ought to do a much more systematic job of reviewing the capital project in ways that would get at issues raised by Mrs. DiFonzo and Mrs. Hobbs. It seemed to him that if they had data about size, scope, increases or changes, and standards changes over time, this would be helpful to the Board and the Council. The argument was made that MCPS was below average costs for school systems throughout the state, and they should show this over time by counties comparable to Montgomery. They should have information with respect to county government costs and comparisons with similar school systems in other parts of the country. They could also compare themselves with inflation over time. This information made available to the Board, the Council, and the public would help them to make better decisions. The Board had not reviewed its capital program in these terms at all, and he thought it should.

In regard to modernizations versus new construction, Mrs. DiFonzo said that when they built a new school they could not reuse doors or tile because it wasn't there to reuse. They were getting into this when the Council hacked away at the renovations money. They were being forced to reuse materials that were 30 years old. This created differences in appearance, and the buildings should not have those differences. She thought they needed to look at below average costs providing below average quality.

Re: BOARD MEMBER COMMENTS

1. Mrs. Praisner stated that the Board had received two letters from community members in the Burtonsville area. The letters related to the new access road for Burtonsville Elementary School. This issue had been pending for a long time and had been an issue when she came on the Board. She hoped it would be resolved before she left the Board. The letters stated that the resolution of this issue was the direct result of the work of MCPS staff. She thanked Phil Rohr, Bill Wilder, and Janice Turpin for their time, commitment, and work.

2. Mrs. Praisner said she had been attending a number of programs. She had been to the Saturday program of the First Annual African-American Family Festival of Academic Excellence. It was an outstanding program, and a lot of MCPS staff members had participated as attendees and presenters. She congratulated Roscoe Nix for the program, and she was glad they had labelled it the "first annual" program.

3. Mrs. Praisner indicated that she had represented the Board at the Drug Prevention Program breakfast. She said that Ed Masood was held in high regard by people within the program, both at the state and county level.

4. Mrs. Praisner reported that she and Mrs. DiFonzo had attended the ribbon cutting for the new entrance to Richard Montgomery High School.

5. Mrs. Praisner said that Phil Gainous had sent them some materials on the Females in Science and Technology conference. She assumed that the materials had been shared with the gender equity committee and the counseling and guidance committee, and staff assured her that the committees had been provided with the materials.

6. Mrs. Praisner pointed out that they had received an item of information on curriculum revisions for psychology 2. She recalled that if Board members had questions about curriculum, the item would be scheduled as an individual item on the agenda rather than as a consent item. She had a couple of questions on the item. She wanted to know who was involved specifically in the review of the current psychology 2 program, and whether any psychiatrists or medical members of advisory committees were involved in reviewing the material. She wanted to know what evaluation instruments were used. Dr. Shoenberg stated that there appeared to be a strengthened emphasis on abnormal psychology, and the reason for that was not clear to him. He wondered why they were putting so much emphasis on that. He did not see much about cognitive psychology which was the major new trend in psychology. Dr. Pitt indicated that he had some questions, and he suggested that he and Board members put their questions in writing.

7. Mr. Goldensohn said that he and Mr. Ewing had heard the guest speaker at the First African-American Family Festival. The speaker was very inspiring and had a message for parents and children. He was pleased with the size of the turnout, and he expected that the second annual festival would have an even greater attendance.

8. Mr. Goldensohn reported that he had attended the Daly dedication and over 1,000 people were in attendance. The event was well run, and the police and Daly family were in attendance.

The motto of the school was "be a daily success," and it was clear to him that the school was clearly on that track after one year.

9. Mr. Goldensohn wished good luck to Stedwick Elementary School which was participating in the Odyssey of the Mind competition in Ames, Iowa.

11. Ms. Serino announced that tomorrow was the selection of the student Board member, and she wished both candidates good luck.

12. Mr. Goldensohn reported that last year's student Board member, Chan Park, had been in the audience for most of this evening's meeting.

13. In regard to the Daly dedication, Mr. Ewing indicated that Daly Elementary had a wonderful Head Start program run by Mrs. Vance.

14. Mr. Ewing commented that Friday evening was the Monocacy Elementary School dedication. The new building looked great and was a good job of construction.

15. Mr. Ewing said the Board had recently visited the Food Service Warehouse. One of the things that struck him about that enterprise was how much attention was being paid to efficiency and holding down costs. The key to that was the revolving fund activity. In order for that to prosper, costs had to be contained so that prices would not be too high. He noted that in government and in business, units reimbursed one another for services given. In the Defense Department they made support services reimbursable throughout the department. This ranged from research to supply operations to commissaries. If they made all costs totally visible to managers, the managers were likely to make better decisions. He didn't know whether there was a way for MCPS to consider extending that principle to other places in the school system. He believed that they ought to look at this as a model for other operations in the school system. Dr. Pitt reported that staff had had a number of discussions about this. One of the problems was that there had to be some advantage to the person cutting the cost. They had tried to do a little bit of this in computer services, and they had to find a way to reward people who saved.

16. Dr. Shoenberg extended his congratulations to the organizers of the African-American Family Festival of Academic Excellence. He had attended a number of workshops and was impressed with the quality of the presentations. He thought that this was one of the most important community events in recent years.

17. Dr. Shoenberg reported that he, Dr. Cronin, and Mrs. Praisner had attended the Adopt-a-School Breakfast. A very

impressive number of businesses had adopted schools, but they could use more because they had schools on the waiting list. He was particularly impressed with the imaginative program between Holy Cross Hospital and Highland View Elementary School.

18. Dr. Shoenberg had attended the ESOL awards ceremony on Saturday which was extremely well attended. Senator Ida Ruben spoke and was very supportive of the program. He congratulated Maria Schaub for her efforts.

19. Dr. Shoenberg announced that on Thursday night he would be attending an awards ceremony at the Kennedy Center for the Montgomery Exceptional Leaders program. This program organized groups of Level 4 and 5 special education students into teams to talk to children in elementary schools about handicaps. The program was receiving a national award from the Association for Communication Disorders.

20. Dr. Pitt stated that there were many activities this past weekend that he would have liked to attend, but he had a personal family activity to attend and apologized.

21. Dr. Pitt reported that the NAACP had started a program for African-American youngsters called ACT-SO where youngsters had an opportunity to compete against other youngsters. The winners were going to Los Angeles to compete and funds were needed for transportation. Dr. Cornell Lewis had received gifts in honor of his retirement, and he had donated these gifts to ACT-SO. Dr. Vance added that the total was \$5,000 for ACT-SO.

RESOLUTION NO. 339-90 Re: EXECUTIVE SESSION - JUNE 12, 1990

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Mrs. DiFonzo, the following resolution 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 June 12, 1990, at noon 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.

RESOLUTION NO. 340-90 Re: MINUTES OF APRIL 17, 1990

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

RESOLVED, That the minutes of April 17, 1990, be approved.

RESOLUTION NO. 341-90 Re: MINUTES OF APRIL 30, 1990

On recommendation of Mrs. Hobbs seconded by Dr. Cronin, the following resolution was adopted with Dr. Cronin, Mrs. DiFonzo, Mr. Ewing, Mrs. Hobbs, Mrs. Praisner, Ms. Serino, and Dr. Shoenberg voting in the affirmative; Mr. Goldensohn abstaining:

RESOLVED, That the minutes of April 30, 1990, be approved.

RESOLUTION NO. 342-90 Re: BOE APPEAL NO. 1990-3

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

RESOLVED, That the Board of Education adopt its Decision and Order in BOE Appeal No. 1990-3 (student suspension).

Re: NEW BUSINESS

1. Mr. Ewing moved and Mr. Goldensohn seconded the following:

RESOLVED, That the Board schedule a time to discuss the following proposal on policy decisions on math and science:

RESOLVED, That the Board of Education directs the superintendent to implement, through formal policy, program and regulatory changes, the following actions:

1. All high school students shall successfully complete mathematics courses, including (but not limited to) algebra, symbolic logic, statistics and probability, as well as material which spells out the nature, purposes and uses of mathematics.

2. All high school students shall complete four years of mathematics in high school as a graduation requirement.

3. All high school students shall successfully complete science courses, including (but not limited to) biology and one other of either chemistry or physics, as well as material which spells out the nature, purposes and uses of science.

4. All high school students shall complete four years of science as a graduation requirement.

5. The requirements in items 1 through 4 above shall be effective for the school year ending in June, 1993.

6. Beginning with hiring of elementary school teachers for the fall of 1991, the goal for employment of elementary teachers shall be that their preparation shall include at a minimum 12 hours of college mathematics courses and 12 hours of college science courses, including algebra and geometry, statistics and probability, biology, and one other of either chemistry or physics. For the 1991-1992 school year, one fourth of the new teachers hired shall meet this requirement. By the beginning of the school year of 1996-1997, all new elementary teachers shall meet this requirement.

7. Present elementary teachers now employed by MCPS shall also meet this requirement by the beginning of the school year of 1996-1997, unless there is a compelling demonstration that the requirement can be or has been met in other ways, or needs to be met at a later date for sufficiently convincing personal reasons. MCPS shall provide appropriate support for college courses for these employees.

8. Elementary math and science curriculum and instruction shall be organized to assist all students in becoming ready for the new high school requirements in math and science.

9. Student performance measures shall be developed, K-12, that emphasize and measure higher order thinking skills, problem solving and reasoning abilities, and conceptual understanding, and not just recall or ability to do well on standardized tests.

10. The involvement of business, industry, appropriate government institutions (e.g., NIH, Federal laboratories operated by DoD), and academic institutions shall be enhanced, with expanded involvement of their personnel, materials and opportunities for out-of-school learning activities.

11. Other opportunities for out-of-school learning activities shall also be expanded, focusing in particular on hands-on science and technology activities.

12. Enhance and emphasize the integration at all levels of science, math and technology, including use of computers, in the curriculum and in instruction.

2. Ms. Serino moved and Dr. Cronin seconded the following:

WHEREAS, There exists the requirement of one practical arts credit to graduate from MCPS; and

WHEREAS, The state has withdrawn its list of five criteria which qualify a class as fulfilling the practical arts credit; and

WHEREAS, There has been much discussion on this issue in relation to specific courses; and

WHEREAS, MCPS should have a clear definition of what criteria constitute a practical arts class; now therefore be it

RESOLVED, That a short-term task force be established consisting of students, parents, teachers, and any other appropriate and necessary staff; and be it further

RESOLVED, That this task force study the issues related to the practical arts credit and recommend guidelines for classes that will fulfill this credit.

Re: ITEM OF INFORMATION

Board members received Recommendation for Approval of Curriculum Revisions for Psychology 2 as an item of information.

Re: ADJOURNMENT

The president adjourned the meeting at 10:45 p.m.

-----  
PRESIDENT

-----  
SECRETARY

HP:mlw