

NUMBER: 2-1991  
STATUS: APPROVED  
PLACE: ROCKVILLE, MARYLAND  
DATE: JANUARY 8, 1991  
TEXT:



January 8, 1991

RESOLUTION NO. 2-91            Re: BOARD AGENDA FOR JANUARY 8, 1991

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

RESOLVED, That the Board of Education approve its agenda for January 8, 1991, as amended.

RESOLUTION NO. 3-91            Re: COMMENDATION OF ROSCOE R. NIX

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

WHEREAS, After a decade of outstanding leadership as president of the Montgomery County Chapter of the National Association for the Advancement of Colored People, Mr. Roscoe R. Nix has retired; and

WHEREAS, Mr. Nix has had a long and distinguished career with the U. S. Department of Justice and the Maryland Human Relations Commission; and

WHEREAS, Mr. Nix served with distinction on the Montgomery County Board of Education from 1974 to 1978; and

WHEREAS, Throughout his life Mr. Nix has worked for justice and for equal opportunity for all through his professional career, his service on the Board of Education, and his leadership of the Montgomery County Chapter of the NAACP; now therefore be it

Resolved, That on behalf of the superintendent of schools, staff, and students of the Montgomery County Public Schools, the members of the Board of Education salute Mr. Roscoe R. Nix, wish him well in his retirement, and earnestly hope that his eloquent voice will continue to be heard espousing the principles of freedom and justice for all.

Re: PUBLIC COMMENTS

The following individuals appeared before the Board:

1. Deborah Kratovil
2. Col. Chuck Suraci, Civil Air Patrol
3. Roscoe Nix
4. John W. Smith

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RESOLUTION NO. 4-91            Re: MC 101-91 - MONTGOMERY COUNTY BOARD  
OF EDUCATION - STUDENT MEMBER -  
VOTING PRIVILEGES

On motion of Mr. Chang seconded by Ms. Gutierrez, the following resolution was adopted with Mrs. Brenneman, Mr. Chang, Mr. Ewing, Mrs. Fanconi, Ms. Gutierrez, and Mrs. Hobbs voting in the affirmative; Mrs. DiFonzo voting in the negative; Dr. Cheung abstaining:

RESOLVED, That the Montgomery County Board of Education believes that if a student is given full voting rights then a ninth Board of Education member should be added.

Re: A MOTION BY MRS. FANCONI TO APPROVE  
THE DRUG TESTING PROGRAM FOR BUS  
DRIVERS

Mrs. Fanconi moved and Mrs. DiFonzo seconded the following:

WHEREAS, The members of the Board of Education and the superintendent of schools believe that parents should be assured that their children will be transported in a safe and efficient manner; and

WHEREAS, The members of the Board of Education and the superintendent of schools believe that a drug testing program for bus drivers is one way of assuring that students will be transported safely; and

WHEREAS, The Agreement between the Montgomery County Council of Supporting Services Employees ("MCCSSE") and the Montgomery County Board of Education in Article 32, Section D reads as follows:

At the request of either party, Board and Union Representatives shall meet to discuss any proposed Board policies or practices regarding testing of employees for use of drugs or alcohol, with the goal of reaching agreement on a program acceptable to both parties. Such discussions shall be without prejudice to the Board's authority to implement testing for drug or alcohol abuse by employees or the Union's right to challenge such practices.

and

WHEREAS, At the request of the Board of Education, representatives of the Board and MCCSSE met and a draft drug testing program was presented to MCCSSE representatives for review and comment; and

WHEREAS, MCCSSE reviewed the draft program, suggested certain wording changes, and stated that "we oppose the policy on the grounds that no justification has been shown" to initiate a drug testing program; and

WHEREAS, The Board of Education modified some language in the draft and incorporated some of MCCSSE's suggestions and the members of the Board of Education and the superintendent of schools believe that the drug testing program is a fair and equitable one with provisions for rehabilitation; and

WHEREAS, MCCSSE has received a memorandum discussing the changes to the program in which the Board stated that the program was "justified by the safety sensitivity of the bus driver position and the need to deter drug use by bus drivers;" now therefore be it

RESOLVED, That the Board of Education hereby adopts the following drug testing program for bus drivers and directs the superintendent of schools to implement this program as soon as possible; and be it further

RESOLVED, That the post-accident and pre-employment drug testing requirements of the program be effective as of February 15, 1991; and be it further

RESOLVED, That the annual physical examination and reasonable cause drug testing requirements of the program be effective as of July 1, 1991.

#### ALCOHOL AND DRUG TESTING PROGRAM

##### BUS DRIVERS

#### MONTGOMERY COUNTY PUBLIC SCHOOL DRUG AND ALCOHOL POLICY

##### I. Use, Possession, Purchase, Sale or Distribution:

The Montgomery County Public Schools prohibits the use, possession, purchase, sale, or distribution of drugs or alcohol on school property, during school hours, or while on school business. This policy applies to all bus drivers in the Montgomery County public school system.

For purposes of this program, the term "drug" shall include any substance that is unlawful to possess under either the Federal Controlled Substances Act or state law, or any substance that could affect one's ability to function on the job.

The mere possession of a valid prescription or over-the-counter drug for medical reasons does not constitute a policy violation. In addition, the use of such a drug also will not

constitute a policy violation, as long as the drug does not affect the driver's ability to function on the job.

## II. The Drug Testing Program:

Bus drivers will be subject to drug and alcohol testing in four circumstances: (1) all applicants for bus driver positions will be tested during their pre-employment physical examination; (2) all drivers will be tested during their annual periodic physical examination; (3) a driver will also be tested after any accident and incidents; and (4) a driver will be tested whenever there is reasonable cause to suspect that the driver may have used drugs or alcohol. All testing will be performed by a certified laboratory with trained technicians.

Any bus driver who refuses a drug test authorized under this policy will be presumed to have used illegal drugs or alcohol in violation of this policy and will be subject to discharge. Moreover, such refusal will constitute insubordination and will serve as further grounds for discharge.

### Pre-Employment Testing:

All applicants for bus driver positions in the Montgomery County Public Schools are required to undergo a pre-employment physical examination. During this examination, applicants will be required to submit a urine sample which will be tested for the presence of drugs.

### Periodic Testing:

All Montgomery County Public Schools bus drivers must undergo an annual physical exam. Pursuant to the drug testing program, all bus drivers will be required to submit a urine sample which will be tested for the presence of drugs.

### Post-Accident Testing:

Following an accident or incident involving a school bus and/or the school bus driver, the Montgomery County Public Schools will require the bus driver to submit to a blood, urine and/or breathalyzer test. In addition, the Montgomery County Public Schools may rely on any test which the police or any other investigative authority shall perform.

An "accident or incident" shall be defined as any occurrence in which an MCPS vehicle is involved that results in a death, personal injury and/or property damage or when a vehicle has left the roadway under other than normal causes. This is regardless of who was injured, what property was damaged or who was responsible. An occurrence qualifies as an "accident or incident" whether the vehicle was in motion, temporarily stopped,

parked or being loaded or unloaded, or on either public or private property.

Post-accident testing must be completed as soon as possible after the accident, but in no case later than four (4) hours after the accident.

Following the accident, the driver will be taken to a certified lab in order to have the blood, urine, breathalyzer and/or other appropriate tests. If the employee requires hospital care, the Montgomery County Public Schools will make arrangements to assure that the appropriate tests are performed at the hospital.

#### Reasonable Cause Testing:

Montgomery County Public Schools bus drivers will be tested for drugs whenever MCPS has "reasonable cause" to suspect that the driver may have used drugs or alcohol. "Reasonable cause" includes any fact, physical sign, symptom or pattern of performance or behavior which leads the observer to reasonably suspect that the driver may have used drugs or alcohol. For example, reasonable cause may be based upon such physical signs as: odor of alcohol on breath, slurred speech, dilated pupils, inability to walk, lack of coordination, incoherence, tremors, convulsions, or paranoia.

When possible, the conduct or event giving rise to the "reasonable cause" should be witnessed by two supervisors or administrators. In an emergency, if only one supervisor or administrator is available, then only one supervisor or administrator need witness the conduct or event in order to support an order to test.

The Montgomery County Public Schools will provide training for supervisors in the detection of drug and alcohol impairment.

#### III. Drugs To Be Tested:

The purpose of the drug testing program is to identify the use of any drug which affects a driver's ability to function on the job. A detectable amount in a driver's system of any illegal drug, alcohol, or over-the-counter or prescribed medication, except when prescribed by a physician, shall violate this policy. "A detectable amount" of drugs shall be defined as the cut-off levels set forth in the table below. These levels represent the amount which can be scientifically measured to assure an accurate result.

Bus drivers will be tested for a broad range of drugs, including, but not limited to: marijuana, cocaine, opiates, PCP (phencyclidine), amphetamines, and alcohol. Presence of the

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following drugs at the indicated levels shall be conclusive proof of a violation of this policy:

Drug	Quantity: Screen/Confirmation (ng/ml)
Amphetamines	1000/500
Cannaboids (Marijuana)	100/15
Cocaine	300/150
Opiates	300/300
PCP	25/25
Alcohol	.04%/.04%

Drug	Quantity: Screen/Confirmation (ng/ml)
Barbiturates	300/300
Benzodiazepines	300/300
Methadone	300/300
Methaqualone	300/300
Propoxyphene	300/300

The Montgomery County Public Schools retains the right to test for any other drug which impairs one's ability to function on the job.

Bus drivers taking over-the-counter or prescribed medication are responsible for knowing the effects of that medication on their duties. Bus drivers may not drive or perform other duties under the influence of any prescription or over-the-counter drug that could impair their ability to function on the job. Drivers must report to their supervisor if they are using any medication that may have such an effect. A driver who is taking medication which adversely affects his/her performance will be removed from driving service temporarily and will be eligible for sick leave or other appropriate benefits.

Bus drivers may not report to work or be on MCPS property while impaired by alcohol. Bus drivers are prohibited from using alcohol within four hours of being on duty. An employee found to have a blood alcohol concentration (BAC) of .04% or more while on duty or on MCPS property will be considered presumptively impaired and in violation of this policy. Because alcohol consumption is legal, socially acceptable, and current technology is so accurate that it may even detect consumption from a previous night, the MCPS will not discipline a driver based solely upon a blood alcohol test result of less than .04% BAC.

#### IV. Drug Testing Procedure:

When this program requires that a bus driver be tested for drugs after an accident or incident, or upon reasonable cause, then the driver will be taken to an approved testing facility for the purpose of collecting the sample.

Once at the laboratory, the driver will be required to provide a urine, blood and/or breathalyzer sample. The employee will not be directly observed while providing the urine sample, but laboratory personnel will take appropriate steps to assure that the sample remains unadulterated. If the technician determines that a first sample was adulterated, then the MCPS may adopt an inference of driver drug or alcohol use. The technician will request that the employee submit a second sample, and appropriate steps, including direct observation, may be taken to assure that a proper sample has been submitted.

After the employee has provided the sample, the laboratory will comply with appropriate chain of custody procedures and will certify that the employee has actually provided the specimen submitted for testing. Results will be reported to a physician designated by the Montgomery County Public Schools as a Medical Review Officer (MRO).

In the case of negative test results, the MRO will contact the Montgomery County Public Schools and the employee to report the negative laboratory findings. In the case of positive tests, the MRO will contact the employee to determine whether the use of valid prescription or non-prescription drugs could explain the positive tests. All communications with the MRO will remain confidential. If the MRO's investigation reveals a valid reason for the test results, and the MRO determines that the driver is fit for duty, then the MRO shall contact the laboratory and the test results shall be reported as negative to the Montgomery County Public Schools and the employee. If the MRO's investigation does not reveal a valid reason for the test results or the investigation reveals a valid reason for the test results but the MRO does not certify the driver as fit for duty, then the MRO will report the test results as positive to the Montgomery County Public Schools. The MRO will determine whether the driver is fit for duty based on the type and concentration of drug in the driver's system.

#### V. Positive Test Results

##### Pre-Employment Testing

An applicant who tests positive for drugs during the pre-employment drug test or who refuses to take the test will not be hired. A quantitative confirmation test will be performed on all positive samples.

##### Periodic, Annual Physical Exam Testing

Bus drivers will be tested for drug use during their annual physical examination. If that test is positive, the laboratory will perform a quantitative confirmation test on the same sample. If the confirmation test is negative, then no action will be

taken against the driver. But if the confirmation test is positive and the MRO certifies that there is no valid reason for the test result, then the result will be reported to Personnel Services. The driver will be placed on administrative leave with pay, and will be given an opportunity to meet with a Personnel Officer in order to explain the positive test results. At that time, the Personnel Officer will explain that the driver has three days to choose one of three options: retest in 30 days, undergo rehabilitation, or be processed as discharged. If the driver fails after three days to choose rehabilitation or retest, the driver will automatically be processed as discharged. A written copy of the following options will be provided:

Option (1) -- Retest in 30 Days: With Montgomery County Public School concurrence, the bus driver may elect to be retested at any time within a 30-day period. During the 30-day period, the driver will be placed upon suspension without pay based upon the positive test result. If the retest result remains positive, then the employee will be subject to immediate discharge. But if after the 30-day period, the employee tests negative for the presence of drugs, then the employee may be reinstated, conditioned upon periodic testing at Montgomery County Public School system discretion for one year. If the periodic testing yields a positive result ANY time during that one year period, then the employee will be subject to immediate discharge.

Option (2) -- Rehabilitation: The bus driver may request rehabilitation. The employee will be placed in non-pay status and advised that his/her drug use in violation of the policy is grounds for discharge. However, discharge will be held in abeyance and the employee will be referred to the Department of Employee Assistance Services (DEAS). Sick leave can be used during rehabilitation, and medical benefits shall be continued. Upon successful completion of rehabilitation, the employee may be conditionally reinstated, subject to DEAS monitoring of the rehabilitation and one year of periodic testing at MCPS's discretion. If ANY positive drug test occurs during this one-year probationary period or during the DEAS rehabilitation period, then the employee will be subject to immediate discharge with no additional opportunity for rehabilitation.

If the bus driver does not successfully complete the rehabilitation, then the driver will be discharged without any additional rehabilitation opportunity.

Option (3) -- Discharge: The bus driver may elect to be discharged from employment with the Montgomery County Public Schools subject to the normal grievance procedures. If the driver files a grievance over the discharge, then he/she may challenge the accuracy of the test at that time.

Refusal to submit to drug testing at any stage of periodic testing will result in discharge from the Montgomery County Public Schools.

"Reasonable Cause" Testing:

Bus drivers may be tested for drugs when a supervisor has reasonable cause to believe that the driver may have used drugs or alcohol. If that test result is positive, the laboratory will perform a quantitative confirmation test on the same sample. If the confirmation test is negative, then no discipline will be imposed, unless performance was otherwise unacceptable. But if the confirmation test is positive and the MRO certifies that there is no valid reason for the test result, then the results will be reported to Personnel Services. The driver will be placed on administrative leave with pay, and will be given an opportunity to meet with a Personnel Officer in order to explain the positive test results. At that time, the Personnel Officer will explain that the driver has three days to choose one of three options: retest in 30 days, undergo rehabilitation, or be processed as discharged. If the driver fails after three days to choose rehabilitation or retest, the driver will be automatically be processed as discharged. A written copy of the following options will be provided:

Option (1) -- Retest in 30 Days: With Montgomery County Public School concurrence, the bus driver may elect to be retested at any time within a 30-day period. During the 30-day period, the driver will be placed upon suspension without pay based upon the positive test result. If the retest result remains positive, then the employee will be subject to immediate discharge. But if after the 30-day period, the employee tests negative for the presence of drugs, then the employee may be reinstated, conditioned upon periodic testing at Montgomery County Public School system discretion for one year. If the periodic testing yields a positive result ANY time during that one year period, then the employee will be subject to immediate discharge.

Option (2) -- Rehabilitation: The bus driver may request rehabilitation. The employee will be placed in non-pay status and advised that his/her drug use in violation of the policy is grounds for discharge. However, discharge will be held in abeyance and the employee will be referred to the Department of Employee Assistance Services (DEAS). Sick leave can be used during rehabilitation, and medical benefits shall be continued. Upon successful completion of rehabilitation, the employee may be conditionally reinstated, subject to DEAS's monitoring of the rehabilitation and one year of periodic testing at MCPS's discretion. If ANY positive drug test occurs during this one-year probationary period or during the DEAS rehabilitation

period, then the employee will be subject to immediate discharge with no additional opportunity for rehabilitation.

If the bus driver does not successfully complete the rehabilitation, then the driver will be discharged without any additional rehabilitation opportunity.

Option (3) -- Discharge: The bus driver may elect to be discharged from employment with the Montgomery County Public Schools subject to the normal grievance procedures. If the driver files a grievance over the discharge, then he/she may challenge the accuracy of the test at that time.

Refusal to submit to drug testing at any stage of periodic testing will result in discharge from the Montgomery County Public Schools.

#### Post Accident Testing:

Bus drivers may be tested after an accident or incident. If that test is positive, the laboratory will perform a quantitative confirmation test on the same sample. If the confirmation test is negative, the driver shall be subject to discipline under normal standards. But if the confirmation test is positive and the MRO certifies that there is no valid reason for the test result, then the results will be reported to Personnel Services. The driver will be placed on administrative leave with pay, and will be given an opportunity to meet with a Personnel Officer in order to explain the positive test results. At that time, the Personnel Officer will explain and provide a written copy of the Montgomery County Public Schools' policy regarding drug use in a post-accident context. That policy is that due to the serious nature of being involved in an accident while the driver has drugs in his or her system, the driver will be subject to discipline with NO opportunity for rehabilitation. If the Personnel Officer finds no justifiable explanation for the positive test result, the driver will be discharged. If the driver files a grievance over the discharge, then he/she may challenge the accuracy of the test at that time.

#### VI. Department of Employee Assistance Services:

The Department of Employee Assistance Services (DEAS) provides MCPS employees and their families with pretreatment evaluation and counseling, information, referrals, and follow-up services concerning drug and/or alcohol dependency. All discussions with the DEAS department shall remain completely confidential. The Montgomery County Public Schools encourages bus drivers to take advantage of this resource.



that their children will be transported in a safe and efficient manner; and

WHEREAS, The members of the Board of Education and the superintendent of schools believe that a drug testing program for bus drivers is one way of assuring that students will be transported safely; and

WHEREAS, The Agreement between the Montgomery County Council of Supporting Services Employees ("MCCSSE") and the Montgomery County Board of Education in Article 32, Section D reads as follows:

At the request of either party, Board and Union Representatives shall meet to discuss any proposed Board policies or practices regarding testing of employees for use of drugs or alcohol, with the goal of reaching agreement on a program acceptable to both parties. Such discussions shall be without prejudice to the Board's authority to implement testing for drug or alcohol abuse by employees or the Union's right to challenge such practices.

and

WHEREAS, At the request of the Board of Education, representatives of the Board and MCCSSE met and a draft drug testing program was presented to MCCSSE representatives for review and comment; and

WHEREAS, MCCSSE reviewed the draft program, suggested certain wording changes, and stated that "we oppose the policy on the grounds that no justification has been shown" to initiate a drug testing program; and

WHEREAS, The Board of Education modified some language in the draft and incorporated some of MCCSSE's suggestions and the members of the Board of Education and the superintendent of schools believe that the drug testing program is a fair and equitable one with provisions for rehabilitation; and

WHEREAS, MCCSSE has received a memorandum discussing the changes to the program in which the Board stated that the program was "justified by the safety sensitivity of the bus driver position and the need to deter drug use by bus drivers;" now therefore be it

RESOLVED, That the Board of Education hereby adopts the following drug testing program for bus drivers and directs the superintendent of schools to implement this program as soon as possible; and be it further

RESOLVED, That the post-accident and pre-employment drug testing requirements of the program be effective as of February 15, 1991; and be it further

RESOLVED, That the annual physical examination and reasonable cause drug testing requirements of the program be effective as of July 1, 1991.

#### ALCOHOL AND DRUG TESTING PROGRAM

##### BUS DRIVERS

#### MONTGOMERY COUNTY PUBLIC SCHOOL DRUG AND ALCOHOL POLICY

##### I. Use, Possession, Purchase, Sale or Distribution:

The Montgomery County Public Schools prohibits the use, possession, purchase, sale, or distribution of drugs or alcohol on school property, during school hours, or while on school business. This policy applies to all bus drivers in the Montgomery County public school system.

For purposes of this program, the term "drug" shall include any substance that is unlawful to possess under either the Federal Controlled Substances Act or state law, or any substance that could affect one's ability to function on the job.

The mere possession of a valid prescription or over-the-counter drug for medical reasons does not constitute a policy violation. In addition, the use of such a drug also will not constitute a policy violation, as long as the drug does not affect the driver's ability to function on the job.

##### II. The Drug Testing Program:

Bus drivers will be subject to drug and alcohol testing in four circumstances: (1) all applicants for bus driver positions will be tested during their pre-employment physical examination; (2) all drivers will be tested during their annual periodic physical examination; (3) a driver will also be tested after any accident and incidents; and (4) a driver will be tested whenever there is reasonable cause to suspect that the driver may have used drugs or alcohol. All testing will be performed by a certified laboratory with trained technicians.

Any bus driver who refuses a drug test authorized under this policy will be presumed to have used illegal drugs or alcohol in violation of this policy and will be subject to discharge. Moreover, such refusal will constitute insubordination and will serve as further grounds for discharge.

#### Pre-Employment Testing:

All applicants for bus driver positions in the Montgomery County Public Schools are required to undergo a pre-employment physical examination. During this examination, applicants will be required to submit a urine sample which will be tested for the presence of drugs.

#### Annual Testing:

All Montgomery County Public Schools bus drivers must undergo an annual physical exam. Pursuant to the drug testing program, all bus drivers will be required to submit a urine sample which will be tested for the presence of drugs.

#### Post-Accident Testing:

Following an accident or incident involving a school bus and/or the school bus driver, the Montgomery County Public Schools will require the bus driver to submit to a blood, urine and/or breathalyzer test. In addition, the Montgomery County Public Schools may rely on any test which the police or any other investigative authority shall perform.

An "accident or incident" shall be defined as any occurrence in which an MCPS vehicle is involved that results in a death, personal injury and/or property damage or when a vehicle has left the roadway under other than normal causes. This is regardless of who was injured, what property was damaged or who was responsible. An occurrence qualifies as an "accident or incident" whether the vehicle was in motion, temporarily stopped, parked or being loaded or unloaded, or on either public or private property.

Post-accident testing must be completed as soon as possible after the accident, but in no case later than four (4) hours after the accident.

Following the accident, the driver will be taken to a certified lab in order to have the blood, urine, breathalyzer and/or other appropriate tests. If the employee requires hospital care, the Montgomery County Public Schools will make arrangements to assure that the appropriate tests are performed at the hospital.

#### Reasonable Cause Testing:

Montgomery County Public Schools bus drivers will be tested for drugs whenever MCPS has "reasonable cause" to suspect that the driver may have used drugs or alcohol. "Reasonable cause" includes any fact, physical sign, symptom or pattern of

performance or behavior which leads the observer to reasonably suspect that the driver may have used drugs or alcohol. For example, reasonable cause may be based upon such physical signs as: odor of alcohol on breath, slurred speech, dilated pupils, inability to walk, lack of coordination, incoherence, tremors, convulsions, or paranoia.

When possible, the conduct or event giving rise to the "reasonable cause" should be witnessed by two supervisors or administrators. In an emergency, if only one supervisor or administrator is available, then only one supervisor or administrator need witness the conduct or event in order to support an order to test.

The Montgomery County Public Schools will provide training for supervisors in the detection of drug and alcohol impairment.

### III. Drugs To Be Tested:

The purpose of the drug testing program is to identify the use of any drug which affects a driver's ability to function on the job. A detectable amount in a driver's system of any illegal drug, alcohol, or over-the-counter or prescribed medication, except when prescribed by a physician, shall violate this policy. "A detectable amount" of drugs shall be defined as the cut-off levels set forth in the table below. These levels represent the amount which can be scientifically measured to assure an accurate result.

Bus drivers will be tested for a broad range of drugs, including, but not limited to: marijuana, cocaine, opiates, PCP (phencyclidine), amphetamines, and alcohol. Presence of the following drugs at the indicated levels shall be conclusive proof of a violation of this policy:

Drug	Quantity: Screen/Confirmation (ng/ml)
Amphetamines	1000/500
Cannaboids (Marijuana)	100/15
Cocaine	300/150
Opiates	300/300
PCP	25/25
Alcohol	.04%/.04%

Drug	Quantity: Screen/Confirmation (ng/ml)
Barbiturates	300/300
Benzodiazepines	300/300
Methadone	300/300
Methaqualone	300/300
Propoxyphene	300/300

The Montgomery County Public Schools retains the right to test for any other drug which impairs one's ability to function on the job.

Bus drivers taking over-the-counter or prescribed medication are responsible for knowing the effects of that medication on their duties. Bus drivers may not drive or perform other duties under the influence of any prescription or over-the-counter drug that could impair their ability to function on the job. Drivers must report to their supervisor if they are using any medication that may have such an effect. A driver who is taking medication which adversely affects his/her performance will be removed from driving service temporarily and will be eligible for sick leave or other appropriate benefits.

Bus drivers may not report to work or be on MCPS property while impaired by alcohol. Bus drivers are prohibited from using alcohol within four hours of being on duty. An employee found to have a blood alcohol concentration (BAC) of .04% or more while on duty or on MCPS property will be considered presumptively impaired and in violation of this policy. Because alcohol consumption is legal, socially acceptable, and current technology is so accurate that it may even detect consumption from a previous night, the MCPS will not discipline a driver based solely upon a blood alcohol test result of less than .04% BAC.

#### IV. Drug Testing Procedure:

When this program requires that a bus driver be tested for drugs after an accident or incident, or upon reasonable cause, then the driver will be taken to an approved testing facility for the purpose of collecting the sample.

Once at the laboratory, the driver will be required to provide a urine, blood and/or breathalyzer sample. The employee will not be directly observed while providing the urine sample, but laboratory personnel will take appropriate steps to assure that the sample remains unadulterated. If the technician determines that a first sample was adulterated, then the MCPS may adopt an inference of driver drug or alcohol use. The technician will request that the employee submit a second sample, and appropriate steps, including direct observation, may be taken to assure that a proper sample has been submitted.

After the employee has provided the sample, the laboratory will comply with appropriate chain of custody procedures and will certify that the employee has actually provided the specimen submitted for testing. Results will be reported to a physician designated by the Montgomery County Public Schools as a Medical Review Officer (MRO).

In the case of negative test results, the MRO will contact the Montgomery County Public Schools and the employee to report the negative laboratory findings. In the case of positive tests, the MRO will contact the employee to determine whether the use of valid prescription or non-prescription drugs could explain the positive tests. All communications with the MRO will remain confidential. If the MRO's investigation reveals a valid reason for the test results, and the MRO determines that the driver is fit for duty, then the MRO shall contact the laboratory and the test results shall be reported as negative to the Montgomery County Public Schools and the employee. If the MRO's investigation does not reveal a valid reason for the test results or the investigation reveals a valid reason for the test results but the MRO does not certify the driver as fit for duty, then the MRO will report the test results as positive to the Montgomery County Public Schools. The MRO will determine whether the driver is fit for duty based on the type and concentration of drug in the driver's system.

#### V. Positive Test Results

##### Pre-Employment Testing

An applicant who tests positive for drugs during the pre-employment drug test or who refuses to take the test will not be hired. A quantitative confirmation test will be performed on all positive samples.

##### Annual Physical Exam Testing

Bus drivers will be tested for drug use during their annual physical examination. If that test is positive, the laboratory will perform a quantitative confirmation test on the same sample. If the confirmation test is negative, then no action will be taken against the driver. But if the confirmation test is positive and the MRO certifies that there is no valid reason for the test result, then the result will be reported to Personnel Services. The driver will be placed on administrative leave with pay, and will be given an opportunity to meet with a Personnel Officer in order to explain the positive test results. At that time, the Personnel Officer will explain that the driver has three days to choose one of three options: retest in 30 days, undergo rehabilitation, or be processed as discharged. If the driver fails after three days to choose rehabilitation or retest, the driver will automatically be processed as discharged. A written copy of the following options will be provided:

Option (1) -- Retest in 30 Days: With Montgomery County Public School concurrence, the bus driver may elect to be retested at any time within a 30-day period. During the 30-day period, the driver will be placed upon suspension without pay based upon the positive test result. If the retest result

remains positive, then the employee will be subject to immediate discharge. But if after the 30-day period, the employee tests negative for the presence of drugs, then the employee may be reinstated, conditioned upon periodic testing at Montgomery County Public School system discretion for one year. If the periodic testing yields a positive result ANY time during that one year period, then the employee will be subject to immediate discharge.

Option (2) -- Rehabilitation: The bus driver may request rehabilitation. The employee will be placed in non-pay status and advised that his/her drug use in violation of the policy is grounds for discharge. However, discharge will be held in abeyance and the employee will be referred to the Department of Employee Assistance Services (DEAS). Sick leave can be used during rehabilitation, and medical benefits shall be continued. Upon successful completion of rehabilitation, the employee may be conditionally reinstated, subject to DEAS monitoring of the rehabilitation and one year of periodic testing at MCPS's discretion. If ANY positive drug test occurs during this one-year probationary period or during the DEAS rehabilitation period, then the employee will be subject to immediate discharge with no additional opportunity for rehabilitation.

If the bus driver does not successfully complete the rehabilitation, then the driver will be discharged without any additional rehabilitation opportunity.

Option (3) -- Discharge: The bus driver may elect to be discharged from employment with the Montgomery County Public Schools subject to the normal grievance procedures. If the driver files a grievance over the discharge, then he/she may challenge the accuracy of the test at that time.

Refusal to submit to drug testing at any stage of periodic testing will result in discharge from the Montgomery County Public Schools.

#### "Reasonable Cause" Testing:

Bus drivers may be tested for drugs when a supervisor has reasonable cause to believe that the driver may have used drugs or alcohol. If that test result is positive, the laboratory will perform a quantitative confirmation test on the same sample. If the confirmation test is negative, then no discipline will be imposed, unless performance was otherwise unacceptable. But if the confirmation test is positive and the MRO certifies that there is no valid reason for the test result, then the results will be reported to Personnel Services. The driver will be placed on administrative leave with pay, and will be given an opportunity to meet with a Personnel Officer in order to explain the positive test results. At that time, the Personnel Officer

will explain that the driver has three days to choose one of three options: retest in 30 days, undergo rehabilitation, or be processed as discharged. If the driver fails after three days to choose rehabilitation or retest, the driver will be automatically be processed as discharged. A written copy of the following options will be provided:

Option (1) -- Retest in 30 Days: With Montgomery County Public School concurrence, the bus driver may elect to be retested at any time within a 30-day period. During the 30-day period, the driver will be placed upon suspension without pay based upon the positive test result. If the retest result remains positive, then the employee will be subject to immediate discharge. But if after the 30-day period, the employee tests negative for the presence of drugs, then the employee may be reinstated, conditioned upon periodic testing at Montgomery County Public School system discretion for one year. If the periodic testing yields a positive result ANY time during that one year period, then the employee will be subject to immediate discharge.

Option (2) -- Rehabilitation: The bus driver may request rehabilitation. The employee will be placed in non-pay status and advised that his/her drug use in violation of the policy is grounds for discharge. However, discharge will be held in abeyance and the employee will be referred to the Department of Employee Assistance Services (DEAS). Sick leave can be used during rehabilitation, and medical benefits shall be continued. Upon successful completion of rehabilitation, the employee may be conditionally reinstated, subject to DEAS's monitoring of the rehabilitation and one year of periodic testing at MCPS's discretion. If ANY positive drug test occurs during this one-year probationary period or during the DEAS rehabilitation period, then the employee will be subject to immediate discharge with no additional opportunity for rehabilitation.

If the bus driver does not successfully complete the rehabilitation, then the driver will be discharged without any additional rehabilitation opportunity.

Option (3) -- Discharge: The bus driver may elect to be discharged from employment with the Montgomery County Public Schools subject to the normal grievance procedures. If the driver files a grievance over the discharge, then he/she may challenge the accuracy of the test at that time.

Refusal to submit to drug testing at any stage of periodic testing will result in discharge from the Montgomery County Public Schools.

#### Post Accident Testing:

Bus drivers may be tested after an accident or incident. If that test is positive, the laboratory will perform a quantitative confirmation test on the same sample. If the confirmation test is negative, the driver shall be subject to discipline under normal standards. But if the confirmation test is positive and the MRO certifies that there is no valid reason for the test result, then the results will be reported to Personnel Services. The driver will be placed on administrative leave with pay, and will be given an opportunity to meet with a Personnel Officer in order to explain the positive test results. At that time, the Personnel Officer will explain and provide a written copy of the Montgomery County Public Schools' policy regarding drug use in a post-accident context. That policy is that due to the serious nature of being involved in an accident while the driver has drugs in his or her system, the driver will be subject to discipline with NO opportunity for rehabilitation. If the Personnel Officer finds no justifiable explanation for the positive test result, the driver will be discharged. If the driver files a grievance over the discharge, then he/she may challenge the accuracy of the test at that time.

#### VI. Department of Employee Assistance Services:

The Department of Employee Assistance Services (DEAS) provides MCPS employees and their families with pretreatment evaluation and counseling, information, referrals, and follow-up services concerning drug and/or alcohol dependency. All discussions with the DEAS department shall remain completely confidential. The Montgomery County Public Schools encourages bus drivers to take advantage of this resource.

#### VII. Drug Testing Program Not A Waiver of Any Rights:

The purpose of this drug testing statement is to familiarize MCPS bus drivers with the new drug testing program. This statement is not intended to and shall not constitute a waiver of any rights possessed by the Montgomery County Public Schools derived from any source whatsoever. Nothing in this statement shall be construed as limiting MCPS's right to take administrative or disciplinary action up to and including discharge for involvement with drugs or alcohol not specifically addressed in this statement.

Nothing in this statement shall limit the rights of Montgomery County Public Schools as derived from existing law; rules and regulations; manuals, handbooks, and statements of policy; bulletins, memoranda, and directives; local customs and practices; labor contract provisions; and customs or practices under past or present labor contracts. The Montgomery County

Public Schools expressly reserves all such rights and any other rights derived from any other source whatsoever. The Montgomery County Public Schools may modify this statement from time to time, including when there are changes in applicable federal or state laws.

Re: MINORITY EDUCATION AND ACHIEVEMENT:  
NEXT STEPS

Mr. Ewing reported that the Board had decided that its first discussion of this matter would focus on what kinds of steps the Board ought to take, what kinds of processes it ought to use, and what kind of timetable it should pursue. He pointed out that in addition to the Gordon report they also had issues that had been raised in a range of reports that had come to the Board over the past several years. The superintendent did not have recommendations because the superintendent was looking to the Board to take charge of this issue and make it its own and develop its own plan for making sure that there were appropriate reviews and actions taken.

Mr. Ewing indicated that the Board had two documents before it. One was a brief summary of recommendations in the Gordon report and had been requested by Mrs. Brenneman. The second was a memo from him entitled "Discussion of Minority Education Issues." In the memo he had suggested that the Board ought to decide such matters as when they expected to complete its review, how they were going to conduct that review, and what kinds of information it needed in order to do that. They had to decide whether they wanted to look at all of the other recommendations they had not dealt with, and they had to decide how they were going to involve the public at an appropriate point. For example, the Board might want to hold a hearing or a forum or some other kind of public activity. Dr. Gordon had recommended that the Board call on the minority education advisory committee for its recommendations, and the Board needed to make a decision on that. A suggestion had been made that the Board might want to ask Dr. Gordon to assist it. The Board also needed to decide whether it wanted formal implementation plans with timetables.

Dr. Pitt commented that this was not an issue the superintendent was not concerned about. He had made the recommendation that they take an outside look at minority education. However, he thought it was very appropriate that the Board discuss this issue and give some direction. As superintendent, he was committed to carrying out that process, and he knew that the next superintendent would continue the process.

Ms. Gutierrez said that one of the first things she wanted to do when she became a Board member was to begin to move quickly in the area of looking at minority education. She thought the Board needed to proceed with deliberate speed, be thorough, and be

fully open because the issue of minority education in the county was an urgent, critical issue. They had been monitoring minority education for a long time, and they had established priorities which focused on minority education; however, the problem was still with them. She was not saying that they had not made progress, but she thought that the problem got bigger every day. Much had been done, and many issues were very well known and documented. The Board had to be as thorough as possible in looking at all issues. Openness should characterize their approach, and they should not predispose their approach to what they considered was doable and not doable within Montgomery County. She also wanted to ensure that they had an openness of dialogue with the minority community.

Mrs. Fanconi was impressed with what Dr. Gordon had been able to pull together. They had known a lot of what was in the report beforehand, but to her he emphasized the truth of the issues and gave them an incentive to take responsibility to address these issues. She was struck by the fact that all through the report Dr. Gordon talked about his suspicion that a lot of the problems of underachievement had more to do with economic status and resources available than ethnic background. However, Dr. Gordon did not have any way of getting a hold of that, and she thought they needed to begin to gather those statistics.

Mrs. Fanconi pointed out that they were in a time of fiscal crisis in the county in terms of funding that was going to affect not only education but health and human services. Dr. Gordon had spoken in the report about poor nutrition and medical care which education could do little about. She suggested that it behooved all of them not to forget to go across the street and talk to the people doing the health and human services budgets because it was of critical importance if they were going to educate children that these children have basic medical care, enough food, and housing.

In regard to staff development, it seemed to Mrs. Fanconi that it was of critical importance to look at what they were already doing and see whether some of these funds could be redirected for staff development on sensitivity to the needs of children. Although they did a wonderful job in the classroom, there was a need to assist teachers to do their jobs in the face of a changing society. The Gordon report focused this staff development on looking at how they developed strategies that worked with different cultures and how they could involve parents who had not been in the mainstream of involvement with the schools. She said it was important to get communication input and to have the minority education committee provide the Board with their recommendations. She agreed that they should pull together the recommendations from the Gordon report as well as from other reports received by the Board.

Dr. Cheung commented that they had talked about minority education for many, many years, and he would like to hear what actions they planned to take. He suggested that they stop talking and do something about minority education. Dr. Gordon had provided them with focus. Dr. Cheung knew that there were individual programs that were doing some good, but the problem was getting these institutionalized. He agreed that they should look at this issue in terms of Dr. Gordon's recommendations so that they could have an action plan. They had to look at budget resources, come up with some solutions, and get them moving.

Mrs. Hobbs remarked that she and others had asked Dr. Gordon for a priority listing of his recommendations. Dr. Gordon had stated that the Board already had an advisory group in addition to community groups that could help the Board prioritize his recommendations. She suggested that the Board invite its committee to meet with the Board. They also needed to invite representatives of other ethnic and cultural groups to meet with the Board.

Ms. Gutierrez complimented Mr. Ewing on the effort he had put forth to lay out the issues for the Board. It seemed to her that he was trying to pull many of the players toward the same forum and to begin to move in parallel on several activities. She was impatient and agreed with Dr. Cheung that they needed to start moving on many, many fronts so that at some point in the very near future they could have a program and priorities.

Mrs. Brenneman understood the impatience expressed by Board members. Throughout his report, Dr. Gordon had talked about coordination. She thought this was important and that they did need to hear from the community about their priorities. They also had to look at the budgetary implications. If they got community consensus on priorities, they could put that together with budgetary restraints and coordination.

Mrs. DiFonzo recalled that Mr. Ewing had asked whether they wanted to continue to use the services of Dr. Gordon, and she would like to go on record as saying that if she was going to spend money on consultant services, she would have absolutely no hesitancy whatsoever in employing Dr. Gordon. She would value his continued guidance and help in working through this problem. Mrs. Fanconi agreed that Dr. Gordon should be asked to participate in three or four worksessions with the Board. She also thought that the many minority communities needed to be kept informed about the purpose of the meetings as well as their roles and participation.

It seemed to Mr. Ewing that the Board needed to develop a plan of action which spelled out the answers to a lot of the questions they had in terms of what they were going to deal with and how. He thought that the plan needed to say by a certain date the

Board would make some decisions about what they wanted the school system to do. He suggested that this date be in May so that actions could be implemented for the next school year. It seemed to him that they needed to hear from the public at least twice. The first would be when the Board was developing its own positions, and the second would be when the Board completed its set of positions.

Mrs. Fanconi suggested that they had to have flexibility to begin working and to do things as they went along. There was a sense of frustration in the community that these issues were being talked to death. Therefore, when they reached consensus on issues they should go ahead and implement them, particularly when they were talking about redirecting current dollars. Dr. Pitt endorsed this approach. He thought they needed a conceptual base for what they were doing. While they were working through all the issues, they could take action as they went along in areas where they had consensus and direction.

Mrs. Fanconi pointed out that they were in the middle of a stream and logs kept rolling past them that were already in the stream. There were a number of issues they could address in the course of addressing other business. For example, when they looked at the early childhood policy they were looking at something that affected all students including minority students. When they looked at the flexibility pilots, they were looking at how all students achieved and whether or not minority students had special needs. They had to see the interrelationship of their policies and these issues and not see this issue as sitting out there by itself.

Mr. Chang pointed out that during the afternoon the Board would be looking at one of the "logs." This was the social studies curriculum. He felt that multicultural education was very important, and a number of his friends in student government felt the same way. By allowing all students to become more culturally aware this would improve the achievement of minority students.

Mr. Ewing remarked that the comments made by Mrs. Fanconi and Mr. Chang illustrated a complication for them. That was that the Gordon report was done in a limited timeframe focusing on a limited number of issues. It did not address every issue, and in some cases those were issues that people in the community had dealt with at some length and in depth. The Board had to be sure it was picking up on those recommendations as well. It seemed to him that the Board needed notebooks containing both sets of recommendations. For example, one notebook might have the Gordon report and the testimony given in conjunction with that report. Another notebook might contain recommendations from the Board's committee as well as from other groups. Staff could be asked to correlate this by looking at what the areas were where there was a similar or identical focus and where there were gaps in the

Gordon report or the other materials. Mrs. DiFonzo reported that the Board Office was already in the process of gathering reams of material for Board members. Mrs. Fanconi hoped that the office was not too far ahead because she did not want duplicate copies of material already in her possession. She asked the superintendent whether DEA could do the job of correlating the material for the Board. She knew that the Board received various reports during the year at various times and wondered whether the Board could direct staff on how they wanted those reports to come to the Board.

Dr. Pitt agreed that his staff would provide the information needed by the Board. However, he worried about this. They were going to have a tough budget year, and he hoped that they didn't relate minority education and money together. They spent money to educate all children, and they ought to be able to educate all children and do a better job of it. While money was an issue, they should not look at recommendations purely in terms of costs and dollars. Mrs. DiFonzo pointed out that a lot of Dr. Gordon's recommendations did not come with dollar signs. She did not think that predicating the implementation of this report on the availability of dollars was necessarily a valid conclusion. She thought they could do a lot of things without having to spend a lot of money.

Mr. Ewing pointed out that on the other hand there were some recommendations that carried a lot of dollars with them, and there were no dollars in the superintendent's proposed budget to implement anything in the Gordon report. He suggested that the Board ask the superintendent to look at the Gordon report and indicate for the Board which items required money. This should be provided to the Board before final budget action on February 12.

Dr. Cheung thought that if they were going to use Dr. Gordon's report as a guide they had to look at the efforts the school system was presently making. He agreed that some of those methodologies helped all students, not just minority students.

Mr. Ewing suggested that the next step was to develop a plan and steps. The Board staff was already pulling together information, and Board members could request that material be added to this collection. He agreed with Mrs. Fanconi that the reports prepared by the school system at different times should be brought together in one place. They ought to have data in the collection on test scores and on the impact of efforts. These data would permit the Board to make informed decisions. Ms. Gutierrez asked that this data also include some of the references that Dr. Gordon made in his report. She also suggested that they prepare five or six notebooks for use by the public so that they would all be talking from the same base of information.

As a new Board member, Mrs. Fanconi was not even sure when the reports to the Board were due. She asked that the Board be provided with a list of what reports relating to minority achievement were due and what kind of direction the staff would like in terms of format. She felt that the Board needed to be clear about what was most useful to them and thought staff could supply them with two or three different formats.

It seemed to Mr. Ewing that they were really looking for what was known about what they were doing and how effective it was, what actions had been taken, and what recommendations had not been acted upon by the Board or the system. Dr. Vance said that there were any number of reports, but there were no real answers. For example, Montgomery County had almost doubled the number of black males going on to college since 1981, but they did not know why. They had a number of successful practices, but they had found these were not necessarily applicable to all similar situations. Mr. Ewing did not think that the Board was interested in launching into a number of intensive inquiries of seeking immediate answers to questions that had not yet been answered. It was looking for what had been done to date, where they were, and what were the un-acted upon recommendations.

Dr. Pitt suggested that staff could put together an outline of where they were and share it with the Board. They could ask the Board whether these were the kinds of things they wanted to have put together. This might save some time. Ms. Gutierrez recalled that the minority education committee had asked for something similar and found it was not enough. They needed to know more detail and have more evidence of what was really in process and what were the plans.

Mr. Ewing argued that they were unlikely to make very much progress if they weren't candid with one another. If the school system did not know why they had not succeeded in an area, they ought to say that. He did not think anyone was going to be in a punitive mood with regard to this whole area. They were looking to find answers, seek solutions, and implement them.

It seemed to Mr. Ewing that the majority of the Board wanted to go beyond the Gordon report to the larger issues of minority education. The staff would provide the Board with an outline so that data could be pulled together for the notebooks. Mr. Ewing asked about the idea of having a Board subcommittee to organize the Gordon report and other recommendations in sets for Board discussion. For example, at one meeting they might want to focus on all recommendations on staff development.

Mr. Ewing said the subcommittee could work with the superintendent and his staff to make sure everything worked well from the staff point of view. Dr. Cheung and Ms. Gutierrez volunteered to serve on the subcommittee. Mrs. DiFonzo asked for

information on the time commitment necessary to serve on the subcommittee. Mrs. Fanconi said she would like to serve, but she, too, needed to know about the time commitment because of her other responsibilities.

Ms. Gutierrez liked the idea of the subcommittee having a rather limited role to the extent that it is going to get the ball rolling more quickly now. She didn't think they should spend the time right now to discuss scheduling of the subcommittee meetings. The important thing was for them to get going on a plan and timetable. Mrs. DiFonzo cautioned that if they had a subcommittee of three and one or two Board members attended the session, this would be a meeting of the Board, and they had to be very aware of this. If this was a possibility, these sessions should be during a regular Board meeting. Dr. Cheung thought the subcommittee would be working with the superintendent and his staff because they would be doing most of the work for the group.

Mr. Ewing thought that for each session of the Board there would be a prior meeting of the subcommittee where plans for the upcoming meeting were discussed. He didn't see that as taking more than a couple of hours. He also did not see the subcommittee making formal recommendations about what position the Board should take. They would just spell out what the agenda for the meeting was and make sure that the materials were there, and that the superintendent had been consulted and appropriate staff were available.

Mr. Ewing asked the Board if they were in favor of issue-oriented meetings with the goal of wrapping things up in May. Mrs. DiFonzo agreed that this was a worthy goal, but this might go to June or even next November. They should not be constrained by a deadline. They should take the time they needed to do the job right. Mr. Ewing did not disagree with that in principal, but he thought that the Board over the last several years had never gotten around to deciding anything much on this issue. It was his view that they ought to have a timetable and they ought to try to stick to it and make decisions.

Mrs. Fanconi agreed that they needed timelines, but she felt she was overwhelmed by the amount of things that they had to deal with on a daily basis, and she wanted very much to do a really good job of this. She stated for the record that she thought it was important to have clear deadlines. She thought it was important to make decisions and to move forward. While she hoped they would make some decisions today, she was also cognizant of her human frailties, and the necessity to not do a slap dash job in the name of getting something done.

Mrs. Fanconi proposed that the Board have at least four worksessions to have a candid discussion about the issues and that some or all of these would involve Dr. Gordon. She agreed

that the issues would be decided by a subcommittee of the Board as well as the order in which they took things up. She nominated Ms. Gutierrez to be the chair of the subcommittee, and Ms. Gutierrez agreed.

Ms. Gutierrez said she was very eager to have public comment and a forum. She asked for Board suggestions as to the timing of that forum. She believed that Dr. Gordon repeatedly expressed his availability for that and thought the sooner they could get something on the calendar the better.

It appeared to Mr. Ewing that the Board was in agreement with having four worksessions involving Dr. Gordon in all of them or at least some of them with a subcommittee identifying the issues for each of these discussions and organizing the agenda. The first worksession would be at the February all-day Board meeting. Mrs. Brenneman asked if anyone knew about the availability of Dr. Gordon. She also asked about the cost involved in bringing Dr. Gordon back to the county. Mr. Ewing indicated that there would be a cost involved. Ms. Gutierrez believed that Dr. Gordon had offered to come back to dialogue with the community because he knew his November presentation to be a monologue. She suggested that they take him up on his offer.

Mrs. Brenneman commented that she would not like to see a large investment of money in consultant fees if the funds could be used for programs and getting these recommendations implemented. Dr. Pitt stated that for Dr. Gordon to come for one session was one thing, for a series of meetings there might be some financial concern. He asked Dr. Vance to check into Dr. Gordon's availability and to share this information with the subcommittee. Mr. Chang pointed out that there were questions that Board members had that could only be answered by Dr. Gordon. Mrs. Hobbs asked if the minority advisory committee would be at the table and sharing in the discussions. Ms. Gutierrez thought the Board was interested in having a series of specific questions on his recommendations as a dialogue. If the Board still wanted to do this, they would have to have one session with Dr. Gordon and the Board. She was more interested in the type of open dialogue he had held when he received testimony from the community.

Mr. Ewing asked if the Board wanted Dr. Gordon at all four sessions with the Board to respond to questions and engage in dialogue. They could also ask Dr. Gordon to join the Board in some kind of open forum in addition to the worksessions. They could also ask him to work with the Board to develop some plans and timetables and monitoring mechanisms for purposes of implementation and the identification of further research. He cautioned that the more the Board asked Dr. Gordon to do, the more it cost. The Board had to be clear before Dr. Vance spoke with Dr. Gordon. Mrs. Fanconi suggested they might want to ask

Dr. Gordon what he saw as the best use of his time in helping the Board work through this.

Dr. Pitt thought that at some future time Dr. Gordon might be willing to do some things that would coordinate with his research or his publications. In the future there might be the possibility of some quid pro quo for his future services to Montgomery County that would be worth exploring. Ms. Gutierrez pointed out that Dr. Gordon had mentioned this twice in his public comments. She thought he was looking for a rich test bed such as Montgomery County to do a study and that it might be fruitful to have a conversation with him.

Mr. Ewing stated that the Board was in agreement that the superintendent would provide a list of budget implications in the Gordon report by February 12. Mrs. Fanconi asked that the superintendent give them some idea of what they were currently spending on programs such as staff development and how much of that could be redirected.

Mr. Ewing suggested that they hold an open forum in the Carver Center and invite the public to come and that the forum should probably be held on a Saturday. They could have the comments from the forum transcribed and summarized. If they had a lot of people show up, they could hold group meetings with two Board members in four rooms. He preferred this to a public hearing because it could be done more informally. He also thought they should make a special request to the minority advisory committee to offer its full views on all aspects of the report. Mrs. DiFonzo pointed out that the Board had had some difficulties in holding meetings on Saturdays and should be sensitive to religious groups. They had to weigh having meetings on Saturdays with having evening meetings when people had other activities. Mr. Ewing said they could search for another day of the week if that was the Board's pleasure. Mrs. Brenneman expressed her agreement with Mrs. DiFonzo and pointed out that they were talking about a report concerned with sensitivities to people and their views. Mr. Ewing indicated that they would look for another day. He sensed that the Board did want to have an informal opportunity for the community to comment.

Ms. Gutierrez thought there was agreement for a forum and that if at all possible Dr. Gordon should be present. Mrs. Fanconi suggested that they begin accepting written comments as soon as possible. Mr. Ewing agreed that they ought to invite public comment in written form to be submitted before their first discussion on February 12. Dr. Gordon would be invited to participate in the forum and the worksessions as well. Board members could write out their questions in advance of the worksessions and submit them to Dr. Gordon. Another alternative was to have a separate session with Dr. Gordon and the Board to answer the Board's questions.

Mr. Ewing said they could summarize the plans the Board was developing today and send those out to the community for their comments on the substantive issues as well as the Board plan. He asked whether the Board wanted to have a separate session with Dr. Gordon. Ms. Gutierrez thought that a separate session would not be necessary given the Board's time and Dr. Gordon's time. The Board could get its questions answered at the worksessions and at the same time assure that they made maximum use of Dr. Gordon's availability.

Mrs. Fanconi asked if the minority education advisory committee could be asked to comment at the February all-day Board meeting. If the Board did this, it would give them a little more time to get Dr. Gordon on board. Mr. Ewing agreed that they could do this if the committee was prepared to comment. One other option was to write the committee and ask for their comments on the Gordon report in writing, but he thought that their appearance at the all-day meeting was also a good option. Ms. Gutierrez agreed that the committee should be invited to a Board meeting, but she did not know whether the all-day meeting would be appropriate. She thought an evening meeting might be better for the committee. Mr. Ewing agreed that they would find a time to meet with the committee in February.

Mr. Ewing asked whether the Board wanted to end up with implementation plans with timetables and monitoring mechanisms. Board members were in agreement with this suggestion. He pointed out that before the Board took final action they had to make sure that the superintendent provided his recommendations. He was sure that the superintendent would be providing his comments as the worksessions went along. Mr. Ewing stated that they had to recognize that the Board could not make anything happen all by themselves. The superintendent and his staff were the people who made things happen; therefore, their advice was needed on this whole issue. They also needed to make sure they had a good way of informing the public about what the Board was doing, when it was doing it, what it meant, and how the public was going to be involved. He asked the superintendent to do this through Brian Porter. Ms. Gutierrez suggested that the Gordon tape be shown on the MCPS television channel as well. Mrs. Fanconi thought that materials could be placed in the five regional libraries so that people could have easy access to the documents.

Board members agreed that all employee organizations would be contacted for their input on minority education issues. Mr. Ewing asked whether Board members wanted to hold a public hearing in the spring before taking final action. Mrs. Fanconi suggested that the subcommittee bring in a recommendation on this issue. Mr. Ewing agreed that the subcommittee would address this issue and that in their letters to organizations, groups, and the Board's committee they could ask for comments on what kind of public involvement there should be.

Mr. Ewing indicated that the Board officers would work with Mr. Fess and the superintendent's staff to put together a summary of what the Board decided as well as next steps. He believed that this was going to lead to an organized, systematic, thorough and deliberate effort on the part of the Board. He believed that they would reach some conclusions, make some decisions, take some actions that would have a real impact. He was encouraged by what the Board had done and excited about the prospect of getting on with this issue.

Mrs. Hobbs asked that the Board be provided with a list of the scheduled visits of the minority review teams to the schools so that Board members could participate. Dr. Vance agreed to provide the Board with the list. Ms. Gutierrez also requested the minutes from last year's visits, and Dr. Vance indicated that he would provide the area reports on these visits.

RESOLUTION NO. 7-91                      Re:    PROPOSAL ON ANALYSIS OF MANAGEMENT IMPROVEMENTS

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

WHEREAS, The Board of Education directed the superintendent to develop a proposal for Board approval for a comprehensive analysis of management improvements leading to greater efficiencies and cost reductions; now therefore be it

RESOLVED, That the Board of Education adopt the proposed plan and timeline as presented.

RESOLUTION NO. 8-91                      Re:    PROCUREMENT CONTRACTS MORE THAN \$25,000

On recommendation of the superintendent and on motion of Mrs. Hobbs seconded by Dr. Cheung, 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:

52-90	Office Furniture - Extension AWARDEES Douron, Inc. The Library Store, Ltd.	\$333,700 5,126* -----
	Total	\$338,826

26-91	Library Media Center Supplies	
	AWARDEES	
	Brodart Company	\$ 22,066
	Chaselle, Inc.	510
	Dawn's Office Supply Company	4,249*
	Demco, Inc.	8,701
	Educational Marketing System	17,367*
	Gaylord Brothers, Inc.	5,145
	The Highsmith Company, Inc.	643
	Kunz, Inc.	3,036
	University Products, Inc.	460
	WJM Plastics, Inc.	6,931*
		-----
	Total	\$ 69,108
36-91	Photographic Supplies and Equipment	
	AWARDEES	
	Kinetic Artistry, Inc.	\$ 857
	Kunz, Inc.	7,344
	Photopro	31,108
	Ron-Con Camera	44,630*
	VGC Corporation	19,751
		-----
	Total	\$102,690
37-91	Industrial and Technology Education Hand Tools (formerly called Industrial Arts Hand Tools)	
	AWARDEES	
	Allegheny Educational Supply Company, Inc.	\$ 212
	Brodhead Garrett Company	1,549
	Central Supply and Equipment Company, Inc.	3,623*
	Chown Hardware	1,273
	Collins Electronics	2,812*
	Diamond Core Drilling and Sawing Company	4,475
	Gichner Company	41
	Graves-Humphreys Company	3,774
	Erwin Layne Company	5,652
	The Meyer Seed Company	1,116
	Midwest Shop Supplies, Inc.	354*
	Noland Company	22,077
	Print Products International	6,232
	Rutland Tool and Supply Company, Inc.	857
	Satco	1,748
	Schlueter Instruments Corporation	672
	Sears Industrial Sales	742
	Skarle, Inc.	490
	Standard Supplies, Inc.	596*
	Thompson and Cooke, Inc.	10,539*
	Tool Shack	1,406
	Triple M Industrial Supplies, Inc.	652*
		-----
	Total	\$ 70,892



financing of microcomputer equipment in accordance with the terms and conditions of the specifications; and be it further

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

RESOLUTION NO. 10-91            Re:    BID NO. 53-91, PURCHASE OF SCHOOL BUSES, AND BID NO. 56-91, FINANCING OF SCHOOL BUSES

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

WHEREAS, The Board of Education has determined that it is necessary to purchase additional new buses because of increased enrollment and new schools, and purchase replacement school buses as specified by the State of Maryland COMAR 13.06.07 regulation which requires that school buses be replaced every 12 years; and

WHEREAS, The Board of Education advertised Bid No. 53-91, Purchase of School Buses, and Bid No. 56-91, Financing of School Buses, to lease/purchase replacement school buses to be used in transporting students within Montgomery County; and

WHEREAS, The Board of Education deems the acquisition of school buses through a lease/purchase agreement to be essential to the operation of the public schools; and

WHEREAS, It is necessary at this time, as has been the practice in prior years, and in the public interest, for the Board of Education to acquire 28 additional buses and 76 replacement buses included in the Superintendent's FY 1992 Operating Budget, in order to receive these buses before the opening of school this fall; and

WHEREAS, Patco Distributors, Inc., Kessler Body & Equipment Company, and District International Trucks, Inc. are the lowest responsible bidders meeting specifications to provide the school buses, and Central Fidelity Bank is the lowest responsible bidder meeting specifications to provide a four-year lease/purchase arrangement at preferred financing; and

WHEREAS, The Board of Education may receive additional requests to lease/purchase other equipment under this arrangement depending upon appropriated funds; now therefore be it

RESOLVED, That the Board of Education of Montgomery County award Bid No. 53-91, Purchase of School Buses, to:

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Patco Distributors, Inc. for 77, sixty-nine passenger buses	\$4,771,844.00
Patco Distributors, Inc. for 9, forty-eight passenger buses	516,591.00
Kessler Body & Equipment, Inc. for 18, thirty-six passenger bus bodies	227,718.00
District International Trucks, Inc. for 18, thirty-six passenger bus chassis	527,693.22
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TOTAL	\$6,043,846.22

and be it further

RESOLVED, That the Board of Education of Montgomery County award Bid No. 56-91, Financing of School Buses, to Central Fidelity Bank under a four-year lease/purchase agreement for \$6,687,970 for the 28 additional and 76 replacement school buses, subject to an additional cost not to exceed \$29,500 for the interest rebate if buses are not delivered by August 1, 1991; and be it further

RESOLVED, That the Board of Education president and the superintendent of schools be authorized to execute the documents necessary for these transactions.

RESOLUTION NO. 11-91            Re:    CHANGE ORDER FOR SPRINGBROOK #8  
ELEMENTARY SCHOOL

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

WHEREAS, The Department of School Facilities has received a change order proposal for additional sediment control work for Springbrook #8 Elementary School; and

WHEREAS, The architect has reviewed the change order proposal and found it to be equitable; now therefore be it

RESOLVED, That the Board of Education approve a \$32,865 change order to the contract with Donohoe Construction Company, Inc., for the construction of Springbrook #8 Elementary School project.

RESOLUTION NO. 12-91            Re:    WINSTON CHURCHILL HIGH SCHOOL  
AUDITORIUM REROOFING

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

WHEREAS, The following sealed bids were received on December 13, 1990, for reroofing Winston Churchill High School auditorium:



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Walt Whitman HS	Contractor:	Donohoe Construction Co.
	Subcontractor:	Systems 4, Inc.
	Change Order	\$146,700

RESOLUTION NO. 14-91      Re:    WATER PIPE REPLACEMENT - EARLE B.  
WOOD MIDDLE SCHOOL

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

WHEREAS, Sealed bids were received on December 17, 1990, for replacement of deteriorating galvanized water supply lines at Earle B. Wood Middle School in accordance with MCPS Procurement Practices; and

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

WHEREAS, The low bid is within the budget estimate of \$50,000, and sufficient funds are available to award the contract; now therefore be it

RESOLVED, That a contract be awarded to the low bidder for the project in the amount listed below:

PROJECT	AMOUNT
Water Pipe Replacement Earle B. Wood Middle School LOW BIDDER: Darra's Service	\$36,590

RESOLUTION NO. 15-91      Re:    GRANT OF QUITCLAIM DEED TO  
MONTGOMERY COUNTY GOVERNMENT FOR  
SPLINTER PARCEL AT MARK TWAIN  
SCHOOL

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

WHEREAS, The Montgomery County Government has requested a quitclaim deed for 0.1313 of an acre from the Mark Twain School site located on Avery Road in Rockville; and

WHEREAS, The proposed grant of this splinter parcel along Avery Road will not adversely affect any land anticipated to be utilized for school programming and recreational activities; and

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WHEREAS, The proposed grant will benefit the surrounding community by providing additional land needed for any future widening of Avery Road; now therefore be it

RESOLVED, That the president and secretary be authorized to execute a quitclaim deed to grant 0.1313 of an acre from the Mark Twain School site to the Montgomery County Government.

Re: SCHOOL INSPECTIONS

Mrs. Fanconi will inspect Stedwick Elementary at a date to be determined. Mrs. Fanconi will inspect Whetstone Elementary on Monday, January 14, at 8:30 a.m. Mrs. Brenneman will inspect Burnt Mills Elementary School on Tuesday, January 15, at 9 a.m.

RESOLUTION NO. 16-91            Re: PRESENTATION OF PRELIMINARY PLANS -  
GLENALLAN ELEMENTARY SCHOOL

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

WHEREAS, The architect for the addition of the Glenallan Elementary School has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Glenallan Elementary School Facilities Advisory Committee has approved the proposed schematic design; now therefore be it

RESOLVED, That the Board of Education approve the preliminary plan report for the Glenallan Elementary School addition developed by Wanchul Lee Associates, P. C.

RESOLUTION NO. 17-91            Re: PRESENTATION OF PRELIMINARY PLANS -  
GALWAY ELEMENTARY SCHOOL

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

WHEREAS, The architect for the addition of the Galway Elementary School has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Galway Elementary School Facilities Advisory Committee has approved the proposed schematic design; now therefore be it

RESOLVED, That the Board of Education approve the preliminary plan report for the Galway Elementary School addition developed by Ayers/Saint/Gross, Architects.

## Re: SOCIAL STUDIES PRESENTATION

Board members viewed the following social studies presentations:

1. Mr. Richard Rattan, Social Studies Resource Teacher, Watkins Mill High School - HyperCard lesson on Louisiana Purchase including HyperCard stack using a videodisc (GTV).
2. Mr. John Day, Social Studies Resource Teacher, Richard Montgomery High School - HyperCard, Spreadsheet (Excel) and graphing: Economics unit.
3. Ms. Linda Spoales, Social Studies Resource Teacher, John F. Kennedy High School - Martin Luther King, Jr. videodisc and point of view and the '88 vote videodisc with HyperCard.

## RESOLUTION NO. 18-91 Re: SUPERINTENDENT SELECTION PROCESS

On motion of Ms. Gutierrez seconded by Dr. Cheung, the following resolution was adopted with Dr. Cheung, Mr. Ewing, Mrs. Fanconi, Mrs. Hobbs, and Ms. Gutierrez voting in the affirmative; Mrs. Brenneman, Mr. Chang, and Mrs. DiFonzo voting in the negative:

WHEREAS, Harry Pitt, superintendent of schools, has announced his plans to retire on July 1, 1991; and

WHEREAS, It is necessary for the Board of Education to seek a replacement for Dr. Pitt; and

WHEREAS, The superintendent selection process is unique and the Board of Education may require specialized assistance in fulfilling its statutory duty to appoint a superintendent of schools; now therefore be it

RESOLVED, That the Board of Education announces its intention to conduct a national search for Dr. Pitt's replacement that will seek the most qualified candidate from within MCPS as well as nationwide; and be it further

RESOLVED, That the Board of Education authorizes a special account for the superintendent selection process with the understanding that costs for this process will be kept well below those of recent prior searches; and be it further

RESOLVED, That the Board of Education will solicit written input from the community concerning characteristics for the new superintendent with a February 1 deadline for receipt of comments and will hold a public dialogue on Saturday, January 26, from 9 a.m. to noon, in the auditorium of the Carver Educational Services Center.

Mrs. DiFonzo read the following statement into the record:

"Unlike other Board members who have been quoted as saying they were shocked and/or surprised by Dr. Pitt's announcement to not seek a second term, I was not. I knew Dr. Pitt could have retired two years ago. I knew Dr. Pitt said in 1987 that if named superintendent he would serve a four-year term. I knew those things because Dr. Pitt publicly stated them. I also knew he had until the end of January to inform the Board of the manner in which he chose to proceed to accept or not to accept another contract. I knew these things because I knew the law.

"I also was and continue to be well aware of the continual pressures that have been and are being brought to bear on the superintendent of schools in Montgomery County on an almost daily basis. I also know Harry Pitt is a mere mortal. Therefore I was neither shocked nor surprised when he informed the Board of his intention to retire. Quite the contrary, I would have been flabbergasted to learn that he had decided to stay. Not only do I understand and accept Dr. Pitt's decision, I respect and applaud it. For Dr. Pitt and his family I believe it is the right decision, and publicly I would like to thank Harry for all his efforts, his accomplishments, his dedication, and deep-seated caring for the kids and people who make up the MCPS family. By the same token I offer him best wishes and godspeed in whatever may be his next endeavors.

"Having 'known' for some time that Dr. Pitt was leaving, I have had considerable time to think about the new superintendent. One advantage of having been on the Board for six years and having availed myself of the opportunity to travel is that I have visited dozens of school systems, spoken with dozens if not hundreds of Board members from around the country, gotten to know dozens if not hundreds of school superintendents. I have had numerous opportunities through my conversations with them to compare and contrast Montgomery County with and to others. I have spent more than 20 years not only as a Board member but also as a citizen and PTA activist getting to know Montgomery County, its communities, its politics, its current issues which quickly comprise its history. I have actively and with great interest followed the Board's activities. I was there when the Board voted a year and a half in advance to extend Dr. Bernardo's contract. Mr. Ewing should remember that. He supported that resolution. I was there when the Board chased Dr. Andrews until he caught them. Mr. Ewing opposed Dr. Andrews' appointment as superintendent. I was there when the Board with Mr. Ewing as president unanimously appointed Dr. Cody as superintendent. And indeed I was there when the Board with Mr. Ewing disagreeing voted to name Dr. Pitt as superintendent. Moreover I was there night after night, month after month, year after year, in between.

"And so with longevity and an institutional memory on my side, I believe I have a strong sense of what Montgomery County needs and indeed doesn't need in a superintendent of schools. I don't believe we are broke. So I don't believe we need fixing. In order to know where we want to go and how to get us there, one needs to know where we have been and how we got there. I believe we do not have to look beyond our own boundaries to find that expertise. I know for a fact I certainly don't. I think it is unfortunate that the Board discussed the subject of a national search in executive session before we were given the benefit of the knowledge that an MCPS insider intended to be a serious candidate for the position of superintendent. Whether that knowledge a priori would have changed any Board member's mind, I do not know, but I for one would have appreciated the president having shared that information with us before rather than after the fact.

"In short, I will not support any effort to pursue a national search for the superintendency. I believe it is unnecessary, irresponsible on the part of any knowledgeable Board member, and fiscally indefensible. I am convinced our best replacement is right under our noses. We need not look nationally, merely right."

Mr. Chang made the following statement for the record:

"I do not support a national search, and there are a variety of reasons. First of all, I believe it is important to reduce costs and that's the primary reason that I am voting against the national search. I think to be fiscally responsible, a national search would not be necessary, number one. Number two, I believe as was stated earlier, we do have many competent, well-qualified candidates within the system. I am also wary and cautious and afraid of losing qualified candidates to other national searches considering that 28 out of 45 large cities are also looking for superintendents. I don't want any other outstanding professionals of ours who are responsible for maintaining the day-to-day operations of the school system to want to leave because we chose perhaps an outsider. Basically I am looking at the costs, and I have discussed this with a lot of student leaders, and I realize that with such a big system it would be nice to go for a national search, but it seems you either go all the way or you don't go at all. To go for a limited search and not pry very deeply into the several communities of the several finalists we have really wouldn't be worth it. I don't think this Board has the money to go into the communities of the finalists and to have an intensive search into those communities. Therefore, for those reasons, I am against a national search, and I believe our best replacement is not only under our noses but right before our eyes.

RESOLUTION NO. 19-91            Re: EXECUTIVE SESSION - SUPERINTENDENT  
SELECTION PROCESS

On motion of Mrs. DiFonzo seconded by Mrs. Fanconi, 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 meetings in executive closed session at times to be determined to consider matters and issues in connection with the superintendent selection process; and be it further

RESOLVED, That the president of the Board of Education will announce at public business meetings when the Board of Education has held these executive sessions.

RESOLUTION NO. 20-91            Re: CONSULTANT SERVICES

On motion of Ms. Gutierrez seconded by Dr. Cheung, the following resolution was adopted with Dr. Cheung, Mr. Ewing, Mrs. Fanconi, Mrs. Hobbs, and Ms. Gutierrez voting in the affirmative; Mrs. Brenneman, Mr. Chang, and Mrs. DiFonzo voting in the negative:

WHEREAS, The superintendent selection process is unique and the Board of Education may require specialized assistance in fulfilling its statutory duty to appoint a superintendent of schools; and

WHEREAS, The Board of Education of Montgomery County may determine that the interests of the Montgomery County public school system are best served by utilizing the assistance of a consultant in the selection of a superintendent; and

WHEREAS, MCPS Administrative Regulation DJA-RA permits a determination as to whether a particular personal service contract is to be considered a consultant service subject to the bidding requirements of the regulation; now therefore be it

RESOLVED, That the requirement for competitive bidding for the unique services of a consultant in the superintendent selection process cannot feasibly be met; and be it further

RESOLVED, That if consultant services are to be utilized in the superintendent selection process they are not considered to be among those personal service contracts subject to MCPS Administrative Regulation DJA-RA and such services should not exceed \$10,000.

## RESOLUTION NO. 21-91 Re: MONTHLY PERSONNEL REPORT

On recommendation of the superintendent and on motion of Ms. Gutierrez seconded by Mrs. Fanconi, the following resolution was adopted with Mrs. Brenneman, Dr. Chang, Mr. Ewing, Mrs. Fanconi, Mrs. Hobbs, and Ms. Gutierrez voting in the affirmative; Mr. Chang abstaining; and Mrs. DiFonzo being temporarily absent:

RESOLVED, That the following personnel appointments, resignations, and leaves of absences for professional and supporting services personnel be approved. (TO BE APPENDED TO THESE MINUTES)

## RESOLUTION NO. 22-91 Re: EXTENSION OF SICK LEAVE

On recommendation of the superintendent and on motion of Ms. Gutierrez seconded by Mrs. Fanconi, the following resolution was adopted with Mrs. Brenneman, Dr. Chang, Mr. Ewing, Mrs. Fanconi, Mrs. Hobbs, and Ms. Gutierrez voting in the affirmative; Mr. Chang abstaining; and Mrs. DiFonzo being temporarily absent:

WHEREAS, The employees listed below have suffered serious illness; and

WHEREAS, Due to the prolonged illness, the employees' accumulated sick leave has expired; now therefore be it

RESOLVED, That the Board of Education grant an extension of sick leave with three-fourths pay covering the number of days indicated.

NAME	POSITION AND LOCATION	NO. OF DAYS
Gerald Howard	General Maintenance Worker III Maintenance-Carpenters	20
Larry Neal	Electrician I Maintenance-Electricians	30

## RESOLUTION NO. 23-91 Re: PERSONNEL APPOINTMENT

On recommendation of the superintendent and on motion of Ms. Gutierrez seconded by Mrs. Brenneman, the following resolution was adopted with Mrs. Brenneman, Dr. Cheung, Mr. Ewing, Mrs. Fanconi, Mrs. Hobbs, and Ms. Gutierrez voting in the affirmative; Mr. Chang abstaining; and Mrs. DiFonzo being temporarily absent:

RESOLVED, That the following personnel appointment be approved:

APPOINTMENT	PRESENT POSITION	AS
John H. Robinson	Principal McKenney Hills Learning Center	Principal Mark Twain School Effective: 2-1-91

Re: MONTHLY FINANCIAL REPORT

Dr. Pitt explained that the economy measures detailed in the report were continuations of the previous actions. Next month Dr. Vance would be reviewing the situation. In regard to heating oil, Dr. Pitt thought that they might be buying oil in the near future on the present bid which expires on January 18. Mr. Ewing asked that next month's financial report be scheduled for discussion.

Re: SECOND SEMESTER EXAMINATIONS FOR SENIORS

Mr. Ewing explained that this item was in response to a motion made by Mr. Chang to schedule a discussion on second semester senior exams and a possible exemption for A and B students. Dr. Pitt reported that the staff had tried to provide information on the issue of examinations as well as the grading policy.

Mr. Chang said that his idea was to give second semester seniors exemptions if they were going to get an A or B. The idea has come from some teachers at his school, and he had sounded this out with Board members, students, and teachers. He thought this provided an incentive for seniors to keep their grades up so that they would not have to come back and take an exam. He reported that this was the first time in a long time that seniors would have exams after Memorial Day which was just a few days before graduation. Another advantage was that this freed up teachers to work in preparing underclass students for their examinations. If a student wanted to bring his or her grade up from a B to an A, the student could take the exam. He said that about 20 years ago seniors did not have second semester finals. However, they did have culminating activities. Teachers had also told him that more students would be able to take the AP exams if they were free from taking the semester exams.

Dr. Pitt recalled that the guidelines stated that there were to be written final examinations for seniors and two-period exams for other students. The policy itself indicated that there would be an evaluation activity including a written exam with short answer and essay questions where applicable. If they wanted to change this, he thought they should get input from staff.

Mrs. DiFonzo said that she could see some positive sides to Mr. Chang's proposal. At the college level some professors did

exempt students from final exams. She would be interested in getting reactions from principals and from teachers in the various disciplines and subjects. Mrs. Fanconi suggested asking the professionals if C students would work to pull their grade up to a B in order not to take the exam.

Dr. Pitt did not have a strong feeling about a written exam for a youngster who was achieving at the highest level as a senior. He thought it would be appropriate for the Board to ask for some feedback. However, he would have a big problem with doing this for B students.

Board members discussed the way teachers determined the quarter grades at present. Mr. Chang explained that a student would not have to take the exam if he or she had an A or B in the third quarter and was doing A or B work in the fourth quarter. Board members agreed that they should receive comments from teachers and administrators on the advantages and disadvantages of the proposal together with some of the implications of variations on this. Once they had this information, they could come back and see whether the Board wanted to act on the proposal.

Re: BOARD MEMBER COMMENTS

1. Mrs. Hobbs reported that as a part of the items of information they had an item on the staff response to the recommendations made by the Citizens Advisory Committee on Family Life and Human Development in their annual report. She wanted to go on record as being very unhappy with the response to recommendation No. 3 which was really no response at all. She hoped that they could come to some sort of a recommendation before April.

2. Mrs. Hobbs commented that the Career Fair for eighth grade students which was scheduled for today had been cancelled because of the weather. It would be held on January 16, and she hoped that Board members and executive staff would be able to attend because a great deal of effort went into the Career Fair. She thought they would find it very interesting. It was an example of a collaborative effort involving MCPS staff, Montgomery College, and private industry. The financing for the Career Fair transportation and refreshments was being provided by private groups.

3. In regard to testimony received during Public Comments, Mrs. Fanconi stated that a woman had testified about the need for parental participation. She agreed that parents needed to be talking to their teenagers. There was a state and local jurisdiction campaign every year called, "Parents and Children Talking." There was material in all libraries encouraging parents to talk to their children because research had shown that children who knew very clearly where their parents stood on

issues of sexuality had much less trouble making decisions about it. She asked to go on record in support of "Parents and Children Talking."

4. Mrs. Brenneman reported that in December she had attended the ACT-SO program sponsored by the NAACP. Some talented youth performed, and she commended the youth participating in that program and their parents who were extremely proud of their children.

5. Mr. Chang reminded the community that there were eight members of the Board and the student member was one of the eight members.

6. Mr. Ewing reported that the Board had met on Friday and Saturday of last week to review what it wanted to do in the way of an agenda of actions for the coming 12 to 18 months. Out of that session came a list of some 12 action areas, and they had the help of the superintendent, deputy, and executive staff in putting that together. The Board would use the document as a guide for its agenda-setting activities and as a way to focus its agendas on a limited number of actions it wanted to accomplish.

7. Mr. Ewing commended Dr. J. D. Speller and the Black Honors Mathematics Society. The group had done some remarkable things, and he and Mrs. Brenneman had attended a pot luck dinner to honor students and parents. Dr. Speller had indicated he would be most happy if Board members could accompany the group to Annapolis on January 19 when students went to be tutored by midshipmen. In addition, there would be a black tie dinner on January 22 to which the Board would be receiving an invitation and at which there would be a number of dignitaries representing the Navy and the Department of Defense. If Board members were interested in going to Annapolis, they should get in touch with Dr. Speller.

RESOLUTION NO. 24-91            Re: EXECUTIVE SESSION - JANUARY 22,  
1991

On recommendation of the superintendent and on motion of Mrs. DiFonzo seconded by Ms. Gutierrez, 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 January 22, 1991, at 7:30 p.m. to discuss, consider, deliberate, and/or otherwise decide the employment, assignment, appointment, promotion, demotion, compensation, discipline, removal, or



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RESOLVED, That the Board of Education schedule a discussion and staff presentation on the new Carl B. Perkins Vocational Act.

RESOLUTION NO. 30-91            Re:    LONG-TERM SUSPENSION AND EXPULSION

On motion of Mrs. Hobbs seconded by Ms. Gutierrez, the following resolution was adopted unanimously:

RESOLVED, That the Board of Education review the long-term suspension and expulsion process, data (including racial, ethnic, and gender information), and alternative programs for these students and discuss the Board's educational responsibility to children under long-term suspension or expulsion.

Re:    ITEMS OF INFORMATION

Board members received the following items of information:

1.    Items in Process
2.    Construction Progress Report
3.    Staff Response to Family Life Committee

Re:    ADJOURNMENT

The president adjourned the meeting at 7:30 p.m. to an executive session on the superintendent search process.

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PRESIDENT

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SECRETARY

HP:mlw