

Resolved, That the Board of Education support the concept of SB 41 - Education - Involvement of Parents in Their Children's Schools; and be it further

Resolved, That the Board of Education does not support this legislation since it does not believe legislation is needed to achieve these goals.

RESOLUTION NO. 51-92 Re: RESOLUTION ON REVENUE

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

Resolved, That the Board of Education request the superintendent and staff including Mrs. Stoner to develop a resolution on revenues with action to be scheduled for not later than the evening Board meeting in January.

RESOLUTION NO. 52-92 Re: STATE AND LOCAL REVENUES

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

WHEREAS, The state of Maryland and Montgomery County continue to face revenue shortfalls in FY 92 and FY 93; and

WHEREAS, The state has estimated that there will be a \$1.2 billion gap between revenues and expenditures in FY 93 under existing law; and

WHEREAS, State grants from the property tax, shared taxes and education aid that Montgomery County receives from the state are critical to funding the MCPS budget; and

WHEREAS, Any loss of aid to help solve the state's fiscal problems will make Montgomery County's fiscal problem much greater; now therefore be it

Resolved, That the Board of Education urge the Montgomery County Delegation to the state legislature to support increases in state revenues to help close the projected \$1.2 billion revenue/ expenditure gap for FY 93; and be it further

Resolved, That the Board of Education urge the legislature to act quickly to assure that additional funds are available to alleviate the FY 92 shortfall; and be it further

Resolved, That the Board of Education urge the Montgomery County Delegation to support funding for the state's commitment to primary and secondary education in Maryland.

RESOLUTION NO. 53-92 Re: CAREER AND VOCATIONAL EDUCATION
WEEK, FEBRUARY 9-15, 1992

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

WHEREAS, The governor of Maryland has recently proclaimed February 9-15, 1992, as Career and Vocational Education Week; and

WHEREAS, The high technology tradition for which Montgomery County is widely respected shines forth through a variety of valuable educational opportunities available to effectively prepare students for the world of work; and

WHEREAS, Vocational educators and leaders in our private sector play important roles in ensuring that students who are seeking future employment in career and vocational education receive the proper skills and training necessary to enable them to fully pursue their goals; and

WHEREAS, The Future Business Leaders of America, the Future Homemakers of America and Home Economics Related Occupations, the Future Farmers of America, the Distributive Education Clubs of America, the Vocational Industrial Clubs of America, and the Health Occupation Students of America have joined forces to give an added definition to vocational education; and

WHEREAS, The Montgomery County public school system is pleased to join in with the American Vocational Association, the Maryland Vocational Association, the Maryland State Council on Vocational-Technical Education, the Montgomery County Advisory Council on Vocational-Technical Education, and the Citizens' Advisory Committee on Career and Vocational Education in celebrating a week dedicated to a large group of promising and highly talented students who will have vital responsibilities and positions in our workforce of tomorrow, and who are deserving of our continued support; now therefore be it

Resolved, That the members of the Board of Education recognize the week of February 9-15, 1992, as **CAREER AND VOCATIONAL EDUCATION WEEK** in the Montgomery County Public Schools.

*Mrs. DiFonzo joined the meeting at this point.

Re: PUBLIC COMMENTS

The following individuals appeared before the Board of Education:

1. Carol Wallace, Montgomery County Taxpayers League
2. Gary Siegel
3. Karen Seelig

facility on unimproved land between Cabin John Middle School and Bells Mill Elementary School; and

WHEREAS, The Board of Education's policy on child care supports the placement of child care facilities on school sites where possible, and Maryland state law authorizes the lease of any part of public school property for the construction of a child care center if the property will not be needed for public school use during the term of the lease and the term does not exceed 20 years; and

WHEREAS, The Board has determined that the unused portion of land situated between Cabin John Middle School and Bells Mill Elementary school will not be needed for public school use during the term of the lease; and

WHEREAS, The Board believes the public interest will be served by confirming the ground lease agreement; now therefore be it

Resolved, That the Board of Education confirms the ground lease between Montgomery County Public Schools and Georgetown Hill Child Care Center, Inc., dated March 20, 1990, for construction of a child care center between Cabin John Middle School and Bells Mill Elementary School; and be it further

Resolved, That the Board authorize the superintendent and the Board president to sign the lease confirmation document.

RESOLUTION NO. 60-92 Re: PERSONNEL APPOINTMENT

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

Resolved, That the following personnel appointment be approved:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Daniel Shea	Assistant Principal Seneca Valley HS	Principal Westland IS Effective: 1-28-92

Dr. Vance made the following statement for the record:

"May I request that the record indicate why Mrs. DiFonzo didn't vote in the affirmative for Mr. Shea. It had nothing to do with Mr. Shea. I believe it was her concern over how we were proceeding."

Mrs. Fanconi rejoined the Board meeting at this point.

Re: ANNUAL REPORT OF THE CITIZENS
ADVISORY COMMITTEE ON FAMILY LIFE
AND HUMAN DEVELOPMENT

Mr. Daniel Finn, chair of the committee, stated that he would highlight a few things in the report. There was concern regarding the lack of progress in increasing enrollment in family life and human development programs. There were suggestions on how the staff might look into increasing enrollment. This was especially a concern in light of the rising rates of AIDS and other sexually transmitted diseases throughout the county. They recommend the staff look at alternative methods of reaching students through PTA meetings where parents could be involved in the effort. Several years ago the Board allowed family life programs to apply towards the practical arts graduation requirement. There had been some changes at the state level, and he did not know whether this would continue to be applicable and might cause negative effects on enrollment in those programs.

Mr. Finn said they were concerned about representation on the committee and whether the committee accurately represented the citizens of the county. There were eight males and 18 females on the committee, and two minorities. The committee asked that next time members were appointed that consideration be given to including a wider spectrum to represent all citizens. The Board had a copy of all the materials they had reviewed over the past year.

Mrs. Hobbs thought that up to this point she had assumed the committee had worked as a committee of the whole versus subcommittees. Mr. Finn replied that typically they worked as a committee of the whole, but they did have a subcommittee developing suggestions for the review of the curriculum by the staff. The committee was very large, and they thought a subcommittee for this issue might be better. Mrs. Hobbs asked whether the membership should be reduced. Mr. Finn replied that he would not recommend a decrease in the size of the committee. While the committee was very large, it did represent a broad range of opinion.

Mrs. Fanconi asked the superintendent for the latest information on the practical arts requirement. Mrs. Gemberling replied that the state was now talking about a technology education credit which had yet to be defined. It was not in the nature of practical arts which is where MCPS had originally put this course. At this point there was no separate credit in health.

Mrs. Fanconi described a program in the county called "Parents and Children Talking." The Health Department, the libraries, 4-H, and a number of groups had worked together to get resources for people to talk to parent groups. When parents talked to their children about their own values, it was much more effective

than anything the schools could do. The school system had been very active in providing lists of resources for speakers. However, the turnout for these programs was not encouraging. Mr. Finn commented that unfortunately it often took a crisis to galvanize parents and students into action. They wanted to have both the parents and the students involved in the education because it would be more effective.

Mr. Ewing recalled that last time they had talked about the program, they had talked about evaluation. It was acknowledged that the program as a whole had not been evaluated formally for many years. He thought there was a clear understanding that an evaluation would be developed. He asked about the status of that evaluation and how it was being done. He asked whether the committee was involved in the evaluation. Mr. Finn replied that their role was to develop some criteria for the staff. Mr. Ewing asked the superintendent to provide the Board with a report on where this stood, where it was headed, and the timing of the evaluation.

Mr. Ewing stated that his second question had to do with the suggestion that they consider an abstinence program as an alternative. He asked whether the committee had formally considered that and, if so, what was the position of the committee. If not, did the committee plan to? He also asked whether the staff was exploring this on its own.

Mr. Finn reported that it had come up before the committee as an alternative program for parents who did not elect to have their children in the contraceptive-based program. Unfortunately, the committee ruled this to be out of order. He thought that this issue would be presented at their next meeting.

Dr. Vance stated that he had discussed this consideration with staff after staff and Board members had met with the group presenting a syllabus. He had suggested that staff review the material, but this was as far as he had taken it with staff. He would be interested in what came out of the next meeting of the committee. He indicated that this subject was being discussed on the national level. There were opposing points of view about what had contributed to the widespread pregnancy and sexually-transmitted diseases among teenagers.

Mrs. Brenneman asked whether there was a PTA liaison on the committee, and Mr. Finn assured her there was. Dr. Vance commented that in the recommendations there was no insistence that they challenge PTA to become more forcefully involved at a local level with encouraging parents to select this elective for their children. It was more or less seen as a staff responsibility to create the outreach. He asked about whether the committee saw themselves in an activist role such as meeting with MCCPTA and encouraging them to participate in this program.

Mr. Finn replied that this would take the committee to a different plane than the one the committee had been functioning in. They were more of an advisory committee than an activist committee. He recalled that when Mrs. Gemberling was principal of Kennedy High School they had very successful programs there. The committee was not saying it was the staff's responsibility but rather to identify where there were successful programs and help other schools learn of those programs so that they could foster their own programs.

Mrs. Brenneman pointed out that the committee membership list provided to the Board was not up to date.

Dr. Cheung commented that their social and family structure was changing. This was very important in terms of looking at family values and relationships between children and parents. He asked whether they had looked at the curriculum in terms of any areas needing improvement to promote better values. Mr. Finn replied that they had not looked at doing a curriculum evaluation. A number of people felt the program should be more centered on family values.

Mrs. DiFonzo called attention to the statement on page 5 which stated, "analyze if there is any correlation between the schools which offer/don't offer the program versus the pregnancy rates in those same schools. This could help assess the effectiveness or lack of effectiveness of the programs." She thought they would end up with faulty data because they would have to look at the pregnancy rate among students taking the course. If a school offered calculus and a student hadn't taken it, it was unfair to test the student on his or her mastery of calculus. If they did a study, they would have to be sure they were comparing apples and apples.

Mr. Finn agreed with Mrs. DiFonzo's observation. He explained that the list of ideas was not to be inclusive or exclusive. It was rather to say that here were some ideas they should be looking at. They needed to do these scientifically. For example, less than 50 percent of the schools offered the program. There must be some reasons why some schools offered the program and others did not. It was to look at what was causing that and what impact it might or might not be having on the pregnancy rate. Mrs. DiFonzo said they were looking at two different questions. One was what caused the school to offer the program and why students signed up for it versus the other question which was whether it was having an effect and what was the effect. To get at that, they had to look at the students who were taking the course instead of the entire student body of the school.

Mr. Ewing agreed with Mrs. DiFonzo. He would carry it further and say that if they attempted to determine whether the program was effective in achieving the goal of reducing teenage pregnancy

and sexually transmitted diseases, they were setting an extraordinarily difficult task for anyone who attempted that. It would be very difficult to prove that point one way or another. About the most they could do would be to establish some correlations, but the correlations did not prove cause and effect. To get at cause and effect, they would have to do direct interviews which would require people to waive their rights under the Privacy Act. He said they should not assume that they could get at that question because it was too difficult.

Mrs. Hobbs thanked Mr. Finn and the committee for their specific concerns and suggestions.

Re: ANNUAL REPORT OF THE ADVISORY
COMMITTEE ON COUNSELING AND
GUIDANCE

Ms. Kathy McGuire, director of guidance, explained that their committee chairperson Elinor Covey was ill with the flu. Ms. Barbara McKenzie, the past co-chair person, would be presenting the report. The following committee members were present: Ms. Jill Gessner, Ms. Alison Babel, Ms. Bev Denbo, Ms. Renee Plummer, and Mr. Robert Howard, and Ms. Sarah Pelham.

Ms. McKenzie stated that it was their basic premise that counseling was a necessity in these days and times. They had decreased funding, increased enrollment, and corresponding needs. They knew the Board had to make some painful decisions, but they felt that counseling and guidance was crucial. Their first recommendation was time to counsel. The major function of school counselors was to counsel students, and they found there was a lot of paperwork and services which decreased time available for students.

Ms. Plummer said they were finding that the paperwork in the EMT/ARD process was left to counselors to do. There were other clerical jobs that took away from their time with individual students, classroom presentations, and small group discussions. Ms. McKenzie thought that the budget cuts had had an impact here.

Mrs. DiFonzo asked for a sense of what counseling meant to counselors. Ms. Plummer said one service would be to work directly with a student on personal issues. They had a curriculum, and they were responsible to the entire student body to do group guidance in the classrooms. They worked with parents as liaisons between teachers, administrators, parents, and students. Part of this was the EMT/ARD process and making referrals. They also worked with teachers as consultants. Mrs. Brenneman asked about the proportion of time spent on actual counseling. Ms. Plummer replied that it would depend on the level of the school, and she could not give the Board an exact number.

Ms. McKenzie said their second recommendation was in terms of elementary counselors. They wanted to continue to provide at least one full-time counselor in each elementary school, and they hoped that the two new schools would have counseling positions.

Ms. McKenzie reported that their third recommendation was for additional bilingual counselors. Ms. Pelham reported that their ESOL bilingual population was increasing, and these children came with all kinds of needs. They had to adjust to a new country, learn a language, and become integrated into American society. Getting extra services made the difference between being successful and not being successful.

Ms. McKenzie indicated that their fourth recommendation was post-secondary alternatives for students. They thought there should be apprenticeships, trade and technical schools, and employment. Much of the work of counselors was geared to students who would be attending college, and there needed to be more done for students who were not going on to college. They were suggesting funding for career and employment fairs, counselor workshops, and career materials to support these endeavors.

Ms. McKenzie stated that their final recommendation was to retain the career information assistants in each high school.

Ms. McGuire reported that the committee had been working very hard. In regard to bilingual counselors, she had been working with Personnel on this issue and had been networking with other organizations. Through Johns Hopkins she had been able to get some additional funding for Asian, Hispanic, and African-American teachers who wanted to go into counseling. With Howard University, they were beginning to get some practicum students in counseling. They were also working with Bowie and Maryland on this same issue. Her department worked very closely with ESOL and the bilingual counselors in the ESOL Department.

Mrs. DiFonzo asked if they were working with Johns Hopkins on the bilingual issue or from a minority employment point of view. Ms. McGuire replied that it was both. In addition, she was also looking for men for the elementary school program.

Dr. Cheung asked about the amount of time counselors spent on paperwork. There was also a statement about "clarify forms and counselor responsibilities during EMT/ARD meetings." Mr. Howard explained that the forms were complicated, and there had been some work on redesigning these forms. The real concern was the actual time involved in meetings and the amount of time it took to process the case. He felt that much of that work might be done by someone with less training. The meetings were frequently conducted by counselors which took time away from working with students. If he had to make a guess, he would say that 40 to 60 percent of his time was spent on non-counseling duties.

Ms. Gutierrez asked about the numbers of bilingual counselors and how they served the various high schools. Ms. McGuire replied that there were eight ESOL counselors and they worked K-12 with various clusters. They worked with students and consulted with the Counseling Department in the school. Ms. Gutierrez asked whether their proposal to hire more Asians, Hispanics, and African-Americans was to add to this staff or the regular counseling staff. She saw that ESOL students did have urgent needs, but it went beyond that population also. Ms. McKenzie thought that this was separate. They were recommending additional bilingual counselors. Ms. McGuire recalled that last year the request was for additional ESOL counselors because eight was not enough, but they also wanted to make sure that individual schools had bilingual counselors available by hiring additional counselors.

Ms. Gutierrez asked about staffing the EMT/ARD from a bilingual point of view. Ms. McGuire replied that they had a bilingual assessment team which was beyond the counselors; however, some ESOL counselors did sit in on the EMT/ARD procedure in some cases when requested by the school or by the parents. Mrs. DiFonzo asked for a breakdown of the languages of the eight ESOL counselors. Ms. Gutierrez also asked about the language capabilities in the bilingual assessment team.

Ms. Gutierrez asked about their ability to hire bilingual counselors. Ms. McGuire replied that they had three positions right now that were frozen and being filled by part-time substitutes. There were two new schools, and the budget included two additional positions. Increasing enrollment would bring new counselors as well.

Mrs. Brenneman asked for a list of the schools served by the bilingual counselors and the percentages of the language spoken in that school. She would also like some information on bilingual psychologists as well. She recalled that in 1990 they had talked about having counselors study other languages. She asked whether this was being done. She pointed out that in the report there was a need for more staff development at the elementary level but not at the middle or high school level. Ms. Plummer explained that elementary counselors were new and needed more training. Mrs. Gemberling added that the secondary level there was more than one counselor in a school, and there was a sharing of ideas. The elementary counselors were alone in their schools. Ms. McGuire pointed out that in the last three years they had hired 75 new elementary counselors, and these people needed more staff development and networking.

Mrs. Brenneman asked whether counselors did anything as far as acclimating students coming into the county and not speaking the language. Ms. McGuire replied that they had a number of programs on all three levels. One of their competencies was to make sure

students knew where to get help. All counselors did orientation programs at the beginning of the year, and throughout the year they continued to meet with new students.

Mr. Ewing stated that his questions should not be taken as critical of or un-supporting of counseling and guidance because he had supported this program for many years. Nevertheless, there was a question that was unresolved, and this had been raised again by the committee in its report. The objective was to have counselors available for the maximum amount of time to work with students. The argument had been made for years that there were things that counselors had to do that kept them from meeting with students. However, when that was pursued, it was difficult to find out exactly how much time was in fact used for that purpose. When a study had been done in the Justice Department, it was determined that those saying they spent a lot of time filling out forms actually did not. These people had complained because they did not like the paperwork. He was not suggesting this was true of counselors, but it could be. He would like them to get at that question. One way to do that would be to take a random sample of counselors, perhaps 50, and ask them to keep track of their time for one day a week for a period of a number of weeks. If they did spend a lot of time filling out papers, they had to look at how to streamline this process. He recalled that MCPS had made efforts to decrease the number of forms. Maybe someone needed to take another look at this issue. He knew they were not going to get a lot more resources for counselors; therefore, they should try to figure out how to streamline what they were doing.

Ms. Plummer reported that counselors were documenting how they spent their time. Ms. McGuire added that last year they started looking for information on how many students counselors were seeing and looking at some time management. This year they had developed some forms for each of the schools, and one counselor was doing this for one week every month. She did not think they would be seeing the 40 to 60 percent figure for paperwork at the elementary or mid-level. This also depended on the time of the year, and their goal was that 50 percent of their time would be in counseling.

Dr. Vance pointed out that principals also complained about the amount of paperwork and forms to be filled out. Assistant principals and teachers said the same thing. Teachers also asked why counselors could not do more paperwork because they did not have classroom responsibilities. He thought the committee on the reduction of paperwork had been effective, but perhaps it was time for them to go back and perhaps reconvene that group. There might be some functions they would have to cut out because next year at this time they would have much less staff.

Mr. Pischevar asked how they were using peer counseling now. Ms. Babel replied that in her high school they had been trying to have a program, but it was not working well. The program had been successful in some schools, but this was rare in her opinion. Peer counselors could not handle scheduling problems or college admissions; therefore, they could not help with the paperwork of the counselors. Mr. Pischevar recalled that in eighth grade it was a very popular program. He wondered whether they could use peer counselors to help guidance counselors with paperwork or meeting with students. Ms. Babel replied that this was a possibility and suggested looking at schools where the program was going well. Ms. McGuire pointed out that 15 schools had peer counseling programs. There were also Students Helping Other People (SHOP) programs in 11 schools. Regarding peer counseling, one school used senior high school peer counselors to work with peer counselors at the mid-level. Elementary students came to the mid-level to be trained by those peer counselors. Schools had been looking at the issue of why students were not coming to the trained peer counselors.

Mr. Pischevar said that at his school they were looking at the relationship among teachers, counselors, and parents. They had come up with an annual form that teachers filled out to give to counselors that would list problems and progress which would give the counselor an idea of what the student was going through. They were suggesting the form be sent to parents to be returned to the counselor if there was something going on in the family. His final question was why magnet students at Blair were being charged more for each college application. Staff suggested that he ask the school registrar because this was determined on a local basis.

Mrs. Fanconi commented that there were a number of items under consideration that could fall into the area of guidance. One of the items was the safety and security report. In that report was a discussion about the importance of the implementation of the guidance curriculum. She asked whether they had been able to implement this curriculum. As they focused more on conflict resolution, they had to look whether the curriculum to help with this was in place. She knew they had a number of pilots in conflict resolution and peer mediation, and she wondered whether this supported the guidance curriculum or was in addition to it. She stated that MCPS had a responsibility to work with children to be productive members of society in school and out of school. She asked for any input the committee could give her on these items.

Mrs. Fanconi pointed out that there was more and more talk in the county government about having county government work with schools on a number of social services issues. She asked how much counselor time was spent, particularly in the elementary schools, on social service issues. She encouraged the committee

to get copies of the Board agendas to see the issues that the Board was discussing and to provide their input on these issues. Ms. McGuire said that conflict resolution did fit in with the competencies they had K-12. It also fit into group guidance.

Ms. Gutierrez pointed out that in the report there were several mentions of computerizing some statistics. She wondered what it would take for this to happen. When they talked about paperwork, they really did need to focus on technology support and identify the tools to facilitate the job of counselors. She encouraged the committee to identify these items on a separate list because it might be as easy as adding fields to existing programs. There might be other items that would be more long-term. Ms. McGuire replied that counselors were bringing these issues to her, but they were working on this issue and would continue to do so.

Mrs. Hobbs noted that the counseling committee had been doing networking, particularly with the Title IX advisory committee. She hoped that they would continue to network with other advisory committees especially the committee on vocational education. She thanked the committee for its annual report and recommendations.

Re: PROPOSED POLICY ON POLICYSETTING

Mr. Ewing moved and Ms. Gutierrez seconded the following:

WHEREAS, The Board of Education's policy on policysetting has been revised and discussed at several meetings; and

WHEREAS, The Board of Education tentatively adopted the proposed policy on policysetting on October 8, 1991; and

WHEREAS, The proposed policy has been distributed for public comment; now therefore be it

Resolved, That Policy BFA: Policy on Policysetting, adopted by the Board of Education on August 7, 1984, amended on September 10, 1985, and again on August 12, 1986, be rescinded; and be it further

Resolved, That the following policy be adopted:

A. PURPOSE

To establish a definition of policy and a uniform format for policy development and implementation

B. ISSUE

State law provides that the county Board of Education, with the advice of the superintendent, determines the educational policies of the school system. Therefore, there should be a

comprehensive and uniform process for policy analysis, formulation, implementation, monitoring, and evaluation.

C. POSITION

1. Definition

Policy is defined as principles adopted by resolution of the Board of Education to guide the development and implementation of educational programs and/or for management of the school system. (State laws, bylaws of the State Board of Education, and federal guidelines are, in effect, mandated policies.)

2. Policy Development

- a) The superintendent and/or Board recognizes the need for a policy and how it relates to Board goals and objectives
- b) The Board requests or receives a policy analysis from the superintendent and staff on the need for a new policy or revisions to or rescissions of a policy and a draft of the policy if appropriate. The analysis may include but is not limited to:
 - (1) The relationship to other policies of the Board of Education and of other governmental agencies, if appropriate
 - (2) Legal aspects, including federal, state, and local laws, court decisions, and other legal limits or conditions
 - (3) Cost implications
 - (4) Effect on school system operation
 - (5) Impact on constituent groups, especially students and parents
 - (6) Similar policies adopted by other school systems
- c) The format for the policy analysis will be as follows:
 - (1) Statement of the issue(s) or questions addressed
 - (2) Description of the background, history, nature of the problems or issues, including

the location of the problem, its origins, the number and kinds of staff involved, the resources involved, and other relevant background data

- (3) The options that might address or resolve the problem or issue, including for each option the cost, the benefits, the obstacles to be overcome, the strategies and actions to be employed to achieve the results, and the measures or indicators to be used to demonstrate success or failure
 - (4) A recommendation for selection of an option and reasons that include comparison of options
- d) A policy analysis will be presented to the Board as an item of information.
- e) When the superintendent or Board member presents a proposed policy, a timeline for adoption will accompany it that will include the following elements:
- (1) A resolution that indicates the policy will lie on the table for at least one week before being voted upon. (The presiding officer rules as to whether any proposed resolution is a policy. If there is an emergency, this provision may be waived without notice if all members are present and there is unanimous agreement.)
 - (2) Opportunity for citizen and staff comment
 - (3) Opportunity for public hearing (if the Board desires)
 - (4) Opportunity for the superintendent to provide advice and recommendations
- f) The Board will adopt a policy with a standard format which will include as appropriate:
- (1) A statement of the purpose of the policy
 - (2) A description of the problem or issue that the policy addresses and purports to resolve
 - (3) A statement of the policy position or positions adopted by the Board, including a

brief statement of the reasons and/or justification for these positions

- (4) A statement of the results or outcomes desired
- (5) The strategies to be used in guiding the implementation of the policy
- (6) Specification of when reports are to be made to the Board of Education and the public on implementation and effectiveness, results achieved, and next steps. The frequency of reports will depend on such factors as high public interest, legal mandates, and the experimental/innovative nature of the activity.

3. Policy Implementation

After adoption, the superintendent will follow up with:

- (a) Regulations for implementation if appropriate
- (b) Publication of policy and regulation in the handbook and distribution to affected parties
- (c) Continuous monitoring of the policy and implementation and reporting to the Board as required under Section F., Review and Reporting

D. DESIRED OUTCOME

Policies that are well researched and analyzed prior to adoption or amendment and monitored by staff with results reported to the Board subsequent to adoption.

E. IMPLEMENTATION STRATEGIES

The superintendent will develop a process for implementing this policy that will include coordination of policy analyses, presentation to the Board, implementing regulations, monitoring reports, and maintaining the process.

F. REVIEW AND REPORTING

- 1. An annual report is to be made to the Board of Education on the status of the review process, including the number of policies that were reviewed, revised, and rescinded.

Resolved, That the proposed resolution on policysetting be amended by adding the following Resolved clause:

Resolved, That the superintendent will assist the Board of Education in assessing the impact of this policy on staff time and other costs and bring to the Board the findings of his assessment so that the policy can be, if necessary, further revised.

RESOLUTION NO. 64-92

Re: POLICY ON POLICYSETTING

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

WHEREAS, The Board of Education's policy on policysetting has been revised and discussed at several meetings; and

WHEREAS, The Board of Education tentatively adopted the proposed policy on policysetting on October 8, 1991; and

WHEREAS, The proposed policy has been distributed for public comment; now therefore be it

Resolved, That Policy BFA: Policy on Policysetting, adopted by the Board of Education on August 7, 1984, amended on September 10, 1985, and again on August 12, 1986, be rescinded; and be it further

Resolved, That the superintendent will assist the Board of Education in assessing the impact of this policy on staff time and other costs and bring to the Board the findings of his assessment so that the policy can be, if necessary, further revised; and be it further

Resolved, That the following policy be adopted as amended:

A. PURPOSE

To establish a definition of policy and a uniform format for policy development and implementation

B. ISSUE

State law provides that the county Board of Education, with the advice of the superintendent, determines the educational policies of the school system. Therefore, there should be a comprehensive and uniform process for policy analysis, formulation, implementation, monitoring, and evaluation.

C. POSITION

1. Definition

Policy is defined as principles adopted by resolution of the Board of Education to guide the development and implementation of educational programs and/or for management of the school system. (State laws, bylaws of the State Board of Education, and federal guidelines are, in effect, mandated policies.)

2. Policy Development

- a) The superintendent and/or Board recognizes the need for a policy and how it relates to Board goals and objectives
- b) The Board requests or receives a policy analysis from the superintendent and staff on the need for a new policy or revisions to or rescissions of a policy and a draft of the policy if appropriate. The analysis may include but is not limited to:
 - (1) The relationship to other policies of the Board of Education and of other governmental agencies, if appropriate
 - (2) Legal aspects, including federal, state, and local laws, court decisions, and other legal limits or conditions
 - (3) Cost implications
 - (4) Effect on school system operation
 - (5) When appropriate, impact on those affected by the policy
 - (6) Similar policies adopted by other school systems
- c) The format for the policy analysis will be as follows:
 - (1) Statement of the issue(s) or questions addressed
 - (2) Description of the background, history, nature of the problems or issues, including the location of the problem, its origins, the number and kinds of staff involved, the

resources involved, and other relevant background data

- (3) The options that might address or resolve the problem or issue, including for each option the cost, the benefits, the obstacles to be overcome, the strategies and actions to be employed to achieve the results, and the measures or indicators to be used to demonstrate success or failure
 - (4) A recommendation for selection of an option and reasons that include comparison of options
- d) A policy analysis will be presented to the Board as an item of information.
- e) When the superintendent or Board member presents a proposed policy, a timeline for adoption will accompany it that will include the following elements:
- (1) A resolution that indicates the policy will lie on the table for at least one week before being voted upon. (The presiding officer rules as to whether any proposed resolution is a policy. If there is an emergency, this provision may be waived without notice if all members are present and there is unanimous agreement.)
 - (2) Opportunity for citizen and staff comment
 - (3) Opportunity for public hearing (if the Board desires)
 - (4) Opportunity for the superintendent to provide advice and recommendations
- f) The Board will adopt a policy with a standard format which will include as appropriate:
- (1) A statement of the purpose of the policy
 - (2) A description of the problem or issue that the policy addresses and purports to resolve
 - (3) A statement of the policy position or positions adopted by the Board, including a brief statement of the reasons and/or justification for these positions

- (4) A statement of the results or outcomes desired
- (5) The strategies to be used in guiding the implementation of the policy
- (6) Specification of when reports are to be made to the Board of Education and the public on implementation and effectiveness, results achieved, and next steps. The frequency of reports will be specified by the Board of Education and may depend on such factors as high public interest, legal mandates, and the experimental/innovative nature of the activity.

3. Policy Implementation

After adoption, the superintendent will follow up with:

- (a) Regulations for implementation if appropriate
- (b) Publication of policy and regulation in the handbook and distribution to affected parties
- (c) Continuous monitoring of the policy and implementation and reporting to the Board as required under Section F., Review and Reporting

D. DESIRED OUTCOME

Policies that are well researched and analyzed prior to adoption or amendment and monitored by staff with results reported to the Board subsequent to adoption.

E. IMPLEMENTATION STRATEGIES

The superintendent will develop a process for implementing this policy that will include coordination of policy analyses, presentation to the Board, implementing regulations, monitoring reports, and maintaining the process.

F. REVIEW AND REPORTING

- 1. An annual report is to be made to the Board of Education on the status of the review process, including the number of policies that were reviewed, revised, and rescinded.

B. Issue

All qualified school-age persons, whether U.S. citizens or noncitizens, who have an established bona fide residence in Montgomery County will be admitted free to the Montgomery County Public Schools. Since there are circumstances that exist where students who are not residents of Montgomery County want or need to attend schools here, definitions for residency and processes for paying tuition need to be established for those students who are not bona fide residents.

C. Position

The Board of Education of Montgomery County supports the right of its residents to a free public education and wishes to clearly specify the definitions and terms related to residency and the need for charging tuition.

D. Guidelines

1. All qualified school-age persons, whether U.S. citizens or noncitizens, who have an established bona fide residence in Montgomery County will be considered resident students and will be admitted free to the Montgomery County Public Schools.
2. All qualified school-age persons, whether U.S. citizens or noncitizens, who do not have an established bona fide residence in Montgomery County, will be considered nonresident students and will be subject to paying tuition unless an exception is made under the terms of this policy.
3. Bona fide residence is one's actual residence, maintained in good faith, and does not include a temporary residence or superficial residence established for convenience or for the purpose of free school attendance in the Montgomery County Public Schools. However, an intent to reside indefinitely or permanently at the present place of residence is not necessarily required. Determination of a person's bona fide residence is a factual one and must be made on an individual basis.

E. Presumptions

1. In the absence of evidence to the contrary, the bona fide residence of a qualified student who is under 18 years of age and not emancipated shall be presumed to be the bona fide residence of both or one of the

child's parents. Throughout this policy and any implementing regulations, if the parents live apart, use of the word "parent" shall mean (1) the parent to whom legal custody is awarded or (2) if legal custody is not awarded, the parent with whom the child regularly lives; and the child's bona fide residence shall be determined accordingly.

2. In the absence of evidence to the contrary, a qualified student residing with a court-appointed guardian who has an established bona fide residence in Montgomery County shall be presumed to be a resident student provided that the guardianship was obtained for necessary reasons concerning the child and not for the primary purpose of attending school or for the convenience of the persons involved.
3. A qualified student placed in a group home or foster home in Montgomery County by the Departments of Social or Juvenile Services of Montgomery County, the State of Maryland, or any other agency specified in Section 4-120.1 of the Education Article of the Annotated Code of Maryland shall be presumed to be a resident student, for whom the Montgomery Public Schools is eligible for reimbursement of actual educational expenses by another Local Educational Agency or the State of Maryland.
4. A qualified student placed in a group home or foster home located in Montgomery County by an agency other than those specified in Section 4-120.1 of the Education Article, Annotated Code of Maryland, shall be presumed to be a nonresident student.
5. In the absence of evidence to the contrary, a qualified student who is a resident of another educational jurisdiction, but who elects to seek enrollment in a Montgomery County public school shall be presumed to be a nonresident student.

F. Determination of Residency

The Residency and Tuition Review Committee will make individual determinations of residency in the following cases:

1. There is evidence rebutting the presumption of residency or nonresidency set forth in Section E.
2. When there is a qualified student who is 18 years of age or older and essentially self-supporting or an emancipated minor who may or may not have established a

bona fide residence in Montgomery County without regard to the residency of the parents.

3. When there is a qualified student under 18 years of age who is living in Montgomery County with friends or relatives who are not parents or court-appointed guardians.

The burden of producing evidence establishing bona fide residence is on the student or individual acting on behalf of the student. Individual determinations are subject to annual re-evaluation by the Residency and Tuition Review Committee.

G. Admission of Nonresident Students

1. Regardless of their willingness to pay tuition, nonresident students may be denied admission to the Montgomery County Public Schools if any of the following conditions exist:
 - a) Enrollment by the nonresident student is inconsistent with Board of Education Policy JEE: Student Transfers and Administrative Regulation JEE-RA: Transfer of Students. This section will not be interpreted to require a student admitted under Section G.2.a)(1) (60-day grace period) to transfer schools upon expiration of the grace period.
 - b) The student is not of school age or has completed graduation requirement for a high school diploma
 - c) The student does not meet the enrollment criteria of the Montgomery County Public Schools for resident students
 - d) Necessary documentation or enrollment information required by the Montgomery County Public Schools under this or other policies and administrative regulations is not provided and kept current
 - e) Written evidence is not provided to show that the required tuition fee has been paid in advance, a tuition payment plan has been approved and the first payment made, or a waiver of tuition has been approved
 - f) The student is a danger to himself/herself or to others
 - g) Other cause is shown to deny admission

Under unusual and extraordinary circumstances, and with full document of the situation, the Residency and Tuition Review Committee may grant a special exception and waive one or more of the conditions (a. through g.) in this section. Any such case(s) shall be individually described in the superintendent's annual report to the Board of Education on the status of nonresident students and tuition payments.

2. Before a nonresident student is enrolled in the Montgomery County Public Schools, tuition will be charged and paid unless an exception is granted under the terms of this policy.

- a) Tuition Exceptions

Nonresident students will be admitted without paying tuition if any of the following circumstances apply:

- (1) Documentation is provided which establishes that the parent(s) or guardian(s) of the nonresident student have definite plans to establish a bona fide residence in Montgomery County, but for reasons beyond their control cannot establish such a residence prior to enrolling the student in a Montgomery County public school. Such a "grace period" for establishing residency will not exceed 60 calendar days from the date of the student's enrollment or the first day of the school year, whichever is later. If a bona fide residence is not established by the end of the 60-day period, no extension will be granted. Tuition will be paid, or the student will no longer be permitted to attend school. (See Section H.6. regarding tuition payment plans for nonresident situations anticipated to be of less duration than a full semester.)
- (2) The nonresident student is a participant in an exchange program approved by the Montgomery County Board of Education; holds a valid J visa; has completed plans to reside with a sponsoring family residing in Montgomery County; and has the approval of the principal of the receiving school and the International Student Admissions Office
- (3) There is a crisis, unusual and extraordinary circumstances fully documented by the

student, justifying waiver of tuition. Any such case(s) will be individually described in the superintendent's annual report to the Board of Education on the status of nonresident students and tuition payments.

- b) Tuition rates will be established annually by the Board of Education upon the recommendation of the superintendent of schools, based on the following criteria:
- (1) For kindergarten, grades 1-6, intermediate/middle schools, and senior high schools, the full-year tuition rates will equal the estimated average per-pupil costs, including debt service, and will reflect as nearly as possible the actual costs of educating students at each of these grade levels
 - (2) For students whose tuition rates are established under Section G.2.b)(1), but who receive additional special services, the regular full-year tuition rates for the appropriate grade level may be increased by the estimated cost of providing the additional service(s)
 - (3) For special education students, the full-year tuition rates will reflect as nearly as possible the actual costs of educating these students, including debt service, based on educational and special services provided
 - (4) The rates of school-year and/or summer school tuition for the children of full-time MCPS employees who reside outside of Montgomery County will be one-half the rates for other nonresident students who are enrolled at the same grade level and receiving the same level of services
 - (5) Full-year tuition rates may be prorated for students whose period of nonresidency is less than a full school year
 - (6) Tuition paid in advance for any period of enrollment for which it is subsequently determined that the student was a resident student or was otherwise entitled to a waiver

of tuition will be refunded on a prorated basis.

H. Responsibilities

1. Parents, guardians, or students who have reached the age of majority are responsible for signing an affidavit as to their bona fide residence or nonresidence in Montgomery County as a prerequisite to a student's initial enrollment in the Montgomery County Public Schools and an acknowledgement that tuition will be paid for any period(s) of nonresidency, even if the period(s) of nonresidency should occur or be identified after the date of initial enrollment.
2. The school principal or designee (or the International Student Admissions Office for non-citizens) is responsible for making the initial determination of the residency status of students who seek enrollment in a Montgomery County public school and, based on that determination, for taking the appropriate administrative steps specified in MCPS regulations.
3. The Residency and Tuition Review Committee is responsible for determining the residency and tuition status of all students referred to it by the individual schools or the International Student Admissions Office. The committee will be appointed by the deputy superintendent for instruction and be composed of at least three members.
4. The residency and tuition administrator is responsible for:
 - (a) Coordinating the process described in this policy and any implementing administrative regulations
 - (b) Expediting the processing of individual cases, especially when the parent(s) or guardian(s) desires immediate enrollment for the student
 - (c) Serving as secretary of the Residency and Tuition Review Committee
 - (d) Maintaining necessary records
 - (e) Preparing required reports
5. The Department of Financial Services is responsible for collecting all tuition, based on tuition status information provided by the residency and tuition administrator.

6. The deputy superintendent for planning, technology, and supportive services (or designee) is responsible for approving tuition payment plans, which will be granted only on an exceptional basis for one of the following reasons:
 - (a) The financial circumstances of the parent/guardian/eligible student limit their ability to pay the full amount of tuition in advance
 - (b) The period of nonresidency is reasonably anticipated to be for a period of less than a semester, and it would be an unnecessary burden on the parent/guardian/eligible student to demand full tuition in advance
7. The superintendent of schools is responsible for developing the necessary administrative regulations to implement this policy.

I. Appeals

Decisions made under this policy and any implementing administrative regulations may be appealed under the provisions of Administrative Regulation KLA-RA: Responding to Citizen Inquiries and Complaints. The superintendent may designate a hearing officer to hear residency and tuition appeal cases.

J. Review and Reporting

1. The superintendent will provide a report to the Board of Education at least annually regarding the status of nonresident students and tuition payments. Each determination made under the terms of Sections F or G 2a)(3) will be individually described in the report.
2. This policy will be reviewed every three years in accordance with the Board of Education policy review process.

Re: BOARD MEMBER COMMENTS

1. Mr. Ewing said the business community was critical of how the school system was managed which was a result of their not knowing how the system was managed. He suggested asking every Chamber of Commerce in Montgomery County to appoint one or two people to a committee to look at what MCPS was doing in its business function and to provide advice and counsel. Dr. Vance thought that this was an excellent idea.

2. Mr. Ewing reported that MCCPTA had suggested to the Board that they ought to have a plan by which to measure budget decisions. While they probably did not have time to develop a plan, he thought this was a good notion and worth pursuing. He called attention to his recent memo on this subject.

3. Mr. Ewing also called attention to his recent memo on benchmarking. It occurred to him that Montgomery County was measured against other school districts in Maryland or in the metropolitan area. He thought they needed to make comparisons with the best school districts in the United States and see how MCPS measured up on a variety of issues. He believed that this would show that MCPS did remarkably well with fewer resources.

RESOLUTION NO. 66-92 Re: EXECUTIVE SESSION - FEBRUARY 11,
1992

On recommendation of the superintendent and on motion of Mrs. DiFonzo seconded by Mr. Ewing, 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 February 11, 1992, at 9 a.m. to discuss, consider, deliberate, and/or otherwise decide the employment, assignment, appointment, promotion, demotion, compensation, discipline, removal, or resignation of employees, appointees, or officials over whom it has jurisdiction, or any other personnel matter affecting one or more particular individuals and to comply with a specific constitutional, statutory or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter as permitted under the State Government Article, Section 10-508; and that such meeting shall continue in executive closed session until the completion of business; and be it further

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

RESOLUTION NO. 67-92 Re: EXECUTIVE SESSION - FEBRUARY 5,
1992

On recommendation of the superintendent and on motion of Mrs. DiFonzo seconded by Mr. Ewing, 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 February 5, 1992, at 7 p.m. to discuss, consider, deliberate, and/or otherwise decide the employment, assignment, appointment, promotion, demotion, compensation, discipline, removal, or resignation of employees, appointees, or officials over whom it has jurisdiction, or any other personnel matter affecting one or more particular individuals and to comply with a specific constitutional, statutory or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter, and to discuss contract negotiations as permitted under the State Government Article, Section 10-508; and that such meeting shall continue in executive closed session until the completion of business.

RESOLUTION NO. 68-92 Re: MINUTES OF DECEMBER 10, 1991

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

Resolved, That the minutes of December 10, 1991, be approved.

RESOLUTION NO. 69-92 Re: MINUTES OF JANUARY 6, 1992

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

Resolved, That the minutes of January 6, 1992, be approved.

RESOLUTION NO. 70-92 Re: DISCUSSION OF BOARD SUBCOMMITTEE ON
MINORITY ACHIEVEMENT

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

Resolved, That the Board of Education discuss the establishment of a standing subcommittee of the Board of Education on minority achievement; and be it further

Resolved, That the Board of Education also discuss having Board members as liaisons to Board committees as well as the establishment of other Board subcommittees.

RESOLUTION NO. 71-92 Re: DISCUSSION OF THE TEACHING OF
VALUES

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

Resolved, That the Board of Education schedule a discussion of the teaching of values in education.

RESOLUTION NO. 72-92 Re: BOE APPEAL NO. 1991-114

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

Resolved, That the Board of Education adopt its Decision and Order in BOE Appeal No. 1991-114 (a personnel matter).

Re: NEW BUSINESS

1. Mrs. Brenneman moved and Mrs. Fanconi seconded a proposed resolution that the Board discuss scheduling only one formal meeting a year with MCR.
2. Mr. Ewing and Mrs. Fanconi moved and Ms. Gutierrez seconded a proposed resolution to commit MCPS to the development and advocacy of an agenda for the future well-being of Montgomery County's children. Mrs. Brenneman asked that cost and staff implications be included when the Board discussed this agenda item.

Re: ADJOURNMENT

The president adjourned the meeting at 12:05 a.m.

PRESIDENT

SECRETARY

PLV:mlw