

APPROVED  
40-1992

Rockville, Maryland  
September 9, 1992

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Wednesday, September 9, 1992, at 10:40 a.m.

ROLL CALL      Present: Mrs. Catherine E. Hobbs, President

in the Chair

Mrs. Frances Brenneman

Dr. Alan Cheung

Mrs. Sharon DiFonzo\*

Mr. Blair G. Ewing

Mrs. Carol Fanconi

Ms. Ana Sol Gutierrez\*

Mr. Jonathan Sims

Absent: None

Others Present: Dr. Paul L. Vance, Superintendent  
Mrs. Katheryn W. Gemberling, Deputy  
Dr. H. Philip Rohr, Deputy  
Mr. Thomas S. Fess, Parliamentarian

#indicates student vote does not count. Four votes are needed for adoption.

Re: ANNOUNCEMENT

Mrs. Hobbs announced that the Board had been meeting in closed session on personnel and legal issues.

Re: BOARD AGENDA - SEPTEMBER 9, 1992

Mrs. Fanconi moved and Dr. Cheung seconded a motion to approve the Board agenda for September 9, 1992.

RESOLUTION NO. 673-92      Re: AN AMENDMENT TO THE AGENDA FOR SEPTEMBER 9, 1992

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

Resolved, That the Board of Education amend its agenda for September 9, 1992, to add the Maryland Association of Boards of Education legislative items to the items of legislation.

\*Mrs. DiFonzo and Ms. Gutierrez joined the meeting at a later time.

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RESOLUTION NO. 674-92 Re: BOARD AGENDA - SEPTEMBER 9, 1992

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

Resolved, That the Board of Education approve its agenda for September 9, 1992, as amended.

RESOLUTION NO. 675-92 Re: HISPANIC HERITAGE MONTH

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

WHEREAS, On August 17, 1988, the United States Congress by joint resolution authorized the President to proclaim annually the 31-day period beginning September 15 and ending on October 15 as National Hispanic Heritage Month; and

WHEREAS, The purpose of this month is to commemorate the contributions of people of Hispanic descent to this country; and

WHEREAS, Hispanic American students and staff contribute to the success of the Montgomery County Public Schools through their participation in all aspects of education, and the growing Hispanic community enriches our county in many ways; now therefore be it

Resolved, That on behalf of the superintendent, staff, and students of the Montgomery County Public Schools, the Board of Education hereby declare the period of September 15 to October 15, 1992, to be observed in MCPS as "Hispanic Heritage Month."

\*Mrs. DiFonzo joined the meeting at this point.

RESOLUTION NO. 676-92 Re: COMMENDATION OF TRANSPORTATION STAFF

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

WHEREAS, The Division of Transportation has as its number one goal the safe transportation of students to and from schools; and

WHEREAS, The Division of Transportation buses more than 78,000 students to more than 200 locations, traveling 16 million miles in a school year; and

WHEREAS, Mr. Lewis Cooper is being honored today for his record of 31 years with zero accidents; and

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WHEREAS, Mr. Lewis Cooper represents all transportation staff members--drivers, attendants, clerical, secretarial, supervisory, and administrative--who are involved in the daily busing of our students; and

WHEREAS, National School Bus Safety Week begins October 19; now therefore be it

Resolved, That the Board of Education formally recognize and extend its sincere thanks and gratitude to all staff in the Division of Transportation; and be it further

Resolved, That the Board of Education recognize Mr. Lewis Cooper for his 31 years of service with zero accidents; and be it further

Resolved, That the Board through its recognition of Mr. Lewis Cooper honor all transportation staff members--bus operators, attendants, mechanical, clerical, secretarial, supervisory, and administrative--for their teamwork in the safe transportation of students; and be it further

Resolved, That the Board proclaim the week of October 19, 1992, as National School Bus Safety Week; and be it further

Resolved, That this recognition shall become an annual event each September and that a plaque be established to commend one transportation staff member to represent all such employees who contribute to the goal of safe and efficient transportation for all Montgomery County Public Schools' students.

Re: THE DANFORTH REPORT - REPORT OF THE TWENTIETH CENTURY FUND TASK FORCE ON SCHOOL GOVERNANCE

Dr. Vance noted that Mrs. DiFonzo had asked that the Danforth Report be placed on the Board agenda. He also reported that Rick Leone was the president of the Board of Trustees of the Twentieth Century Fund, and he had worked with him in Philadelphia where Mr. Leone was on the cutting edge of education reform. The report was highly critical of and offered suggestions for school boards.

Mrs. DiFonzo commented that she had heard about this report in three separate arenas and thought it might be worth some Board discussion. The premise of the report was that boards of education had to change and if they did not they were part of the problem rather than being part of the solution. She had read the report half a dozen times and each time she came away with different perspectives. In some points, she saw the Montgomery County Board of Education reflected, but by the same token a lot of the criticisms of boards in general were not indicative of the

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way Montgomery County did business. She pointed to a section on boards in large cities, and while Montgomery County was not a city, there were many elements pertaining to Montgomery County and what it was becoming. One example was the connection the report made between political boundaries and the influence of political entities over the board of education, and Montgomery County Board's boundaries coincided with the political boundaries of the County Council and a congressional district. In another section, the report talked about one Board meeting 172 times in one year. She had gone through her calendar and found that in 1991 Montgomery County met 133 times. She thought that the report represented a mirror that would give members something to look at both as individuals and as a Board. While she was troubled by some of the recommendations in the report, she was gratified by some of the points made. She had publicly spoken about the role the state was taking in terms of laying actions and standards on the local boards. This report also spoke to that. She did not know that the Montgomery County Board could do anything about it in terms of what she would call "macro-meddling," but the Board needed to be very cognizant of this. The most recent issue of School Board News had an article asking whether school boards could reform themselves. She hoped that the Board, staff, and community would think about these issues.

Mrs. Hobbs hoped that copies of this report would be provided to the Task Force on Long-range Planning. The report spoke to the training of school board members, and although there was an orientation provided in Montgomery County by the ombudsman and staff assistant, she thought the training needed was that provided by the Maryland Association of Boards of Education. One section of the report talked about some things that Boards did that they didn't necessarily need to do. For example, perhaps the Board should no longer approve its consent items including grant applications, procurement, appointment of architects, etc. She thought the Board should ask the superintendent to come back with some recommendations on things that could be eliminated from the Board agenda. The last thing that struck her was the idea of a report card for the Board of Education. She thought it was very important for the Board to be held accountable, and the only way they currently were held accountable was at election time.

Mr. Ewing was not very impressed by the report because it focused on structure as a solution to the problems that would not be solved by structural changes. He remarked that the problems of American education began with the continuing unwillingness of the American public to support adequate investments in public schools. He did not think that had much to do with the structure of the governance of public education. There was one thing of importance which was the emphasis on the continuing need to focus on policy matters, policy development, policy implementation, and accountability for implementation. He hoped that they didn't tie themselves up worrying about structure when there was so much

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more to be concerned about in terms of the budget, program, and policy implementation. He thought that over the last couple of years this Board had focused on those issues more and more successfully than at any time in his memory. While there was always room for improvement, he did not believe focusing on governance would help them much.

Mrs. Fanconi was not sure the report should be given to the long-range task force unless the Board had had time to discuss it. She, too, had read it several times and come away with different views. In the beginning the report stated that it was in their interest to use tax dollars to educate children, and it also talked about local elected school boards and the belief that it was desirable to have local control of education. Montgomery County had supported this for a long time, but there had been experiences in other parts of the country where boards were not elected which was less accountable. She felt that there were a lot of good things going on in Maryland because there were 24 school districts as opposed to states where there were hundreds of school systems too small to provide the services of a county school system.

Mrs. Fanconi had studied Maryland school law and there was a lot of history about the checks and balances between county councils and boards of education. For example, the Council could cut the school budget but they had to do it by individual projects rather than across-the-board cuts which made the Council accountable to the electorate.

Mrs. Fanconi said that it might be interesting to find out how much time the Board spent on policy items and on administrative issues. They could discuss their duties and roles. She pointed out that the law required them to vote on consent items, and if the Board didn't want to handle these items they would have to seek some changes in the law. The report raised some questions about evaluating how the Board did spend its time and about setting up a check and balance system with the superintendent. She called attention to the discussion in the report about the integration of services. She really thought that school system people had always been strong advocates for children, but impacting on those children were family, housing, and health issues which were not in the purview of the Board of Education. There was a national move toward more integration of services, and Montgomery County and the state were moving toward this, and she felt it was important for the Board to have frequent briefings on what was going in this arena.

Mrs. Fanconi stated that the other piece of the report that was of interest was financing. The norm was that localities covered 44 percent of the funding of their budget. She thought that what was happening was more and more localities were receiving less and less federal and state funding. On the federal, state, and

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local levels, everyone wanted education to do better but nobody wanted to fund it. She pointed out that public schools were mandated to serve every single child coming to their door no matter what the educational need of the child was. People were not realistic when they expected schools to do a better job with less money. She hoped that at some point Dr. Vance would have the opportunity to share some of the successes in MCPS despite the cuts in funding and the changing needs of the community.

Dr. Cheung enjoyed reading the report and thanked Mrs. DiFonzo for sharing it with the Board. He didn't think that the report had touched the effects of social and technological changes on boards of education. The American educational system especially at the college level was recognized worldwide as being one of the best, but public schools were no longer the best in the world. He didn't think the report addressed why this had happened. He asked about a report card for the nation on what had happened. He thought that the composition and functions of boards might have a lot to do with the quality and excellence of their school systems. He suggested that they needed a deeper discussion in terms of the governance issue.

Mr. Sims enjoyed reading the report especially about how school boards related to other services provided to students. As they looked at some of the changes in education especially the community service mandate and the health half credit, they should feel comfortable in going to other parts of the government and looking for cooperation and partnerships so there would not be an overlap in services.

Re: RECOMMENDATIONS FOR THE BOARD OF  
EDUCATION'S DECEMBER 10, 1991  
RESOLUTION CONCERNING MATH AND  
SCIENCE REQUIREMENTS FOR ELEMENTARY  
TEACHERS

Dr. Vance thought that the previous discussion was a good lead-in to this topic. This was a direct consequence of Board action which put them on the cutting edge in terms of preparing youngsters for math, science, literacy, and high level competency for the 21st century. In adopting the resolution, the Board was saying there was a commitment to expanding mathematics requirements. Before the Board today was the superintendent's plan for implementation of the Board resolution. One part of the Board resolution was that by 1999 all newly hired elementary teachers would have a minimum of 12 hours of college math and 12 hours of college science courses including algebra, geometry, statistics and probability, biology, and one year of either chemistry or physics. Current teachers would have to meet this requirement by 1999-2000 unless there was a demonstration that the requirement could be met in other ways. He had asked Dr. Joseph Villani and Dr. Elfreda Massie, associate superintendents,

and Dr. Mary Helen Smith and Dr. Cindy Sullivan to respond to questions.

Dr. Villani reported that they had a presentation by staff on some of the training activities to implement the Board's math and science requirements. Dr. Sullivan commented that this was a very exciting project because in March they had conceptualized these ideas and by this summer 300 people were taking the course. At present 1,100 people were involved in math content connections. She indicated that 81 schools requested the program, and 36 schools were selected to participate in six clusters. She expressed her appreciation for the work that staff in math and science had done for this program. She introduced Ms. Norma Mellott and Ms. Joy Odom.

Mrs. Mellott presented information on the three content courses they had developed for math connections. The courses were designed to introduce teachers to problem solving, reasoning, writing about mathematics, and probability and statistics. They encouraged teachers in the courses to ask questions and to use physical materials because they hoped that teachers would expect children to ask questions and use manipulatives. The plan involved training all teachers in the school from the classroom teacher to the art and music teachers to make every teacher a math teacher. The Maryland State Department of Education had grant permission to give credit hours for the courses, and when teachers finished the program they would have six hours in math. They help schools to involve the community and provided instructional strategies to the school. The strategies included peer coaching, promoting gender equity, and teaching and learning theory. This year they would have 36 schools and 1,100 teachers in the program. Each school was involved for two years, and next year they hoped to have 45 schools involved. At the end of four years, all teachers in MCPS would have the opportunity for six hours of math credit.

Board members viewed a video tape of activities which took place during the summer training.

Dr. Gerry Consuegra, coordinator of elementary science, reported that training was not new in elementary schools. They had science content training supported by an Eisenhower grant, the National Science Foundation grant, and the model unit training program. They were now emphasizing process and problem solving, and each year 80 to 100 teachers participated in the after-school courses. The courses emphasized scientific inquiry about ways of sharing activities with children, and the instructors were high school science teachers or local college professors. This year they had used about \$27,000 of Eisenhower funds to support this training.

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The NSF grant was to assist the county in restructuring the elementary school science curriculum and to prepare a cadre of teachers to serve as leaders. They had a science center and were field testing state-of-the-art materials. To date, they had trained 68 teachers to act as leaders and through Loyola College they provided three credit hours. The budget for this effort was \$65,000. In regard to the model unit implementation, they required training for all teachers using the new unit, and they were doing this training by grade countywide. This training cost \$26,000 last year. He showed the Board a video tape of the training.

Mrs. Brenneman was pleased to hear that art, music, and physical education teachers were also receiving the math training. She felt that students would be very receptive to math concepts presented in these contexts.

Mrs. Gemberling reported that they had just come to an agreement with Johns Hopkins University for a master's degree program. MCPS would offer a core of 15 credits in math and science, and teachers would be able to choose among three different master's degree programs with Hopkins. Mr. Ewing was delighted with the news about Hopkins. He noted that the paper before the Board referred to a math/science resolution, and he thought this should be referred to as a Board policy. He was very pleased with the progress they had made to date. Dr. Cheung also expressed his enthusiasm for the program particularly in the training for problem-solving and analytical skills.

Dr. Massie indicated that she had been approached by a number of colleges and universities. They were now considering changing math and science requirements for elementary school teacher training.

Dr. Vance remarked that this was another example of why MCPS continued to be a lighthouse school system despite their reduction in resources. He believed that time and test scores would show the correlation between the training of teachers and the achievement levels of youngsters. He suggested that this would make an excellent presentation for the Council's education committee to clear up some of the misunderstandings about the need for teacher training. Mrs. Hobbs thanked staff for the presentation.

Re: TIMELINE FOR CONSIDERATION OF THE  
QUALITY INTEGRATED EDUCATION AND  
LONG-RANGE FACILITIES POLICIES

Dr. Vance explained that it was his recommendation to revise the QIE policy before the long-range facilities policy because the first guided the latter. Mrs. Hobbs asked Board members if they had any general comments or specific concerns about the proposed

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timeline. Mr. Ewing pointed out that the timeline permitted the Board's new task force on long-range planning to comment on the facilities policy. Mr. Sims recalled that on July 7 he had asked about the possibility of involving students in discussions of QIE and boundary changes. Dr. Mary Helen Smith explained that no decision had been reached about this, but she hoped that Mr. Sims could educate students about these issues and encourage them to testify at the public hearings on the policies. She suggested that she and Mr. Sims get together to discuss this. Mrs. Hobbs thanked staff for their paper.

RESOLUTION NO. 677-92      Re:    TASK FORCE ON LONG-RANGE PLANNING  
                                  AND RESOURCE ALLOCATION - CHARGE  
                                  AND COMPOSITION

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Mr. Ewing, the following resolution was adopted unanimously by members present:

WHEREAS, On July 9, 1992 the Board adopted Resolution No. 92-565 establishing a Task Force on Long-range Planning and Resource Allocation; and

WHEREAS, The charge and composition for the task force are to be set by the Board; and

WHEREAS, The resolution has provided general guidance for that charge and composition; now therefore be it

Resolved, That the charge to the task force shall be:

Guided by the Board of Education's vision and goals, the Superintendent's plan for implementing "Success for Every Student," and the policy groundwork laid by the Board over the past eighteen months, the goal of the task force will be to develop a long-range plan to guide Montgomery County Public Schools to the year 2000. Specific activities required in meeting this goal are as follows:

1. to explore the options for service delivery and resource allocation, along with the costs of each option
2. to examine the allocation of resources among schools, programs and services using efficiency, equity and excellence as its criteria for allocation
3. to develop plans for contingencies that will take into account variations in available resources
4. to provide advice on how to develop several scenarios for future budget years, including a choice among

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scenarios of that which is most desirable and that which is most likely to occur

5. to explore elements of these scenarios, including alternative ways of doing business, and developing plans that are designed to achieve goals in the most economic way
6. to establish a framework for one- and six-year operating budgets and advise on a six-year budget starting with the FY 1994 operating budget
7. to consult with County Council members, the county executive and executive branch officials, the Montgomery County Planning Board members and M-NCPPC officials
8. to provide an interim report by January, 1993, and a final plan by July, 1993

and be it further

Resolved, That the Task Force on Long-range Planning and Resource Allocation shall have at least 25 members; and be it further

Resolved, That the task force shall be made up of representatives from various groups, including at least

- 6 business representatives, including management experts, financial officers, and strategic and long-range planners
- 6 community representatives and local educational reform experts
- 6 parent representatives, at least two of which shall be representatives of MCCPTA
- 3 employee organization representatives
- 2 MCPS staff, recommended by the superintendent
- 1 student representative

and be it further

Resolved, That the Board shall also appoint a chairperson from among the appointed members.

\*Ms. Gutierrez joined the meeting at this point.

Re: PRESENTATION ON STATE CHALLENGE  
GRANTS

Mrs. Hobbs welcomed Dr. Nancy Grasmick, state superintendent of schools; Dr. Robert Gabrys, assistant state superintendent; Mr. Jack Sprague, vice president of the Maryland State Board of Education; Delegate Gene Counihan; and Delegate Hank Heller.

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Dr. Grasmick stated that the state challenge grants were a team effort, but the legislation and funding would not make this program a reality without the support of Dr. Vance, Mrs. Gemberling, and the Montgomery County public schools. She commented that the Maryland School Performance Program attempted to insure that all students performed according to very high standards. Based on the analysis of information already generated, they knew that there would be students and schools where there would be problems that might negate high student performance. The challenge for them was how to address that issue. MSDE pursued the notion of challenge grants legislation. She acknowledged the extraordinary efforts of Delegate Heller on behalf of MCPS and all school systems in Maryland. He worked with her and members of her staff to craft the legislation. He and Delegate Counihan were instrumental in articulating the importance of this legislation to their colleagues. The legislation spoke to an innovative opportunity to address the complexity of needs of schools not achieving as well as they should. The legislation created a program known as the Challenge Grant Program that would enable selected jurisdictions to create a school-based program for a three-year period with very specific goals and an evaluation component. She reported that the governor was strongly in favor of this legislation and the up to \$2.3 million for MCPS was not in jeopardy.

Dr. Gabrys stated that the challenge grant program was a component of their schools for success program and the MSPP program. With MSPP they started off talking about data-based areas that would allow the state to identify outcomes expected for public education. This would move them away from processes and allow MSDE to become more of a service organization for the attainment of those outcomes. The second part of MSPP was to identify standards for those outcomes, and the third component was to publicly report how they were doing. These report cards would be published each November, and the customer for the report cards issued by MCPS would be their community people. The fourth component of MSPP was school improvement. One of the major efforts of MSPP and the challenge grants was to talk about accountability through school improvement which was a paradigm shift from the traditional approach which would talk about going from school improvement through accountability. Typically in education they would point out what was wrong and expect building level people to fix that. The program operated the other way because it said that accountability was a major piece of what they were about. The last component of the MSPP was the school review system which looked at every school in the state. This looked at the school in reference to state and local standards. This was not competition of school against school but competition against the state standards and competition of the school with itself in terms of a growth continuum.

Dr. Gabrys explained that the challenge schools came out of the school review structure. They decided they did not have to wait five years because they knew they already had some problems. For example, in Montgomery County they had a large ESOL population and high mobility. They talked about identifying problem areas, and they started with a list of features of a program. The first was that the state superintendent and the local superintendent would enter into a written agreement about the characteristics of the program. The MCPS attorneys were reviewing this agreement. The second feature of the program was systematic reform at the building level. Schools would be empowered, and MSDE would be a service group to help the teachers with student learning. The funding would go through the MCPS central operations to the school. The school would sit down with a school improvement team and work out what they needed to diagnose and address their needs. The schools would be able to utilize those resources to implement programs for children. The legislation also empowered the state superintendent to be involved in who was leading the schools. This came from the literature which stated that the principal should be an instructional leader and not just a manager. This program was a partnership with the state. The state would not operate as a regulatory agency but rather as a service agency with strong technical assistance and support.

Dr. Gabrys explained that another feature of the program was the school improvement team. If they were going to empower the school, there needed to be a structure that allowed the people within the schools to be involved in decision making. This provided a support base to the principal, but this also continued to recognize that the principal was the leader of the school and the accountable agent for the school. The last feature was a school review team made up of experts in school effectiveness variables and, in the case of Montgomery County, ESOL. The team would conduct an on-site evaluation and act as a support system to the school improvement team. The school review team would allow them to draw on state and national expertise and feed that information into the school improvement team so they could build a plan of action. In addition, they would be building an evaluation scheme. He emphasized that the money would be used for the schools to deal with the real problems in those schools. Dr. Grasmick asked MCPS staff to announce the schools selected. Mrs. Gemberling indicated that they had looked at data on high mobility and ESOL population, and they had made a decision to go with a cluster approach. They had identified the Wheaton cluster to receive the challenge grants. She recognized the Wheaton cluster principals in the audience.

Mr. Sprague, Dr. Heller, and Delegate Counihan expressed their excitement that MCPS was going to participate in the program. Mrs. Hobbs thanked Dr. Grasmick and Dr. Gabrys for their presentation. Dr. Grasmick announced that Maryland had just received a national service grant, and because MCPS had such an

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outstanding proposal, the state would be funding the MCPS proposal.

Re: PUBLIC COMMENTS

Ms. Andrea Lockett, Landscape Design and Development Corporation, appeared before the Board of Education.

RESOLUTION NO. 678-92      Re: PROCUREMENT CONTRACTS MORE THAN \$25,000

On recommendation of the superintendent and on motion of Mrs. DiFonzo seconded by Mrs. Fanconi, 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:

92-17	Physical Examinations for School Bus Drivers <u>Awardees</u> Dyne Medical Healthcare Limited Immediate Care Family Health Centers Immediate Care Medical Center Medical Access Rockville Internal Medicine Group, P.A. Secure Medical Care of Gaithersburg Total	*	\$ 36,000
5-91	Elevator and Stage Lift Maintenance - <u>Extension</u> <u>Awardee</u> Barbee Curran Elevator Company, Inc.	\$ 80,000*	
201-91	Scanner Forms and Scanning Machines - <u>Extension</u> <u>Awardee</u> National Computer Systems	\$ 84,104	
104-92	Custodial Equipment Repair <u>Awardees</u> Baer Supply District Repair Company, Inc. E. L. Stone Company Total	\$ 52,171	

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6-93	Telephone Systems and Equipment <u>Awardees</u>	
	Alarm-It Distributor	\$118,678*
	Allegheny Electronics, Inc.	1,973
	Attel Supply, Inc.	134,265
	Arius Security Distributor	16,175
	Data Set Cable Company, Inc.	42,500
	Mid Atlantic Cable Connector	11,265
	North Supply	<u>65,709</u>
	Total	\$390,565
	TOTAL MORE THAN \$25,000	\$642,840

\*Denotes MFD vendors

RESOLUTION NO. 679-92      Re: REDUCTION OF RETAINAGE - TRAVILAH ELEMENTARY SCHOOL

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

WHEREAS, Bildon, Inc., general contractor for Travilah Elementary School, has completed 98 percent of all specified requirements, and has requested that the 10 percent retainage, which is based on the completed work to date, be reduced 5 percent; and

WHEREAS, The project bonding company, Great American Insurance Co. of Ohio, has consented to this reduction; and

WHEREAS, The project architect, Wienczek + Zavos Architects, recommends approval of the reduction; now therefore be it

Resolved, That the 10 percent retainage withheld from periodic payment to Bildon, Inc., general contractor for Travilah Elementary School, be reduced to 5 percent, with the remaining 5 percent to become due and payable after completion of all remaining requirements and formal acceptance of the completed project.

RESOLUTION NO. 680-92      Re: REDUCTION OF RETAINAGE - DR. SALLY K. RIDE ELEMENTARY SCHOOL (SENECA VALLEY MIDDLE SCHOOL #1)

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

WHEREAS, Merando, Inc., general contractor for Dr. Sally K. Ride Elementary School (Seneca Valley Middle School #1), has completed more than 99 percent of all specified requirements, and has

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requested that the 5 percent retainage, which is based on the completed work to date, be reduced 2.5 percent; and

WHEREAS, The project bonding company, Fidelity and Deposit, has consented to this reduction; and

WHEREAS, The project architect, The Lukmore Partnership, Inc., recommends approval of the reduction; now therefore be it

Resolved, That the 5 percent retainage withheld from periodic payments to Merando, Inc., general contractor for Dr. Sally K. Ride Elementary School (Seneca Valley Middle School #1), be reduced to 2.5 percent, with the remaining 2.5 percent to become due and payable after completion of all remaining requirements and formal acceptance of the completed project.

RESOLUTION NO. 681-92      Re: UTILIZATION OF FY 1993 FUTURE SUPPORTED PROJECT FUNDS TO EVALUATE THE TEACHER/STUDENT INTERNSHIP PROGRAM FUNDED BY THE HOWARD HUGHES MEDICAL INSTITUTE

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1993 Provision for Future Supported Projects a grant award of \$15,000 from the Howard Hughes Medical Institute (HHMI) to evaluate the Teacher/Student Internship Program funded by HHMI and administered by Montgomery County Public Schools (MCPS) and the National Institutes of Health (NIH), in the following categories:

<u>Category</u>	<u>Amount</u>
1 Administration	\$14,005
10 Fixed Charges	<u>995</u>
Total	\$15,000

and be it further

Resolved, That a copy of this resolution be sent to the county executive and the County Council.

Re: SCHOOL INSPECTIONS

The following school inspections were set:

1. Garrett Park ES, Monday, September 21, 9 a.m. Mrs. Hobbs will attend.

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2. Walt Whitman HS, Tuesday, September 22, 1 p.m. Mrs. DiFonzo will attend.

3. Seneca Valley MS #1 (Dr. Sally K. Ride ES), Thursday, September 24, 9 a.m. Mrs. Fanconi will attend.

4. Glenallan ES, Thursday, September 24, 1 p.m. Mrs. DiFonzo will attend.

RESOLUTION NO. 682-92      Re: PRESENTATION OF PRELIMINARY PLANS - FOOD SERVICES CENTRAL PRODUCTION FACILITY

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

WHEREAS, The architect for the Food Services Central Production Facility has prepared a schematic design in accordance with applicable specifications; and

WHEREAS, The Food Services Central Production Facilities Advisory Committee has approved the schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plan report for the Food Services Central Production Facility, developed by John S. Samperton Associates.

\*Mrs. DiFonzo left the meeting at this point.

RESOLUTION NO. 683-92      Re: PRESENTATION OF PRELIMINARY PLANS - DAMASCUS HIGH SCHOOL ADDITIONS

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

WHEREAS, The architect for the additions to Damascus High School has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Damascus High School Facilities Advisory Committee has approved the schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plan report for the additions to Damascus High School, developed by Grimm and Parker, Architects.

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For the record, Ms. Gutierrez stated that she objected when an ESOL center was listed as a justification for expanding a building when it was not supported by either projections or by even the amount of square footage allocated to it.

Re: A MOTION BY MRS. FANCONI ON  
CONSTRUCTION BID ISSUES (FAILED)

A motion by Mrs. Fanconi that the Board reaffirm its procedures of assessing the bidder's experience, performance, and reputation when the superintendent makes a recommendation to the Board on awarding a contract for construction failed with Dr. Cheung, Mrs. Fanconi, Mrs. Hobbs, and Mr. Sims voting in the affirmative; Mr. Ewing and Ms. Gutierrez abstaining; Mrs. Brenneman being temporarily absent.

RESOLUTION NO. 684-92      Re: CONSTRUCTION BID ISSUES

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

Resolved, That the Board request the superintendent, in consultation with legal counsel, to develop a policy that addressed withdrawal of bids and disqualification of bidders.

For the record, Mrs. Hobbs stated that this would be a tentative action because it was a policy issue.

RESOLUTION NO. 685-92      Re: MONTHLY PERSONNEL REPORT

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

Resolved, That the following appointments, resignations, and leaves of absence for professional and supporting services personnel be approved: (TO BE APPENDED TO THESE MINUTES)

RESOLUTION NO. 686-92      Re: PERSONNEL REASSIGNMENT

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

Resolved, That the following personnel reassignment be approved:

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<u>Name</u>	<u>From</u>	<u>To</u>
Donald Stewart	Classroom Teacher Richard Montgomery HS	Instructional Asst. Edison Career Center Will maintain salary status To retire 7-1-93

RESOLUTION NO. 687-92      Re: DEATH OF MRS. KITTY D. CLEVENCER,  
SCHOOL SECRETARY I AT MONOCACY  
ELEMENTARY SCHOOL

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

WHEREAS, The death on August 31, 1992, of Mrs. Kitty D. Clevenger, a school secretary I at Monocacy Elementary School, has deeply saddened the staff and members of the Board of Education; and

WHEREAS, Mrs. Clevenger had been a respected and dedicated employee of Montgomery County Public Schools for nine years; and

WHEREAS, Mrs. Clevenger's flexibility and human relations skills made her an asset to the staff, students, and the community; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Mrs. Kitty D. Clevenger and extend deepest sympathy to her family; and be it further

Resolved, That this resolution be made part of the minutes of this meeting and a copy be forwarded to Mrs. Clevenger's family.

RESOLUTION NO. 688-92      Re: DEATH OF MRS. GERALDINE HASENBERG,  
INSTRUMENTAL MUSIC TEACHER AT KEMP  
MILL ELEMENTARY SCHOOL

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

WHEREAS, The death on August 25, 1992, of Mrs. Geraldine Hasenberg, an instrumental music teacher at Kemp Mill Elementary School, has deeply saddened the staff and members of the Board of Education; and

WHEREAS, Mrs. Hasenberg was a music teacher with Montgomery County Public Schools for more than 20 years and demonstrated an

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exceptional understanding of and concern for her students as well as an enthusiasm for her subject matter; and

WHEREAS, Mrs. Hasenberg planned and executed instruction in a very skilled manner and was a positive contributor to the overall school program; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Mrs. Geraldine Hasenberg and extend deepest sympathy to her family; and be it further

Resolved, That this resolution be made part of the minutes of this meeting and a copy be forwarded to Mrs. Hasenberg's family.

RESOLUTION NO. 689-92      Re: DEATH OF MR. ROBERT J. MOONEY,  
RESOURCE TEACHER ON PERSONAL  
ILLNESS LEAVE FROM MONTGOMERY  
VILLAGE MIDDLE SCHOOL

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

WHEREAS, The death on August 13, 1992, of Mr. Robert J. Mooney, a resource teacher on personal illness leave from Montgomery Village Middle School, has deeply saddened the staff and members of the Board of Education; and

WHEREAS, In the 25 years that Mr. Mooney had been a member of the staff of Montgomery County Public Schools, he had made valuable contributions to the school system; and

WHEREAS, Mr. Mooney had earned the respect of students, staff, and parents necessary for a truly effective teacher; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Mr. Robert J. Mooney and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made part of the minutes of this meeting and a copy be forwarded to Mr. Mooney's family.

RESOLUTION NO. 690-92      Re: DEATH OF MS. JERRY L. TODD, BUS  
OPERATOR ON PERSONAL ILLNESS LEAVE  
FROM AREA 1 TRANSPORTATION

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

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WHEREAS, The death on August 22, 1992, of Ms. Jerry L. Todd, a bus operator on personal illness leave from Area 1 transportation, has deeply saddened the staff and members of the Board of Education; and

WHEREAS, In the short time that Ms. Todd had worked for Montgomery County Public Schools, she demonstrated competence as a bus operator; and

WHEREAS, Ms. Todd's eagerness to learn and her pleasant personality and good relationships with her fellow workers made her a valuable employee; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Ms. Jerry L. Todd and extend deepest sympathy to her family; and be it further

Resolved, That this resolution be made part of the minutes of this meeting and a copy be forwarded to Ms. Todd's family.

RESOLUTION NO. 691-92      Re: DEATH OF MR. ROBERT D. WOODFIELD,  
                                  REFRIGERATION MECHANIC IN DIVISION  
                                  OF MAINTENANCE

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

WHEREAS, The death on August 21, 1992, of Mr. Robert D. Woodfield, a refrigeration mechanic in the Division of Maintenance, has deeply saddened the staff and members of the Board of Education; and

WHEREAS, Mr. Woodfield was a member of the maintenance division for over 27 years and was recognized for his excellent technical skills in his profession; and

WHEREAS, Mr. Woodfield's prompt response and reliable service were commendable and appreciated; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Mr. Robert D. Woodfield and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made part of the minutes of this meeting and a copy be forwarded to Mr. Woodfield's family.

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RESOLUTION NO. 692-92

Re: DEATH OF MR. TERRY E. YOUNG,  
CLASSROOM TEACHER IN THE DIVISION  
OF INTERAGENCY AND ALTERNATIVE  
PROGRAMS

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

WHEREAS, The death on August 15, 1992, of Mr. Terry E. Young, a classroom teacher in the Division of Interagency and Alternative Programs, has deeply saddened the staff and members of the Board of Education; and

WHEREAS, In the nine years that Mr. Young had been a member of the staff of Montgomery County Public Schools, he provided a rewarding learning experience for his students; and

WHEREAS, Mr. Young was respected by the staff, students, and community as a challenging teacher and true professional; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Mr. Terry E. Young and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made part of the minutes of this meeting and a copy be forwarded to Mr. Young's family.

RESOLUTION NO. 693-92

Re: PERSONNEL APPOINTMENTS AND  
REASSIGNMENT

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Mr. Sims, the following resolution was adopted unanimously by members present:

Resolved, That the following personnel appointments and reassignment be approved:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Giles R. Benson	Director Div. of Supply and Property Management	Director Division of Materials Management Grade P Effective: 9-10-92
John D. Gannon	Specialist Systemwide Train. Unit, Office of Personnel Svcs.	Administrative Asst. Office of Personnel Svcs. Grade N Effective: 9-10-92

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Jerrilyn V. Andrews	Research/Statist. Coordinator Dept. of Ed. Accountability	Asst. for Assessment & Data Collection Office of School Administration Grade N Effective: 9-10-92
Mary K. Ebert	Teacher Specialist Div. of Evaluation and Testing	Asst. for Assessment & Data Collection Office of School Administration Grade N Effective: 9-10-92
Merrill E. Fisher	Acting Exec. Asst. Office of School Administration	Asst. for Assessment & Data Collection Office of School Administration Grade N Effective: 9-10-92
Suzanne Clewell	Teacher Specialist Div. of Chapter I	Coordinator of Reading/ Language Arts Dept. of Academic Programs Grade N Effective: 9-10-92
Barbara Robinson	Personnel Special. Dept. of Staffing	Staffing Specialist Dept. of Staffing Grade N Effective: 9-10-92

<u>Reassignment</u>	<u>From</u>	<u>To</u>
Richard Towers	Director Dept. of Continu. & Altern. Ed.	Asst. Principal Wootton HS Effective: 9-10-92

RESOLUTION NO. 694-92      Re: AMENDMENT TO THE POSITION  
CLASSIFICATION AND PAY PLAN

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

WHEREAS, The vacant Administrative Secretary II/Board of Education position is now responsible for important new administrative secretarial duties in addition to expanded work responsibilities for Board of Education members; and

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WHEREAS, As part of the established procedure for maintaining a continuous review of position classification and pay plan, the superintendent has recommended reclassification of the above position; and

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

Resolved, That the pay grade of the Administrative Secretary II/Board of Education be changed from pay grade 15 (\$25,001 minimum - \$40,185 longevity maximum) to pay grade 16 (\$26,187 minimum - \$42,203 longevity maximum).

Re: TITLE IX, GENDER EQUITY, COMMITTEE ANNUAL REPORT

Dr. Vance stated that the Board had received the report of the Title IX Advisory Committee which did contain several recommendations.

Ms. Connie Tonat, past president, introduced Ms. Nancy Rea, chair for 1992-93, who put together the annual report, and Ms. Janet Crampton, who would be their chair for 1993-94. Ms. Tonat gave a special thanks to Ms. Joy Odom, their staff liaison, who inspired the committee and served as a strong role model for all committee members.

Ms. Rea noted that the Title IX law was celebrating its 20th anniversary, and she was confident the Board would have an ongoing commitment to equity. She complimented them for including all students in the primary goals of the school system as reflected in the Success for Every Student plan. Many of the data reported by staff now included gender, and the Board had taken the time to meet with the committee and discuss the AAUW report, "Shortchanging Girls; Shortchanging America." The Board had funded the support staff salary changes and had participated in the Commission for Women's Equity Forum in May. Now the Board was working on the issue of sexual harassment.

Ms. Rea reported that this year the committee focused on employment and affirmative action, management plans and curriculum, athletics, and guidance and counseling. Their first recommendation was that the system should model the philosophy that SES was promoting. After looking through the SES document, they found that it did not include gender as a major concern of MCPS. They saw outcomes spelled out for all students with particular emphasis on racial groups and little on gender. They believed there were significant differences in the ways males and females learned and that these differences must be taken into consideration. For example, on SAT scores in Montgomery County, girls scored 40 points lower than boys. As far as school system leadership, they saw real progress because as of last spring they

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had a female deputy superintendent and three female associate superintendents. At that time they still had only five female high school principals. At the elementary level, the situation was different because there they needed more male teachers. They suggested including gender equity as an aspect of all Board policies including SES. They recommended including gender breakdowns in all data analyzed, and they asked that gender be considered automatically when they were addressing the goals of the system.

Ms. Rea said their second recommendation was that the Board and the school system should search for funds to continue gender equity for teachers and all others and should include gender equity as a component in all on-going training. They recognized the Board had budget problems, but they thought the Board could engage in some cooperative efforts with other bodies or some way to work gender equity into training on curriculum. Their third recommendation was for MCPS to correct practices in the athletics and sports program. They had found staffing patterns in physical education classes and on athletics staff that were more detrimental to women than they were in the past. They asked that the Board monitor local school spending for athletic programs to be sure that girls' programs were receiving their share. Concern had been expressed by parents and students that money for uniforms and equipment was not as available for the girls teams as for the boys teams. Ms. Tonat hoped that the task force on gender equity in athletics would be able to address some of the important issues discussed in the Title IX annual report. She saw problems of discrimination in athletics along with sexual harassment as being deeply rooted in cultural practices and values. Therefore, they would have to work on this issue over a very long period of time.

Ms. Rea stated that their fourth recommendation came from their work with the Guidance Department. They saw the school system as a business producing a product, preparing a student to go on with the rest of his or her life. The guidance counselor was crucial to this, but guidance and counseling should not work alone in an isolated environment. All other adults in the system also engaged in counseling activities. They found that students bonded to the teacher when the two-period algebra class was instituted. Those teachers felt they needed extra training to be able to meet the needs of those students. The guidance counselor could identify the needs of students, and parents could be pulled in to help. Many of the guidance departments were doing great things, but other schools did not know of these activities. They recommended a system of sharing these things. They felt that counselors needed extra training on identifying female students needing intervention because frequently these students did not draw attention by acting out as boys did.

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Ms. Tonat commented that the front line issues with respect to counseling were sexual harassment, teenage pregnancy, and the impact of culture, gender, and class in the classroom and in the school. They needed strong support from the Board and the administration for a system of counseling and advising which would allow them to develop innovative programs to enable students to achieve success in course and career choices. She urged the Board to support conferences and workshops to open up avenues of discussion among counselors, advisors, and teachers to discuss successful initiatives to reduce sexual harassment, deter teenage pregnancy, and assure gender equity in career choices and chances.

Ms. Rea reported that their fifth recommendation was to establish a training program for parents on how to work effectively with the school system. She felt that the use of parents was an untapped resource particularly in a budget crunch. Parents were highly motivated to help their children succeed, and if the parent felt comfortable about approaching the school for assistance in working with their children, they would have more successful students. Parents were also discouraging their daughters from taking appropriate classes instead of encouraging them to enroll in math and science.

Ms. Rea suggested that the Board look at all policies from the standpoint of gender equity, provide training for staff members on gender equity, look at the athletic program, expand guidance efforts, and train parents. Mrs. Hobbs commented that their annual report gave the Board some good recommendations.

Mr. Ewing felt that the suggestion that the Board look at policies with a view to addressing gender equity was a good one. It was also a major chore in the way of workload. He asked that when the superintendent responded to the report that he take a close look at what it would take to review policies. He said that if the Board gave this attention it would be a major message to the school system. Mr. Sims said he would be interested in learning how other jurisdictions in Maryland saw the issue of gender equity and what policies and programs they had in place. He knew that in regard to athletics a number of counties were significantly behind the times, and with their task force on gender equity he expected that within a year MCPS would be in the forefront of gender equity in athletics.

Ms. Gutierrez thanked the committee for a very good report. She believed that this might be the year in which they did something about the issue of gender equity. She thought that generally society now had a raised level of awareness of the issue of women's potential contributions being limited in every aspect of life. She pointed out that the Board had already asked the superintendent to look at SES regarding gender equity. She said that their other recommendations were very valuable, and she

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noted that some did not have a price tag. Later this afternoon they would be talking about the sexual harassment policy, and under new business she would be introducing an item on the economic aspects of athletics that directly related to issues raised by the committee.

Mrs. Fanconi thanked the committee for all of their hard work. She reported that at her daughter's college they had a policy that every class had to have a certain percentage of women authors. She would like the committee to assess what could be gained in looking at that kind of reading list material to gain a multiple perspective. Mrs. Gemberling stated that the original design of SES did not include gender equity, but in August they had added gender information to the data shells along with racial data. Ms. Gutierrez asked that the committee consider adding sexual harassment to its agenda.

Mrs. Hobbs thanked the committee for their report.

Re: SUCCESSFUL PROGRAMS AT EINSTEIN,  
KENNEDY, GAITHERSBURG, AND SENECA  
VALLEY HIGH SCHOOLS

Dr. Vance stated that on May 12 the Board requested that this meeting be scheduled. The Board had received summaries prepared by each cluster describing progress during the 1991-92 school year. They had asked the principals in each cluster to select a representative. Michael Glascoe would be representing the Einstein cluster, Elaine Seikaly the Gaithersburg cluster, Vera Torrence the Kennedy cluster, and Bonnie Fox the Seneca Valley cluster.

Dr. Phinnize Fisher, associate superintendent, stated that this was a delightful opportunity to meet successful principals and talk about successful programs. She introduced the principals of all the schools in each cluster. She noted that the report before the Board was based on the last school year.

Mr. Glascoe said that the Einstein cluster prided itself on being community-minded. They had a partnership with Wheaton Plaza, and all of their schools were now in the SIMS program. They were linking their schools together using the student data to further enhance their success. They were also pleased with the supports and resources they had received; however, they wanted to be sure these supports were sustained over a period of time so that they could continue to make the gains they had made. They hoped to improve the recruitment process for quality staff. In a high minority cluster with tremendous diversity, they needed a high powered staff. He also reported that the Einstein cluster had extremely active PTAs, and principals made a point of attending other school PTA meetings as well as their own.

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Ms. Seikaly indicated that Gaithersburg was a large cluster geographically and in terms of population, and they were still growing as evidenced by the number of portables at their elementary schools. They were also very diverse, and in their schools the students on free and reduced lunch program ranged from 10 percent to 50 percent. They had partnerships with Lake Forest Mall, IBM, CDSI, and Kettler Brothers. In addition, they had a strong partnership with the City of Gaithersburg which gave them a lot of moral and financial support. Ms. Seikaly commented that it was a very difficult task for them to raise test scores, and she credited a very talented and dedicated staff for the progress they had made. She said that three years ago their cluster principals started meeting on a monthly basis, and this past spring they decided as a cluster to focus on math programs and test scores.

Ms. Torrence stated that in the Kennedy cluster they were committed to providing educational programs to meet the needs of their diverse student population and to promote parent and community involvement. They worked individually and collaboratively as a group with PTA leadership and school leadership teams to determine school needs, to plan for areas of improvement and for times of change, and to celebrate their successes. Principals met monthly throughout the year and met with PTA leadership for the purpose of communication and to establish a cohesive Kennedy cluster focus. The Kennedy cluster schools offered a variety of unique programs and activities. All schools provided community volunteer programs to gain direct involvement of parents, community leaders, senior citizens, and representatives of local businesses. All schools offered mentor programs and most schools were involved in the adopt-a-school program or alternate programs designed to attract business involvement. The schools provided special on-site programs designed to promote achievement in reading, math, study skills, and writing. All schools provided summer opportunities. There was a strong articulation process between the elementary, mid-level, and secondary schools. This involved communication about students and programs and was revisited each year so that necessary improvements were implemented. In addition, many of their schools were site schools for the University of Maryland teacher education center, and Kennedy was a University of Maryland professional development school. All of these programs had resulted in continuing gains of their students in achievement at all levels. The positive image of their cluster has resulted, and increased parent and community involvement was evident. There was a high degree of parental satisfaction and support for schools in the Kennedy cluster.

Ms. Fox stated that in 1980 Germantown was a farming community with a few thousand people. They now had 45,000 people, and the Germantown area and its schools were growing and changing. The Seneca Valley cluster was involved with the Department of Energy,

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Public Health, Fairchild Industries, and N.I.H. They were a cluster of ten schools, eight elementary, one intermediate, and one high school. The student population was very diverse, and they saw this as an opportunity and celebrated diversity; however, they were sensitive to the many needs and challenges of this diversity. In order to bring unity and consistency, the principals met regularly to support cluster initiatives and to share common concerns. They had worked to improve math scores, coordinate human relations day activities, and coordinate the SIMS project in all cluster schools. Their staff was dedicated to doing whatever is necessary to provide for individual needs and the best education possible for their students in the most nurturing and caring environment. They were proud, gratified, and energized by their successes.

Mrs. Hobbs asked the cluster representatives to tell the Board their biggest challenge or greatest need for the school year. Mr. Glascoe replied that it was hard to prioritize something like that. If he were to talk about Einstein High School, he would have to start with facilities and then staffing. They had to keep a high powered staff that could roll with the punches because he had seen staff almost reach a point of burnout. Ms. Seikaly agreed that burnout was a real issue. They were asking more of staff than they ever did, and they had to find ways of recognizing, relieving, and training staff.

Ms. Torrence noted that there had been a lot of changes in MCPS, and there needed to be assistance with the change. It was important that communication be extended to the community so that they were cognizant of the change. They were also asking parents to be more and more involved because this was a high indicator of student achievement, but for many parents this was just one more demand on their time. Ms. Fox stated that as a principal they needed staff because without the staff they would not continue to make a difference. For example, at Seneca Valley over the past four years they had made tremendous strides, but this year she had 100 more students and seven fewer staff. She would also like to see more time for staff development, not an hour after school. She would like them to consider an extra week added at the beginning of the school year for teachers to plan strategies and do some serious thinking and planning.

Mrs. Brenneman thought that the reports were excellent. In listening to all of them in response to the question raised by Mrs. Hobbs, she noted that they did not talk about the things they personally needed. They talked about things for their staff and how much was required of staff, not how much the Board required of principals. She knew the long hours that principals put in, and she thanked them for their true professionalism.

Mrs. Fanconi commented that there was never enough time to ask all the questions and acknowledge the efforts of everyone in the

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room. She thought their work together as teams was outstanding and contributed to their success. She hoped that there was the possibility of networking among the four clusters because they appeared to have a lot of similarities. In regard to staff development, Mrs. Fanconi reported that this morning the Board had been briefed on some staff development courses in math and science. Dr. Vance had indicated that he was going to take the presentation to the County Council to explain to them why staff development was so important. She suggested that principals might do some educating on their own before the budget came out about the importance of teachers learning from each other and about the impact of cutting staff development funds.

Dr. Cheung was impressed with the cluster team spirit because a lighthouse school district needed involved parents, outstanding teachers, outstanding leadership, and an excellent learning environment. He asked for their reaction to the Board's new site-based management policy. Ms. Seikaly replied that this was a complex issue for principals to deal with. She would imagine that they would agree that they wanted to empower teachers in as many ways as possible to be case managers making decisions about the education of children. The confusion was how they managed all of this. What kinds of decisions did they expect teachers to make on behalf of the education of students? What decisions would be made about managing a school? Principals had leadership groups they met with to try to make school decisions, but the hour or so a week devoted to this activity was not enough. She believed they needed a balance between empowering teachers to make decisions on behalf of students and separating out the time-consuming decisions. They also had to look at how to leave the administrative management in place to be held accountable and decide on which decisions they needed to make.

Ms. Gutierrez asked for an idea of how principals were using SIMS and how this had changed their job. She would also like to know some specifics of what they could do now and the information they hadn't had before. Mr. Glascoe replied that they would be looking at giving feedback to the feeder schools on the progress of students. Before SIMS, this would have been impossible. The elementary school and the middle school could then plan curriculum and instruction to move students up to the high school. Articulation activities between Einstein and Sligo had been much smoother because they shared information. For example, if he wanted student information, he could have it in 30 minutes rather than writing memos and then having someone tell him it was not possible.

Ms. Fox stated that not a day went by when she or her staff was not using SIMS. She used it for recognition of students. She was able to send letters to students whose GPAs had improved, or she would send letters to students whose GPAs had dropped and ask if they needed help. She used SIMS to communicate with students

and parents on student success. Her resource teachers had all been trained, and they had been working with staff. She believed SIMS to be a terrific tool.

Ms. Gutierrez asked about the currentness of SIMS information. Ms. Seikaly replied that functional scores were put in once a year, enrollment would be put in after the 30th day, and SIMS had a quarterly download. She said they were not talking about online here, but they did get monthly attendance reports. The SIMS data was useful to them when they were trying to analyze data and look for patterns.

Mr. Ewing recalled that one of the origins of this session was the concern of the part of the Board about the needs of the Einstein community, its schools, and their needs. They had heard from staff and community about the need to focus on needs and to set goals. He asked about whether these goals represented goals to which the leadership of the schools was committed and to what extent they felt they had made substantial progress toward achieving those goals.

Mr. Glascoe replied that beyond the increase in the functional test scores they were looking at an increase in community involvement for all seven schools. When they established their Einstein cluster advisory committee, one of the premises for developing that group was to look at the resources and support they needed to get the job done. Secondly, they wanted to improve the image of their cluster. This group took a hard look at this and tried to develop a mission, vision statement, and a focus for the years to come. One common thread was the involvement of the community from school to school and parent to teacher. Two years ago they had a meeting at Einstein to look at the test data, and they found people did not know that a tremendous number of students taking the functional tests had not been in MCPS for more than a year. Therefore, they tried to inform the community and get them involved.

Mr. Ewing asked about the process of the management plans and how that process was working. He wanted to know the extent of parental involvement in the process. Ms. Seikaly replied that they were mandated to have parental involvement. She used her PTA executive board to prioritize goals and assess the school's vision. In addition, she asked parents to fill out a work sheet to help the school assess where they needed to improve. All of that data went to her leadership team to finalize the school improvement goals for the new year. Ms. Torrence said that in her experience parents were willing to be involved in the process. One benefit was the education parents received about the mechanics of prioritizing needs in the school. She thought that parents had a better appreciation of what teachers, principals, and support staff went through. Ms. Fox added that at Seneca Valley they had an instructional council with resource

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teachers, the business manager, the PTSA president, and PTSA past president. They met on a weekly basis and also attended the instructional workshop this summer where planning was done for the implementation plans. All of this was reviewed with the PTSA executive committee.

Mrs. Hobbs thanked the principals and cluster representatives for their report.

Re: POLICY REGARDING SEXUAL HARASSMENT

Dr. Cheung moved and Mrs. Fanconi seconded the following resolution:

WHEREAS, On March 10, 1992, the Board of Education adopted a resolution to develop an inclusive policy on sexual harassment; and

WHEREAS, The Board of Education discussed a draft policy on May 12, 1992, and asked staff to review issues raised during the discussion; and

WHEREAS, On July 9, 1992, staff presented a new draft to address those issues; and

WHEREAS, Staff and Board attorneys have reviewed the draft policy; now therefore be it

Resolved, That the Board of Education tentatively adopt the proposed policy on sexual harassment; and be it further

Resolved, That the draft policy be sent out for public comment.

Sexual Harassment

A. PURPOSE

To affirm the Board of Education's opposition to sexual harassment in the Montgomery County public school system

To establish explicitly the responsibilities of all MCPS employees and students by defining conduct which constitutes prohibited and inappropriate behaviors

To create a mandate to develop educational programs designed to help MCPS employees and students recognize, understand, prevent, and take corrective action to end sexual harassment

To establish the framework for effective procedures for addressing harassment complaints

**B. ISSUE**

Inappropriate sexual conduct will not be tolerated and may constitute sexual harassment. Sexual harassment is an unlawful form of discrimination on the basis of sex under Title VII of the Civil Rights Act of 1964, as amended in 1972 and 1991, Title IX of the Education Amendment of 1972, and Article 49B of the Annotated Code of Maryland. Some forms of sexual harassment may also constitute criminal conduct.

By issuing a single, comprehensive policy statement, the Board of Education seeks to clarify and reaffirm its commitment to ensuring that all MCPS employees and students are provided with a work and learning environment that is free of sexual harassment.

**C. POSITION**

MCPS does not condone or tolerate any form of sexual harassment of, or by, staff or students.

MCPS is committed to creating and maintaining an environment in which all persons who participate in school programs and activities can be together in an atmosphere free of all forms of sexual harassment. Specifically, everyone shall be informed that MCPS does not condone or tolerate any form of sexual harassment of or by staff, and that such behavior is prohibited both by law and MCPS policy. Everyone shall also be informed that MCPS does not condone or tolerate any form of sexual harassment or other inappropriate behavior of a sexual nature by students and that such behavior is prohibited by MCPS policy. It is the intention of MCPS to take whatever action may be needed to prevent, correct, and, if necessary, discipline behavior which violates this policy.

It is the responsibility of every supervisor and principal to recognize acts of sexual harassment and take necessary action to ensure that such instances are addressed swiftly, fairly, and effectively. Consequently, all MCPS administrative and supervisory staff in schools, offices, and other facilities shall be cognizant of, and responsible for, effectively implementing the sexual harassment complaint resolution procedures established in this policy.

**1. Definition**

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other

inappropriate verbal, written, or physical conduct of a sexual nature that takes place under any of the following circumstances:

- a. When submission to such conduct is made, explicitly or implicitly, a term or condition of employment, instruction, or participation in other school activities
- b. When submission to or rejection of such conduct by an individual is used by the offender as the basis for making personnel or academic decisions affecting the individual subjected to sexual advances
- c. When such conduct has the effect of unreasonably interfering with the individual's work and/or academic performance or creating an intimidating, hostile, or offensive work or learning environment

## 2. Application to Employees

This policy applies to all sexual harassment incidents involving MCPS employees. It addresses incidents committed by a person of either sex against a person of the opposite or same sex. It also establishes that it is against policy and recognizes that it may be unlawful for MCPS employees to commit acts of sexual harassment.

## 3. Application to Students

Sexual harassment committed by students of either sex against students of the opposite or same sex constitutes inappropriate behavior. All allegations will be investigated by the principal using the guidelines of Section E of this policy. Depending on the severity of the offense, appropriate disciplinary action, from counseling to suspension or expulsion, can be taken using the discipline policies adopted by the Board of Education.

## 4. Examples

Sexual harassment, under certain circumstances, may include, but is not limited to any unwelcome behavior with sexual overtones which is intimidating or offensive to the recipient or observer of the behavior such as: grabbing, touching, patting; sexual propositions; repeated requests for dates; sexually offensive pictures, magazines, calendars, cartoons, or jokes; unwanted flirtations or advances; verbal abuse;

subtle pressure or requests for sexual activities; rewards for granting sexual favors or the withholding of rewards for refusal to grant sexual favors; graphic or verbal comments about an individual's body or dress; or sexually degrading names.

D. DESIRED OUTCOME

An environment wherein all MCPS employees and students are educated to recognize inappropriate sexual behavior in all its forms which may constitute sexual harassment and respond with actions to prevent, correct, and/or eliminate these offensive behaviors from the MCPS system.

E. IMPLEMENTATION PRINCIPLES AND GUIDELINES AND STRATEGIES

1. Principles and Guidelines

- a. Any MCPS employee or student who believes that he/she has been subjected to sexual harassment has the right to file a complaint and to receive prompt and appropriate handling of her/his complaint. In all phases of the complaint resolution process, every reasonable effort shall be made to maintain the confidentiality and protect the privacy of all parties, consistent with MCPS' responsibility to investigate and address such complaints.
- b. Any MCPS employee or student who believes that he/she has been subjected to sexual harassment, or who has any knowledge of other staff members or students who may be engaging in sexual harassment, should report such conduct promptly, orally or in writing, to the immediate supervisor/principal, or directly to the EEO Officer. The supervisor/principal will report to the EEO officer any complaint received regarding sexual harassment involving employees. If the complaint involves MCPS employees, the Office of Personnel Services will carry out the investigation through the Office of the Deputy Superintendent for Planning, Technology and Supportive Services in coordination with the EEO Officer. If the complaint involves only students, the investigation will be carried out in accordance with existing student discipline policies.
- c. The full circumstances of the situation will be considered in the investigation of possible harassment incidents. In determining whether the

alleged conduct constitutes sexual harassment, consideration shall be given to the record of the incident as a whole and to the totality of the circumstances, including the context in which the alleged incidents occurred.

- d. Retaliation against an individual who either orally reports or files a written complaint regarding sexual harassment or who participates in or cooperates with an investigation is prohibited. The right to confidentiality, both of the complainant and the accused, shall be preserved consistent with applicable laws and MCPS' responsibility to investigate and address such complaints.
- e. Any MCPS employee who violates this policy shall be subject to appropriate action, including but not limited to oral or written reprimand, professional counseling, reassignment, demotion, suspension or termination.
- f. MCPS employees and students should seek guidance, support, and/or advocacy in addressing matters related to sexual offenses of any degree. Employees of the Department of Human Relations, Employee Assistance, and the Office of Student Affairs are to be available for these services.

## 2. Strategies

The superintendent will direct the EEO officer to coordinate the implementation of this policy.

Implementation activities will include, but not be limited to:

- a. Education of all staff and students about this policy and associated federal and state laws prohibiting sexual harassment by widely disseminating information in documents such as announcements, bulletins, brochures, applications, contracts, and other communications
- b. Publication and dissemination of information to all MCPS employees and students that will inform them of this policy, what sexual harassment is, what the individual can do, and where to go for help
- c. Development of mandatory training seminars and inservice programs for all principals, supervisors, and administrators to ensure the

appropriate implementation of this policy. These training programs shall be designed to:

- (1) Inform them of their duties, responsibilities, and potential liabilities as workplace managers when dealing with incidents involving sexual harassment
  - (2) Assist them in developing training programs for MCPS employees dealing with sexual harassment to inform them of the policy, what sexual harassment is, what the individual can do, and where to go for help. The aim of such training is to ensure increased awareness of inappropriate behaviors prohibited by this policy and other state and federal laws on sexual harassment.
  - (3) Provide clear guidelines and assistance for handling appropriately all incidents of sexual harassment in MCPS.
- d. Provide for the infusion of curricular experiences that will help students to aggressively confront matters related to sexual harassment and develop behaviors and attitudes that mitigate against inappropriate sexual overtures and pressures in school, work, and social settings. Included should be updated student competencies in the K-12 comprehensive guidance and counseling program. K-12 curricular modifications that integrate activities and skill building to help students understand and overcome sexual harassment problems should be introduced as soon as possible.

#### F. REVIEW AND REPORTING

1. The superintendent will report quarterly to the Board of Education on reported sexual harassment incidents. Reports shall include quantitative as well as qualitative monthly incident aggregate data for both MCPS staff and students; complaint and resolution process evaluations and improvements; training statistics and schedules; ongoing evaluation of work environments in all MCPS schools, offices, and work locations; and any other activities being planned or carried out by MCPS that are relevant to the successful implementation of this policy.
2. This policy will be reviewed every three years in accordance with the Board of Education policy review process.

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Re: A MOTION BY MS. GUTIERREZ TO AMEND  
THE PROPOSED POLICY ON SEXUAL  
HARASSMENT (FAILED)

A motion by Ms. Gutierrez to amend the proposed policy on sexual harassment by restoring the following language under B.

"Moreover, sexual harassment may violate Article 27 of the Annotated Code of Maryland. Furthermore, the recent unanimous 1992 decision by the U.S. Supreme Court, Franklin v. Gwinnett County Public Schools, firmly establishes that federally funded educational institutions may be sued for damages by students for sexual harassment." failed for lack of a second.

RESOLUTION NO. 695-92      Re: AN AMENDMENT TO THE PROPOSED POLICY  
ON SEXUAL HARASSMENT

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

Resolved, That the proposed policy on sexual harassment be amended in B. Issue to add "resulting in criminal penalties as has occurred in some cases already decided" to "Some forms of sexual harassment may also constitute criminal conduct."

Mrs. Fanconi made the following comment for the record:

"I probably am not going to be making many comments on this policy, and that is not because I lack interest in the policy. I think Board members have done a lot of corresponding back and forth. I have met with staff. Ana has met with staff. Other Board members may have as well. I think it has been something that as far as I am concerned has already reflected a great deal of comment by Board members, and staff has been very responsive to concerns that I have. The important thing to me is to have a policy that sets a very strong statement about what we think appropriate behavior is in the area of sexual harassment, what the consequences are, and then to turn it over to the superintendent and have him bring back the regulations that would stipulate the kinds of training and education that would go on around it. From talking to staff, I know that discussions are already going on around that. I feel fairly comfortable with the policy that we have. I just wanted to clarify this."

RESOLUTION NO. 696-92      Re: AN AMENDMENT TO THE PROPOSED POLICY  
ON SEXUAL HARASSMENT

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

Resolved, That the proposed policy on sexual harassment be amended in C. Position to delete "everyone shall be informed that" in two places and to add after "prohibited by MCPS policy."

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"The superintendent is directed to make every effort to inform all those who are affected by this policy of its provisions."

Re: A MOTION BY MS. GUTIERREZ TO AMEND THE PROPOSED POLICY ON SEXUAL HARASSMENT (FAILED)

A motion by Ms. Gutierrez to amend the proposed policy on sexual harassment by substituting "it is unlawful" for "it may be unlawful" in C.2. failed for lack of a second.

Re: A MOTION BY MS. GUTIERREZ TO AMEND THE PROPOSED POLICY ON SEXUAL HARASSMENT (FAILED)

A motion by Ms. Gutierrez to amend the proposed policy on sexual harassment by deleting from C.3. "All allegations will be investigated by the principal using the guidelines of Section E of this policy. Depending on the severity of the offense, appropriate disciplinary action, from counseling to suspension or expulsion, can be taken using the discipline policies adopted by the Board of Education." failed with Mrs. Fanconi and Ms. Gutierrez voting in the affirmative; Mrs. Brenneman, Dr. Cheung, Mr. Ewing, Mrs. Hobbs, and Mr. Sims voting in the negative.

Re: A MOTION BY MR. SIMS TO AMEND THE PROPOSED POLICY ON SEXUAL HARASSMENT

Mr. Sims moved and Mrs. Brenneman seconded a motion to delete "repeated requests for dates" from C.4.

Re: A SUBSTITUTE MOTION BY MR. EWING TO AMEND THE PROPOSED POLICY ON SEXUAL HARASSMENT (FAILED)

A substitute motion by Mr. Ewing to amend the proposed policy on sexual harassment by adding "unwelcome" before "requests for dates" in C.4. failed with Dr. Cheung, Mr. Ewing, and Ms. Gutierrez voting in the affirmative; no negative vote taken.

RESOLUTION NO. 697-92      Re: AN AMENDMENT TO THE PROPOSED POLICY ON SEXUAL HARASSMENT

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

Resolved, That the proposed policy on sexual harassment be amended by deleting "repeated requests for dates" from C.4.

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Re: A MOTION BY MS. GUTIERREZ TO AMEND  
THE PROPOSED POLICY ON SEXUAL  
HARASSMENT (FAILED)

A motion by Ms. Gutierrez to amend the proposed policy on sexual harassment by deleting "consistent with MCPS' responsibility to investigate and address such complaints" from E.1.a. failed with Ms. Gutierrez and Mrs. Hobbs voting in the affirmative; Mrs. Brenneman, Dr. Cheung, Mr. Ewing, Mrs. Fanconi, and Mr. Sims voting in the negative.

Re: A MOTION BY MS. GUTIERREZ TO AMEND  
THE PROPOSED POLICY ON SEXUAL  
HARASSMENT (FAILED)

A motion by Ms. Gutierrez to amend the proposed policy on sexual harassment by deleting "or who has any knowledge of other staff members or students who may be engaging in sexual harassment" in E.1.b. failed with Mrs. Fanconi, Ms. Gutierrez, and Mr. Sims voting in the affirmative; Mrs. Brenneman, Dr. Cheung, Mr. Ewing, and Mrs. Hobbs voting in the negative.

RESOLUTION NO. 698-92      Re: AN AMENDMENT TO THE PROPOSED POLICY  
ON SEXUAL HARASSMENT

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

Resolved, That the proposed policy on sexual harassment be amended to add "a designated representative" prior to "or directly to the EEO Office" in E.1.b.

Re: A MOTION BY MS. GUTIERREZ TO AMEND  
THE PROPOSED POLICY ON SEXUAL  
HARASSMENT

Ms. Gutierrez moved and Mrs. Hobbs seconded a motion to delete "discipline" from "existing student discipline policies" in E.1.b.

RESOLUTION NO. 699-92      Re: A SUBSTITUTE MOTION BY MR. EWING TO  
AMEND THE PROPOSED POLICY ON SEXUAL  
HARASSMENT

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. Sims voting in the affirmative; Mrs. Brenneman being temporarily absent:

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Resolved, That the proposed policy on sexual harassment be amended to substitute "the provisions in the Student Rights and Responsibilities Handbook for allegations of misconduct" for "existing student discipline policies" in E.1.b.

Re: A MOTION BY MS. GUTIERREZ TO AMEND  
THE PROPOSED POLICY ON SEXUAL  
HARASSMENT (FAILED)

A motion by Ms. Gutierrez to amend the proposed policy on sexual harassment by restoring "Mediation, sex equity, career preparation, interpersonal relationships, and decision making also should reflect the individual and collective growth that is expected of students in this matter at all levels" to E. 2.d. failed for lack of a second.

RESOLUTION NO. 700-92      Re: AN AMENDMENT TO THE PROPOSED POLICY  
ON SEXUAL HARASSMENT

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. Sims voting in the affirmative; Mrs. Brenneman abstaining:

Resolved, That the proposed policy on sexual harassment be amended by substituting "Appropriate opportunity should be employed to educate students in regular classrooms about matters related to sexual harassment in order to..." for "Provide for the infusion of curricular experiences that will help students to aggressively confront matters related to sexual harassment and" in E.2.d.

Re: A MOTION BY MS. GUTIERREZ TO AMEND  
THE PROPOSED POLICY ON SEXUAL  
HARASSMENT (FAILED)

A motion by Ms. Gutierrez to amend the proposed policy on sexual harassment by re-establishing E.2.e which would establish the appointment of a sexual harassment complaint resolution officer dedicated to act as the key representative of MCPS failed for lack of a second.

RESOLUTION NO. 701-92      Re: TENTATIVE ADOPTION OF POLICY ON  
SEXUAL HARASSMENT

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

WHEREAS, On March 10, 1992, the Board of Education adopted a resolution to develop an inclusive policy on sexual harassment; and

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WHEREAS, The Board of Education discussed a draft policy on May 12, 1992, and asked staff to review issues raised during the discussion; and

WHEREAS, On July 9, 1992, staff presented a new draft to address those issues; and

WHEREAS, Staff and Board attorneys have reviewed the draft policy; now therefore be it

Resolved, That the Board of Education tentatively adopt the proposed policy on sexual harassment; and be it further

Resolved, That the draft policy be sent out for public comment.

#### Sexual Harassment

##### A. PURPOSE

To affirm the Board of Education's opposition to sexual harassment in the Montgomery County public school system

To establish explicitly the responsibilities of all MCPS employees and students by defining conduct which constitutes prohibited and inappropriate behaviors

To create a mandate to develop educational programs designed to help MCPS employees and students recognize, understand, prevent, and take corrective action to end sexual harassment

To establish the framework for effective procedures for addressing harassment complaints

##### B. ISSUE

Inappropriate sexual conduct will not be tolerated and may constitute sexual harassment. Sexual harassment is an unlawful form of discrimination on the basis of sex under Title VII of the Civil Rights Act of 1964, as amended in 1972 and 1991, Title IX of the Education Amendment of 1972, and Article 49B of the Annotated Code of Maryland. Some forms of sexual harassment may also constitute criminal conduct **resulting in criminal penalties as has occurred in some cases already decided.**

By issuing a single, comprehensive policy statement, the Board of Education seeks to clarify and reaffirm its commitment to ensuring that all MCPS employees and students are provided with a work and learning environment that is free of sexual harassment.

C. POSITION

MCPS does not condone or tolerate any form of sexual harassment of, or by, staff or students.

MCPS is committed to creating and maintaining an environment in which all persons who participate in school programs and activities can be together in an atmosphere free of all forms of sexual harassment. Specifically, ~~everyone shall be informed that~~ MCPS does not condone or tolerate any form of sexual harassment of or by staff, and that such behavior is prohibited both by law and MCPS policy. ~~Everyone shall also be informed that~~ MCPS does not condone or tolerate any form of sexual harassment or other inappropriate behavior of a sexual nature by students and that such behavior is prohibited by MCPS policy. **The superintendent is directed to make every effort to make certain that everyone affected shall be informed of its provisions.** It is the intention of MCPS to take whatever action may be needed to prevent, correct, and, if necessary, discipline behavior which violates this policy.

It is the responsibility of every supervisor and principal to recognize acts of sexual harassment and take necessary action to ensure that such instances are addressed swiftly, fairly, and effectively. Consequently, all MCPS administrative and supervisory staff in schools, offices, and other facilities shall be cognizant of, and responsible for, effectively implementing the sexual harassment complaint resolution procedures established in this policy.

1. Definition

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, or physical conduct of a sexual nature that takes place under any of the following circumstances:

- a. When submission to such conduct is made, explicitly or implicitly, a term or condition of employment, instruction, or participation in other school activities
- b. When submission to or rejection of such conduct by an individual is used by the offender as the basis for making personnel or academic decisions affecting the individual subjected to sexual advances

- c. When such conduct has the effect of unreasonably interfering with the individual's work and/or academic performance or creating an intimidating, hostile, or offensive work or learning environment
2. Application to Employees

This policy applies to all sexual harassment incidents involving MCPS employees. It addresses incidents committed by a person of either sex against a person of the opposite or same sex. It also establishes that it is against policy and recognizes that it may be unlawful for MCPS employees to commit acts of sexual harassment.

3. Application to Students

Sexual harassment committed by students of either sex against students of the opposite or same sex constitutes inappropriate behavior. All allegations will be investigated by the principal using the guidelines of Section E of this policy. Depending on the severity of the offense, appropriate disciplinary action, from counseling to suspension or expulsion, can be taken using the discipline policies adopted by the Board of Education.

4. Examples

Sexual harassment, under certain circumstances, may include, but is not limited to any unwelcome behavior with sexual overtones which is intimidating or offensive to the recipient or observer of the behavior such as: grabbing, touching, patting; sexual propositions; ~~repeated requests for dates;~~ sexually offensive pictures, magazines, calendars, cartoons, or jokes; unwanted flirtations or advances; verbal abuse; subtle pressure or requests for sexual activities; rewards for granting sexual favors or the withholding of rewards for refusal to grant sexual favors; graphic or verbal comments about an individual's body or dress; or sexually degrading names.

#### D. DESIRED OUTCOME

An environment wherein all MCPS employees and students are educated to recognize inappropriate sexual behavior in all its forms which may constitute sexual harassment and respond with actions to prevent, correct, and/or eliminate these offensive behaviors from the MCPS system.

E. IMPLEMENTATION PRINCIPLES AND GUIDELINES AND STRATEGIES

1. Principles and Guidelines

- a. Any MCPS employee or student who believes that he/she has been subjected to sexual harassment has the right to file a complaint and to receive prompt and appropriate handling of her/his complaint. In all phases of the complaint resolution process, every reasonable effort shall be made to maintain the confidentiality and protect the privacy of all parties, consistent with MCPS' responsibility to investigate and address such complaints.
- b. Any MCPS employee or student who believes that he/she has been subjected to sexual harassment, or who has any knowledge of other staff members or students who may be engaging in sexual harassment, should report such conduct promptly, orally or in writing, to the immediate supervisor/principal, **a designated representative**, or directly to the EEO Officer. The supervisor/principal will report to the EEO officer any complaint received regarding sexual harassment involving employees. If the complaint involves MCPS employees, the Office of Personnel Services will carry out the investigation through the Office of the Deputy Superintendent for Planning, Technology and Supportive Services in coordination with the EEO Officer. If the complaint involves only students, the investigation will be carried out in accordance with **the provisions in the Student Rights and Responsibilities Handbook for allegations of misconduct. existing student discipline policies.**
- c. The full circumstances of the situation will be considered in the investigation of possible harassment incidents. In determining whether the alleged conduct constitutes sexual harassment, consideration shall be given to the record of the incident as a whole and to the totality of the circumstances, including the context in which the alleged incidents occurred.
- d. Retaliation against an individual who either orally reports or files a written complaint regarding sexual harassment or who participates in or cooperates with an investigation is prohibited. The right to confidentiality, both of the complainant and the accused, shall be preserved

consistent with applicable laws and MCPS' responsibility to investigate and address such complaints.

- e. Any MCPS employee who violates this policy shall be subject to appropriate action, including but not limited to oral or written reprimand, professional counseling, reassignment, demotion, suspension or termination.
- f. MCPS employees and students should seek guidance, support, and/or advocacy in addressing matters related to sexual offenses of any degree. Employees of the Department of Human Relations, Employee Assistance, and the Office of Student Affairs are to be available for these services.

## 2. Strategies

The superintendent will direct the EEO officer to coordinate the implementation of this policy. Implementation activities will include, but not be limited to:

- a. Education of all staff and students about this policy and associated federal and state laws prohibiting sexual harassment by widely disseminating information in documents such as announcements, bulletins, brochures, applications, contracts, and other communications
- b. Publication and dissemination of information to all MCPS employees and students that will inform them of this policy, what sexual harassment is, what the individual can do, and where to go for help
- c. Development of mandatory training seminars and inservice programs for all principals, supervisors, and administrators to ensure the appropriate implementation of this policy. These training programs shall be designed to:
  - (1) Inform them of their duties, responsibilities, and potential liabilities as workplace managers when dealing with incidents involving sexual harassment
  - (2) Assist them in developing training programs for MCPS employees dealing with sexual harassment to inform them of the policy, what sexual harassment is, what the individual can

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do, and where to go for help. The aim of such training is to ensure increased awareness of inappropriate behaviors prohibited by this policy and other state and federal laws on sexual harassment.

- (3) Provide clear guidelines and assistance for handling appropriately all incidents of sexual harassment in MCPS.
- d. ~~Provide for the infusion of curricular experiences that will help students to aggressively confront matters related to sexual harassment and Appropriate opportunities should be employed to educate students about matters related to sexual harassment in order to develop behaviors and attitudes that mitigate against inappropriate sexual overtures and pressures in school, work, and social settings. Included should be updated student competencies in the K-12 comprehensive guidance and counseling program. K-12 curricular modifications that integrate activities and skill building to help students understand and overcome sexual harassment problems should be introduced as soon as possible.~~

#### F. REVIEW AND REPORTING

1. The superintendent will report quarterly to the Board of Education on reported sexual harassment incidents. Reports shall include quantitative as well as qualitative monthly incident aggregate data for both MCPS staff and students; complaint and resolution process evaluations and improvements; training statistics and schedules; ongoing evaluation of work environments in all MCPS schools, offices, and work locations; and any other activities being planned or carried out by MCPS that are relevant to the successful implementation of this policy.
2. This policy will be reviewed every three years in accordance with the Board of Education policy review process.

Re: SUPERINTENDENT'S COMMENTS ON THE  
OPENING OF SCHOOL

Dr. Vance noted that on August 31 the staff had done a more than adequate presentation on the opening of school. He believed that everything was on an even keel. He pointed out that the Board had received a copy of the new back-to-school brochure entitled, "A Commitment to Quality."

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## Re: BOARD/SUPERINTENDENT COMMENTS

1. Dr. Vance commented that last week he and Mrs. Hobbs had attended a meeting with Councilmember Michael Subin, former State Board of Education President Larry Shulman, and an executive from IBM. The purpose of the meeting was another effort to develop a project to invite greater business involvement in reviewing the management structure of MCPS with an eye towards greater efficiency. Dr. Vance had identified the areas of financial management, data processing, systems development, facilities management, logistics, transportation, personnel, program management, etc. He was planning a breakfast meeting in mid-October with a selected group of officers of major corporations in Montgomery County. He would keep the Board posted.
2. Mr. Ewing noted that the Board had received a request from the chair of the Education Foundation involving a proposal to seek grant support for the foundation's efforts to develop its capabilities to both expand the foundation and to organize and expand fund raising. Under new business, he would request that the Board vote to send a letter supporting this effort.
3. Mr. Ewing pointed out that on August 31, the Board had voted on a consent item about a renegotiation of telephone contracts which had associated with it a very substantial savings to the school system. Time did not permit the opportunity to note this, but he wanted to compliment staff for this effort which was consistent with efforts to continue to find ways to reduce costs.
4. Dr. Vance reported that on Thursday, October 1, the Task Force on Gender Equity in Athletics would hold a public hearing in the CESC from 4 to 5:30 p.m. and later on from 7:30 to 9:30 p.m. Later in the month of October, forums would be held on the budget to give participants an overview of the budget and an opportunity to comment on issues, priorities, and concerns relative to the formation of the school system's budget. These forums would be held at Einstein, Wootton, Watkins Mill, and Sherwood high schools.
5. Mrs. Brenneman called attention to the information item on safety and security. She complimented the superintendent on the progress that had been made, and she suggested that this document be shared with principals so that it could be shared with communities on back-to-school night.
6. Mrs. Fanconi inquired about the participation of the Board in the budget forums because she would be out of town sometime during October. Dr. Vance indicated that Board members were invited but had no specific role to play in the forums.
7. Mrs. Hobbs acknowledged the efforts of Dr. Vance and MCPS staff in the emergency aid effort for victims of Hurricane

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Andrew. MCPS had joined with the Red Cross and the Salvation Army in gathering items to be sent.

8. Mrs. Hobbs said that the Board continued to be very concerned about Question A, the Ficker Amendment. The Board would do everything possible to oppose this charter amendment. Last week they had received a budget briefing from Gene Lynch, and today they were joining with MCEA, MCCPTA, MCAASP, and MCCSSE in a unified position in opposition to Question A.

9. Mr. Sims reported that he had been working on a television show with Cable Channel 52/60. They would produce a show that would air once a month. He would host the show, and it would be a communication with students. The first show would be taped on October 19, and the subject was the budget. The name of the show would be "Student Voices and Views." He hoped that the show would continue throughout the next several years.

10. Mr. Sims commented that on September 23 the first MCR meeting would be held with Board of Education candidates. He hoped Board members would attend.

RESOLUTION NO. 702-92      Re: MC 302-93 - MONTGOMERY COUNTY BOARD OF EDUCATION - STUDENT MEMBER - VOTING PRIVILEGES

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

Resolved, That the Board of Education support MC 302-93 - Montgomery County Board of Education - Student Member - Voting Privileges.

RESOLUTION NO. 703-92      Re: MARYLAND ASSOCIATION OF BOARDS OF EDUCATION - RECOMMENDATION NUMBER ONE - STUDENT TESTING

On motion of Mrs. Fanconi seconded by Mrs. Brenneman, the following resolution was adopted unanimously by members present:

Resolved, That the Montgomery County Board of Education strongly support Maryland Association of Boards of Education - Recommendation No. 1 - Student Testing.

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Re: A MOTION BY MRS. FANCONI TO AMEND  
THE MARYLAND ASSOCIATION OF BOARDS  
OF EDUCATION - RECOMMENDATION  
NUMBER TWO - TRUANCY AND SUSPENSION

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

Resolved, That the Montgomery County Board of Education recommend to the Maryland Association of Boards of Education that the last sentence in their second recommendation on truancy and suspension be deleted and that "Compulsory school attendance is critical to the success for students and MABE should advocate strongly with the Delegation to provide support to the justice system to enforce compulsory school attendance laws" be added.

Dr. Cheung assumed the chair.

RESOLUTION NO. 704-92      Re: AN AMENDMENT TO MRS. FANCONI'S  
MOTION ON TRUANCY AND SUSPENSION

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

Resolved, That Mrs. Fanconi's proposed motion on truancy and suspension be amended by adding "and to increase the attendance age from 16 to 18."

Mrs. Hobbs assumed the chair.

RESOLUTION NO. 705-92      Re: MARYLAND ASSOCIATION OF BOARDS OF  
EDUCATION - RECOMMENDATION NUMBER  
TWO - TRUANCY AND SUSPENSION

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

Resolved, That the Montgomery County Board of Education recommend to the Maryland Association of Boards of Education that the last sentence in their second recommendation on truancy and suspension be deleted and that "Compulsory school attendance is critical to the success for students and MABE should advocate strongly with the Delegation to provide support to the justice system to enforce compulsory school attendance laws and to increase the attendance age from 16 to 18." be added.

Mrs. Brenneman and Mr. Ewing left the meeting at this point.

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RESOLUTION NO. 706-92      Re: MARYLAND ASSOCIATION OF BOARDS OF EDUCATION - RECOMMENDATION NUMBER THREE - MAINTENANCE OF EFFORT

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

Resolved, That the Montgomery County Board of Education strongly support Maryland Association of Boards of Education - Recommendation Number Three - Maintenance of Effort.

RESOLUTION NO. 707-92      Re: MARYLAND ASSOCIATION OF BOARDS OF EDUCATION - RECOMMENDATION NUMBER FOUR - SOCIAL SECURITY, PENSION AND RETIREMENT COSTS

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

Resolved, That the Montgomery County Board of Education strongly support Maryland Association of Boards of Education - Recommendation Number Four - Social Security, Pension and Retirement Costs.

RESOLUTION NO. 708-92      Re: MARYLAND ASSOCIATION OF BOARDS OF EDUCATION - RECOMMENDATION NUMBER FIVE - TRANSPORTATION FUNDING

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

Resolved, That the Montgomery County Board of Education support Maryland Association of Boards of Education - Recommendation Number five - Transportation Funding.

RESOLUTION NO. 709-92      Re: MARYLAND ASSOCIATION OF BOARDS OF EDUCATION - RECOMMENDATION NUMBER SEVEN - SMOKE-FREE SCHOOLS

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

Resolved, That the Montgomery County Board of Education support Maryland Association of Boards of Education - Recommendation Number Seven - Smoke-free Schools.

September 9, 1992

Re: A MOTION BY MRS. FANCONI ON  
MARYLAND ASSOCIATION OF BOARDS OF  
EDUCATION - RECOMMENDATION NUMBER  
EIGHT - PROPOSED GRADUATION  
REQUIREMENT FOR STUDENT SERVICE  
(FAILED)

A motion by Mrs. Fanconi that the Board of Education recommend that the Maryland Association of Boards of Education take the position of asking the State Board of Education to reconsider and rescind its proposed graduation requirement for student service failed with Dr. Cheung, Mrs. Fanconi, Ms. Gutierrez, Mrs. Hobbs, and Mr. Sims voting in the negative.

For the record, Mrs. Fanconi stated that they were not opposed to the wording of the motion but it would be taken up as an individual concern at the MABE Convention.

Re: A MOTION BY MS. GUTIERREZ ON  
MARYLAND ASSOCIATION OF BOARDS OF  
EDUCATION - RECOMMENDATION NUMBER  
EIGHT - PROPOSED GRADUATION  
REQUIREMENT FOR STUDENT SERVICE  
(FAILED)

A motion by Ms. Gutierrez that the Montgomery County Board of Education strongly support Maryland Association of Boards of Education - Recommendation Eight - Proposed Graduation Requirement for Student Service failed for lack of a second.

RESOLUTION NO. 710-92      Re: MARYLAND ASSOCIATION OF BOARDS OF  
EDUCATION - RECOMMENDATION NUMBER  
EIGHT - PROPOSED GRADUATION  
REQUIREMENT FOR STUDENT SERVICE

On motion of Ms. Gutierrez seconded by Mr. Sims, the following resolution was adopted unanimously by members present:

Resolved, That the Montgomery County Board of Education support Maryland Association of Boards of Education - Recommendation Number Eight - Proposed Graduation Requirement for Student Service.

RESOLUTION NO. 711-92      Re: MARYLAND ASSOCIATION OF BOARDS OF  
EDUCATION - RECOMMENDATION NUMBER  
NINE - SPECIAL EDUCATION PAPERWORK

On motion of Dr. Cheung seconded by Ms. Gutierrez, the following resolution was adopted unanimously by members present:

September 9, 1992

Resolved, That the Montgomery County Board of Education support Maryland Association of Boards of Education - Recommendation Number Nine - Special Education Paperwork.

RESOLUTION NO. 712-92      Re: MARYLAND ASSOCIATION OF BOARDS OF EDUCATION - RECOMMENDATION NUMBER TEN - PRIVATE SCHOOL CHOICE

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

Resolved, That the Montgomery County Board of Education support Maryland Association of Boards of Education - Recommendation Number Ten which opposes efforts to establish private school choice programs in the state.

RESOLUTION NO. 713-92      Re: CLOSED SESSION - SEPTEMBER 21, 1992

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

WHEREAS, The Board of Education of Montgomery County is authorized by the Education Article of the Annotated Code of Maryland and Title 10 of the State Government Article to conduct certain meetings or portions of its meetings in closed session; now therefore be it

Resolved, That the Board of Education of Montgomery County hereby conduct a portion of its meeting in closed session beginning on September 21, 1992, at 7:30 p.m. in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, to discuss personnel matters, pending litigation, matters protected from public disclosure by law, and other issues including consultation with counsel to obtain legal advice as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and State Government Article 10-501; and that such portion of its meeting shall continue in closed session until the completion of business.

Re: REPORT ON CLOSED SESSION - AUGUST 31, 1992

On August 4, 1992, by the unanimous vote of members present, the Board voted to conduct a closed session on August 31, 1992, as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and State Government Article 10-501.

The Montgomery County Board of Education met in closed session on Monday, August 31, 1992, from 6 to 7:45 p.m. The closed session took place in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland.

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The Board met to discuss the superintendent's annual performance evaluation. Board members elected Mrs. Fanconi as president pro tem in the absence of the president and vice president. Board members considered the following personnel actions: the directorship of the Department of Academic Programs, the principalships of Julius West MS and East Silver Spring ES, the coordinators of school improvement training and systemwide training, the administrative assistant to the deputy superintendent for instruction, the transition coordinator, and the transfers of assistant principals to Strawberry Knoll ES and Martin Luther King IS. All personnel actions were confirmed in public session.

In attendance at the closed session were:

Mrs. Frances Brenneman	Dr. Elfreda Massie
Mrs. Sharon DiFonzo	Mr. Blair G. Ewing
Mrs. Carol Fanconi	Ms. Ana Sol Gutierrez
Mrs. Catherine E. Hobbs*	Mr. Jonathan Sims
Dr. Paul L. Vance	Mrs. Katheryn Gemberling
Mr. Thomas S. Fess	Ms. Mary Lou Wood
Dr. H. Philip Rohr	Ms. Melissa Bahr
Dr. Joseph Villani	Dr. Phinnize Fisher
Mr. Brian Porter	Mrs. Marie Heck

\*by telephone.

Re: NEW BUSINESS

1. Mrs. Fanconi moved and Ms. Gutierrez seconded a motion to rescind area office policies.
2. Mr. Sims moved and Ms. Gutierrez seconded a motion to send a letter of endorsement regarding the Education Foundation.
3. Ms. Gutierrez moved and Mrs. Fanconi seconded the following:  
Resolved, That the Board of Education schedule an item of information to the Board on the current local school practices on athletic programs funding including but not limited to uniform and equipment expenses, gate receipts, distribution, stipends, and naming of athletic directors.

Re: ITEMS OF INFORMATION

Board members received the following items of information:

1. Items in Process
2. Safety and Security Update
3. Staff Response to Proposal to Create an Etymology Course
4. Construction Progress Report

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RESOLUTION NO. 714-92      Re: ADJOURNMENT

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

Resolved, That the Board of Education adjourn its meeting at 7:35 p.m.

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PRESIDENT

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SECRETARY

PLV:mlw