

APPROVED
34-1996

Rockville, Maryland
September 24, 1996

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, September 24, 1996, at 8:40 p.m.

ROLL CALL Present: Ms. Ana Sol Gutiérrez, President
in the Chair
Mr. Stephen Abrams
Dr. Alan Cheung
Mr. Blair G. Ewing
Mr. Reginald Felton
Mrs. Beatrice B. Gordon
Mrs. Nancy King
Dr. Paul L. Vance, Secretary/Treasurer

Absent: Ms. Rachel Prager

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

Re: **ANNOUNCEMENT**

Ms. Gutiérrez announced that Ms. Prager was attending a new board member orientation sponsored by the Maryland Association of Boards of Education.

RESOLUTION NO. 654-96 Re: **AMENDMENT AND APPROVAL OF THE AGENDA**

On recommendation of the superintendent and as amended by Mr. Abrams and seconded by Mrs. King, the following resolution was adopted with Mr. Abrams, Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, and Mrs. King voting in the affirmative; Ms. Gutiérrez voting in the negative.

Resolved, That the Board of Education amend and approve the agenda by adding a discussion/action item after 3.0, Discussion and Action in Response to the State Legislative Audit on Reimbursement to Montgomery County.

Re: **PUBLIC COMMENTS**

The following people appeared before the Board of Education:

<u>Speaker</u>	<u>Topic</u>
1. Guy Beaven	Unsafe Wrestling Facility
2. Kerry Ross	Transportation, Wayside Elementary School
3. Kate Reback	Transportation, Wayside Elementary School

- 4. Mark Simpson Controlled Choice
- 5. Helen Rudd Transportation, Wayside Elementary School
- 6. Paul Rankin Controlled Choice
- 7. Michael Rudd Pupil Transportation Policy
- 8. Robin Stutman Transportation, Wayside Elementary School
- 9. Michelle Turner Enrollment at Glen Haven Elementary School
- 10. Florence Wyand Positive Statement about MCPS
- 11. Nancy Taubman Controlled Choice
- 12. David Margolies Transportation, 2.0 Miles for High School Students
- 13. Sandra Carroll Modernization of Glen Haven Elementary School
- 14. Helen Dimsdale Modernization of Glen haven Elementary School
- 15. Ellen Cohen Transportation, 2.0 Miles for High School Students

RESOLUTION NO. 655-96 Re: **PARTIAL CAPITALIZATION OF SELECTED CAPITAL PROJECTS**

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

Resolved, That the following projects be partially capitalized in FY 1997:

<u>Project No.</u>	<u>Project</u>	(Amts. in Thousands) <u>Partial Capitalization of Expended Funds</u>
9963	ADA Compliance	\$ 745
9928	Asbestos Abatement	1,044
9902	Design, Engineering and Construction	2,463
9903	Educational Technology - Global Access	7,616
9970	Educational Technology - Learning Hubs	2,166
9994	Educational Technology - SIMS	749
9943	Elementary School Gyms	2,164
9959	Energy Conservation	837
9997	Facility Wiring for Cable TV	128
9918	Fuel Tank Management	100
9917	Future School Modernizations	1,526
9916	HVAC Replacement	1,292
9915	PLAR	3,170
9968	Relocatable Classrooms	1,851
9942	Roof Replacement	2,285

RESOLUTION NO. 656-96 Re: **REDUCTION OF RETAINAGE - KEMP MILL ELEMENTARY SCHOOL**

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

Resolved, That the 10 percent retainage withheld from periodic payments to McAlister-Schwartz Company, general contractor for Kemp Mill Elementary School, be reduced to 5 percent, with the remaining 5 percent to become due and payable after completion of all remaining contract requirements and formal acceptance of the completed project.

RESOLUTION NO. 657-96 Re: **UTILIZATION OF FY 1997 FUTURE SUPPORTED PROJECT FUNDS FOR THE INTENSIVE ENGLISH LANGUAGE PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1997 Provision for Future Supported Projects a grant award of \$157,950 from the Maryland Department of Human Resources, Community Services Administration, under the Federal Refugee Act of 1980, for the FY 1997 Intensive English Language Program, in the following categories:

	<u>Category</u>	<u>Amount</u>
1	Systemwide Support	\$ 4,814
2	Instructional Salaries	137,083
3	Other Instructional Costs	4,950
10	Fixed Charges	<u>11,103</u>
	Total	<u>\$157,950</u>

and be it further

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

RESOLUTION NO. 658-96 Re: **UTILIZATION OF FY 1997 FUTURE SUPPORTED PROJECT FUNDS FOR THE LOCAL INTERAGENCY EARLY CHILDHOOD COMMITTEE**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1997 Provision for Future Supported Projects a grant award of \$3,200 from the Governor's Office for Children, Youth and Families, for the Local Interagency Early Childhood Committee, in the following category:

<u>Category</u>	<u>Amount</u>
3 Other Instructional Costs	\$3,200

and be it further

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

RESOLUTION NO. 659-96 Re: **UTILIZATION OF THE FY 1997 FUTURE SUPPORTED FUNDS FOR THE HEAD START TRANSITION DEMONSTRATION PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1997 Provision for Future Supported Projects a grant award of \$844,623 from the U.S. Department of Health and Human Services, Administration for Children and Families, through the Montgomery County Department of Health and Human Services, Community Action Agency, for the Head Start Transition Demonstration Program, in the following categories:

<u>Category</u>	<u>Positions</u>	<u>Amount</u>
2 Instructional Salaries	8.7	\$415,831
3 Other Instructional Costs		291,736
10 Fixed Charges		<u>137,056</u>
Total	8.7	<u>\$844,623</u>

- *1.0 Project Specialist, Grade B-D
- 1.0 Social Worker, Grade B-D
- 4.0 Parent/Community Coordinator, Grade 17 (10 month)
- 1.0 Data Control Technician, Grade 13
- 1.0 Fiscal Assistant I, Grade 13
- Teacher/Specialist, Grade B-D (10 month)

and be it further

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

RESOLUTION NO. 660-96 Re: **UTILIZATION OF FY 1997 FUTURE SUPPORTED PROJECT FUNDS FOR THE HOMELESS CHILDREN AND YOUTH PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1997 Provision for Future Supported Projects a grant award of \$48,274 from the Maryland State Department of Education, under the federal Stewart B. McKinney Homeless Assistance Act, for the Homeless Children and Youth Program, in the following categories:

Category	Amount
2 Instructional Salaries	\$30,810
3 Other Instructional Costs	8,405
7 Transportation	6,274
10 Fixed Charges	<u>2,785</u>
Total	\$48,274

and be it further

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

RESOLUTION NO. 661-96 Re: **UTILIZATION OF FY 1997 FUTURE SUPPORTED PROJECT FUNDS FOR THE MARYLAND TRANSITION INITIATIVE**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1997 Provision for Future Support Projects a grant award of \$5,000 from the U.S. Department of Education, Office of Special Education and Rehabilitative Services, via the Maryland State Department of Education, in the following categories:

	<u>Category</u>	<u>Amount</u>
4	Special Education	\$ 4,852
10	Fixed Charges	<u>148</u>
	Total	<u>\$ 5,000</u>

and be it further

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

RESOLUTION NO. 662-96 Re: **RECOMMENDED FY 1997 SUPPLEMENTAL APPROPRIATION FOR THE MODEL LEARNING CENTER**

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

Resolved, That the superintendent of schools be authorized, subject to County Council approval, to receive and expend an FY 1997 supplemental appropriation of \$193,050 from the Montgomery County Department of Correction and Rehabilitation for the operation of the Model Learning Center located at the Montgomery County Detention Center, in the following category:

	<u>Category</u>	<u>Amount</u>
41	Adult Education and Summer School Fund	\$193,050

and be it further

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

RESOLUTION NO. 663-96 Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective September 25, 1996:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Joseph C. Rowe	Acting Assistant Principal, Forest Knolls ES	Principal, Stedwick ES

RESOLUTION NO. 664-96 Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective September 25, 1996:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Deeva I. Garel	Acting Supervisor, LAN Systems Administration	Director, Network and Computer Team

RESOLUTION NO. 665-96 Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective September 25, 1996:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Leland T. Coldren	Systems Development Supervisor, Logistics and Materials Management Team	Director, Applications Development and Implementation Team

RESOLUTION NO. 666-96 Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective September 25, 1996:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Patricia S. Hahn	Principal, Thomas Edison HS Of Technology	Assistant to the Superintendent

RESOLUTION NO. 667-96 Re: **STATE LEGISLATIVE AUDIT ON ENROLLMENT**

On motion of Mr. Abrams and seconded by Mrs. King, the following resolution was adopted with Mr. Abrams, Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, and Mrs. King voting in the affirmative; Ms. Gutiérrez voting in the negative:

Resolved, That the Board of Education authorize staff to take a three-prong approach: (1) utilize internal auditors to concentrate on verification of student enrollment and confirmation data in student files that meet the requirements of MSDE for both attendance and immunization as well as other factors looked at by the state legislative auditors; (2) use external auditors to expand the annual audit in relation to internal controls and issues surrounding electronic attendance data; and (3) explore collaboration with corporate partners with financial or staff assistance; and be it further

Resolved, That parts one and three above will be completed within the next two to four weeks in order to meet deadlines.

Mr. Ewing made the following statement for the record: "It should be clear that the intent is, not merely to do these kinds of verification efforts, but also to take appropriate corrective action based on the findings, including not only changing the way we take attendance but also engaging in appropriate training and other actions as may be necessary to ensure that we are in full compliance."

Ms. Gutiérrez stated for the record: "I strongly recommend that the school system responds to ensuring that the record will be absolutely in compliance by September 30, 1996."

Re: **CLASS SIZE — RESEARCH AND ALTERNATIVES**

Dr. Vance invited to the table the following people: Dr. Marlene Hartzman, director of the Department of Educational Accountability, and Dr. John Larson, coordinator of the Research and Evaluation Unit.

A review of recent studies clearly makes a case that significantly lowers class size to 15-17 students in Grades K-3 improves student achievement. The findings have been so clear that 11 states are mandating implementation of this standard as part of their Goals 2000 school reform effort. Other research presented were the findings from the Tennessee study (STAR), verification of other research, and alternative initiatives such as technology, block scheduling, tutoring models, and experienced teachers.

Board members were appreciative of both papers condensing the research and alternatives regarding the effects of class size on student achievement. It was apparent from the research that class size reduction by two to three students per class has little to no impact on student performance which is contrary to the popular belief of parents.

Beginning with the CRT assessment, MCPS is identifying alternative teaching methods that promote greater student achievement within high performing schools. The Department of Educational Accountability in cooperation with the Office of School Administration will analyze patterns between performance and teaching models. Schools with high educational loads have additional resources, but class size also needs to be examined in relation to effective teaching strategies.

How children learn needs to be assessed in relation to class size and learning skills, content material, and student behavior and attitudes. Ethnic and cultural diversity can also affect student performance. Individual student profiles will help the school system to design educational strategies that could include smaller class size, parental involvement, visual aides, and technology.

One element of smaller class size is teacher morale. Reducing class size to the numbers reflected in the Tennessee study would cost an extraordinary amount in terms of capital costs and teachers' salaries. Therefore, the sensible strategy would focus on alternative initiatives, and the upcoming budget should reflect whatever resources that are needed for this long-range strategy.

As soon as possible, data should be developed on what alternative strategies have been effective, and what options and cost implications are associated with those strategies. A phased-in approach that brings in all the factors in an integrated fashion will afford a solution to the class size dilemma. MCPS has been effective with pilot programs with goals and assessments, and class size or alternative strategies could be piloted by a few schools.

Re: ORAL REPORT ON FUTURE SEARCH CONFERENCE

Mr. Ewing reported that the basic purpose of the conference was to explore the question with some 80 county leaders of how the community can sustain the excellence of the school system well into the 21st century. The conference participants achieved a high degree of consensus on the strategies to achieve that goal, and there was a commitment from the attendees to work in collaboration to sustain educational excellence in Montgomery County. The groups addressed themes of the population explosion with changing needs and diversity, address demands on staff, problems of disruptive youth, importance of academic achievement for all students, development of life-long learning strategies, uses of technology in instruction, and the school as the center of the community. It is important to find the resources in the community to meet all these needs and the collaboration now and throughout the decades ahead with all stakeholders in the community to address all the issues identified in the conference. The next steps will include a report of the conference will be developed and distributed throughout the county, a video will be generated, and forums will be held.

Re: BOARD/SUPERINTENDENT COMMENTS

Dr. Vance discussed the topics on (1) individual school results on the SAT and intervention strategies; (2) the good response from volunteers for the Network Weekend; (3) 97 MCPS students named as semifinalists in the National Merit Scholarships; 15 MCPS students have been named National Hispanic Scholars; and, (4) the dedication of the Gaithersburg High School track and field stadium in honor of John Harvell.

Mr. Ewing commented on the SAT scores in relation to the superintendent's recommendations and suggested a further analysis of randomly selected African-American students and courses taken prior to the SAT.

Mr. Abrams remarked on the (1) SAT scores for African-American students and suggested looking at a four or five-year comparison; (2) if there is something in individual performances that is skewing test results and creating an illusion of a problem; and, (3) clarification of the definition of the activity fee as it relates to credited courses.

Mr. Felton commented on (1) the SAT scores and a sense of accountability and support in the school system; and, (2) a couple of Saturday schools that have opened this school year.

Dr. Cheung mentioned (1) the SAT scores and the fact that many African-American students have done very well; (2) that where those students have not done well, what happened and how can solutions be designed to enhance achievement; and, (3) the

individual student profiles to have accurate information and useful information about each student.

Mrs. King brought up (1) SAT scores and how many students have taken the test and when they enrolled in MCPS; and (2) the priority of excellence in education and not placing blame on anyone or thing.

Ms. Gutiérrez observed that (1) the SAT scores and the superintendent's quick and aggressive action plan; (2) even though Hispanic scores are rising, there is a total lack of significant data on Latino students; and, (3) the process and timeline in the Capital Improvement Program budget decision-making process.

RESOLUTION NO. 668-96 Re: **RESOLUTION FOR CLOSED SESSION**

On recommendation of the superintendent and on motion of Mr. Abrams seconded by Mr. Felton, 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 conduct a portion of its meeting on Tuesday, October 8, 1996, at 8:30 a.m. to discuss personnel matters, matters protected from public disclosure by law, review and adjudicate appeals, and other issues including consultation with counsel to obtain legal advice, specifically pertaining to the acquisition of real property for a public purpose and related matters; and be it further

Resolved, That these meetings be conducted in Room 120 of the Carver Educational Services Center, Rockville, Maryland, as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and State Government Article 10-501; and be it further

Resolved, That such meeting shall continue in closed session until the completion of business.

Re: **REPORT ON CLOSED SESSION**

On August 27, 1996, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on September 10, 1996, 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 September 10, 1996, from 8:30 to 9:57 a.m. and 1:20 to 2:05 p.m. The meeting took place in Room 120, Carver Educational Services Center, Rockville, Maryland.

The Board met to discuss personnel issues, legal matters with its attorneys, and matters protected from public disclosure by law, specifically pertaining to the acquisition of real property for a public purpose and related matters.

The Board reviewed and adjudicated BOE Appeals 1996-24, 1996-29, T-1996-33, T-1996-35, and T-1996-36.

In attendance at part or all of the closed sessions were: Steve Abrams, Betsy Arons, Larry Bowers, Judith Bresler, Alan Cheung, Patti Cousins, Blair Ewing, David Fischer, Reggie Felton, Kathy Gemberling, Ana Sol Gutiérrez, Roland Ikheloa, Nancy King, George Margolies, Brian Porter, Rachel Prager, Glenda Rose, Ruby Rubens, Steve Seleznow, Mary Helen Smith, Maree Sneed, Matt Tronzano, and Paul Vance.

RESOLUTION NO. 669-96 Re: **MINUTES — AUGUST 27, 1996**

On recommendation of the superintendent and on motion of Mrs. Gordon seconded by Mr. Abrams, the following motion was adopted unanimously by members present:

Resolved, That the Board of Education approve the minutes for August 27, 1996.

RESOLUTION NO. 670-96 Re: **BOE APPEAL 1996-27**

On motion of Mr. Felton and seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in BOE Appeal 1996-27, a student matter, reflective of the following vote: Mr. Abrams, Dr. Cheung, Mr. Ewing, Mr. Felton, Ms. Gutiérrez, Mrs. King, voting to affirm the superintendent's decision; Mrs. Gordon and Ms. Prager were absent.

Mrs. Gordon indicated for the records that if she has been present she would have voted to affirm the superintendent's decision.

RESOLUTION NO. 671-96 Re: **BOE APPEAL 1996-24**

On motion of Mr. Felton and seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in BOE Appeal 1996-24, a student matter, reflective of the following vote: Mr. Abrams, Dr. Cheung, Mr. Ewing, Mr. Felton, Ms. Gutiérrez, Mrs. King, and Ms. Prager voting to dismiss; Mrs. Gordon was absent.

Re: **BALLOT QUESTIONS**

On motion of Mr. Ewing and seconded by Mr. Abrams, the following resolution was placed on the table:

WHEREAS, there is an initiative that will appear on the November 5, 1996 ballot as Question C which, if approved by the voters, would have the effect of drastically reducing revenues that can only result in dramatic cuts to Montgomery County education funding in future years, at a time when MCPS is facing rapid growth in student enrollment and critical needs continue to be unmet for lack of critical funds; and

WHEREAS, also appearing on the ballot, as Question D, will be an initiative to change the County Charter to permit the County Council to adopt a final operating budget for the school system in any given fiscal year that exceeds the final spending affordability guidelines, without requiring a super-majority vote as is now required for such adoption. The effect of this will be to foster and allow the majority of the Council to adopt budgets responsive to the needs of the school system as revenues allow; now therefore be it

Resolved, That the Board of Education go on record in opposition to Ballot Question C, "Property Tax--Relation to Income Tax", seeking to amend Section 305 of the County Charter, and be it further

Resolved, That the Board of Education go on record in support of Ballot Question D, "Budget Adoption--Majority Vote", seeking to amend Section 305 of the County Charter, and be it further

Resolved, That this resolution be sent to the County Executive and County Council and communicated widely, including to the media, and that the Superintendent use any authorized means to convey the Board's position on these two ballot questions.

RESOLUTION NO. 672-96 Re: **DIVIDING THE QUESTION**

On motion of Mr. Abrams and seconded by Mrs. King, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education divide the question and vote separately on Ballot Question C and Ballot Question D.

RESOLUTION NO. 673-96 Re: **BALLOT QUESTION C**

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

WHEREAS, there is an initiative that will appear on the November 5, 1996 ballot as Question C which, if approved by the voters, would have the effect of drastically reducing revenues that can only result in dramatic cuts to Montgomery County education funding in future years, at a time when MCPS is facing rapid growth in student enrollment and critical needs continue to be unmet for lack of critical funds; now therefore be it

Resolved, That the Board of Education go on record in opposition to Ballot Question C , "Property Tax--Relation to Income Tax", seeking to amend Section 305 of the County Charter, and be it further

Resolved, That this resolution be sent to the County Executive and County Council and communicated widely, including to the media, and that the Superintendent use any authorized means to convey the Board's position on this ballot question.

RESOLUTION NO. 674-96 Re: **BALLOT QUESTION D**

On motion of Mr. Ewing and seconded by Ms. Gutiérrez, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education postpone voting on the following resolution until the next meeting:

WHEREAS, Appearing on the ballot, as Question D, will be an initiative to change the County Charter to permit the County Council to adopt a final operating budget for the school system in any given fiscal year that exceeds the final spending affordability guidelines, without requiring a super-majority vote as is now required for such adoption. The effect of this will be to foster and allow the majority of the Council to adopt budgets responsive to the needs of the school system as revenues allow; now therefore be it

Resolved, That the Board of Education go on record in support of Ballot Question D, "Budget Adoption--Majority Vote", seeking to amend Section 305 of the County Charter, and be it further

Resolved, That this resolution be sent to the County Executive and County Council and communicated widely, including to the media, and that the Superintendent use any authorized means to convey the Board's position on the ballot question.

Re: **RE-STATEMENT OF TRANSPORTATION SERVICES**

On motion of Ms. Gutiérrez and seconded by Mr. Ewing seconded, the following resolution was placed on the table:

WHEREAS, In accordance with the Maryland Constitution and its implementing legislation which requires Local Education Agencies (LEAs) to provide a free public

education to all age-appropriate students residing within their local education district, the Montgomery County Public Schools (MCPS) have over many years provided bus transportation to schools for students who live outside the prescribed walking boundaries established by Board of Education Policy EEA, *Pupil Transportation*; and

WHEREAS, On February 28, the Board of Education submitted its FY97 annual operating budget request to the County Executive and County Council for their funding approval, which included funding for school transportation services designated under Budget Category 7- Transportation; and

WHEREAS, Subsequently, on May 28, 1996, the superintendent made recommendations to the Board of Education for an \$8.2 million in budget reductions by the Council in Board's request FY 97-- million or 16% of which affected school transportation funding; and

WHEREAS, On 11, 1996, majority of Board adopted Resolution 413-96, the final FY97 Operating Budget, which a \$1,339,926 total reduction in Category Transportation, represented among other previous reductions: 1) the deferred procurement computer-assisted (\$189,286); 3) an in the walking school students by .25 miles, from 1.75 to 2.0 miles (\$197,143);

WHEREAS, reductions are addition to increase in rate charged field services (from to revenue to Category 71 (Field Trip Fund) by \$177,500; and

WHEREAS, On 9, 1996, recommendation of superintendent, the adopted 485-96 to Policy EEA to conform with budget action on June 1996, by extending the distance for school students to 2.0 miles, change to reflected in draft policy it is Board for full discussion;

WHEREAS, Since start of FY97 school and the implementation an extended walking distance high school ts, the Board has become acutely of the serious impact the safety well-being many high students, due potentially dangerous posed by lack of sidewalks, increased crossings of high-traffic volume roads, the early darkness in and the passage through areas and isolated parks, among others; Now therefore, be it

Resolved That the request the to direct MCPS Division of Transportation proceed as quickly as with the of bus

transportation services to those students living beyond the 1.75-mile maximum walking distance; and be it further

Resolved, That the superintendent review other MCPS operating budget categories from which funds might be available for a transfer to Category 7 to cover the costs of re-instatement of a 1.75-mile maximum walking distance; and, if extra funds are available, prepare a resolution for a FY97 Categorical Transfer Request for approval by the Board and its subsequent submission to the County Council, in accordance with the provisions for transfers; and be it further

Resolved, That, if the superintendent finds that MCPS operating funds are not available for transfer to Category 7, the Board of Education will submit a FY97 Supplemental Emergency Appropriation for Transportation requesting the County Council to approve the funding to re-instate a 1.75-mile maximum walking distance for high school students (\$216,857, including fringe benefits).

Ms. Gutiérrez made the following statement for the record: I have some very brief comments on the resolution. I think that it does spell out clearly the reasons and the recommendations are open ended to the extent the superintendent, if the Board passes this motion, would look to see how he might be able to find the funding to reinstate the high school walking distance. I purposely did not specify an action as I feel the superintendent is the best person able to look at the school system's budget and propose to the Board a recommendation. The only other point I would like to make is that we have certainly heard from a large number of the community on this issue. I think we have heard compelling arguments and reasons why the Board should reconsider this decision. My personal reason why I thought it was important to raise it and bring it before the Board, is one that to me there is clearly an increased safety risk that we have created for our students. That increased safety risk in relation to the savings that we have acquired (\$250,000) does not seem to me appropriate for us to maintain. By performing a very simple risk analysis, there is a formula of probability of an accident occurring times the exposure plus whatever impacting factors to increase that risk. We increased the time to exposure by extending the earliness of the walk and the duration of the walk. It is important because we are not talking an isolated 1/4 mile. We are talking about a 1/4 mile in addition to 1.75 miles. At the same time, it was compounded by the decision to standardize beginning times for high schools that changed the start to an earlier time. I think some of those external impacting factors such as the darkness and length of the walk clearly could be determined on a mathematical basis to increase the risk and exposure. That is one piece of additional data.

RESOLUTION NO. 675-96

Re: **CALL THE QUESTION**

On motion of Mrs. King and seconded by Mr. Abrams, the following motion was adopted with Mr. Abrams, Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, and Mrs. King voting in the affirmative; Ms. Gutiérrez voting in the negative:

Resolved, That the Board of Education call the question.

September 24, 1996

Re: **MOTION BY GUTIÉRREZ TO
INSTATEMENT TRANSPORTATION SERVICES
(FAILED)**

motion of Gutiérrez and by Mr. seconded, the resolution
with Ms. and Mr. voting in affirmative; Mr. Dr. Cheung,
Mr. Felton, Mrs. Gordon, and Mrs. King voting in the negative:

In accordance the Maryland and its legislation
requires Local Agencies (LEAs) provide a public education all
students residing their local district, the ntgomery
County Public (MCPS) have many years bus transportation
schools students who outside the prescribed walking boundaries established by
Pupil Transportation; and

On February the Board Education submitted FY97 annual
budget to the Executive
which funding for school transportation services designated under Budget
Category 7- Transportation; and

Subsequently, on 28, 1996, superintendent made
to the Board of for achieving an \$8.2 million in budget reductions imposed by
County Council the Board's for FY \$1.3 million 16% of affected

WHEREAS, June 11, a majority the Board by Resolution the
FY97 Operating which included \$1,339,926 total in Category
Transportation, by,
procurement replacement buses efficiencies from computer-assisted
routing (\$189,286) and 3) increase in maximum walking for high
students by .25 miles, from 1.75 to 2.0 miles (\$197,143); and

WHEREAS, These reductions are in addition to an increase in the rate charged for field
trip services \$
Category 71 (Field Trip Fund) by \$177,500; and

WHEREAS, On 9, 1996, r commendation the superintendent, Board
Resolution 485-96 amend Policy to conform budget action on
11, 1996, extending the distance for school students 2.0 miles,
change be reflected the draft when it brought to Board for discussion;

Since the of the FY97 school year the actual of an
extended 2-mile distance for school students, Board has acutely
of the serious impact the safety well-be
students, to potentially situations posed the lack sidewalks, increased

crossings of high-traffic volume roads, the early morning/evening darkness in wintertime, and the unsafe passage through wooded areas and isolated parks, among others; Now therefore, be it

Resolved, That the Board request the superintendent to direct the MCPS Division of Transportation to proceed as quickly as possible with the re-instatement of bus transportation services to those students living beyond the 1.75-mile maximum walking distance; and be it further

Resolved, That the superintendent review other MCPS operating budget categories from which funds might be available for a transfer to Category 7 to cover the costs of re-instatement of a 1.75-mile maximum walking distance; and, if extra funds are available, prepare a resolution for a FY97 Categorical Transfer Request for approval by the Board and its subsequent submission to the County Council, in accordance with the provisions for transfers; and be it further

Resolved, That, if the superintendent finds that MCPS operating funds are not available for transfer to Category 7, the Board of Education will submit a FY97 Supplemental Emergency Appropriation for Transportation requesting the County Council to approve the funding to re-instate a 1.75-mile maximum walking distance for high school students (\$216,857, including fringe benefits).

Re: FEE TO REINSTATE TRANSPORTATION SERVICES

Mr. Abrams as maker of the motion requested that the following motion be deferred until the next Board meeting:

Resolved, That the Board of Education adopt a fee structure of \$100 per semester to be assessed to families of the 1,800 students affected by the loss of bus routes, resulting in \$360,000 for the cost for reinstating transportation.

RESOLUTION NO. 676-96

Re: SAFETY CRITERIA USED BY THE DIVISION OF TRANSPORTATION

On motion of Mr. Felton and seconded by Ms. Gutiérrez, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education ask the superintendent, in coordination with local safety officials, to review and recommend approach changes for clear safety criteria in determining when roads are considered safe for walkers and be it further

Resolved, That the superintendent and staff will continue to review on a case by case basis any safety concerns that are raised by the community or other local safety officials with regard to walking distances for students at all levels and take appropriate action.

Re: **NEW BUSINESS**

Mr. Felton moved and Mrs. King seconded the following:

Resolved, That the Board of Education schedule time in January annual review of the progress with respect to the Gifted and Talented Policy.

Resolved, That Board of seek clarification of the Board's intent on

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

Resolved That the of Education bus service Wayside Elementary School students Bedfordshire and G een/Roberts subdivisions would eliminate need for students to walk on Bedfordshire Avenue and Ambleside Drive.

RESOLUTION NO. 677-96 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of September 24, 1996, at 12:50 a.m.

PRESIDENT

SECRETARY

PLV:gr

MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET
SEPTEMBER 24, 1996

ANNOUNCEMENT 1

AMENDMENT AND APPROVAL OF THE AGENDA 1

PUBLIC COMMENTS 1

PARTIAL CAPITALIZATION OF SELECTED CAPITAL PROJECTS 2

REDUCTION OF RETAINAGE - KEMP MILL ELEMENTARY SCHOOL 3

UTILIZATION OF FY 1997 FUTURE SUPPORTED PROJECT FUNDS FOR THE INTENSIVE ENGLISH LANGUAGE PROGRAM 3

UTILIZATION OF FY 1997 FUTURE SUPPORTED PROJECT FUNDS FOR THE LOCAL INTERAGENCY EARLY CHILDHOOD COMMITTEE 4

UTILIZATION OF THE FY 1997 FUTURE SUPPORTED FUNDS FOR THE HEAD START TRANSITION DEMONSTRATION PROGRAM 4

UTILIZATION OF FY 1997 FUTURE SUPPORTED PROJECT FUNDS FOR THE HOMELESS CHILDREN AND YOUTH PROGRAM 5

UTILIZATION OF FY 1997 FUTURE SUPPORTED PROJECT FUNDS FOR THE MARYLAND TRANSITION INITIATIVE 6

RECOMMENDED FY 1997 SUPPLEMENTAL APPROPRIATION FOR THE MODEL LEARNING CENTER 6

PERSONNEL APPOINTMENTS 7

STATE LEGISLATIVE AUDIT ON ENROLLMENT 8

CLASS SIZE — RESEARCH AND ALTERNATIVES 9

ORAL REPORT ON FUTURE SEARCH CONFERENCE 10

BOARD/SUPERINTENDENT COMMENTS 10

RESOLUTION FOR CLOSED SESSION 11

REPORT ON CLOSED SESSION 11

MINUTES — AUGUST 27, 1996 12

BOE APPEALS 12

BALLOT QUESTIONS 13

BALLOT QUESTION C 13

BALLOT QUESTION D 14

RE-INSTATEMENT OF TRANSPORTATION SERVICES 14

FEE TO REINSTATE TRANSPORTATION SERVICES 18

SAFETY CRITERIA USED BY THE DIVISION OF TRANSPORTATION 18
NEW BUSINESS 19
ADJOURNMENT 19