

[APPROVED
45-1997

Rockville, Maryland
December 9, 1997

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, December 9, 1997, at 10:00 a.m.

ROLL CALL Present: Mrs. Nancy J. King, President
 in the Chair
 Dr. Alan Cheung
 Mr. Blair G. Ewing
 Mr. Reginald M. Felton
 Mrs. Beatrice B. Gordon
 Ms. Ana Sol Gutiérrez
 Ms. Mona M. Signer
 Ms. Debra Wheat

Absent: Dr. Paul L. Vance, Secretary/Treasurer

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

Re: **ANNOUNCEMENT**

Mrs. King announced that Dr. Vance was out of town, and Mrs. Gemberling would be the acting superintendent. Mr. Felton was out of town and would join the Board meeting in the afternoon.

RESOLUTION NO. 716-97 Re: **AGENDA**

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Ms. Signer, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approves its agenda for December 9, 1997.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Mrs. Gemberling acknowledged that Robert Frost Middle School had been selected as one of eleven schools in Maryland to receive the State's Blue Ribbon School of Excellence Award. Ms. Joan Carroll, principal of Ashburton Elementary School, was named one of sixteen principals from the Washington area school districts to receive the 1997 Washington POST Distinguished Leadership Award. Also, thirty-four schools have been named among the state's fastest improving schools as part of a \$2.75 million recognition program under the Maryland School Performance Program. Finally, she reminded everyone of the

presentation of the FY 1999 Operating Budget at Rockville High School on December 11, 1997, at 7:00 p.m.

Mr. Ewing noted that the media thought there would be a major discussion on class size reduction at this meeting. In fact, the Board would take action on a previous new business item regarding class size reduction. However, there will be a general discussion of class size on January 13, 1998.

Re: **PRESENTATION OF ACT-SO NATIONAL WINNERS
PLAQUE**

Dr. Hiawatha B. Fountain, associate superintendent for the Office of Pupil and Community Services, and Mrs. Ruby Rubens, Staff Assistant for the Board, announced the award winners. They were:

1993	Andre Leonard	Seneca Valley High School
1993	Jessica Pittman	Montgomery Blair High School
1994	Restine Jackson, IV	Sherwood High School
1995	Marcellus Harper	Montgomery Blair High School
1995	Rachelle Salomon	Montgomery Blair High School
1996	Natesia Johnson	Montgomery Blair High School
1996	Danielle St. Ulme	Montgomery Blair High School
1996	Omar Jenkins	Montgomery Blair High School
1996	Khamia White	Winston Churchill High School
1996	Leslie Boahman	Albert Einstein High School
1997	Omar Jenkins	Montgomery Blair High School
1997	Lendah Sherman	Wheaton High School

Re: **SIXTH ANNUAL REPORT ON THE SYSTEMWIDE
OUTCOME MEASURES OF THE SUCCESS FOR
EVERY STUDENT PLAN**

Mrs. Gemberling invited the following people to the table: Dr. Hiawatha B. Fountain, associate superintendent for the Office of Pupil and Community Services; Dr. Mary Helen Smith, associate superintendent for the Office Instruction and Program Development; and Dr. Steven G. Seleznow, associate superintendent for the Office of School Administration.

Mrs. Gemberling pointed out that there are few school systems nationally with the size and demographics of MCPS that can claim the following remarkable examples of student advancement:

1. 53.5 percent of all high school students last year were enrolled in honors or advanced placement courses.
2. The percentage of students enrolled in honors and advanced placement courses has increased among all racial and ethnic groups since 1990-91. The enrollment rate has increased from 25 percent to 30.7 percent for African American students, from 60.4 percent to 68.3 percent for Asian American students, from 24 percent to 30.7 percent for Hispanic students, and from 50.7 percent to 62.1 percent for White students.
3. 3,359 high school students last year took 5,888 Advanced Placement exams, and 83 percent of those examinations had scores of 3 or higher for college credit.
4. The percentage of Advanced Placement tests taken has increased over the past six years by 188 percent among African American students, 63 percent among Asian American students, 118 percent among Hispanic students, and 82 percent among White students.
5. 6,345 ninth graders (71 percent of the class last year) successfully completed Algebra I or a higher level math course.
6. Among all racial and ethnic groups, the percentage of ninth graders successfully completing Algebra I has increased over the past six years -- from 36.8 percent to 48.2 percent among African American students, from 76.7 percent to 85 percent among Asian American students, from 32.9 percent to 40.7 percent among Hispanic students, and from 69 percent to 83.2 percent among White students.
7. Last year, 76 percent of graduating seniors took the Scholastic Assessment Test (SAT) and continued to achieve the highest systemwide average scores (1092) of any school system in Maryland -- 78 points higher than the statewide average and 76 points higher than the national average.
8. The average SAT scores among individual racial and ethnic groups increased last year, except for a decline among Asian American students from 1133 to 1115 (prompting comprehensive intervention efforts at individual schools). The average SAT score increased from 919 to 933

for African American students, from 1002 to 1006 for Hispanic students, and from 1137 to 1144 for White students.

9. By the end of ninth grade, more than nine of 10 students successfully completed three of the four state functional tests for graduation (most while in middle school), including nearly all students in reading (99 percent) and 95 percent in math, and 94 percent in writing. In tenth grade, 92 percent pass the citizenship test.
10. The performance gaps by race or ethnicity on the state's functional tests have nearly disappeared or narrowed to extremely small differences.
11. Six years ago, only 48 percent of the Maryland School Performance Program (MSPP) standards were met among all racial and ethnic groups of students. Today, 73 percent of the standards have been met, including four times as many standards among African American students and twice as many standards among Hispanic students.
12. Among all racial and ethnic groups, the attendance rates remain high at elementary schools and continue to improve at high schools, while elementary promotion rates remain excellent and the dropout rate among all groups remains extremely small.
13. Satisfactory ratings have been achieved in 92 percent of the local MSPP measurements among students from all racial and ethnic groups who have been in the school system for at least two years, with excellent ratings in more than two-thirds of all the systemwide local standards.

These achievements are not without limitations. The percentage of students successfully completing Algebra I by the end of grade nine, for example, has remained relatively flat for two years - even though the actual number of students completing the course has increased. The percentage of students being suspended continues to increase slightly, with a larger percentage of suspensions among Asian American and White students (suspensions among African American and Hispanic students have held even). The percentage of students identified as learning disabled, seriously emotionally disturbed, or mildly mentally retarded has remained relatively constant, despite the best efforts to reduce the disproportionality

by race and ethnicity among student referrals in these categories of special education.

Continued progress will be made through the commitment of individuals to the proposition that student achievement must be attained with the highest of standards. More standards in other areas undoubtedly will be identified and required as staff continues to expand and improve the educational program. The Success for Every Student Plan, itself, needs to be updated and strengthened as the school system moves beyond the five-year mark of its implementation. Important considerations also must be given to the findings and recommendations arising from the Future Search Conference, the citizens budget review committees, and the Board of Education's own retreat and examination of these and other important issues. The proposed high school improvement program under consideration by the Maryland State Board of Education is an example of the extent to which MCPS is not alone in seeking higher and more comprehensive standards for accountability. Nonetheless, staff recognized the value of steady gains even when confronted with revenue shortfalls, demographic changes within communities, and the impact of these conditions on individual schools. The school system has followed a very constructive course through all that has been done, focusing on improving not only teaching and learning in schools but also the delivery of management and support services to schools, principals, teachers, and students.

The summation of this report underscores the achievement of a significant level of success, even as more remains to be accomplished. In fact, there are many very strong indicators of significant student achievement for the entire school system and several good examples where student achievement has excelled beyond all expectations. The focus on reading proficiency at grade three as a gateway to academic success throughout elementary and middle school, the focus on completing Algebra I by the end of grade nine as a gateway to higher and more rigorous high school studies, and the focus on preparing all students for graduation with the highest level of intellectual skills possible - all point toward continued significant academic advancement as a tangible return on the public investment in schools. At a time of great public debate about the efficacy of public education in America, public schools in Montgomery County remain an example of quality student performance, standards, and expectation.

Long-term Achievement Areas of the

Success for Every Student Plan

Raising Proficiency Standards

1. Nearly six of 10 students in third through eighth grade reach the math criterion-referenced test (CRT) proficiency standard (even after standards are raised and tougher math questions are added).
2. Nearly seven of 10 students in grades three through eight reach the reading CRT proficiency standard, the highest performance in four years.
3. Nearly three of four students in third grade score above the national average in reading, more than half score in the top 30 percent nationally, and more than a third score in the top 10 percent.
4. Overall, the average performance in reading for students in grades three through eight equals the 72nd percentile nationally.

Improving the Average High School Student

1. Seven of 10 ninth graders complete Algebra 1 or a higher math course.
2. One-third of eighth grade students complete Algebra 1 or a higher math course.
3. One-half of all high school students enroll in honors and advanced placement courses.
4. One-fifth of all 11th and 12th graders take national advanced placement exams, and 83 percent of all advanced placement exams taken earn college credit-level scores.
5. The average Scholastic Assessment Test (SAT) score of 1092 is the highest in Maryland and the Washington area.
6. Seventy-six percent of all 12th graders take the SAT.

Taking Care of the Basics

1. The drop out rate remains at approximately 2 percent.
2. Student daily attendance is 95.4 percent in elementary schools, 94.4 percent in middle schools, and 93.2 percent in high schools.
3. Nearly all of the local standards of the Maryland School Performance Program (MSPP) are met by all elementary and secondary schools.
4. Nearly all students pass the state functional tests in reading, mathematics, writing and citizenship for high school graduation -- most while in middle school.

Mrs. Gordon complimented staff on the presentation. Continuous progress is what is important. She wanted to hear how staff was going to dispel the myth of the average student, or those students who do not take honors courses and their ability to achieve. Mrs. Gemberling replied that constantly presenting the real facts will dispel that myth. At this time, MCPS is more educationally productive school system than it was six years ago in spite of drastic resource reductions. Teachers must stop thinking of the good old days when students were brighter and better because it is a myth. Dr. Seleznow stated that the continuous improvement process focuses on facts and not myth, perception, assumption,

and attitude. OSA has provided the principals with user-friendly data that broke the facts down into manageable components. Therefore, the myth that students cannot pass algebra in ninth grade, were dispelled by those students who were passing algebra in the ninth grade. OSA will use the business approach whenever there is a slight decline in those students who took algebra in the ninth grade, and it will make a massive effort to reverse that decline.

Ms. Signer thanked staff for the presentation and echoed Mrs. Gordon's comments. The improvement that the school system has seen over a period of time indicates that the system has made great strides. She was pleased to see the national norm released for the reading/language arts multiple-choice CRT. That was something the parents had wanted for years. They have asked to see how their child compared with the national cohort. Its use has been far greater for MCPS because it has helped the system to dispel the myth of stereotypes based on hard data. However, she found it troubling that algebra was the gateway math course. The percent of White and Asian/Americans is still double the percent of African/American and Hispanic students who complete Algebra I. Clearly, that issue needs to be addressed. The same was reflected in the honors and advanced placement courses. She wanted data that was not just the percentage of students who complete one course, but the range of courses. The gap could grow larger if MCPS looked at the percentage of students who take three, four, five or more honors credits.

Ms. Signer stated that the school system beats itself up each year with gains and loses in test scores (especially the SATs), and, the fact is, there is not a statistical significant difference from year to year. Last year, there was a chart of outliers by educational load. She asked for an update of that chart and was there any significant movement in those outliers? Dr. Seleznow illustrated his answer with an overhead that showed comparisons with schools and any outliers. Those outliers had been tracked over time to determine the movement of those schools. OSA was concerned about the schools that have not improved, and staff worked with those schools to determine any reason(s) that could be identified.

Ms. Signer asked if the area directors looked at the individual schools that were at the bottom of the quadrant to make sure that interventions and resources were provided to those schools, and, then, review the data from year to year. Dr. Seleznow responded that was exactly what was done. The Local SES plans make principals write objectives that align with expected outcomes. If there were any outliers, there needs to be an objective or focus on the identified problem area.

Ms. Signer stated that it was her expectation that the goals in the SES plan would be data that drives with numerical targets. Dr. Seleznow replied that standards have been adopted and monitored, and there has been a difference in student achievement. Mrs. Gemberling added that MCPS has shown high school educators by improved math CRT performance, and that students are ready for accelerated achievement.

Ms. Signer asked for disaggregated SAT scores for Montgomery Blair and Richard Montgomery high schools for non-magnet and magnet students and the International Baccalaureate (IB) and non-IB. That data showed that the gaps between those programs was significant. It seemed clear to her that MCPS needs to target efforts in those schools, in particular, those students who are not in the magnet and IB programs, and find out where it is that MCPS is falling short in helping those students.

Dr. Cheung congratulated staff for the outstanding achievements presented in the report. He was pleased to hear that there was an emphasis on the individual student, and those schools that show low performance are targeted for additional help from the OSA directors. An individual student profile could be used by the teachers and parents for continuous academic achievement of the student. It was important from his perspective to think about these improvements and investments in terms of the individual child. Right now, MCPS compares the child with the national norm, but the best benchmark is for each child to be monitored to see how he/she improves after each grade/course. He was pleased with the dialogue about dispelling myths which are driven by rituals. MCPS needs to identify those rituals that form the barriers to education. Management by facts and information for teachers, students, and parents will improve educational achievement.

Mr. Ewing agreed that MCPS is better off than it was five years ago, but is not where it expected be by this time. MCPS has gotten this far with fewer resources per pupil and serving a more diverse student population, but steadily improving student performance. For that, the school system must be congratulated, but can MCPS push those trends into the future with the same outcomes. He was glad to see that there was a focus on putting resources at critical points in the system to ensure that objectives are likely to be achieved. As the school system examines itself and compares MCPS with national standards, the goals and exceptions are not clear. There was an acknowledgement from the Superintendent that MCPS needs to review and revise the SES plan and in the long-term build new goals and objectives. He hoped that one of those goals was that MCPS would build in research, since the school system does not know why minority populations, especially African/American and Hispanic students, do not do as well as others. Among the CRT scores, there are very substantial disparities remaining among racial and ethnic groups in both reading and math. There have been substantial gains, but the problem has not been solved. Through research, the school system could learn more about why those students who are not doing well. At the present time, MCPS has poor measures for the impact of poverty on student achievement. The school system has got to go beyond FARMs data. MCPS is at a point where the system knows enough to posture some theses on why certain students do not do well, and there needs to be serious research to verify antidotal theories. How can the school system be sure it is pursuing the right remedies if it does not know the in-depth and real problems hindering student achievement. As the school system celebrates

some successes, it should be very clear that there are still some major defects to address and remedy.

Ms. Gutiérrez noted that the school system has come a long way, and she was pleased with the major change in attitude toward accountability. There has been a breakthrough in looking at the data in a systematic way. Regarding the chart reflecting the third grade CRT, she asked what the system was doing with the data since it looked like students were getting poorer. She wanted to know if the school system has looked at movement from one year to another within the each school. Dr. Seleznow replied that the chart illustrated that one school increased in FARMs, but also increased performance. This was important on how this school used its resources and improved achievement while the educational load had increased. Ms. Gutiérrez pointed out that there was a greater return on MCPS= effort in areas that are lower in FARMs. She wanted to know more about targeting allocations to specific schools. Mrs. Gemberling replied that MCPS is developing a mathematical model to rank schools with high achievement based on various factors.

Ms. Gutiérrez liked the focus on critical gateways; however, she was concerned that the school system was not focusing on the high school sector of the student population. She wanted to propose looking into additional indicators for tracking those students using data that may already be available. The students that are not being successful are missing from the overall picture of the school system. There is a need to continue longitudinal data of high schools, and that data should include, student attendance leading to loss of credit, students not on the ineligibility lists, and how to prevent students from dropping out of school.

Ms. Gutiérrez commented on the implementation plan where the school system has the highest challenge; that is where attitudes will be changed. There are incredibly low numbers of African/American and Hispanic students who are taking algebra in the eighth grade. It is vital for all students to be prepared for required courses such as algebra. If students are not prepared for these courses, they will fail and that is not acceptable.

Ms. Wheat had two concerns: (1) the first myth that needs to be dispelled is that if students do not get into honors classes early, they will not get into those classes; and (2) the second myth is the focus on students being tested and not a focus on understanding the material.

Mrs. King thanked staff for a great presentation. MCPS has become a better school system over the past six years, and that says a lot for the system. She congratulated, staff, students, and teachers.

RESOLUTION NO. 717-97 Re: NAMING OF NORTHEAST AREA HIGH SCHOOL

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Ms. Wheat, the following resolution was adopted unanimously by members present:

WHEREAS, A committee representing the new Northeast Area High School community was formed to consider names for the new school in accordance with MCPS Policy FFA-RA, *Naming of Schools*; and

WHEREAS, The committee followed appropriate procedures in choosing a name for the new school; now therefore be it

Resolved, That the new Northeast Area High School officially be named James Hubert Blake High School.

RESOLUTION NO. 718-97 Re: NAMING OF NORTHWEST AREA HIGH SCHOOL

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

WHEREAS, A committee representing the new Northwest Area High School community was formed to consider names for the new school in accordance with MCPS Policy FFA-RA, *Naming of Schools*; and

WHEREAS, The committee followed appropriate procedures in choosing a name for the new school; now therefore be it

Resolved, That the new Northwest Area High School officially be named Northwest High School.

FOR THE RECORD, Ms. Gutiérrez made the following statement: I do not believe that the policy was followed. The policy does not give emphasis to geographical names. The regulations, unfortunately, still do not reflect that change. I believe that our policy is one to recognize individuals who have contributed to the community, especially women and minorities.@

Re: MONTHLY FINANCIAL REPORT

Mr. Bowers reported that there were slight changes in four categories: instructional salaries, other instructional costs, special education, and fixed changes. The one category that was in deficit this month was Category 5 (Other Instructional Costs); an issue in this category was to provide principals with flexibility in how they use their resources. The other item to be noted is that the school system has not reconciled the numbers with Prince George's County regarding the Takoma Park unification.

Ms. Signer noted that the surplus for FY 1997 was a little over \$1 million, and the Board had told the County Council the surplus would be used to reduce for class size for this year. She asked for a brief discussion on how the school system intended to do that. Mr. Bowers responded that the Board had requested the County Council to expend the surplus for class size, and there had been no reaction from the County Council to authorize that expenditure. If the Council does not authorize that expenditure, Ms. Signer asked whether or not the surplus became part of the FY 1998 budget. Mr. Bowers replied that it becomes part of the surplus, and if the Board's request is not approved, the surplus becomes available to fund next year's budget.

Mr. Ewing suggested that the Board President request the County Executive and County Council authorize the Board's request to expend funds for class size reduction. He requested staff to explore a variety of ways to address the County Executive's proposal to eliminate the Board's ability to request categorical transfers, especially in instructional categories. Mr. Bowers replied that if such a resolution were passed, two things would happen: (1) staff would have to recommend a plan to the Board to reconcile deficits; and (2) the Board would make a decision on how those dollars were spent.

The problem that the County Executive wants to fix is a problem that the County Council created by failing to appropriate sufficient funds in those two areas. He hoped that point would be made with the Council prior to their taking action on limiting transfers. He asked if the Executive and Council have the legal authority to limit the Board's ability to propose transfers among categories. Mr. Bowers stated that changes may be needed when grants are received; therefore, categorical transfers are requested from the County Council. He hoped that whatever the Council does, they do not restrict those expenditures.

Mr. Ewing observed that special education is not totally under the control of MCPS. Special education is a civil right. The school system could find itself in a situation where it was not in violation of the Council's guidance, but would be in violation of state law. He was not sure that was clear to those who want to control the Board's expenditures. The absolute achievement of dollar-for-dollar equity in the budget and expenditures in categories without any transfers out of instructional salaries does not make any sense. The County Government transfers monies among categories every year in order to balance their budgets.

Mrs. Gordon agreed with Mr. Ewing regarding the implications of restricting categorical transfers. In fact, the Council can already deny a request for a categorical transfer. There are a lot of ramifications about the County Executive's resolution, and it needs to be explained more clearly.

Ms. Gutiérrez requested clarification on what the Board does at the end of the year to balance MCPS= budget. There should be a statement explaining that the Board requests transfers, and it is up the County Council to approve or deny those requests.

Re: **LUNCH AND CLOSED SESSION**

The Board recessed for lunch and closed session from 12:00 to 2:00 p.m.

RESOLUTION NO. 719-97 Re: **AMENDMENT TO THE AGENDA**

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

Resolved, That the Board of Education amend it agenda to take Item 10.0 (Global Access Update) ahead of Item 9.0 (Final Action on Policy IID).

Re: **PUBLIC COMMENTS**

The following people appeared before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Robert Eaton	Live Programming
2.	Dan Jablonski	Special Education
3.	Stu Merkel	Live Programming
4.	Richard Schifreen	Special Education
5.	Cecelia Pauley	Special Education
6.	Joe Pauley	Special Education
7.	Daniel Prager	Live Programming
8.	Rev. Chester Burke	Class Size

RESOLUTION NO. 720-97 Re: **CONTRACTS FOR MORE THAN \$25,000**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

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:

85-97	Elevator Maintenance for Special Use, Stage and Material Lifts - Extension	
	<u>Awardee</u>	
	Columbia Elevator Company, Inc.	\$ 93,436
1009	Computers for Instructional and Administrative Use(DOS-Based Platform)	
	<u>Awardees</u>	
	AV Networks, Inc.	
	Daly Computers, Inc.	
	SSI Business Centers	*
	Gateway 2000	
	Total	\$1,800,000
4002	Aftermarket Automotive Parts	
	<u>Awardees</u>	
	American Bus Sales and Service, Inc.	\$ 151,000
	Arlington Armature, Inc.	10,000
	Associated Truck Parts	20,400
	Best Battery Company, Inc.	43,000
	D & L Truck and Bus Parts, Inc.	2,200 *
	Delcoline, Inc.	95,000 *
	District International Trucks, Inc.	588,400
	Ditch, Bowers and Taylor, Inc.	22,500 *
	Fitzgerald Auto Mall, Inc.	7,000
	General Fleet Service Company	44,000
	Jasper Engines and Transmission	150,000
	K & M Supply	240,400
	Northern Virginia Supply, Inc.	32,400
	Ourisman's Rockmont Chevrolet	60,000
	R & S Auto and Truck Spring Works	17,000
	Rockville Radiator Shop, Inc.	20,000 *
	Rosedale Auto Electric and Parts, Inc.	8,000
	Vehicle Maintenance Program	44,100 *
	Wareheim Air Brakes, Inc.	<u>287,000</u>
	Total	\$1,842,400

4006 Roofing Supplies

Awardees

Bradco Supply Corporation	\$ 36,246
Roof Center, Inc.	190,199
Safeware, Inc.	<u>4,186</u>
Total	\$ 230,631

4007 Asbestos Abatement Supplies and Equipment

Awardees

Aramsco	\$ 61,096
Grainger, Inc.	1,065
Ipco Safety	5,021
Lyons Safety, Inc.	24,637
National Capital Industries, Inc.	665
Vallen Safety Supply Company	<u>10,345</u>
Total	\$ 102,829

7011 Frozen Potatoes

Awardee

Carroll County Foods	\$ 365,460
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MORE THAN \$25,000 \$4,434,756

* Denotes MFD vendors

RESOLUTION NO. 721-97 Re: **AWARD OF CONTRACTS - TAKOMA PARK MIDDLE SCHOOL BIDS**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

WHEREAS, The following sealed bids were received for subcontract work for the Takoma Park Middle School project:

<u>Low Bids Amount</u>	<u>Participation</u>	<u>% MBE</u>
<u>Roofing</u>		
R. D. Bean, Inc.	\$331,540	0.0
<u>Casework</u>		
Steel Products, Inc.	689,990	0.0
<u>IMC Casework</u>		
Young & Watson, Inc.	42,890	6.16
<u>Painting</u>		
Precision Wall Tech., Inc.	112,321	100.0
<u>VCT/Carpet</u>		
DuPont Flooring Systems	163,888	3.54
<u>Ceramic Tile</u>		
David Allen Company	21,200	14.01

and

WHEREAS, These companies have completed similar work successfully for Montgomery County Public Schools; and

WHEREAS, The bids are within the consultant's estimate; and

WHEREAS, The subcontractors have submitted Minority Business Enterprise participation as stated above, and staff has verified that the subcontractors have made a good faith effort to obtain minority participation; now therefore be it

Resolved, That contracts be awarded for the above-referenced subcontractors meeting specifications for the Takoma Park Middle School project for the bids and amounts listed in accordance with plans and specifications prepared by Grimm and Parker, P.C.

RESOLUTION NO. 722-97 Re: AWARD OF CONTRACT - FOREST OAK REPLACEMENT FACILITY

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

WHEREAS, The following sealed bids were received on November 20, 1997, for the Forest Oak Replacement Facility, with work to begin December 10, 1997, and be completed by June 1, 1999:

<u>Bidder</u>	<u>Amount</u>
Henley Construction Company, Inc.	\$ 12,494,100
Donohoe Construction Company	12,581,300
Meridian Construction Company, Inc.	12,671,500
Dustin Construction, Inc.	12,718,600
Hess Construction Company	12,782,700
PEC Construction, Inc.	12,859,000
The Gassman Corporation	13,024,000
Caldwell and Santmyer, Inc.	13,121,000
Cam Construction Company, Inc.	13,199,100
San Jose Construction Group, Inc.	14,642,100

and

WHEREAS, The low bidder, Henley Construction Company, Inc., has completed similar work successfully for Montgomery County Public Schools; and

WHEREAS, The low bid is below the staff estimate of \$12,600,000; and

WHEREAS, Henley Construction Company, Inc., has submitted 6.75 percent of Minority Business Enterprise participation, and staff has verified that the contractor has made a good faith effort to obtain minority participation; now therefore be it

Resolved, That a contract for \$12,494,100 be awarded to Henley Construction Company, Inc., for the Forest Oak Replacement Facility.

RESOLUTION NO. 723-97 Re: AWARD OF CONTRACT - MONTGOMERY BLAIR HIGH SCHOOL GREENHOUSE PACKAGE

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

WHEREAS, The following sealed bid was received on November 7, 1997, for the Montgomery Blair High School Greenhouse Package, with work to begin December 10, 1997, and be completed by June 30, 1998:

<u>Bidder</u>	<u>Amount</u>
J. A. Nearing Company, Inc.	\$89,148

and

**RESOLUTION NO. 725-97 Re: AWARD OF CONTRACT FOR MAINTENANCE PROJECT AT
WALTER JOHNSON HIGH SCHOOL**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

WHEREAS, The following sealed bids were received on November 11, 1997, in accordance with Montgomery County Public Schools (MCPS) procurement practices, for the central chilled water system replacement at Walter Johnson High School, with work to begin on December 10, 1997, and be completed by May 30, 1998:

<u>Bidder</u>	<u>Amount</u>
1. American Mechanical Services of Maryland	\$ 295,200
2. John J. Kirlin, Inc.	306,750
3. American Combustion Industries, Inc.	323,000
4. ACMI	325,500
5. MIC/CO.	334,321
6. M & M Weldng and Fabrications, Inc.	335,000
7. Capitol Boiler Works, Inc.	335,900
8. Shapiro and Duncan, Inc.	364,000
9. Pepper Mechanical Services, Inc.	368,960
10. Adrian L. Merton, Inc.	381,257
11. Madison Mechanical, Inc.	411,751

and

WHEREAS, The low bid is below staff estimates and the bidder meeting specifications, American Mechanical Services of Maryland, has completed similar work successfully for MCPS; now therefore be it

Resolved, That a contract for \$295,200 be awarded to American Mechanical Services of Maryland for a central chilled water system replacement at Walter Johnson High School.

RESOLUTION NO. 726-97 Re: CHANGE ORDERS OVER \$25,000

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

WHEREAS, The Department of Facilities Management has received change order proposals from various contractors that exceed \$25,000; and

WHEREAS, Staff and the project architects have reviewed these change orders and found them to be cost effective; now therefore be it

Resolved, That the Board of Education approve the following change orders for the amounts indicated:

Activity 1

Project: Northeast Area High School

Description: The original architectural design for the new Northeast Area High School was for a comprehensive 9-12 curriculum. During the final phases of the project design, the Board of Education voted to include a signature program for the performing arts at the new high school. The signature program required modifications to the facility for expansion of the arts and music classrooms, the auditorium production spaces, and amphitheater. This change order is for the modifications to the facility design that were necessary to accommodate the signature program.

Contractor: The Gassman Corporation

Amount: \$117,281

Activity 2

Project: Northeast Area High School

Description: Removal and replacement of unsuitable soil was required by the geotechnical engineer in order to provide acceptable structural support of the building. In addition, gravel was required to stabilize an area of the site paving.

Contractor: AccuBid Excavation, Inc.

Amount: \$76,193

Activity 3

Project: West Farm Transportation Depot

Description: During construction, soil unacceptable for structural fill was discovered in the location planned for bus parking. The soil had to be excavated and replaced with acceptable fill material.

Contractor: Dustin Construction, Inc.

Amount: \$102,397

Activity 4

Project: Westover Elementary School

Description: The Department of Permitting Services (DPS) rejected the use of chamber type infiltrators being used for on-site storm water retention due to failures on previously approved on-site storm water storage structures. The structure was redesigned using a galvanized pipe and gravel design which was approved by DPS. The change order amount is the additional cost for the new design.

Contractor: Henley Construction Company

Amount: \$52,300

RESOLUTION NO. 727-97 Re: ACCEPTANCE OF JOHN POOLE MIDDLE SCHOOL

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

WHEREAS, John Poole Middle School was duly inspected on November 5, 1997; now therefore be it

Resolved, That John Poole Middle School now be formally accepted; and be it further

Resolved, That the official date of completion be established as that date upon which formal notice is received from the architect that the building has been completed in accordance with the plans and specifications, and all contract requirements have been met.

RESOLUTION NO. 728-97 Re: **UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS FOR THE CHALLENGE GRANT PROGRAM**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects a grant award of \$1,667,827 from the Maryland State Department of Education under the state Challenge Schools Program for the fifth year of the Challenge Grant Program in the Wheaton cluster, the third year in the Albert Einstein cluster, the first year for both Clopper Mill and South Lake elementary schools, and the Challenge Notebook program, in the following categories:

<u>Category</u>	<u>Positions*</u>	<u>Amount</u>
3 Instructional Salaries	1.5	\$ 869,893
4 Textbooks and Instructional Supplies		269,891
5 Other Instructional Costs	—	<u>528,043</u>
Total	<u>1.5</u>	<u>\$1,667,827</u>

*0.5 Teacher, A-D (10 month)

1.0 School Financial Assistant, Grade 13 (12 month)

and be it further

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

Re: **DISCUSSION**

Regarding the Challenge Grant Program, Mr. Ewing asked for a written description of the specific results of what was done at Wheaton and Albert Einstein high schools, and the expected specific results at Clopper Mill and South Lake elementary schools.

RESOLUTION NO. 729-97 Re: **UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS FOR THE INTENSIVE VOCATIONAL ENGLISH AND SKILLS PROGRAM**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects a grant award of \$75,028 from the Maryland Department of Human Resources, Community Services Administration, Office of Refugee Affairs, under the Federal Refugee Act of 1980 (P.L. 96-212), for the FY 1998 Intensive Vocational English and Skills Program for Nursing Assistants in the following categories:

<u>Category</u>	<u>Amount</u>
1 Administration	\$ 2,287
3 Instructional Salaries	58,938
4 Textbooks and Instructional Supplies	7,900
5 Other Instructional Costs	1,100
12 Fixed Charges	<u>4,803</u>
Total	<u>\$ 75,028</u>

and be it further

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

RESOLUTION NO. 730-97 Re: UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS FOR THE PROJECT ANCHOR

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects a grant award of \$58,811 from the U.S. Department of Education through the Academy for Educational Development for Project Anchor in the following categories:

<u>Category</u>	<u>Amount</u>
1 Administration	\$ 1,790
6 Special Education	53,262
12 Fixed Charges	<u>3,759</u>
Total	<u>\$58,811</u>

and be it further

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

RESOLUTION NO. 731-97 Re: UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION PROGRAM

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

Resolved, That the superintendent of schools be authorized to receive and expend within the Provision for Future Supported Projects additional grant funds of \$487,328 from the U.S. Department of Education under Part B of the Individuals with Disabilities Education Act (P.L. 101-476), via the Maryland State Department of Education for the Individuals with Disabilities Education Program, in the following categories:

<u>Category</u>	<u>Positions</u>	<u>Amount</u>
6 Special Education	11.7	\$357,272
9 Transportation		49,560
12 Fixed Charges	—	<u>80,496</u>
Total	<u>11.7</u>	<u>\$487,328</u>

- *11.0 Special education teacher (10 month)
- .7 Special education instructional assistant

and be it further

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

RESOLUTION NO. 732-97 Re: UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS FOR THE FEDERAL TITLE I AND THE MSDE COMPENSATORY EDUCATION AND TARGETED POVERTY GRANT PROGRAMS

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

Resolved, That the superintendent of schools be requested to receive and expend within the FY 1998 Provision for Future Supported Projects grant awards totaling \$33,818 from both the U.S. Department of Education (\$7,322) for the Title I school improvement program and from the Maryland State Department of Education under the dedicated (\$1,305) and

discretionary (\$3,916) State Compensatory Education Program and the Targeted Poverty Grant Program (\$21,275) in the following categories:

<u>Category</u>	<u>Amount</u>
5 Other Instructional Costs	\$ 28,597
12 Fixed Charges	<u>5,221</u>
Total	<u>\$ 33,818</u>

and be it further

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

RESOLUTION NO. 733-97 Re: **RECOMMENDED FY 1998 SUPPLEMENTAL APPROPRIATION FOR THE REGIONAL PROFESSIONAL DEVELOPMENT NETWORK PROGRAM**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

Resolved, That the superintendent of schools be authorized, subject to approval by the County Council, to receive and expend an FY 1998 supplemental appropriation of \$241,500 for a grant award from the Maryland State Department of Education for the Regional Professional Development Network program in the following categories:

<u>Category</u>	<u>Amount</u>
1 Administration	\$ 5,809
3 Instructional Salaries	183,910
4 Textbooks and Instructional Materials	26,950
5 Other Instructional Costs	10,118
12 Fixed Charges	<u>14,713</u>
Total	<u>\$241,500</u>

and be it further

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

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

RESOLUTION NO. 734-97 Re: **RECOMMENDATION TO SUBMIT AN FY 1998 GRANT PROPOSAL FOR THE SCHOOLS FOR SUCCESS GOALS 2000 PROJECT: TARGET ALGEBRA**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

Resolved, That the superintendent of schools be authorized to submit an FY 1998 grant proposal in the amount of \$249,130 to the Maryland State Department of Education, under the U. S. Department of Education Program Schools for Success/Goals 2000: Educate America Act to provide professional development training for Target Algebra: Content, Assessment, and Technology for a project for middle school mathematics.

RESOLUTION NO. 735-97 Re: **RECOMMENDED FY 1998 SUPPLEMENTAL APPROPRIATION FOR DEFERRED MAINTENANCE, INSTRUCTIONAL MATERIALS AND EQUIPMENT, AND OTHER NONRECURRING EXPENDITURES**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously by members present:#

Resolved, That the superintendent of schools be authorized, subject to approval by the County Council, to receive and expend an FY 1998 supplemental appropriation of \$10,981,500 for deferred maintenance of school facilities and other nonrecurring expenditures in the following categories:

	<u>Category</u>	<u>Amount</u>
4	Textbooks and Instructional Materials	\$ 2,301,000
5	Other Instructional Costs	957,000
9	Student Transportation	2,331,000
11	Maintenance of Plant	<u>5,392,500</u>
	Total	<u>\$10,981,500</u>

and be it further

Resolved, That the requested expenditures are considered as nonrecurring costs according to state law and eligible for exclusion from the maintenance of effort requirement; and be it further

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

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

RESOLUTION NO. 736-97 Re: **APPOINTMENT OF MONTGOMERY COUNTY PUBLIC SCHOOLS
EMPLOYEES- RETIREMENT AND PENSION SYSTEM
INVESTMENT TRUSTEE**

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Ms. Signer, the following resolution was adopted unanimously by members present:#

WHEREAS, The Board of Education by Resolution 344-95 authorized the establishment of a trust to be used for the purpose of funding Montgomery County Public Schools Employees' Retirement and Pension System benefits; and

WHEREAS, The trustee is a committee composed of the chief financial officer; the associate superintendent for supportive services; the director of management, budget and planning; and the director of insurance and retirement; and up to, but no more than, three additional members to be appointed by the Board of Education; and

WHEREAS, The Superintendent is recommending that the director of accounting replace the associate superintendent for supportive services as a member of the trust committee; now therefore be it

Resolved, That the Trust Agreement be amended to replace the associate superintendent for supportive services as a member of the Board of Investment Trustees with the director of accounting.

RESOLUTION NO. 737-97 Re: **EMPLOYEE BENEFIT TRUST INCUMBENCY CERTIFICATE**

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Ms. Signer, the following resolution was adopted unanimously by members present:#

WHEREAS, The Board of Education authorized the establishment of a trust for the purpose of accumulating funds to provide benefits to employees and retirees under the Montgomery County Public Schools employee benefits plan; and

WHEREAS, The trust agreement states that the Board of Education will, from time to time, designate individuals as employee insurance officers who shall have the authority to give instructions to the trustee regarding the administration and operation of the trust; and

WHEREAS, The chief financial officer, Mr. Larry A. Bowers, and the director of the Division of Insurance and Retirement, Mr. G. Wesley Girling, are currently responsible for giving instructions to the trustee and will continue to serve in that capacity; now therefore be it

Resolved, That Mr. Larry A. Bowers and Mr. G. Wesley Girling be designated employee insurance officers; and be it further

Resolved, That the president and secretary of the Board of Education are hereby authorized to execute the attached incumbency certificate and any such further documents necessary to carry out the intent of this resolution.

RESOLUTION NO. 738-97 Re: PERSONNEL MONTHLY REPORT

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Ms. Signer, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve the Personnel Monthly Report dated December 9, 1997.

RESOLUTION NO. 739-97 Re: DEATH OF MISS SARAH D. SIMMS, SCHOOL FINANCIAL SECRETARY, MONTGOMERY BLAIR HIGH SCHOOL

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Ms. Signer, the following resolution was adopted unanimously by members present:

WHEREAS, The death on November 24, 1997, of Miss Sarah D. Simms, school financial secretary at Montgomery Blair High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Miss Simms was a loyal and dedicated employee of Montgomery County Public Schools for more than 23 years; and

WHEREAS, Miss Simms' pride in her work and her ability to work effectively with students and staff were recognized by her associates; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Miss Sarah D. Simms 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 Miss Simms' family.

RESOLUTION NO. 740-97 Re: PERSONNEL APPOINTMENT

On recommendation of the Superintendent and on motion of Dr. Cheung seconded by Mrs. Gordon, the following resolution was adopted with Dr. Cheung, Mr. Ewing, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, and Ms. Wheat voting in the affirmative; Ms. Signer abstaining:

Resolved, That the following personnel appointment be approved effective January 5, 1998:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Renee M. Brimfield	Principal, John T. Baker MS	Principal, Montgomery Blair MS #3

Re: DISCUSSION -- SCHOOL CALENDAR FOR 1998-99

Mrs. Gemberling invited the following people to the table: Dr. Patricia Hahn, Assistant to the Superintendent, and Mrs. Katherine Bennett, Secretarial Assistant. The school calendar includes the same non-school days as in the past, but there are additional state-mandated holidays for elections. As in the past two years, there was a contingency plan that would be used to make up lost instructional days for any emergency closings. The one change was a full professional day in October as a replacement for the two half days in October and December.

Ms. Gutiérrez asked about the consideration and planning for test dates related to cultural and ethnic holidays. Dr. Hahn responded that after the calendar was approved by the Board, staff would work with the state to account for holidays. Ms. Gutiérrez inquired if community members would be involved in this process. Mrs. Gemberling replied that the departments of Educational Accountability and Human Relations would remind the state of these issues as some test dates are mandated by the state. However, there are testing windows and MCPS would work within those dates.

Ms. Gutiérrez asked about the general election day and the closure of the MCPS administrative offices. She thought there was no justification for closing the whole building (CESC) when only a small portion was used for the election process. Mrs. Bennett responded that election days are state-mandated holidays.

Ms. Signer was pleased that two half days had been combined into one professional day on the school calendar.

Mr. Ewing asked what the impact was on teachers, in terms of in-service training, in combining the two half early release days? Mrs. Gemberling responded that staff has had feedback from teachers and principals regarding the amount of energy they have left for

training after a half day of teaching students. Several years ago, there was one day for professional development and the effectiveness of the scheduling was not evaluated; therefore, the pilot in using one day for training will be evaluated this time.

RESOLUTION NO. 741-97 Re: SCHOOL CALENDAR FOR 1998-99

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

WHEREAS, The establishment of school terms by the County Board of Education is required by state law; and

WHEREAS, Montgomery County parents, community, and staff should be informed of the Board adopted school calendar each year and the subsequent contingency plan identifying days that will be used to make up lost instructional time due to emergency closings; now therefore be it

Resolved, That the proposed school calendar and contingency plan for 1998-99 be adopted.

* Mr. Felton joined the meeting at this point.

Re: GLOBAL ACCESS UPDATE: YEAR 4 PROGRESS

Mrs. Gemberling invited the following people to the table: Ms. Susan Marks, director of the User Services Team in the Office of Global Access Technology, and Mr. Ronald Walsh, business partner adviser on loan from Lockheed Martin Corporation. Present in the audience were Mr. Leland Coldren, director of the Applications Development and Implementation Team; Ms. Deeva Garel, director of the Network and Computer Services Team; Dr. Elizabeth Glowa, director of the Instructional Technology Support Team, and Dr. Marlene Hartzman, director of the Department of Educational Accountability. Principals and staff of the Office Global Access Technology were present to answer questions.

Ms. Marks and Mr. Walsh gave a brief overview to Board members. Staff was pleased with the progress that was being made in implementing the Board of Education's *Educational Technology Policy* and the *Plan for Educational Technology Implementation: The Global Access Project and Beyond* that was approved by the Board on May 13, 1997. The merger of instructional and administrative technology planning and implementation through the Global Access initiative was reaping great benefits for students, staff, and the community. Progress in achieving the technology plan was evident throughout Montgomery County Public Schools (MCPS). Staff has connected over 200 school and office sites to FirstClass e-mail, Internet, and central server/mainframe information and communication resources through the MCPS wide area network, an achievement reached earlier than originally projected. MCPS

has an exemplary Web site. Students and staff in every school have access to networked technology in every media center. A total of 57 schools, 31% of all schools, will have Global Access network access in all classrooms by this spring.

The integration of technology into curriculum and instructional practices was expanding throughout the curriculum and program areas. Training opportunities for staff continue to increase through the use of new and varied training models. Staff had developed and was prepared to implement a new comprehensive Student Information System and was making all financial and support systems Year 2000 compliant. Staff would launch an important performance measurement effort that will assess the integration of technology across the school system and look at the impact of the Global Access initiative on preparing today's students to meet the challenges of the 21st century.

Progress in changing instructional practices to include the infusion of technology tools was especially evident during classroom observations in technology-enhanced classrooms and media centers where use of electronic communication and information resources was changing the way teachers teach and students learn.

Regular updates on the progress of the Global Access technology initiative have been provided to the Board since the project began in July 1994. The report reflected that in this fourth Global Access year:

The Plan for Educational Technology Implementation was proceeding on schedule with FY 1998 tasks involving infrastructure, instructional and administrative applications, and staff training.

New electronic tools in the classroom, supported by teacher training on curriculum integration, were having an increasing and positive impact on instructional practices.

The Year 2000 Project to ensure that critical MCPS technology systems function beyond December 31, 1999, was proceeding as planned contingent upon future approval of requests to the county for continued funding.

Dr. Cheung was pleased that Global Access was moving along at a rate faster than anticipated in the original planning, but he would like to see it implemented even faster. He asked about the status of the Student Information System, since the report speaks to a minority modification. On the Human Resource Information System, he was interested if it included individualized staff development plans or whether it was an administrative tool. Mr. Coldren replied that the Student Information System had just completed the FIT analysis which took twice as long as contemplated. The vendor's product was reviewed by retired MCPS employees for customization for MCPS use. The final report was due at the end of December. Dr. Cheung asked for information on the Student Information System.

Dr. Cheung asked if the Human Resource Information System included a individual staff development profile. Mr. Coldren explained that it was an integrated system between payroll, benefits, and human resources. All staff development activities would be updated and monitored through this system. The RFP was due in late December.

Ms. Gutiérrez observed that MCPS had put all technology under Global Access. She had difficulty in seeing the differentiation between operational costs (telephone and communication) and the aggressive policy that targeted educational technology for instructional use. That was the original focus for going forward with a substantial request to the County Council. She thought it was in the school system's best interest not to clump everything together, particularly when the school system has experienced reductions in operational costs. What the school system does to keep down operational and communication costs would be different from ensuring that MCPS was making progress in introducing instructional technology. She asked for clarification on the very clear initiative and when the infusion of technology in the schools would be accomplished outside of maintenance issues. How does the school system evaluate where it is with that initiative? How close is the system to meeting its goals and equity in the schools? Dr. Glowa replied that the goals should be completed in 2004. Currently, all schools have the an access to the wide area network through Research and Learning Hubs, and thirty-one percent of the schools are Global Access schools. Training has taken place at the Global Access schools. The Office of Instruction and Program Development (OIPD) has been training teachers within content areas at schools and countywide.

Ms. Gutiérrez asked how the school system managed and planned for those resources. Dr. Glowa explained that within the Instructional Technology Support Team there are three units: (1) training; (2) support for OIPD; and (3) instructional television. Ms. Garel mentioned that there are capital projects such as furniture and equipment, wiring, and wide area network. The projects are tracked by expenditures and time lines using spreadsheets.

Ms. Gutiérrez pointed out that the report did not mention the federal dollars that would be available for schools and libraries, and she asked what the school system's strategy was for maximizing that funding. Ms. Marks replied that the 1996 Telecommunications Act required telecom services to fund schools and libraries at a discount based on FARMs. Staff will apply for these discounts as soon as the applications are available on the web site. Ms. Gutiérrez asked for the spreadsheets on the analysis of the cost savings as the result of discounts to school systems from the Telecommunications Act.

Mr. Felton asked what the mechanism was that allows the school system to change direction when different and more cost-efficient products become available. If software works for a major corporation, does the school system utilize those systems with minor modifications in order to save money? He wanted this information to instill confidence in the

community that the school system was efficiently expanding instructional technology. If Global Access schools have educational benefit from this technology within the classroom, there was a need to bring it into practical terms and deal with cost savings. Ms. Marks stated that staff will examine performance measurements that were developed with the county government's input to look at teaching and learning.

Ms. Signer thanked staff for the presentation and acknowledged the contributions of Mr. Walsh over the past several months. She was anxious to focus on how the school system infuses technology into the curriculum. She noted in the report that the school system was now infusing countywide workshops (high school) to network by subject area. She asked for more detail on how often these workshops were held, what subject areas, who teaches them, and when would that happen in middle and elementary schools. Dr. Glowa replied that at the high school level staff begins with countywide workshops in all the major content areas. Teachers come in and learn something new and, then, with the help of mentors apply it to what they will be teaching that semester. That has been done in English 9 and 11, physics, middle school math, and middle school social studies. This year staff started with middle schools using the interdisciplinary approach. The training materials are posted on FirstClass and the web site. Teachers can retrieve lesson plans at all grade levels where technology is utilized. The project that was being worked on was software whereby teachers can search and find a technology infused lesson plan.

Mr. Ewing was impressed by the progress that the school system had made in Global Access technology. This has been an enormous and complex undertaking by the school system. There are two basic justifications for this endeavor: (1) make business and support systems more efficient and less costly, and (2) improve instruction for teachers and students. He wanted to know when the school system could specifically assess the results of the investment in student learning. Given the enormous investment, what difference has technology made in student achievement? Dr. Hartzman replied that staff was defining research parameters and gathering data that would be used to assess the impact of technology on instruction.

Mrs. Gordon commented that the state has put into place the Skills for Success and a piece of that was technology. How closely aligned would MCPS be with the state's expected outcomes? Dr. Glowa replied that in working with teachers in helping them work with students, MCPS is very closely aligned. Any new course was examined by curriculum coordinators to use the state's factors to make sure the courses deal with the Skills for Success goals.

Ms. Gutiérrez requested an update on the Special Education Information System.

RESOLUTION NO. 742-97 Re: **CLOSED SESSION RESOLUTION**

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

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 sessions; now therefore be it

Resolved, That the Board of Education of Montgomery County conduct a portion of its meeting on Tuesday, January 13, 1998, from 8:30 to 10:00 a.m. and 12:00 to 2:00 p.m. to discuss personnel matters and other matters protected from public disclosure by law, to review and adjudicate appeals, and to address other issues including consultation with counsel to obtain legal advice; 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 Section 10-508 of the State Government Article; and be it further

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

Re: REPORT OF CLOSED SESSION

On October 27, 1997, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on November 11, 1997, as permitted under ' 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 November 11, 1997, from 8:30 to 10:00 a.m. and 1:30 to 2:25 p.m. The meeting took place in Room 120, Carver Educational Services Center, Rockville, Maryland.

The Board met to discuss personnel issues, negotiations, and legal matters with its attorney. The Board reviewed and adjudicated Appeal No. T-1997-66, Appeal No. T-1997-71, Appeal No. T-1997-74, Appeal No. 1997-27, Appeal No. 1997-28, Appeal No. 1997-29, T-1997-72, T-1997-73, and 1997-8.

In attendance at part or all of the above closed sessions were: Elizabeth Arons, Larry Bowers, Ray Bryant, Alan Cheung, Blair Ewing, David Fischer, Reggie Felton, Kathy Gemberling, Bea Gordon, Ana Sol Gutiérrez, Pat Hahn, Roland Ikheloa, Nancy King, Don Kopp, George Margolies, Brian Porter, Glenda Rose, Ruby Rubens, Steven Seleznow,

Larry Shulman, Mona Signer, Mary Helen Smith, Paul Vance, Debbie Wheat, and Arianna Wright.

On November 11, 1997, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on November 20, 1997, as permitted under ' 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 November 20, 1997, from 7:15 to 8:00 p.m. The meeting took place in Room 120, Carver Educational Services Center, Rockville, Maryland. The Board met to discuss a personnel issue.

In attendance at part or all of the above closed session were: Elizabeth Arons, Larry Bowers, Alan Cheung, Blair Ewing, David Fischer, Reggie Felton, Kathy Gemberling, Bea Gordon, Ana Sol Gutiérrez, Pat Hahn, Roland Ikheloa, Nancy King, George Margolies, Brian Porter, Glenda Rose, Ruby Rubens, Steven Seleznow, Mona Signer, Paul Vance, and Debbie Wheat.

On December 3, 1997, by consensus of the members present, the Board of Education conducted a closed session on December 3, 1997, as permitted under ' 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 from 8:35 to 9:50 p.m. at Ritchie Park Elementary School, Rockville, Maryland, to discuss negotiations.

In attendance at part or all of the above closed session were: Larry Bowers, Alan Cheung, Blair Ewing, Reggie Felton, Kathy Gemberling, Wes Girling, Bea Gordon, Ana Sol Gutiérrez, Pat Hahn, Nancy King, Don Kopp, George Margolies, Brian Porter, Steven Seleznow, Mona Signer, Paul Vance, and Debbie Wheat.

RESOLUTION NO. 743-97 Re: **APPOINTMENT OF MEMBERS TO THE MONTGOMERY COUNTY
ADVISORY COUNCIL FOR CAREER AND TECHNOLOGY
EDUCATION**

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Ms. Signer, the following resolution was adopted unanimously:

WHEREAS, On September 26, 1977, the Montgomery County Advisory Council for Career and Technology Education was established by the Board of Education; and

WHEREAS, The members of the Montgomery County Advisory Council for Career and Technology Education are appointed by the Board of Education; now therefore be it

Resolved, That the following persons be appointed to serve a three-year term beginning January 1, 1998, and ending December 31, 2000:

Judy Blumenthal
Janis Friedman
Yuchi Huang
Barry Locke

RESOLUTION NO. 744-97 Re: APPOINTMENT OF MEMBERS TO THE ADVISORY COMMITTEE ON COUNSELING AND GUIDANCE

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Ms. Signer, the following resolution was adopted unanimously:

WHEREAS, On October 22, 1973, the Advisory Committee on Counseling and Guidance was established by the Board of Education; and

WHEREAS, The members of the Advisory Committee on Counseling and Guidance are appointed by the Board; now therefore be it

Resolved, That the following persons be appointed to serve a two-year term effective January 1, 1998, and ending December 31, 1999:

Carol Emel
Betty Bracht
Beverly Obaseki
Terry Gnezda
Jean Haven
Gloria Canonico

RESOLUTION NO. 745-97 Re: CITIZENS ADVISORY COMMITTEE FOR FAMILY LIFE AND HUMAN DEVELOPMENT

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Ms. Signer, the following resolution was adopted unanimously:

WHEREAS, COMAR 13A.04.18 requires that local education agencies have a citizens advisory committee; and

WHEREAS, Montgomery County has had a Citizens Advisory Committee for Family Life and Human Development since 1970, consisting of representatives of various civic associations and religious groups, community members at large, and student representatives; and

WHEREAS, Membership on the committee is for a two-year term; now therefore be it

Resolved, That the following individuals be appointed to serve a two-year term, effective January 1, 1998, and ending December 31, 1999:

Val Hemming
Joseph Hurley
Alison McWilliams
Carole Owens

RESOLUTION NO. 746-97 Re: **APPOINTMENT OF MEMBERS TO THE MEDICAL ADVISORY COMMITTEE TO THE BOARD OF EDUCATION**

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

WHEREAS, The Medical Advisory Committee to the Montgomery County Board of Education has been active since it was reconstituted by the Board in 1972; and

WHEREAS, Membership on the committee is composed of representatives of organizations and associations named in the ~~A~~Statement of Purpose~~@~~ of the committee; and

WHEREAS, Members of the Committee are appointed by the Board of Education; now therefore be it

Resolved, That the Board of Education appoint the following individuals to serve a two-year term effective January 1, 1998, and ending December 31, 1999:

Douglas Pincock
Caroline Kursman
Pamela Montgomery

RESOLUTION NO. 747-97 Re: **APPOINTMENT OF MEMBERS TO THE MENTAL HEALTH ADVISORY COMMITTEE**

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

WHEREAS, On June 13, 1989, the Mental Health Advisory Committee was established by the Board of Education; and

WHEREAS, On June 10, 1993, the Board of Education amended the composition of the Mental Health Advisory Committee; and

WHEREAS, On April 8, 1997, the Board of Education accepted the Mental Health Advisory Committee's recommendation to increase the number of community-at-large representatives from three to six; and

WHEREAS, The members of this committee are appointed by the Board of Education; now therefore be it

Resolved, That the following persons be appointed to serve a two-year term effective January 1, 1998, and ending December 31, 1999:

Sheila Litwin
Deborah Kleiner
Mary Smith
Barbara Kupperman
Lavolia Mack-Miller
Matgaux Hoover
Koffi Sowe
Joseph Wilson
Karen Friedman
Craig Winslow

RESOLUTION NO. 748-97 Re: **APPOINTMENTS TO THE ADVISORY COMMITTEE ON MINORITY STUDENT EDUCATION**

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Ms. Signer, the following resolution was adopted unanimously:

WHEREAS, On May 14, 1991, the Board of Education revised the composition of the Advisory Committee on Minority Student Education; and

WHEREAS, The members are appointed by the Board of Education; now therefore be it

Resolved, That the following persons be appointed to serve for a two-year term effective January 1, 1998, and ending December 31, 1999:

Wai-Yee Chan
Patricia Puertas
Grace Gooray

RESOLUTION NO. 749-97 Re: **APPOINTMENTS TO THE ADVISORY COMMITTEE ON TECHNOLOGY USAGE**

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

WHEREAS, On October 12, 1993, the Board of Education established the Advisory Committee on Technology Usage; and

WHEREAS, The members of this committee are appointed by the Board of Education; now therefore be it

Resolved, That the following persons be appointed to serve a two-year term from January 1, 1998, through December 31, 1999:

Patrick Stingley
Kermit Burnett
Lynn DeGroff
Daniel Hayes
Carol Hyatt

RESOLUTION NO. 750-97 Re: **APPOINTMENT OF MEMBERS TO THE TITLE IX GENDER EQUITY ADVISORY COMMITTEE**

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Ms. Signer, the following resolution was adopted unanimously:

WHEREAS, On July 19, 1977, the Board of Education established the Title IX Gender Equity Advisory Committee; and

WHEREAS, The members of the advisory committee are appointed to serve a two-year term effective January 1, 1997, and ending December 31, 1998:

Resolved, That the following individuals be appointed to serve a two-year term effective January 1, 1998, and ending December 31, 1999; and be it further

Resolved, That the following students be appointed to serve until June 30, 1998:

Jenny Brody
Tracy Husted
Johanna Gnall
Adam Brenneman

RESOLUTION NO. 751-97 Re: **AUDIT COMMITTEE**

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

WHEREAS, On September 13, 1978, the Board of Education established an Audit Committee; and

WHEREAS, Eligibility for appointment to the Audit Committee is limited to members of the Board of Education whose remaining terms of office with the Board are equal to or greater than the terms for which they are appointed to this subcommittee; and

WHEREAS, The Audit Committee consists of three members, appointed by the president of the Board of Education, serving staggered terms of three years each, and the term of office begins on the date of the first all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Mr. Reginald Felton's term expired on November 30, 1997, and one vacancy now exists on the committee; and

WHEREAS, Mrs. Nancy King was appointed to serve until November 30, 1998, and Ms. Mona Signer was appointed to serve until November 30, 1999; and

WHEREAS, Mrs. Nancy King's term as chairperson expired on November 30, 1997; now therefore be it

Resolved, That Mr. Reginald Felton be appointed to serve until November 30, 2000; and be it further

Resolved, That Mrs. Nancy King serve as chairperson of the Audit Committee until November 30, 1998.

RESOLUTION NO. 752-97 Re: LONG-RANGE AND STRATEGIC PLANNING COMMITTEE

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

WHEREAS, On September 8, 1994, the Board of Education established a Subcommittee on Long-Range Planning; and

WHEREAS, On September 12, 1995, the Board of Education changed the name to Subcommittee on Long-Range and Strategic Planning; and

WHEREAS, Eligibility for appointment to the Subcommittee on Long-Range and Strategic Planning is limited to members of the Board of Education whose remaining terms of office with the Board are equal to or greater than the terms for which they are appointed to this subcommittee; and

WHEREAS, The Subcommittee on Long-Range and Strategic Planning consists of three members, appointed by the president of the Board of Education, serving staggered terms of three years each, and the term of office begins on the date of the first all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Mrs. Nancy King's term expired on November 30, 1997, and one vacancy now exists on the subcommittee; and

WHEREAS, Mrs. Beatrice Gordon was appointed to serve until November 30, 1998, and Mr. Blair Ewing was appointed to serve until November 30, 1999; and

WHEREAS, Mr. Ewing's term as chairperson expired on November 30, 1997; now therefore be it

Resolved, That Mrs. Nancy King be appointed to serve until November 30, 2000; and be it further

Resolved, That Mr. Blair Ewing serve as chairperson of the Subcommittee on Long-Range and Strategic Planning until November 30, 1998.

RESOLUTION NO. 753-97 Re: RESEARCH AND EVALUATION COMMITTEE

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

WHEREAS, On January 14, 1986, the Board of Education established a Subcommittee on Research and Evaluation; and

WHEREAS, Eligibility for appointment to the Subcommittee on Research and Evaluation is limited to members of the Board of Education whose remaining terms of office with the Board are equal to or greater than the terms for which they are appointed to this subcommittee; and

WHEREAS, The Subcommittee on Research and Evaluation consists of three members, appointed by the president of the Board of Education, serving staggered terms of three years each, and the term of office begins on the date of the first all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, By Resolution No. 24-97, the Board expanded the membership of the subcommittee on a one-time basis to include an additional member; and

WHEREAS, Mr. Reginald Felton's term expired on November 30, 1997; and

WHEREAS, Ms. Ana Sol Gutiérrez was appointed to serve until November 30, 1998, and Dr. Alan Cheung and Ms. Mona Signer were appointed to serve until November 30, 1999; and

WHEREAS, Dr. Cheung's term as chairperson expired on November 30, 1997; now therefore be it

Resolved, That Ms. Ana Sol Gutiérrez serve as chairperson of the Subcommittee on Research and Evaluation until November 30, 1998.

RESOLUTION NO. 754-97 Re: STUDENT BOARD MEMBER ELECTION PROCESS

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mr. Felton, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve the calendar of major events for the election of the twenty-first student member of the Board of Education, as proposed by the Montgomery County Region of the Maryland Association of Student Councils.

Re: STUDENT SERVICE LEARNING HOURS FOR STUDENT MEMBER OF THE BOARD

On motion of Ms. Wheat and seconded by Mrs. Gordon, the following resolution was placed on the table:

WHEREAS, Pursuant to section 13A.03.02.03 of the Code of Maryland Regulations, the State Board of Education requires that all students complete a locally designed program in student service learning, as a requirement for graduation; and

WHEREAS, The Montgomery County Public Schools has implemented this requirement through Administration Regulation ISB-RA, defining student service learning as Aunpaid activity within the curriculum, school, or community that provides service to an individual or group to address a school or community need@and further provides that any such activity Amust be developmentally appropriate and meaningful to the student@, and

WHEREAS, The Student Member of the Board of Education provides countless hours of on-going service--to his or her fellow students, to his or her fellow Members of the Board of Education, and to the school system as a whole--without compensation; now therefore be it

Resolved, That every Student Member of the Board of Education who completes his or her term of office shall be awarded 100 hours of student service learning credit; and be it further

Resolved, That these hours shall be reflected on the Student Member=s official transcript and in his or her cumulative file.

Re: DISCUSSION

Mrs. Gordon pointed out that there have been occasions when student Board members have not been available to carry out the complete responsibilities of their term. She would like to add to the first *resolved* Aif that student has performed at least 100 hours.@

Ms. Wheat stated that her fellow colleagues get paid regardless of attendance with no added qualifications. If a situation occurs where a student has not completed their term, action can be taken at that time without amending the resolution.

Mrs. Gordon offered the following as a friendly amendment:

Resolved, That every student member of the Board of Education who completes his/her term of office shall be awarded a minimum of 100 hours of student service learning credit so long as they have served at least 100 hours.

Dr. Cheung observed that the resolution mentions specific numbers, and it is important that there was accountability. The Board staff could account for the number of meetings that the student Board member attended.

Mr. Felton commented that rather than lock it into 100 hours, he thought Ms. Wheat's concern was to get the appropriate recognition. He would rather that student Board members shall be given credit per hour of service on the Board.

Mrs. Gordon withdrew her amendment.

RESOLUTION NO. 755-97 Re: AN AMENDMENT OF THE STUDENT SERVICE LEARNING HOURS FOR STUDENT MEMBER OF THE BOARD

On motion of Mr. Felton and seconded by Dr. Cheung, the following amendment was adopted unanimously:

Resolved, That every Student Member of the Board of Education who completes his or her term of office shall be awarded hours served (as documented) on the Board of Education for student service learning credit.

RESOLUTION NO. 756-97 Re: STUDENT SERVICE LEARNING HOURS FOR STUDENT MEMBER OF THE BOARD

On motion of Ms. Wheat and seconded by Mrs. Gordon, the following resolution as amended was adopted unanimously:

WHEREAS, Pursuant to section 13A.03.02.03 of the Code of Maryland Regulations, the State Board of Education requires that all students complete a locally designed program in student service learning, as a requirement for graduation; and

WHEREAS, The Montgomery County Public Schools has implemented this requirement through Administration Regulation ISB-RA, defining student service learning as Unpaid

activity within the curriculum, school, or community that provides service to an individual or group to address a school or community need and further provides that any such activity must be developmentally appropriate and meaningful to the student, and

WHEREAS, The Student Member of the Board of Education provides countless hours of on-going service--to his or her fellow students, to his or her fellow Members of the Board of Education, and to the school system as a whole--without compensation; now therefore be it

Resolved, That every Student Member of the Board of Education who completes his or her term of office shall be awarded hours served (as documented) on the Board of Education for student service learning credit; and be it further

Resolved, That these hours shall be reflected on the Student Member's official transcript and in his or her cumulative file.

Re: **FINAL ACTION ON POLICY IID: SELECTION AND AIRING OF PROGRAMS ON MCPS EDUCATION CHANNELS**

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Mr Felton, the following resolution was placed on the table:

WHEREAS, The superintendent has the responsibility for programming on the MCPS Education Channels; and

WHEREAS, There are requests to air programs on the MCPS Education Channels that are produced by individuals outside of the MCPS Instructional Television Unit that require a consistent means of processing and airing the requests; and

WHEREAS, The Board of Education received an appeal regarding a decision by the superintendent not to air a program on the Education Channels and, as a result, the Board of Education requested the superintendent to develop a policy to govern discretion in the selection of materials for broadcast on the MCPS Education Channels; and

WHEREAS, Staff prepared a policy analysis recommending a separate policy governing this issues; and

WHEREAS, On September 9, 1997, the Board of Education discussed the policy analysis and took tentative action on the draft Policy IID, *Selection and Airing of Programs on MCPS Education Channels*; and

WHEREAS, The tentatively adopted draft policy was sent out for public comment; now therefore be it

Resolved, That the Board of Education take final action to adopt Policy IID, *Selection and Airing of Programs on MCPS Education Channels*, as amended; and be it further

Resolved, That the Board of Education requests the superintendent to bring to the Board for approval the regulations, guidelines, and procedures for Policy IID by March 1, 1998, and that the superintendent be given the authority to make the determination in the interim to allow for live broadcasting.

Re: **DISCUSSION**

Mrs. Gemberling invited the following people to the table: Dr. Elizabeth Glowa, director of the Instructional Technology Support Team; Dr. Pam Splaine, coordinator of the Policy and Records Unit; and Judith Bresler, Esq., general counsel.

Mrs. Gemberling stated that the Board of Education had requested the Superintendent to develop a policy to govern the selection of materials for broadcast on the MCPS education channels. A draft of the policy IID, *Selection and Airing of Programs on MCPS Education Channels*, was presented to the Board on September 9, 1997, the policy was sent out for public comments, and the policy was ready for final action by the Board. There appears to be some confusion in the public's comments and written letters regarding whether the policy extends to programs beyond those that are reviewed for public broadcasting on the MCPS educational channels and whether it allows for live programming. This policy applies only to programs that are viewed for public broadcasting on the MCPS education channels, and not to the local schools or broadcasts. It also clearly allows the broadcast on the MCPS education channels of both live and taped programs.

Ms. Bresler gave the legal framework of the policy and general background. The policy decision centers on two questions: (1) what are the nature and purpose of the two MCPS education channels now, and (2) what does the Board want for those stations in the future? Those are both policy decisions and within the Board's authority to define. With respect to the first question, the Board was very clear in the nature and purpose of those stations in its opinion on this issue and in which the Board requested the Superintendent to develop guidelines. The Board drew a very clear distinction between forums that were designed primarily to serve as a platform for student speech to which the Student Rights and Responsibilities Policy applied, and the school system's cable channels where the Board said clearly, "The Superintendent and his staff retain the right, as with any instructional materials used by the school system, to review, analyze, and evaluate educational materials or medium in order to determine their appropriateness for inclusion in the overall curriculum. This right extends with particular emphasis on cable channels allocated to the school system by the county." So, the Board has defined for the present the role of these stations, and the role of these stations was, in effect, an extension of curriculum. That is a very specific, very

tailored function, and that it was subject to the same judgments as for inclusion of materials in the curriculum. There certainly is a long line of cases that uphold and describe the school board's authority across the country to establish and implement curriculum. The purpose of this channel was primarily as an extension of curriculum and to share information about the school system. The lack of clarity about television broadcasts has caused confusion and people have viewed it differently. The opinion directed the development of a policy to govern the Superintendent's discretion in the selection of future materials for broadcast. This was based on the Board's view that the Superintendent must retain the power to control the content, quality, timing, and sequence of the educational curriculum.®

The second question is, what sort of role does the Board want in the future. There is no requirement that the Board create an open forum for its channels, a limited open forum for its channels, or a closed forum for its channels. Those all have different legal analyzes. The important point from a policy standpoint is what role does the Board as an entity want those channels to play in the future with respect, not only to the students and staff, but to the public and what the public expects. This, unlike a student newspaper as the Board pointed out in the opinion, has an audience that is not limited to the reach of the school newspaper. More like school plays, for example, where the audience can have a whole range of ages, the audience for cable television has a whole range of responses. The standard, whatever role the Board wants these stations to play when that gets defined by the Board as a policy manner, will apply to all the programming decisions that are made regardless of whether it is submitted by students, staff, or commercial entities. The guidelines will govern these selections across the board for these stations unless the Board makes other restrictions.

Ms. Glowa reported that in developing the policy a number of points were considered: (1) due to the numbers of the requests to programs and the variety of programs available, there must be a process to govern the selection of materials to be broadcast on the MCPS education channels; (2) in keeping with the mission of the education channels and with the April Decision and Order by the Board, the policy was drafted to support the concept that programming should reflect and further the educational mission of the school system; and (3) the MCPS education channels are an MCPS entity, not a school-based entity; therefore, the student rights and responsibility policy as written does not govern what should be shown on the education channels. This policy only governs the programs that will be reviewed for public broadcast on the channels and does not pertain to any other programs or broadcasts.

This policy allows for both taped and live programming. The policy was developed and reviewed by a variety of stakeholders, including the work group that was established last September by Mrs. Gemberling. That group consisted of school-based media specialists, teachers, administrators, student representatives, representatives from MCCPTA, MCEA, MCAASP, MSDE, and central office staff. That group did a tremendous amount of work in trying to grapple with some of the questions about technical and content quality. The work of that group will be reflected in the regulations that will be developed after the policy has been adopted by the Board.

Ms. Signer stated that she supported the policy on September 9 when the Board approved it tentatively and sent it out for comment, but she did not intend to support it for final action. She understood the distinction that Ms. Bresler had drawn between written expression and expression on the cable channels, and, in particular, what the Board had said in its opinion that the education channels were an extension of the curriculum and that it can be used to provide information about the school system. She agreed that it is both of those things. Where she failed to see a distinction is when prior approval is given to students; for example, to publish a newsletter. The school system, then, has no basis to control the content of forms of expression. The policy analysis that the Board received on September 9 relied primarily on two cases: *Muir v. Alabama Educational Television Com'n* and *Hazlewood School District v. Kuhlmeier*. She read the cases and discussed them with an attorney. In *Muir*, in particular, the policy analysis was described as a case that addressed the topic of an institution's right to exercise its editorial discretion regarding what programs it would air. But, in fact, the crux of the case was whether or not viewers had a First Amendment right to compel a station to broadcast a program. With respect to *Hazlewood*, it was described in the policy analysis as a case that shows that educators to not offend the First Amendment right by exercising editorial control over the style and content of student speech in school-sponsored expressive activities so long as their actions are reasonably related to legitimate, pedagogical concerns. But, in fact, in that case the censorship was allowed because the newspaper article included interviews with students who were minors and, therefore, could not waive their legal right to privacy. That is the basis on which the censorship was held. The standard of legitimate pedagogical concerns was in her view no standard at all.

As the Fourth Circuit Court of Appeals pointed out in *Boring v. Buncombe County Bd. of Educ.*, legitimate pedagogical concerns might bar many of the classics, such as the Iliad and the Odyssey and even parts of the Bible from discussion in schools. The issue of the policy on student rights and responsibilities was raised, and, in fact, the Board asked for a policy because it specifically said that the policy on student rights and responsibilities does not apply to programming on the education channels. Ms. Signer had pulled a copy of Regulations JFA-RA, which had been revised. Given the fact that the Board has said the policy does not address educational programming, she was more than surprised to see that the regulations have been revised to include televised programming, and, in particular, they have been revised in such a way as to allow much greater censorship in written expression and, in this case, added to include televised expression. For example, MCPS can disapprove either TV programs or written communications from students (newsletters, for example) if the content or activity is in violation of law or MCPS policies or regulations or if it associates the school with any position other than neutrality on matters of political controversy. That is so repressive that she was astonished that the school system would even consider regulations of that type. The Board needs to be clear, if this policy applies to

programming on the education channels, the school system does not need a separate policy. She planned to ask that the policy and regulations be revised and submitted to the Board for approval. If the Board approves a new policy, these regulations should not be used to include programming on the education channels. In either case, Ms. Signer would not support the policy that was on the table because, she thought, it can be used for the purposes of broad censorship, not just for students, but for the public at large who might elect to have programs on the education channels.

Mr. Felton had some similar concerns. He thought it was always difficult when the Board had a policy, which on its face may appear to be reasonable, with an expectation on how the regulations would be drafted. He had the same reaction when he saw the regulations, and over the last few weeks he had received calls and held dialogues with students, parents, and community officials. Until he read the regulations, he did not fully understand or appreciate the concern which certainly appears in their view censorship. He preferred that the purpose of the policy would make it clear that there was a commitment on the part of the Board to air tape and live programs. When he looked at the draft regulations, it made him very uncomfortable to use terms such as "posses a potential" or "might reasonably." He would support a policy that clearly supports both taped and live programming with the requirement for guidelines as discussed by the Board. He needed to be more comfortable about how those guidelines would be developed. Again, from a parent's perspective, the assumption would be that the advisors within the school would work very closely with students as the applications are submitted and scripts are developed for airing. Therefore, it was hard for him to assume that MCPS was out of control unless there is language that has been put into the regulations. He would support the policy with the modifications mentioned, and the regulations be suspended immediately. He did not think that deferring the policy would help because there have not been any live productions for many weeks.

To refresh the Board's memory, Mrs. King read the Decision and Order on Page 6, "Therefore, the Board of Education believes that the October 15 program should be aired, but with appropriate explanatory materials preceding the broadcast that explains the circumstances under which it came to be aired. While the Board is directing that the program be broadcast, it directs the Superintendent to develop promptly a clear policy for review and approval by the Board which will govern his discretion in the selection of future materials for broadcast. Pending the adoption of such policy, the channels should not be utilized for the airing of live student-produced programs, and taped student-produced programs should only be broadcast after determining that the airing of such programs would further instructional goals of the school system." The vote was four to three.

Ms. Gutiérrez agreed with the comments made by both colleagues. She thought the policy on the table was not ready to be approved by the Board. There were inconsistencies with

linkages that need to be clarified before the Board moves forward on this policy. There was another issue that, perhaps, was more important based on the way the school system had proceeded to revise the student rights and responsibilities policies. She thought that the regulation clearly went in a direction that the Board had never discussed and never fully analyzed its implications. It went from a policy that was supportive of a very creative and open spirit under which the Board wants the instructional programs to be carried out, to one that was a more controlled review and used a censored approach. There is no doubt, and Ms. Signer had pointed it out, that the law has been interpreted very differently from the position of the Board. Before the Board decides on a direction, it needs to have a full discussion at the Board table. She was very concerned with what the regulations currently state to students, and how that links to what should be addressed and not addressed in Board policies.

Also, she was concerned about the Board policymaking process. The Board worked long and hard several years ago to ensure that at least policymaking, which is the primary function of the Board, was done in a very full, deliberative manner with lots of analysis before it made any policy decisions. Board members have to remind themselves that this is, perhaps, the most important thing it does. She was concerned when she saw guidelines, forms, regulations, and procedures in place that actually implement something that the Board has not decided that it wants to implement. It is reversed from the order that it should be done. She looked over what the task force did and the forms the Board has before it. Now, the Board was being backed into a corner of saying that with this policy, it implements the regulations. These are some key issues that need to have more discussion, not only with the Board, but also with the broader community. She thought the Board should have a discussion on the implementing regulations on the student rights and responsibilities.

Ms. Gutiérrez remarked that counsel had summarized what the discussion was on the case of *Shades of Grey*, and one can get into the legalese of the different interpretations. Basically, what the Board did, was reverse the Superintendent's decision. The Board did not agree with the way that case was handled, and did not agree with the direction in which that moved. That was a major decision, and it was not done lightly or hurriedly. It was done with a lot of deliberation. She sensed that it did not matter that the Board had given that message, and the school system was going ahead with more restrictions and censorship. She would not support the policy on the table.

Mr. Ewing believed that the proposed policy was largely consistent with the Board's directions given on a couple of occasions. That does not mean that people cannot change their minds, but it does mean that the basic thrust of the policy draft was consistent with what the Board asked for. With respect to the *Shades of Grey* decision, the crucial factor there was that the Board felt that program should be shown because, to refuse to do so in the absence of clear policy that governed live programming, the Board had no solid basis, nor did the Superintendent, for prohibiting the airing of the program. That was why the

Board asked for a policy, and, that is why the Board ordered no more live programming until a policy was adopted.

Mr. Ewing thought the concern over regulations was perfectly legitimate. That was a very delicate area that deals with First Amendment issues. The Board could deal with that by adding a *resolve* to the existing resolution stating that the Board wishes to review and, if necessary, act on the regulations implementing the policy. The Board always has the option to do that.

There are many restrictions in law and in government regulations on the actions and options of young people. There are laws that limit voting, service in the Armed Forces to persons of a certain age, driving cars, school attendance, and protect juveniles, as in the case of juvenile justice from adult penalties. All of these restrictions or protections are based on the proposition that young people, who must reach a level of growth and maturity, before they can perform fully as adult members of a society with all the rights and responsibilities. How was the issue of television production in MCPS like or unlike these restrictions? What impact does the First Amendment right of free speech have there? Does the law and legal precedents embodied in court decisions establish that students have untrammelled free speech rights? He thought the answer was that they do not and are limited in several ways.

But, it seemed to him that there was an argument that, when a school system is dealing with students and their rights, it has to be very careful about making sure those rights are protected. Also, the school system has rights of its own on what can be said. In the draft guidelines, there was a list of standards under (B) Content Standards, and those speak to a number of criteria for making decisions about what is unacceptable such as endangering the health and safety of students, language that is obscene, and language or content that is libelous or slanderous, content or language that condones acts of disrespect, and sensitivity bias. With respect to all of that, are those standards any different from any other limits on the exercise of free speech under the First Amendment? Ms. Bresler responded that the Supreme Court has held that within the school setting, regardless of whether the speaker was a student or someone else, disruption to the school and the operation of the schools was paramount.

Mr. Ewing remarked that when one obtains an educational TV channel, there is an agreement or franchise that states what the purpose of the channel is to be. MCPS purpose is educational, and has been defined as providing information about the school system and extending the curriculum, among other things. From that, the school system derives the authority to decide what can be programmed. The letter the Board received from the executive director of Montgomery Community Television stated that it was consistent within industry programming models to expect oversight, review, and accountability for the content of cable programming. Again, it is a very delicate area where the school system has to be extraordinarily careful not to take actions that will have a deleterious effect on student learning, and, at the same time, retain the authority that goes

with operating an educational TV channel. The policy statement largely walks that line reasonably well. He felt strongly that the Board needed to move ahead with a policy that deals with these issues in a way that resolves them in order to have student programs aired, as appropriate, on the education channels.

Dr. Cheung stated that when he looked at the issue and the proposed policy, he had no difficulty with the policy because the Board had directed the Superintendent to develop a policy. As the Superintendent has indicated, it allows for live programming and applies to all county high school television programming. It also requires the review of the content, and that was where the problem lies. As he saw it, the school system is an educational system, and students are taught by teachers and the teacher has the responsible for accountability. Whatever the teacher thinks is important to teach and help the students learn, he would support and defend. The proposed regulation was slightly restrictive and, if he were a teacher, he would be offended. He had no problem with the policy, but the regulation should be submitted to the Board for its review and approval.

Mrs. Gordon was prepared to adopt the policy with some additional clarification as to the commitment to air live and taped programs. She supported what both Mr. Ewing and Dr. Cheung had said. The Decision and Order that the Board adopted eliminated all live broadcasting; therefore, there will be no live broadcasting until a policy was adopted. Her preference was to adopt the policy, ask the Superintendent to develop the regulations, and guidelines and bring them to Board for its review. While that is not the usual process, it is certainly not out of line with what has been done in similar circumstances.

RESOLUTION NO. 756-97 Re: **AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATION CHANNELS**

On motion of Mrs. Gordon and seconded by Mr. Felton with a friendly amendment by Mr. Ewing, the following amendment was adopted unanimously:

Resolved, That the Board of Education amends Policy IID: Selection and Airing of Programs on MCPS Educational Channels at A. (Purpose) and D. (Desired Outcomes) to read:

To affirm the Board of Education commitment to air **live and taped** programs on the Education Channels

A consistent process is used as the basis for selecting programs to be aired **live or on tape** on the MCPS Education Channels.

Re: **DISCUSSION**

Ms. Wheat asked about the content of programs aired on the education channels and how they would support the educational goals of MCPS and/or provide information regarding the school system to the community. Dr. Glowa replied that in supporting the educational goals of MCPS or providing information about the school system, it is related back to the educational mission of the school system.

Ms. Wheat asked if the policy passed, what would that review entail? Would it be a specific script of what is going to happen? Would it just be a title of the show, and what the show is supposed to be about? How specific does that need to be? Dr. Glowa stated that Ms. Wheat asked very good questions, and, at the present time, regulations or guidelines had not been developed for implementing the policy; however, there was a draft that came out of the work group's report.

Ms. Wheat remarked that although the policy did not specifically say there would be no live or taped broadcasting. She asked staff to describe what the review in this policy would entail, when that would need to happen, and what the timeline for that would be? Dr. Glowa responded that that extends beyond the policy. There was a work group that met for several months that really debated a lot of the issues around the content.

Ms. Wheat stated that the reason that the policy concerned her was that the students from Blair did not do anything wrong. They did not have a policy to follow, and there was not a problem until it was something that was controversial. She thought that it is unfair to expect the students to be mature and responsible in some aspects of their lives and not in others. This policy would narrow what they can and cannot do. The programs that schools have done have been balanced, fair and, educational. The students testified, and no one listened to their concerns.

Mr. Felton asked if the Board wanted to have criteria that applied in the interim, was that possible? Can MCPS have interim guidelines for the Superintendent? Mr. Margolies responded that the Board could: (1) incorporate Section 3, or (2) pass a resolution to do something in the interim.

RESOLUTION NO. 757(a)-97 Re: **AN AMENDMENT TO THE FINAL ACTION ON POLICY IID: SELECTION AND AIRING OF PROGRAMS ON MCPS EDUCATION CHANNELS**

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

Resolved, That the Board of Education amends Policy IID: Selection and Airing of Programs on MCPS Educational Channels at E. 3.:

Regulations to implement this policy, **including the guidelines referred to above**, will be developed as needed, subject to approval by the Board.

Re: **DISCUSSION**

Ms. Signer asked if the Board deferred the policy, can it still lift the ban on live programming? Ms. Bresler replied the Board could do that. Ms. Signer pointed out that the policy on student rights and responsibilities limits only speech that is obscene, libelous, or would endanger the health or safety of students. She asked what was the rationale for expanding the limits in the regulations that implement policy? Are these regulations, which have been changed, going to be the regulations that implement the policy that was before the Board or will there be a new set of regulations? If there will be a new set of regulations, why does this set of regulations speak to it as well? Ms. Bresler remarked that that was her question for the Board. Is it the Board's direction to have the system's education channels programming standard be the same as that that governs school-sponsored publications that are designed to be a forum for students? Does the Board want that same standard to apply? Does the Board want to maintain that distinction or does the Board want one set of regulations that would govern both, student programming on the local stations or in the schools?

Ms. Signer said that the first part of her question was, what was the rationale for expanding the limitations? Ms. Bresler stated that she recalled that idea was to update the guidelines to take into account changes that had occurred in First Amendment law since the original draft.

Ms. Gutiérrez pointed out that there were inconsistencies, and the Board does want to apply one set of standards and rules for the education channels programming and another set for the way it deals with students. They should be complimentary and supportive.

Mrs. Gordon hoped that the Board would keep a delineation between the school's and the system's television channels broadcasts. In the Decision and Order, the Board was clear about that. There are a number of system publications that MCPS does not offer to

students, teachers, or members of the public. There is more local flexibility if it is kept separate because, what may be appropriate at a school level, may not be appropriate at the system level. Her suggestion was that the Board keeps the two separate.

Re: **AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATION CHANNELS (Failed)**

On motion of Mr. Ewing and seconded by Mrs. Gordon, the following resolution to be added to the green sheet failed with Dr. Cheung, Mr. Ewing, and Mrs. Gordon voting in the affirmative; Mr. Felton, Ms. Gutiérrez, Mrs. King, Ms. Signer, and Ms. Wheat voting in the negative:

Resolved, That until the Board has reviewed and acted on regulations to implement this policy, no other regulations governing this area shall be in effect.

Re: **AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATION CHANNELS**

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

Resolved, That the Board of Education defers a vote on Policy IID, reinstates live programming, suspends JFA-RA, 3.a, and uses JFA-RA 3.b as interim guidelines.

Mrs. Gordon called for a point of order. The Board has a policy before it, and at the same time the Board was trying to take action on regulations that govern another policy. That is totally out of procedural order.

Mrs. King asked if the Board could vote on this policy as it has been amended?

Ms. Signer answered that the Board could, but there were a number of Board members who are uncomfortable with this policy. She did not want to push into approving a policy because one of the Board members had to leave for another Board commitment.

Mrs. Gordon responded that since she was the Board member who was being talked about and had to represent the Board in Annapolis on a funding issue. She wanted to rush this through because it was an issue that needed to move toward closure. The Board cannot do anything with guidelines, regulations, live broadcasts, tape broadcasts, or anything until it passed a policy. The Board cannot direct the Superintendent to develop regulations until it

has a policy upon which the Superintendent can make that recommendation. It had absolutely nothing to do with the fact that she had to be in Annapolis. It had to do with the fact that this issue had been going on since the last school year, and students were in limbo until the policy was adopted.

Prior to calling the vote on Mr. Felton's motion, Dr. Cheung stated that the Board should not do it. First, it is not clear; and second, the Board is micro-managing at this point. The Board establishes policy first, and then, it looks at the regulations proposed by the Superintendent.

Mrs. Gordon asked that the chair rule on procedure, i.e., can the Board review and take action to suspend the regulations that are not relevant to the policy currently on the table? Mr. Margolies responded that it was in the eyes of the body whether it was relevant or not. In Mr. Ewing's most recent proposed *resolve*, which was defeated, spoke about a relationship between the policy and what the Board saw as inconsistent language in the existing regulation, would be in order. The Board always has the authority to exercise oversight of the school system and direct the Superintendent to do or not to do something as far as implementing regulations. However, there was a fundamental issue of notice to the Board members as to whether or not the Board was prepared to vote on that subject. Again, he thought Mr. Ewing's motion was in order which brought in JFA-RA.

For clarification, Mr. Felton asked if the Board simply defers policy and lifts the ban and restrictions, that would not be in order? Mr. Margolies replied that that was in order.

Mrs. Gordon stated that in order to take action on a policy, Board members have to be given notice in advance that it would be reviewing another policy. That did not occur in this case. Those regulations go with a different policy, and they are not the regulations for this policy.

Mr. Felton stated that the resolution would simply serve as criteria in the interim of this policy.

Mrs. Gordon disagreed because it was to suspend the regulations.

Ms. Wheat asked if the Board passed the policy, what regulations will govern the live programming that will happen?

Mr. Felton stated that he had proposed 3.B. as an interim guideline.

Mrs. Gordon reiterated that there would be no guidelines until the Board adopted the policy, and the amendment directs the Superintendent to develop regulations to implement the policy and forward them to the Board for review.

Mr. Felton said that unless the Board added another *resolve*, the school system applies 3.b.

Ms. Signer pointed out that Ms. Bresler had said that the Board could do that. Did she not say that the Board could temporarily defer the policy, suspend the regulations, and reinstate live programming using 3.b. ?

Re: **AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATION CHANNELS (Failed)**

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

Resolved, That the Board of Education defers a vote on Policy IID, reinstates live programming, suspends JFA-RA, 3.a, and uses JFA-RA 3.b as interim guidelines.

Re: **AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATION CHANNELS (Failed)**

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

Resolved, That the Board of Education adopts the Policy IID, as amended.

Re: **AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATION CHANNELS (Failed)**

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

Resolved, That the Board of Education requests that the superintendent utilize in the interim, until such time as the Board adopts regulations, a regulation identical to those in the students rights and responsibilities governing this area.

Re: DISCUSSION

Mr. Ewing stated that would permit the Board to take action on the policy and would permit on an interim basis, as Mr. Felton suggested, to put in place a mechanism to serve as a guide. That might change when the Board adopts the regulations.

Ms. Gutiérrez thought it was too broad to say the school system would apply the regulations as they are. The Board has a previous new business item to vote on immediately after this item that would bring forth the regulations that are applicable or not applicable in this case. It would bring Regulation JFA-RA before the Board for review.

**Re: AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATION CHANNELS**

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

Resolved, That the Board of Education permit live programming and use the language of Paragraph 3.b. as an interim guideline.

Re: DISCUSSION

Dr. Cheung reiterated that if the Board wanted live programming, it should support the policy on the table. The Board was concerned about the student rights and responsibilities policy, and the Board has begun to work on it at the table. Dr. Cheung and some other Board members were not ready to proceed in that fashion.

Mr. Ewing thought the motion was out of order because the Board does not have a policy, and, in the absence of a policy, it does not have a basis for a regulation. He understood the notion of interim, but an interim regulation in the absence of a policy would be a mistake.

**Re: AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATION CHANNELS**

On motion of Mr. Ewing and seconded by Dr. Cheung, the following substitute motion was placed on the table:

Resolved, That the Board of Education directs the superintendent to utilize as an interim regulation, until the Board acts on regulations, Section 3.b. from the Student

Rights and Responsibilities regulation to govern the selection and airing of programs on MCPS education channels.

Re: **DISCUSSION**

Mr. Ewing indicated that this motion would approve the policy as amended with this additional resolution.

Mrs. Gordon asked staff to clarify what was to be voted on. There are two different things here that are significantly different with 3.b.

Ms. Signer asked if Mr. Ewing's motion suspended Section 3.a. of Regulations JFA-RA.

Mr. Ewing stated that it did not suspend Section 3.a. of Regulation JFA-RA. It does not deal with that at all because that was covered by another policy.

Re: **AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATION CHANNELS (Failed)**

On motion of Mr. Ewing and seconded by Dr. Cheung, the following substitute motion failed with Dr. Cheung, Mr. Ewing, Mrs. Gordon, and Mrs. King voting in the affirmative; Ms. Gutiérrez, Mr. Felton, Ms. Signer, and Ms. Wheat voting in the negative:

Resolved, That the Board of Education directs the superintendent to utilize as an interim regulation, until the Board acts on regulations, Section 3.b. from the Student Rights and Responsibilities regulation to govern the selection and airing of programs on MCPS education channels.

Re: **AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATIONAL CHANNELS**

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

Resolved, That the Board of Education defers final action on Policy IID and requests that the Board officers reschedule the item on a future agenda.

Re: DISCUSSION

Mrs. Gordon pointed out that the deferral means no live broadcasting until the Board adopts a policy sometime in the future and until those guidelines, regulations, procedures are in place.

Ms. Signer offered this motion because there was no unanimity on the Board, and there was not a majority to take action one way or another.

**Re: AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATIONAL CHANNELS (Failed)**

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

Resolved, That the Board of Education defers final action on Policy IID and requests that the Board officers reschedule the item on a future agenda.

**Re: AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATION CHANNELS**

On motion of Mrs. Gordon and seconded by Dr. Cheung, the following resolution was placed on the table:

Resolved, That the superintendent brings to the Board for its approval the regulations, procedures, and guidelines associated with the adoption of Policy IID by March 1, 1998.

Re: DISCUSSION

Mrs. Gordon stated that she was offering this motion as a way for the Board to move forward. If Board members were going to vote for the amendment, and, then, there will not be five people to adopt the policy, then it really serves no purpose. She was trying to move it forward and by March 1 there would be something in place for the Board to act upon.

Mr. Felton stated that he could support the resolution if, in the interim, the Board permitted live broadcasting.

Dr. Cheung replied that was in the policy.

Mrs. Gordon said that was not what her motion stated. The Board amended the policy to request the Superintendent to bring those things to the Board for approval.

Mr. Ewing moved to amend the motion to ask the Superintendent in the spirit of the Board policy to develop interim guidelines and/or regulations that permit live broadcasting.

Mrs. Gordon thought that would be up to the Superintendent and his interpretation of the spirit of the policy.

Mr. Felton did not understand the reluctance to permit live broadcasting in the interim.

Mrs. Gordon asked if the Board permits live broadcasting, who determines what will be broadcast live?

Mr. Felton replied that he was offering Section 3.b. from Regulation JFA-RA as a guide in the interim.

Ms. Gutiérrez pointed out that there have to be guidelines already in place because MCPS has had live programming for years; it was not as if the school system is silent on this issue.

Mrs. Gordon stated that she was willing to amend her resolution. She wanted to know if the Superintendent would be the person or entity who determines what is broadcast live or will every request for a live broadcast automatically be approved? Who would it be that the Board was going to give the authority to in order to make the determination of whether something was broadcast or not?

Ms. Gutiérrez thought it would be the way it had been.

Mr. Felton suggested the Superintendent or his designee.

Mrs. Gordon replied that that leaves the option that the Superintendent can say no. The point she was trying to get at was, just because someone comes and says, "I want to do a live broadcast," it does not mean that the Superintendent would be bound by this action to allow that. The Superintendent would use his discretion, the same discretion that the Board gives to the Superintendent to make that determination about whether that will be broadcast live or not. If in the Superintendent's discretion he says no, then it is no until March 1 when the Board gets the guidelines. Mrs. Gordon restated that her part of the motion was that the Superintendent would bring to the Board by March 1 whatever it was the Board directed him to bring, and Mr. Ewing's part was something about the spirit.

Mr. Ewing stated that the Superintendent be directed to establish interim guidelines to permit live broadcasts and, he would add, the Superintendent would be responsible for making the decisions about live broadcasts in the interim until the regulations are adopted.

Mr. Felton thought that he had added 3.b.

Dr. Cheung thought the Board would like to have live broadcasts. Also, the Board members know that the Board was responsible for making policy not regulations. However, the Board can ask the Superintendent to make regulations for it to approve and review. What he was hearing was, not only did the Board want to make policy, it wanted to bring in regulations from other places. That was a bad practice. Mr. Ewing and Mrs. Gordon were trying to suggest something in the interim that was still part of the policy process. Dr. Cheung thought that including 3.b. definitely was not part of the policy process. The community understands that it will be able to do live programming, and the Superintendent has the responsibility to approve and review those programs. Therefore, the Board has to depend on and trust the Superintendent's judgment.

**RESOLUTION NO. 758-97 Re: AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATION CHANNELS**

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

Resolved, That the superintendent brings to the Board for its approval the regulations, procedures, and guidelines associated with the adoption on Policy IID by March 1, 1998; and be it

Resolved, That the Board asks the superintendent in the spirit of the Board policy to develop interim guidelines and/or regulations that permit live broadcasting.

**Re: AN AMENDMENT TO THE FINAL ACTION ON POLICY IID:
SELECTION AND AIRING OF PROGRAMS ON MCPS
EDUCATIONAL CHANNELS (Failed)**

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

Resolved, That the superintendent brings to the Board for its approval the regulations, procedures, and guidelines associated with the adoption of Policy IID by March 1, 1998; and be it further

Resolved, That the superintendent be given the authority to make the determination in the interim to allow for live broadcasting.

RESOLUTION NO. 759-97 Re: **FINAL ACTION ON POLICY IID: SELECTION AND AIRING OF PROGRAMS ON MCPS EDUCATION CHANNELS**

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

WHEREAS, The superintendent has the responsibility for programming on the MCPS Education Channels; and

WHEREAS, There are requests to air programs on the MCPS Education Channels that are produced by individuals outside of the MCPS Instructional Television Unit that require a consistent means of processing and airing the requests; and

WHEREAS, The Board of Education received an appeal regarding a decision by the superintendent not to air a program on the Education Channels and, as a result, the Board of Education requested the superintendent to develop a policy to govern discretion in the selection of materials for broadcast on the MCPS Education Channels; and

WHEREAS, Staff prepared a policy analysis recommending a separate policy governing this issues; and

WHEREAS, On September 9, 1997, the Board of Education discussed the policy analysis and took tentative action on the draft Policy IID, *Selection and Airing of Programs on MCPS Education Channels*; and

WHEREAS, The tentatively adopted draft policy was sent out for public comment; now therefore be it

Resolved, That the Board of Education takes final action to adopt Policy IID, *Selection and Airing of Programs on MCPS Education Channels*, as amended; and be it further

Resolved, That the Board of Education requests the superintendent to bring to the Board for approval the regulations, procedures, and guidelines associated with the adoption of Policy IID by March 1, 1998; and be it further

Resolved, That the superintendent be given the authority to make the determination in the interim to allow for live broadcasting.

Selection and Airing of Programs on MCPS Education Channels

A. PURPOSE

To affirm the Board of Education's commitment to air live and taped programs on the Education Channels the content of which supports the educational goals of MCPS and/or provides information regarding the school system to the community, consistent with MCPS policies and regulations

To ensure that a clear, consistent process is used as the basis for selecting programs to be aired on the MCPS Education Channels

B. ISSUES

In the age of communication and information technologies, there is an increasing demand for airing programs on the MCPS Education Channels. Decisions made by MCPS as to whether or not to air a program need to be made based on a clearly articulated set of guidelines following a consistent process.

C. POSITION

1. The content of programs aired on the Education Channels will support the educational goals of MCPS and/or provide information regarding the school system to the community.
2. The Board of Education affirms that the superintendent has the responsibility for and the authority over the content, quality, and timing of the educational curriculum including programs that air on the MCPS Education Channels.
3. Decisions on what to broadcast on the MCPS Education Channels will be based on a set of guidelines that will include:
 - a) A review of the content of the program including the programming format
 - b) A review of the technical quality of the program or technical capacity of the site

4. The individual who develops the program will be held accountable for the content of the program and for airing the program as approved.

D. DESIRED OUTCOMES

A consistent process is used as the basis for selecting programs to be aired live or on tape on the MCPS Education Channels.

E. IMPLEMENTATION STRATEGIES

1. The superintendent will establish a process that includes:
 - a) Procedures for requesting that a program be aired on the MCPS Education Channels, including acknowledgment for responsibility of the program
 - b) Guidelines for evaluating whether a program will be aired, including whether it will be aired live or on tape
2. The procedures and guidelines will be made available to schools and organizations.
3. Regulations to implement this policy, including the guidelines referred to above, will be developed as needed subject to approval of the Board.

F. REVIEW AND REPORTING

This policy will be reviewed on an ongoing basis in accordance with the Board of Education policy review process.

* Mrs. Gordon left the meeting at this point.

Re: **BOARD OFFICERS C FORMER NEW BUSINESS ITEM**

On motion of Ms. Gutiérrez and seconded by Mr. Ewing, the following resolution failed with Ms. Gutiérrez voting in the affirmative; Dr. Cheung, Mr. Ewing, Mrs. King, and Ms. Signer; Mr. Felton abstained:

WHEREAS, By Resolution 565-93, the Board adopted its current Handbook to reflect its operating procedures and organizational structure; and

WHEREAS, This Handbook is codified as part of Policy BP; and

WHEREAS, The section of the Handbook and Policy BP that is entitled ADuties of Officers@ states, in pertinent part, that: AThe officers of the Board of Education are the president, vice president, and, by law, the superintendent of schools as the executive officer, secretary and treasurer.@ and

WHEREAS, The Board would greatly benefit by including its immediate past president among the officers of the Board so that his or her experience can be drawn upon as agendas are set, as meetings with the County Executive, County Council, and County Delegation occur, and as the Board testifies at public hearings before legislative bodies; now therefore be it

Resolved, That Policy BP be amended to include the immediate past president among those cited as being officers of the Board; and be it further

Resolved, That the immediate past president of the Board be invited to participate on any occasion that the presence of the officers of the Board is requested.

Re: **DISCUSSION ON THE RECENT CHANGES TO
REGULATION JFA-RA C FORMER NEW BUSINESS
ITEM**

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

Resolved, The Board of Education schedule a discussion of recent changes to Regulation JFA-RA, Section F-3, entitled Students Right and Responsibilities on Publications and Productions, Print and Non-Print; and be it further

Resolved, That it is preferable that this discussion take place at the same time the Board discusses proposals to change MCPS policy on live programming.

Re: **AN AMENDMENT TO THE DISCUSSION ON THE
RECENT CHANGES TO REGULATION JFA-RA (Failed)**

On motion of Ms. Signer and seconded by Ms. Gutiérrez, the following amendment failed with Mr. Felton, Ms. Gutiérrez, Ms. Signer, and Ms. Wheat voting in the affirmative; Dr. Cheung, Mr. Ewing, and Mrs. King voting in the negative:

Resolved, That Regulation JFA-RA, as amended, be suspended until such time as the Board has an opportunity to review recommended changes to those regulations; and be it further

Resolved, That until such action is taken by the Board the prior Regulation JFA-RA is in effect.

Re: **DISCUSSION ON THE RECENT CHANGES TO REGULATION JFA-RA**

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

Resolved, The Board of Education schedule a discussion of recent changes to Regulation JFA-RA, Section F-3, entitled Students Right and Responsibilities on Publications and Productions, Print and Non-Print; and be it further

Resolved, That it is preferable that this discussion take place at the same time the Board discusses proposals to change MCPS policy on live programming.

RESOLUTION NO. 761-97 Re: **KINGSLEY WILDERNESS ALTERNATIVE PROGRAM --FORMER NEW BUSINESS ITEM**

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

Resolved, That the Board of Education request a complete report on the current plans for the relocation of the Kingsley Wilderness Alternative Program to accommodate the construction of the new county detention center, including arrangements for temporary and permanent housing, capital costs anticipated over time, and other outstanding issues and concerns regarding this move.

RESOLUTION NO. 762-97 Re: **CLASS SIZE REDUCTION C FORMER NEW BUSINESS ITEM**

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

Resolved, That the Board of Education schedule for discussion and possible action a plan sent by Mr. Ewing to the Board on November 9, 1997, entitled A Proposed Comprehensive Plan for Class Size Reduction, and the Achievement of Greatly Improved Reading and Writing Results. (A discussion on class size reduction is scheduled for January 13, 1998.)

Re: **NEW BUSINESS**

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

WHEREAS, The Board of Education has adopted action areas for 1997 and 1998, to be addressed in depth during this biennial; and

WHEREAS, One of these action areas, pertaining to "Success for Every Student", includes the specific objective to "raise expectations for the average student and provide program delivery that ensures that all students have the opportunity to reach their potential", and

WHEREAS, Parents of on-level students have the same high expectations for their achievement as do parents of students for whom special programs at both ends of the instructional continuum have been developed; now therefore be it

Resolved, That the Superintendent provide to the Board a paper addressing, among other matters: what is currently in place to provide differentiated instruction to on-level students; what efforts are made to assign exemplary teachers to on-level classes; what expectations are set forth for students taking on-level classes; and what organizational structure exists to support the program delivery of instructional services to on-level students; and be it further

Resolved, That, upon receipt of this paper from the Superintendent, the Board schedule this matter for discussion at a Board meeting.

Re: ITEMS OF INFORMATION

1. Items in Process
2. Construction Progress Report
3. FY 1998 Summer School

RESOLUTION NO. 763-97 Re: ADJOURNMENT

Resolved, That the Board of Education adjourn its meeting of December 9, 1997, at 5:35 p.m.

PRESIDENT

PLV:gr

SECRETARY

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

December 9, 1997

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