

APPROVED  
14-2002

Rockville, Maryland  
May 28, 2002

The Board of Education of Montgomery County met in a regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, May 28, 2002, at 8:45 p.m.

ROLL CALL Present: Mr. Reginald M. Felton, President  
in the Chair  
Mr. Stephen Abrams  
Mr. Kermit V. Burnett  
Ms. Sharon Cox  
Mrs. Nancy J. King  
Mr. Walter Lange  
Mrs. Patricia B. O'Neill  
Mr. Dustin Jeter, Student Board Member  
Mr. Mihyar Alnifaidy, Student Board Member-Elect  
Dr. Jerry Weast, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 207-02 Re: **CLOSED SESSION**

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

WHEREAS, The Board of Education of Montgomery County is authorized by the *Education Article* and *State Government Article* of the *Annotated Code of Maryland* 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 closed session on May 28, 2002, in Room 120 from 7:30 to 8:00 p.m. to discuss personnel appointments, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County conduct a portion of its closed session to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed session on May 28, 2002, in Room 120 from 7:30 to 8:00 p.m. and 10:55 to 11:00 p.m. to acquit its executive functions and to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act under Section 10-503(a) of the *State Government Article*; and be it further

Resolved, That this portion of the meeting continue in closed session until the completion of business.

RESOLUTION NO. 208-02      Re:    **APPROVAL OF THE AGENDA**

On recommendation of the Superintendent and on motion of Mrs. King seconded by Mr. Jeter, the following resolution was adopted unanimously:

Resolved, That the Board of Education approve its agenda for May 28, 2002.

Re:    **RECOGNITION OF STUDENTS IN THE SUPERINTENDENT'S LEADERSHIP PROGRAM**

The following students were recognized:

	<u>Student</u>	<u>School</u>
1.	Jessica Aiello	Walter Johnson High School
2.	Abhishek Bhardwaj	Thomas S. Wootton High School
3.	Ilona Carroll	Bethesda-Chevy Chase High School
4.	David Cobb	Albert Einstein High School
5.	Samuel Doran	Walt Whitman High School
6.	Daniel Freilich	Bethesda-Chevy Chase High School
7.	Janet Gilbert	Walter Johnson High School
8.	Richard Godwin	Thomas S. Wootton High School
9.	Dustin Jeter	Seneca Valley High School
10.	Constance Jones	John F. Kennedy High School
11.	Chris Lloyd	John F. Kennedy High School
12.	Shawna Mason	Seneca Valley High School
13.	Tracy Owusu	Bethesda-Chevy Chase High School
14.	Gregory Parnell	Col. Zadok Magruder High School
15.	Asal Safavieh	James Hubert Blake High School
16.	Tyler Smith	Seneca Valley High School
17.	Kaiya Waddell	Montgomery Blair High School
18.	Lyra Wilson	Montgomery Blair High School

Re:    **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Jessica Brunson	Trades Foundation
2.	Andrew Lopez	Trades Foundation
3.	Bob Astrove	Special Education Staffing
4.	Ruth Musicante	MCCSSE

- |    |                 |   |
|----|-----------------|---|
| 5. | Dick Pepe       | MCCSSE                                    |
| 6. | Arlene Gottlieb | MCCSSE                                    |
| 7. | Joe Zillo       | Blair Cluster                             |
| 8. | Jay Larson      | Special Education Staffing                |
| 9. | Reuben Gist     | Silver Spring International Middle School |

RESOLUTION NO. 209-02

Re: **AWARD OF CONTRACT – SALLY K. RIDE AND  
ASHBURTON ELEMENTARY SCHOOLS  
GYMNASIUMS**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Lange, the following resolution was adopted unanimously:#

WHEREAS, The following sealed bids were received on October 16, 2001, for the combined Sally K. Ride and Ashburton elementary schools gymnasium additions:

<u>Bidder</u>	<u>Amount</u>
D D & B Construction, Inc.	\$1,819,000
Keller Brothers, Inc.	1,877,500
Dynasty Construction, Inc.	1,913,532
H & H Contractors, Inc.	1,975,000
Desbuild, Inc.	2,101,120
Bob Porter Company, Inc.	2,147,000
Milestone Construction Services, Inc.	2,151,000
Renovations Unlimited, Inc.	2,280,000

and

WHEREAS, A contract was not awarded because the funds appropriated for these projects in the FY 2001–06 Capital Improvements Program (CIP) were transferred to the current modernization program; and

WHEREAS, Funds for the construction of the gymnasium additions at Sally K. Ride and Ashburton elementary schools have been approved in the FY 2003–08 CIP; and

WHEREAS, The low bidder for the Sally K. Ride and Ashburton elementary schools gymnasiums has agreed to hold his bid price from October 2001; and

WHEREAS, D D & B Construction, Inc., a Maryland Department of Transportation (MDOT)-certified minority firm, has submitted 12.1 percent MDOT-certified Minority Business Enterprise (MBE) participation, of which 0.03 percent is Asian American, 6.4 percent is Hispanic and 5.4 percent is female; and

WHEREAS, D D & B Construction, Inc., will self-perform 29 percent of the work, bringing the total MBE participation to 41.1 percent; and

WHEREAS, The low bid is within the staff estimate; and

WHEREAS, D D & B Construction, Inc., has completed similar work successfully; now therefore be it

Resolved, That a \$1,819,000 contract be awarded to D D & B Construction, Inc., for the Sally K. Ride and Ashburton elementary schools gymnasium additions, in accordance with drawings and specifications prepared by Delmar Architects, P.A.

RESOLUTION NO. 210-02                      Re:    **AWARD OF CONTRACTS – MONTGOMERY BLAIR HIGH SCHOOL CHILLER ADDITION**

On recommendation of the Superintendent and on motion of Mrs. O’Neill seconded by Mr. Lange, the following resolution was adopted unanimously:#

WHEREAS, The following bids for additional air-conditioning equipment for Montgomery Blair High School were received on April 18, 2002:

Equipment:

<u>Bidder</u>	<u>Amount</u>
Jack H. Kidd & Associates	\$152,000
Golden Contractor	158,860
Homewood General Contractors	191,000
D & M General Contracting, Inc.	189,000
Marchulk Construction Company	266,500

Equipment Installation:

<u>Bidder</u>	<u>Mechanical</u>	<u>Energy Mgt.</u>	<u>Piping</u>	<u>Electrical</u>
American Mechanical Services	\$179,640	\$28,000	\$6,500	\$58,773
AR-RO Construction	194,000	29,800	39,500	41,900
D & M General Contracting, Inc.				68,980

and;

WHEREAS, The project has been separated into the various trade work for cost purposes; and

WHEREAS, This work is needed to increase the cooling capacity of the existing air-conditioning system; and

WHEREAS, AR-RO Construction, the low bidder for the electrical work, is a certified Minority Owned Business; and

WHEREAS, There is limited opportunity for additional minority business participation because of the specific work scopes and it is recommended that the balance of the minority business enterprise goal be waived; now therefore be it

Resolved, That contracts for the Montgomery Blair High School chiller addition project, in accordance with the drawings and specifications prepared by SHW Group, Inc., be awarded to the following bidders for the work listed at the stated amount:

<u>Contractor</u>	<u>Work</u>	<u>Amount</u>
Jack H. Kidd & Associates	Building shell	\$152,000
American Mechanical Services	Mechanical	179,640
American Mechanical Services	Energy Mgt./Controls	28,000
American Mechanical Services	Piping	6,500
AR-RO Construction	Electrical	41,900

RESOLUTION NO. 211-02

Re: **AWARD OF CONTRACT -- THOMAS EDISON HIGH SCHOOL AUTO-TECHNOLOGY EXHAUST FAN INSTALLATION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Lange, the following resolution was adopted unanimously:#

WHEREAS, On May 13, 2002, the following bid was received for the installation of an exhaust fan for the Auto-Technology Shop at Thomas Edison High School of Technology:

<u>Bidder</u>	<u>Amount</u>
AR-RO Construction Company, Inc.	\$34,700

and

WHEREAS, AR-RO Construction Company, Inc., has completed similar work successfully for the Montgomery County Public Schools; and

WHEREAS, Even though only one bid was received, the cost is within the expected range for this work; and

WHEREAS, Funds are available in the FY 2002 Capital Budget appropriations for this installation; now therefore be it

Resolved, That a \$34,700 contract be awarded to AR-RO Construction Company, Inc., for installation of an exhaust fan for the Auto-Technology Shop at Thomas Edison High School of Technology, in accordance with specifications and drawings prepared by Building Dynamics, LLC.

RESOLUTION NO. 212-02            Re:    **APPOINTMENT OF EXTERNAL AUDITOR, ERNST & YOUNG, LLP**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Lange, the following resolution was adopted unanimously:#

WHEREAS, In April 1999, the Board of Education awarded Arthur Andersen LLP a contract to perform auditing services for Montgomery County Public Schools; and

WHEREAS, Arthur Andersen LLP has signed an agreement with Ernst & Young LLP to transfer the majority of their audit practice employees in the mid-Atlantic region and Montgomery County Public Schools has received assurances from Arthur Andersen LLP that the MCPS audit will be completed by the team working for Ernst & Young LLP for the agreed upon fee in the required time frame; now therefore be it

Resolved, That the Board of Education appoint Ernst & Young LLP as the Andersen successor auditor for the FY 2002 audit.

RESOLUTION NO. 213-02            Re:    **UTILIZATION OF FY 2002 FUTURE SUPPORTED PROJECT FUNDS**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Lange, the following resolution was adopted unanimously:#

WHEREAS, The grants qualify for a transfer of appropriation from the Provision for Future Supported Projects pursuant to the provisions of County Council Resolution No. 14-890, approved May 25, 2001; and

WHEREAS, The programs do not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available, within the FY 2002 Provision for Future Supported Projects, to permit the transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2002 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Amount</u>
Quality Teacher Incentive Program	\$938,000
Regional Professional Development Project	63,881
Comprehensive Test of Basic Skills	279,931
Total	<u>\$1,281,812</u>

and be it further

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

RESOLUTION NO. 214-02      Re:    **RECOMMENDED    FY 2002 CATEGORICAL  
TRANSFERS FOR THE PROVISION FOR FUTURE  
SUPPORTED PROJECTS**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Lange, the following resolution was adopted unanimously:#

WHEREAS, The current FY 2002 Operating Budget adopted by the Board of Education includes \$14,885,516 for the Provision for Future Supported Projects; and

WHEREAS, The Board of Education will receive additional projects that are eligible for funding through the Provision for Future Supported Projects during FY 2002; and

WHEREAS, Actual revenue and expenditure requirements of grant projects require that categorical transfers be made in the Provision for Future Supported Projects; now therefore be it

Resolved, That the superintendent of schools be authorized to effect categorical transfers totaling \$1,210,000 within the FY 2002 Provision for Future Supported Projects, in accordance with the County Council provision for transfers, as follows:

<u>Category</u>	<u>From</u>	<u>To</u>
1 Administration		\$ 210,000
2 Mid-level Administration	\$320,000	
3 Instructional Salaries		1,000,000
4 Textbooks and Instructional Supplies	90,000	
5 Other Instructional Costs	145,000	
6 Special Education	386,000	
9 Student Transportation	14,000	

12 Fixed Charges	90,000	
14 Community Services	165,000	_____
Total	\$1,210,000	\$1,210,000

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.

\*\*Mr. Abrams temporarily left the meeting.

**RESOLUTION NO. 215-02      Re:    HUMAN RESOURCES APPOINTMENT**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Jeter, the following resolution was adopted unanimously by members present:

Resolved, That the following personnel appointment be approved effective July 1, 2002:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Sylvia Morrison	Principal, Shady Grove MS	Principal, Northwest HS

**RESOLUTION NO. 216-02      Re:    HUMAN RESOURCES APPOINTMENT**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Jeter, the following resolution was adopted unanimously by members present:

Resolved, That the following personnel appointment be approved effective July 1, 2002:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Deena Trombly	Upper School Principal, Melvin J. Berman Hebrew Academy, Rockville, MD	Principal, Poolesville HS

**RESOLUTION NO. 217-02      Re:    HUMAN RESOURCES APPOINTMENT**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Jeter, the following resolution was adopted unanimously by members present:

Resolved, That the following personnel appointment be approved effective July 1, 2002:



<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Darryl Williams	Assistant Principal, Benjamin Banneker MS	Principal, William H. Farquhar MS

RESOLUTION NO. 218-02      Re:    **HUMAN RESOURCES APPOINTMENT**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Jeter, the following resolution was adopted unanimously by members present:

Resolved, That the following personnel appointment be approved effective July 1, 2002:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Esperanza Dieckhans	Assistant Principal, Damascus HS	Principal, Montgomery Village MS

RESOLUTION NO. 219-02      Re:    **HUMAN RESOURCES APPOINTMENT**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Jeter, the following resolution was adopted unanimously by members present:

Resolved, That the following personnel appointment be approved effective July 1, 2002:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Carol Dahlberg	Interim Principal, White Oak MS	Principal, White Oak MS

RESOLUTION NO. 220-02      Re:    **HUMAN RESOURCES APPOINTMENT**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Jeter, the following resolution was adopted unanimously by members present:

Resolved, That the following personnel appointment be approved effective July 1, 2002:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Jane Litchko	Principal, Jackson Road ES	Principal, New Hampshire Estates ES

\*\*Mr. Abrams rejoined the meeting.

Re:    **UPDATE ON THE DOWNCOUNTY CONSORTIUM**

Present at the table for the Board of Education discussion were Dr. Frank Stetson, community superintendent, Office of School Performance; Mr. Walter Gibson, director, Downcounty Consortium; Dr. George P. Arlotto, principal, Wheaton High School; Dr. Sheila

M. Dobbins, principal, John F. Kennedy High School; and Mr. Phillip Gainous, principal, Montgomery Blair High School.

The purpose of this update was to outline for the Board of Education the activities of the Downcounty Consortium during the 2001-02 school year. During this year the consortium developed a clear mission that is widely accepted within the downcounty high schools and their communities, and there is an emerging consensus around issues of consortium organization and implementation. School improvement activities will commence in the 2002-2003 school year with the implementation and alignment of consortium activities proceeding over a five-year period.

### **Goals and Objectives**

Given these characteristics, the Downcounty Consortium seeks to meet the following goals and objectives:

1. To address the unique needs of entering freshmen, cause them to remain in school, and improve their post-secondary attainment levels by creating a system of programs, supports, and pathways within the freshman programs in each of these high schools that will:
  - a) Increase the rate of student retention from grade 9 to grade 10
  - b) Decrease the percentage of students losing credit and/or failing one or more courses during the freshman year
  - c) Increase the average GPA of freshmen for each subgroup of the population
  - d) Increase the percentage of freshmen who pass the countywide end-of-course exam and/or the High School Assessment in English, Algebra 1, Biology, and NSL
  - e) Increase the percentage of freshmen who are eligible to participate in extracurricular activities while also increasing the participation levels in these activities.
  
2. To provide students with the opportunity to choose an academic or career program that is based on their identified post-secondary aptitudes and interests by creating a system of themed academies within the high schools of this region that will:
  - a) Increase the rate of student retention from grade 9 to grade 12
  - b) Improve the academic rigor rating of each high school with the goal of eliminating the category of "Minimally Prepared"
  - c) Increase the percentage of students enrolled in Advanced Placement courses in each consortium high school for each subgroup of the population
  - d) Increase the percentage of students earning college credit while in high school, through either Advanced Placement coursework or concurrent enrollment
  - e) Increase the SAT score for each subgroup of the school population for the duration of this project with test participation rates also increasing.

3. To support increased levels of student performance by creating and sustaining professional learning communities within and across the faculties of downcounty high schools that will:
  - a) Create and support dedicated teaching teams in each high school that will support the freshman program and themed academies
  - b) Demonstrate increased job satisfaction among teachers and staff who belong to these teams as measured by the annual survey of school climate
  - c) Support the focused professional development of teachers within downcounty high schools

#### Wheaton High School

Freshmen at Wheaton will enter the Ninth Grade Academy, a school within a school. Each student will be assigned to a teaching team of 100 to 110 students for that entire school year with an average class size in the core curriculum of 20:1. Those students with major deficits in literacy and mathematics will be assigned to double-period courses designed to accelerate their learning while other students on the same team will accelerate their learning with honors-level and pre-AP course work. The goal of this academy will be to prepare all students for the rigors of a career academy and provide connections for these students into one of the Wheaton Academies of Technology for their remaining three years of high school.

#### Montgomery Blair High School

All entering freshmen at Montgomery Blair become part of a freshman learning community, an interdisciplinary teaching team of approximately 100 students that is connected to a guidance counselor and a dedicated administrator. These freshman communities are based on the academic interests and aptitudes of the students with all students connected by a teaching partnership of an English/social studies teacher and a science/technology teacher.

#### Albert Einstein High School

Freshmen at Albert Einstein will be organized into academy teams that are connected to the academic and career pathways within the school. Ninth grade students will be assigned to an interdisciplinary teaching team, who will support these students and provide connections as they move into the Academy of Finance, the Academy of Visual and Performing Arts, or the International Baccalaureate program. Staffed at a 20:1 ratio, these teams will have common planning time, a heterogeneous team of students, and a wide range of academic opportunities for all students. Approximately 125 Einstein freshmen will be enrolled in the accelerated literacy and mathematics programs.

#### John F. Kennedy High School

Freshmen at John F. Kennedy will connect to the existing summer bridge program and freshman seminar, while also participating in a number of targeted freshman programs – double-period Algebra, Levels of Literacy classes, and the highly successful Leadership Training Institute. These programs will be enhanced and expanded to include the

freshman programs and curriculum that will be developed through the consortium, linking them to the Leadership Training Institute, the Multimedia Academy, the Academy of Biology and Geoscience, or the Sports Medicine Academy.

#### Northwood Reopening

The reopening of Northwood High School for the 2004-05 school year will provide needed classroom space for the high schools of the downcounty region and the flexibility that will allow students to choose a high school program across the consortium. It will be important to coordinate the reopening of Northwood with the development of a program of student choice, thus allowing downcounty students to choose a high school with a smaller learning community based on their personal interest and aptitude.

#### Community Outreach

One of the major goals for the consortium within the next six months is the development of a program of community outreach. In cooperation with PTSA and school leaders, the consortium will develop a program of public engagement that will highlight the themes of each of the high schools, inform the community about the mission of the consortium, and engage families in the important work of high school improvement.

#### MCBRE

Consortium high schools continue to work with the Montgomery County Business Roundtable in the development of business partnerships that will support the career pathways that are emerging in each of the high schools. Four themes have emerged from these meetings as the core activities of this partnership: Leadership and School Improvement, Technology and Information Systems, Career Connections, and Communications and Public Engagement.

#### Higher Education Partnerships

Currently, Montgomery Blair and Wheaton high schools serve as Professional Development Schools for the University of Maryland. Similar partnerships are being explored with other teacher preparation institutions for the remaining schools in the consortium, with discussions occurring among Johns Hopkins University, the University of Maryland, Baltimore County, and Montgomery College. In addition, Montgomery Blair and Einstein high schools have agreed to serve as part of a pilot network of Professional Development Schools in School Counseling that will be located within the downcounty. Lastly, each school is pursuing partnership relationships with institutions of higher education whose programs align with the signature themes of that school.

#### Re: **DISCUSSION**

Ms. Cox inquired if the administration in the schools, when reviewing the data and teacher recommendations, could ascertain if there are discrepancies between achievement levels and tie them back to staff development.

Mr. Burnett inquired if the new academies will increase the number of students in the consortium that could move into the existing magnets. Mr. Gibson stated that would not happen because the magnets have a limit on the number of students that can be accepted. Mr. Abrams pointed out that the consortium will offer choices, as does the Northeast Consortium.

Mr. Felton asked if students would have choices from year to year. Mr. Gibson replied that there will be choice, but staff is struggling to determine when and how that choice will occur. Ideally, the choice would be when the student enters high school, and any subsequent choice would be a disruption to the sequencing of courses within the academy. Also, there is a need to reach all families within the consortium to let them know what the courses represent.

Mr. Burnett inquired about students enrolling after the freshman year. Mr. Gibson replied that these students will be provided with information to help them make a choice.

Mr. Felton asked if the consortium would permit choice after a selection had been made. Mr. Abrams thought the prerequisite work would still have application in other academics, and in the future there could be interdisciplinary approaches for individual design. Mr. Burnett wanted to know if there was a mechanism for a child to flow from one academy to another. Dr. Dobbins responded that at this time everything is still fluid because staff is in the development stage. Dr. Stetson stated that staff intends to have flexibility within the consortium. Mr. Gainous added that staff anticipates that students will change their minds; therefore, it is important that all programs are grounded in solid academic rigor.

Mr. Abrams thought the biggest gap to overcome was the expectation that a child in an honors class might receive a lower grade. When moving towards rigor, MCPS needs to do a better job of defining success. Dr. Dobbins thought the transition of students into high school must support students with the emphasis on more rigor for more students more quickly.

Mrs. King suggested that the presentation be shared with the County Council. She asked if every student in the school will be in an academy. Mr. Gainous replied that was correct, and it would be up to the student to choose which academy.

Mrs. O'Neill thought the Thomas Edison High School of Technology was a stepchild in MCPS. How will this wonderful program interact with the downcounty consortium? Mr. Gibson replied that it has a prominent role, and Dr. McAnulty has been involved in all discussions and has chaired a task force. However, a policy question is whether or not Edison becomes a resource within the downcounty.

Mr. Jeter inquired about the recruitment process for new students and notification of the selection of programs and the themes available. Dr. Dobbins answered that staff has discussed developing a pamphlet with an overview of all the academies within the

consortium.

Mr. Lange wanted a description of the statement that a learning team would be 100 students with a guidance counselor and an administrator. Mr. Gainous stated that with a large school the allocation of staff would use existing resources. However, smaller schools would need added resources. Ms. Cox noted that a guidance counselor may be assigned to more than one team.

Mr. Abrams observed that this was a phenomenal opportunity for distance learning. Second, with the academy structure, motivation is a huge issue. Therefore, there might be a need to replicate academies in more than one school based on the demand, especially if there is flexibility built into the system.

Based on the structure of the downcounty consortium, Mr. Burnett asked if every student must choose an academy. Mr. Gainous replied that choices made by the student will lead to a career pathway. Dr. Williams agreed to provide the Board with a schematic of courses and a student class schedule for the downcounty consortium.

Ms. Cox supported the flexibility, including required courses. The academy versus the signature concepts is a major difference and culture shift with the academy using cross interdisciplinary teams. Mr. Gibson replied that the shift will be on the outcomes for students and not narrow academic disciplines. Ms. Cox was concerned about the implementation of the academies within a year since there was a great deal of curriculum to write prior to the opening of the academies. Mr. Gainous thought it would not be a problem since the teachers were excited about the concept.

Mr. Felton also thought it was a cultural change since there are new definitions of familiar terms. Montgomery County parents will endorse this concept if it makes a difference in the performance of their children. He wanted the school system to be optimistic, excited, and committed, but MCPS must be realistic in implementing a massive change that affects many students. What is the game plan for public engagement, and what organizations and business communities will help the school system?

Mr. Burnett asked if the academies will focus more on staff development or adding significant funds outside of training in the areas of technology and biotechnology. How will the equipment be procured and be ready by the implementation dates? Dr. Williams replied that the downcounty high schools will be restructured without adding staff. There will be a need to add some training, reexamine the role of resource teachers, check the operation of staff developers, and build a core of resources for high school principals.

Mr. Abrams suggested that the downcounty consortium would be a good topic for a Board retreat.

Mr. Burnett asked for copies of the PowerPoint presentation on the downcounty

consortium.

**Re: SPECIAL EDUCATION STAFFING**

Dr. Weast invited the following people to the table: Dr. Raymond W. Bryant, associate superintendent, Office of Student and Community Services; Dr. Bobbi Jasper, director, Department of Special Education; Ms. Rosemary Dove, parent and member of the Special Education Staffing Committee; Mrs. Irene Stiebing, regional administrator, Maryland State Department of Education.

The Code of Maryland Annotated Regulations (COMAR) requires each local school system to submit an annual staffing plan to the Maryland State Department of Education (MSDE). The plan must demonstrate public input and be approved by the local Board of Education prior to its submission to MSDE. The locally approved staffing plan is submitted to MSDE annually by July 1 as part of the local application for federal funds. The MSDE reviews the agency's staffing plan and advises the local agency if there is a need for additional information or revisions. If revisions are required, the local agency must submit the revised staffing plan by September 30. The required elements of the staffing plan include the following:

1. Evidence of maintenance of effort
2. Staffing patterns of service providers of special education and related services
3. The number and type of service providers needed to provide free, appropriate public education (FAPE) to each student in the least restrictive environment
4. How the staffing plan ensures that personnel and other resources are available to provide FAPE to each student with a disability in the least restrictive environment

The staffing plan does the following:

1. Represents a well-thought-out continuation of addressing special education needs that have been recognized and supported in the budget since 2000.
2. Continues MCPS's commitment to provide resources that promote improved outcomes for students with disabilities
3. Frames a thoughtful, multi-year continuous improvement process

The staffing plan to be submitted this year also addresses the following:

1. A means to align future staffing needs with the annual budget process
2. An approach of presenting a multi-year plan
3. A pathway to improve consideration of special education needs in the budget process

Although the Staffing Committee had concerns about a multi-year plan, the current financial environment led to the multi-year plan as the foundation for addressing special education instructional needs. This multi-year plan will be considered as part of the budget preparation process for future years, informing budget decisions and allowing for timely

public input for the FY 2004 Superintendent's Recommended Budget.

### **Public Input**

The FY 2003 Staffing Committee worked diligently to make its recommendations available for consideration in the FY 2003 budget process. The committee met six times during the summer of 2001, with the first meeting on June 12, 2001. The committee reviewed a wide array of data focusing on resource teachers programs for students with mental retardation and programs for students with emotional disabilities and related services, specifically speech and language, occupational and physical therapy, and assistive technology. The committee's report, with accompanying initiative proposals, was submitted to the Department of Management, Budget, and Planning in October 2001. Two additional committee workgroup sessions were held on February 15 and February 28, 2002, to share information regarding the budget and staffing plan processes. The issues raised by the committee during these two sessions were whether the plan should be presented in its entirety for consideration or as a multi-year plan in order to respect the fiscal constraints affecting the county at this time and to synchronize better the state staffing plan requirements with the MCPS budget timeline. By consensus, the group supported the multi-year concept. On April 11, 2002, the director of special education held a public comments session to solicit parent and community input on the draft multi-year FY 2003–2006 special education plan. Ms. Rene Stiebing, MSDE regional administrator, was a member of the Staffing Committee. Her work with the Staffing Committee focused on the appropriate use of the Technical Assistance Bulletin and the state's scoring rubric to assure that the plan addressed all necessary components.

### **Special Education Budget Initiatives**

The input from the staffing committee and the testimony of the community to the Board of Education and County Council on the special education FY 2003 operating budget support the special education initiatives in the staffing plan. As part of the local distribution of the Thornton Commission monies, the executive staff and the Board of Education supported the FY 2003 staffing initiatives as defined in the plan totaling \$910,172. The goal of these initiatives is to improve the academic achievement of students with disabilities in secondary schools by providing them with intensive, research-based reading interventions and increased mental health services.

### **Service Delivery**

The staffing plan for FY 2003–2006 is designed to address the need to increase the capacity of teachers to provide a continuum of services and to ensure that each student with a disability has access to the general education curriculum to the maximum extent possible. Specifically, the FY 2003 operating budget initiatives will provide support that is critical to ensuring success for special education students in secondary schools who are diploma-bound and subject to the same high-stakes high school assessments as all other diploma-bound students. Furthermore, the staffing plan is designed to ensure that special education students receive services at their home school or as close as possible to their



home school through a cluster or quad-cluster service delivery model.

The recommended staffing plan is based on average enrollment across the county; however, MCPS must consider mobility, distribution, and the program model when determining allocations. It is essential that MCPS implements instructional programming that ensures that students with disabilities demonstrate improved performance and are prepared for high school assessments or, if appropriate, other assessments that measure student success within the alternate approved Fundamental Life Skills curriculum.

**Re: DISCUSSION**

Mr. Abrams asked about the purpose of the discussion and approval of the plan. He noted that there was a person from the state, but the plan will not be reviewed by the state until the Board approves it. He assumed that the state representative was present to comment on the information provided. Dr. Jasper replied that the Board has to approve the plan, and the state representative was involved to make sure MCPS was in compliance with the process. Mrs. Stiebing stated that the regulation is very straightforward with maintenance of effort, staff patterns, and the number and type of service providers to ensure a free and appropriate public education. The plan has been tailored with public input to the population in Montgomery County.

Mr. Abrams remarked that he could not ask Mrs. Stiebing about the merits of the plan since it had not been approved by the Board, but he could ask her if the process used by MCPS was open and fair as envisioned by state and federal law. Mrs. Stiebing replied that the process was followed by MCPS.

Mr. Felton asked if the role of the state was to determine the adequacy of the plan or to ensure that local school districts have what they need to meet FAPE, which could vary from school district to school district. Mrs. Stiebing responded that the state looks for the required components with documented flexibility to address changes throughout the school year in order to provide FAPE.

Ms. Cox inquired if the maintenance of effort was on a per-pupil basis or a total expenditure. Mrs. Stiebing replied it was a total expenditure, but if there was a significant decrease the school district could submit a written explanation. Simply, maintenance of effort means the school district spends the same amount for the current year as it did in the past year.

Mrs. O'Neill remarked that this was a six-year plan, and she asked whether or not other counties were doing an extensive, multi-year plan. Mrs. Stiebing answered that most counties are doing multi-year plans to coincide with their budget cycles.

Mrs. O'Neill asked how the state will monitor a six-year plan. Dr. Jasper replied that there will be annual updates and staffing committees to reflect data changes.

Ms. Cox wanted to know if the state needed to know the Individualized Educational Programs for children in order to monitor FAPE. Mrs. Stiebing stated that local school systems are encouraged to review the past year regarding staffing and FAPE. The state looks favorably on the districts that include it in their system improvement plan and initiatives as part of the special education staffing plans.

Mr. Abrams asked if the six-year plan would be a rolling plan or an update of the current plan. Dr. Jasper replied that it will be a rolling plan. Mr. Abrams stated that next year will have an update of the current plan, and it would have one more year added.

Mr. Abrams asked for the estimated cost of developing the Special Education Staffing document.

Mrs. King noted that the difference between regular education and special education is that regular education has a concrete ratio and special education is flexible and fluid. Dr. Jasper answered that intensity of service and ratios have disappeared, but a large school district uses ratios to detail staffing patterns. The staffing guidelines are used based on resources. Mrs. King reiterated that the Board was voting on a flexible figure.

Mrs. O'Neill thought that the cost of developing the plan could not be pinpointed because there are many volunteers. Last year, she and Ms. Cox did not vote on the staffing plan because they thought there was not sufficient parental input. However, this year there had been a great deal of input from the community and parents.

Mr. Felton thought this was a difficult decision for all school boards. What is the right decision at this time given the needs and resources? Regardless of a ratio and plan, MCPS must provide services and FAPE.

Ms. Cox noted that Dr. Jasper made an extraordinary effort to establish an open process that continues to involve the community. All diploma-bound students are included in accountability standards, and school must be responsible for their academic achievement. She inquired about identification measures for achievement for those students who are not diploma-bound.

Mr. Burnett suggested periodic updates to the Board on special education services.

Mrs. King asked if the Board was approving a ceiling and how much higher the ratio can go with further Board approval. Dr. Jasper replied that the guidelines are targets based on the number of children with IEP goals and objectives.

Mr. Abrams thought it would be valuable to know how many families moved into or out of Montgomery County based on the delivery of special education services.

RESOLUTION NO. 221-02      Re:    **SPECIAL EDUCATION STAFFING**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Mrs. O'Neill, the following resolution was adopted unanimously:

WHEREAS, The Maryland State Department of Education requires each local school system to submit an annual staffing plan; and

WHEREAS, The Department of Special Education has developed the FY 2003–2006 Special Education Staffing Plan; and

WHEREAS, The FY 2003 operating budget, as requested by the Board of Education, includes recommendations from the FY 2003 Special Education Staffing Initiatives; now therefore be it

Resolved, That the Board of Education approve the FY 2003–2006 Special Education Staffing Plan.

RESOLUTION NO. 222-02      Re:    **RESCISSION OF POLICY FBB, PLANNING FOR CONSTRUCTION PROJECTS**

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

WHEREAS, Policy FBB, *Planning for Construction Projects*, was identified for rescission during the periodic review of policies; and

WHEREAS, The policy on policyssetting requires a rationale for rescinding a policy; and

WHEREAS, Policy FBB, *Planning for Construction Projects*, adopted by resolution on November 27, 1961, is no longer needed because the County Council has established a mandated process; now therefore be it

Resolved, That Policy FBB, *Planning for Construction Projects*, be rescinded.

Re:    **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast congratulated Thomas S. Wootton High School, and he hoped that the Board and staff would attend as many graduations as possible.

RESOLUTION NO. 223-02      Re:    **CLOSED SESSION RESOLUTION**

On recommendation of the Superintendent and on motion of Mrs. King seconded by

Mr. Burnett, the following resolution was adopted unanimously:

WHEREAS, The Board of Education of Montgomery County is authorized by the *Education Article* and *State Government Article of the Annotated Code of Maryland* 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, June 11, 2002, in Room 120 of the Carver Educational Services Center to meet in closed session from 9:00 a.m. to 10:00 a.m., 12:00 to 2:00 p.m., and 5:05 to 5:10 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*, consult with counsel to obtain legal advice, as permitted by Section 10-508(a)(7) of the *State Government Article*; and review and adjudicate appeals in its quasi-judicial capacity and to discuss matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*); and be it further

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

**Re: REPORT OF CLOSED SESSION**

On May 14, 2002, by unanimous vote of members present, the Board of Education voted to conduct closed sessions as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed sessions on May 14, 2002, from 9:15 to 9:55 a.m., 1:30 to 2:05 p.m., and 4:30 to 4:45 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and/or adjudicated the following appeals: 2001-65, 2002-11, 2002-13, 2002-18, 2002-20, T-2002-3, and T-2002-7.
2. Reviewed the Superintendent's recommendation for the Human Resources Monthly Report and human resources appointments, subsequent to which the votes to approve were taken in open session.
3. Considered the acquisition of real property for a public purpose and matters directly related thereto.
4. Consulted with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
5. Discussed matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

In attendance at the closed session were: Steve Abrams, Mihyar Alnifaidy, Elizabeth Arons, Larry Bowers, Kermit Burnett, Sharon Cox, Mary Pat David, Reggie Felton, Theresa

Flak, Dick Hawes, Roland Ikheloa, Dustin Jeter, LaVerne Kimball, Nancy King, Kristin Koger, Don Kress, Frieda Lacey, Walter Lange, George Margolies, Susan Marks, Louis Martinez, Darlene Merry, Pat O'Neill, Brian Porter, John Q. Porter, Glenda Rose, Frank Stetson, Janice Turpin, Jerry Weast, and James Williams.

RESOLUTION NO. 224-02            Re:    **APPEAL 2002-13**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-13, guest reader program, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to dismiss; Mr. Jeter was absent when this case was adjudicated.

RESOLUTION NO. 225-02            Re:    **APPEAL 2002-18**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-18, web page content, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to dismiss; Mr. Jeter was absent when this case was adjudicated.

RESOLUTION NO. 226-02            Re:    **APPEAL 2002-20**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2002-20, student discipline, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to dismiss; Mr. Jeter was absent when this case was adjudicated.

RESOLUTION NO. 227-02            Re:    **APPEAL T-2002-8**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-8, student transfer, reflective of the following vote: Mr. Abrams voting to affirm; Mr. Burnett, Ms. Cox, Mr. Felton, Mr. Jeter, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to reverse.

RESOLUTION NO. 228-02            Re:    **APPEAL T-2002-9**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-9, student transfer, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mr. Jeter, Mrs. King, and Mrs. O'Neill voting to affirm; Mr. Lange voting to reverse.

RESOLUTION NO. 229-02            Re:    **APPEAL T-2002-10**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-10, student transfer, reflective of the following vote: Mr. Abrams voting to reverse; Mr. Burnett, Ms. Cox, Mr. Felton, Mr. Jeter, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm.

RESOLUTION NO. 230-02            Re:    **APPEAL T-2002-11**

On motion of Mrs. O'Neill seconded by Mr. Abrams, the following resolution was adopted:

Resolved, That the Board of Education adopt its Order in Appeal T-2002-11, student transfer, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Jeter voting to reverse.

RESOLUTION NO. 231-02            Re:    **PREVIOUS NEW BUSINESS ITEMS –  
DIALOGUE**

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

Resolved, That the Board of Education schedule a dialogue regarding whether or not it is time to update the description of how MCPS defines performance and to align the language with practice.

Re:    **NEW BUSINESS**

Ms. Cox moved and Mr. Abrams seconded the following:

WHEREAS, Over the years MCPS has developed many collaborative strategies for improving parent and community outreach, and;

WHEREAS, The results of the recent analysis of Ombudsman cases address ongoing issues relating to parental involvement, communication with stakeholders, and customer satisfaction; and

WHEREAS, Successful implementation of Board policy requires structures that allocates both authority and accountability for staff to achieve desired

outcomes; and

WHEREAS, MCPS is reviewing its structure, roles and responsibilities in addressing parent and community outreach; now therefore be it

Resolved, That the superintendent bring to the Board, for its approval, recommendations for establishing structure and identified roles and responsibility for parent and community outreach efforts; and be it further

Resolved, That the recommendations be completed by the end of December 2002 and that they address: suggestions emanating from the Ombudsman's analysis; specific supports to facilitate implementation; allocation of authority and accountability; and the requirements of related Board policy.

RESOLUTION NO. 232-02      Re:    **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of May 28, 2002, at 11:30 p.m.

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PRESIDENT

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SECRETARY

JDW:gr

**MONTGOMERY COUNTY BOARD OF EDUCATION  
SUMMARY SHEET**

**May 28, 2002**

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