



Re: A MOTION BY MR. SIMS ON A STUDENT  
BOARD MEMBER STIPEND

Mr. Sims moved and Mr. Ewing seconded the following motion:

Resolved, That the Board of Education request that a member of the Delegation or a Montgomery County senator sponsor legislation that would provide a \$4,800 scholarship for the student member of the Montgomery County Board of Education for use for continued educational opportunities upon graduation from MCPS and further request a \$100 per month stipend for the student's own use.

RESOLUTION NO. 558-92 Re: A SUBSTITUTE MOTION BY DR. CHEUNG  
ON A STUDENT BOARD MEMBER STIPEND

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

Resolved, That the Board of Education request that a member of the Delegation or a Montgomery County senator sponsor legislation that would provide a \$3,000 stipend for the student member of the Montgomery County Board of Education to be paid to the student on a monthly basis.

RESOLUTION NO. 559-92 Re: VOTING FOR STUDENT BOARD MEMBER

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

Resolved, That the Board of Education request that a member of the Delegation or a Montgomery County senator propose legislation to enable all students in middle schools, intermediate schools, and high schools in the Montgomery County Public Schools to vote for the student member of the Montgomery County Board of Education; and be it further

Resolved, That the Board of Education request that this legislation be expedited so that students would be able to vote for the 16th student member of the Montgomery County Board of Education.

RESOLUTION NO. 560-92 Re: APPOINTMENTS TO THE AUDIT COMMITTEE

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

WHEREAS, On September 13, 1978, the Board of Education passed a resolution creating an Audit Committee; 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, 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 the Audit Committee; and

WHEREAS, Mr. Shervin Pischevar's term expired on June 30, 1992, and a vacancy now exists on the Audit Committee; now therefore be it

Resolved, That Mrs. Fran Brenneman be appointed to serve on the Audit Committee from July 1, 1992, through December 31, 1992; and be it further

Resolved, That Mr. Jonathan Sims be appointed to serve on the Audit Committee from January 1, 1993, through June 30, 1993.

Re: PROPOSED POLICY ON SITE-BASED  
PARTICIPATORY MANAGEMENT

Dr. Cheung moved and Ms. Gutierrez seconded the following:

WHEREAS, In 1988, the Montgomery County Public Schools initiated a pilot program in site-based participatory management in nine schools; and

WHEREAS, The participants and potential pilot schools expressed the need for a policy governing site-based participatory management; and

WHEREAS, The Site-Based Participatory Management Advisory Committee (SPMAC) began to develop a policy that was presented to the Board of Education in November, 1991; and

WHEREAS, On November 12, 1992, the Board of Education approved portions of a policy on site-based participatory management and asked the superintendent to review issues raised by Board members; and

WHEREAS, In February, 1992, the superintendent convened a committee with representatives from MCAASP, MCCSSE, MCEA, and MCCPTA to reach consensus on recommendation to the superintendent on a site-based management policy; and

WHEREAS, On June 8, 1992, the Board of Education tentatively adopted the concept of site-based participatory management and asked the committee to review the concerns raised by Board members; and

WHEREAS, The committee met on June 15, 1992, and revised the draft to reflect the Board's suggestions; now therefore be it

Resolved, That the Board of Education adopt the following policy on site-based participatory management.

#### SITE-BASED PARTICIPATORY MANAGEMENT

##### A. PURPOSE

To define, encourage, and support site-based participatory management **in the Montgomery County Public Schools**, and to ~~specify its desired outcomes and guidelines for its implementation in schools and other MCPS units~~

##### B. ISSUE

Reports have been published over the last decade recommending changes in American public education. Of particular concern in many of these reports has been the system of top down decision-making. ~~One of the reports was Attracting, Keeping & Enabling Excellent Teachers, the February 1987 findings and recommendations of the Commission on Excellence in Teaching. That commission was appointed by the Board of Education in April 1985 to answer the question: How shall the Montgomery County Board of Education and the county public school system meet the challenges posed by the need to find, recruit, hire, train, retrain, and retain the excellent teachers the county schools need to assure that teaching excellence remains a hallmark of the Montgomery County Public Schools?~~

Site-based participatory management and similar terms are being used in hundreds of districts across the country as they endeavor to restructure and improve teaching and learning in their schools. Many programs are based on the belief that those closest to students should be given as much flexibility and authority as possible to exercise their best judgments to create learning, cooperative school communities whose aim is to improve student achievement. However, there are no generally accepted definitions for these terms, and practices and conditions vary widely from district to district.

One of the ~~commission's~~ recommendations **of the Commission on Excellence in Teaching, published in 1987**, was that the MCPS system of decision-making should be restructured at all levels. ~~so that "teachers and principals be given increased~~

~~responsibility, authority, and accountability for determining the structure of their schools and how they will achieve the goals for learning established by the Board of Education.~~ **In 1988 MCPS launched a nine-school "flexibility pilot"** as the result of work by several committees composed of administrators, teachers, support staff, and parents. ~~, MCPS launched a ten-school "flexibility" pilot in 1988.~~ Pilot participants, the superintendent, and the Board of Education now believe it is necessary to have a policy to define and guide further expansion of site-based participatory management and to support its further expansion in the Montgomery County Public Schools.

### C. POSITION

#### 1. Definitions

- a. Site-based participatory management is the restructuring of decision-making and authority in schools and other worksites to ensure the active involvement and participation of administrators, teachers, support staff, parents, ~~and secondary school students,~~ **and their constituent organizations** in decisions that affect student learning in a school. It requires these participants to accept increased responsibility **and accountability** for working together cooperatively to:
- (1) Develop and implement the school improvement management plan ~~, by defining desired outcomes, staff involvement, and required resources~~
  - (2) Determine goals, structures, and processes in schools and other worksites that improve the learning environment and student learning outcomes
  - (3) Participate in decisions that result in the allocation of resources; i.e., ~~staffing personnel,~~ **staffing personnel**, money, and time ~~--to achieve these goals and implement structures and processes~~
- (b) Constituent organizations refer to the countywide organizations that are the recognized representatives of teachers and other staff (Montgomery County Education Association), supporting services staff (Montgomery County Council of Supporting Services Employees), administrators (Montgomery County Association of

Administrative and Supervisory Personnel), parents (Montgomery County Council of Parent Teacher Associations), **and** secondary school students (Montgomery County Region, Maryland Association of Student Councils)., ~~and other community groups who have an interest in elementary and secondary education.~~

- (c) Local committees refer to the site-based participatory management committee at the local school or site. The local committee must have representation from all four constituency groups. Each site will determine the number of representatives on its committee and the selection process.
- (d) Other community groups refer to organizations or community groups who have an interest in education and a commitment to the school. Local committees are expected to seek input about their decisions from community groups as well as their own constituency groups. Members from other community groups may be invited to participate on local committees.

## ~~2. Guidelines~~

- 2. SPM Advisory Committee. ~~The superintendent will appoint A Site-based Participatory Management Advisory Committee (SPMAC), including representatives from each constituent organization and any other representatives that the superintendent might deem necessary , will to advocate and advise the superintendent on matters relating to site-based participatory management. Each constituent organization will nominate members to the committee and the superintendent will appoint three from each organization, plus a representative from the Department of Staff Development, making sure that language minority representation is included.~~
- 3. SPM Facilitator. ~~The superintendent will appoint a~~ **An MCPS employee will act as a** site-based participatory management facilitator who will support and facilitate the work of SPMAC and provide leadership for implementing site-based participatory management in MCPS.
- 4. SPM expansion and funding. In consultation with SPMAC, the superintendent will:
  - a. Develop a long-range plan for expanding the adoption of site-based participatory management in MCPS schools **and provide for** ~~Request funds in each~~

~~year's operating budget for training, start-up costs, and technical assistance for SPM units~~

- b. Actively encourage schools to **apply to** participate in SPM
5. Training and leadership development. Each year, the superintendent, **in consultation with SPMAC**, will ensure that:
  - a. Information, orientation and training about the concepts and processes of site-based participatory management are provided to all constituencies ~~including and to area and central office and appropriate leadership~~ staff
  - b. Ongoing training opportunities are provided for staff and parents in units that have adopted SPM
  - c. Administrator training programs provide opportunities to understand, prepare for, and support SPM
- ~~6. Application for SPM. Schools that want formal support to initiate site-based participatory management will:~~
  - ~~a. Have at least one representative from each constituent group participate in a series of information, orientation, and training sessions on SPM~~
  - ~~b. Determine, following this training and subsequent discussions among and between constituent groups in the unit, whether the administrator, a clear majority of teachers and supporting staff, and the governing bodies of the organizations representing parents and secondary school students, support the initiation of SPM~~
  - ~~c. Submit a written application to the facilitator **for review by** the SPMAC. will review all applications to determine if the above requirements have been met and will recommend new units to initiate formal, site-based participatory management~~
7. SPM site planning. In planning to become an SPM unit, each school should:
  - a. Conduct a self-analysis of its needs and circumstances **which** (This analysis may address such factors as student achievement levels,

~~structure and organization, goals, implementation of MCPS goals and the Program of Studies, allocation of resources, and staff development.)~~

- ~~b. Plan activities and allocate time for shared decision-making based on current research and the professional judgment and experience of participants~~
- ~~c. Design and institute a structure through which those involved in making decisions will hold themselves accountable for their outcomes, and can be held accountable by those they represent~~
- ~~d. Assure ongoing evaluation of shared decision-making processes as well as progress toward established goals~~
- ~~e. Consider non-traditional and innovative approaches to improving the school or unit and its contribution to the success of students and public education in Montgomery County~~

6. **Application.** A unit must apply to the facilitator and be selected by the SPMAC to participate in SPM. The application process will require a representative from each constituency group from the unit to attend an information session.

7. **SPM requirements.** While SPM encourages innovation and flexibility, units should implement SPM as described in this policy and must:

- a. Strive to improve educational opportunities for all students
- b. Observe all pertinent federal, state, **and local laws, policies,** and regulations, ~~Board of Education policies and goals,~~ and all collective bargaining agreements (see Section (h) Waivers)
- c. **Request waivers to Board policy, if necessary. If a site proposal conflicts with a Board policy or collective bargaining agreement, the school may request a waiver.**

(1) Waivers to Board policy apply only to the site requesting the waiver.

~~(1) Policy waiver requests must be submitted simultaneously to the SPM facilitator,~~



~~endorsed by SPMAC and the superintendent, and must then be approved by the Board. Waivers of provisions in collective bargaining agreements must also be approved by the organization that is a party to the agreement.~~

- (2) A process will be established developed under which contract waivers can be granted and approved by MCPS and the affected organization that are parties to the agreement. The development of this process for requesting waivers will include MCPS and representatives of each constituency group. These waivers will apply only to the site requesting the waiver.
- d. Base accountability for site-based participatory management decisions on a process and set of commitments, policies, and practices that are designed to ensure that students receive quality instruction in a supportive learning environment.
- (1) Accountability measures should provide ways to identify, diagnose, and change courses of action that are ineffective.
  - (2) Each site-based participatory management committee must establish a formal mechanism for defining, determining, and using the measures for accountability at that site.
  - (3) All members of a site-based participatory management committee must be held jointly accountable for any decisions made by the committee, and for making sure that decisions are made within the terms of this policy and other policies, applicable laws, and regulations. No attempt shall be made to hold any individual member of a site-based participatory management committee answerable or responsible for a committee decision.
  - (4) Members of a site-based participatory management committee represent a specific constituency, and remain accountable to their respective constituencies for their overall conduct as a member of the decision-making body.
  - (5) The site-based participatory management committee shall be responsible for frequent

evaluations of procedures and decisions in light of both outcomes and process.

e. Adhere to privacy laws that protect confidentiality. ~~Not have access to confidential data on individual staff members.~~ Therefore, issues or decisions related to the performance and/or behavior of individual students, staff, or parents will not be discussed, addressed, or acted on by the local committee.

~~g. Not address decisions requiring access to confidential information about students, staff, and parents.~~

~~h. Seek from all constituent groups and other community groups who have an interest in education an increased commitment to the school, a climate of collegiality.~~

f. ~~and~~ Establish and use a structure that ensures each ~~constituent~~ group's participation in consensus decision-making, which requires agreement of all members of the SPM committee.

g. ~~Advise~~ Involve and consult with appropriate area and central office staff ~~of~~ regarding proposed planned changes in curriculum or other systemwide procedures

h. Resolve, whenever possible, or avoid decisions that have a negative impact on other schools. ~~Avoid activities that may have a with possible negative impacts on other schools that cannot be resolved~~

#### 8. Withdrawal from SPM

a. ~~If SPM efforts~~ In a local unit, ~~are unsuccessful,~~ a majority of within one or more constituencies may determine to withdraw from participation. The unit, after communicating its desire for withdrawal to the SPM facilitator, and following a review by SPMAC, shall lose its designation as a formal SPM unit.

b. Site-based participatory management committees that operate or make decisions outside the parameters of this policy will be withdrawn from site-based participatory management.

- ~~10. Withdrawal from SPM. If, after making good faith efforts to implement SPM, one or more constituencies in a unit is considering withdrawing its support and participation, the unit steering committee shall notify the facilitator. The facilitator and/or SPMAC liaison will be available to meet with the unit to discuss its problems and provide support needed to maintain its continued participation in site-based participatory management. If that support is unsuccessful, and a majority of one or more constituencies determines to withdraw from participation, the unit shall lose its designation as a formal site-based participatory management unit, all rights enumerated in this policy, and any unspent funds provided to it for this purpose.~~

#### D. DESIRED OUTCOMES

This policy is designed to increase participation, cooperation, and collegiality among staff, parents, and students. This is accomplished by a greater decentralization of decision-making and by placing decision-making at the local level. It will also increase local accountability and ensure through that process that there is greater commitment to and understanding and ownership of the local mission. The result should be that student learning (Success for Every Student) is improved.

- 
- ~~1. **Success for every student** Improved student learning outcomes and opportunities~~
- ~~2. Improved c Cooperation and collegiality among staff and with parents and students~~
- ~~3. Increased local Improved accountability~~
- ~~4. Greater decentralization of decision-making~~

#### E. IMPLEMENTATION STRATEGIES

1. The superintendent, in cooperation with SPMAC, will establish regulations as they are needed to implement this policy and will assign responsibility for monitoring and reporting progress in achieving the goals of this policy.
2. Regulations developed in support of this policy will be sent to the Board as items of information.



6. C.7.c.1 - to read "Waivers to Board policy apply only to the site requesting the waiver and must be approved by the Board of Education"

7. C.7.c.2 - to read "A process will be established in which contract waivers can be granted and approved by the Board of Education and the affected organization that is a party to the agreement."

RESOLUTION NO. 562-92      Re:    POLICY ON SITE-BASED PARTICIPATORY  
MANAGEMENT

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

WHEREAS, In 1988, the Montgomery County Public Schools initiated a pilot program in site-based participatory management in nine schools; and

WHEREAS, The participants and potential pilot schools expressed the need for a policy governing site-based participatory management; and

WHEREAS, The Site-Based Participatory Management Advisory Committee (SPMAC) began to develop a policy that was presented to the Board of Education in November, 1991; and

WHEREAS, On November 12, 1992, the Board of Education approved portions of a policy on site-based participatory management and asked the superintendent to review issues raised by Board members; and

WHEREAS, In February, 1992, the superintendent convened a committee with representatives from MCAASP, MCCSSE, MCEA, and MCCPTA to reach consensus on recommendation to the superintendent on a site-based management policy; and

WHEREAS, On June 8, 1992, the Board of Education tentatively adopted the concept of site-based participatory management and asked the committee to review the concerns raised by Board members; and

WHEREAS, The committee met on June 15, 1992, and revised the draft to reflect the Board's suggestions; now therefore be it

Resolved, That the Board of Education adopt the following policy on site-based participatory management.

## SITE-BASED PARTICIPATORY MANAGEMENT

## A. PURPOSE

To define, encourage, and support site-based participatory management in the Montgomery County Public Schools

## B. ISSUE

Reports have been published over the last decade recommending changes in American public education. Of particular concern in many of these reports has been the system of top down decision-making.

Site-based participatory management and similar terms are being used in hundreds of districts across the country as they endeavor to restructure and improve teaching and learning in their schools. Many programs are based on the belief that those closest to students should be given as much flexibility and authority as possible to exercise their best judgments to create learning, cooperative school communities whose aim is to improve student achievement. However, there are no generally accepted definitions for these terms, and practices and conditions vary widely from district to district.

One of the recommendations of the Commission on Excellence in Teaching, published in 1987, was that the MCPS system of decision-making should be restructured at all levels. In 1988 MCPS launched a nine-school "flexibility pilot" as the result of work by several committees composed of administrators, teachers, support staff, and parents. Pilot participants, the superintendent, and the Board of Education now believe it is necessary to have a policy to define and guide further expansion of site-based participatory management and to support its further expansion in the Montgomery County Public Schools.

## C. POSITION

## 1. Definitions

- a. Site-based participatory management is the restructuring of decision-making and authority in schools and other worksites to ensure the active involvement and participation of administrators, teachers, support staff, parents, secondary school students, and their constituent organizations in decisions that affect student learning in a school. It requires these participants to accept increased responsibility and accountability for working together cooperatively to:

- (1) Develop and implement the school improvement management plan
  - (2) Determine goals, structures, and processes in schools and other worksites that improve the learning environment and student learning outcomes
  - (3) Participate in decisions that result in the allocation of resources; i.e., staffing, money, and time
- (b) Constituent organizations refer to the countywide organizations that are the recognized representatives of teachers and other staff (Montgomery County Education Association), supporting services staff (Montgomery County Council of Supporting Services Employees), administrators (Montgomery County Association of Administrative and Supervisory Personnel), parents (Montgomery County Council of Parent Teacher Associations), and secondary school students (Montgomery County Region of the Maryland Association of Student Councils and Montgomery County Junior Councils).
- (c) Local committees refer to the site-based participatory management committee at the local school or site. The local committee must have representation from all four constituency groups (five at the secondary level). Each site will determine the number of representatives on its committee and the selection process.
- (d) Other community groups refer to organizations or community groups who have an interest in education and a commitment to the school. Local committees are expected to seek input about their decisions from community groups as well as their own constituency groups. Local committees should make every effort to reflect in their membership the racial and ethnic characteristics of that local community. Members from other community groups may be invited to participate on local committees.
2. SPM Advisory Committee. The superintendent will appoint a Site-based Participatory Management Advisory Committee (SPMAC). The committee will include representatives from each constituent organization and any other representatives that the superintendent might deem necessary, to advocate for and advise the superintendent

on matters relating to site-based participatory management.

3. SPM Facilitator. The superintendent will appoint an MCPS employee to act as a site-based participatory management facilitator who will support and facilitate the work of SPMAC and provide leadership for implementing site-based participatory management in MCPS.
4. SPM expansion. In consultation with SPMAC, the superintendent will:
  - a. Develop a long-range plan for expanding the adoption of site-based participatory management in MCPS schools and provide for training and technical assistance for SPM units
  - b. Actively encourage schools to apply to participate in SPM
5. Training and leadership development. Each year, the superintendent, in consultation with SPMAC, will ensure that:
  - a. Information, orientation and training about the concepts and processes of site-based participatory management are provided to all constituencies and appropriate leadership staff
  - b. Ongoing training opportunities are provided for staff and parents in units that have adopted SPM
  - c. Administrator training programs provide opportunities to understand, prepare for, and support SPM
6. Application. A unit must apply to the facilitator and be selected by the SPMAC to participate in SPM. The application process will require a representative from each constituency group from the unit to attend an information session.
7. SPM requirements. While SPM encourages innovation and flexibility, units should implement SPM as described in this policy and must:
  - a. Strive to improve educational opportunities for all students
  - b. Observe all pertinent federal, state, and local laws and regulations, Board of Education policies



and goals, and all collective bargaining agreements

- c. Request waivers to Board policy, if necessary.
  - (1) Waivers to Board policy apply only to the site requesting the waiver and must be approved by the Board of Education.
  - (2) A process will be established in which contract waivers can be granted and approved by the Board of Education and the affected organization that is a party to the agreement. The development of this process for requesting waivers will include MCPS and representatives of each constituency group. These waivers will apply only to the site requesting the waiver.
- d. Base accountability for site-based participatory management decisions on a process and set of commitments, policies, and practices that are designed to ensure that students receive quality instruction in a supportive learning environment.
  - (1) Accountability measures should provide ways to identify, diagnose, and change courses of action that are ineffective.
  - (2) Each site-based participatory management committee must establish a formal mechanism for defining, determining, and using the measures for accountability at that site.
  - (3) All members of a site-based participatory management committee must be held jointly accountable for any decisions made by the committee, and for making sure that decisions are made within the terms of this policy and other policies, applicable laws, and regulations. No attempt shall be made to hold any individual member of a site-based participatory management committee answerable or responsible for a committee decision.
  - (4) Members of a site-based participatory management committee represent a specific constituency, and remain accountable to their respective constituencies for their overall conduct as a member of the decision-making body.

- (5) The site-based participatory management committee shall be responsible for frequent evaluations of procedures and decisions in light of both outcomes and process.
  - e. Adhere to privacy laws that protect confidentiality. Therefore, issues or decisions related to the performance and/or behavior of individual students, staff, or parents will not be discussed, addressed, or acted on by the local committee.
  - f. Establish and use a structure that ensures consensus decision-making, which requires agreement of all members of the SPM committee.
  - g. Involve and consult with appropriate central office staff regarding proposed changes in curriculum or other systemwide procedures
  - h. Resolve, whenever possible, or avoid decisions that have a negative impact on other schools.
8. Withdrawal from SPM
  - a. In a local unit, a majority within one or more constituencies may determine to withdraw from participation. The unit, after communicating its desire for withdrawal to the SPM facilitator, and following a review by SPMAC, shall lose its designation as a formal SPM unit.
  - b. Site-based participatory management committees that operate or make decisions outside the parameters of this policy will be withdrawn from site-based participatory management.

#### D. DESIRED OUTCOMES

This policy is designed to increase participation, cooperation, and collegiality among staff, parents, and students. This is accomplished by a greater decentralization of decision-making and by placing decision-making at the local level. It will also increase local accountability and ensure through that process that there is greater commitment to and understanding and ownership of the local mission. The result should be that student learning (Success for Every Student) is improved.

## E. IMPLEMENTATION STRATEGIES

1. The superintendent, in cooperation with SPMAC, will establish regulations as they are needed to implement this policy and will assign responsibility for monitoring and reporting progress in achieving the goals of this policy.
2. Regulations developed in support of this policy will be sent to the Board as items of information.

## F. REVIEW AND REPORTING

1. An annual report will be made to the Board of Education on the progress of site-based participatory management.
2. This policy will be reviewed every three years in accordance with the Board of Education's policy review process.
3. As part of that review process, or in the event that any policy changes are otherwise proposed, the Board will invite each constituent organization to submit in writing its views on proposed policy changes. The Board will discuss any recommendations for changing the policy with all constituent organizations and seek consensus on the proposed changes.

Re: A MOTION BY MRS. DiFONZO ON THE  
PROPOSED POLICY ON SEXUAL HARASSMENT  
(FAILED)

A motion by Mrs. DiFonzo to table the proposed policy on sexual harassment until September and have outside legal counsel examine the proposed policy failed with Mrs. Brenneman, Mrs. DiFonzo, and Mr. Sims voting in the affirmative; Dr. Cheung, Mr. Ewing, Mrs. Fanconi, Ms. Gutierrez, and Mrs. Hobbs voting in the negative.

RESOLUTION NO. 562-92      Re: TENTATIVE APPROVAL OF PROPOSED  
POLICY ON SEXUAL HARASSMENT

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

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

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

WHEREAS, Staff has revised the draft to address those issues; now therefore be it

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

Resolved, That the tentatively adopted policy together with the amendments proposed by Ms. Gutierrez be circulated to the public for comment with a view to scheduling final action in early September, but that prior to the circulation of the policy and proposed amendments, the proposed amendments be reviewed for legal appropriateness by the MCPS legal counsel, and any issues that they identify be brought to the Board's attention within two weeks for appropriate action prior to circulation of the policy and amendments.

#### Sexual Harassment

##### A. PURPOSE

To reaffirm the Board of Education prohibition of sexual harassment

##### B. ISSUE

Sexual harassment is not simply inappropriate behavior, it is against the law. Sexual harassment is a form of sex discrimination which violates the following federal and state laws: Title VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendment of 1972; Annotated Code of Maryland, Articles 27 and 49B. Sexual harassment is misconduct on a continuing basis which is offensive and disrupts the work and learning environments. It is important that all staff and students be able to understand this issue and assist in creating work and learning environments free of sexual harassment.

##### C. POSITION

MCPS does not condone or tolerate any form of sexual harassment of, or by, staff or students. It is the responsibility of every supervisor/principal to recognize acts of sexual harassment and take necessary action to ensure that such instances are addressed swiftly, fairly, and effectively.

1. Definition

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, or physical conduct of a sexual nature when:

- a. Submission to such conduct is made, explicitly or implicitly, a term or condition of employment/education
- b. Submission to or rejection of such conduct by an individual is used as the basis of employment/academic decisions
- c. Such conduct has the effect of unreasonably interfering with work performance/academic performance or creating an intimidating, hostile, or offensive environment

2. Sexual harassment includes, but is not limited to:

- a. Repeated requests for dates
- b. Sexually offensive pictures or jokes
- c. Unwanted sexual flirtations or advances
- d. Verbal abuse of a sexual nature
- e. Propositions
- f. Subtle pressure or requests for sexual activities
- g. Unnecessary touching or graphic or verbal comments about an individual's body
- h. Sexually degrading names
- i. Any other verbal, physical, and visual harassment that creates a hostile environment

3. Any staff member or student who believes that he or she has been subjected to sexual harassment should make it clear to the offender in a firm and direct manner that such behavior is offensive and unwelcome.

4. Any staff member or student who believes that he or she has been subjected to sexual harassment, or who has any knowledge of other staff members or students engaging in sexual harassment, should report such conduct promptly,

orally or in writing, to the immediate supervisor/principal, or directly to the EEO Officer. The supervisor/principal will report to the EEO Officer any complaint received regarding sexual harassment. If the complaint involves staff, the departments of Human Relations and Personnel Services will carry out the investigation through the Office of the Deputy Superintendent for Planning, Technology and Supportive Services. If the complaint involves only students, the investigation will be carried out by the Office of the Deputy Superintendent for Instruction in cooperation with the Department of Human Relations.

5. There shall be no retaliation when an individual either orally reports or files a written complaint regarding sexual harassment. The right to confidentiality, both of the complainant and the accused, shall be consistent with applicable laws and MCPS' responsibility to investigate and address such complaints.
6. Any staff member or student who violates this policy shall be subject to appropriate action, e.g., oral or written reprimand, professional counseling, reassignment, demotion, termination, suspension, or expulsion.
7. Staff members and students should seek guidance, support, or advocacy in addressing matters related to sexual offenses of any degree. Staff persons of the Department of Human Relations, Employee Assistance and the Office of Student Affairs are to be available for these services.

D. DESIRED OUTCOME

Work and learning environments free of sexual harassment.

E. IMPLEMENTATION STRATEGIES

The superintendent will develop a process for implementing this policy which shall include, but not be limited to:

1. Educating all staff about federal and state laws prohibiting sex discrimination/sexual harassment by including information in documents such as:
  - a. Announcements
  - b. Bulletins
  - c. Brochures
  - d. Applications

- e. Contracts
  - f. Other written communications
2. Publication and dissemination of information to all staff members and students that will inform them of BOE Policy, what sexual harassment is, what the individual can do, and where to go for help
  3. Training programs for supervisors/principals that are designed to:
    - a. Sensitize them to and make them aware of the issues regarding sexual harassment
    - b. Prepare them to educate all staff and students regarding sexual harassment issues
    - c. Assist them in processing complaints of sexual harassment
  4. Providing for the infusion of curricular experiences that will help students to aggressively confront matters related to sexual harassment and develop behaviors and attitudes that mitigate against inappropriate sexual overtures and pressures in school, work, and social settings. Included should be updated student competencies in the K-12 comprehensive guidance and counseling program. K-12 curricular modifications that integrate activities and skill building to help students understand and overcome sexual harassment problems and clarify gender roles should be introduced as soon as possible. Mediation, sex equity, career preparation, interpersonal relationships, and decision making also should reflect the individual and collective growth that is expected of students in this matter at all levels.

F. REVIEW AND REPORTING

1. The superintendent will report biannually to the Board of Education on reported sexual harassment incidents which include status reports by major staff and student categories, and descriptions of incidents and trends.
2. This policy will be reviewed every three years in accordance with the Board of Education policy review process.

Re: RESOLUTION ON LONG-RANGE PLANNING  
AND RESOURCE ALLOCATION

Mr. Ewing moved and Ms. Gutierrez seconded the following resolution as a substitute for the proposals on long-range planning and resource allocation:

WHEREAS, Education needs to be considered as a long-term investment for the county, and as such requires long-term plans; and

WHEREAS, The Board of Education and superintendent have initiated long-range planning efforts that will help to identify the priorities for the Board throughout the 1990's and into the next century; and

WHEREAS, The Board of Education adopted a resolution in February 1991 that identifies a number of action areas to guide this planning; and

WHEREAS, There is much more that the Board of Education and superintendent need to do in the area of long-range planning, particularly in light of the current fiscal situation and the difficulty that the Council will have funding future MCPS budgets; and

WHEREAS, Since the resources to achieve all of the Board's initiatives are unlikely to be regularly available, plans for contingencies are needed that take account of the variations in available resources; and

WHEREAS, Plans need to be designed that consider alternative ways of doing business and that achieve goals in the most economic way; and

WHEREAS, There is also a need to explore options for service delivery and for resource allocation that include not only educational services but all other services purchased by the school system; and

WHEREAS, A task force for long-range planning, comprised of parents, staff, and community members, including those with experience in strategic and long-range planning, could assist the Board in developing long-range plans and exploring options for service delivery and resource allocation; now therefore be it

Resolved, That the Board of Education establish a Task Force on Long-range Planning and Resource Allocation; and be it further

Resolved, That the Task Force will develop a long-range plan to guide Montgomery County Public Schools to the year 2000; and be it further





RESOLUTION NO. 564-92      Re: LONG-RANGE PLANNING AND RESOURCE  
ALLOCATION

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

WHEREAS, Education needs to be considered as a long-term investment for the county, and as such requires long-term plans; and

WHEREAS, The Board of Education and superintendent have initiated long-range planning efforts that will help to identify the priorities for the Board throughout the 1990's and into the next century; and

WHEREAS, The Board of Education adopted a resolution in February 1991 that identifies a number of action areas to guide this planning; and

WHEREAS, There is much more that the Board of Education and superintendent need to do in the area of long-range planning, particularly in light of the current fiscal situation and the difficulty that the Council will have funding future MCPS budgets; and

WHEREAS, Since the resources to achieve all of the Board's initiatives are unlikely to be regularly available, plans for contingencies are needed that take account of the variations in available resources; and

WHEREAS, Plans need to be designed that consider alternative ways of doing business and that achieve goals in the most economic way; and

WHEREAS, There is also a need to explore options for service delivery and for resource allocation that include not only educational services but all other services purchased by the school system; and

WHEREAS, A task force for long-range planning, comprised of parents, staff, and community members, including those with experience in strategic and long-range planning, could assist the Board in developing long-range plans and exploring options for service delivery and resource allocation; now therefore be it

Resolved, That the Board of Education establish a Task Force on Long-range Planning and Resource Allocation; and be it further

Resolved, That the Task Force will develop a long-range plan to guide Montgomery County Public Schools to the year 2000; and be it further

Resolved, That the Task Force will explore the options for service delivery and resource allocation, along with the costs of each option, and examine the allocation of resources among schools, programs and services using efficiency, equity and excellence as its criteria for allocation; and be it further

Resolved, That the Task Force will develop plans for contingencies that will take into account variations in available resources, as well as provide advice on how to develop several scenarios for future budget years, including a choice among the scenarios of that which is most desirable and that which is the most likely to occur; and be it further

Resolved, That the Task Force explore elements of these scenarios, including alternative ways of doing business, and developing plans that are designed to achieve goals in the most economic way; and be it further

Resolved, That the Task Force establish a framework for one- and six-year operating budgets and advice on a six-year budget starting with the FY 1994 operating budget; and be it further

Resolved, That the Task Force should be comprised of parents, community members, staff, management experts and financial officers from corporations in the county, and educational reform experts from the county; and be it further

Resolved, That the task force request the views, before it makes its interim and final reports, of the county executive and other county executive branch officials, the Montgomery County Council, and the Montgomery County Planning Board; and be it further

Resolved, That the Task Force submit an interim report to the Board by January, 1993 and submit the final plan to the Board by July, 1993.

Re: ADJOURNMENT

The president adjourned the meeting at 10 p.m.

---

PRESIDENT

---

SECRETARY

PLV:mlw