Rockville, Maryland August 4, 1992

APPROVED 37-1992

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, August 4, 1992, at 10:25 a.m.

ROLL CALL Present: Mrs. Catherine Hobbs, President

in the Chair
Dr. Alan Cheung
Mrs. Sharon DiFonzo\*
Mr. Blair G. Ewing
Mrs. Carol Fanconi
Ms. Ana Sol Gutierrez\*

Mr. Jonathan Sims

Absent: Mrs. Frances Brenneman

Others Present: Dr. Paul L. Vance, Superintendent

Mrs. Katheryn W. Gemberling, Deputy

Dr. H. Philip Rohr, Deputy

Mr. Thomas S. Fess, Parliamentarian

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

Re: ANNOUNCEMENT

Mrs. Hobbs announced that the Board had been meeting in closed session on personnel issues. Mrs. Brenneman was on vacation, and Ms. Gutierrez would join the Board in the afternoon. Mrs. DiFonzo was in the building and would join the Board shortly.

RESOLUTION NO. 592-92 Re: BOARD AGENDA - AUGUST 4, 1992

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

<u>Resolved</u>, That the Board of Education approve its agenda for August 4, 1992.

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

Re: A MOTION BY MR. EWING ON PROPOSED CHANGES TO BUDGET SUBMITTAL DATES (FAILED)

A motion by Mr. Ewing that the Board of Education endorse a position of support for the budget dates (the same dates for the school system as for the county government) being recommended to

the County Council by the Council's Management and Fiscal Policy Committee failed with Dr. Cheung and Mr. Ewing voting in the affirmative; Mrs. DiFonzo, Mrs. Fanconi, Mrs. Hobbs, and Mr. Sims voting in the negative.

Re: MOTION BY MRS. DiFONZO ON BUDGET SUBMITTAL DATES (FAILED)

A motion by Mrs. DiFonzo that the Board of Education support maintaining the current budget submittal dates failed with Mrs. DiFonzo, Mrs. Fanconi, Mrs. Hobbs, and Mr. Sims voting in the affirmative; Dr. Cheung and Mr. Ewing voting in the negative.

Re: COUNTY COUNCIL REQUESTED COUNTYWIDE BOUNDARY CHANGE OPTIONS AND BLAIR SOLUTIONS

Dr. Rohr reported that in taking action on the FY 1993 capital improvement programs the Council appropriated funds and requested information on the Blair High School proposal and the Kay tract. The education committee was meeting tomorrow to review the status of the studies. There would be a September 9 meeting with the Council to go over these various studies. Ms. Ann Briggs, director of educational facilities planning and capital programming, would present the status of the studies on Blair and a request to look at countywide boundary changes by the Council.

Ms. Briggs explained that this was an information update for the Board, and no action was required of the Board. She reported that about three years ago the school system began to look at the secondary space needs for the Blair cluster. In December, 1990, the Board acted to add 33 teaching stations to Blair High School on the Wayne Avenue site as a way of maintaining the service area and the diverse educational programs at that school. Planning Board, county executive, and the County Council had questions about expanding on the Wayne Avenue site. asked the Board to reconsider its decision and look at secondary space needs in the adjoining clusters. The school system then looked at needs in nine clusters: Blair, Paint Branch, Sherwood, Rockville, Walter Johnson, Einstein, and others. In February, the Board received a proposal to build a new high school in the northeast area (Paint Branch/Springbrook), to put additions on other schools, and to add 33 teaching stations to Blair. In March, the Planning Board and the Council stated that they would not fund an addition on the Wayne Avenue site. As a result of that, the Board asked staff to look at all possible solutions including a split campus, a new building, and reopening Northwood. Ms. Briggs reported that the Board had held hearings, and in April the Board acted to request to the Council that a new Blair High School be constructed on the Kay tract which was the only remaining large piece of property in the downcounty area. Northwood would be used as a holding school, and the Wayne Avenue facility would become the third middle school. They also decided to proceed with planning of the northeast high school and the additions needed. The Planning Board stated that the boundaries for Blair should be maintained and that it would be a good idea to relocate Blair to an appropriate site, either the Kay tract or Northwood. They also noted that numbers for the new northeast high school were not speculative. The Council in reviewing the request for funds said that there were unanswered questions. They requested a cost benefit analysis comparing several different proposals. They asked to look at a big Blair on either site, a split campus proposal, a proposal reopening Northwood as an individual school, and a look beyond the eastern area to countywide boundary changes. They were concerned about the timeframe, and they asked that staff get back to them in August and September.

Ms. Briggs said that the issues were whether or not the Kay site could be acquired and, if so, what would the cost be. They had to look at the possibility of other users because the Kay tract was a 42 acre site. In addition, they had to look at users of the Wayne Avenue site. They had to look at environmental issues connected to the Kay tract and community and neighborhood impact. Staff had to look at a program for 2800 students as well as the idea of connecting programs at Blair, Einstein, and Kennedy.

In order to answer these questions, Ms. Briggs reported that they relied on MCPS, staff from other agencies, and consultants. They had an overview committee that had been meeting bi-weekly to review the issues. Participating in the overview were people from the county executive's office, the County Council, the planning board, and DOT. They had had the involvement of the school principal and cluster representatives. Park and Planning had put together a design review team including people knowledgeable about traffic, environment, and urban design.

Ms. Briggs commented that the good news was they had found nothing that did not support continued pursuit of the Boardadopted action for the Kay plan. As far as site acquisition, she felt that negotiations with the owners had been very positive, and they were seeing a willingness to sell and to sell within the timeframe necessary. In terms of the site analysis, there were seven or eight issues involved. They would need a noise barrier from the traffic along Route 495. They were still gathering data on air quality for both the Kay and the Northwood site. They had found a man-made wetland area on the Kay tract which could be They had found no evidence of hazardous or toxic accommodated. The soil looked good but needed fill, and they had not found any rock problems. Traffic in this area had been a long standing problem. They had a thorough study of implications for the Kay tract, and their consultant was completing a study for the Northwood site. The initial finding was that school use of the site would have considerably less long-term impact than mixed development use. Storm water management would be a major consideration and would probably require an on-site pond and underground storage. If they developed more than two acres of the Northwood site, they would have to move into storm water management.

Ms. Briggs indicated that they had met with other potential users of the Kay tract including Parks and Recreation because there was a strong need in this part of the county for these facilities. They had had tremendous help from the design team on what the two sites might look like after building. Program management for a big Blair was a task they delegated to the principal and his They were eager for a consortium with Einstein and Kennedy, and they were looking at team teaching and interdisciplinary approaches. They had stressed the need for convertible spaces and a way of serving the student population in small administrative units. Curriculum and Instruction staff had a committee looking into distance learning for the Blair, Einstein, and Kennedy connection. They were looking at reducing the distance between the schools by using technology, common scheduling, and curriculum for the three schools.

The Wayne Avenue Reuse Committee had looked to other agencies for information. Whatever the uses were they had to be compatible with the Board-adopted action to house a middle school there. They also assumed that the French Immersion Program would be there. The feeling was that they would want to retain the remodeled cafeteria, the auditorium, the stadium, and the field house. If Wayne Avenue were a middle school site, the playing fields would be adequate, and the fields used by Blair could be returned to the community. They also believed that the traffic and parking problems would be lessened by a middle school.

Ms. Briggs reported that they had a very impressive consultant doing the cost-benefit analysis, and they hoped to have a report by August 31. She indicated that they had also provided the Board with a paper requested by the Council for a look countywide at boundary changes. Staff believed this study confirmed their contention that they were out of secondary space. No matter how they moved students, they needed 400 more teaching stations prior to 2005 at the secondary level which was the equivalent of more than five high schools.

Mr. Sims said they had spoken about convertible spaces in the designing of the new building. Having attended Eastern, he knew that the facilities available at Blair for students wishing to continue in that program were not up to the quality of those at Eastern. He wondered whether this had been discussed. Ms. Briggs replied that she had not sat in on these meetings, but her feeling was that they would get to this degree of detail as the process moved forward. Mr. Sims asked about the use of Blair if it were converted into a middle school because of its present

size. Ms. Briggs replied that there was an excess of about 150,000 square feet. They would have to look at whether to maintain that space or demolish a portion of the building.

Mrs. Fanconi was concerned about the document before the Board going out without any explanation of the context. She asked how the paper had been conveyed to the County Council. Ms. Briggs explained that the paper on countywide boundary changes had included the Board paper of April 9. However, the initial copies of the paper might have gone out to the community at large without the April 9 paper.

Mrs. Fanconi made the following statement for the record:

"I think the Board is very clear about our feelings about countywide boundary changes and I think it needs to be on the record as this goes forward.

"The school system has already done significant boundary changes in many clusters in order to use space more efficiently. Significant boundary changes would be disruptive to communities that have only recently become relatively stable. Many boundary changes that look reasonable in the short term will be undone by the longer term demographic and population changes. Racial and socioeconomic balance must be considered in making all boundary changes.

"This is a summary by Jennifer Andrews of the Board's document which is several pages long, but it seems to me that we go into quite a discussion on balancing the diverse population, the need to consider the Board's policies on educational issues, as well as just facility issues, and I just wanted to make it clear that the Board does not support countywide changes and in fact has asked that this paper go along with it."

It seemed to Mr. Ewing that if the Board had no intention of taking action of a formal kind on this paper today, it ought to convey to the Council that this paper provided options and that none of those options had been endorsed by the Board. He indicated that Option 6 was consistent with the Board's action on the northeast high school, but the Board had not reviewed or acted on this. He thought that at some juncture the Board should take a formal position on the issue of countywide boundary changes.

Mr. Ewing thought it was important to recognize the excellent work on the part of the superintendent's staff in undertaking and managing the analytic efforts nearing completion. It appeared to him that they were attacking this set of issues in an orderly and systematic way. In regard to traffic, he hoped that they were looking at placing a new entrance on University Boulevard between Colesville Road and the fire station to see what the impact would

be on the Four Corners intersection. It seemed to him that the impact would be relatively minor. Ms. Briggs replied that they were looking at the impact of different accesses to the tract.

In regard to the wetlands, Mrs. DiFonzo asked whether the government had regulations dealing with naturally occurring wetlands as opposed to created wetlands. Ms. Briggs did not think so. The area had been there so long, they would have to meet those guidelines. Ms. Briggs explained that this site differed from that in the Briggs Chaney site because they had enough acreage to replace the wetlands by creating a new pond.

Mrs. Hobbs thanked the staff for their report.

Re: SUCCESS FOR EVERY STUDENT PLAN UPDATE

Mrs. Gemberling explained that there were two parts to the information they wanted to share with Board members. One part referred directly to the packet in front of the Board. These were examples of the format they would be using to record data. They wanted to make sure that Board members understood the format being proposed, The second part of the presentation was to hear from the Standards and Outcomes Workgroup about their progress in determining local standards. In the SES plan they had listed standards that were already set around the various state mandates, and they had also indicated they would be establishing their own local accountability through criterion-referenced tests. They were including teachers, principals, curriculum people, and DEA people in determining these standards.

Dr. Steven Frankel, acting director of the Department of Educational Accountability, reported that they had tried to translate the SES outcomes into a series of table shells into which they planned to put in data. This would show the Board and public whether SES goals were being met or not. He showed the Board examples of the reports they would receive and how the reports could be interpreted once they had the data. Helen Smith, acting associate superintendent, explained that the curriculum staff had worked closely with DEA in the development Once they had the data, they would work with the of the tables. coordinators and the SES teacher team to design programs to address needs. Dr. Frankel commented that the most important thing was they now knew what they were able to get and when they were going to get it.

Mrs. Gemberling introduced Mr. Steven Seleznow, Mrs. Eoline Cary, and Dr. Leroy Tompkins, members of the Outcomes and Standards Work Group. This would be an interim presentation to give the Board the benefit of the group's thinking at this point. The group had used the summer time to meet with resource teachers,

middle school principals and IRTs, and elementary school principals and teachers.

Mrs. Cary reported that their 31-member group began meeting at the end of March and expected to continue to meet for several years to establish and monitor the achievement of standards. They were charged with establishing individual and school standards for achieving the student outcomes in math and reading/language arts. They would be using the local criterion-referenced tests at grades 4, 6, and 7. In addition to the suggestions received from staff, they were also getting input from parents and would welcome advice from Board members. They hoped to establish high standards that would reflect the high achievement they expected from all students. She noted that historically the CRTs had been used in the schools as diagnostic measures by teachers and principals not as accountability measures.

Mrs. Cary stated that one of their first tasks was to define terms. An outcome meant "what is it that a student should know or be able to do." A standard was the level or degree of performance they judged to be acceptable. A goal was what they desired to achieve. The committee had recommended that the goal would be that in five years, 100 percent of their schools would have 75 percent of the students meeting this high standard. In their research, they found that other systems were looking to MCPS to be a role model in this area. They had also determined that the CRTs were difficult tests and not minimum competencies.

Dr. Tompkins commented that setting and using performance standards for making educational decisions was not a new enterprise for educators. Teachers have always done this, and the state had done this. What was new was they were now being asked to set performance standards on their own tests to be used as a basis for measuring school success in their SES program. This would be held up for public scrutiny.

Dr. Tompkins reported that they discussed in depth several preliminary considerations inherent in responsible standard setting. These included the understanding that standard setting would necessarily be judgmental, and the end result would be that members of the committee would have to make some tough decisions regarding the significance of those numbers. Standards had to be revisable, and procedures for performing this should be an integral part of the process. Standards had to be experientially based, and there had to be realistic timelines to establish the standards. Dr. Tompkins described the operations of the committee in two separate groups for reading and mathematics. the math group they actually looked at each item on the tests and make estimates of the percentage of students who would answer the questions correctly. Data was analyzed to determine the impact of the group's decision on student performance and school

performance rates. In the reading group, each member reviewed the entire test and made recommendations to the entire group. The group then continued to discuss the items until consensus was reached.

Dr. Tompkins explained that they were now meeting as an entire committee and reacting to feedback from principals and teachers before arriving at a final decision.

Mr. Seleznow noted that the literature suggested that standard setting should be a matter for public discourse. The committee did not see standard setting as its exclusive domain; therefore, they had met with over 500 teachers, principals, and parents and would continue that process. They hoped to receive more time to do this so that the standards set in Montgomery County would be reflective of their traditions and expectations for all students.

Mr. Seleznow commented that probably the most interesting part of the process for both committees was taking the tests themselves. He asked the Board to find time to do the same because then they would truly understand what was being asked of students. This would also help them distinguish between the MCPS CRTs and the Maryland State Functional Tests. The MCPS CRT was a high performance test which was challenging and difficult.

Mr. Seleznow showed the Board a model of what they were trying to He gave the Board several graphic illustrations of how the CRTs were scored and what the results meant. He explained that while the committee wanted a uniform standard they also wanted to have a measured growth standard to recognize schools that had made progress. He thought that this went along with the educational load process described by Dr. Larson and would give schools an incentive to show progress. The committee believed they should have high expectations for every student, and they did not want to come up with a standard that was easy to meet. They were now in the process of testing the validity of the standards the committee had been working on to see the impact on students and schools. They did not want to present just numbers. They wanted to have for each score on the scale a qualitative description of the outcomes so that when a parent received a report he or she would be able to see a narrative description of what this meant.

Mrs. Cary reported that the committee was recommending using this year's test results as baseline data. They also asked that CRTs begin in the second grade and that at third and fifth grade modified CRTs be administered. This would give them a way of looking at the growth every year. Their final recommendation was to explore multiple assessment measures including portfolios so that they would keep in mind that the CRT was only one piece of information about a child's progress.

Dr. Cheung commented that he liked what he had seen. He asked whether the data would be on line or put in by hand. Dr. Frankel replied that all of this information would be on line with the exception of the state data.

Mr. Ewing asked why the tables did not include CRT materials, and Dr. Frankel explained that they were waiting for the standards committee to develop these. It seemed to Mr. Ewing that it was important to proceed with this as an integral part of the whole approach because, otherwise, it would be a set of measures that were minimum competency or process standards. He said that parents were interested in outcomes in terms of something more than minimum competency. Mr. Ewing reported that the copresidents of the gifted and talented association had proposed that in addition to the CRTs that they make use of the ISM proposal in providing data for parents, for students, and for schools. He would like to know what the work group thought of that, why it did not include that, and how they expected to make use of ISM. He also asked how certain they were that the CRTs were measuring the MCPS curriculum and what was being taught.

Dr. Tompkins replied that he was sure of this. The items used on the CRTs were developed by MCPS staff to measure the objectives in the MCPS curriculum. They would find out whether or not these objectives were actually being taught in the classroom. Frankel felt that the CRT was a lever to induce people to teach the curriculum. He reported that they had started working on a paper about the best ways of using the ISM. Mr. Ewing asked what conclusions they would draw if the CRT results were not as good as they would like them to be. He hoped they would not automatically conclude that the CRTs were too hard. He hoped they would conclude that they might have some delivery problems including the issue of how well prepared teachers were in elementary school to teach math and science. Mr. Seleznow indicated that the committee had discussed this point.

Mr. Ewing asked whether the Board would see the work group report, and Mrs. Gemberling indicated that it would be provided to the Board.

Mr. Sims was concerned about the number of hours students spent taking tests as opposed to learning how to do well on those tests. The issue had been raised about the CRTs in the second grade, and he wanted to know if they had discussed the issue of trying to minimize the number of hours of testing. He requested that staff provide an itemized picture of how many hours students would spend taking tests. Dr. Frankel explained that in designing the program they tried not to overlap the testing. However, they had taken out all standardized testing which had reduced that burden. Because of the problems the state was having with the MSPP, this was the only way of testing. Mrs. Gemberling added that they did not want to double test at certain

grades. It appeared that the results from the state would not produce individual student records but rather group data. However, Success for Every Student focused on monitoring each child's progress on a regular basis. The important point was that schools could work toward achieving standards and could make gains, and this required almost an annual kind of assessment. She pointed out that the CRTs were designed to measure their curriculum, and to have that assessment of what they were teaching was probably their highest priority right now.

Mrs. Hobbs asked staff for information on how they were meeting the findings and recommendations of Dr. Gordon in his report. She thanked staff for their presentations.

Re: ANNOUNCEMENT

Mrs. Hobbs announced that the Board had been meeting in executive session on legal issues.

Re: PUBLIC COMMENTS

The following individuals appeared before the Board:

- 1. Judy Koenick
- 2. Janet Johnson
- 3. Kathleen Chronowski
- 4. Margie McGovern
- 5. Roscoe Nix
- 6. Hanley Norment, NAACP
- 7. Owen Nichols

RESOLUTION NO. 593-92 Re: PROCUREMENT CONTRACTS MORE THAN \$25,000

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

WHEREAS, Funds have been budgeted for the purchase of equipment, supplies, and contractual services; now therefore be it

<u>Resolved</u>, That having been duly advertised, the following contracts be awarded to the low bidders meeting specifications as shown for the bids as follows:

92-03 Primary Inpatient and Outpatient Chemical
Dependency Treatment Program - Extension

Awardees
Circle Treatment Center \$ 11,250
Maryland Treatment Centers, Inc. 11,250
Montgomery General Hospital, Inc. 11,250
Total \$ 33,750

525-2	Freon <u>Awardees</u> Melchoir/Armstrong/Dessau, Inc.	\$	21,233
	United Refrigeration Total	\$	8,065 29,298
182-91	Paperback/Prebound Paperback Books - Extens		
	Econo-Clad Books Perfection Form Company Total	\$ <del></del>	80,000 110,000 190,000
200-91	On-Site Service for Microcomputer Maintenan Extension <u>Awardee</u>	.ce	
	Technical Specialties, Inc.	\$	85,000
202-91	Bus and Vehicle Maintenance and Service Extension Awardee		
	Fleetpro, Inc.	\$	150,000
203-91	Fresh Donuts - Extension <u>Awardee</u>	4	E1 050
	Montgomery Donut Company, Inc.	\$	71,253
112-92	Modem Equipment Awardee		
	Landon Systems Corporation	\$	87,050
118-92	Plumbing Supplies <u>Awardees</u>		
	Apex Plumbing Supply, Inc. Associated Controls Bay Hydronics, Inc. Crest Good Mfg., Company, Inc. Frederick Trading Company	\$	7,120 7,566 2,770 3,495 502*
	McArdle and Walsh, Inc. R. E. Michel Company, Inc. Motion Specialties, Inc. Noland Company		11,661 3,726 2,385 22,808
	Dan Rainville and Associates, Inc. J. A. Sexauer, Inc. Thomas Sommerville Company		1,504 4,836 336
	Sunshine Chemical Specialties, Inc. Superior Specialty Company THB Enterprises, Inc.		499 27,725 652*
	USCO, Inc. Total	\$	1,766 99,351

141-92	Microcomputer Peripherals Awardees	
	Connecting Point Computer Center	\$ 19,430
	Data Connect Enterprises	3,290
	Inmac	852
	JWP Information System	1,638
	Kobe Fiber Optics	1,312*
	SSI Business Centers	<u>362,424</u> *
	Total	\$ 388,946
	TOTAL MORE THAN \$25,000	\$1,134,648

<sup>\*</sup>Denotes MFD vendors

RESOLUTION NO. 594-92 Re: AWARD OF CONTRACT - OAKLAND TERRACE ELEMENTARY SCHOOL

On recommendation of the superintendent and on motion of Mrs. Fanconi seconded by Dr. Cheung#:

WHEREAS, The following bids were received on July 2, 1992, for the modernization and addition to Oakland Terrace Elementary School, with work to begin immediately after the asbestos is removed from the existing building and be completed by August 2, 1993:

	<u>Bidder</u>	Amount
2. 3. 4. 5.	Bildon, Inc. Northwood Contractors, Inc. Caldwell and Santmyer, Inc. Henley Construction Co., Inc. Hess Construction Company Kimmel & Kimmel, Inc.	\$4,185,600 4,316,500 4,389,050 4,414,900 4,446,500 4,516,300

## and

WHEREAS, The low bid is below the staff estimate of \$4,250,000; and

WHEREAS, Bildon, Inc., has completed the renovation at Richard Montgomery High School successfully and is currently finishing the Travilah Elementary School modernization project; now therefore be it

<u>Resolved</u>, That a \$4,185,600 contract be awarded to Bildon, Inc., for the modernization and addition to Oakland Terrace Elementary School, in accordance with plans and specifications prepared by Garrison-Schurter, Architects.

RESOLUTION NO. 595-92 Re: AWARD OF CONTRACT - SPRINGBROOK HIGH SCHOOL

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

WHEREAS, The following bids were received on June 16, 1992, for the modernization/addition to Springbrook High School:

	<u>Bidder</u>	Amount
2. 3. 4. 5. 6. 7.	S. B. Construction Co., Inc. Tiber Construction Co. W. M. Schlosser Co., Inc. Dustin Construction, Inc. Henley Construction Co., Inc. Glen Construction Co., Inc. Triangle General Contractors, Inc. Kimmel & Kimmel, Inc.	\$17,649,000 17,675,000 18,484,000 19,027,000 19,304,000 19,477,300 19,580,000 19,648,000

## and

WHEREAS, The first and second low bidders, S. B. Construction Co., Inc., and Tiber Construction Co., have asked to withdraw their bids from this project due to mathematical errors they made in their bid proposals; and

WHEREAS, Legal counsel from Reese & Carney have reviewed this matter and believe that S. B. Construction Co., Inc., and Tiber Construction Co. should be permitted to withdraw their bids; and

WHEREAS, Staff has recommended that the project be rebid because the remaining bids exceed the estimated cost of \$17,700,000; and

WHEREAS, The delay in rebidding the project will not affect the completion date since the asbestos removal work has been awarded as a separate contract and will be proceeding during the rebidding process; and

WHEREAS, The Board of Education has determined that rebidding the project is in the best interest of the public; now therefore be it

<u>Resolved</u>, That all bids received for the Springbrook High School modernization/addition be rejected and the project be rebid as soon as possible.

RESOLUTION NO. 596-92 Re: REDUCTION OF RETAINAGE - WALT WHITMAN HIGH SCHOOL

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

WHEREAS, Donohoe Construction Company has completed work on the new Walt Whitman High School and has begun demolition of the old facility, with final site work to be completed in May, 1993; and

WHEREAS, Retention of funds was reduced on March 23, 1992, from 10 percent to 5 percent; and

WHEREAS, Donohoe Construction Company has requested that retention on the new building be further reduced because it has been occupied; and

WHEREAS, The project bonding company, Seaboard Surety Company, has consented to this reduction; and

WHEREAS, The project architect, Grimm & Parker, and staff have reviewed this request and find it to be reasonable; now therefore be it

Resolved, That the 5 percent retention withheld from periodic payments to Donohoe Construction Company, general contractor, for the Walt Whitman High School, be reduced only on the new building phase from 5 percent to 2 percent, with the remaining 2 percent to become due and payable after completion of all remaining requirements and formal acceptance of the completed project.

RESOLUTION NO. 597-92 Re: PROJECT COMPLETION AGREEMENT - ALBERT EINSTEIN HIGH SCHOOL SECOND GYMNASIUM

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

WHEREAS, Lynmar Corporation of Virginia, Inc., the general contractor for Albert Einstein High School's second gymnasium, declared bankruptcy and is unable to satisfy payment claims against the project; and

WHEREAS, The project has been completed and accepted by the Board at its December 10, 1991, meeting; and

WHEREAS, The surety, International Fidelity Insurance Company, has assumed responsibility to satisfy the general contractor's

outstanding obligations and is due final payment for the project; and

WHEREAS, Legal counsel from Reese & Carney has advised the Board of Education to obtain an indemnification agreement from the surety holding MCPS harmless against any future claims prior to making final payment; now therefore be it

Resolved, That the superintendent prepare an agreement in consultation with legal counsel and International Fidelity Insurance Company indemnifying the Board of Education against any future claims arising from the Albert Einstein High School second gymnasium project.

RESOLUTION NO. 598-92 Re: CHANGE ORDER FOR BRIGGS CHANEY MIDDLE SCHOOL

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

WHEREAS, The construction contract for Briggs Chaney Middle School project contained allowances for site utility work that was completed at less cost than anticipated; and

WHEREAS, The balance in the allowance resulted in a credit to MCPS; now therefore be it

<u>Resolved</u>, That a \$38,908 credit change order to the contract with Gassman Corporation for the Briggs Chaney Middle School project be approved.

RESOLUTION NO. 599-92 Re: GRANT OF RIGHT-OF-WAY AT A FUTURE DAMASCUS CLUSTER SCHOOL SITE

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

WHEREAS, The Potomac Edison Company has requested a right-of-way to upgrade the existing overhead electrical facilities on the future Damascus cluster school site located on Frederick Road (MD 355) in Clarksburg; and

WHEREAS, The proposed grant of right-of-way will provide for overhead facilities to be contained in 0.6870 acres along the MD 355 frontage of the site; and

WHEREAS, The grant of right-of-way will benefit a future school and the surrounding community by improving electrical services, and will not affect any land that is anticipated to be utilized for school purposes; and

WHEREAS, All construction, restoration and future maintenance will be performed at no cost to the Board of Education, with the Potomac Edison Company and its contractors assuming liability for all damages or injuries; now therefore be it

<u>Resolved</u>, That the president and secretary be authorized to execute a Right-of-Way Agreement with the Potomac Edison Company for the land requested at the future Damascus cluster school site on Frederick Road (MD 355) in Clarksburg; and be it further

<u>Resolved</u>, That a fee of \$63,000.00 be paid to MCPS by the Potomac Edison Company for the subject right-of-way.

RESOLUTION NO. 600-92 Re: FY 1993 CATEGORICAL TRANSFER WITHIN THE DRUG-FREE SCHOOLS AND COMMUNITIES PROJECT

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

Resolved, That the superintendent of schools be authorized, subject to County Council approval, to effect the following FY 1993 categorical transfer of \$37,510 within the MCPS Drug-Free Schools and Communities Project, funded by the United States Department of Education (USDE), through the Maryland State Department of Education (MSDE), under the Drug-Free Schools and Communities Act of 1986 and the Omnibus Drug Act of 1988, in the following categories:

<u>Category</u>	From	<u>To</u>
2 Instructional Salaries 3 Other Instructional Costs	\$34,670	\$37,510
10 Fixed Charges	2,840	
Total	\$37,510	\$37,510

and be it further

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

RESOLUTION NO. 601-92 Re: FY 1993 SUPPLEMENTAL APPROPRIATION FOR THE INFANTS AND TODDLERS PROGRAM

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

Resolved, That the superintendent of schools be authorized to receive and expend an FY 1993 supplemental appropriation of \$234,219 in federal funds from the Maryland Office for Children, Youth, and Families, via the Montgomery County Government, for the interagency infants and toddlers program in the following categories:

	<u>Category</u>	<u>Positions*</u>	<u>Amount</u>
4 10	Special Education Fixed Charges	2.75	\$186,058 <u>48,161</u>
	Total	2.75	\$234,219

- \* 1.0 Infants & Toddlers Screening Specialist (10 month)
  - .5 Special Education Teacher (10 month)
  - .5 Speech Pathologist (10 month)
  - .5 Physical Therapist (10 month)
  - .25 Occupational Therapist (10 month)

and be it further

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

RESOLUTION NO. 602-92 Re: FY 1993 FUTURE SUPPORTED PROJECT FUNDS FOR MARYLAND SCHOOL PERFORMANCE ASSESSMENT PROGRAM (MSPAP) EQUIPMENT

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1993 Provision for Future Supported Projects a grant award of \$3,663 from the Maryland State Department of Education (MSDE) for Maryland School Performance Assessment Program (MSPAP) equipment to be used by the Department of Educational Accountability (DEA), in the following category:

	<u>Category</u>	<u>Amount</u>
1	Administration	\$3,663
	Total	\$3,663

and be it further

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

RESOLUTION NO. 603-92 Re: FY 1992 FUTURE SUPPORTED PROJECT FUNDS FOR PROJECT HIGH HOPES

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1993 Provision for Future Supported Projects a grant award of \$59,911 from the Montgomery County Private Industry Council (PIC), under the Job Training Partnership Act (JTPA), for continuation of Project High Hopes at Montgomery Blair High School, in the following categories:

	<u>Category</u>	<u>Positions*</u>	<u>Amount</u>
3 7	Instructional Salaries Other Instructional Costs Student Transportation	1.0	\$39,353 5,000 1,000
10	Fixed Charges	<del></del>	14,558
	Total	1.0	\$59,911

- \* .5 Teacher A-D (10 month)
  - .5 Instructional Assistant, Grade 10 (10 month)

and be it further

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

RESOLUTION NO. 604-92 Re: SUBMISSION OF AN FY 1993 GRANT PROPOSAL TO EVALUATE THE NATIONAL INSTITUTES OF HEALTH (NIH) SCIENCE ALLIANCE PROGRAM

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

Resolved, That the superintendent of schools be authorized to submit an FY 1993 grant proposal for \$16,205 to the National Institutes of Health (NIH) to continue the evaluation of the Science Alliance Program; and be it further

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

RESOLUTION NO. 605-92 Re: FY 1992 OPERATING BUDGET REDUCTION AND CATEGORICAL TRANSFER

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

WHEREAS, The County Council reduced the FY 1992 Operating Budget by \$3,503,530; and

WHEREAS, A projected surplus in Category 1 Administration, Category 3 Other Instructional Costs, Category 8 Operation of Plant/Equipment, and Category 9 Maintenance of Plant is sufficient to offset the County Council reduction; and

WHEREAS, Category 10 Fixed Charges reflected a deficit as of June 30, 1992, due to the state capping contributions to social security and retirement at the FY 1992 level, and to additional expenditures for the employee benefit plan and social security; and

WHEREAS, The required funds are available for transfer from Category 2 Instructional Salaries, and Category 3 Other Instructional Costs; now therefore be it

<u>Resolved</u>, That the County Council reduction of the FY 1992 Operating Budget appropriation and local funds be applied as follows:

<u>Category</u>	<u>Description</u>	Reduction
1	Administration	\$ 903,530
3	Other Instructional Costs	1,000,000
8	Operating of Plant/Equipment	700,000
9	Maintenance of Plant	900,000
	Total reduction in local funds	\$3,503,530

and be it further

<u>Resolved</u>, That the superintendent be authorized, subject to the approval of the County Council, to effect the following transfers:

<u>Category</u>	<u>Description</u>	<u>To</u>	From
2 3 10	Instructional Salaries Other Instructional Cost Fixed Charges	\$ <u>4,400,000</u>	\$2,200,000
	Total	\$4,400,000	\$4,400,000

and be it further

<u>Resolved</u>, That the county executive and the County Council be given a copy of this resolution and that the county executive be requested to recommend approval of the categorical transfers to the County Council.

RESOLUTION NO. 606-92 Re: TUITION FOR OUT-OF-COUNTY PUPILS FOR FY 1993

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

WHEREAS, Resolution 364-77 that established the basis for nonresident tuition charges provides that the per pupil cost shall be based on the current year's estimated cost including debt service; and

WHEREAS, the basis for the calculation of cost per pupil for tuition purposes in FY 1993 is as follows:

	Kindergarter (Half-Day)	n Elementary	$ar{y}$ Middl Senic	
Estimated No. of Pupils	9,340	7,596	49,557	4,828
<u>Cost</u> Reg. Pgm.	\$29,210,234	\$271,515,843	\$309,174,797	\$67,779,398
Debt Svc.	2,042,970	18,980,646	19,363,879	1,925,342
Total Cost	31,253,204	290,496,489	328,538,676	69,704,740
Cost Per Pupil Reg. Pgm. Debt Svc.	2,853 200	5,705 <u>399</u>	6,367 <u>399</u>	14,039 <u>399</u>
Total Cost	3,053	6,104	6,766	14,438

now therefore be it

Resolved, That the tuition rates for out-of-county pupils for the 1992-1993 year shall be:

Kindergarten	3,053
Elementary	6,104
Secondary	6,766
Special Education	14,438

Note: In FY 1993, the total projected debt service to be paid by the county is \$42,513,150, of which \$200,300 will be reimbursed by the State of Maryland.

Re: FY 93 FEES FOR GENERAL EDUCATION DEVELOPMENT CLASSES

Mrs. DiFonzo moved and Mrs. Fanconi seconded the following:

WHEREAS, The Board of Education adopted FY 93 fees for the adult education and driver education programs on May 12, 1992; and

WHEREAS, Fees must be charged for General Education Development (GED) classes to ensure that the Adult Education and Summer School Enterprise Fund is fiscally solvent in FY 93; and

WHEREAS, The Board of Education approved fees only for the GED program for the summer session of \$15 per class, instructional materials fees of \$15 for English and \$8 for math, and \$10 for the optional GED practice test; now therefore be it

Resolved, That all students taking classes Monday through Thursday during the fall, winter, mid-winter, and spring sessions be charged \$20 for tuition; that those attending Saturday classes during those sessions pay \$15 per class; that students pay \$10 each time they take the optional practice test; and that nonresidents pay \$10 more than residents; and be it further

Resolved, That students pay an instructional materials fee of \$15 for English, and \$8 for math; and be it further

<u>Resolved</u>, That the Board of Education review the funding of the GED program and the use of fees prior to finalizing the FY 94 budget.

RESOLUTION NO. 607-92 Re: AN AMENDMENT TO THE PROPOSED RESOLUTION ON GED FEES

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

<u>Resolved</u>, That the proposed resolution on GED fees be amended as follows:

## New WHEREAS

WHEREAS, The \$10 adult education registration fee per course was reconsidered by the superintendent who recommends another method of generating the same amount of revenue; and

New Resolved

<u>Resolved</u>, That the adult education registration fee structure be adjusted based on a fee that would be smaller for shorter courses and larger for longer courses as set out in the August 4 memorandum from the superintendent to the Board.

RESOLUTION NO. 608-92 Re: FY 93 FEES FOR GENERAL EDUCATION DEVELOPMENT CLASSES AND REGISTRATION FEES FOR ADULT EDUCATION COURSES

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

WHEREAS, The Board of Education adopted FY 93 fees for the adult education and driver education programs on May 12, 1992; and WHEREAS, The \$10 adult education registration fee per course was reconsidered by the superintendent who recommends another method of generating the same amount of revenue; and

WHEREAS, Fees must be charged for General Education Development (GED) classes to ensure that the Adult Education and Summer School Enterprise Fund is fiscally solvent in FY 93; and

WHEREAS, The Board of Education approved fees only for the GED program for the summer session of \$15 per class, instructional materials fees of \$15 for English and \$8 for math, and \$10 for the optional GED practice test; now therefore be it

<u>Resolved</u>, That the adult education registration fee structure be adjusted based on a fee that would be smaller for shorter courses and larger for longer courses as set out in the August 4 memorandum from the superintendent to the Board; and be it further

Resolved, That all GED students taking classes Monday through Thursday during the fall, winter, mid-winter, and spring sessions be charged \$20 for tuition; that those attending Saturday classes during those sessions pay \$15 per class; that students pay \$10 each time they take the optional practice test; and that nonresidents pay \$10 more than residents; and be it further

Resolved, That students pay an instructional materials fee of \$15 for English, and \$8 for math; and be it further

<u>Resolved</u>, That the Board of Education review the funding of the GED program and the use of fees prior to finalizing the FY 94 budget.

RESOLUTION NO. 609-92 Re: PERSONNEL APPOINTMENT

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

Resolved, That the following personnel appointment be approved:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
David G. Fischer	Director Div. of Procurement	Director, Dept. of School Support Op. Grade Q Effective: 8-5-92

RESOLUTION NO. 610-92 Re: PERSONNEL TRANSFERS

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

Resolved, That the following personnel transfers be approved:

<u>Transfer</u>	From	<u>To</u>
Pat Abrunzo	Supervisor of Elem. Inst. Area 3 Admin. Office	Principal Lake Seneca ES Effective: 8-17-92
Barbara Contrera	Acting Principal Cresthaven ES	Principal Strawberry Knoll ES Effective: 8-17-92
Wilma Holmes	Supervisor of Elem. Inst. Area 2 Admin. Office	Principal Flower Valley ES Effective: 8-17-92

RESOLUTION NO. 611-92 Re: PERSONNEL APPOINTMENTS

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

Resolved, That the following personnel appointments be approved:

<u>Appointment</u>	Present Position	<u>As</u>
Joseph I. Headman	Principal West MS	Principal Churchill HS Effective: 8-17-92

Rebecca K. Newman	Acting Asst. Principal Wootton HS	Principal Paint Branch HS Effective: 8-17-92
Carole Goodman	Asst. Principal Magruder HS	Principal Hoover MS Effective: 8-17-92
Durinda Yates	Asst. Principal Farquhar MS	Principal White Oak MS Effective: 8-17-92
Kathleen Bainbridge	Elem. Principal Intern Fallsmead ES	Principal Garrett Park ES Effective: 8-5-92
Patricia Dixon	Elem. Principal Intern Lake Seneca ES	Principal Germantown ES Effective: 8-5-92
Joan M. O'Brien	Elem. Principal Intern Mill Creek Towne ES	Principal Olney ES Effective: 8-5-92
Jerrold Perlet	Elem. Principal Intern Waters Landing ES	Principal Monocacy ES Effective: 8-5-92
Anna Puma	Elem. Principal Intern Twinbrook ES	Principal Farmland ES Effective: 8-5-92
Joanne Steckler	Elem. Principal Intern	Principal Highland View ES

RESOLUTION NO. 612-92 Re: PERSONNEL TRANSFERS

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

Rolling Terrace ES Effective: 8-5-92

Resolved, That the following personnel transfers be approved:

<u>Transfer</u>	From	<u>To</u>
Laurie Goldstein	Asst. Supervisor for Spec. Svs. Area 1 Office	Assistant Principal Watkins Mill ES Effective: 8-5-92

Dorothy Raff	A&S Teacher Germantown ES	Assistant Principal Greencastle ES Effective: 8-5-92
Eva Wetten	Asst. Supervisor for Spec. Svs. Area 3 Office	Assistant Principal Waters Landing ES Effective: 8-5-92

RESOLUTION NO. 613-92 Re: PERSONNEL APPOINTMENTS

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

Resolved, That the following personnel appointments be approved:

<u>Appointment</u>	Present Position	<u>As</u>
Renee Brimfield	Acting Asst. Principal Poolesville HS	Assistant Principal Poolesville HS Effective: 8-5-92
Barbara Haughey	Admin. Intern JFK HS	Assistant Principal JFK HS Effective: 8-5-92
Laurence Hansch	Admin. Intern Briggs Chaney MS	Assistant Principal Briggs Chaney MS Effective: 8-5-92
Patricia L. Hurley	Admin. Intern Blair HS	Assistant Principal Blair HS Effective: 8-5-92
Sidney Mollard	Acting Asst. Principal Rockville HS	Assistant Principal Rockville HS Effective: 8-5-92
Debra Munk	Admin. Intern Sherwood HS	Assistant Principal Sherwood HS Effective: 8-5-92
Karen Rabin	Admin. Intern Farquhar MS	Assistant Principal Farquhar MS Effective: 8-5-92

Mrs. Fanconi temporarily left the meeting at this point.

RESOLUTION NO. 614-92 Re: PERSONNEL MONTHLY REPORT

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

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

RESOLUTION NO. 615-92 Re: PERSONNEL REASSIGNMENT

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

Resolved, That the following personnel reassignment be approved:

Name From To

John Parker BSW Leader III Building Service Worker Sherwood HS Rosa Parks MS Will maintain salary status To retire 8-1-93

RESOLUTION NO. 616-92 Re: DEATH OF MRS. MARGARET E. LEE, BUILDING SERVICE WORKER AT WHEATON HIGH SCHOOL

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

WHEREAS, The death on July 18, 1992, of Mrs. Margaret E. Lee, a building service worker at Wheaton High School, has deeply saddened the staff and members of the Board of Education; and

WHEREAS, Mrs. Lee had been a loyal and dedicated employee of Montgomery County Public Schools for over 21 years; and

WHEREAS, Mrs. Lee took pride in her work, and her friendliness and concern for students and staff helped create a warm atmosphere at Wheaton High School; now therefore be it

<u>Resolved</u>, That the members of the Board of Education express their sorrow at the death of Mrs. Margaret E. Lee and extend deepest sympathy to her family; and be it further

<u>Resolved</u>, That this resolution be made part of the minutes of this meeting and a copy be forwarded to Mrs. Lee's family.

Re: CONSTRUCTION PROGRESS REPORT

Mr. William Wilder, director of the Department of Facilities Management, reported that they were on schedule or ahead of schedule in their construction activities, moving portable classrooms, and PLAR projects. They would continue to watch the situation at Bel Pre Elementary School, but they believed the school would be ready for opening day. Mrs. Hobbs knew that they had incentives for contractors finishing ahead of schedule, but she wondered if they had penalties when contractors did not meet an anticipated date. Mr. Wilder explained that they did because all of their contracts included a liquidated damages clause which imposed a fine for each day behind schedule.

Mrs. Fanconi rejoined the meeting at this point.

RESOLUTION NO. 617-92 Re: ALL-DAY KINDERGARTEN

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

Resolved, That the Board of Education endorse the actions proposed by Dr. Vance in his memorandum of August 4 including plans to develop options for FY 1994 which include a budget initiative to expand all-day kindergarten; and be it further

<u>Resolved</u>, That this resolution be reaffirmed at the next meeting when all Board members are present.

Re: PROPOSED RESOLUTION TO CHANGE THE GRANT APPLICATION FORMAT

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

WHEREAS, The Board of Education authorizes the superintendent to submit individual grant applications; and

WHEREAS, The Board resolutions include background information about the proposed project including the purpose of the project and project objectives; a description of the proposed project's relationship to the current MCPS programs; and budget information; now therefore be it

Resolved, That the resolutions to approve a grant application and the supplemental material that come to the Board for approval should include whenever possible and appropriate: (1) grant priorities and criteria for awards, (2) a statement indicating that the purpose and priorities of the proposal are consistent with the goals and priorities of the superintendent and the Board of Education, (3) resources to carry out the grant, (4) outcomes

to be achieved through the grant, and (5) time schedule for each grant application.

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

RESOLUTION NO. 618-92 Re: AN AMENDMENT TO THE PROPOSED RESOLUTION ON THE GRANT APPLICATION FORMAT

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

<u>Resolved</u>, That the proposed resolution on the grant application format be amended to add "a brief statement of why the grant is being sought" in the Resolved clause.

RESOLUTION NO. 619-92 Re: AN AMENDMENT TO THE PROPOSED RESOLUTION ON THE GRANT APPLICATION FORMAT

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

<u>Resolved</u>, That the proposed resolution on the grant application format be amended to add "application of results upon grant completion" to #4 in the Resolved clause.

RESOLUTION NO. 620-92 Re: RESOLUTION TO CHANGE THE GRANT APPLICATION FORMAT

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

WHEREAS, The Board of Education authorizes the superintendent to submit individual grant applications; and

WHEREAS, The Board resolutions include background information about the proposed project including the purpose of the project and project objectives; a description of the proposed project's relationship to the current MCPS programs; and budget information; now therefore be it

<u>Resolved</u>, That the resolutions to approve a grant application and the supplemental material that come to the Board for approval should include whenever possible and appropriate: (1) grant

priorities and criteria for awards, (2) a brief statement of why the grant is being sought, (3) a statement indicating that the purpose and priorities of the proposal are consistent with the goals and priorities of the superintendent and the Board of Education, (4) resources to carry out the grant, (5) outcomes to be achieved through the grant and application of results upon grant completion, and (6) time schedule for each grant application.

Re: UPDATE ON ISSUES RELATED TO SERIOUS EMOTIONAL DISTURBANCE (SED)

Dr. Hiawatha Fountain, associate superintendent, introduced Mr. Anthony Paul, coordinator of the SED program; Ms. Marian Warner, Montgomery County Chapter of the National Alliance for the Mentally Ill; Dr. Steven Frankel, Department of Educational Accountability; Ms. Catherine Jesperse, behavioral support teacher; Ms. Robin Amann, counselor consultant; Dr. Joy Markowitz, model development specialist; and Ms. Mary Allman, who was working on the SED grant.

Mr. Paul reviewed the objectives of the comprehensive SED plan. These included a refocus of student services to less intense levels to increase opportunities for interactions with regular peers, mainstreaming, and to decrease isolation caused by placement in segregated facilities. He noted that currently 86.6 percent of SED students were served in levels 4, 5, and 5. wanted an expansion of successful programs so that services were available more quickly and easily to a larger number of students. They wanted to focus on training both special education and regular education staff to more effectively educate SED students and those at risk who were experiencing emotional difficulties. They were developing a comprehensive data base that could be utilized to identify student needs and successful strategies, monitor student progress, and evaluate program success. planned to develop programs that supported the concepts of prevention and early intervention. This would save money by avoiding long-term intensive interventions away from regular Their last objective was to establish interagency supports to bring services to children and to open communication between educators and mental health professionals.

Mr. Paul reported that the focus of the SED unit had been to work consistently toward the development of a comprehensive plan and nationwide they had found very few comprehensive plans taking in early intervention, good data sources, effective delivery, placement options, and interagency cooperation. This was what MCPS was attempting to do. They would accomplish this through the coordination of all SED activities, implementation of the pilot models, the SED grant, the data base, and direct interaction with the community including mental health professionals, organizations, parent groups, and individual

plans. They would also develop and coordinate staff training and provide direct support for level 4 and 5 programs as well as to students and families in these programs.

Mr. Paul explained that training had been divided into three focus groups: staff, students, and parents. The Board had a list of the training topics provided to each group and the number of schools receiving this training in the past year. ranged from the educational management team, admissions review and dismissal skill building, mainstream guidelines, strategies, and specific skills in behavior management and crisis intervention. Students received training in social skills, peer mediation, conflict resolution, and the pilot curriculum. specific focus for next year will be on expansion of student training in the above areas. Parent training had been accomplished through a parent guide publication and a pilot program at three high school clusters in Area 1. Priority training would be for those groups involved in the cluster model schools, schools housing single SED classes, and schools housing other special education programs.

Ms. Jesperse indicated that she would share information on the cluster model program and the behavioral support teacher role. Both of these were considered pilots because the concepts they represented were new and unique. The cluster model program had two SED classes housed in the same elementary school with additional supports and resources given to that school so that the program could implement best practices. This pilot was currently at six elementary schools serving 135 children in 13 The schools are Stone Mill, Westbrook, Fairland, classrooms. Cedar Grove, Flower Hill, and Clopper Mill elementary schools. She believed this program was one of the finest they could offer and gave them an opportunity to meet and achieve some of the goals in the Success for Every Student program. From preliminary data, she believed that these programs had not only benefitted the students with SED but also their parents and families, the students, the staff, and the community. This model provided early intervention and prevention as well as enhancing the mainstream opportunities for these children. In schools housing this program, fewer students were referred to higher levels of service and greater numbers of students were referred to less restrictive programs when compared to schools housing singleton SED classes. In addition, there was greater parent advocacy and support as well as greater parental participation in the PTA.

Ms. Jesperse thought that the entire school benefitted because of the staff training to meet the needs of all students and because of the support of the SED team. If the data collected supported their views, they would like to see these clusters expanded countywide at the elementary school level as well as upwards to the mid-level and high school. This could include the consolidation of the Mark Twain satellites, and it was projected

that a greater number of these students would be able to be served at less restrictive levels. Staff positions in level 5 could be used to staff the cluster models. If staff were used in this way and if they continued to focus on early intervention and prevention, this would impact on the reduction or stabilization of costs for serving students who were SED. No expansion of the cluster models was planned for the 1992-93 school year due to facilities issues, staff training needs, and other issues. They would have to address these issues in order for the expansion of these programs to be successful.

Ms. Jesperse said the second pilot was that of behavioral support teacher, and they currently had three people in these positions. These people had provided extensive on-site support to the cluster model programs, to the singleton SED classes, and to other schools housing special education programs. They had provided training and program development, and they had given direct support to principals, staff, students, and parents. They had worked together as a coordinated team to provide best practices and the consistent implementation of the pilot.

In response to a question raised by Mrs. Fanconi about reorganization, Ms. Jesperse said it was crucial not to view the behavioral support teacher pilot in isolation but rather as an integral part of the SED unit. As one of the three behavioral support teachers, she felt that the SED unit had enhanced her role by its assistance. With their help, she had been able to resolve or help in placement cases that could have become She said they had to view the placement process as adversarial. involving program development, case management for students and families, and advocacy for students. She cited the example of an intensity 4 SED class having difficulties with serious incidents and police involvement. She was able to access her team members within the SED unit and provide prompt and extensive support to She provided the special education teacher with the program. materials, assisted her with curriculum planning, and demonstrated an effective and comprehensive behavior management In addition, she met with parents of both SED and regular students to train them and discuss issues related to SED. Mr. Paul provided support to the school administration and was able to arrange for the temporary reassignment of a Mark Twain instructional assistant to help directly in this classroom. Amman worked directly with the school counselor to provide materials, leadership, and training, and Ms. Jesperse had provided training for the entire school system in crisis intervention. She emphasized that if her role as a behavioral support teacher was to continue to be an effective and productive one, it could not be a pilot in isolation and should be a member of the SED unit working to implement the comprehensive plan.

Ms. Amann explained that the counselor consultant position afforded her the opportunity to link counselors and special

It enabled her to work with counselors to improve their expertise in dealing with students with emotional difficulties. She had the opportunity to model social skills in the cluster model programs as well as with other schools. teamed with the behavioral support teachers in providing best practices primarily in modeling social skills training, mainstream readiness, and conflict resolution. implemented a mainstream readiness program at Flower Hill with the behavioral support teacher. Another component was provided training and support to establish a school-based comprehensive conflict management system including peer mediation training. She had just finished training trainers for Stone Mill, Fairland, and Cedar Grove. Georgian Forest, Beverly Farms, and Bridge had also participated in this training. Previously she had trained other schools, and she planned to provide direct service next year to the schools trained this summer so that they could set up a comprehensive conflict management program. This system was being modeled throughout the county and was incorporated in several pupil services plans. In addition, she would be working with level 5 and mid-level programs to expand the pilot curriculum, kindergarten through eight grade, levels 1 through 5.

Mr. Paul stated that their next area to discuss was the comprehensive data base system. They had gone into 170 schools, and the behavioral support people had met with principals, assistant principals, special educators and regular educators. He believed that they were close on this project, and he indicated that in the fall they would make a presentation to the superintendent and executive staff.

Dr. Frankel explained that after the last session he had approached Dr. Fountain about this data base. DEA had now built a state-of-the-art data base that now had 8,000 records on it. The data base could be run on personal computers, laptops, or notebooks, and it was fully compatible with SIMS. It was a tool that could be used as an operating program for the entire school system.

Dr. Markowitz reported that the data base was intended to include students experiencing significant emotional and behavioral problems which interfered with their educational progress. They had to consider what type of data to collect in order to have the data base reflect the range of needs, services, and interagency involvement. Their first task was to identify students who were potential candidates for the data base; therefore, they looked at students who were coded SED, learning disabled, multi-handicapped, and diagnostic. They looked at 35 variables which included expulsions and suspensions, psychological evaluations, and social/emotional goals. When they had all this information on 7400 students, the SED faced the challenge of determining which students were appropriate for the data base. They embarked on a "treasure hunt" which took them to every MCPS school and met

with staff knowledgeable about which students would be appropriate for the data base. In addition to the data extracted from MCPS data sources, the SED team developed a set of indicators which were services or interventions not part of any computerized MCPS bank of information. These included on-going counseling, reverse mainstreaming, outside agency involvement, psychiatric hospitalizations, and mentoring.

Dr. Markowitz stated that during the time the school visits were being conducted, the team met weekly to discuss questions and problems. At those meetings, the indicators and criteria for inclusion were refined. All students with or without disability codes had to have the following criteria to be included in the data base: (1) significant behavioral and emotional needs which negatively impacted on educational success or resulted in educational failure, (2) articulated social and emotional needs and specific service interventions or strategies to meet those needs, and (3) behavioral and emotional support services which exceeded the scope of developmental and responsive counseling in longevity, intensity, and/or diversity of services provided. She explained that this data base was not a list of students who were at risk for SED coding.

Dr. Markowitz explained that in response to strategy 2.6 of the SES plan, this data base would allow MCPS for the first time to determine the number of students needing support for emotional or behavioral problems. While some staff did not want to provide information on non-coded students, SED staff had assured them of confidentiality of these data and that no one had access to the data except for the SED team. The data base developed by DEA accommodated all the relevant MCPS data and the indicators With the help of a staff member, they had done the deletions and additions for all MCPS schools, and they had added the indicators for 17 schools. By the end of August, all relevant MCPS data would be downloaded to the data base. After issuing the report to the executive staff, they planned to enter data on strategies and interventions employed during the 1992-93 school year at three pilot schools. Data on strategies and interventions would represent the comprehensive model. would also update the information on students in the pilot schools including indicators of success. Their ultimate goal was to use the information to access services for students in a more timely manner.

Mr. Paul emphasized that when they went into a school they looked at every child experiencing significant emotional difficulty including ESOL students, regular program students, and special education students. Dr. Fountain added that the early intervention piece which predated recommending students for special education was the most important piece.

Mr. Paul reported that Ms. Mary Allman was their SED specialist under the SED grant. Ms. Allman came to them as a licensed social worker with 14 years of experience. He explained that under the grant, MCPS was one of 11 school systems across the country receiving funds. Funds ended in March, 1993, and they hoped to qualify for phase two. If chosen, they would receive \$300,000 for 24 to 30 more months. Dr. Vance asked Mr. Paul to explain why they would pursue these funds. Mr. Paul replied that phase two was to build linkages with other agencies such as social services, juvenile services, and mental health. Of all the systems receiving the grants, MCPS was the only one with an evaluation specialist who could evaluate what they were doing and lead them into phase two.

Ms. Allman commented that she was enthusiastic about her role in the project and working with these interesting, talented, and capable youngsters. While these children were receiving educational and behavioral supports in a comprehensive manner, they often needed more services. These services frequently required some combination of mental health, social, and recreational services, and the SED grant offered opportunities to bring these services to children and their families. Her past professional experience and her contacts with cutting edge national programs validated the growing trend and imperative for interagency collaboration through multidisciplinary team These were the approaches and working partnerships with parents. very components of the SED grant and they matched with the third goal of the SES plan. To help children they had to help families, but no one person or agency could do this in isolation.

Ms. Allman indicated that the SED grant included the unique components of a case management model, interagency collaboration, and school-based therapeutic services. They were piloting the comprehensive service delivery model at Westbrook, Pyle, and the Mark Twain satellite at Whitman. She was doing intensive therapy work with six students, which meant for the first time that an MCPS employee was providing clinical therapy to students and their families in schools and their homes. She was also providing case management services to these six families. called attention to the wide range of interagency and MCPS resources available to coded or noncoded students experiencing emotional stress and indicated that her time would be spent connecting people with this array of services and programs in the community. She was now visiting county agencies and making personal linkages with their staff. She was also going to be providing crisis intervention, consultation and staff training. She cited the example of her work with one seven-year-old boy who lived with his grandmother and attended daycare when not in Through her efforts and those of Ms. Jasperus, training school. had been provided to the daycare staff to enable the boy to stay in school and in the daycare situation. She believed that the SED grant was an integral and indispensable part of the MCPS

comprehensive educational plan for SED students, and it was very exciting to her to be part of this effort.

Mrs. Warner reported that there were a variety of factors contributing to children with emotional and behavioral problems. Some of these were neuro-biological disorders which children were born with, although signs were not apparent right away. Other children needed services because of neglect, abuse, and alcoholism. She applauded the work that had been started in Montgomery County on the early identification of these children, and she thought that the data base was a first step in picking up these children. There were families in her organization whose children had not been picked up until their teen years, and the data base would help in early identification and services.

Mrs. Warner commented that now they had a series of pilots, and she would like to see these pilots accessible to all students. She also stressed that one person had to be in charge because if this effort were decentralized they risked fragmentation of their goals. She cited a recent decision in the Sixth Circuit Court, "The concept of education under IDEA which is the education act for all children with disabilities clearly embodies both academic instruction and a broad range of associated services traditionally grouped under the general rubric of treatment and that, therefore, any attempt to distinguish academics from treatment when defining educational placements runs counter to the clear language of the act." She felt that Montgomery County was beginning to make that collaborative effort in putting education together with mental health services.

Mr. Paul stated that the final area was "future directions." While there were people out there doing outstanding jobs in the school system, there were still problems. However, he thought they were now closer to a plan to support these people. He appreciated the interest of the Board and thanked them for their attention to the presentation.

Mr. Ewing assumed that there was a design for the data base that listed all of the variables and elements. Dr. Frankel indicated he would provide that information to the Board, and he pointed out that the outstanding feature of the data base was their ability to add elements to it in five or ten minutes with virtually no cost. Mr. Paul noted that they had already done that by adding mentoring and some of the vocational programs as they visited the schools.

Mr. Ewing said that he was somewhat confused about the numbers of students in the data base because he had read numbers from 1,100 to 7,000. Mr. Paul explained that after they had looked at coded and uncoded students they had put all of the possible students into the data base, but when they went into the schools they verified, added, and deleted students. They expected the final

data base to include over 2,000 coded and noncoded students. Mr. Ewing assumed that the primary purpose was to identify those students in need of or likely to be in need of services, and Mr. Paul agreed.

Mr. Ewing said that he was intrigued by the point made about the organizational issue. He knew that Tony Paul was in charge of this effort; therefore, this had to be an organizational problem. He asked whether they needed to put greater authority in Mr. Paul's hands to make all of this work. Dr. Fountain replied that they were working on this organizational and reporting issue now, and he would have recommendations to the superintendent in the near future. The issue was the reporting relationship of the behavioral support teachers. Mrs. Fanconi pointed out that on several occasions the Board had discussed the need to have the behavioral support teachers in the SED unit, and she would be looking to the OSAE commission for their recommendations. offered her praise to Dr. Vance and staff for the excellent job they had done in pulling this together. Staff had talked about a treasure hunt, but she felt that they were the treasures right in this room.

Mrs. Fanconi called the Board's attention to the very dramatic numbers about the percentage of SED students being served in levels 5 and 6 versus the percentages for other handicapped students. She didn't know the cost of out-of-state placements for SED youngsters, and she would like to get those printouts. The state had provided a paper which said the average cost for such a placement for the emotionally disturbed was \$74,000 a year. She hoped that early in the school year the Board would receive a report from the SED unit on successes they had had in getting those services to youngsters in the schools and in the lower levels. She hoped that the superintendent would be bringing the Board a plan for expansion of the models. She also requested information on the effects of the program on Twain and services for the middle school and high school.

Mrs. Fanconi commended staff for their work. Dr. Cheung shared her views and congratulated the superintendent, Dr. Fountain, Mr. Paul, and staff. He did have a question about the numbers of staff being trained in the schools, and he hoped that when they next reported to the Board they would give some information on future directions in staff training as well. Ms. Gutierrez added her congratulations. She requested information on the number of LEP students, coded and noncoded, as well as a list of assessment instruments used with these students. She asked for some idea of the bilingual capabilities of current staff and consultants and an indication of methods being used for outreach to the non-English speaking population. She knew that immigrant students coming from war-torn countries had a large incidence of SED She was concerned about the amount of time it was students. taking to get services to these students.

Mrs. Hobbs thanked staff for their presentation.

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

Re: POLICY ON RELEASE OF DATA FROM R&E STUDIES

Mr. Ewing moved and Dr. Cheung seconded the following:

WHEREAS, On March 12, 1991, the Board of Education adopted Resolution No. 265-91 that asked for possible action on a policy on the prompt release of data from research and evaluation studies; and

WHEREAS, On April 27, 1992, a request was made to take tentative action on such a policy and send it out for public comment; now therefore be it

Resolved, That the Board of Education take tentative action on the following draft policy; and be it further

<u>Resolved</u>, That the tentatively adopted policy be sent out for public comment.

#### RELEASE OF DATA

#### I. PURPOSE

To provide the Board of Education and the public with timely access to data from research and evaluation studies and other school systemwide data, information, and statistics that are in the public domain.

## II. ISSUE

Federal and state law provides for the public's right to inspect and obtain information generated by public agencies, and MCPS practices have long supported these principles. The release of data, however, must be done in such a way as to protect the rights of individuals as provided in the Family Educational Rights and Privacy Act and the Public Information Act of Maryland. It must be clear to the institution, as well as to outside requesters, what data are obtainable and how they can be obtained.

# III. POSITION

A. With the exceptions noted below, MCPS will promptly release data from research and evaluation studies, as well as other systemwide data, information, and statistics which are clearly in the public domain, to the Board and to the public, regardless of whether such

data are stored in computer files or hardcopy form and regardless of whether the data have been included in previously published reports. The superintendent shall determine when and under what circumstances such releases will be made.

- B. If the data or other materials are produced as a result of the provision of state and federal laws, regulations, or conditions on the use of the funds, all requirements for the release of data imposed by state or federal laws, regulations, or conditions on the use of the funds shall be observed.
- C. Data that are provided to MCPS by outside agencies that specify a particular release date will not be released until that date.
- D. In conformance with the Public Information Act of Maryland data covered by this policy will be released within 60 days after the date on which a request is made, provided that the data have been assembled into a computer file or printout for at least 30 days prior to the date the request is made.
- E. The superintendent may release data with qualifications regarding its reliability and utility, and may describe plans for further analyses and provide other information relating to the data.
- F. The public may obtain data by requesting in writing that the superintendent provide the data. The request should describe with reasonable specificity the kinds of data elements that are needed, whether the data are preferred to be provided in hard copy or machine readable form, and when the data are needed.
- G. If the data are more than six pages in length or are provided in machine readable form, the superintendent may impose a reasonable charge for the cost of reproducing the data.
- H. Refusal to release data may be appealed in accordance with MCPS policies and state laws.
- I. MCPS has no obligation to release data, under the provision of this policy, that are not readily available in either hardcopy form, or in computer files that can be inexpensively copied. Further, the school system has no obligation to provide data contained in computer files in other than the format in which the data are stored on the school system's computers.

## V. DESIRED OUTCOMES

Implementation of this policy will result in a process for obtaining the timely release of unpublished data contained in computer files and printouts. This will facilitate clear communication between the school system and the community about the release of information relating to the function of the school system while complying with federal and state laws.

## VI. IMPLEMENTATION STRATEGIES

- A. The superintendent will create a process for the release of data that facilitates the public's right to inspect and receive copies of data collected or calculated by MCPS that are not excluded from release under the provisions of this policy, other policies, or state and federal laws.
- B. Procedures for releasing data contained in student records are set forth in Administrative Regulation JOA-RA: Pupil Records.
- C. Data contained in statistical reports or files will be released in accordance with Administrative Regulation EGH-RA: Preparation of Statistical Reports.
- D. Data related to research designs and products from the Department of Educational Accountability will be in accordance with Policy AFA: Educational Accountability.
- E. Data contained in other kinds of records and files will be released in accordance with Policy KBA: Policy on Public Information and Administrative Regulation KBA-RA: Public Information.
- F. The superintendent will develop other regulations as needed to implement this policy.

# VII. REVIEW AND REPORTING

This policy will be reviewed every three years in accordance with the Board of Education policy review process.

Board members made the following editorial changes in the proposed policy:

1. Under Purpose, the "MCPS" was added before "research and evaluation."

- 2. Issue reads as follows: "Federal and state law provides for the public's right to inspect and obtain information generated by public agencies. MCPS practices have long supported these principles. The release of data, however, must be done so that the rights of individuals are protected as provided in the Family Educational Rights and Privacy Act and the Public Information Act of Maryland. It must be clear to all interested parties what data are obtainable and how those data can be obtained."
- 3. III.A reads as follows: "...to the public, whether stored in computer files or hardcopy form and whether or not the data have been included in previously published reports. The superintendent shall determine when and under what circumstances such releases will be made, as described in (D) below."
- 4. III.B reads as follows: "...state or federal laws, regulations, or conditions on the use of funds, all requirements for release of data imposed by state or federal laws, regulations, or conditions on the use of those funds shall be observed."
- 5. III.C. reads as follows: "Outside agencies sometimes specify a particular release date for data. MCPS will not release such data except in accordance with the requirement.

RESOLUTION NO. 621-92 Re: AN AMENDMENT TO THE PROPOSED POLICY ON RELEASE OF DATA

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

Resolved, That the following be substituted for III. D:

Data covered by this policy will be released in accordance with the provisions of the Public Information Act of Maryland which provides that records shall be released within a period not to exceed 30 days after receipt of an application.

- 6. IV. I. delete "contained in computer files" and "on the school system's computers."
- 7. V. reads as follows: "Implementation of this policy will provide a process for obtaining the timely release of data. This will facilitate...."
- 8. VI.A. reads as follows in the last line, "...other policies, state or federal laws."
- 9. VI.E. substitute "other" for "other kinds of"

## 10. VI.F. delete "other"

Re: A MOTION BY MS. GUTIERREZ TO AMEND
THE POLICY ON RELEASE OF DATA
(FAILED)

A motion by Ms. Gutierrez to amend the policy on the release of data by adding "Activities resulting from implementation of this policy will be tracked, recorded, and reported annually to the superintendent" to Section VII failed with Dr. Cheung, Mr. Ewing, Ms. Gutierrez, and Mr. Sims voting in the affirmative; Mrs. Fanconi and Mrs. Hobbs abstaining.

RESOLUTION NO. 622-92 Re: POLICY ON RELEASE OF DATA

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

WHEREAS, On March 12, 1991, the Board of Education adopted Resolution No. 265-91 that asked for possible action on a policy on the prompt release of data from research and evaluation studies; and

WHEREAS, On April 27, 1992, a request was made to take tentative action on such a policy and send it out for public comment; now therefore be it

Resolved, That the Board of Education take tentative action on the following draft policy; and be it further

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

## RELEASE OF DATA

## I. PURPOSE

To provide the Board of Education and the public with timely access to data from MCPS research and evaluation studies and other school systemwide data, information, and statistics that are in the public domain.

## II. ISSUE

Federal and state law provides for the public's right to inspect and obtain information generated by public agencies. MCPS practices have long supported these principles. The release of data, however, must be done so that the rights of individuals are protected as provided in the Family Educational Rights and Privacy Act and the Public Information Act of Maryland. It must be clear to all

interested parties what data are obtainable and how those data can be obtained.

# III. POSITION

- A. With the exceptions noted below, MCPS will promptly release data from research and evaluation studies, as well as other systemwide data, information, and statistics which are clearly in the public domain, to the Board and to the public, whether stored in computer files or hardcopy form and whether or not the data have been included in previously published reports. The superintendent shall determine when and under what circumstances such releases will be made, as described in (D) below.
- B. If the data or other materials are produced as a result of the provision of state or federal laws, regulations, or conditions on the use of funds, all requirements for the release of data imposed by state or federal laws, regulations, or conditions on the use of those funds shall be observed.
- C. Outside agencies sometimes specify a particular release date for data. MCPS will not release such data except in accordance with the requirement.
- D. Data covered by this policy will be released in accordance with the provisions of the Public Information Act of Maryland which provides that records shall be released within a period not to exceed 30 days after receipt of an application.
- E. The superintendent may release data with qualifications regarding its reliability and utility, and may describe plans for further analyses and provide other information relating to the data.
- F. The public may obtain data by requesting in writing that the superintendent provide the data. The request should describe with reasonable specificity the kinds of data elements that are needed, whether the data are preferred to be provided in hard copy or machine readable form, and when the data are needed.
- G. If the data are more than six pages in length or are provided in machine readable form, the superintendent may impose a reasonable charge for the cost of reproducing the data.
- H. Refusal to release data may be appealed in accordance with MCPS policies and state laws.

I. MCPS has no obligation to release data, under the provision of this policy, that are not readily available in either hardcopy form, or in computer files that can be inexpensively copied. Further, the school system has no obligation to provide data in other than the format in which the data are stored.

#### V. DESIRED OUTCOMES

Implementation of this policy will provide a process for obtaining the timely release of data. This will facilitate clear communication between the school system and the community about the release of information relating to the function of the school system while complying with federal and state laws.

# VI. IMPLEMENTATION STRATEGIES

- A. The superintendent will create a process for the release of data that facilitates the public's right to inspect and receive copies of data collected or calculated by MCPS that are not excluded from release under the provisions of this policy, other policies, state or federal laws.
- B. Procedures for releasing data contained in student records are set forth in Administrative Regulation JOA-RA: Pupil Records.
- C. Data contained in statistical reports or files will be released in accordance with Administrative Regulation EGH-RA: Preparation of Statistical Reports.
- D. Data related to research designs and products from the Department of Educational Accountability will be in accordance with Policy AFA: Educational Accountability.
- E. Data contained in other records and files will be released in accordance with Policy KBA: Policy on Public Information and Administrative Regulation KBA-RA: Public Information.
- F. The superintendent will develop regulations as needed to implement this policy.

## VII. REVIEW AND REPORTING

This policy will be reviewed every three years in accordance with the Board of Education policy review process.

RESOLUTION NO. 623-92 Re: CLOSED SESSION - AUGUST 31, 1992

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

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

Resolved, That the Board of Education of Montgomery County hereby conduct a portion of its meeting in closed session beginning on August 31, 1992, at 6 p.m in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, to discuss personnel matters, pending litigation, matters protected from public disclosure by law, and other issues including consultation with counsel to obtain legal advice as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and State Government Article 10-501; and that such portion of its meeting shall continue in closed session until the completion of business.

RESOLUTION NO. 624-92 Re: MINUTES OF JUNE 22, 1992

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

Resolved, That the minutes of June 22, 1992, be approved.

RESOLUTION NO. 625-92 Re: MINUTES OF JULY 7, 1992

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

Resolved, That the minutes of July 7, 1992, be approved.

RESOLUTION NO. 626-92 Re: CHILD AND ADOLESCENT HEALTH

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

<u>Resolved</u>, That the Board of Education schedule a meeting to engage in discussions about child and adolescent health.

RESOLUTION NO. 627-92 Re: MEETING WITH MODEL INCLUSION SCHOOLS

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

<u>Resolved</u>, That the superintendent provide the Board with an opportunity to have a discussion with those schools that are models for inclusion in the very near future; and be it further

<u>Resolved</u>, That this discussion include principals, teachers, and parents of regular education and special education students.

RESOLUTION NO. 628-92 Re: VOTING RIGHTS FOR STUDENT BOARD MEMBER

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

<u>Resolved</u>, That the Board of Education schedule time to discuss and possibly take action on the issue of voting rights for the student member of the Board in regard to the budget.

RESOLUTION NO. 629-92 Re: PROPOSAL FOR AN INCLUSION POLICY

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

<u>Resolved</u>, That the Board of Education request the superintendent to develop a proposal for Board policy concerning inclusion.

Re: REPORT ON CLOSED SESSION - JULY 20, 1992

On July 8, 1992, by the unanimous vote of members present, the Board voted to conduct a closed session on July 20 as permitted under Section 4-106, <u>Education Article</u> of the <u>Annotated Code of Maryland</u> and State Government Article 10-501.

The Montgomery County Board of Education met in closed session on Monday, July 20, 1992, from 7:05 to 7:55 p.m. and from 11:40 p.m. to 12:25 a.m. The closed sessions took place in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland.

The Board considered the Gaithersburg MS site and personnel issues including executive and Board staff salaries and appointments to the associate superintendency for personnel; assistant for labor relations; the principalship of Farquhar MS, Burnt Mills ES, and Carderock Springs ES; the assistant principalship of Mark Twain; the supervisor of school liaison

services; and temporary reassignments for the 1992-93 school year. Actions taken in closed session were confirmed in open session.

In attendance at the closed session were:

Mrs. Frances Brenneman

Mrs. Sharon DiFonzo

Mr. Blair G. Ewing

Mrs. Carol Fanconi

Mrs. Catherine E. Hobbs

Dr. Paul L. Vance

Mrs. Katheryn Gemberling

Dr. H. Philip Rohr
Ms. Melissa Bahr
Ms. Mary Lou Wood
Dr. Joseph Villani
Dr. Phinnize Fisher

Mr. William Wilder Ms. Ann Briggs Mr. Gene Counihan Ms. Janice Turpin

RESOLUTION NO. 630-92 Re: BOE APPEAL NO. T-1992-2

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

<u>Resolved</u>, That the Board of Education adopt its Decision and Order in BOE Appeal No. T-1992-2, a transfer matter.

RESOLUTION NO. 631-92 Re: BOE APPEAL NO. T-1992-4

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

<u>Resolved</u>, That the Board of Education adopt its Decision and Order in BOE Appeal No. T-1992-4, a transfer matter.

RESOLUTION NO. 632-92 Re: BOE APPEAL NO. T-1992-5

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

<u>Resolved</u>, That the Board of Education adopt its Decision and Order in BOE Appeal No. T-1992-5, a transfer matter.

RESOLUTION NO. 633-92 Re: BOE APPEAL NO. T-1192-6

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

<u>Resolved</u>, That the Board of Education adopt its Decision and Order in BOE Appeal No. T-1992-6, a transfer matter.

RESOLUTION NO. 634-92 Re: BOE APPEAL NO. T-1992-7

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

<u>Resolved</u>, That the Board of Education adopt its Decision and Order in BOE Appeal No. T-1992-7, a transfer matter.

RESOLUTION NO. 635-92 Re: BOE APPEAL NO. T-1992-8

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

<u>Resolved</u>, That the Board of Education adopt its Decision and Order in BOE Appeal No. T-1992-8, a transfer matter.

RESOLUTION NO. 636-92 Re: BOE APPEAL NO. T-1992-9

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

<u>Resolved</u>, That the Board of Education adopt its Decision and Order in BOE Appeal No. T-1992-9, a transfer matter.

#### Re: NEW BUSINESS

- 1. Ms. Gutierrez moved and Mrs. Fanconi seconded the following: Resolved, That the Board of Education be provided with an item of information on activities under SES that are related to the Title IX gender equity area.
- 2. Mr. Sims moved and Mrs. Fanconi seconded the following: Resolved, That the Board of Education schedule time for review, discussion, and possible action on the new state Board of Education graduation requirement mandates; and be it further Resolved, That the superintendent come forth with proposals on next steps on each of the graduation requirements and what curriculum changes needed to be made.
- 3. Mr. Ewing moved and Dr. Cheung seconded the following: Resolved, That the Board of Education consider taking action to request the state Board to reverse the tracking requirements in the graduation requirements and that the Board also consider seeking, if need be, legislation to reverse that.
- 4. Mr. Ewing moved and Mr. Sims seconded the following: Resolved, That the superintendent and Board staff be requested to gather information and to explore how other Boards of Education

made use of and organized themselves into sub-committees for the efficient conduct of Board business.

5. A motion by Mr. Ewing that the Board of Education not sponsor the presentation on budget matters scheduled for September 3 failed for lack of a second.

RESOLUTION NO. 637-92 Re: GEORGETOWN HILL CHILD CARE CENTER DISCUSSION

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

<u>Resolved</u>, That the briefing and/or discussion on issues involving the Georgetown Hill Child Care situation be scheduled for August 31.

RESOLUTION NO. 638-92 Re: PRESENTATION BY GENE LYNCH

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

<u>Resolved</u>, That the presentation by Gene Lynch scheduled for September 3 be rescheduled to a place other than the CESC.

Re: ITEMS OF INFORMATION

Board members received the following items of information:

- 1. Items in Process
- 2. MFD Procurement Report Fourth Quarter

RESOLUTION NO. 639-92 Re: ADJOURNMENT

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

<u>Resolved</u>, That the Board of Education adjourn its meeting to a closed session.

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The president adjourned the meeting at 6:45 p.m.

PRESIDENT

PLV:mlw