

APPROVED
40-1993

Rockville, Maryland
September 9, 1993

The Board of Education of Montgomery County met in special session at the Carver Educational Services Center, Rockville, Maryland, on Thursday, September 9, 1993, at 7:30 p.m.

ROLL CALL Present: Dr. Alan Cheung, President
 in the Chair
 Mr. Stephen Abrams*
 Ms. Carrie Baker
 Mrs. Frances Brenneman*
 Mr. Blair G. Ewing
 Mrs. Carol Fanconi
 Ms. Ana Sol Gutierrez*

 Absent: Mrs. Beatrice Gordon

 Others Present: Dr. Paul L. Vance, Superintendent
 Mrs. Katheryn W. Gemberling, Deputy
 Dr. H. Philip Rohr, Deputy
 Mr. Thomas S. Fess, Parliamentarian

 Re: ANNOUNCEMENT

Dr. Cheung announced that Mrs. Gordon was out of town. Mr. Abrams, Mrs. Brenneman, and Ms. Gutierrez would be joining the Board as soon as possible.

 Re: DISCUSSION WITH ETHICS PANEL

Dr. Cheung welcomed Ms. Adele Liskov and Mr. George Mendelson, panel members, and Ms. Judy Bresler, Board attorney to the table. Mr. Fess explained that the chair of the panel, Mr. John Wassell, had had an emergency at work and could not attend the meeting.

Ms. Bresler described the Board's ethics policy and the role of the ethics panel. The panel dealt with requests for interpretation of the policy, examined financial disclosure statements, taken steps to identify potential conflicts of interest, and tried to keep the principles of ethics before the public and the employees of the school system.

Ms. Liskov reported that she had been a panel member since 1985, and she had found the work of the panel to be worthwhile and instructive. It was essentially preventative in nature, but she was concerned about the visibility of the panel because so few employees were aware of its role. The panel had asked the superintendent to inform the public and employees regarding the policy and the work of the panel. A pamphlet had been published, there had been a Bulletin article, and new employees received

copies of the policy. However, she believed more had to be done to raise the awareness of the community and suggested that the Board might consider ways to make sure people were aware of the panel and the policy.

Mrs. Fanconi expressed her appreciation for the work of the panel. She agreed they had to become more visible. Ms. Liskov said that one way of doing that would be through publishing their advisory opinions or holding an annual public forum. Panel members could make themselves available to meet with various groups of employees. Mrs. Fanconi asked if Board members had received the pamphlet, and Mr. Fess indicated that it had been some time since its publication. Ms. Bresler recalled that the pamphlet was user friendly and highlighted major areas in the policy.

Mr. Fess commented that one of the difficulties was the differentiation between the role of the ethics panel and the conflict of interest policy of the school system. As staff assistant to the panel, he frequently received calls on conflicts of interest as opposed to questions regarding ethics. Ms. Bresler recalled that about the time the state was adopting its ethics policy, MCPS had a conflict of interest regulation. The question was whether the conflict of interest regulation should be rescinded in light of a new Board ethics policy to be adopted by Montgomery County. It was decided to retain the conflict of interest regulation, but from time to time there had been discussion about broadening the ethics policy which Ms. Bresler would not recommend.

Mr. Mendelson explained that he was a new member of the panel, and he felt that some thought might be given to some broader function of the panel in the promotion of ethical conduct throughout the school system. Ethics was something broader than a list of conflict of interest rules. For example, in corporate America there was interest in ethics training and awareness which went far beyond publishing a policy.

Mr. Ewing said that a few years ago he had been asked to give a workshop on ethics in education. When he did his research for the presentation, he found that ethics in education was thought of in terms of a law, but not in terms of making decisions on a daily basis and determining whether a person's behavior was ethical. It was his view that education was itself an ethical enterprise because there were daily efforts to teach through example behaviors and values to support a democratic society. However, putting this in writing was fraught with danger because any statement would be easily misunderstood by parents and interest groups. Ms. Liskov stated that as a former ethics teacher, she thought the idea of teaching ethics in education or the corporate world was not to enforce certain values but to train people to examine the issues and make ethical decisions.

Mrs. Fanconi pointed out that MCPS had a limited budget. She suggested using some fact sheets posing ethical questions. The questions could be different for the various employee groups, and the Personnel office could use them in their meetings with various employee groups. A page of information could be prepared by the panel that would explain the work of the panel and where people could get additional information. They might consider using MCPS cable television to get the message out. The panel might have more ideas about raising the awareness of employees.

Mr. Ewing asked how well things were working with the panel and if there were changes to make it work better. Ms. Liskov said their major concern had been resolved when they had worked out a compromise with the superintendent about potential conflicts of interest involving staff. He did provide the panel with information. Mr. Fess added that the superintendent provided the panel with financial disclosures of personnel having interests in a variety of companies. He reported that the panel had been passive and had not been out seeking business.

Ms. Bresler indicated that they had to look at the fit between the role of the ethics panel and violations of the discipline policy which were investigated by Personnel. For an ethical violation, the issue would go to the ethics panel, but the panel would have to report out their findings to some authority. Mr. Fess commented that there was no legal basis for penalties under the ethics policy. The panel could investigate but must refer their findings to the administration for any action. Another issue was the role of counsel to the panel and counsel's other role of advising the Board.

Mr. Ewing suggested they might want to review this issue and any others. He felt that they needed another meeting with the panel, and Dr. Cheung expressed his agreement with the idea of another meeting. Dr. Vance expressed his support for further promulgation of the work of the panel and his interest in receiving further recommendations. Dr. Cheung thanked the members of the panel for their comments.

Because Mr. Abrams was not present, it was decided to postpone the discussion of the NSBA Code of Ethics.

*Mr. Abrams joined the meeting at this point.

RESOLUTION NO. 650-93 Re: BOARD OF EDUCATION AGENDA -
SEPTEMBER 9, 1993

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

Resolved, That the Board of Education approve its agenda for September 9, 1993.

RESOLUTION NO. 651-93 Re: CLOSED SESSION - SEPTEMBER 9, 1993

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

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

Resolved, That the Board of Education of Montgomery County hereby conduct a portion of its meeting on September 9, 1993, at 9:30 p.m. to discuss personnel matters; and be it further

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

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

Re: SCHOOL SIZE

Dr. Vance said that Board members would recall that in May and June the Board studied revisions to the long-range planning policy including a discussion about the size of high schools. On June 15, principals presented their views, and the Board requested empirical data on school size. The paper before the Board pointed out that there was no common definition of a large or small school. The Board's tentatively adopted policy used a range of enrollment to ensure the effective delivery of educational programs and to meet the needs of an increasingly diverse student body. The policy allowed MCPS to move toward the preferred range but recognized that exceptions would have to be made. He asked Dr. Mary Helen Smith, Ms. Ann Briggs, Dr. Steven Frankel, and Dr. John Larson to come to the table.

Dr. Smith reported that the initial look at school size was in rural school districts. Dr. James Conant was a proponent of consolidating rural school districts because he believed that larger schools could offer a richer curriculum and more opportunities for students. This was used to justify building larger schools in cities because it was cheaper to build one building for up to 5,000 students. Some of the rural areas did not want to lose their schools; therefore, there were studies

showing that small schools were successful and met the needs of students in the community. Therefore, there were research studies proving that small schools were good and that large schools were good. Monk and Haller stated that the idea that there was a single optimal school for school district size was a myth. Williams stated that in the final analysis the optimum size for a given school or school district would be that which responds most effectively to the educational goals, parental concerns, and available resources of the community. Dr. Smith stated that they needed to look at what the community wanted and what was needed to provide the kind of education that was expected and to meet all of the local mandates.

Dr. Frankel stated that research indicated that if they were going to build large schools (over 400 to 500 students per grade level) they needed to break up that school. They could have a school within a school similar to what had been done at Blair or an affiliated school. This would be a single building or a group of buildings with semi-independent institutions with their own management, budget, and faculty. They might share a cafeteria, gym, and perhaps sports. In these settings students felt empowered and had much closer interpersonal relations with faculty. At the small end the literature supported 250 per grade level. With small facilities, it was possible to focus them sharply and emulate many of the private schools. Dr. Larson added that as schools got larger and larger, school culture became a more important consideration. The literature agreed that size alone did not govern school culture in a large school (1,000 to 2,000 students). He believed the literature suggested they should focus on making a coherent and supportive school culture rather than size alone.

Dr. Smith commented that The Good High School discussed a 5,000 student high school where they had that kind of unity within the school so that students did have a sense of belonging and were proud of being a part of that school. On the other hand, there were studies where in schools of 1,000, where students felt disenfranchised. She agreed that they needed to pay attention to what it was that made students a part of the school community.

It seemed to Mr. Ewing that the citations to Monk sounded like what the Blair community was saying about why they wanted money for a new school of that size. He doubted that the Council would have been impressed by references to Mr. Monk. He noted that there was a reference in the literature to a study which stated that schools in the larger size performed better on standardized tests, and there was another study which showed that students in larger schools did worse on standardized tests. Dr. Frankel explained that in the first study the optimal size of a large school was between 500 and 1500 students; however, he was not familiar with the second study.

*Mrs. Brenneman joined the meeting at this point.

Dr. Frankel noted that the bulk of the truly large schools were in urban areas and there were socioeconomic factors to consider. Dr. Smith added that some studies factored out socioeconomic issue and other studies did not consider it at all; therefore, it was difficult to compare the results of studies. Mr. Ewing said that the issue as reflected in the literature was not size by itself but how they managed students within the school, and Dr. Frankel expressed his agreement. They could have schools within schools, affiliated schools, or houses within a school.

Mrs. Fanconi thanked staff for the paper. She asked about the advantages and disadvantages of large and small elementary schools. She had reviewed the minutes of June 15 when they had discussed this topic. She hoped they could do some study of the effect of the very large elementary schools and how often those same children were moved from one large building to another. She cited the situation with Lake Seneca opening as a very large school and wondered if they could identify those students to see if there were differences in their experiences. The draft policy stated that these were preferred ranges, and it was very important to her. It meant they needed to be planning programs at a size where they felt children would get the best possible arrangement and that once they were out of that size range they would begin to plan new buildings. However, she did not think this is what they would be doing because they would not have the finances to do this. She would rather reflect in the policy that they were going to be forced into having large schools. She thought the policy should contain very clear guidelines about what they were going to do when that occurred. How were they going to assure that those children had an optimal educational experience? She wanted to focus on providing the best program possible rather than limitations of facilities. She liked Mr. Ewing's changes in terms of "standards" to "preferred." However, she thought they should be willing to say that when they could not meet those, there would be additional expenses to assure that optimal educational experience.

Ms. Briggs reported that 30 percent of their elementary schools were in the 640 to 740 capacity. These were the newer schools and the recently modernized schools as a result of Council action. These were the schools for the next 30 years. The initial comments from the community support the idea of including attention to delivery of education when the desired ranges were exceeded. However, new schools were not funded until elementary schools were filled at the 640 and 740 level. Mrs. Fanconi asked about new schools opening up over capacity, and Ms. Briggs replied that it did happen. In addition, Mrs. Fanconi said that she would like to hear from the superintendent about the issue of staffing allocations. In regard to schools over capacity, Ms. Briggs commented that the intensity of development in a community created stress because there were schools that would never have room for all students, and half the community would always be assigned to another school.

Dr. Vance reported that this morning the staff spent four hours looking at the implications of the tentatively-adopted policy, educational load, past practices in staffing, school size, the changing population, and special programs, particularly affecting the FY 1995 budget. He indicated that he and staff would be delighted to look at elementary schools. He cited the experience of his own children in moving from a smaller school to a larger school where their education was as good if not better. He would be pleased to expand on this and provide empirical data on elementary schools.

Mrs. Fanconi commented that they had instances of children in very large schools and children who had been moved often. It might be well to look to see how these children fared and what had been done in terms of staffing. She thought they would be facing a period of time when that would continue to happen. In regard to large schools, she asked if there were some things MCPS should look at as it examined its own population. Dr. Frankel replied that when they had large schools they might look at it as an opportunity. There was a school in East Harlem where a 3,000 student junior high school had been turned into six independent schools by walling off the building. Each school had a different focus, and this had turned into one of the most attractive magnets in New York. He pointed out that in large elementary schools they could create semi-independent upper and lower schools. Dr. Vance thought they might have some opportunities to do this given the number of commissions and task groups looking at major geographic areas in the county.

Mr. Abrams stated that by definition each entity in a school within a school would be defined as a school in MCPS policy. The parameters would be to that unit as opposed to the physical plant in terms of range, and he thought that this was where there needed to be some adjustment in the policy to get some sense of what they were talking about as optimum size. He said they were really talking about large "facilities" not "schools." The school was the entity defined within, and the policy was written to address the school not the facility.

Mr. Ewing hoped that the argument Dr. Frankel was making would not be lost on the effort they were making to assess the possibilities at Blair, Kennedy, and Einstein. He felt it was important for the architect to look at this because if they did not have an option for a Blair with smaller settings for students they would have lost an opportunity to assure that students were not lost. In regard to elementary schools, Mr. Ewing said it would be nice if exact comparisons could be made using all possible dimensions. He suggested that such a study could be done in Montgomery County. For example, Rolling Terrace was a large and overcrowded school but was very successful in providing a good education for its students. They needed to know why this school had been successful in managing its large size and its low-income population to get good results. He indicated that he would like to see this information and would be willing to wait awhile for it.

Dr. Frankel thought that they could do this kind of analysis, and he did not think it would take a lot of time. Dr. Larson added that they had a first draft on elementary schools. He said there was a negative relationship between size and scores when other elements were controlled for; however, this was a first draft.

Ms. Baker said that in regard to a school-within-a-school concept, she was familiar with Einstein and Blair. Schools needed a sense of unity, and she believed that a school-within-a-school broke apart that unity. She also felt that overpopulated schools hurt students as well. She said that it was really the mindset and the climate of the school that determined the unity rather than the size.

Dr. Cheung thanked the staff for a good analysis of a difficult task because there was no right answer. He pointed out that size differed from utilization, and sometimes these were mixed up. He thought there was an optimal range of sizes. He said they had to decide whether they were talking about economies of instruction, operation, management, etc. What was the relationship to instructional programs? He thought in terms of modules and how they fit into the positive attributes for learning. The modules could include staff and other things, and they had to think about whether a module could facilitate the best learning attributes. They would have to take into consideration diversity, socioeconomic status, learning styles, and the environment. If they talked about it in this way, size was no longer the critical factor except from an economic standpoint.

Dr. Cheung stated that in the future they might have schools without walls with the technologies coming in, but the module was important in terms of supporting learning rather than talking about the physical plant. He was interested in size, but only in the standpoint of this optimal range. They had to take into consideration what related to the best learning of the children. He talked about the various ways that children could be organized in small classes with cross mixing of students by interests. This brought him back to the individualized student profile which would permit them to do this mixing of students. While they had a lot of research, Dr. Cheung felt they did not have enough information to make these decisions. Dr. Smith thought that as they looked at educational technology it would open up opportunities for students to do other things. The consortium and the policy on educational technology would give them some ideas.

*Ms. Gutierrez joined the meeting at this point.

Dr. Larson recalled that a study had been done in MCPS about 12 years ago on economies of scale. This had been done by an economist at Penn State who had looked at K-6 versus K-5 elementary schools. Dr. Vance asked if any of the studies had looked at this from the point of view of students and their attitudes toward school size as well as school size and its implication on behavior, problems, and suspensions. Dr. Frankel

recalled one study which stated that a case could be made for large schools or small schools; however, small schools had elevated recognition, affiliation, self-concept, and motivation. This had been a study of students in 1989.

It seemed to Mr. Ewing that if they were going to explore this issue in depth they should do this at another time and think about some other issues which were involved. He commented that people thought smaller was better because it was more human and intimate; however, they were all living in a larger and more crowded environment. They had to teach people how to live in this larger and more crowded environment. If schools were made smaller and more intimate, they might not be preparing students for the larger and more crowded environment.

Re: ADJOURNMENT

Dr. Cheung adjourned the meeting at 9:50 p.m. to a closed session.

PRESIDENT

SECRETARY

PLV:mlw