

APPROVED
12-1995

Rockville, Maryland
February 15, 1995

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Wednesday, February 15, 1995, at 10:05 a.m.

ROLL CALL Present: Mrs. Beatrice B. Gordon, President
in the Chair
Mr. Stephen Abrams
Dr. Alan Cheung
Ms. Wendy Converse
Mr. Blair G. Ewing
Mr. Reginald Felton*
Ms. Ana Sol Gutierrez
Mrs. Nancy King

Absent: None

Others Present: Dr. Paul L. Vance, Superintendent
Mrs. Katheryn W. Gemberling, Deputy
Mr. Larry A. Bowers, Acting Deputy
Mr. Thomas S. Fess, Parliamentarian

*Mr. Felton joined the meeting at a later time.

RESOLUTION NO. 84-95 Re: BOARD AGENDA - FEBRUARY 15, 1995

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

Resolved, That the Board of Education amend its agenda to include a discussion of unmet needs to transmit to the county with its FY 1996 Operating Budget.

RESOLUTION NO. 85-95 Re: BOARD AGENDA - FEBRUARY 15, 1995

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

Resolved, That the Board of Education amend its agenda to reconsider the Board's budget action on ESOL study group recommendations.

RESOLUTION NO. 86-95 Re: BOARD AGENDA - FEBRUARY 15, 1995

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

Resolved, That the Board of Education approve its agenda for February 15, 1995, as amended.

Re: ANNOUNCEMENT

Mrs. Gordon announced that Mr. Felton was ill but would try to join the meeting later in the day.

RESOLUTION NO. 87-95 Re: ENDORSEMENT OF THE NATIONAL AGENDA FOR THE EDUCATION OF CHILDREN AND YOUTH WITH VISUAL IMPAIRMENTS INCLUDING THOSE WITH MULTIPLE DISABILITIES

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

WHEREAS, The Montgomery County Board of Education recognizes the importance of the American Foundation for the Blind's national effort to improve educational outcomes for children and youth who are visually impaired; and

WHEREAS, Montgomery County Public Schools has been a leader in advancing excellence in education for students with visual impairments since 1955; now therefore be it

Resolved, That the Montgomery County Board of Education endorse The National Agenda for the Education of Children and Youth with Visual Impairments, Including Those With Multiple Disabilities; and be it further

Resolved, That the Montgomery County Board of Education will endeavor to work toward achieving the following goals stated in the National Agenda within the context of our professional associations with children and youth with visual impairments and their families:

1. Students and their families will be referred to an appropriate education program within thirty days of identification of a suspected visual impairment.
2. Policies and procedures will be implemented to assure the right of all parents to full participation and equal partnership in the education process.
3. Universities, with minimum of one full-time faculty member in the area of visual impairment, will prepare a sufficient number of educators of students with visual impairments to meet the personnel needs throughout the country.
4. Service providers will determine caseloads based on the needs of students and will require ongoing professional development for all teachers and orientation for mobility instructors.
5. Local education programs will assure that all students have access to a full array of placement options.

6. Assessments of students will be conducted, in collaboration with parent personnel having expertise in the education of students with visual impairments.
7. Access to developmental and educational services will include an assurance that instructional materials are available in the appropriate media and at the same time as their sighted peers.
8. Educational and developmental goals, including instruction, will reflect the assessed needs of each student in all areas of academic and disability-specific core curricula.

*Ms. Gutierrez temporarily left the meeting at this point.

RESOLUTION NO. 88-95 Re: SB 35 - VEHICLE LAWS - OVERTAKING AND PASSING SCHOOL BUSES - PENALTIES

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

Resolved, That the Board of Education support SB 35 - Vehicle Laws - Overtaking and Passing School Buses - Penalties.

RESOLUTION NO. 89-95 Re: SB 260/HB 657 - ENGLISH LANGUAGE - FORMAL RECOGNITION

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

Resolved, That the Board of Education oppose SB 260/HB 657 - English Language - Formal Recognition.

*Ms. Gutierrez rejoined the meeting at this point.

** See note below

RESOLUTION NO. 90-95 Re: SB 128 - SCHOOL USE PESTICIDE REDUCTION ACT

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

Resolved, That the Board of Education support with amendment SB 128 - School Use Pesticide Reduction Act.

RESOLUTION NO. 91-95 Re: HB 67 - MARYLAND STADIUM AUTHORITY - USE OF FOOTBALL STADIUM FUNDS FOR AID TO BALTIMORE

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

Resolved, That the Board of Education oppose HB 67 - Maryland Stadium Authority - Use of Football Stadium Funds for Aid to Baltimore.

RESOLUTION NO. 92-95 Re: SB 133 - EDUCATION - FUNDING -
REIMBURSEMENT OF COUNTY BOARDS OF
EDUCATION

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

Resolved, That the Board of Education oppose SB 133 - Education - Funding - Reimbursement of County Boards of Education.

RESOLUTION NO. 93-95 Re: SB 314/HB 519 - STUDENT SAFETY AND
SUPPORT ACT

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

Resolved, That the Board of Education strongly support SB 314/HB 519 - Student Safety and Support Act.

RESOLUTION NO. 94-95 Re: SB 239 - EDUCATION - DELINQUENT ACTS -
NOTIFICATION OF LOCAL SUPERINTENDENTS,
PRINCIPALS, AND TEACHERS

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

Resolved, That the Board of Education oppose, unless amended, SB 239 - Education - Delinquent Acts - Notification of Local Superintendents, Principals, and Teachers.

RESOLUTION NO. 95-95 Re: SB 145 - EDUCATION - EXPULSION FOR
POSSESSING A WEAPON ON SCHOOL
PROPERTY

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

Resolved, That the Board of Education support SB 145 - Education - Expulsion for Possessing a Weapon on School Property.

RESOLUTION NO. 96-95 Re: HB 315/SB 361 - CRIMES - SCHOOLS - PENALTIES
FOR POSSESSION OF WEAPONS

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

Resolved, That the Board of Education support HB 315/SB 361 - Crimes - Schools - Penalties for Possession of Weapons.

RESOLUTION NO. 97-95 Re: SB 166 - WEAPON-FREE SCHOOL ZONE

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

Resolved, That the Board of Education support, if amended, SB 166 -Weapon-free School Zone.

RESOLUTION NO. 98-95 Re: SB 99/HB 158 - WEAPONS ON SCHOOL
PROPERTY - EXCEPTIONS

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

Resolved, That the Board of Education oppose SB 99/HB 158 - Weapons on School Property - Exceptions.

RESOLUTION NO. 99-95 Re: HB 195 - EDUCATION - GRADUATION FROM
PUBLIC HIGH SCHOOL - PROHIBITION OF
COMMUNITY SERVICE REQUIREMENT

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

Resolved, That the Board of Education oppose HB 195 - Education - Graduation from Public High School - Prohibition of Community Service Requirement.

RESOLUTION NO. 100-95 Re: SB 140/HB 525 - EDUCATION - PROGRAMS
FOR DISRUPTIVE AND AT-RISK STUDENTS

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

Resolved, That the Board of Education support, with amendments, SB 140/HB 525 - Education - Programs for Disruptive and At-risk Students.

RESOLUTION NO. 101-95 Re: SB 210/HB 944 - COUNTY BOARDS OF EDUCATION - MEMBERS IMMUNITY

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

**For the record, Ms. Gutierrez stated that she was out of the room for the vote on the English language bill. She wanted to be included in the vote because of her strong opposition to this bill.

Resolved, That the Board of Education support SB 210/HB 944 - County Boards of Education - Members Immunity.

RESOLUTION NO. 102-95 Re: SB 193 - EDUCATION - PROFESSIONAL STANDARDS AND TEACHER EDUCATION

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

Resolved, That the Board of Education oppose SB 193 - Education - Professional Standards and Teacher Education.

RESOLUTION NO. 103-95 Re: HB 163 - PUBLIC SECONDARY SCHOOLS - INTERSCHOLASTIC ATHLETICS - SUNDAYS

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Ms. Converse, the following resolution was adopted with Dr. Cheung, Ms. Converse, Mr. Ewing, Mrs. Gordon, Ms. Gutierrez, and Mrs. King voting in the affirmative; Mr. Abrams voting in the negative:

Resolved, That the Board of Education oppose HB 163 - Public Secondary Schools - Interscholastic Athletics - Sundays.

RESOLUTION NO. 104-95 Re: HB 526 - ANIMAL DISSECTION - STUDENT'S RIGHT OF REFUSAL

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

Resolved, That the Board of Education oppose HB 526 - Animal Dissection - Student's Right of Refusal.

RESOLUTION NO. 105-95 Re: HB 136/SB 91 - CREATION OF A STATE DEBT - MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 1995, MARYLAND CONSOLIDATED CAPITAL BOND LOANS OF 1990-1994, GENERAL CONSTRUCTION LOANS OF 1976, 1982, 1981, 1985-1989, AND OTHER SPECIFIED STATE LOANS

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

Resolved, That the Board of Education support HB 136/SB 91, Creation of a State Debt - Maryland Consolidated Capital Bond Loan of 1995, Maryland Consolidated Capital Bond Loans of 1990-1994, General Construction Loans of 1976, 1982, 1981, 1985-1989, and Other Specified State Loans.

RESOLUTION NO. 106-95 Re: HB 243 - DISTRIBUTION OF LOTTERY PROCEEDS - STATE SCHOOL CONSTRUCTION PROGRAM

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

Resolved, That the Board of Education strongly support HB 243 - Distribution of Lottery Proceeds - State School Construction Program.

RESOLUTION NO. 107-95 Re: SB 608/HB 683 - MARYLAND STADIUM AUTHORITY - USE OF FOOTBALL STADIUM FUNDS FOR SCHOOL CONSTRUCTION

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

Resolved, That the Board of Education strongly support SB 608/HB 683 - Maryland Stadium Authority - Use of Football Stadium Funds for School Construction.

RESOLUTION NO. 108-95 Re: HB 670 - FOOTBALL STADIUM FUNDS - TRANSFER TO COUNTY BOARDS OF EDUCATION

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

Resolved, That the Board of Education support HB 670 - Football Stadium Funds - Transfer to County Boards of Education.

RESOLUTION NO. 109-95 Re: SB 427 - EDUCATION - STATE FINANCIAL ASSISTANCE - PROGRAMS FOR NON- AND LIMITED ENGLISH PROFICIENT STUDENTS

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

Resolved, That the Board of Education strongly support SB 427 - Education - State Financial Assistance - Programs for Non- and Limited English Proficient Students.

RESOLUTION NO. 110-95 Re: HB 131 - VEHICLE LAWS - SPEEDING IN SCHOOL ZONES - PENALTIES

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

Resolved, That the Board of Education support HB 131 - Vehicle Laws - Speeding in School Zones - Penalties.

RESOLUTION NO. 111-95 Re: SB 262 - VEHICLES LAWS - SCHOOL
VEHICLES - STANDING PROHIBITED

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

Resolved, That the Board of Education oppose, unless amended, SB 262 - Vehicle Laws - School Vehicles - Standing Prohibited.

Re: HUMAN RELATIONS PLAN AND POLICY
ANALYSIS

Dr. Vance stated that the Board had discussed the human relations plan in July when the Department presented its update on its responses to the recommendations of the Commission on the Long-range Needs of Human Relations. Today the Department would inform the Board about progress in responding to the recommendations, the status of revision of policies, and the action plan for the Department. He introduced Dr. Oliver Lancaster, director of the Department of Human Relations; Ms. Aggie Alves, compliance officer; and Dr. Pam Splaine, director of the Division of Administrative Analysis and Audits.

Dr. Lancaster commented that the Department had responded to Board directives and was implementing all of the ten recommendations of the Commission. They wanted to talk about the status of the human relations policy revisions, and he expressed his appreciation to Dr. Splaine for the work she had done in providing leadership, direction, and a process for revising the policies.

Dr. Splaine recalled that on July 12 they had presented the Board with an analysis of nine policies related to human relations. They had provided a table of recommendations for each of the policies. For some policies they were recommending a routine update and reformatting, and for others they were recommending more substantive changes. There were several issues related to these. The first issue was training, and the other issues had to do with the need for an overall system of accountability and human relations committees. She called attention to Attachment C which was an updated table which included all the policies and which added two additional policies having to do with the Americans with Disabilities Act. They had grouped like policies together and had a plan for Board consideration of these policies starting in April.

Dr. Lancaster stated that the foundation for the program plan was directly responsive to the recommendations of the Commission and to Board direction. They felt that the plan complemented Success for Every Student and was responsive to a number of their constituencies. They felt that the plan was proactive and more efficiently addressed the essence of their mission which was fairness, respect, and understanding. He called attention to their five major priorities which focused on students, staff, community, communications, legal mandates, and case management. Ms. Alves felt

that the plan spoke for itself. It was a dynamic and ambitious plan with an emphasis on being proactive and reaching out to the community.

Dr. Cheung was pleased to hear that the Department would be proactive and would engage in early intervention. He asked how closely the Department worked with the two training units in terms of staff training and how closely they worked with the staff in OIPD to work on multicultural curriculum. Dr. Lancaster replied that they worked with the two training units and with OIPD on an on-going basis. One of his staff members had been assigned to be a liaison to OIPD. Today they would have training sessions for teachers, and they had selected people from schools to work with Human Relations in teams. Many people in the schools were extremely talented and very experienced, and staff members in Human Relations could not do all the training by themselves.

Ms. Alvez added that they had a lot of training they were responsible for in the upcoming years just dealing with legal mandates and not cross-cultural training. They had discussed with Dr. Massie and her staff how to coordinate all of the training that needed to be done. They were now developing a comprehensive training schedule. Dr. Lancaster remarked that they had worked with MCCPTA and other groups on training for human relations teams. In November, they had the liaisons come in, and for the first time every school was represented. He expressed his appreciation to their consultants, Peter Vaslow and Dr. Cornell Lewis.

Mr. Ewing assumed that they would get into the details when the policies were brought before the Board. However, he thought that before they did the review of Policy ACA, Statement on Human Relations, and Policy GMA, Black Experience and Culture, he would like to know how in fairly specific terms the accountability issue was going to be addressed. For example, what would be done to ensure that the day and a half of training occurred, how would they know it occurred, how would they know it was in accord with policies, and how would they know it was effective.

Dr. Lancaster replied that they planned to provide an annual report of the work that had been done. In talking with Dr. Splaine, they had been discussing various approaches on making it very clear that accountability was number one concern of the Board. They would include items on reporting to the Board. In past years the only accountability factor was through the Human Relations Office, and they had no clout to see that things got done. This had been changing, and the Office of School Administration and the directors were playing a larger role in making sure there was follow-up. He felt they had a much more collaborative relationship with OIPD; therefore, the Department of Human Relations no longer had the sole responsibility for this effort. It was everyone's responsibility. For example, in the development of the plan, the executive staff had been with them step by step. Dr. Lancaster emphasized that this was not a Department of Human Relations plan. It was an MCPS plan.

*Mr. Felton joined the meeting at this point.

Dr. Vance remarked that increasingly the question posed by Mr. Ewing was getting to be less of a unique question and more universal. He had met with three different groups yesterday, and the same question was asked: "How will you know when what you are doing is effective?" He had responded that there would be a change in attitudes and a change in behavior. There would be an impact on staff and children. He did not know that they had worked out the specific details on how this would be incorporated in this plan.

Dr. Lancaster added that in their previous meeting they had commented on their relationship with the Department of Educational Accountability. They had discussed how the human relations quotient might be built into the surveys and polls now being taken by DEA so that they could take the temperature of human relations countywide on a regular basis. They had been doing a lot of research on climate surveys, and they were putting together instruments for different kinds of situations to give them feedback.

Dr. Cheung asked if they had staff training for ESOL staff or special programs for them. He asked whether Human Relations worked with ESOL on special programs for students as well. Dr. Lancaster replied that they talked to ESOL on a fairly regular basis and worked with ESOL on specific projects. Now they were discussing the possibility of having some workshops this summer to help certain staff members to learn basic phrases and directions for youngsters in different languages. For example, the principal and staff at Kennedy High School were interested in learning some Korean words and phrases.

Ms. Alvez reported that this summer they had worked with a staff member from ESOL on sexual harassment issues. She said that they also wanted to target those students who were not the traditional leaders in the school. They had talked to the ESOL resource teacher at Blair and other staff members from youth organizations. Ms. Alvez explained that a lot of these ESOL students did not have a forum for participating; therefore, they wanted to create advisory committees to make sure they were inclusive and did include those students. Dr. Cheung was pleased to learn of these activities.

It seemed to Ms. Gutierrez that in previous discussions she had pointed to the need to establish a plan and give a clear mission with a series of objectives for the department. These plans helped them to establish the clear direction they wanted to be moving in and gave them a sense of priorities. It provided a basis for them to know where they were going and to tell them when they got there.

Ms. Gutierrez was very supportive of their developing this kind of plan. However, she saw the plan as focusing more on the short term goals. She was pleased that they had included the Commission's recommendations in this report. She had reviewed each recommendation to see how it was reflected in the Human Relations plan. She thought MCPS had made a good attempt at addressing the short-term issues. She remarked that if they limited the plan to the activities presented here, they would be missing opportunities to address some additional human relations problems. The Commission's final recommendation was that the Department be responsible for developing for the superintendent's approval a comprehensive systemwide human relations program. It was her recommendation that they were reflecting this recommendation on the plan.

Ms. Gutierrez commented that when she looked at the plan it focused very much on the Department, and she thought it did not go far enough into the Montgomery County Public Schools human relations program. She said that this was the longer range activity they needed to be defining and moving along. There was no doubt that the kind of activities they defined in their plan were supportive of a program, but she thought the program needed to be defined and articulated more broadly. It might be that one of the first steps they needed to take was to put this plan in the broader context of a human relations program. That program should have more longer term or more policy frameworks in which the activities of the Department would fall.

Ms. Gutierrez remarked that the activities identified in the plan were well and good, but there were more activities that could address other issues that were not specified in the plan. When they described what was being done as the result of a recommendation, it did give evidence they were active in that area but did not say what they were going to do. For example, one of the recommendations was to broaden their access to training around the Washington area and bring in some additional activities. There was a list of what they had done, but when they went into the plan and focused on training, they narrowed it down to three specific training areas. She was not sure they wanted to imply that those three training efforts would address the broader need for on-going awareness training and were taking advantage of the training opportunities that the Commission talked about. She stated that they focused on training for students and talked about skills development for employees. However, she saw these as limited in number and scope. In their plan they really should be establishing objectives or goals that were broader.

In regard to outcomes, Ms. Gutierrez saw these as also being short-term. In government, they were looking at defining the difference between a result or an output and an outcome. She saw the outcomes in the plan more as outputs. They said they would increase the number of liaisons in the schools, but they made no mention of why they wanted to do this. If they did not identify the outcome for their activities, they did not give guidance to those involved with the activity. She had always stressed how important it was to be quantitative and set specific goals. Now she was saying they needed clear measures of where they were.

Dr. Lancaster thought that these points were a natural progression from this step. He knew they were building foundations as a platform for doing what Ms. Gutierrez was talking about. Built into each one of these was a future. For instance, when they did their program in November one of the items was to survey each one of the liaisons and find out from their perspective what the issues were. He now had a snapshot of their assessment of human relations needs. This went well beyond the ten recommendations of the Commission. One of the programs was the World of Difference training which they were doing in stages for three years. They were creating a cadre of people who were farmed out to provide that kind of training. He thought that perhaps the next session with the Board should be on how the plan would extend to the year 2000.

Ms. Alvez stated that when they met in July they determined that the Department was involved in many different activities which were not reflected in their program plan. They did not want to show a litany of every single task they were involved in. They wanted to give the Board a broad overview of the kinds of things the Department wanted to focus on. In devising their goals, they thought they framed them in language that was long term, but they did not want to include things that they could not quantify at this point. They did not want to make a lot of promises they could not keep. This was their initial foundation which was ambitious in and of itself. She agreed that they did need to look at the big picture and long-range goals, but given where they were the plan before the Board seemed to be what people wanted them to do immediately. They had long-range goals, but the program plan could change yearly to meet these goals.

It seemed to Ms. Gutierrez that they had a plan for the Department of Human Relations, and she recognized that it would have some constraints. She thought it was important for the system to be able to articulate in a broader fashion with a human relations program that went beyond the scope of what one Department could do. For example,

she did not think the Department alone could increase community outreach and participation. This goal had to be shared by principals, teachers, PTA, etc. She thought this was something for the Board to think about as to whether the expanded vision should be in the policy statements.

Mr. Felton shared the concerns raised by Ms. Gutierrez. Given the staff and resources they had, he thought that Human Relations had done a tremendous job. However, it was important that the system have a program and a plan which encouraged involvement at every level including parents, students, teachers, and staff. He thought they needed to reflect on this and articulate that kind of expectation for the system. He pointed out that many organizations were doing climate assessments. Typically organizations wanted to improve, and it helped to measure against other like systems. There were ways to do this so that the community understood what was expected.

Mr. Felton stated that human relations was dynamic, and they should not be compelled to think that a single document would ever answer their needs. People changed, and there would be issues they had never thought of that people would have to deal with. He remarked that they needed to be careful about projecting an image that somehow once people were trained there would be a different attitude or behavior in the school system. Very often this did not happen. They needed to let schools determine what their needs were and facilitate that process. They had to be sure they articulated exactly what were the expectations of faculty, staff, students, parents, and community to make this whole thing work.

Mrs. Gordon thought that this was a much better plan than they had seen in July. It was more thoroughly defined, and she was thrilled with the World of Difference program. One of the things that the Department had always done well was training. She continued to be extremely disappointed that they were not moving forward quickly with the human relations teams. She thought that having only ten pilot schools was a poor attempt to do something that needed to be done that would address the issues discussed around this table in terms of including more people. If they said they should have liaisons and teams in every school, they ought to be operational. This went along with Mr. Ewing's comments about how they would know they were doing it because they said it was to be done. She continued to be disappointed that they were not moving more quickly. This was one of the recommendations that the task group spoke very strongly about during their presentation. She would like to see a more aggressive approach, and if they did that they would have the medium for additional training and going into the broader community of the school system and the broader community of Montgomery County.

Dr. Vance gathered that he understood the sense of the Board given the comments that had been made. He asked Mrs. Gemberling to revisit that part of this plan, upgrade it, and bring it back to the Board for consideration and review.

Mrs. Gordon was still concerned about including supporting services personnel. When the policy on human relations in-service came back, she wanted to see that all employees were included and that the programs in the school were designed at a time when employees were scheduled to work. Frequently what happened was that the training occurred on pre-service or in-service days when supporting services employees were not scheduled to work.

Dr. Lancaster thought that they had not spelled out the plan in as much detail as they should have. The pilot groups were something special. Their major priority was to have a human relations team in every school, and they would be in every school this year. Ms. Alvez added that at the November conference every school was represented, and they did do training and reviewed action plans. These people would be called back for follow up training, and accountability information would be requested from them. The ten pilot schools would be receiving extra care and assistance. These people would provide training to all of the other liaisons in the schools. This did not mean that the teams were not up and running in schools. Dr. Lancaster stated that they were now receiving those action plans. Dr. Vance indicated that in their update to the Board they would address the specifics of the plan.

RESOLUTION NO. 113-95 Re: COMPREHENSIVE SYSTEMWIDE ACTION
PLAN IN RESPONSE TO THE
RECOMMENDATIONS OF THE WORK
GROUP TO STUDY SPECIAL EDUCATION
FEES

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

Resolved, That the Board of Education endorse the superintendent's plan for addressing the recommendations of the Work Group to Study Special Education Fees and the Board resolution on special education, with the understanding that MCPS will involve the community before acting on recommendations 4a, 4b, and 5a; and be it further

Resolved, That the Board of Education direct the superintendent of schools to bring it a specific plan within a week for meeting the deadlines of the Ruesch decision this spring; and be it further

Resolved, That this plan make substantial additional time available to special education teachers and resource teachers to complete their tasks on time and reduce substantially what would otherwise be a negative impact on time for instruction; and be it further

Resolved, That the superintendent of schools inform the Board of his best estimate of the costs of these efforts.

Re: PUBLIC COMMENTS

The following individuals appeared before the Board of Education:

1. Henry Quintero, Latino Civil Rights Task Force of Montgomery County
2. Nguyen Minh Chau, Maryland Vietnamese Mutual Association
3. Emilio Perche Rivas, Spanish Speaking Community of Maryland
4. Louis Leon, Hispanic Alliance
5. Artie Shepherd
6. John Ballock
7. Grace Rivera, Operation Last Chance

RESOLUTION NO. 114-95 Re: A MOTION TO RECONSIDER THE FY 1996
OPERATING BUDGET VOTE ON ESOL

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

Resolved, That the Board of Education reconsider its FY 1996 Operating Budget vote on ESOL.

Re: A MOTION BY MS. GUTIERREZ TO AMEND
THE FY 1996 OPERATING BUDGET

Ms. Gutierrez moved and Ms. Converse seconded the following:

Resolved, That the FY 1996 Operating Budget be amended to add the superintendent's recommendation based on the ESOL task force report of \$490,327.

Re: A MOTION BY MR. ABRAMS TO AMEND THE
PROPOSED MOTION ON ESOL (FAILED)

A motion by Mr. Abrams that the proposed motion on ESOL be amended to include the same amount, \$490,327, on the list of nonrecommended reductions to meeting spending affordability guidelines failed with Mr. Abrams and Mr. Felton voting in the affirmative; Dr. Cheung, Ms. Converse, Mr. Ewing, Mrs. Gordon, Ms. Gutierrez, and Mrs. King voting in the negative.

RESOLUTION NO. 115-95 Re: AN AMENDMENT TO THE FY 1996
OPERATING BUDGET, ESOL

On motion of Ms. Gutierrez seconded by Ms. Converse, the following resolution was adopted with Dr. Cheung, Ms. Converse, Mr. Ewing, Mr. Felton, Mrs. Gordon, Ms. Gutierrez, and Mrs. King voting in the affirmative; Mr. Abrams abstaining:

Resolved, That the FY 1996 Operating Budget be amended to add \$490,327 for recommendations of the ESOL task force.

RESOLUTION NO. 116-95 Re: NONRECOMMENDED REDUCTION TO
MEET SPENDING AFFORDABILITY
GUIDELINES

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

Resolved, That \$490,327 from the Unfunded Accrued Liability Account be added to the nonrecommended reductions to meet spending affordability guidelines.

RESOLUTION NO. 117-95 Re: PROCUREMENT CONTRACTS MORE THAN
\$25,000

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

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

Resolved, That having been duly advertised, the following contracts are awarded to the low bidders meeting specifications as shown for the bids as follows:

92-06	System Contract for Office Supplies - Extension		
	<u>Awardee</u>		
	Boise Cascade		\$ 200,000
49-92	School Bus Glass Replacement - Extension		
	<u>Awardee</u>		
	Banner Glass, Inc.		\$ 33,000
69-93	Filtration Systems - Extension		
	<u>Awardee</u>		
	Air-Tech Products		\$ 73,193 *
29-95	Processed Cheese		
	<u>Awardee</u>		
	Dori Foods, Inc.		\$ 55,218
120-95	Industrial and Technology Education		
	Finishing Materials		
	<u>Awardees</u>		
	Abrasive Accessories, Inc.		\$ 13,128
	Brodhead-Garrett Company		2,831
	Grainger		75
	Graves-Humphreys Company		713
	Metco Supply, Inc.		7,007
	Roberts Company of DC		3,439
	Satco, Inc.		1,188
	Woodworkers World		<u>2,256</u>
	TOTAL		\$ 30,637
123-95	Musical Instruments and Furniture		
	<u>Awardees</u>		
	Cornet Music		\$ 229
	Ideal Music Company		2,463
	Lashop Violins		2,232
	Victor Litz Music Center		1,940
	Lyons Music Products		268
	National Education Music Company		3,749
	Northeast Music, Inc.		8,609
	S & H Manufacturing Company		550
	Washington Music Sales Center, Inc.		98,363
	Wenger Corporation		33,169
	The Woodwind and the Brasswind		8,488
	Wrights Music Shed		<u>7,892</u>

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	TOTAL	\$ 167,952
221-95	Science Supplies <u>Awardee</u> Fisher Scientific Company	\$ 207,230
225-95	Office and School Supplies <u>Awardees</u> ABL, LC (T/A Alperstein Brothers) Baumgarten Company of Washington Boise Cascade BT Ginns Office Products Chaselle DVC Industries, Inc. J. L. Hammett Company Integrity School Supplies Interstate Office Supply Company Standard Stationery Supply Company Paul B. Williams, Inc. TOTAL	\$ 128,348 458 * 216,162 78,870 108,532 12,719 53,266 15,543 * 62,780 * 43,381 <u>10,041</u> \$ 730,100
227-95	Envelopes <u>Awardee</u> Double Envelope Company	\$ 75,827
230-95	Microscopes <u>Awardees</u> Alpha and Omega Service Benz Microscope Optics Center Fisher Scientific Company Ken-A-Vision Manufacturing Co., Inc. Para Scientific Company Parco Scientific Company TOTAL	\$ 759 8,873 18,095 17,408 477 <u>22,514</u> * \$ 68,126
231-95	Hand Held Calculators <u>Awardee</u> Davis Distributing Company, Inc.	\$ 213,536
233-95	Copy Machines for Schools and Offices <u>Awardees</u> BCE Corporation Xerox Corporation TOTAL	\$ 66,605 * <u>4,272</u> \$ 70,877

234-95	Wiring Installation/Integration at Existing Facilities for Global Access <u>Awardees</u> M.C. Dean, Inc. Henkels and McCoy, Inc. Johnson Controls, Inc. NETCOM Technologies, Inc. SBD Cable Products Corporation Texel Corporation TOTAL	Contract Amount** \$2,900,000
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** Contract amounts will be based on individual project requirements

MORE THAN \$25,000	\$4,825,696
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*Denotes MFD Vendors

Ms. Gutierrez assumed the chair.

RESOLUTION NO. 118-95 Re: ACCEPTANCE OF MEADOW HALL
ELEMENTARY SCHOOL

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

Resolved, That having been duly inspected on February 8, 1995, the modernization and addition to Meadow Hall Elementary School now be formally accepted; and be it further

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

Mrs. Gordon assumed the chair.

RESOLUTION NO. 119-95 Re: ACCEPTANCE OF HIGHLAND VIEW
ELEMENTARY SCHOOL

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

Resolved, That having been duly inspected on February 3, 1995, the modernization and addition to Highland View Elementary School now be formally accepted; and be it further

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

RESOLUTION NO. 120-95 Re: GRANT OF STORM DRAINAGE EASEMENT AND RIGHT-OF-WAY AT MCKENNEY HILLS LEARNING CENTER

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

WHEREAS, The Montgomery County Government has requested a grant of storm drainage easement and right-of-way at the McKenney Hills Learning Center site, located at 2600 Hayden Drive in Silver Spring; and

WHEREAS, The proposed grant of storm drainage easement and right-of-way, consisting of 1,260 square feet, will not adversely affect any land anticipated to utilized for school purposes and would benefit the community by reducing on-site erosion; and

WHEREAS, All construction, restoration and future maintenance will be at no cost to the Board of Education, with Montgomery County and its contractors assuming liability for all damages or injury; now therefore be it

Resolved, That the president and secretary be authorized to execute a grant of storm drainage easement and right-of-way to the Montgomery County Government at McKenney Hills Learning Center.

RESOLUTION NO. 121-95 Re: UTILIZATION OF FY 1995 FUTURE SUPPORTED PROJECT FUNDS FOR THE HOWARD HUGHES MEDICAL INSTITUTE STUDENT AND TEACHER INTERNSHIP PROGRAM AT THE NATIONAL INSTITUTES OF HEALTH (NIH)

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

Resolved, That in accordance with the resolution from the Montgomery County Public Schools Educational Foundation, Inc., the Board of Education accepts the funds awarded to the foundation by the Howard Hughes Medical Institute; and be it further

Resolved, That the superintendent of schools be authorized to receive within the FY 1995 Provision for Future Supported Projects a grant award of \$30,000 from the Howard Hughes Medical Institute, through the Montgomery County Public Schools Educational Foundation, Inc., to supplement the student intern program through a new extracurricular initiative in the following categories:

	<u>Category</u>	<u>Amount</u>
2	Instructional Salaries	\$18,500
3	Other Instruction Costs	10,020
10	Fixed Charges	<u>1,480</u>
	TOTAL	\$30,000

and be it further

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

RESOLUTION NO. 122-95 Re: UTILIZATION OF FY 1995 FUTURE SUPPORTED PROJECT FUNDS FOR THE TOBACCO USE PREVENTION PROGRAM

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1995 Provision for Future Supported Projects a grant award of \$48,132 from the Maryland State Department of Education (MSDE), for the Tobacco Use Prevention Program, in the following categories:

	<u>Category</u>	<u>Amount</u>
2	Instructional Salaries	\$20,287
3	Other Instruction Costs	25,816
10	Fixed Charges	<u>2,029</u>
	TOTAL	\$48,132

and be it further

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

RESOLUTION NO. 123-95 Re: PERSONNEL MONTHLY REPORT

On recommendation of the superintendent and on motion of Mr. Ewing seconded by Mr. Abrams, the following resolution was adopted with Mr. Abrams, Dr. Cheung, Ms. Converse, Mr. Ewing, Mr. Felton, and Mrs. Gordon voting in the affirmative; Ms. Gutierrez and Mrs. King being temporarily absent:

Resolved, 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. 124-95 Re: EXTENSION OF SICK LEAVE

On recommendation of the superintendent and on motion of Mr. Ewing seconded by Mr. Abrams, the following resolution was adopted with Mr. Abrams, Dr. Cheung, Ms. Converse, Mr. Ewing, Mr. Felton, and Mrs. Gordon voting in the affirmative; Ms. Gutierrez and Mrs. King being temporarily absent:

WHEREAS, The employee listed below has suffered serious illness; and

WHEREAS, Due to the prolonged illness, the employee's accumulated sick leave has expired; now therefore be it

Resolved, That the members of the Board of Education grant an extension of sick leave with three-fourths pay covering the number of days indicated.

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<u>Name</u>	<u>Position and Location</u>	<u>No. of Days</u>
Jefferson, Charlie	Building Service Worker Parkland Middle School	30

RESOLUTION NO. 125-95 Re: DEATH OF MR. HARRY L. BURTON,
SPECIAL EDUCATION TEACHER AT RICA

On recommendation of the superintendent and on motion of Mr. Ewing seconded by Mr. Abrams, the following resolution was adopted with Mr. Abrams, Dr. Cheung, Ms. Converse, Mr. Ewing, Mr. Felton, and Mrs. Gordon voting in the affirmative; Ms. Gutierrez and Mrs. King being temporarily absent:

WHEREAS, The death on February 6, 1995, of Mr. Harry L. Burton, a special education teacher at RICA, has deeply saddened the staff and members of the Board of Education; and

WHEREAS, Mr. Burton was an excellent employee for more than six years and was highly respected by his colleagues and community; and

WHEREAS, Mr. Burton always provided encouragement to his students and was always willing to share experiences with his colleagues; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Mr. Burton and extend deepest sympathy to his family; and be it further

Resolved, That this resolution be made part of the minutes of this meeting and a copy be forwarded to Mr. Burton's family.

RESOLUTION NO. 126-95 Re: PERSONNEL APPOINTMENT

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Mr. Abrams, the following resolution was adopted with Mr. Abrams, Dr. Cheung, Ms. Converse, Mr. Ewing, Mr. Felton, and Mrs. Gordon voting in the affirmative; Ms. Gutierrez and Mrs. King being temporarily absent:

Resolved, That the following personnel appointment be approved:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Vivian A. D'Souza	Acting Director Division of Maintenance	Director, Division of Maintenance Dept. of Facilities Management Grade P Effective: 2-16-95

RESOLUTION NO. 127-95 Re: FY 1996 FEES FOR THE SUMMER SCHOOL,
ADULT EDUCATION, PARENT RESOURCE
CENTERS, AND GENERAL EDUCATION
DEVELOPMENT PROGRAMS

On recommendation of the superintendent and on motion of Ms. Converse seconded by Dr. Cheung, the following resolution was adopted with Mr. Abrams, Dr. Cheung, Ms. Converse, Mr. Ewing, Mr. Felton, Mrs. Gordon, and Ms. Gutierrez voting in the affirmative; Mrs. King being temporarily absent:

WHEREAS, The Board of Education established an enterprise fund for regular summer school, adult education, Parent Resource Centers, and the GED programs, and approved fees for non-enterprise programs; now therefore be it

Resolved, That for FY 1996 the Board of Education increase adult education program fees by \$1, from \$48 to \$49 for a 7-week course, and by \$2, from \$96 to \$98 for a 14-week course, and that fees be prorated based on the number of times/hours a class is held; and be it further

Resolved, That the general fund appropriation of \$300,000 budgeted for FY 1996 will offset the difference between the revenue generated by the reduced fees and the total revenue required to support the regular summer school programs; and be it further

Resolved, That the fee structure for all other programs be maintained at the FY 1995 level.

Re: REVIEW OF GIFTED AND TALENTED
EDUCATION, K-12

Dr. Vance explained that today's discussion began a process that would focus on gifted education over the next few months. On March 14, 1995, the Board would discuss an analysis of the policy on the education of gifted and talented students, and on April 11, 1995, the Board would receive the report of the superintendent's advisory committee on the education of gifted and talented students and the staff response to that report. This process provided them with an opportunity to consider past history, recent efforts, and future directions to support the continued improvement of programs for gifted and talented students.

Dr. Joseph Villani, associate superintendent, stated that they would review their own analysis of where they were with the implementation of the Board's current policy. They would first hear from Dr. Waveline Starnes.

Dr. Starnes stated that as an example of the screening process, right now elementary schools were holding committee meetings and looking at their third grade students to decide which students should be considered for the Center program. Further screening would be done by her office. Another example was PADI assessment, the PADI assessment team would go to a school and spend a couple of weeks assisting teachers in classroom-type assessments. The data was brought back to central office for the purpose of making selections for the PADI class and also providing additional data for the school's instructional analysis.

Dr. Starnes said that the policy called for curriculum and resources. After they developed curriculum, they disseminated the results. For example, they had just published a guide on adjusting mathematics instruction for highly able students. This was disseminated to all elementary schools, and principals held staff meetings on this topic and had requested training for this. Enriched and Innovative Instruction was now using the document in all of its training sessions. Dr. Starnes reported that they were

now looking for CD-ROM and laser disk software that would be useful for critical and creative thinking and building research skills that were appropriate for gifted students.

In regard to training, Dr. Starnes commented that a major portion of the time of staff in Enriched and Innovative Instruction was spent in training. They had redesigned the in-service courses because many principals were requesting that their newer staff members be provided with this training. Teachers of the gifted were now planning cluster-wide training with follow-up demonstrations in the classroom. This fall the Division planned training over 100 teachers in response to principals who were concerned about students returning to their home schools who had been screened for Centers for the Highly Gifted. Teams from ten middle schools had been exploring block scheduling in order to better meet the needs of all of their students and the specialized needs of gifted students.

Dr. Starnes explained that for most MCPS students program implementation occurred at the local school level where the principals and teachers examined which students were identified and what provisions should be made for their instruction. This really meant that they had to give attention to staff training needs, the grouping options, the curricular resources, the design of instruction, and communications to parents. They also had to look at how they were going to mesh this goal with all the other goals at the school level. Last year the Division had provided team training for middle schools so they could think about what they were doing well, what needed to be improved, and how they would set out a timeline for improvement. Last summer the Division had field tested a program called "Summer Discoveries." This was designed to encourage African-American and Hispanic students in the area of math. This year the Division was working on plans for the new sixth grade magnet programs which would begin next year.

Dr. Starnes believed that in many schools and in many classrooms provisions for bright students were receiving attention. OIPD and OSA were collaborating on more effective ways to address the implementation of programs countywide.

Dr. Phinnize Fisher, associate superintendent, reported that in their school improvement plans they had a goal analysis checklist to determine whether or not schools needed a gifted and talented goal. This year they would modify the directions to require all schools to provide a written explicit description of their gifted and talented program. Dr. Villani introduced Mr. Ray Myrtle, principal of Somerset ES; Ms. Nancy Schultze, principal of Redland MS; Dr. Wayne Fleeger, principal of Richard Montgomery HS; Ms. Meg O'Hare, co-chair of the advisory committee on gifted and talented; and Ms. Estelle Moore, third grade teacher.

Mr. Myrtle stated that programs for the gifted needed to be multi-disciplinary and a total staff effort. A deliberate plan needed to be in place between a principal and a staff to make certain there was an instructional program in place that challenged their most gifted learners. The plan should embrace several principles. One was that bright learners grasped concepts and skills more quickly; therefore, there should be differences in pacing for them. These students were able to handle complex ideas and issues with less effort. Thus, there should be some difference in the depth with which they pursued some concepts. Their ability to produce was greater; therefore, the staff should heighten their expectations for students' productivity to exceed what was typical for that grade level.

Mr. Myrtle explained that in any G/T plan a process approach to reading and writing should be in place. Gifted students should also be keeping portfolios as an outgrowth of the writing process and should set goals for improvement and set their own criteria for self evaluation. He indicated that gifted learners should be given much time to read and to discuss what they had read with their classmates. While all students needed to pursue issues in content areas, gifted students had the time and capability to take information and ideas and carry them to greater heights of understanding. They might write persuasive letters to elected officials. For example, the fifth grade had written to the president about the problems of the homeless.

Mr. Myrtle commented that the third element in any program was acceleration, especially in skills areas such as mathematics. He thought that they would find some outstanding environments for academically able students in MCPS. These did not just happen. They required very careful planning and required the expertise of many.

Ms. Schultze stated that the middle school addressed the unique needs and characteristics of the emerging adolescent. Middle schools prepared students academically for high school as well as preparing students to live within their communities. The middle school policy stated that students should be grouped and regrouped to allow them to meet and work with a broad spectrum of the peers. She said that a strength of MCPS was that in the student population there was an aggregate of identified G&T students. Redland's program had been designed to meet the needs of that student population while ensuring the implementation of the middle school policy. The Board's policy supported the heterogenous as well as homogenous grouping of students. All Redland students were scheduled into a seven-period day of instruction. The identified gifted student would be homogeneously grouped for a minimum of three periods. In Grade 6 that would be English, math, and reading. In Grades 7 and 8, it would be English, math, and science. Some of the electives by nature of the course might put students into a homogenous group. The remainder of the gifted student's day was scheduled into classes which were heterogeneously grouped. Teachers of heterogenous classes provided a variety of instructional approaches to meet individual needs.

Ms. Schultze explained that the identification process began with articulation at the elementary schools. The .2 G/T coordinator worked in conjunction with the grade level teams to identify G&T students. The course offering booklet outlined their programming and grouping practices. Explanation of programs was made at parent information systems, and notifications of decisions were sent to parents. Parents could appeal decisions, and when in doubt, the child was given the opportunity to meet the challenge. Throughout the school year as teams met to monitor student progress, students could be identified as G/T and moved to homogenous classes or required to complete differentiated activities that challenged their intellectual capacity.

Ms. Schultze indicated that using their Success for Every Student and management documents they had established school objectives to ensure equitable representation of identified G/T students across ethnic and gender population. Their most recent MCPS survey made reference to a concern about differentiation in some of their heterogenous classes. Teachers had participated in the MCPS interdisciplinary workshops, and as a result they had documented an increase in a variety of instructional groups used within the classroom as well as more differentiated activities. They were taking advantage of the research hubs and the CD-ROM technology to provide extension and enrichment activities for students. They were fortunate to have

a broad base of parent support for their outreach programs, and parents conducted enrichment seminars. The school kept their community informed about activities taking place at Montgomery College as well as Johns Hopkins. They set high expectations for goals and challenging expectations for student performance, and they recognized outstanding achievements. They were pleased to say that their eighth graders had been accepted into the magnet programs or were doing well in honors programs at the high school level.

Dr. Fleeger stated that they were very proud of the honors program at Richard Montgomery High School. While it mirrored the program at many high schools, with the International Baccalaureate Program, they were able to offer honors work in all major disciplines. Almost 60 percent of their students were enrolled in one or more honors courses, and they were aggressively pursuing potential honors students by streamlining the registration process and screening and rescreening students. They were attempting to keep class sizes down and teacher enthusiasm up by providing cooperative planning time and more resource teacher support.

Dr. Fleeger reported that they were working on several areas of change. They were challenge rather than simple mastery, inclusion rather than exclusion, flexibility rather than rigidity, and efficacy rather than economy. They believed that learning should set an open ended goal which stretched each student to his or her utmost. The IB program had helped a lot of their teachers with this concept.

Dr. Fleeger remarked that a truly challenging program had many ways to evaluate and as many facets as they had learners. Teacher training to assure that all staff had the required skills was a must. They were constantly seeking this training through OIPD as well as from outside sources. His teachers were now sharing their experience with other schools as part of demonstration projects. They would like to see a return to the emphasis on honors in the Department of Program Development.

Dr. Fleeger said they felt that this challenge must be presented to all students, and they must include every student who was able to participate. They had placed emphasis on motivation, enthusiasm, and commitment in addition to raw ability. The student with a love for learning must have as challenging a program as possible, and the student lacking this must be assisted to acquire such a love. In short, every student must be seriously considered to be a candidate for part of the honors program. They felt it was essential to reinstate the honors coordinator position in the high schools to oversee and manage this process.

Dr. Fleeger reported that Richard Montgomery had been looking at larger blocks of time. They currently ran double period courses in biology, and they would like to run more of these in mathematics, physics, and chemistry. Large blocks of time challenged the traditional scheduling paradigm, but it did allow students to seek out his or her interest. Blocks of time would allow for grouping and regrouping of students to meet individual needs. Several programs involving modular scheduling were being piloted in Montgomery, and they were following these pilots. Unfortunately the support for such flexibility often required additional resource. The efficacy of innovative programs must outweigh concerns over economy. The extent to which students could be grouped in neat packages of 32 or 28 was a measure of economy of program, and he suspected it might also be inversely proportional to the efficacy of that program. Students might be well served in a large group lecture one day, but they might require individual problem

solving assistance the next day. He said they tried to differentiate staffing wherever possible.

Dr. Fleeger commented that if they truly desired a program that allowed students to go beyond themselves and allowed them to take advantage of their individual strengths, they must make such a program part of the comprehensive package which they offered to all students. In very difficult times, the Board had tried to provide the necessary funds for staffing and other resources both in the regular and in the IB programs, and they trusted that the Board would continue to do so. To lift their high school honors program to the next level would require the cooperation of a large number of people: the Board of Education, central office staff, school-based administrators, teachers, counselors, students, and parents. It would take a commitment of resources including monetary resources, and he suggested that their best and brightest were well worth the effort and the money because the best and the brightest really did include all of their children.

Mrs. Meg O'Hare, co-chair of the advisory committee on gifted and talented, stated that she had a first grader and a seventh grader. She commended the Board for taking a look at the G/T program. The committee had heard that schools did a very good job of early and systematic identification of students, starting as early as preschool. Curriculum had been prepared for enrichment activities in the elementary schools. The program for training of teachers was exemplary. There had been a fair amount of work with gifted and talented learning disabled students. Staff was looking at students who were typically not identified.

However, Mrs. O'Hare felt that there was an uneven implementation of the Board's policy throughout the county. Although the training and materials were in place, the program was not being implemented in a consistent manner from one place to another. In some schools it appeared to be literally non-existent, and in other schools it was fully in place. They had schools with cross regrouping for instruction in mathematics as early as third grade. In other schools, parents were told that this was contrary to Board policy. There were schools where students were routinely accelerated, and there were other schools where this was contrary to school policy. They had middle schools with differentiated instruction for identified students, and others where it was nonexistent except in mathematics. They had high schools with a full complement of honors and AP courses, and they had others where schedule constraints made it almost impossible for a student to participate fully. Mrs. O'Hare stated that whether one was allowed to participate was actually a function of geography. This was not fair, and it was not right.

Mrs. O'Hare reported that the centers and magnet programs had clearly differentiated instruction that was appropriate for those students selected for those programs. These programs had been the subject of evaluation, and it was fully documented that this was in place. There were other students who were not selected for these programs who were as qualified as the students selected. There were other students who did not even apply because of the geographic location of the various magnet programs and the time they would have to spend in travel. These students clearly needed the same level of differentiated instruction that the magnets and centers provided. There were other students who did not quite meet the criteria for selection in these programs but who were identified as gifted and talented who also needed very stimulating environments. They also needed opportunities to associate with their intellectual peers in an

academic environment. By accident of geography or by middle school program, some of these students may be out of luck.

Mrs. O'Hare stated that to some extent she disagreed with the statement that these students were serviced in their home schools. One indication was the ever increasing number of applicants to magnet and center programs, and the ever increasing number of appeals of rejection decisions. The staff had suggested that next year's school management plans include an objective for gifted and talented instruction. She agreed that this was an outstanding way of dealing with the situation, and she urged the Board to require that these statements be as clear as possible as to what it was that was expected for those students to be receiving in those schools. This should include specific and measurable objectives. She felt that every parent ought to know what was expected of his or her child and whether or not that was being delivered. The management plan had to include something about what would happen if the program were not carried out. She suggested that they might want to consider building an evaluation program into the management plans.

Ms. Estelle Moore, third grade teacher at Greencastle Elementary School, remarked that she had to provide challenges for all of her students, not just for the gifted. She had 24 students, six of them reading on a pre-primer, seven reading above Grade 7, and the rest in between. She began her year by telling her children that they were important. Once she had the children believing that they could do something worthwhile and important, it was half the battle. Her highly able students were already self motivated, but they still needed a teacher. The students had made their own centers, based upon the needs of their classroom. Now they were working on Ghana, and the highly able children decided that they wanted to have a caucus. They had some ideas they wanted to do using the CD-ROM and using the television studio. The students wrote up what they wanted to do and put it into process. They devised a rubric of how they wanted to evaluate the project, and Ms. Moore said the students were tougher on themselves than she would have been.

Ms. Moore stated that they never lowered their standards. They let everyone come up to them, even the lower achieving students. In her mind, all of her students were gifted and could do something special. She let her students know this from the very beginning. It was up to her to provide her students with those things that would give them that extra incentive to go on. Most of the children in her classroom were very highly able in their own way, but many of them lacked student habits. It was up to her to find out what students were really good at and plug it into the direction in which she wanted them to go.

Ms. Moore explained that the gifted program in her classroom was one that allowed all the children to be successful but it met them at their own needs. The children reading at the seventh grade level met as a group and were producing a script on Ghana. They planned to devise costumes, a play, and food. The children on the low end were not limited in their talents to sing, create with their hands, or talk. These children were putting their thoughts on tape. Other children edited the program.

Ms. Moore felt that she received tremendous support from the administration at Greencastle. She attended workshops and had had a chance to learn lots of things about high end learning. She commented that when they got to a normal class room, they would see reading, writing, and arithmetic. However, if they spent some time in

that classroom they would see the true challenges that were going on. They would see how teachers motivated children and brought out the best in them.

In regard to the Richard Montgomery cluster, Mr. Abrams said that Julius West Middle School historically did not push gifted and talented programs. In terms of the IB/honors program at Richard Montgomery High School, he wondered if there were any lessons to be learned. For example, would it make sense to look at pairing gifted and talented magnet programs on a middle/high school basis similar to what had been done in the Blair community? Or did it work well with a non-feeder approach and the integration of the honors program with the IB program?

Dr. Fleeger replied that he would recommend the current approach. There were benefits to the paired concept, but they had been able to disseminate the talents and resources from the IB program throughout the incoming ninth grade. A significant portion of those students came from Julius West, but they received students from other areas. This provided a cushion and a challenge. The cushion was that a lot of students were new at the same time. The challenge that different students from different schools brought different things, and they had to make sure they provided the appropriate program whether that student was in the IB program or not.

Mr. Abrams asked for the views of parents about the transition from middle school to high school. Ms. O'Hare replied that students had more choices at the high school level than they did prior to that time. They had heard about programs with scheduling issues for AP and honors courses particularly in the smaller high schools.

Mr. Abrams reported that several schools were interested in replicating the IB program, either as a broad selection or doing it essentially as a curriculum offered for the attendance area. Dr. Fleeger replied that IB program at Richard Montgomery had been extensive and expensive, but they reaped a tremendous benefit from it. He thought that more people needed the opportunity to enter that program. The number of applicants far outstripped their ability to provide the program.

Dr. Cheung stated that to him all children were gifted and talented because they had certain natural abilities. Environment was very important to him. He strongly supported Mr. Ewing's and Dr. Vance's concepts about early childhood education. Children were affected by their environment, nourishment, enrichment, and challenge. Children grew in their environment. Last Saturday he had attended an award dinner where four students from Wootton and one from Blair were awarded scholarships. They all had 4.0 GPAs, and one student had received 1600 on his PSAT. These students also had abilities in music and the arts. He had been told that a person's creativity quotient was at its highest before they entered school. After graduation, the quotient dropped. The school system should try to enrich that creativity because if they did not they would train a lot of people who were not thinking. People needed more than facts and content. He wondered how they could eliminate barriers to creativity.

Mrs. O'Hare replied that she had been very impressed with the attempts made by MCPS staff to expand on the creative talents of students, particularly at the elementary school level. She liked the interdisciplinary approach to subject matter by combining writing, the arts, social studies, and science. She thought that the writing program was extraordinary, and the writing workshop used in a lot of the schools allowed for lots of opportunity for students to keep those creative juices alive.

Mr. Ewing thought there was a recognition now that high schools needed to develop a variety of creative approaches to offering the high school curriculum and some things beyond it. The Board had been very supportive of that, but they were finding that there were large numbers of students who applied to the Blair magnet or to the IB program. They had large numbers who applied, and they had a substantial number who qualified and for whom there was no room. He would like to know some trend data. He asked for the number of applicants to Blair and the IB program, if possible, from the beginning. How many students were accepted and how many were not accepted? Of those who were not accepted, how many met the admissions standards? This would give them some idea about what the demand might be. This might not give them all the demand because he suspected there might be a tendency on the part of some students not to apply because of the limited space in both programs. Dr. Vance indicated that he had also requested information on race, gender, and cluster origin of these students. He would ask staff to combine these requests. He was finding increasingly this year that this had the potential of becoming a major social activist issue in the county because of who was or was not admitted to the programs.

It seemed to Mr. Ewing that they had uneven implementation of programs in elementary schools and a need to improve in middle schools. The good news was that each school would be required to include a very explicit description of its gifted and talented program in its management plan. He was delighted to see that and that the directors of school administrators would work with principals to monitor the implementation of gifted and talented programs. He knew that some people would say there was too much specificity, but he did not agree because this should increase accountability which was extremely important to do.

Mr. Ewing stated that there were commitments to performance standards in the Success for Every Student plan, and he assumed that all of those applied to the gifted and talented program. What would be different in G/T programs was the expectation that one would measure not only to the minimum standard but to the highest level of accomplishment. He knew they were moving in that direction which was very positive. He thought that there were still many gaps and places where there was a tendency to say that this was a school where that sort of program was not appropriate, necessary, or mandated. It appeared to him that they had an unresolved tension between the notion that site-based management schools could decide they did not want this program and the point of view he shared that site-based management did not go that far. He thought they needed to continue to specify what they wanted schools to do and to leave the local initiative on how they did it.

Ms. Gutierrez remarked that she needed clarification about how Board policies related to the gifted and talented program. There were some aspects of what she considered to be policy in the plan which were not necessarily clearly specified in Board policy. Her concern came from where she drew a line from a policy perspective for development a program that had requirements that she thought were requirements for all students. She had a real frustration about where they needed a specific gifted and talented policy requirement beyond what they would want for programs for all students. She called attention to the statement that gifted and talented students should have grouping as a significant part of their instructional program. The middle school policy talked about grouping of students and was not necessarily consistent with this statement. Attachment 2 to the report proposed three models, but it was not clear from the report what the pros and cons would be for these models. She asked if the three

models would be made available to the different middle schools. It seemed to her she was reading more of an evaluation of what they had and of what was working.

Ms. Gutierrez thought that the issue of gifted and talented programs and the school management plans was something that the Board needed to define as policy. The paper mentioned findings which the Board had not necessarily adopted. She needed to know if inconsistency of programs was a major problem. She needed to understand the entirety of their current programs and where they wanted to go, and she would like some response on what Attachment 2 was meant to be, particularly what was meant by "able learners."

Dr. Villani replied that "able learners" was a specific term used as a synonym for gifted students. The three models were models they had developed to share with the middle schools. The middle school policy called for a variety of flexible grouping practices, and schools wanted some models of flexible grouping practices. These were not the only things a school could do. They had done conferences on these with principals and training sessions with staffs, but they left it to the school to select its own model. The superintendent had directed them to assure that each school had an explicit and identifiable gifted and talented program next year. They would be using the same strategy with the elementary school models.

Ms. Gutierrez would argue that the first model was not consistent with the Board's policy. It seemed to be much more of a homogenous grouping over a longer period of time. She thought that some evaluation needed to take place and there had to be some attributes for the different models.

It seemed to Mr. Felton that the report alleviated some of the perceptions held by the community. There was the perception that African-Americans and Hispanics were represented to greater degrees in elementary schools than in middle and high school. He asked for some idea as to whether that was an accurate perception and as to what was being done so that perception was turned around.

Dr. Starnes replied that their numbers did not indicate what Mr. Felton was saying. The numbers of African-American and Hispanic students did not decrease in middle and senior high school. However, if they were looking at a specific subject area such as mathematics, this was not the case. They were working on increasing the percentages of students taking eighth grade algebra which would put them on track for high school honors mathematics.

Mr. Felton asked whether there were any initiatives to work with all parents to ensure the support necessary to sustain the gifted and talented students as they progressed through school. Dr. Starnes replied that some schools had built in a lot of factors for nurturing students; however, this did vary from school to school. She agreed that this was an area where she thought they needed to do additional work.

Mrs. Gordon thanked staff for the presentation. Clearly there were a number of exciting things that were happening for all students. There were opportunities that were exception for many students. She did not think that anyone could challenge the quality of the centers for the highly gifted and the magnet programs. She thought that Mrs. O'Hare had gotten to the heart of the issue when she talked about the fact that if a student happened to be in a school with a good program, he or she would have those

opportunities. The reality was those opportunities were not available in all schools for all students.

Mrs. Gordon knew that this was a discussion of gifted and talented opportunities, but she thought they needed to understand that exciting things could happen for all of their students and all students could think creatively. Having read 179 managements plan this week, she could tell staff that they had a lot of work to do between now and the time the next management plans came in. They needed to see programs for the more able students as well as seeing programs that were clearly defined for all students. She did not see that happening. She was going to be looking for something that was much more concrete, but she did not think it had to be the same program in every school. However, there had to be an identifiable program in every school. In March the Board would be reviewing the policy and receiving the report from the advisory committee which would give them other opportunities to discuss this issue.

Re: BOARD/SUPERINTENDENT COMMENTS

1. Mr. Ewing commented that there had been a very good review of adult education and ESOL programs had appeared in El Montgomery by Ann Rose. It noted that MCPS had not added classes over the last three years, but there was no doubt that MCPS would have more students because they had waiting lists. He thought this was an issue the Board needed to revisit and to get some better information than it had at budget time.
2. Mr. Ewing stated that there was a report entitled, "African American Community Response to the MCPS Annual Report on Systemwide Outcome Measures." This report was organized by Mr. James Robinson and the Citizens Minority Relations Monitoring Committee. Mr. Ewing thought it was well worth the time of the Board and the community to read and ponder. In many respects it was a call to action on the part of the system because there was the expectation on the part of Mr. Robinson that sometime in the spring there would be an African-American session at which a major agenda item would be the development of basis for filing a lawsuit against MCPS charging that MCPS had not been able to meet the needs of a substantial number of African-American students. He said that lawsuits might divert a lot of attention from dealing with the issue, and he thought there were better ways to go about this. He hoped that the Board and superintendent would take the time to focus on the report and what MCPS could do in working with this committee to develop some additional action areas that addressed some of those concerns. There was an assertion in the report that either MCPS did not know how to help substantial numbers of African-American students to succeed or was unwilling to. This was not a new issue. Many of these issues had been raised by Mr. Robinson over 20 years ago. Mr. Ewing thought they needed to redouble their efforts to address those concerns.
3. In regard to ESOL funding, Ms. Gutierrez said that today the Board had taken some action to incorporate this funding into their budget. She thought there were some related issues to ESOL funding for the Board to be very aware of at the state level. It was her understanding that the state superintendent of schools had proposed COMAR regulations reflecting the new state law about the use of ESOL funds. It was important for the Board to understand these proposals and take a position to maximize the use of these funds for the ESOL population. She asked that she be kept apprised of any hearings, and she volunteered to testify if needed. The funds were now targeted for

the ESOL population, and the Council had to understand that these supplementary funds were targeted.

4. Dr. Cheung commented that the Board voted to reconsider the ESOL task group recommendations and the superintendent's budget. He had received half a dozen phone calls from parents urging him to support those recommendations, but the calls also questioned whether or not the task group truly represented the ESOL community. These people also asked the Board and superintendent to look into whether the current structure and programs of ESOL were able to meet the needs of the increasing number of ESOL students as well as a more diverse population.

5. Mr. Felton said he had a great deal of concern about maintenance and how they maintained their school facilities. At some point he would hope they would have some recommendations coming forward on how to deal with this issue. He was not sure this should be an agenda item, but he would like to see proposals prior to the next budget cycle. Dr. Vance said he had a sense of what Mr. Felton was requesting, and he would bring information to the Board.

RESOLUTION NO. 128-95 Re: CLOSED SESSION - FEBRUARY 27, 1995

On recommendation of the superintendent and on motion of Mr. Abrams seconded by Mrs. King, 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 Monday, February 27, 1995, at 7:30 p.m. to discuss personnel matters and contract negotiations, matters protected from public disclosure by law, and other issues including consultation with counsel to obtain legal advice; 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.

RESOLUTION NO. 129-95 Re: MINUTES OF DECEMBER 13, 1994

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

Resolved, That the minutes of December 13, 1994, be approved.

RESOLUTION NO. 130-95 Re: MINUTES OF JANUARY 17, 1995

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

Resolved, That the minutes of January 17, 1995, be approved.

RESOLUTION NO. 131-95 Re: MINUTES OF JANUARY 18, 1995

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

Resolved, That the minutes of January 18, 1995, be approved.

RESOLUTION NO. 132-95 Re: MINUTES OF JANUARY 19, 1995

On recommendation of the superintendent and on motion of Mr. Felton seconded by Mr. Abrams, the following resolution was adopted unanimously:

Resolved, That the minutes of January 19, 1995, be approved.

RESOLUTION NO. 133-95 Re: MINUTES OF JANUARY 25, 1995

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

Resolved, That the minutes of January 25, 1995, be approved.

Re: REPORT ON CLOSED SESSIONS -
JANUARY 23, 24, and 30, 1995

On January 10, 1995, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on Monday, January 23, 1995, as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and State Government Article 10-501.

The Montgomery County Board of Education met in closed session on Monday, January 23, 1995, from 7:30 p.m. to 7:55 p.m. The meeting took place in Room 120 of the Carver Educational Services Center, Rockville, Maryland.

The Board met to discuss the appointment to the principalship of John T. Baker Middle School. The vote taken in closed session was confirmed in open session. Board members considered BOE Appeals No. 1994-30, 1994-33, and 1994-34.

In attendance at the closed session were Steve Abrams, Larry Bowers, Alan Cheung, Wendy Converse, Blair Ewing, Reggie Felton, Tom Fess, David Fischer, Phinnize Fisher, Kathy Gemberling, Bea Gordon, Nancy King, Elfreda Massie, Brian Porter, Paul Vance, Mary Lou Wood, and Melissa Woods.

On January 23, 1995, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on Tuesday, January 24, 1995, as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and State Government Article 10-501.

The Montgomery County Board of Education met in closed session on Tuesday, January 24, 1995, from 9:20 p.m. to 11:35 p.m. The meeting took place at 11911 Renwood Lane, Rockville, Maryland.

WHEREAS, The members of the Board of Education agreed on ten action areas to guide and to focus the Board's efforts in the next two years; now therefore be it

Resolved, That the Board of Education approve the following for 1995-1996:

1995-96 ACTION AREAS

1. Success for Every Student

Focus: Maintain high standards and continue to improve academic achievement for all students. Identify and implement effective strategies for improving the performance of students who have not achieved the high standards for success in MCPS.

2. Program Outcomes

Focus: Continue to review and reach closure on what students should know upon completion of high school. Continue to improve programs and program outcomes for all students with special attention to the following areas:

- Special Education
- Early Childhood
- Limited English Proficiency
- Social Studies That Include All World Cultures
- Secondary Model Program Innovations
- Middle Schools

3. Safety and Security

Focus: Continue implementation of the superintendent's safety and security plan, including funding, legislative action, training efforts, mediation, more security personnel, and alternative programs. Pay special attention to programs to address violence, alcohol and drug abuse, and other disruptive behavior.

4. Technology

Focus: Ensure the full implementation of Global Access and technological innovations.

5. Strengthen Partnerships and External Relations

Focus: Define the types of relationships MCPS desires to establish and institutionalize effective relations with parents, students, employees, community and business leaders, elected and appointed officials, media, and the general public.

6. Employee Training/Staff Development

Focus: Strengthen staff development, renewal and leadership with an emphasis on Success for Every Student, Global Access, and testing. Improve training efforts targeted to employees who are new, who have changing roles, who provide support services, and who need retraining.

7. Communication

Focus: Develop and implement strategies for more effective internal and external communications.

Internal communications should be strengthened to make all educational issues understandable, to add focus to public discussions, to allow more time for exploring options, and to bring issues forward in a more timely manner. Strategies should include keeping all Board members fully advised of key administrative issues and actions and keeping the superintendent and staff fully aware of significant policy and constituent concerns.

External communications should emphasize providing key constituencies with clear and concise information about the Board of Education and its policies and about school system procedures, programs, resources, activities and performance. Strategies should include greater use of all available means of communication to disseminate information and opinion on a regular basis.

8. Continuous Improvement and Management Initiatives

Focus: Explore means to improve policy, accountability, strategic and long-range planning, and management initiatives. Policy improvements should address developing, implementing and reviewing Board policy. Accountability improvements should address assessing teacher performance, exploring performance assessments, and improving program evaluations. Strategic and long-range planning should address developing an educational product to meet community needs, ensuring continuous improvement and managing change. Management initiatives should address improving efficiencies and cost savings and reviewing the roles of administrators and principals.

9. Student Assessment

Focus: Explore new methods for student assessments and measuring student achievements. Emphasis should be placed on national and state testing, the Maryland School Performance Plan, portfolio assessments, reports of results and collection of data via SIMS.

10. Educational Innovations

Focus: Strengthen Board, superintendent and staff knowledge about educational reforms being modeled nation-wide. Provide updates on ideas and research on educational innovations, reforms, and governance.

RESOLUTION NO. 136-95

Re: REAPPOINTMENT OF THE SUPERINTENDENT
OF SCHOOLS

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

WHEREAS, The Public School Laws of Maryland require the appointment of a superintendent of schools for a four-year term commencing July 1 following said appointment; and

WHEREAS, The Public School Laws of Maryland require the approval of the state superintendent of schools for such appointment; and

WHEREAS, The Board of Education of Montgomery County, Maryland, acting in closed session on January 12, 1995, by unanimous vote authorized the president of the Board of Education to negotiate an agreement between the Board of Education and its designated appointee; now therefore be it

Resolved, That the Board of Education of Montgomery County hereby reappoint Dr. Paul L. Vance as superintendent of schools of Montgomery County for a term of four years commencing July 1, 1995, and concluding June 30, 1999; and be it further

Resolved, That the Board of Education incorporate in this resolution the required letter of approval of the state superintendent of schools (to be appended to the minutes of this meeting); and be it further

Resolved, That the Board of Education hereby authorize the president of the Board of Education to execute the agreement between the Board of Education of Montgomery County and Dr. Paul L. Vance, said agreement to be appended to the minutes of this meeting.

Re: NEW BUSINESS

Mr. Ewing moved and Ms. Gutierrez seconded the following:

Resolved, That the Board of Education schedule time to review ESOL program objectives, resources, staffing levels, for both programs they offered students and the programs they offered adults.

RESOLUTION NO. 137-95 Re: ADJOURNMENT

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

Resolved, That the Board of Education adjourn its meeting at 6:05 to a brief closed session.

PRESIDENT

SECRETARY

PLV:mlw

AGREEMENT
BETWEEN
THE MONTGOMERY COUNTY BOARD OF EDUCATION
AND
DR. PAUL L. VANCE, SUPERINTENDENT OF SCHOOLS

It is hereby agreed by and between the Board of Education of Montgomery County, Maryland (hereinafter called the "Board") and Dr. Paul L. Vance (hereinafter called the "Superintendent") that the said Board, in accordance with its action as found in the Minutes of the meeting held on the 15th day of February, 1995, does hereby reappoint and employ Dr. Paul L. Vance as Superintendent of Schools of Montgomery County for a four-year term commencing July 1, 1995, and terminating June 30, 1999, upon the following terms:

1. a. The Superintendent will devote his best professional efforts and full time in carrying out the duties and responsibilities of the position of Superintendent and as Secretary/Treasurer of the Board of Education. These duties and responsibilities will include, but not be limited to, those set forth in the Education Article and other applicable provisions of the Annotated Code of Maryland as amended from time to time; those duties set forth in the By-laws adopted by the State Board of Education; and the policies, rules and regulations adopted by the Montgomery County Board of Education and any amendments to these By-laws, policies, and regulations as adopted by the Maryland State Board of Education and the Montgomery County Board of Education from time to time.

b. The Superintendent may engage in outside employment if such employment does not interfere with the duties and responsibilities set forth herein and prior notification has been given to the Board. Such notification will include the identity of the employer and the general nature of the duties associated with such employment.

2. It is also agreed that the Superintendent will maintain throughout his term a valid and appropriate certificate to act as Superintendent of Schools in the State of Maryland.

3. The Board and its individual members agree to refer promptly appropriate criticisms, complaints, and suggestions concerning the school system to the attention of either the Superintendent as chief administrative officer or through the Ombudsman, who will keep the Superintendent informed of all these matters. The Superintendent also similarly agrees to share with the Board, as appropriate, all criticisms, complaints, and suggestions concerning the school system which may come to his attention.

4. The Board shall provide annual and sick leave and all other benefits, except as modified by this contract, as are provided to all twelve-month administrative and supervisory personnel.

5. The Board shall provide Four Hundred Dollars (\$400.00) monthly to the Superintendent to defray the Superintendent's local expenses in connection with his duties.

6. To the extent permitted by law, the Board will also contribute Nine Thousand Five Hundred and No/100 Dollars (\$9,500.00) annually to a retirement vehicle as directed by the Superintendent, provided that the Board does not incur additional financial obligation as a result of such additional contribution.

7. a. The Board agrees to pay the usual and customary premium for the Montgomery County Public Schools Employee Benefit Plan, including group life and health benefits, each year during the term of the contract. The Board also agrees to pay the usual and customary premium for the group medical insurance plan for a three-year period following the termination of the contract, unless there has been a dismissal for cause.

b. Should the Superintendent be unable to perform any or all of his duties by reason of illness, accident, or other causes beyond his control, and if said disability is permanent, irreversible, or of such nature as, in the discretion of the Board, will make the performance of his duties impossible, the Board may, at its option, terminate this Agreement, whereupon the respective duties, rights, and the obligations hereof shall terminate. The decision to terminate for these reasons shall be made only after an examination by and after advice from a licensed physician whose selection shall be mutually agreed upon by the Board and Superintendent or his agent. In the event of termination of this contract by reason of disability, the Board shall compensate the Superintendent in the amount of one full year's salary to be paid in such manner as directed by him, which compensation shall be in addition to the usual and customary State and County Retirement System Payments and other benefits as defined in Item 4.

8. The Board agrees to provide the Superintendent with an automobile for his use as Superintendent with replacement of such automobile to occur every two (2) years with the style and type to be designated by the Superintendent and approved by the Board.

9. The Superintendent is encouraged to attend appropriate professional meetings at the local, state and national levels, the expenses of said attendance to be paid by the school system.

10. The Superintendent shall have a comprehensive medical examination not less than once every two (2) years, the costs to be borne by the Board. The Superintendent shall inform the Board of any condition which would adversely affect his performance of the duties as Superintendent.

11. The Superintendent is subject to removal for cause in accordance with the applicable provisions of State law. In the event of removal proceedings, if he chooses to be represented by legal counsel, these legal expenses will be borne by him, unless the Board is found by a court to have been arbitrary and capricious in its decision to remove, in which event reasonable legal expenses will be borne by the Board.

12. The Board may propose to terminate this employment contract upon ninety (90) days' written notice to the Superintendent. If the Superintendent concurs in writing with this decision, the Board shall pay to the Superintendent, as severance pay, all aggregate salary he would have earned under this employment contract from the actual date of termination to the termination date set forth in this employment contract and accrued benefits as defined in Item 4. In the event the Superintendent accepts the settlement specified above, the requirement for a hearing of the reasons for termination, as specified in State law, shall be waived.

13. In the event the procedures in the preceding paragraph 12 do not result in agreement, the Board may, at its option, and by a minimum of thirty (30) additional days' written notice to the Superintendent, unilaterally terminate this contract. In the event of such termination the Board shall pay to the Superintendent, as severance pay, all of the aggregate salary he would have earned under this employment contract from the actual date of termination to the termination date set forth in this employment contract and accrued benefits as defined in Item 4. In this event the Superintendent also waives the requirements for a hearing as specified in the State Law.

14. The Board shall informally advise the Superintendent before any formal process begins of its intent to begin to seek his removal or the termination of his employment contract.

15. At least annually, the Board shall meet and discuss with the Superintendent the working relationships between the Superintendent and the Board. The Board will annually conduct an evaluation of the Superintendent's performance including the performance of the school system for which the Board will hold him accountable. During the evaluation, the Superintendent will, as necessary, share his recommendations for improving Board/Superintendent relationships. The Board will provide the Superintendent a written report on his evaluation, and this report will be kept confidential.

16. The Board agrees to pay the Superintendent for the first year of his term a salary in the amount of One Hundred and Forty Thousand and no/100 Dollars (\$140,000), equal to an approximate 2.9% increase over his current salary, and his salary for each succeeding year during said four-year term shall be increased by a percentage equal to the Washington/Baltimore metropolitan area CPI plus one percent, assuming satisfactory performance.

17. The Board agrees to indemnify and save the Superintendent harmless for any and all reasonable expenses, including legal expenses (except as set forth in paragraph 11 above), and the costs of any settlement or judgment for any and all claims and lawsuits arising out of the performance of his official duties as Superintendent of Schools of Montgomery County, provided said duties were not maliciously performed, and provided further that said expenses and costs are not provided for from insurance, the County self-insurance program, and other insurance sources. These expenses and costs are to be paid whether incurred during or after his term as Superintendent.

18. Nothing in this Agreement is intended to, nor shall it, supersede or be contrary to or inconsistent with the provision of applicable State law. Any amendments to this Agreement will be by mutual consent and expressed in writing between the Superintendent and the Board.

Dated the 15th day of February, 1995.

Beatrice B. Gordon
President
Board of Education of
Montgomery County

Paul L. Vance
Superintendent of Schools of
Montgomery County