

APPROVED
14-1995

Rockville, Maryland
February 27, 1995

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Monday, February 27, 1995, at 8:05 p.m.

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

Absent: Ms. Wendy Converse

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

RESOLUTION NO. 140-95 Re: BOARD AGENDA - FEBRUARY 27, 1995

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

Resolved, That the Board of Education amend its agenda for February 27, 1995, by adding an item on Women's History Month.

RESOLUTION NO. 141-95 Re: BOARD AGENDA - FEBRUARY 27, 1995 (AS AMENDED)

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 approve its agenda for February 27, 1995, as amended.

RESOLUTION NO. 142-95 Re: SB 425/HB 725 - PUBLIC EDUCATION - MARYLAND PRICE LEVEL INDEX

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

Resolved, That the Board of Education strongly support SB 425/HB 725 - Public Education - Maryland Price Level Index.

RESOLUTION NO. 143-95 Re: SB 589/HB 1057 - EDUCATION - AVERAGE
DAILY ATTENDANCE

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 strongly support SB 589/HB 1057 - Education - Average Daily Attendance.

RESOLUTION NO. 144-95 Re: HB 765 - EDUCATIONAL ACCOUNTABILITY
AND ADEQUACY ACT OF 1995

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 oppose HB 765 - Educational Accountability and Adequacy Act of 1995.

RESOLUTION NO. 145-95 Re: SB 382/HB 814 - EDUCATIONAL
ACCOUNTABILITY AND ADEQUACY ACT OF
1995

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

Resolved, That the Board of Education oppose SB 382/HB 814 - Educational Accountability and Adequacy Act of 1995.

RESOLUTION NO. 146-95 Re: SB 771/HB 1202 - EDUCATION - STATE
FINANCIAL ASSISTANCE

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 support SB 771/HB 1202 - Education - State Financial Assistance.

RESOLUTION NO. 147-95 Re: HB 1118 - EDUCATION - STATE GRANT FOR
TRANSPORTATION SERVICES

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

Resolved, That the Board of Education support HB 1118 - Education - State Grant for Transportation Services.

RESOLUTION NO. 148-95 Re: HB 1125 - TRANSPORTATION FOR PUBLIC
SCHOOL STUDENTS

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 oppose HB 1125 - Transportation for Public School Students.

RESOLUTION NO. 149-95 Re: HB 608 - EDUCATION - STATE FINANCIAL ASSISTANCE

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

Resolved, That the Board of Education support HB 608 - Education - State Financial Assistance.

RESOLUTION NO. 150-95 Re: SB 486/HB 705 - EMPLOYER SOCIAL SECURITY CONTRIBUTIONS - STATE PAYMENT

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

Resolved, That the Board of Education strongly support SB 486/HB 705 - Employer Social Security Contributions - State Payment.

RESOLUTION NO. 151-95 Re: SB 763 - STATE AID FOR PUBLIC EDUCATION - SCHOOLS FOR SUCCESS - EXTENSION OF SUNSET

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

Resolved, That the Board of Education support SB 763 - State Aid for Public Education - Schools for Success - Extension of Sunset.

RESOLUTION NO. 152-95 Re: HB 557 - BOARDS OF EDUCATION - INCOME TAX CHECKOFF

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 support HB 557 - Boards of Education - Income Tax Checkoff.

RESOLUTION NO. 153-95 Re: SB 343/HB 407 - JUVENILE JUSTICE - DETENTION AND INTAKE PROCEDURES - RESTITUTION - MISDEMEANOR CIVIL CITATION PILOT PROGRAM - DISCLOSURE OF RECORDS TO SCHOOL SUPERINTENDENTS

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

Resolved, That the Board of Education support, with amendments, SB 343/HB 407 - Juvenile Justice - Detention and Intake Procedures - Restitution - Misdemeanor Civil Citation Pilot Program - Disclosure of Records to School Superintendents.

Re: A MOTION BY MR. FELTON ON SB 416 - PUBLIC SCHOOLS - MINIMUM NUMBER OF SCHOOL DAYS AND HOURS (FAILED)

A motion by Mr. Felton to support SB 416 - Public Schools - Minimum Number of School Days and Hours failed.

RESOLUTION NO. 154-95 Re: SB 416 - PUBLIC SCHOOLS - MINIMUM NUMBER OF SCHOOL DAYS AND HOURS

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

Resolved, That the Board of Education oppose SB 416 - Public Schools - Minimum Number of School Days and Hours.

RESOLUTION NO. 155-95 Re: HB 929 - DISGUISED WEAPONS - POSSESSION ON SCHOOL PROPERTY

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

Resolved, That the Board of Education support HB 929 - Disguised Weapons - Possession on School Property.

RESOLUTION NO. 156-95 Re: SB 846 - SCHOOLS- POSSESSION OF
PORTABLE PAGERS - DISCRETIONARY
ARREST

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

Resolved, That the Board of Education oppose SB 846 - Schools - Possession of Portable Pagers - Discretionary Arrest.

RESOLUTION NO. 158-95 Re: FOOD ASSISTANCE PROGRAMS

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

WHEREAS, The National School Lunch Program was enacted in 1946 "to safeguard the health and well-being of the Nation's children"; and

WHEREAS, The Child Nutrition Act of 1966 was enacted "in recognition of the demonstrated relationship between food and good nutrition in the capacity of children to develop and learn"; and

WHEREAS, The Board of Education of the Montgomery County Public Schools believes that healthy, well-nourished children are better prepared to learn; and

WHEREAS, The School Lunch and School Breakfast Programs are not welfare programs but integral parts of the education process supported by federal dollars serving over 3.3 million free and reduced-price lunches and 1.0 million free and reduced-price breakfasts each year; and

WHEREAS, Title V of H.R. 4, the Personal Responsibility Act, would adversely affect every nutrition program sponsored by the Montgomery County Public Schools; and

WHEREAS, The financial impact on the food service fund is estimated to be a 28 percent loss of direct subsidy, or \$2.3 million; now therefore be it

Resolved, That the Senate and House of Representatives of the United States should preserve the child nutrition programs for all children by maintaining nutrition integrity and providing performance-based funding; and be it further

Resolved, That the Board of Education oppose Title V of H.R.4, the Personal Responsibility Act; and be it further

Resolved, That Montgomery County's representatives in Congress, the Maryland Delegation, and key committee members be informed of this position.

RESOLUTION NO. 159-95 Re: WOMEN'S HISTORY MONTH - MARCH 1995

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

WHEREAS, In 1987, the United States Congress by joint resolution authorized the President to proclaim annually the month of March as "National Women's History Month" to commemorate the distinct and invaluable contributions that women of every race, class, and ethnic background have made to this country; and

WHEREAS, Women of every heritage continue to enrich our nation and the rest of the world through their dynamic participation in the life of their families and in work places, cultures, and communities; and

WHEREAS, Women are increasingly transforming their roles in our country by seeking out and gaining high distinction in such fields as art, medicine, business, government, law, technology mathematics, social sciences, literature, sports, and particularly in education; and

WHEREAS, Montgomery County Public Schools actively seeks to pursue gender equity throughout the curricular and extracurricular experiences of every student and the working opportunities and circumstances of every staff member; and

WHEREAS, Montgomery County Public Schools seeks to honor women's important roles in history in order to educate students, staff, and the public of the many contributions made by women to our society; now therefore be it

Resolved, That on behalf of the superintendent, staff, students, and parents of the Montgomery County Public Schools, the members of the Board of Education hereby declare the month of March 1995 to be observed in Montgomery County Public Schools as "Women's History Month"; and be it further

Resolved, That the Montgomery County Public Schools hereby salute and recognize the valuable contributions of female students, staff, and parents to the success of our school system and to all aspects of education.

Re: PUBLIC COMMENTS

The following individuals appeared before the Board of Education:

1. Nancy Osinoff, Bethesda-Chevy Chase
2. Pat O'Neill, Whitman
3. Laurie Webb, Sherwood
4. Rona Kramer, Sherwood

RESOLUTION NO. 160-95

Re: GRANT OF RIGHT-OF-WAY AT DAMASCUS
MIDDLE SCHOOL #2

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

WHEREAS, The Washington Suburban Sanitary Commission (WSSC) proposes to extend a sanitary sewer to serve Damascus Middle School #2, located at 22500 Weems Road in Clarksburg; and

WHEREAS, The proposed grant of right-of-way consists of 800 square feet, with an adjacent five-foot wide construction strip, both located along the southern portion of the site, to be served by a 20-foot wide temporary access road from Weems Road; and

WHEREAS, All construction and restoration is to be carried out as a part of the capital project at the school, with WSSC and its contractors assuming liability for all damages or injuries; and

WHEREAS, The proposed right-of-way will benefit the school by providing sanitary sewer service and will not affect any land anticipated to be utilized for school programs or recreational activities; now and therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a right-of-way to the Washington Suburban Sanitary Commission to extend a sanitary sewer at Damascus Middle School #2.

RESOLUTION NO. 161-95

Re: REJECTION OF BIDS - MAINTENANCE
PROJECT AT WHEATON HIGH SCHOOL

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

WHEREAS, Sealed bids were received on February 15, 1995, to replace the air-conditioning chiller at Wheaton High School; and

WHEREAS, The lowest bid exceeded the staff estimate by approximately \$25,000; and

WHEREAS, Our consulting engineers believe that design changes can be made to reduce this cost without affecting the quality of the air-conditioning system or the completion date; now therefore be it

Resolved, That the bids received to replace the air-conditioning chiller at Wheaton High School be rejected and the project be rebid.

RESOLUTION NO. 162-95 Re: ARCHITECTURAL APPOINTMENT-
RELOCATABLE CLASSROOMS

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services for the movement of relocatable classrooms as part of the FY 1996 Capital Budget; and

WHEREAS, An Architectural Selection Committee, in accordance with Board of Education procedures, identified Fox, Hanna Architects/Planners as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for necessary architectural services; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Fox, Hanna Architects/Planners to provide professional architectural services for the movement of relocatable classrooms for a fee of \$50,000, contingent upon approval by the County Council of the FY 1995 supplemental appropriation for relocatable classrooms program.

RESOLUTION NO. 163-95 Re: AWARD OF CONTRACTS - CERAMIC
FLOOR TILE FOR DAMASCUS
MIDDLE SCHOOL #2

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

WHEREAS, On January 24, 1994, the Board of Education authorized MCPS staff to act as general contractor for Damascus Middle School #2 to assure timely completion of this project; and

WHEREAS, Proposals were received on February 15, 1995, from the following contractors for the installation of ceramic tile at Damascus Middle School #2, in accordance with MCPS procurement practices, with work to begin June 1, 1995, and to be completed by August 1, 1995:

<u>Contractor</u>	<u>Amount</u>
RDP Enterprises	\$ 71,500
R. Bratti Associates, Inc.	72,847
McClary Tile, Inc.	76,940
Boatman and Magnani Inc.	106,794

and

WHEREAS, The low bidder has completed similar projects successfully for Montgomery County Public Schools at Dr. Sally K. Ride Elementary School and White Oak Middle School, and the low bid is below the staff estimate of \$74,000; now therefore be it

Resolved, That a \$71,500 contract be awarded to RDP Enterprises for the installation of ceramic tile at the Damascus Middle School #2 project.

RESOLUTION NO. 164-95 Re: SUBMISSION OF AN FY 1995 GRANT PROPOSAL FOR INFUSING TECHNOLOGY INTO INSTRUCTION OF AT-RISK STUDENTS

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

Resolved, That the superintendent of schools be authorized to submit an FY 1995 grant proposal for \$10,000 to the National Foundation for the Improvement of Education (NFIE) for staff training to infuse technology into classrooms with emphasis on needs of at-risk students.

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

RESOLUTION NO. 165-95 Re: RECOMMENDED FY 1995 SUPPLEMENTAL APPROPRIATION FOR THE PROVISION FOR FUTURE SUPPORTED PROJECTS

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

WHEREAS, The FY 1995 Operating Budget adopted by the Board of Education on June 14, 1994, included \$500,000 for the Provision for Future Supported Projects; and

WHEREAS, A \$5,000,000 supplemental appropriation request was approved by the Board of Education on July 12, 1994, and adopted by the County Council on November 29, 1994; and

WHEREAS, The Board of Education will receive additional projects that are eligible for funding through the Provision for Future Supported Projects during FY 1995; and

WHEREAS, A supplemental appropriation to increase the Provision for Future Supported Projects will yield the most effective way to process additional eligible projects; now therefore be it

Resolved, That the superintendent of schools be authorized to receive an FY 1995 supplemental appropriation of \$500,000 from the County Council to increase the Provision for Future Supported Projects, in the following categories:

<u>Category</u>	<u>Amount</u>
1 Administration	\$ 10,000

2	Instructional Salaries	170,000
3	Other Instructional Costs	310,000
10	Fixed Charges	<u>10,000</u>
	Total	\$ <u>500,000</u>

and be it further

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

RESOLUTION NO. 166-95 Re: UTILIZATION OF FY 1995 FUTURE SUPPORTED PROJECT FUNDS FOR THE ELEMENTARY SCIENCE SUPPORT PROJECT

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

Resolved, That in accordance with the resolution from the Montgomery County Public Schools Educational Foundation, Inc., the Board of Education accept 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 and expend within the FY 1995 Provision for Future Supported Projects a grant award of \$90,000 from the Howard Hughes Medical Institute, through the Montgomery County Public Schools Educational Foundation, Inc., for the Elementary Science Support Project, in the following category:

<u>Category</u>	<u>Amount</u>
3 Other Instructional Costs	\$ 90,000

and be it further

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

RESOLUTION NO. 167-95 Re: UTILIZATION OF FY 1995 FUTURE SUPPORTED PROJECT FUNDS FOR AFTER-SCHOOL FOREIGN LANGUAGE PROGRAMS AT CANDLEWOOD AND CANNON ROAD ELEMENTARY SCHOOLS

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 superintendent of schools be authorized to receive and expend within the FY 1995 Provision for Future Supported Projects a grant award of \$39,760 from Maryland State Department of Education, under the U.S. Office of Education

Foreign Language Assistance Act of 1988, for after-school foreign language programs at Candlewood and Cannon Road elementary schools, in the following categories:

<u>Category</u>	<u>Amount</u>
2 Instructional Salaries	\$ 6,400
3 Other Instructional Costs	32,848
10 Fixed Charges	<u>512</u>
Total	<u>\$39,760</u>

and be it further

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

RESOLUTION NO. 168-95 Re: UTILIZATION OF FY 1995 FUTURE
SUPPORTED PROJECT FUNDS FOR THE
MARYLAND EQUIPMENT INCENTIVE
PROGRAM
FUND

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 superintendent of schools be authorized to receive and expend within the FY 1995 Provision for Future Supported Projects, a grant award of \$10,000 from the Maryland Equipment Incentive Fund, a component of the Governor's Mathematics/Science Initiatives, for the purchase of selected science equipment to be placed in elementary and secondary schools, in Category 3--Other Instructional Costs; and be it further

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

Re: RECOMMENDATIONS FOR AMENDMENTS
TO THE FY 1996 CAPITAL BUDGET AND
THE FY 1996-2001 CAPITAL
IMPROVEMENTS PROGRAM

The superintendent's recommendations are as follows:

1. Middle school space needs for the Walter Johnson cluster
2. Middle school space needs for the Col. Zadok Magruder cluster
3. Elementary space needs in the Sherwood cluster and articulation to William H. Farquhar and Rosa Parks middle schools
4. Interim housing plan for Grade 6 of the Takoma Park and Eastern middle schools magnet program
5. Options to address the overutilization of Walt Whitman High School for September 1995
6. Board of Education requested alternative to perform physical assessments of schools for modernization scheduling

Re: ANNOUNCEMENT

Mrs. Gordon explained that it would take five votes for the Board to adopt an alternative to the superintendent's recommendations.

RESOLUTION NO. 169-95 Re: FACILITIES ALTERNATIVE - SHERWOOD CLUSTER

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

Resolved, That the Board of Education adopt the following facilities alternative for the Sherwood Cluster:

Keep the area in Zone 3 adjacent to Old Baltimore Road and the Hallowell subdivision with the assignment of the Hallowell group to Brooke Grove Elementary School.

RESOLUTION NO. 170-95 Re: FACILITIES ALTERNATIVE - MONTGOMERY BLAIR CLUSTER

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

Resolved, That the Board of Education adopt the following facilities alternative for the Montgomery Blair Cluster:

In regard to the sixth grade magnets, examine the placement of additional portables on the Eastern and Takoma Park middle school sites and examine the impact on the Blair community and other communities that feed the Blair program of postponing action on the creation of these programs until 1998 when there would be three middle schools in the Blair cluster.

RESOLUTION NO. 171-95 Re: RECOMMENDATIONS FOR AMENDMENTS TO THE FY 1996 CAPITAL BUDGET AND THE FY 1996-2001 CAPITAL IMPROVEMENTS PROGRAM

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

Resolved, That the following recommendations for amendments to the FY 1996 Capital Budget and the FY 1996-2001 Capital Improvements Program be put on the table:

1. Middle school space needs for the Walter Johnson cluster
2. Middle school space needs for the Col. Zadok Magruder cluster
3. Elementary space needs in the Sherwood cluster and articulation to William H. Farquhar and Rosa Parks middle schools
4. Interim housing plan for Grade 6 of the Takoma Park and Eastern middle schools magnet program
5. Options to address the overutilization of Walt Whitman

- High School for September 1995
6. Board of Education requested alternative to perform physical assessments of schools for modernization scheduling (excluding schools from the 1985-1994 list which would be considered at a future time)

RESOLUTION NO. 172-95 Re: FY 1996 BUDGET AMENDMENT FOR TENTATIVE AGREEMENT WITH THE MONTGOMERY COUNTY EDUCATION ASSOCIATION

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

WHEREAS, Section 6-408 of the Education Article, Annotated Code of Maryland, permits the Board of Education to enter into negotiations with designated employee organizations concerning "salaries, wages, hours and other working conditions"; and

WHEREAS, The Montgomery County Education Association was properly designated as the employee organization to be the exclusive representative for these negotiations; and

WHEREAS, Negotiations and mediation have occurred in good faith, as directed by law; and

WHEREAS, Following mediation, the parties have reached a tentative agreement, and the agreement, having been approved by the MCEA Board of Directors, is now pending ratification; and

WHEREAS, On February 15, 1995, the Board of Education adopted a Fiscal Year 1996 Operating Budget of \$874,925,100; and

WHEREAS, In order to assure funding by the County Council to conclude this agreement, the Board must take budgetary action at this time to secure funding for this tentative agreement; and

WHEREAS, The tentative agreement with MCEA includes a salary increase of 2.7 percent to be applied to the schedule on July 1, 1995; a new salary lane, effective July 1, 1995, for the MA + 60 level, with the MA + 60 level \$1,000 higher at each step than the existing MA + 30 level; and a bonus payment after the end of FY 1996 to any substitute teacher who works 100 or more days in FY 1996; now therefore be it

Resolved, That the Board of Education amend its Fiscal Year 1996 Operating Budget by \$12,413,323 from \$874,925,100 to \$887,338,423, to reflect the cost of changes tentatively agreed to with MCEA, as follows:

<u>Category</u>	<u>Board Adopted</u>	<u>Feb. 13, 1995</u>	<u>Amendment</u>	<u>Amended Budget Request</u>
01 Sys. Support	\$ 27,847,909		\$ 72,027	\$ 27,919,936
02 Inst. Salaries	432,043,510		9,630,783	441,674,293
03 Other Instr. Costs	25,443,587			25,443,587
04 Special Education	95,176,894	1,522,613		96,699,507
05 Student Personnel	2,469,176		57,164	2,526,340

06 Health Services	22,420		22,420
07 Student Transp.	40,946,314		40,946,314
08 Oper. of Plant	54,735,743		54,735,743
09 Maint. of Plant	17,897,211		17,897,211
10 Fixed Charges	149,878,082	1,087,299	150,965,381
11 Food Services	75,895		75,895
14 Community Svs.	592,707	5,580	598,287
41 Adult Ed/Sum. Sch.	2,906,946	36,017	2,942,963
51 Real Estate Mgm.	843,597	1,840	845,437
61 Food Service Fund	23,058,049		23,058,049
71 Field Trip Fund	<u>987,060</u>	<u>987,060</u>	
Total	\$874,925,100	\$12,413,323	\$887,338,423

RESOLUTION NO. 173-95 Re: FY 1996 BUDGET AMENDMENT FOR
 TENTATIVE AGREEMENT WITH THE
 MONTGOMERY COUNTY COUNCIL OF
 SUPPORTING SERVICES EMPLOYEES

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

WHEREAS, Section 6-510 of the Education Article, Annotated Code of Maryland, permits the Board of Education to enter into negotiations with designated employee organizations concerning "salaries, wages, hours and other working conditions"; and

WHEREAS, The Montgomery County Council of Supporting Services Employees (MCCSSE) is properly designated as the employee organization to be the exclusive representative for these negotiations; and

WHEREAS, Negotiations and mediation having occurred in good faith, as directed by law; and

WHEREAS, On February 27, 1995, the Board of Education amended its Fiscal Year 1996 Operating Budget to \$887,338,423 to reflect the tentative agreement with MCEA; and

WHEREAS, In order to assure funding by the County Council to conclude this agreement, the Board must take budgetary action at this time to secure funding for this tentative agreement; and

WHEREAS, The tentative agreement with MCCSSE includes a salary increase of 2.7 percent to be applied to the schedule on July 1, 1995, a one hundred dollar (\$100) bonus in each year of the Agreement for each unit member that reaches or has reached twenty-two (22) years of creditable service, and a \$30,000 increase in tuition reimbursement; now therefore be it

Resolved, That the Board of Education amend its Fiscal Year 1996 Operating Budget Request reflecting the changes tentatively agreed to with MCCSSE as follows:

<u>Category</u>	<u>Board Amended</u>	<u>Feb. 27, 1995</u>	<u>Amendment</u>	<u>Amended Budget Request</u>
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01 Sys. Support	\$ 27,919,936	\$ 349,724	\$ 28,269,660
02 Inst. Salaries	441,674,293	1,433,248	443,107,541
03 Other Instr. Costs	25,443,587	30,000	25,473,587
04 Special Education	96,699,507	382,921	97,082,428
05 Student Personnel	2,526,340	9,048	2,535,388
06 Health Services	22,420		22,420
07 Student Transp.	40,946,314	797,509	41,743,823
08 Oper. of Plant	54,735,743	916,700	55,652,443
09 Maint. of Plant	17,897,211	377,554	18,274,765
10 Fixed Charges	150,965,381	530,923	151,496,304
11 Food Services	75,895		75,895
14 Community Svs.	598,287	5,946	604,233
41 Adult Ed/Sum. Sch.	2,942,963	6,656	2,949,619
51 Real Estate Mgm.	845,437	11,111	856,548
61 Food Service Fund	23,058,049	280,312	23,338,361
71 Field Trip Fund	<u>987,060</u>	<u>18,246</u>	<u>1,005,306</u>
Total	\$887,338,423	\$ 5,149,898	\$892,488,321

RESOLUTION NO. 174-95 Re: FY 1996 BUDGET AMENDMENT IN
 SUPPORT OF THE BOARD'S NEGOTIATION
 PROPOSAL WITH THE MONTGOMERY
 COUNTY ASSOCIATION OF
 ADMINISTRATIVE AND SUPERVISORY
 PERSONNEL

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

WHEREAS, Section 6-408 of the Education Article, Annotated Code of Maryland, permits the Board of Education to enter into negotiations with designated employee organizations concerning "salaries, wages, hours and other working conditions"; and

WHEREAS, The Montgomery County Association of Administrative and Supervisory Personnel (MCAASP) is properly designated as the employee organization to be the exclusive representative for these negotiations; and

WHEREAS, The Board of Education and MCAASP have engaged in negotiations and mediation for salary terms for Fiscal Year 1996; and

WHEREAS, No agreement was reached during mediation and the mediator issued a report to the parties dated February 13, 1995; and

WHEREAS, Some of the mediator's recommendations are unacceptable to the Board of Education, and the Board rejects these recommendations; and

WHEREAS, The Board intends to continue negotiations with MCAASP in anticipation of reaching a new salary agreement effective July 1, 1995; and

WHEREAS, The Board has proposed salary increases for MCAASP that are consistent with its agreements with MCEA and MCCSSE and with the level of funding the Board believes to be reasonable and supportable; and

WHEREAS, In order to assure funding by the County Council to conclude an agreement, the Board must amend its budget request at this time consistent with its negotiations proposals; and

WHEREAS, On February 27, 1995, the Board of Education amended its Fiscal Year 1996 Operating Budget to \$892,488,321 to reflect the tentative agreement with MCEA and MCCSSE; now therefore be it

Resolved, That the Board of Education amend its Fiscal Year 1996 Operating Budget Request to be consistent with the negotiations proposals with MCAASP as follows:

<u>Category</u>	<u>Board Amended</u> Feb. 27, 1995	<u>Amendment</u>	<u>Amended Budget</u> <u>Request</u>
01 Sys. Support	\$ 28,269,660	\$ 183,016	\$ 28,452,676
02 Inst. Salaries	443,107,541	658,032	443,765,573
03 Other Instr. Costs	25,473,587		25,473,587
04 Special Education	97,082,428	63,206	97,145,634
05 Student Personnel	2,535,388	4,148	2,539,536
06 Health Services	22,420		22,420
07 Student Transp.	41,743,823	2,143	41,745,966
08 Oper. of Plant	55,652,443	5,282	55,657,725
09 Maint. of Plant	18,274,765	2,234	18,276,999
10 Fixed Charges	151,496,304	88,647	151,584,951
11 Food Services	75,895		75,895
14 Community Svs.	604,233	1,797	606,030
41 Adult Ed/Sum. Sch.	2,949,619		2,949,619
51 Real Estate Mgm.	856,548		856,548
61 Food Service Fund	23,338,361	3,548	23,341,909
71 Field Trip Fund	<u>1,005,306</u>	<u>1,005,306</u>	
Total	\$892,488,321	\$ 1,012,053	\$893,500,374

Ms. Gutierrez assumed the chair.

Re: A MOTION BY MRS. GORDON ON
NONRECOMMENDED REDUCTIONS TO
MEET SPENDING AFFORDABILITY
GUIDELINES

Mrs. Gordon moved and Mr. Abrams seconded a motion to take \$8 million out of transportation by eliminating bus service for all secondary students except transportation required by law and \$10,217,544 out of class size.

RESOLUTION NO. 175-95

Re: A SUBSTITUTE MOTION ON
NONRECOMMENDED REDUCTIONS TO
MEET SPENDING AFFORDABILITY
GUIDELINES

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

Resolved, That \$18,217,544 in class size reductions (elementary and secondary) be added to the nonrecommended reductions to meet spending affordability guidelines.

Mrs. Gordon assumed the chair.

Re: BOARD/SUPERINTENDENT COMMENTS

1. Ms. Gutierrez stated that she had attended two national conferences held in Washington. The first was the National Association of Multicultural Education, and Ms. Ginny Gong was on its board of directors. It was a very exciting conference, and it was a growing association. The conference had been taped and would be shown on Channel 8. She was sorry to say that MCPS had relatively few participants while Fairfax sent 70 teachers and Prince George's sent 28 teachers. She had also attended a conference sponsored by the National Science Foundation and the Department of Education. This conference had been well attended by MCPS current staff and former staff, and it pleased her to see such a strong presence by MCPS. She thought that MCPS supported math and science in the schools, and she thought that perhaps they needed to do a better job with multicultural education.

2. Mr. Felton knew they had a school closing and delayed opening policy; however, he had received several calls from downcounty about this morning's delayed opening. Parents were not aware there was a delay and students were dropped off at schools. He would like to see some recommendations on how to ensure that either the community was aware of delayed openings or instructions on what to do when children were dropped off. He believed that the school system still had some responsibility for these children. Mrs. Gordon asked for a staff response to Mr. Felton's questions. Dr. Vance commented that they did have contingency plans he would share with the Board again. The news was given out at 5 a.m. It was on the radio in English, Chinese, and Spanish. In addition it was on the MCPS cable television, the county government cable, and the MCPS information tape. Dr. Vance said that there were 500 square miles in Montgomery County, and the area north of Shady Grove might have icy roads while other sections of the county did not have the problems with ice. On occasion when they did not close schools, they heard from parents in the upcounty. He would be open to suggestions on how to reach parents. Mr. Felton explained that his concern was the system's responsibility and liability when parents dropped their children off at a school building. Dr. Vance agreed to provide information on what their policy was under those circumstances.

3. Mr. Ewing announced that on Monday, March 6, the long-range planning subcommittee would be meeting at 7:30 p.m. He had circulated a draft agenda to the members of the subcommittee, and he would send a final agenda to all Board members. He hoped that other Board members would be able to attend.

4. Mr. Ewing hoped that Board members saw a copy of the memorandum that Mr. Kress, president of the Secondary School Administrators Association, sent to Dr. Vance responding to Mr. Ewing's question about improving safety and security. It was a very careful and thoughtful memo, and he hoped that Dr. Vance and the staff would look at it and recommend to the Board any further actions that might be appropriate. Dr. Vance replied that Mr. Bowers had scheduled a meeting with Mr. Kress and others, and he had noted a high level of comparability between those suggestions and what had been included in the MCPS multiyear plan.

5. Mr. Ewing stated that the Board had received a memo from the superintendent on February 24, 1995, which responded to the Board's resolution of February 15 regarding a plan to address the deadlines set in the Ruesch decision for extended summer school programs. The plan was to ensure that substantial additional time was available to special education teachers and resources teachers to do the work that needed to be done by the deadlines set. He thought the superintendent's plan was a reasonable approach, but he was not convinced that the plan would meet the terms of the resolution. He proposed that on March 14, 1995, the Board hear what progress had been made towards meeting those deadlines and to see whether there were additional things that the Board ought to authorize. Mrs. Gemberling agreed to provide a verbal update on March 14.

RESOLUTION NO. 176-95 Re: CLOSED SESSION - MARCH 14, 1995

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

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 Tuesday, March 14, 1995, at 9 a.m. and at noon 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 these meetings 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 meetings shall continue in closed session until the completion of business.

Re: REPORT ON CLOSED SESSIONS -
FEBRUARY 7 AND 15, 1995

On February 1, 1995, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on Tuesday, February 7, 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, February 7, 1995, from 7:30 p.m. to 9:10 p.m. The meeting took place in Room 120, Carver Educational Services Center, Rockville, Maryland.

The Board met to discuss contract negotiations with MCEA, MCCSSE, and MCAASP.

In attendance at the closed session were Steve Abrams, Larry Bowers, Carole Burger, Alan Cheung, Blair Ewing, Tom Fess, David Fischer, Kathy Gemberling, Ana Sol Gutierrez, Bea Gordon, Nancy King, Brian Porter, Tom Reinert, 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 Wednesday, February 15, 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 Wednesday, February 15, 1995, from 9 a.m. to 10:05 a.m., from 2 p.m. to 3:05 p.m., and from 6:05 p.m. to 6:10 p.m. The meetings took place in Room 120, Carver Educational Services Center, Rockville, Maryland.

The Board met to discuss the Council memo regarding a group of elected officials to look at a longer school day and a longer school year. The Board voted to adopt the monthly personnel report and the appointment of the director of the Division of Maintenance. Votes taken in closed session were confirmed in open session. The Board then discussed contract negotiations and the MCEA mediator's report.

In the afternoon the Board reviewed a site item for middle school in the Gaithersburg area. The Board reviewed the attorney fees for the ESY class action case. Board members discussed in-house legal staff evaluation and voted unanimously to have the position report to and be evaluated by the superintendent.

Board members reviewed BOE Appeal No. 1994-13, -31, -32, -34, and -35. The Board also authorized an extension of 10 days for the superintendent to respond to BOE Appeal No. 1995-2.

In attendance at the closed session were Steve Abrams, Larry Bowers, Ray Bryant, Carole Burger, Alan Cheung, Blair Ewing, Reggie Felton, Tom Fess, David Fischer, Phinnize Fisher, Kathy Gemberling, Zvi Greismann, Ana Sol Gutierrez, Bea Gordon, Nancy King, Elfreda Massie, Deanna Newman, Brian Porter, Tom Reinert, Janice Turpin, Roger Titus, Paul Vance, Joe Villani, Bill Wilder, Mary Lou Wood, and Melissa Woods.

RESOLUTION NO. 177-95 Re: CRITICAL UNMET NEEDS

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

WHEREAS, The Board of Education has adopted its FY 1996 Operating Budget Requests, which it regards as reasonable, but not sufficient to meet all critical needs; and

WHEREAS, On March 23, 1993, the Board of Education forwarded a list of unmet needs to the county executive and County Council; and

WHEREAS, This list of unmet needs covered five areas of critical concern, including salary increases for employees, safety and security, educational opportunities that are equitable throughout the county, early childhood programs, and instructional and administrative technology; and

WHEREAS, The Board of Education resolved to address these critical unmet needs with a plan of multi-year budget initiatives during the FY 1995 and FY 1996 operating budget cycles; and

WHEREAS, Many of these needs were addressed with specific budget initiatives in the FY 1995 budget or are addressed in the Board's FY 1996 budget request, but many other critical needs could not be met; and

WHEREAS, After adopting its FY 1996 Operating Budget, the Board believes there are still significant and critical unmet needs for the Montgomery County Public Schools that were not funded due to the severe fiscal constraints; now therefore be it

Resolved, That the members of the Board of Education believe there are critical unmet needs that the Board's FY 1996 Operating Budget Request could not address; and be it further

Resolved, That the Board adopt the attached list of critical unmet needs that are essential to maintain the Montgomery County Public Schools' standards of excellence; and be it further

Resolved, That the Board approve the multi-year budget initiatives plan, developed in conjunction with the superintendent and listing the specific services that must be implemented over the next five years to address its critical unmet needs; and be it further

Resolved, That a copy of this resolution, a list of critical unmet needs, and a multi-year budget initiatives plan be submitted to the county executive and County Council, and that these also be shared with employees, parents, and the public.

Critical Unmet Needs

Expanded Services for Students with Special Needs - The Board has emphasized equity in the educational opportunities it provides, but equity cannot be fully achieved when resources are not increasing at the same rate as the growth in the number of students with special needs -- and this is the case today as well as for the foreseeable future. Among the students requiring more help are those who are educationally and economically disadvantaged, those who require a variety of special education services, those whose native language is not English, and those who are gifted and talented. These are students for whom far fewer resources are available today than were available five years ago. Specifically, the Board believes more resources are needed for Chapter 1, psychological assessments, occupational and physical therapy, speech pathology, ESOL and ESOL transition, gifted and talented, and QIE.

Increased Emphasis on Early Childhood - The Board remains committed to expanding early childhood services, based on a growing body of research evidence that show high levels of educational effectiveness as the return on this investment. But the needs of young children will be fully met only if we make an immediate investment in early childhood services, including greater cooperation with other county government agencies.

Strengthened Educational Accountability - The Board is committed to raising and maintaining high standards and to improving academic achievement for all students. To ensure that programs are effective, the Board believes it must strengthen our school system's educational accountability by exploring new and better methods for teacher evaluations, developing new assessments of student performance, researching new approaches that show promise for improving achievement, and analyzing the cost effectiveness of MCPS programs and services.

Expand Our Investment in Staff - The key to providing quality educational services lies in the hands of those who serve our children directly in classrooms and schools, or who serve them indirectly by developing curricula, purchasing textbooks, or inspecting school buildings. Therefore, the Board strongly supports a strengthened investment in its staff by providing reasonable increases in salaries and by providing continuous opportunities for training and development. Staff training efforts must address leadership, Success for Every Student, Global Access, math, science, special education, and implementation of new programs

Encourage Improved and Innovative Learning Models - It is critical that improved educational practices be implemented and that innovative learning models be developed, particularly in our high schools. We can study educational reforms being modeled across the nation, but we must test the best of these ideas ... and we must develop and support creativity and innovation in our schools.

Enhanced Safety and Security - Safe schools are a threshold issue. Students and staff must be secure if learning is to occur. Parents must be confident their children are safe if public confidence is to be maintained. Therefore, the Board strongly supports the superintendent's recommendations to enhance his school security plan.

Increased Building Maintenance - Well maintained schools are essential to effective learning and to public belief in educational quality. MCPS has an aging inventory of buildings. Eighty-six of our schools will be thirty years old within the next six year CIP, yet only twenty-six of these schools will be modernized during this period. As a result, the Board has voiced strong support for increasing maintenance services to a level that ensures a responsible investment in our property.

Expanded Instructional and Administrative Technology - The Board continues to seek full implementation of Global Access. To maintain our status as a world class school system, this plan must be implemented at a pace that ensures our students have the technological tools needed to obtain an up-to-date education. School systems around the country are acquiring computers and quickly discovering their best uses, and we must follow suit. The Board recognizes, however, that computers are not an end in themselves, they are a tool -- a tool intended to help students better learn the concepts being taught under our current curriculum. Beyond the training previously mentioned, our operating costs should include the resources needed for continued development of a more effective administrative information system and for continued review and implementation of technological innovations.

RESOLUTION NO. 178-95 Re: ESOL PROGRAMS

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

Resolved, That the Board of Education schedule time to review ESOL program objectives, resources, staffing levels and the allocation of staffing for programs MCPS offers students and offers adults as well as a review of the recommendations made by the ESOL task group.

RESOLUTION NO. 179-95 Re: DEATH OF HARRISON C. KING, FORMER
VICE PRESIDENT OF THE BOARD OF
EDUCATION

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

WHEREAS, The death on February 17, 1995, of Mr. Harrison C. King, former vice president of the Montgomery County Board of Education, has deeply saddened the staff and members of the Board of Education; and

WHEREAS, Mr. King was one of the first two elected members of the Board of Education and took office on January 8, 1953; and

WHEREAS, Mr. King served with distinction on the Board of Education from 1953 to 1959 and as vice president in 1956 during a time of great change and growth in Montgomery County; and

WHEREAS, Prior to his election to the Board of Education, Mr. King was active in PTA and civic matters; now therefore be it

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

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

RESOLUTION NO. 180-95 Re: BOE APPEAL NO. 1994-32

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

Resolved, That the Board of Education adopt its Decision and Order in BOE Appeal No. 1994-32.

RESOLUTION NO. 181-95 Re: BOE APPEAL NO. 1994-34

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

Resolved, That the Board of Education adopt its Decision and Order in BOE Appeal No. 1994-34.

RESOLUTION NO. 182-95 Re: BOE APPEAL NO. 1995-1

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

Resolved, That the Board of Education adopt its Decision and Order in BOE Appeal No. 1995-1.

Re: NEW BUSINESS

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

Resolved, That the Board of Education schedule a discussion of the staff response to the Report of the Advisory Committee for Minority Student Education.

Re: ITEM OF INFORMATION

Board members received the Staff Response to the 1994 Annual Report of the Advisory Committee for Minority Student Education as an item of information.

RESOLUTION NO. 183-95 Re: ADJOURNMENT

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 adjourn its meeting at 11:55 p.m.

PRESIDENT

SECRETARY

PLV:mlw