

APPROVED  
38-1997

Rockville, Maryland  
October 27, 1997

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Monday, October 27, 1997, at 8:35 p.m.

ROLL CALL Present:               Mr. Reginald M. Felton, President  
  in the Chair  
  Dr. Alan Cheung  
  Mr. Blair G. Ewing  
  Mrs. Beatrice B. Gordon  
  Ms. Ana Sol Gutiérrez  
  Mrs. Nancy J. King  
  Ms. Mona M. Signer  
  Ms. Debra Wheat  
  Dr. Paul L. Vance, Secretary/Treasurer

Absent:               None

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

Re:    **ANNOUNCEMENT**

Mr. Felton stated that Dr. Cheung had called and indicated that he would join the meeting in progress.

RESOLUTION NO. 624-97               Re:    **APPROVAL OF AGENDA**

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

Resolved, That the Board of Education approves its agenda for October 27, 1997.

RESOLUTION NO. 625-97               Re:    **AMERICAN INDIAN HERITAGE MONTH**

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

November as "National American Indian Heritage Month;" and

WHEREAS, American Indians were the original inhabitants of the lands that now constitute the United States of America; and

WHEREAS, American Indians have made distinct and important contributions to America and the rest of the world in many fields, including agriculture, medicine, music, language, and art; and

WHEREAS, American Indians have an important role in decision-making, educational, and outreach activities within and by Montgomery County Public Schools; and

WHEREAS, American Indian students, parents, and staff contribute to the success of the Montgomery County Public Schools through their participation in all aspects of education; and

WHEREAS, The American Indian community has enriched our county in many ways; now therefore be it

Resolved, That on behalf of the superintendent of schools and staff, the Board of Education hereby declares the month of November 1997 to be observed in Montgomery County Public Schools as "American Indian Heritage Month."

RESOLUTION NO. 626-97

Re: **RECOGNITION OF OUTSTANDING SERVICE AND SUPPORT FOR THE MONTGOMERY COUNTY PUBLIC SCHOOLS INTERSCHOLASTIC HIGH SCHOOL GOLF AND SWIM PROGRAMS**

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

WHEREAS, The Montgomery County Public Schools maintains a strong commitment to community involvement and collaboration in attaining the goals of the Success for Every Student Plan in both its instructional and extracurricular programs; and

WHEREAS, The Maryland-National Capital Park and Planning Commission, City of Rockville, Montgomery County Revenue Authority, University of Maryland, and the owners, Boards of Directors, and general managers of private golf courses in Montgomery County and their head golf professionals have made their staff and facilities available, along with leadership of former Montgomery County Public Schools' staff, for the high school interscholastic athletic golf program; and

WHEREAS, The Montgomery County Department of Recreation has provided staff leadership and made facilities available, along with leadership of current and former Montgomery County Public Schools' staff, for the Montgomery County Public Schools' high school interscholastic athletic swim program; now therefore be it

Resolved, That the Board of Education publicly recognizes the outstanding service and leadership that have been provided and extend its most sincere appreciation to persons who have contributed to the unparalleled success of the Montgomery County Public Schools' high school interscholastic golf and swim programs.

The awards were presented to the following people:

	<u>Name</u>	<u>Representing</u>
1.	Patricia Barry Former Coordinator of Secondary Physical Education and Athletics	MCPS Retired
2.	Robert Jennings MCPS Swimming Sport Director	MCPS, Swim Coach, Springbrook High School
3.	Bill Bullough Aquatics Director	Montgomery County Department of Recreation
4.	Brian Bolts Head Golf Professional	Indian Spring Country Club
5.	Lee Carroll Head Golf Professional	MNCPPC Little Bennett golf Course
6.	Rich Conti Head Golf Professional	MNCPPC Northwest Park Golf Course
7.	Jim DeSanto Assistant Golf Professional	Montgomery County Revenue Authority Laytonsville Golf Club
8.	Cary Ferrell Head Golf Professional	Montgomery County Revenue Authority Poolesville Golf Club
9.	Brooks Girardi Head Golf Professional	City of Rockville Redgate Golf Course
10.	Tom Hanna Head Golf Professional	University of Maryland University of Maryland Golf Course
11.	George Kohut Golf Coach Emeritus	MCPS Retired

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| 12. | Nancy Maunder<br>Head Golf Professional        | Montgomery Village Golf Club   |
| 13. | Steve Madsen<br>Head Golf Professional         | Lakewood Country Club  |
| 14. | Len Moyer<br>Golf Coach Emeritus               | MCPS Retired   |
| 15. | Jim Napier<br>Head Golf Professional           | Bretton Woods Golf Club  |
| 16. | Thomas "T.R." Snoots<br>Head Golf Professional | Montgomery County Revenue Authority<br>Rattlewood Golf Club  |
| 17. | Mark Sturtz<br>Head Golf Professional          | Montgomery Country Club  |
| 18. | Rod Thompson<br>Head Golf Professional         | Kenwood Country Club   |
| 19. | Chuck Walker<br>Head Golf Professional         | Montgomery County Revenue Authority<br>Falls Road Golf Course  |
| 20. | Lyle Williams<br>Head Golf Professional        | Woodmont Country Club  |
| 21. | Dave Walker<br>Head Golf Professional          | Montgomery County Revenue Authority<br>Laytonsville Golf Course and former<br>Head golf Pro at Falls Road Golf<br>Course |
| 22. | Wilmoore "Bill" Kendall<br>General Manager     | Woodmont Country Club  |
| 23. | Jack Doser, PGA Golf Professional<br>and Owner | Montgomery Village Golf Club   |

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:



Matrix Data Corporation	4,080*
Frank Parsons Paper Company, Inc.	5,280
Printing Technology, Inc.	40,912
Schoolmart, Inc.	3,453
Standard Stationery Supply Company	1,480
Xerox Corporation	<u>7,266</u>
Total	\$124,918

## 1005 Disk Drives for Macintosh and Intel Computers

Awardees

Advanced Micro Vent	\$ 33,055
Azarat Marketing	2,640*
CompUSA	550
Integrated Systems Group, Inc.	13,900*
Mid Atlantic Data Systems	4,940*
SSI Business Centers	<u>3,340*</u>
Total	\$ 58,425

## 1006 Scan Forms for Central Server Unit

Awardee

Clearview Printing Company, Inc.	\$ 45,888
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## 7001 Early Childhood Equipment and Supplies

Awardees

AFP Industries, Inc.	\$ 35,305*
American Academic Suppliers	7,733
Childcraft Education Corporation	11,314
Community Playthings	9,650
Greeting Tree	1,400*
J.L. Hammett Company	4,304
Kaplan Companies, Inc.	1,544
Lakeshore Learning Materials	3,024
School Specialty	4,478
Sportmaster	<u>5,864</u>
Total	\$ 84,616

## 7008 Cafeteria Disposable Supplies

Awardees

Acme Paper and Supply Company	\$ 166,475
Calico Industries, Inc.	15,521
Kahn Paper Company, Inc.	330,186
M & Q Plastic Products	8,677
S. Freedman and Sons	10,068
Unisource Worldwide/DBA Butler	<u>4,307</u>
Total	\$ 535,234

MORE THAN \$25,000 \$1,179,886

\* Denotes MFD vendors

RESOLUTION NO. 628-97 Re: **AWARD OF CONTRACTS - TAKOMA PARK MIDDLE SCHOOL**

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

WHEREAS, On September 25, 1997, the following sealed bids were received for subcontract work for the Takoma Park Middle School project:

<u>Contractor</u>	<u>Amount</u>	<u>% MBE Participation</u>
<u>Rough Carpentry/Doors, Frames, Hardware/Expansion Joints</u>		
Master Carpentry Corporation	\$ 486,000	4.75
<u>Building Concrete</u>		
William F. Klingensmith, Inc.	693,000	14
<u>Electrical</u>		
Mills-Russell, Inc.	1,332,000	14
<u>HVAC/Plumbing</u>		
Shapiro & Duncan, Inc.	2,472,000	14
<u>Masonry</u>		
Parkinson Construction Company, Inc.	1,840,000	100
<u>Structural Steel</u>		
S. A. Halac Iron Works, Inc.	1,099,500	14

and

WHEREAS, These companies have completed similar work successfully for Montgomery County Public Schools and the bids are within the amount budgeted for the combination of these activities; and

WHEREAS, The subcontractors have submitted Minority Business Enterprise participation as stated above; now therefore be it

Resolved, That contracts be awarded for the above-referenced subcontractors meeting specifications for the Takoma Park Middle School project for the bids and amounts listed in accordance with plans and specifications prepared by Grimm and Parker, P.C.

RESOLUTION NO. 629-97

Re: **AWARD OF CONTRACT - ENGINEERING SERVICES  
FOR BURTONSVILLE ELEMENTARY SCHOOL**

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

WHEREAS, Funds have been approved to begin planning for a new access road to Burtonsville Elementary School; and

WHEREAS, The Montgomery County Department of Public Works and Transportation (MCDPW&T) has agreed to manage the design and construction of the new access road to Burtonsville Elementary School to facilitate coordination of the access road with potential subdivision streets; and

WHEREAS, Montgomery County Government has an open-end purchase agreement with the engineering firm of Hurst-Rosche Engineers, Inc., to provide engineering services for MCDPW&T; and

WHEREAS, MCDPW&T has negotiated a proposal with Hurst-Rosche Engineers, Inc., to provide engineering design services for the Burtonsville Elementary School Safe Access road project; now therefore be it

Resolved, That a contract in the amount of \$107,337 be awarded to Hurst-Rosche Engineers, Inc., for engineering design services for the Burtonsville Elementary School Safe Access road project.

\* Ms. Wheat temporary left the meeting.



Re: **UTILIZATION OF FY 1998 FUTURE SUPPORTED  
PROJECT FUNDS FOR THE GOVERNOR'S GIFTED  
AND TALENTED DEVELOPMENT PROGRAM**

Ms. Gutiérrez stated that the intent for the use of the money was very clear. In the background information it states, "especially for at-risk, under-identified, under-served, and under-represented populations in Maryland's public schools systems." Yet, the white page lists one bullet that addresses grades 5-6 for identifying bright African American and Hispanic students. The rest of the paper is continuing business as usual in our current gifted and talented program, i.e., middle school programs and the center for the highly gifted which have very few minority students. She did not understand why these are the areas in which the extra funding, with such clear targeted purposes is being satisfied by using it within our current plans for the gifted and talented program. Were there any special initiatives thought of that would be specifically in response to what the Governor's fund talks about? Has there been anything added or done differently from what MCPS was doing anyway? Dr. Smith responded that at the middle school level (Julius West and Argyle middle schools), staff has used the redesigned PADI model to identify and nurture African/American and Hispanic students for programs for gifted and talented students. Ms. Tucker added that these funds will be used as part of new and revised identification procedures in looking at articulation and recommendations of students for a gifted and talented program. These funds will also be used in support of teacher training in the new accelerated and enriched mathematics program.

At the end of this year, Ms. Gutiérrez asked what will the school system have with this funding? Will there be a large number of students actually in gifted and talented programs or is the system going to continue to train teachers? Ms. Tucker replied that the curriculum and training are focused on teachers as professional decision makers to see how students respond to instruction and then include them in all activities that are rigorous and challenging.

It seemed to Ms. Gutiérrez that there was a targeted population that is mentioned for this money, and that population is not being touched. Ms. Tucker stated that, by virtue of all the curriculum development that has been done, MCPS is within the spirit and letter of the policy which identifies students from under-represented populations and focuses on formally identifying students.

Mr. Felton asked that staff provide additional information to the Board, specifically addressing how the funds will reach the at-risk students. Mr. Felton said that Ms. Gutiérrez was simply saying, because of the focus, what are the quantifiable measures that should be used that more of those students have been reached as opposed to total improvement of the program.

Ms. Gutiérrez added what is being used as a benchmark? Give the numbers on where MCPS is today and a year from now.

RESOLUTION NO. 630-97      Re:    **UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS FOR THE GOVERNOR'S GIFTED AND TALENTED DEVELOPMENT PROGRAM**

On recommendation of the superintendent and on motion of Mrs. Gordon seconded by Mrs. King, the following resolution was with Mr. Ewing, Mr. Felton, Mrs. Gordon, Mrs. King, and Ms. Signer voting in the affirmative; Ms. Gutiérrez voting in the negative:#

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects a grant award of \$71,560 from the Maryland State Department of Education, under the Governor's Gifted and Talented Development program, in the following categories:

<u>Category</u>	<u>Amount</u>
3 Instructional Salaries	\$ 35,000
4 Textbooks and Instructional Supplies	3,860
5 Other Instructional Costs	29,200
12 Fixed Charges	<u>3,500</u>
Total	<u>\$ 71,560</u>

and be it further

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

RESOLUTION NO. 631-97      Re:    **UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS FOR THE MARYLAND VIRTUAL HIGH SCHOOL CORE MODELS PROJECT AT MONTGOMERY BLAIR HIGH SCHOOL**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1998 Provision for Future Supported Projects a grant award of \$293,470 in federal funds from the National Science Foundation, under the Research in Education Policy and Practice for the Maryland Virtual High School Core Models project, in the following categories:

<u>Amount</u>	<u>Positions</u>	<u>Category</u>
01 Administration		\$ 7,130
03 Instructional Salaries	<u>1.4</u>	100,084
04 Textbooks and Instructional Supplies		9,000
05 Other Instructional Costs		139,818
12 Fixed Charges	-	<u>37,438</u>
Total	<u>1.4</u>	<u>\$293,470</u>

and be it further

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

RESOLUTION NO. 632-97

Re: **RECOMMENDATION TO SUBMIT AN FY 1998 GRANT PROPOSAL FOR THE MONTGOMERY EXCEPTIONAL LEADERS' PERFORMING ARTS FOR AWARENESS, ADVOCACY, AND LEADERSHIP PROJECT**

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

Resolved, That the superintendent of schools be authorized to submit an FY 1998 grant proposal in the amount of \$341,900 to the U.S. Department of Education's Office of Special Education and Rehabilitation Services under the Projects for Initiating Recreational Programs for Individuals with Disabilities Program (CFDA 84.128J) for a three-year Montgomery Exceptional Leaders' Performing Arts for Awareness, Advocacy, and Leadership project; and be it further

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

Re: **DISCUSSION OF THE FY 1997 OPERATING BUDGET CATEGORICAL TRANSFER**

Ms. Signer asked for an explanation of the surplus of \$1 million that could be used to fund the emergency appropriation for class size reduction, and whether or not the school system knew that this additional \$1 million existed prior to submitting the emergency appropriation request to the County Council. Mr. Bowers replied that the surplus was a prior year surplus, and, in fact, some the funds were before FY 1997. From the first financial report presented to the Board last year, staff indicated there was a \$470,000 surplus from the prior year that was carried forward, and it is traditional that the school

system would carry forward some surplus from one year to the next. The dilemma the school system faces is that, although most of the deficit was in special education and at the same time we were receiving additional revenues from the state in special education for the systems reform initiative (SRI) and private placements, MCPS cannot spend the money unless authorized by the County Council.

Ms. Signer asked when the school system learned that the surplus \$1 million existed above the projections. Mr. Bowers answered that a surplus was reported throughout last year, particularly the carry forward in special education. The end-of-the-year balance was slightly higher than projected in the financial reports.

Ms. Signer pointed out that the Board is close to receiving the staff's plan on legal fees. In the consent item, there is a statement that the school system saved over \$1 million by avoiding non-public placements. Is that \$1 million net after subtracting legal fees? Dr. Spatz responded that it was the net, and the present value of the various savings is over a number of years. Typically, the savings in program costs would recur over several years and legal expenses would be current.

Ms. Signer asked again if it was a net savings to the operating budget. Dr. Spatz replied that it was cost avoidance of program costs that would have occurred if the case was lost.

Ms. Signer proposed that the Audit Committee meet to get more detailed information on the year-end categorical transfers, the reasons for the surpluses and deficits in each of those categories, and additional information as well on the surplus.

Mr. Felton referred to the following statement from the superintendent's memorandum: "Case law suggests that in certain circumstances, school districts may sue to recover legal costs, and I am recommending that MCPS take advantage of this to the maximum extent permitted by law." He inquired if staff would move forward to recover costs on future cases where the school system prevails. Dr. Spatz answered that under federal law there is a favoritism toward to the plaintiff, but there is case law indicating that a school system could recover costs in certain circumstances, and it will be the practice to pursue recovery whenever possible.

Ms. Gutiérrez referred to the answers provided to the Education Committee explaining categorical transfers. She asked what would be the implications if the school system spends all the budgeted funds in Category 2 (instructional salaries). Mr. Bowers answered that the law requires school systems to have a surplus at the end of the year and not be in a deficit situation. If the decision had been to expend those dollars in Category 2 for additional teachers or other instructional salaries, the staff would have developed a plan for Board approval that could have included freezes in other categories and other ways to save money.

Ms. Gutiérrez asked if when the amount budgeted for legal fees reached zero, the school system stops expending revenues for legal services. Mr. Bowers explained that the approach taken in special education is a process to make decisions about utilizing legal remedies when the resulting costs without legal representation would be much higher for the school system.

Ms. Gutiérrez stated that when the Board goes forward with an initiative for reducing class size and requests additional funding, it undermines its credibility with a categorical transfer when the decisions were made not to use the surplus on Board priorities.

Mr. Ewing thought the discussion needed to be put in proper context. Last year, the deficit categories were Category 1 (administration), Category 4 (special education), and Category 7 (transportation). In all cases, the Board requests money for legal fees and the Council appropriates considerably less than asked for. In the case of special education, the same thing happens. The result is that the Board has made an estimate on what it needs and less money is appropriated by the Council. As Ms. Gutiérrez suggested, the school system could stop procuring legal services, but that will not stop people from suing the school system. There is a need to defend the school system's position or else accept whatever the consequences or costs of not defending itself. He was pleased to see that the superintendent has suggested that the Board places on the agenda a discussion of the Monthly Financial Report. The Board has yet to persuade the County Council to appropriate the funds needed in the aforementioned categories. Special education is not quite analogous to legal fees, but it is similar because the school system cannot fail to offer services. Therefore, there is the law, the Council's appropriation process, and the Board's inattention to the financial situation over the years. The superintendent has promised to propose a plan, and the Board needs to review that plan for approval and implementation. He pointed out that he has been asking the Board to have the superintendent review special education, but the Board keeps voting it down.

Mr. Felton agreed that this issue needed to be placed in its prior context. It is very difficult to manage when the school system is not funded to appropriate levels. Moreover, \$1 million represents a small fraction of the total budget.

Ms. Signer had raised this issue in memoranda, and it is not just that the system has run deficits in special education. It is that the school system has not spent all of the money available for instructional salaries, and that is a direct function to class size. She found that a very difficult position to defend, and she would not defend it.

Mr. Ewing thought it was not a matter of defending or not defending a position. The fact is that the funding arrangement is such that the Board may not spend a penny, except in the enterprise funds, without a formal act of appropriation by the County Council. This is the law. If there is a surplus at any time, and in order for the school system to expend that

surplus, the Board must go to the Council and get an appropriation. The motion that the Board passed was to get an appropriation of \$1.7 million, and it did not indicate the source of that money.

Ms. Signer stated that the fact is that the school system did not spend all of the Category 2 money that was in the previous year. Mr. Ewing replied that if the school system had expended all of those resources, it would be in deficit and in violation of the law. Ms. Signer replied that the Board needs to decide what its priorities are.

RESOLUTION NO. 633-97            Re:    **FY 1997 OPERATING BUDGET CATEGORICAL TRANSFER**

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

WHEREAS, The Board of Education has requested Council approval of categorical transfers for the FY 1997 operating budget; and

WHEREAS, The county executive has recommended approval of the Board's request; and

WHEREAS, Members of the County Council have expressed strong reservations about the categorical transfers, especially the need to transfer appropriation from Category 2 Instructional Salaries and to Category 1 Administration and Category 4 Special Education; and

WHEREAS, Members of the Education Committee have expressed a willingness to recommend approval of the transfers contingent upon certain actions of MCPS; and

WHEREAS, The Board of Education has requested that the County Council approve an emergency appropriation in FY 1998 to accelerate the Board's multiyear plan to reduce class size; and

WHEREAS, Members of the Education Committee have expressed a desire to receive regular briefings on the MCPS fiscal situation, receive a long-term plan to reduce class size, and a plan to reduce legal fees; now therefore be it

Resolved, That the superintendent of schools be authorized, subject to the approval of the County Council, to effect the FY 1997 operating budget categorical transfers previously requested; and be it further

Resolved, That the superintendent prepare the monthly financial report on the FY 1998 operating budget as a discussion item for the all-day Board of Education meetings each month from November 1997 through June 1998; and be it further

Resolved, That subsequent to the presentation of the monthly financial report to the Board of Education the superintendent be authorized to brief the Council Education Committee at its request on the MCPS operating budget; and be it further

Resolved, That the Board of Education requests the county executive and County Council to approve the Board's request for an emergency appropriation to reduce class size and to fund this request with the \$1.0 million fund balance available at the end of FY 1997; and be it further

Resolved, That the superintendent and the Board of Education will work together to develop a long-term plan to reduce class size that will go beyond the class size goals in the current three-year plan and that the Board will work with the county executive and County Council to review this plan to seek their approval; and be it further

Resolved, That the superintendent present the Board with a comprehensive plan to reduce legal fees, including special education and other legal issues, and that this plan be shared with the Council Education Committee; and be it further

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

**RESOLUTION NO. 634-97            Re:    PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment is approved effective October 28, 1997:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Mark E. Levine	Assistant Principal, Montgomery Blair HS	Principal, Poolesville HS

**RESOLUTION NO. 635-97            Re:    PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment is approved effective December 1, 1997:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Jane Lai Mah Woodburn	Resource Counselor, Thomas S. Wootton HS	Personnel Specialist, Division of Staffing

\* Ms. Wheat and Dr. Cheung joined the meeting at this time.

Re: **DISCUSSION ON THE ESTABLISHMENT OF FUND FOR  
ENTREPRENEURIAL INITIATIVES**

Dr. Vance invited Mr. Larry A. Bowers, chief financial officer, and Dr. Mary Helen Smith, associate superintendent for the Office of Instruction and Program Development, to the table for this discussion of enterprise programs.

Dr. Vance stated that on January 14, 1997, the Board of Education requested time to discuss the establishment of an enterprise fund that would deal with evaluation, training and development, educational materials, and software applications as it relates to our system, and that the superintendent be requested to assist in the development of a plan. In responding to the Board's request, staff first discussed the scope of the review and the definition of entrepreneurial programs for public school systems. In reviewing activities in other school systems as well as the preliminary work of the Budget Review Committee's subcommittee on entrepreneurial programs, there is a broad definition used by other school systems for entrepreneurial programs. However, for the purpose of this discussion, the definition will be limited to the sale of products or services produced as part of the educational process or in support of the educational process (e.g., instructional materials, curriculum guides, other print and electronic media, instructional software, and services) to other school systems or government agencies.

Mr. Bowers summarized some options considered prior to making a recommendation. A couple of the current MCPS activities and programs that are of interest to other school systems are: (1) Event-Based Science, a curriculum development project that is fully supported by the National Science Foundation, and (2) the Taylor Science Materials Center's provision of complete sets of science materials for MCPS elementary school teachers.

In deciding whether to embark on a plan to market MCPS expertise, services, and materials, the following basic criteria must be considered:

1. The effort must not interfere with the basic educational mission of the school system. Marketing activities cannot take available resources away from classroom instruction. In addition, these activities cannot take staff members away from their focus on the needs of MCPS students and the Success for Every Student Plan.



2. The activity must at least break even and should show a reasonable profit. In fact, any endeavor must be more than worthwhile so that the revenue generated is significant enough to illustrate beyond any doubt that it is not interfering with the primary business of the school system.
3. The school system must be able to illustrate that the activity has a direct positive effect on enhancing the support of the instructional program in MCPS.
4. The school system should only market goods and services that are exemplary and for which there is a market demand. Selling services and materials should reflect positively on the system.
5. The resources needed to start up an enterprise activity cannot be taken from ongoing instructional programs supported by the general fund.
6. Activities that are generally done by school systems through professional courtesy or collaboration should not be redirected to an enterprise activity. MCPS currently receives materials and resources from other school systems at the nominal cost of reproduction. We need to continue to respond to other school systems in the same manner.

Any entrepreneurial initiative must not take MCPS staff or other resources away from our primary focus of providing a quality education to students in the county. It is suggested that we focus our efforts on selling existing MCPS expertise and services. What MCPS has that is of the greatest value to other school systems and organizations is our expertise. We have a great deal of expertise in areas such as test development, surveying, and training. However, the infrastructure is not in place to support marketing these services to other school systems. To be successful, we would need not only the capital investment to start up these projects; we also would need to hire staff who could focus all of their efforts on these activities. The activities themselves would have to be self-supporting from the beginning in order not to drain resources away from our instructional programs and services.

Mr. Felton was very excited about the discussion on the establishment of a fund for entrepreneurial initiatives. He had talked to staff about the concept, and he hoped that his colleagues were also enthusiastic about this project. It is important to establish the fund and then continue to develop it consistent with the policies and philosophy of MCPS. He agreed that there is tremendous talent within MCPS in developing curriculum, guides, and training. He agreed that staff should not be pulled from their jobs. The establishment of the fund will allow the school system to begin in a direction that is innovative and exciting.

Mrs. Gordon was as excited as Mr. Felton that the school system is moving forward to establish such a fund. The more staff looks outside Montgomery County the more they understand that there are many ways to be creative, and there is no need to create everything itself. She agreed that existing staff should not be used for entrepreneurial enterprises, and staffing could be covered by the fund itself. She was intrigued by the opportunity to look at staff development in a creative way. During the NFUSSD Conference, they visited a center that had dedicated staff development space for the training of staff as well as future employees. A number of years ago there was the "University of Montgomery County" where MCPS offered courses for credit to employees in order for them to keep current with certification requirements; this could be reinstated as an entrepreneurial initiative for staff development.

Ms. Gutiérrez thought the establishment of a fund for entrepreneurial initiatives was an excellent first step; however, the school system should be cautious since MCPS is traditionally a service organization which is very different from a business organization. The first step is to develop a solid cost model using the cost/center approach. The concept of being a fee-for-service would serve the school system well, and it would help MCPS understand the costs of all its functions. MCPS should also include in the establishment of a fund for entrepreneurial initiatives a rigorous definition of a cost model.

Ms. Signer agreed with her colleagues that this is a terrific idea, and she hoped that the school system would see it through to fruition. She questioned whether the establishment of a fund for entrepreneurial initiatives could be done as an enterprise fund. MCPS uses enterprise funds to charge fees to offset services provided to the school system's students, and that is clearly within the mission of a 501(c)(3) organization. It has been her experience in other 501(c)3 organizations that profit-making issues need to be spun-off into a separate corporation because of the tax consequences; therefore, publications and training are spun-off into these corporations. She thought MCPS needs to pursue more carefully whether the establishment of a fund for entrepreneurial initiatives can be done as an enterprise fund or whether it needs to be spun off right away. Mr. Bowers replied that she was absolutely right, and there would eventually be a need to find another structure.

Mrs. King was excited about the proposal. The enthusiasm of staff makes MCPS stand out above others and the establishment of a fund for entrepreneurial initiatives will continue that excitement.

Dr. Cheung was pleased to see the concepts introduced for the establishment of a fund for entrepreneurial initiatives. It is important how the school system encourages innovation. Entrepreneurial means some incentive or benefit to the innovator or creator.

Mr. Ewing thought the establishment of a fund for entrepreneurial initiatives is an interesting idea. He believed the Board should take seriously deciding whether to embark on a plan to market MCPS expertise, services, and materials, according to the basic criteria suggested by Dr. Vance. If the Board moves ahead with the establishment of a fund for entrepreneurial initiatives, there needs to be a way of assessing the burdens placed on staff that go beyond their normal duties. His view was that MCPS already asks staff to do more than is reasonable, and the likelihood is strong to hire staff to focus on these activities and be paid through the proceeds of sales of services. The school system still has the obligation to oversee the enterprise to ensure efficiency in budgeting and accounting. He cautioned the school system on spending resources that are in short supply to establish a fund for entrepreneurial initiatives.

Mr. Felton encouraged staff to not take time from the classroom as education is the primary business of the school system. But, he challenged all staff to identify those products and services that have potential for entrepreneurial initiatives.

RESOLUTION NO. 636-97            Re:    **ESTABLISHMENT OF FUND FOR ENTREPRENEURIAL INITIATIVES**

On recommendation of the superintendent and on motions of Ms. Signer and Mr. Ewing seconded by Mrs. King, the following resolution was adopted unanimously:

Resolved, That the Board of Education establishes an enterprise fund for the sale of science materials kits sold through the Taylor Science Materials Center, and that the school system pursues other efforts with similar organizations to sell other products and materials; and be it further

Resolved, That the Board of Education instructs the superintendent to assess this approach using the following basic criteria:

1. The effort must not interfere with the basic educational mission of the school system. Marketing activities cannot take available resources away from classroom instruction. In addition, these activities cannot take staff members away from their focus on the needs of MCPS students and the Success for Every Student Plan.
2. The activity must at least break even and should show a reasonable profit. In fact, any endeavor must be more than worthwhile so that the revenue generated is significant enough to illustrate beyond any doubt that it is not interfering with the primary business of the school system.

3. The school system must be able to illustrate that the activity has a direct positive effect on enhancing the support of the instructional program in MCPS.
4. The school system should only market goods and services that are exemplary and for which there is a market demand. Selling services and materials should reflect positively on the system.
5. The resources needed to startup an enterprise activity cannot be taken from ongoing instructional programs supported by the general fund.
6. Activities that are generally done by school systems through professional courtesy or collaboration should not be redirected to an enterprise activity. MCPS currently receives materials and resources from other school systems at the nominal cost of reproduction. We need to continue to respond to other school systems in the same manner.

Re: **PREFERRED CHOICE IN THE NORTHEAST  
CONSORTIUM**

On recommendation of the superintendent and on motion of Mrs. Gordon seconded by Ms. Signer, the following resolution was placed on the table:

WHEREAS, On August 25, 1997, the Board of Education asked the superintendent to provide a resolution that would adequately cover preferred choice; and

WHEREAS, Preferred choice is consistent with existing policies ACD, *Quality Integrated Education*; FAA, *Long-Range Educational Facilities Planning*; EEA, *Student Transportation*; IGA, *High School Core Courses*; and IED, *Framework and Structure of High School Education*; and

WHEREAS, On November 25, 1996, the Board of Education adopted preferred choice assignment criteria that require that “. . . the three high schools involved [to] operate within the 80 to 100 percent utilization range, and with race/ethnic compositions that fall within the range currently existing in the three high schools, and with male or female composition of each of the three high schools falling in the 45 to 55 percent range;” and

WHEREAS, Interschool transfers are governed by the criteria set forth in Policy ACD, *Quality Integrated Education*; and

WHEREAS, Policy JEE, *Student Transfers*, does not apply to transfers among consortium schools but only to interschool transfers; and

WHEREAS, There is a need to clarify the procedures applicable to preferred choice assignments and transfers to and from consortium schools; now therefore be it

Resolved, That assignments within the Northeast Consortium be based on the above criteria adopted on November 25, 1996 (consortium guidelines); and be it further

Resolved, That transfers to and from non-consortium schools are governed by Policy JEE, *Student Transfers* and be it further

Resolved, That transfers from a consortium school to a non-consortium school will be in accordance with the transfer policy and its provision for stabilizing enrollment during implementation of boundary changes; and be it further

Resolved, That transfers from a non-consortium to a consortium school will be governed by the transfer policy as to the sending school (non-consortium) and the consortium guidelines and procedures as to the receiving school (consortium).

Re: **DISCUSSION**

Dr. Vance invited the following people to the table: Ms. Judith Bresler and Ms. Maree Sneed, counsel for MCPS; Dr. Steven G. Seleznow, associate superintendent for the Office of School Administration; and Dr. Pam Splaine, coordinator of the Policy and Records Unit.

Mrs. Gordon asked about the last *resolve* and how it relates to Springbrook High School and the possibility that the International Baccalaureate (IB) program will be open for students outside the consortium, if there is space available. According to Board policy, when a school opens, it is closed to transfers in or out in the first year or two. Ms. Bresler stated that the *resolve* prior to the last one attempted to address that concern. The enrollment that is being stabilized is the new school or base areas. Transfers out from the consortium would be subject to the normal freeze or stability period. Transfers out from non-consortium schools would be governed by the last *resolve*. The stabilization for the opening of the new school could be accomplished by allowing all of the consortium schools to stabilize and still allow transfers in from outside schools, but not transfers out from the consortium.

Mrs. Gordon asked how that resolves stability. Why would it be all right to have a lot of people transferring in as opposed to having a lot people transferring out? Ms. Bresler responded that the concern was to try and stabilize the new attendance areas; an attempt to allow signature programs to evaluate space and other criteria; to evaluate the draw from other schools; to not destabilize the geographical enrollment from the consortium schools.

Allowing transfers from the consortium would have a tendency to undo the boundary changes.

Mrs. Gordon disagreed, and she stated her concerns. Until the school system goes through the process for a year or two, MCPS will not have a sense of what a stable population is within the consortium as well as each of the consortium schools. The school system will be looking at capacity as one of the elements for determination of the choice option. If, in the first year, Springbrook has seats available and MCPS allows transfer in from all over the county, could that not affect the capacity issues and stability issues for the entire consortium? Those students would then be Springbrook students. In the next year, they will have the opportunity to choose among any of the three schools, and would they not be able to displace students who are within the consortium? Ms. Bresler replied that a transfer into a consortium school remains just that: a transfer into an individual school and not a transfer into the consortium.

Mrs. Gordon asked if it was stated that a transfer is to that specific school, and the choice becomes the school transfer or the home school. Ms. Bresler stated it is an issue that will be addressed in the procedures for choice. The school system is now attempting to look at procedures and time lines, both for the consortium area students as well as how those assignments relate to transfer students. Mrs. Gordon's preference was that the stability of the consortium be a top priority.

Dr. Seleznow pointed out that a transfer is from school to school and not to a particular program. Further, he stated that Mrs. Gordon's point has been driving the planning that consortium students' choices are optimized every step of the way, and that they not lose opportunities to students who would come from outside the consortium.

Ms. Gutiérrez thought there was a need to spell out the issues being discussed by the Board. If the school system is allowing student transfers among the three consortium schools, does that mean that a student can go to one school one year and another school the next year? If that is the case, how is that done and who makes the decision? If there are three physical locations and one consortium, there are a lot of details that have to be responded to. If there is a fluid movement of students, are the allocations flexible with that student movement? Dr. Seleznow replied those issues have been discussed and plans have been made for that type of student movement.

Mrs. Gordon pointed out that it is important that the Board gets information that the public will be getting. She did not agree that it is policy, but it is regulation. She hoped that there were regulations or procedures that are being developed or have been developed to look at the movement within the consortium. Ms. Bresler stated that there were periodic reports as procedures have developed. For example, the timeline for counseling has started and applications are being filled out. The actual mechanics of placement and

criteria have been put into a computerized system. In terms of whether, in the end, there is something like a 10 percent or five percent ceiling on transfers from outside the consortium, those refinements will not be developed until after the "maiden voyage" when the school system analyzes the data. If there is a trend from one school to another, the school system will look at those numbers and do individual counseling with groups of students. Dr. Seleznow added that in addition forums with parents and counseling with students, brochures and a video have been sent to the schools, and letters to PTA presidents are in place.

\* Mr. Felton temporarily left the meeting at this point.

Ms. Signer understood Mrs. Gordon's concern about creating stability in the consortium, but this is not like anything else done by the school system before. If it were, the Board would not have set up base areas where it knows that schools will be overenrolled in some instances and underenrolled in others. She was content and pleased with the solution that staff has brought to the Board. The school system has optimized the choices for the consortium students and, to the extent remaining, students from outside the consortium are able to enter those schools as transfer students. She did not see transfer students becoming consortium students. It is a school to school transfer, and if the student chose to attend another school in the consortium, they must reapply for a transfer from their home school. That is an appropriate solution to this issue.

Mr. Ewing stated that there are parents in the Sherwood Cluster reporting that they have been told that some 71 9<sup>th</sup> grade students at Sherwood are precluded by policy from being allowed to request a transfer. Ms. Bresler replied that is normally what would occur in a boundary change. It has been practice pursuant to the transfer policy and the regulation.

Mr. Ewing asked if that absolutely precluded a student seeking a transfer. Ms. Bresler responded that there has always been the ability to request a transfer based on an extraordinary or unique hardship, and that would continue to apply. Mr. Ewing requested that the superintendent make sure that the Sherwood Cluster is informed about the transfer policy and applying for transfers.

RESOLUTION NO. 637-97

Re: **PREFERRED CHOICE IN THE NORTHEAST CONSORTIUM**

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

WHEREAS, On August 25, 1997, the Board of Education asked the superintendent to provide a resolution that would adequately cover preferred choice; and

WHEREAS, Preferred choice is consistent with existing policies ACD, *Quality Integrated Education*; FAA, *Long-Range Educational Facilities Planning*; EEA, *Student Transportation*; IGA, *High School Core Courses*; and IED, *Framework and Structure of High School Education*; and

WHEREAS, On November 25, 1996, the Board of Education adopted preferred choice assignment criteria that require that “. . . the three high schools involved [to] operate within the 80 to 100 percent utilization range, and with race/ethnic compositions that fall within the range currently existing in the three high schools, and with male or female composition of each of the three high schools falling in the 45 to 55 percent range;” and

WHEREAS, Interschool transfers are governed by the criteria set forth in Policy ACD, *Quality Integrated Education*; and

WHEREAS, Policy JEE, *Student Transfers*, does not apply to transfers among consortium schools but only to interschool transfers; and

WHEREAS, There is a need to clarify the procedures applicable to preferred choice assignments and transfers to and from consortium schools; now therefore be it

Resolved, That assignments within the Northeast Consortium be based on the above criteria adopted on November 25, 1996 (consortium guidelines); and be it further

Resolved, That transfers to and from non-consortium schools are governed by Policy JEE, *Student Transfers* and be it further

Resolved, That transfers from a consortium school to a non-consortium school will be in accordance with the transfer policy and its provision for stabilizing enrollment during implementation of boundary changes; and be it further

Resolved, That transfers from a non-consortium to a consortium school will be governed by the transfer policy as to the sending school (non-consortium) and the consortium guidelines and procedures as to the receiving school (consortium).

**Re: BOARD/SUPERINTENDENT COMMENTS**

Ms. Wheat stated that there are still two Youth Speakouts left to attend where students will voice their views about safety and security. Also, she met with students from WBNC communication's program at Montgomery Blair High School. She was very impressed with all the students at the meeting, and what they had to say. Since the Board is tentatively scheduled to discuss live broadcasting in December, she would encourage everyone to visit the program.



Mr. Ewing was pleased to have had the opportunity to be briefed on the Seneca Valley High School's special program on ethics, science, and the law. It is a very sophisticated approach to that set of issues.

Ms. Gutiérrez reported that, on October 28, 1997, the County Council will vote on the Spending Affordability Guidelines, and has the option of setting them high or low since there is no limitation by law. Whatever amount is set in October cannot be changed by more than one percent. Ms. Gutiérrez requested that Mrs. King's testimony be made part of the record (attached). If the recommendations of the MFP Committee are followed, the Board will not be able to meet even those costs and needs already identified, much less those that are still to be defined as the Board proceeds with negotiated agreements with employees. It is very important for the Board to make sure that it has made every effort to advocate the needs of the school system.

\* Mr. Felton rejoined the meeting at this point.

\* Mrs. Gordon temporarily left the meeting.

RESOLUTION NO. 638-97            Re:    **RESOLUTION FOR CLOSED SESSION**

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Mrs. King, 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 sessions; now therefore be it

Resolved, That the Board of Education of Montgomery County conduct a portion of its meeting on Tuesday, November 11, 1997, from 8:30 to 10:00 a.m. and 12:00 to 2:00 p.m. to discuss personnel matters and other matters protected from public disclosure by law, to review and adjudicate appeals, and to address 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 Section 10-508 of the State Government Article; and be it further

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

**Re: REPORT OF CLOSED SESSION**

On September 22, 1997, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on October 7, 1997, as permitted under § 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 October 7, 1997, from 8:40 to 10:00 a.m. and 1:00 to 1:50 p.m. The meeting took place in Room 120, Carver Educational Services Center, Rockville, Maryland.

The Board met to discuss personnel issues, update on negotiations, and legal matters with its attorney. The Board reviewed and adjudicated Appeal No. T-1997-51, Appeal No. T-1997-65, Appeal No. T-1997-68, Appeal No. T-1997-69, Appeal No. T-1997-70, and 1997-23.

In attendance at part or all of the closed sessions were: Aggie Alvez, Elizabeth Arons, Larry Bowers, Ray Bryant, Alan Cheung, Blair Ewing, David Fischer, Reggie Felton, Katheryn Gemberling, Wes Girling, Bea Gordon, Ana Sol Gutiérrez, Pat Hahn, Roland Ikheloa, Nancy King, Don Kopp, George Margolies, Brian Porter, Glenda Rose, Ruby Rubens, Steven Seleznow, Mary Helen Smith, Mona Signer, Roger Titus, Paul Vance, and Bill Wilder.

**RESOLUTION NO. 639-97      Re: BOARD APPEAL 1997-23**

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

Resolved, That the Board of Education adopts its Order in Appeal 1997-23, a grade matter, reflective of the following vote: Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Mrs. King, and Ms. Signer voting to affirm; Ms. Gutiérrez voting to reverse; and Ms. Wheat was absent.

**RESOLUTION NO. 640-97      Re: BOARD APPEAL T-1997-66**

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

Resolved, That the Board of Education adopts its Order in Appeal T-1997-66, a student transfer matter, reflective of the following vote: Mr. Ewing, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, Ms. Signer, and Ms. Wheat voting to affirm; Dr. Cheung was absent.

RESOLUTION NO. 641-97            Re:    **BOARD APPEAL T-1997-71**

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

Resolved, That the Board of Education adopts its Order in Appeal T-1997-71, a student transfer matter, reflective of the following vote: Mr. Ewing, Mr. Felton, Ms. Gutiérrez, Mrs. King, Ms. Signer, and Ms. Wheat voting to reverse; Mrs. Gordon voting to affirm; Dr. Cheung was absent.

RESOLUTION NO. 642-97            Re:    **BOARD APPEAL T-1997-74**

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

Resolved, That the Board of Education adopts its Order in Appeal T-1997-74, a student transfer matter, reflective of the following vote: Mr. Ewing, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, Ms. Signer, and Ms. Wheat voting to affirm; Dr. Cheung was absent.

Re:    **BELL TIMES**

On motion of Ms. Signer and seconded by Mrs. King, the following resolution was placed on the table

WHEREAS, In March 1993, the Board of Education voted to standardize bell times for the 1993-94 academic year in order to save \$800,000 per year; and

WHEREAS, Research conducted at Brown University, Stanford University, and the University of California has demonstrated the harmful effects of sleep deprivation on teenagers and the relationship between sleep deprivation and academic performance; and

WHEREAS, Preliminary evidence from Minnesota, where school systems are experimenting with allowing high school students to start school at 8:30 a.m. suggests that the later schedule is paying off with few discipline problems and a happier, more rested student body; now therefore be it

Resolved, That the Board of Education directs the superintendent of schools to analyze bell schedules in neighboring jurisdictions and in Edina, Minnesota, in light of the research on teenage sleep deprivation, and explore options that would permit Montgomery County Public Schools (MCPS) high school students to start school at a later time; and be it further

Resolved, That the superintendent of schools present those options to the Board of Education, along with the programmatic and fiscal impacts on MCPS; and be it further

Resolved, That the Board of Education schedule time for discussion of and possible action on alternative bell times prior to adoption of the fiscal year 1999 MCPS operating budget.

Re: **DISCUSSION**

Mr. Felton asked about the intent of the third *resolve*, that the Board of Education schedule time for discussion of and possible action on alternative bell times prior to adoption of the fiscal year 1999 MCPS operating budget. Ms. Signer stated that the intent was February 1, 1998, when the Board approves the operating budget.

Mr. Felton was not sure that staff would be prepared at that time. Dr. Vance commented that he would like to give the Board a work plan on how staff would proceed and what is a realistic date. He understood why it was stated in the *resolve*, since there will be fiscal implications. The school system saved \$800,000 when the bell times were changed from 7:40 to 7:20 a.m., and he was assuming there would have to be at least that amount put back into the budget.

Ms. Signer was concerned that the school system be able to move forward with changing bell times, if feasible, in time for the next school year. Mr. Felton was concerned that this resolution locks staff into a timeframe they may not be able to meet.

Ms. Signer wanted to know if the superintendent believes that staff will be able to present the Board with alternatives in time to change bell times next September. Dr. Vance replied that he would make every effort to have the analysis ready prior to the adoption of the budget in February; however, he would let the Board know if he was able to meet that deadline.

Ms. Gutiérrez stated that she has been reminding parents and the community that the Board welcomes and encourages any cluster, as a cluster, to look at alternative bell times. She wanted to underline the fact that those clusters that are very enthusiastic about changing bell times can also be very active in looking for the options in which this might be able to work. What that implies is that it is a cluster model, and elementary as well as middle and high schools need to come together and look at alternative models. The changing of bell times is not a simple issue, and it certainly cannot be done from the top down.

\* Mrs. Gordon rejoined the meeting.

Mr. Ewing observed that changing of bell times is worth examining. At the time the Board adopted the present bell times, it did not think it was particularly desirable. It is important to recognize that there are tradeoffs, i.e., if money is spent on changing bell times, it will not be available elsewhere. It is important when looking at research that it should be examined to make certain that it analyzes all research addressing this issue. There is a tendency to look at the research that supports a point of view.

Mrs. Gordon added that when examining the research, she wanted to know what the results were in Montgomery County in terms of student performance since the bell times have changed.

Mrs. King supported the motion. People are very excited about the Board looking at this issue. There may be nothing that the Board can afford to do at this time, but the Board owes it to those who enthusiastically support the idea.

Mrs. Gordon hoped that it would be made clear to the community that the Board is simply looking at the feasibility of changing bell times. The Board will make this decision at the time the budget is approved by the Board since there are fiscal implications. She hoped that, with the fiscal impact, the Board will be told how many additional buses will be needed. If the school system goes from a four-tier transportation model back to a three tier, the school system will need more buses.

Ms. Signer reported that the amount of support for the resolution has been both surprising and gratifying.

Mr. Felton agreed that the school system should look at bell times. He was hoping that other alternatives might be offered, such as mixing of different ages of students on the same buses. He hoped that the community understood that this will not be a single focus analysis.

RESOLUTION NO. 643-97      Re:    **BELL TIMES**

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

WHEREAS, In March 1993, the Board of Education voted to standardize bell times for the 1993-94 academic year in order to save \$800,000 per year; and

WHEREAS, Research conducted at Brown University, Stanford University, and the University of California has demonstrated the harmful effects of sleep deprivation on teenagers and the relationship between sleep deprivation and academic performance; and

WHEREAS, Preliminary evidence from Minnesota, where school systems are experimenting with allowing high school students to start school at 8:30 a.m. suggests that the later schedule is paying off with few discipline problems and a happier, more rested student body; now therefore be it

Resolved, That the Board of Education directs the superintendent of schools to analyze bell schedules in neighboring jurisdictions and in Edina, Minnesota, in light of the research on teenage sleep deprivation, and explore options that would permit Montgomery County Public Schools (MCPS) high school students to start school at a later time; and be it further

Resolved, That the superintendent of schools present those options to the Board of Education, along with the programmatic and fiscal impacts on MCPS; and be it further

Resolved, That the Board of Education schedule time for discussion of and possible action on alternative bell times prior to adoption of the fiscal year 1999 MCPS operating budget.

**Re: DATA FROM THE PILOT STUDIES**

On motion of Mr. Ewing and seconded by Mrs. King, the following resolution was placed on the table:

Resolved, That the data from the pilot studies undertaken by Montgomery County Public Schools in cooperation with Montgomery College to test 10<sup>th</sup> grade students be provided, with appropriate qualifications, to members of the Board of Education as soon as possible.

**Re: DISCUSSION**

Mrs. King had spent time talking to staff members from MCPS and Montgomery College about this issue, and she was convinced that it would not be beneficial to distribute the results of test; therefore, she would not support the motion.

Mrs. Gordon understood that the tests administered to the 10<sup>th</sup> grade students were diagnostic in nature in order to determine their readiness for higher education. She asked if the school system routinely releases to the Board or others the results of diagnostic testing. Dr. Vance replied that the test was diagnostic, and it has not been the practice of the school system to release such data.

Mr. Ewing stated that he has seen results that are diagnostic in character because he has asked for them in the past. If he had not made this a motion and asked for the data, what would have been the result of request? Dr. Vance responded that when the Board had its initial discussion with the Board of Trustees from Montgomery College (MC), he had told Mr. Ewing that when data was available, it would be shared with the Board.

Dr. Cheung asked if the test was voluntary or compulsory? Dr. Smith stated that it was offered to all 10<sup>th</sup> graders, and for a variety of reasons not all 10<sup>th</sup> graders took the test.

Ms. Signer asked when Dr. Smith stated that it was open to all 10<sup>th</sup> graders, she, in fact, meant 10<sup>th</sup> graders in the selected three high schools. Dr. Smith affirmed that statement was correct.

Ms. Gutiérrez understood that the test was new and preliminary without the control, rigor, and structure of a real test. The focus was on what was being learned and how both MC and MCPS could learn from this exercise. It was not a finished product, and the pilot would continue. If Board members are interested in getting a sense of the results of the test, then the data can be requested from the superintendent. It would be used to get an understanding of what they saw in the general scores, what was learned, and what adjustments could be made. MCPS and MC think it is a good and positive idea to test 10<sup>th</sup> graders to give the students as well as staff a sense of their college readiness.

Mrs. Gordon asked, if this information is given to the Board, will that become public information. Dr. Vance replied that it would be confidential information with appropriate qualifications.

Mrs. Gordon had an opportunity to speak to a Board member from the college, and they are very concerned about the release of this information and are questioning the release of the information to the public and continuing the project. She would not want the project jeopardized, and she would not support the motion.

Mr. Felton was concerned, on the one hand, that the school system encourages risk to try something new, and, on the other hand, it appears that people are penalized for doing just that. His understanding was that the test was invalid. Dr. Hartzman replied that the technical problems made the results invalid even though MCPS has learned a great deal throughout the process. Mr. Felton stated, that if the test results are invalid, it should not be released.

Mr. Ewing stated that he was told, if there was data, he could have the information. In addition, the Board was told recently that staff has learned a great deal from this process. He could not be sure what it is that is of value if he does not know what that is. There will be criticism for the failure to release this data with qualifications, and a growing suspicion that there is something to hide. The dilemma is not whether or not to give the information to the Board, but how is the superintendent and Board going to get out of this situation. Refusing to release the data will not resolve that situation. Mr. Ewing requested that the superintendent provide him with the data from the pilot studies undertaken by Montgomery County Public Schools in cooperation with Montgomery College to test 10<sup>th</sup> grade students with the understanding that he will keep it confidential.

Dr. Cheung remarked that some projects are not well designed and observations are made to improve the process. This is a slight embarrassment to both MCPS and MC. He suspected that the resistance to make it public was because the design should have been better in the beginning. He had no problems with innovation and lessons learned through collaboration.

**Re: DATA FROM THE PILOT STUDIES**

On motion of Mr. Ewing and seconded by Mrs. King, the following resolution failed with Mr. Ewing and Ms. Gutiérrez voting in the affirmative; Dr. Cheung, Mr. Felton, Mrs. Gordon, Mrs. King, and Ms. Signer voting in the negative; Ms. Wheat abstaining:

Resolved, That the data from the pilot studies undertaken by Montgomery County Public Schools in cooperation with Montgomery College to test 10<sup>th</sup> grade students be provided, with appropriate qualifications, to members of the Board of Education as soon as possible.

**Re: PUBLIC HEARING**

On motion of Mr. Ewing and seconded by Dr. Cheung, the following was placed on the table:

Resolved, That the Board of Education holds a public hearing on the issues of concern to parents and community concerning the Montgomery County Public Schools' special education programs; and be it further

Resolved, That the issues may include, but are not limited to, the following: staffing and staffing ratios, placement processes, program quality, parental involvement in special education, budget support, facilities, and inclusion.

**Re: DISCUSSION**

Mr. Ewing stated that the intent of the motion was to obtain for the Board the views of the parents about special education programs. He recognized the sense of the Board is that those views are obtained through the advisory committee members and that people express their views through the budget process. However, the need for some other mechanism is apparent. There is a lot of concern among special education parents about the level and quality of services. The vast majority are satisfied with those services, and there is a substantial minority that is not. There are critics that point to staffing of special education programs and feel that MCPS is not paying attention to staffing those programs. He would like to find a way in order for everyone to get the information that is needed. What MCPS needs is a classical program analysis even more than the Board needs a



public hearing. The Board needs to know in some detail where MCPS is with its special education programs.

Mr. Felton agreed with Mr. Ewing that there needs to be an assessment and a polling of the views since both pieces of information are valuable. Typically, public hearings provide an opportunity for those who register first. He would prefer to see a more substantive review of special education programs. He was not convinced that a public hearing would give the school system the validity that is needed.

Ms. Gutiérrez thought the two were not exclusive, and a public hearing gives the Board a chance to hear from the customer. There have been tremendous changes in the past six years in special education programming, and she did not know if the school system has examined the direction of that programming. She thought it would be valuable to have a public hearing, but it should not suffice as a review that would cover costs and cost overruns.

Mr. Felton thought a balanced hearing would provide opportunities for both those who are satisfied and those who are unhappy with the programs. Mr. Ewing stated there is nothing to say that the Board could not structure a hearing where people are invited to the table.

Mrs. Gordon stated she would not support a public hearing. It would be interesting to hear from parents, but she was not sure where that would lead in terms of evaluating the effectiveness of the program.

Mrs. King asked the superintendent whether or not special education programs were being reviewed. Dr. Vance replied that the idea of having a classical program review which is incisive sounds like an excellent idea. That review would tell MCPS where it is, how effective the programs are, and how it matches up with the state-of-the-art special education programs. His preference would be to do a review first, present recommendations, and, then, have a public hearing.

Ms. Signer supported the superintendent's recommendation in reviewing the special education program first and, then, hold a public hearing. She made it clear that her concern went beyond that. She asked if she was correct in that MCPS does not keep any kind of systemwide data on IEPs and the extent that MCPS meets IEPs? She wanted to see the systemwide data on IEPs and educational outcomes for special education students. The issue of whether IEPs are being fulfilled is an underlining issue for a lot of litigation. If Mr. Ewing accepts the proposal, will it become part of the classical review?

Mr. Ewing thought the proposal was a good one. The Board could ask the superintendent to prepare a classical review focusing on special education and touching on transportation and legal costs. In the context of existing laws, the characteristics of the program,

outcomes, funding, funding shortfalls, program problems, strategies for controlling costs, and other issues the superintendent could address, followed by a public hearing.

Mr. Felton stated that Mr. Ewing amended his motion to have a comprehensive review of the special education program, followed by structured and balanced public hearing. Mrs. Gordon pointed out that there could be other ways of getting public input without having a hearing. Mr. Felton thought a more sophisticated polling of the community on a number of issues was a better approach. Mrs. Gordon stated that there were satisfaction surveys every three years, but nothing has been done specifically for special education.

Mr. Ewing restated that the first *resolve* asks the superintendent to prepare a comprehensive program review for special education, and the second *resolve* would be after the Board discusses the review, the Board will determine appropriate mechanisms to obtain public views of the program.

Ms. Signer hoped the superintendent would bring forth recommendations after the review.

RESOLUTION NO. 644-97      Re:    **REVIEW OF SPECIAL EDUCATION PROGRAMS**

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

Resolved, That the Board of Education asks the superintendent of schools to prepare a classical program review (including recommendations for addressing identified problems) focusing on special education (in the context of the laws, regulations, and policies), including, but not limited to: staffing and staffing ratios, placement processes, program quality, parental involvement, facilities, inclusion, legal and transportation costs, program outcomes, issues of funding (shortfalls and strategies for controlling costs), and other issues the superintendent may identify; and be it further

Resolved, After the Board has received and discussed the review and recommendations, it will find appropriate mechanisms to obtain public views of the review and recommendations.

RESOLUTION NO. 645-97      Re:    **EDUCATIONAL SPECIFICATIONS FOR CONSTRUCTION**

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

Resolved, That the Board of Education requests the superintendent to bring forth information on the process for determining educational specifications for construction and modernization to include technological advances and innovations.

Re: **NEW BUSINESS**

RESOLUTION NO. 646-97

Re: **SCHOOL FUNDING PROPOSALS**

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

Resolved, That the Board of Education asks the superintendent of schools for an analysis of the Duncan and Grasmick school funding proposals compared with the Board of Education's proposal.

Re: **ITEMS OF INFORMATION**

The following items were available for information:

1. Quarterly Change Order Report
2. Update on Extracurricular Activity Fee and Middle School Interscholastic Sports Program

RESOLUTION NO. 647-97

Re: **ADJOURNMENT**

Resolved, That the Board of Education adjourns its meeting of October 27, 1997, at 11:40 p.m.

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PRESIDENT

PLV:gr

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SECRETARY

# MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

October 27, 1997

APPROVAL OF AGENDA .....	1
AMERICAN INDIAN HERITAGE MONTH .....	1
RECOGNITION OF OUTSTANDING SERVICE AND SUPPORT FOR THE MONTGOMERY COUNTY PUBLIC SCHOOLS INTERSCHOLASTIC HIGH SCHOOL GOLF AND SWIM PROGRAMS .....	2
PUBLIC COMMENTS .....	4
CONTRACTS FOR MORE THAN \$25,000 .....	5
AWARD OF CONTRACTS - TAKOMA PARK MIDDLE .....	7
AWARD OF CONTRACT - ENGINEERING SERVICES FOR BURTONSVILLE ELEMENTARY SCHOOL .....	8
UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS FOR THE GOVERNOR'S GIFTED AND TALENTED DEVELOPMENT PROGRAM .....	9
UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS FOR THE GOVERNOR'S GIFTED AND TALENTED DEVELOPMENT PROGRAM .....	10
UTILIZATION OF FY 1998 FUTURE SUPPORTED PROJECT FUNDS FOR THE MARYLAND VIRTUAL HIGH SCHOOL CORE MODELS PROJECT AT MONTGOMERY BLAIR HIGH SCHOOL .....	10
RECOMMENDATION TO SUBMIT AN FY 1998 GRANT PROPOSAL FOR THE MONTGOMERY EXCEPTIONAL LEADERS' PERFORMING ARTS FOR AWARENESS, ADVOCACY, AND LEADERSHIP PROJECT .	11
FY 1997 OPERATING BUDGET CATEGORICAL TRANSFER .....	14
PERSONNEL APPOINTMENTS .....	15
ESTABLISHMENT OF FUND FOR ENTREPRENEURIAL INITIATIVES .....	19
PREFERRED CHOICE IN THE NORTHEAST CONSORTIUM .....	23
BOARD/SUPERINTENDENT COMMENTS .....	24
RESOLUTION FOR CLOSED SESSION .....	25
REPORT OF CLOSED SESSION .....	26
BOARD APPEALS .....	26
BELL TIMES .....	27
DATA FROM THE PILOT STUDIES .....	30
PUBLIC HEARING .....	32

<b>REVIEW OF SPECIAL EDUCATION PROGRAMS .....</b>	<b>34</b>
<b>EDUCATIONAL SPECIFICATIONS FOR CONSTRUCTION .....</b>	<b>35</b>
<b>NEW BUSINESS .....</b>	<b>35</b>
<b>SCHOOL FUNDING PROPOSALS .....</b>	<b>35</b>
<b>ITEMS OF INFORMATION .....</b>	<b>35</b>
<b>ADJOURNMENT .....</b>	<b>35</b>