

APPROVED
31-1998

Rockville, Maryland
October 6, 1998

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, October 6, 1998, at 10:15 a.m.

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

Absent: Mr. Geonard F. Butler, Jr., Student Board Member

or () indicates student vote does not count. Four votes needed for adoption.

RESOLUTION NO. 671-98 Re: **AGENDA**

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

Resolved, That the Board of Education approve its agenda for October 6, 1998.

RESOLUTION NO. 672-98 Re: **SUPPORTING SERVICES PERSONNEL RECOGNITION DAY**

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, The school system's commitment to Success for Every Student is dependent upon the teamwork and dedication of all employees; and

WHEREAS, Every employee, both inside and outside the classroom, serves as a positive role model for students; and

WHEREAS, All supporting services personnel contribute in a multitude of ways in the success of every student toward the quality of education for our students; now therefore be it

Resolved, That the Board of Education recognize the outstanding services provided and show appreciation to every supporting services employee; and be it further

Resolved, That the Board of Education designate Thursday, October 29, 1998, as the sixth annual Supporting Services Personnel Recognition Day and encourage all Montgomery County Public Schools' staff members, parents, students, and community members to recognize the significant contributions of supporting services employees toward the Success for Every Student.

RESOLUTION NO. 673-98 Re: **SALUTE TO TRANSPORTATION PERSONNEL**

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

WHEREAS, October 18-24, 1998, has been designated as National School Bus Safety Week; and

WHEREAS, Governor Parris N. Glendening has proclaimed October 18-24, 1998, as Salute to School Bus Transportation Personnel Week; and

WHEREAS, The Division of Transportation has as its number one goal the safe transportation of students to and from schools and programs; and

WHEREAS, The Division of Transportation buses carry more than 95,000 students to more than 225 locations, traveling 17 million miles in a school year; now therefore be it

Resolved, That the Board of Education formally recognize and extend its sincere thanks and gratitude to all staff in the Division of Transportation; and be it further

Resolved, That the Board of Education honor all transportation staff members--bus operators, attendants, mechanical, clerical, secretarial, supervisory, and administrative--for their teamwork in the safe transporting of students; and be it further

Resolved, That the Board proclaim the week of October 18-24, 1998, as National School Bus Safety Week.

RESOLUTION NO. 674-98 Re: **1998 MONTGOMERY COUNTY EMPLOYEES' CHARITY CAMPAIGN**

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, The Montgomery County Public Schools has continued its generous support of the annual Montgomery County Employees' Charity Campaign, having increased systemwide contributions by 10 percent last year for a total employee donation of \$222,827; and

WHEREAS, The annual financial gifts of our employees are still needed by the children, adults, and families of Montgomery County through the charitable organizations supported by this annual giving campaign, including the Montgomery County Public Schools Educational Foundation, Inc.; and

WHEREAS, One of every three residents in Montgomery County, including many of our own students, employees, and their families, is in some way touched by the social and community services supported by this campaign; and

WHEREAS, Participation in this campaign by the employees of the Montgomery County Public Schools provides an excellent example of the work of good, caring people within the school system to help others far less fortunate than themselves; now therefore be it

Resolved, That the Board of Education of Montgomery County does hereby designate the period of October 12 through November 13, 1998, for participation in the Montgomery County Employees' Charity Campaign; and be it further

Resolved, That the Board of Education urge all employees of the Montgomery County Public Schools to participate in the campaign again this year as a demonstration to the entire community of a strong public commitment to kindness, compassion, goodwill, and generosity.

RESOLUTION NO. 675-98 Re: **MENTOR MONTH**

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 County Executive and County Council have proclaimed October as Mentor Month in Montgomery County; and

WHEREAS, Thousands of MCPS students benefit each year from volunteer mentoring programs; and

WHEREAS, The Task Force on Mentoring of Montgomery County, Inc. is a non-profit service organization whose mission is to provide technical assistance, program information and related services to persons and organizations interested in implementing mentor programs in the community; and

WHEREAS, The Task Force will hold its seventh annual conference on mentoring on October 15, 1998; and

WHEREAS, The conference theme is "Mentoring: Preparing Youth for the 21st Century"; now therefore be it

Resolved, That the Montgomery County Board of Education hereby reaffirm its commitment to mentoring as an effective tool in helping our youth develop positive goals for successful living; and be it further

Resolved, That the Members of the Board of Education and the Superintendent of Schools commend the Task Force on Mentoring of Montgomery County, Inc. for its contributions to Montgomery County youth and extend best wishes for a successful conference.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Vance reported that student achievement of proficiency standards improved in both mathematics and reading in nearly every grade systemwide, third through eighth, with students earning the highest-ever average scores in both subjects, according to the results of the 1998 Criterion-Referenced Tests (CRTs) taken last spring. The Greater Montgomery County Chamber of Commerce honored representatives of the Montgomery County Public Schools in five of ten categories in the second annual "Heroes in Education" awards program recognized outstanding contributions to education in the county. The 12 students are among some 1,500 semifinalists nationally, selected from more than 100,000 African American students for their high scores on the 1997 Preliminary Scholastic Assessment Test/National Merit Scholarship Qualifying Test (PSAT/NMSQT), according to the National Merit Scholarship Corporation, the Illinois-based organization that administers the program. The local students account for 19 percent of the 63 semifinalists in Maryland. Montgomery County Public Schools has 121 finalists in the Maryland Distinguished Scholars program, which honors students throughout the state for their exceptional academic achievement and, for some students, their talent in the visual and performing arts. Another 586 semifinalist and honorable mention designations were given, for a total of 707 awards to Montgomery County Public Schools students. All 21 public high schools in the county in 1997-98 were represented in the program.

Mr. Felton complimented MCPS bus drivers for their outstanding performance and safety records. He agreed with Dr. Vance on the overall CRT scores, but the school system needs to work with minority students. He attended a reception for Dr. Walter Massey, president of Morehouse College. The faculty and staff continued to express pride over MCPS students. Also, he paid tribute to Bruce Adams and the Lazarus Leadership Fellows program for their community service.

Ms. Gutiérrez commented on the CRT scores. She was happy that the overall system was improving, but she was concerned and asked for data on those students not tested by the CRTs. This information should include how many students could have been tested, enrollment per class, grades per school, number of students meeting the standard, and total enrollment.

Ms. Signer commented that at the July 29 Board meeting, there were recommendations from the Ethics Panel, including the recommendation to create the position of an ethics officer. The Board concurred with those recommendations and directed staff to bring that issue back to the Board in October for further discussion and reallocation of resources in the current fiscal year to create the ethics officer position. She noted that it was not on any future agendas, and she asked when it would be scheduled. Mrs. King replied that the item would be scheduled on an upcoming agenda.

Mrs. Gordon reminded her colleagues that the National Federation of Urban and Suburban School Districts (NFUSSD) would hold its 25th anniversary conference in Montgomery County, and she encouraged Board members to attend the conference.

Mrs. Gordon pointed out that the County Council had unanimously adopted a set of Principles to Guide Collaborative Governance sponsored by Mr. Leggett, Mrs. Praisner, and Ms. Ewing. The principles came out of a workgroup that came out of Future Search and the initiatives established through the theme group on collaboration. The adopted resolution stated that "the County Executive, the County Council, the Board of Education, and the Collaboration Council are committed to achieving better outcomes for all children, youth, and families in Montgomery County by building bridges across institutional lines." It further lists a number of collaborative principles to which the Board should have had the opportunity to review and take action. The principles would be included in the Children's Agenda breakfast on October 26, 1998. Since the Board failed to have an opportunity to take action or be a part of this resolution with other county agencies in support of collaborative government, the Board would not be able to participate and give support to the Collaboration Council. Mrs. Gordon knew that Mrs. King had met with the group that developed the principles, and she was troubled that the Board members were not afforded the opportunity to take part in and endorse the collaboration among the county's agencies. Under new business items, Mrs. Gordon planned to present the Board with copies of the principles and ask for endorsement of those principles.

Ms. Gutiérrez clarified that the Collaboration Council gave presentations to the Board's Research and Evaluation Committee. Therefore, the Board had been involved.

With that information, Mrs. Gordon thought that it was doubly troubling since the Board did not show its support by adopting a resolution with the County Government and the

Collaboration Council. It was unfortunate that the principles were not brought to the Board for review and action.

Mr. Ewing pointed out that parents were concerned that John F. Kennedy High School's Auditorium would lack ceiling and wall tile for adequate acoustics. He asked the Superintendent to inform the Board about the situation as well as the cost to ameliorate the acoustics during modernization. Second, he thought it was an outrage that all schools were not air conditioned. The school system has sought funding for air conditioning, but the requests have been denied except in small amounts over an extended period of time. Mr. Ewing requested information from the Superintendent for a schedule and plans to air-condition all schools, including a request in the CIP. Third, Mr. Ewing commented on Ballot Question H, which would limit revenues, if approved. The estimates made by the County Government suggest that there would be a loss of \$140 million next year and as much as \$2 billion over six years. This would have a devastating effect on public schools in Montgomery County.

Mrs. King passed the gavel to Mrs. Gordon in order to introduce a motion, and Mrs. Gordon assumed the chair.

Re: **A MOTION TO RECONSIDER THE MCPS PENSION SUPPLEMENT**

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

Resolved, That the Board of Education reconsider the pension supplement vote that the Board took last month.

Re: **DISCUSSION**

Mr. Felton asked the chair to rule on the votes needed for a decision.

Mrs. Gordon stated that since this is a procedural question, it would need five votes to pass.

Mr. Ewing challenged the ruling of the chair and asked the parliamentarian for his judgment with respect to the matter of what vote was required for such a motion.

Mrs. Gordon agreed that the Board could ask Mr. Margolies and, if he differed with the chair's ruling, the Board could overrule the chair with five votes.

Mr. Margolies advised that because the motion went to the heart of approving or disapproving an action and it was dispositive, the student Board member's vote did not

count on the motion to reconsider if the student could not vote on the underlying action that was to be reconsidered. Therefore, the original motion was a matter related to the operating budget and, the student Board member's vote did not count on the pension issue. However, the law talks about the student Board member not having the right to vote on matters related to capital and operating budgets, the law goes on to leave it to the Board to decide on a case-by-case basis among the elected members of the Board as to whether the student Board member's vote should count. Under Section 3-901 of the Education Article of the Maryland Code, it was a majority of the elected members -- a majority of the seven -- who decide if the student Board member has a right to vote on any particular issue to the extent to which you disagree with the ruling of the chair or on parliamentary advice.

Mrs. Gordon believed that in the past, on procedural issues, the student Board member's vote had counted. A motion for reconsideration was a procedural issue. As the chair, she ruled that the student Board member's vote counted on a motion to reconsider, but not on the action that would take place should the vote to reconsider be approved. Therefore, she ruled that to vote to reconsider took five votes, and her colleagues could overrule that decision.

Re: MOTION TO OVERRULE TO CHAIR

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

Resolved, That the Board of Education overrule the chair's ruling that it would take five votes to pass a motion to reconsider MCPS' pension supplement.

Re: DISCUSSION

Mr. Ewing thought the presentation of the issue by Mr. Margolies was fair. It seems to him that the issue before the Board was procedural, but it also was a decision about what the majority of the elected members of the Board wanted to do about a budget issue. That issue should not be sidetracked by a procedural issue of any kind. If there were four members of the Board who wanted to change a decision that had made, a procedural device fundamentally thwarted the will of those four Board members who constituted the majority on this issue. He thought the Board ought to have the chance to have the pension supplement issue before it, and should not be allowed to die because of a procedural device.

Mr. Felton's concern was that if the Board chose another course it would be inconsistent with the way it had done procedural issues and that it gave the appearance that the Board was changing course.

Ms. Gutiérrez thought that it was clear to the Board members that there was a very substantive issue before it. If the majority of the Board wanted to deal with that issue, she did not think it was proper of the chair or any other Board member to not provide the Board that opportunity through a misinterpretation or misuse of a procedural ruling. She thought the Board needed to be much broader in its thinking at this point in time, and engage in a full debate that she had asked for for a long time.

Mrs. Gordon agreed 100 percent. If five members of the Board chose to vote for reconsideration or should five members of the Board chose to overrule the chair, they would have certainly exercised their rights.

Ms. Gutiérrez pointed out to the chair that one Board member was absent, and it was clear that that member could cast the deciding vote.

Ms. Signer shared Mr. Felton's concerns. In the past, the student Board member's vote had counted on procedural issues. Reconsideration, in her view, was a matter of procedure. In the past, when the Board had dealt with operating budget issues, the student Board member's vote had counted on matters of procedure though not on the underlying vote. Mr. Margolies had stated that this was an unclear area. She believed this was a matter of procedure and the student Board member's vote counted.

Mr. Ewing thought the question of consistency was one that needed to be addressed. Mr. Margolies indicated he had advised the Board on this issue once before and, over the years, the student Board member's vote had counted or not counted on a wide variety of issues depending on how the Board itself wanted to address those issues. In the absence of specific permission from the Board for the student Board member's vote to count, the student Board member's vote does not count. That was the way the rule read. The Board had not given specific permission for the student Board member's vote to count on this nor did it ever voted that the student Board member's vote should count on procedural issues. He thought it was true that there was some lack of clarity on the issue, but that did not mean that there was somehow or other a pattern that had existed that the Board would now violate if it voted to put this matter before the full Board, which was the real issue.

Mrs. Gordon stated that while she agreed that the Board had never given the authority to the student Board member to vote on procedures, the student Board member was only prohibited in state law from voting on budget, facilities, negotiations, and negative personnel actions, and, therefore, the Board would not have to take action to allow the student Board member to vote on procedural issues.

Re: MOTION TO OVERRULE THE CHAIR

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

Resolved, That the Board of Education overrule the chair's ruling that it would take five votes to pass a motion to reconsider MCPS' pension supplement.

Re: MOTION TO TABLE

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

Resolved, That the Board of Education table the motion for reconsideration until such a time as the full Board was present.

Re: DISCUSSION

Mrs. Gordon thought the motion could only be reconsidered at the meeting that followed the meeting where the action was taken. She believed, however, there were other procedures that may be followed to bring an issue back before the Board should a member of the Board want to do that. However, it would not be appropriate for reconsideration to take place at another meeting other than the present meeting. There were other motions that could be made should someone want to do that at another meeting.

Ms. Gutiérrez asked for a ruling from the parliamentarian.

Mrs. Gordon pointed out that the parliamentarian did not rule, but advised.

Mr. Margolies advised that Robert's Rules of Order did allow for motions of reconsideration to be tabled and did distinguish between the timeliness of making a motion to reconsider and when the vote was taken on the motion to reconsider. Therefore, the vote on the motion to reconsider did not have to take place today under Robert's Rules. That was one reason that a motion to lay on the table was in order. After that a Board member would have to move to take it off the table at a later time. To table a matter was not debatable.

Mrs. Gordon asked the parliamentarian what was the vote required to table.

Mr. Margolies replied that it was a majority.

Mrs. Gordon stated that would be five votes.

Re: **MOTION TO TABLE**

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

Resolved, That the Board of Education table the motion for reconsideration until such a time as the full Board was present.

Re: **STATEMENT**

Mr. Ewing asked to make an observation. The Board had a practice over the last 10 years that when the president of the Board made a motion, the president of the Board gave over the gavel and the chair of the meeting to the vice president. He thought a careful analysis of what was required there was that there only needed to be an action by the president to make the motion, and, then, the president may take back the gavel to conduct the discussion. Before ten years or so ago, that was the way the Board operated. The Board might not have had any different outcome, but it certainly would have had a different ruling from the chair and probably a different appeal process. He thought the Board ought to consider that other way of doing business because, in this case, Mrs. King's opportunity to rule on an appeal was not available to her, and he believed it should have been. Therefore, the Board ought to consider a change in its practice. There was no reason for a temporary chair to conduct a discussion -- only to take over during the time the motion was made.

Mrs. King assumed the chair.

Re: **SAFETY AND SECURITY UPDATE**

Dr. Vance invited the following people to the table: Mr. David G. Fischer, associate superintendent for the Office of Supportive Services; Dr. Hiawatha B. Fountain, associate superintendent of the Office of Pupil and Community Services; Dr. Steven G. Seleznow, associate superintendent for Office of School Administration; Dr. Mary Helen Smith, associate superintendent for the office of Instruction and Program Development; Mr. Fred Evans, principal of Gaithersburg High School and co-chair of the Work Group on Safety and Security; and Mr. Daniel Shea, principal of Quince Orchard High School.

Dr. Vance stated that Montgomery County and communities around the country continue to focus attention on school safety. It was good to remind ourselves that MCPS schools were very safe, and that serious disruptive behavior occurs in less than one percent of

high school enrollment. In both the 1997 and 1998 survey of seniors, only three percent of the seniors reported that safety at school had an influence on their education. In findings for the 1998 parent and student satisfaction survey of elementary schools, there was a 97 percent satisfaction rating for school safety and discipline. In the report, Board members heard about new authority for principals, training for staff, and parent and community partnerships that support safe schools and communities. High school principals had initiated a new problem-solving process to enhance safety and security.

Dr. Fountain reported that safety and security was a systemwide issue, and the teaching and learning environment promotes maximum educational opportunities for all students. The presentation would focus on four different areas: (1) increased discipline authority for principals, (2) revised regulations, (3) focused attention on alternative programs, and (4) required community collaboration.

Mr. Evans reported that in May 1997 the principals presented a paper to the Superintendent which expressed concerns about inconsistent implementation of discipline procedures and the impact on schools, such as infrequent use of expulsion and the lack of alternative options for students with serious disruptive behavior. Based on that report, the Superintendent established two workgroups to analyze: (1) policies and procedures, and (2) alternative programs. From that, a detailed action plan was developed by the Superintendent to address the recommendation of the workgroups.

Dr. Seleznow spoke about the increased authority for principals with respect to safety and security. There were now five non-discretionary expellable offenses: possession of incendiary device; bomb threat; distribution of intoxicants; violent attack on a staff member; and weapons. There has been the establishment of an expulsion review board to review students who had been expelled with the provision of maybe returning to school. This board would review specific documentation to demonstrate that a particular student could reenter school. Some of the new authority was related to new state law, such as search and seizure, restitution, dress code, and expulsion from other jurisdictions. There was closer collaboration with law enforcement agencies. Other security precautions were ID badges and video cameras to monitor certain areas in a building.

Mr. Shea reported that alternative programs have been reviewed to determine who was served, referral of students, and the success rate. It was ascertained that the current programs were successful, but there were not enough specific alternatives for all students who need service. Some of the supports available in the program were not as adequate as other school systems, and the workgroup would make recommendations in that area.

Mr. Fischer noted that the recommendations would require staff to be trained, which was a key to all the efforts. There was a joint workgroup with MCEA and MCPS to look at the role of staff in safety and security issues. Various units within MCPS have been

responsible for the training of staff in the areas of peer mediation, behavior modification, search and seizure, legal updates, substance abuse, and first aid.

Dr. Smith reminded those present that safety was everyone's business, including the community. Middle schools did asset mapping to ascertain the resources within the community. Established partnerships had built a foundation for safety throughout the community. MCPS and the law enforcement within the county have worked together to develop programs and build relationships for schools and students.

Mr. Felton pointed out that one of the Board's concerns was NAACP's issue about search and seizure. He asked if there had been any discussions about how MCPS would assess the implementation of the law. Dr. Vance stated that issue was addressed head on with the police department and with principals. Dr. Seleznow sent a communication to all principals that reviewed the state law and MCPS policy on police questioning students on school property. Law enforcement officials were contacted and the same message was relayed to them. The law was clear on when and where students could be questioned which centered on any imminent danger or possible damage to an investigation.

Mr. Felton asked if there was a procedure built into the process. He wanted to know if the school system would be able to defend its actions and not be subjected to allegations that the school system could not back up with data. Mr. Evans commented that law enforcement had demonstrated that they were very sensitive to this issue and have heeded the standards set forth by the school system.

Ms. Signer thanked staff for their work on safety and security issues. She noticed that when students return from alternative programs, input was required from the home school principal. She did not see that same input required when cases came before the expulsion review board. Dr. Fountain explained that the pupil personnel worker works closely with the school and principal to investigate the case. If the case goes to the next level, the principal and staff were notified and encouraged to be present to testify. Ms. Signer wanted the home school principal to have an opportunity for input.

Second, Ms. Signer always expressed strong feelings about more programs for alternative education. She did not want to give up on disruptive students, even though they need to be removed from a regular education setting. She hoped that the Superintendent would recommend more slots for alternative education.

Ms. Gutiérrez wanted to assure that MCPS provided opportunities for students to obtain an education. She got the sense that there was a focus to remove students who had difficulty adjusting to school without the assurance that MCPS met its requirement to provide students with an education. She was concerned that the emphasis was more on punitive action rather than on corrective strategies. She wanted to see the report on

alternative programs as soon as possible. She wanted to review the number of students, the core of the program, trends in growth, and the plans for the future.

Mr. Shea replied that the workgroup was looking at current practices and staffing to help students in the local schools. Staff identified students earlier and took proactive intervention. After that, they looked at alternative settings for students. The draft report would be ready in the fall. Ms. Gutiérrez stated that the guidelines had expulsion as the minimum action, and there was no room for flexibility or prevention. Mr. Shea commented that staff was aware of behavior that could be modified so that it would not lead to expulsion. Mr. Evans responded that very few students were engaged in egregious behavior that threatened the safety of others. There were numerous programs to help the student correct unacceptable behavior and help the student become successful learner.

Mrs. Gordon commended the workgroup for their work, and the principals who brought this issue before the Board and Superintendent. She fully supported the recommendations for expellable offenses. Some of the offenses were so egregious that expulsion would be the ultimate and final action of the school system. However, she commended the workgroup for examining the issue in broad terms that included prevention, intervention, and reaction. The local school principal should have input to determine what the best placement for a student returning from suspension or expulsion. In future recommendations on alternative programs, she favored a gamut of alternative programs. She hoped that the New Beginnings program from Shawnee Mission was one of the alternative programs reviewed by staff for possible replication in MCPS. It was an extremely effective program that dealt with disruptive and adjudicated youth, reduced tremendously the rate of recidivism among those students, and was very successful in helping students through their high school years that culminated with a diploma.

Dr. Cheung appreciated the update and recommendations. There was a perception in the community that private schools had better safety and discipline. With the new discipline authority for principals, he asked if the public schools could improve their image regarding safety and security. Dr. Seleznow replied that recent surveys indicated that parents were satisfied and felt that their children were safe in MCPS schools. However, staff cannot be lulled into a sense of false security and must remain ever vigilant and proactive.

Mr. Ewing was very pleased with the comprehensive approach to the issues of safety and security. It was very much on parents minds that safety needs to be attended to constantly. There were two threshold issues for parents – the quality of the academic program and safety within the school. However, there was much misunderstanding within the community about safety. Montgomery County citizens observe the accounts of individual incidents in the national news and generalize both the incident and the trend. MCPS must publicize what happens in the schools since that portrays a different picture from the general perceptions. He was pleased that the workgroup planned to assess

alternative programs. The views of teachers, parents, students, and principals must continuously be appraised and incorporated into the final plan. Good data would enable the school system to sustain the argument that what was implemented was well designed and targeted for effective outcomes. He asked if the principals had additional issues that must be addressed and, if so, what were the resource implications. Mr. Shea responded that the principals were pleased with the progress that had been made. They were careful not to recommend programs that would require added resources without first reallocating staff to maximize effectiveness.

Mrs. King appreciated and applauded the work on safety and security issues. The perception among the community was that there were a lot of fights in public schools, but the reality does not support that opinion.

Re: LUNCH AND CLOSED SESSION

The Board of Education recessed for lunch and closed session from 12:30 to 2:00 p.m.

Dr. Cheung left the meeting at this time.

Re: PUBLIC COMMENTS

The following people testified before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Denise Henry	Kennedy Renovation

Regarding the auditorium at John F. Kennedy High School, Board members asked the following questions:

1. Mrs. King requested an update on what was being done regarding the image and community perceptions of the school.
2. Mrs. King asked for the cost of correcting the acoustics in the auditorium.
3. Mr. Felton wanted information and background on why the acoustics were not addressed and included in the renovation.
4. Ms. Gutiérrez asked what the standards were for making an auditorium acoustically correct.

Re: ENROLLMENT AND FACILITIES

Dr. Vance invited the following people to the table: Mr. Joseph Lavorgna, director of the Department of Educational Facilities Planning and Capital Programming and Mr. Bruce Crispell, demographic planner.

Mr. Crispell presented the following data:

Mr. Lavorgna reported on the cluster comments. The general issues were: (1) two-thirds of the clusters support the CIP; (2) community requests focused on gymnasiums, assessment for modernization, air-conditioning, access to schools, and indoor air quality, among others.

Re: **DISCUSSION**

Ms. Signer asked for data on the migration of special education and non-special education students into MCPS. With the systems reform initiative, the movement of those students had policy implications.

Mrs. Gordon asked for data listed by percentage increase of the fast growing jurisdictions in the United States using Department of Education information.

Mrs. Gordon commented that she had received a number of calls from leadership in the Northeast Consortium, and there appeared to be a misunderstanding about whether clusters did or did not exist. She checked on the action of the Board and it had not eliminated clusters. This was an issue around organization and program. Mr. Lavorgna replied that when the consortium was created and preferred choice implemented, the lines of clusters became faint in high school enrollments; therefore, the data was not segregated by cluster. Dr. Vance explained that it was necessary to support the concept of the consortium to the fullest, especially in the early years of implementation. In that sense, the clusters' lines were obliterated. Mrs. Gordon understood the intention at the high school level; however, the problem was more evident at the elementary level.

Mr. Felton thought it was important to implement the consortium concept, but what did that mean for clusters. There was a need to define the structure to energize the consortium concept, but maintain the parental involvement at the elementary and middle school levels. He wanted staff to develop the best approach for the consortium communities to maintain parental involvement and, at the same time, not continue with the separate and distinct cluster structure. He suggested that the Board officers work with staff on how these two concepts could be combined. Mrs. Gordon stated that her issue was not parental involvement, but organization and management.

Mr. Ewing asked about the demographic trends and could growth be accommodated in existing high school facilities. Mr. Crispell replied that a number of additions were planned at existing schools with the possibility of a new high school upcounty. In the cluster comments, Mr. Ewing pointed out that there were ten schools that requested assessment for modernization, and asked what were the school system's plans for assessments. Mr. Lavorgna replied that there were 49 schools that had not been assessed, and there were funds in the current budget to do nine or ten schools. Funds would be requested to complete the balance of the schools. Mr. Ewing thought it was important to complete that process as soon as possible, and the Superintendent should request that in the upcoming budget.

Ms. Gutiérrez asked, if possible, to have enrollment projections with another line that indicated capacity. Ms. Signer was interested in data on enrollment projections and capacity listed by cluster and the rate of growth and changes in enrollment broken out by regular education and special education. The disaggregated data had policy implications for both the capital and operating budgets.

RESOLUTION NO. 676-98 Re: **CONTRACTS FOR MORE THAN \$25,000**

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

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

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

18-97 Bus Wash Chemicals, Service and Maintenance - Extension

Awardee

DuBois	\$ 31,500
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169-97 LAN/WAN Communication Equipment - Extension

Awardees

Cisco Systems, Inc.	
Data Connect Enterprises	
Total	\$ 250,000

1062.1 Software Training Services

Awardees

Bell Education	
Computer Technology Services, Inc. *	
Delta Micro Systems, Inc. *	
Gestalt Systems, Inc.	
Orange Technologies, Inc.	
Personalized Computer Training *	
Total	\$ 45,000

4013.1 Aftermarket Automotive Parts - Extension

Awardees

Arrow Auto Parts	\$ 50,000
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Century Ford, Inc.	25,000
District International Trucks, Inc.	<u>10,000</u>
Total	\$ 85,000

4030.1 Industrial and Technology Education Automotive Supplies

Awardees

Brodhead-Garrett Company	\$ 6,236
Ferguson Corporation	178
Mattos, Inc.	20,964
MSF County Services Company	11,262
Satco, Inc.	4,870
Zep Manufacturing Company	<u>2,110</u>
Total	\$ 45,620

4042.1 Boiler Supplies

Awardees

Aireco Supply, Inc.	\$ 2,588
Capp, Inc.	67,847
Complete Boiler System	91,804
Hughes Supply, Inc.	54,740
National Energy Control Corporation	4,144
National Supply of Springfield	16,357
Noland Company	45,256
Northeastern Supply	12,780
R & J Supply *	27,535
Dan Rainville and Associates, Inc.	5,000
Southern Utilities Company, Inc. *	33,999
Thomas Somerville Company	23,126
Superior Specialty Company	<u>6,500</u>
Total	\$ 391,676

7001.2 Early Childhood Equipment and Supplies

Awardees

AFP Industries, Inc.*	\$ 34,686
Beckley Cardy Group	15,738
Childcraft Education Corporation	18,400

Community Playthings	21,000
The Greeting Tree	5,700
J.L. Hammett Company	1,456
Kaplan Companies, Inc.	2,737
Lakeshore Learning Materials	681
School Specialty	3,498
Windtree Enterprises, Inc.	<u>703</u>
Total	\$ 104,599

7002.2 Art Equipment

Awardees

AFP Industries, Inc. *	\$ 3,345
Bailey Pottery Equipment Corporation	11,384
Charrette Corporation	6,995
Chesapeake Ceramic Supply, Inc.	5,093
James Howard Company	4,537
Midwest Tech Products and Service	43,417
Sheffield Pottery, Inc.	481
Windtree Enterprises, Inc.	<u>4,666</u>
Total	\$ 79,918

7049.1 Computer Supplies

Awardees

Best Computer Supplies	\$ 44,162
Boise Cascade Office Products	6,563
Business Computer Graphics	13,688
CEIS, International, LLC *	1,335
Compumart, Inc.	2,130
Landon Systems Corporation	8,008
Logans Marketing *	4,896
Nectron International, Inc.	144
Onpaper	14,841
Frank Parsons Paper Company, Inc.	69,992
Printing Tech, Inc.	13,095
Rudolph's Office and Computer Supply, Inc.	225
Schoolmart	1,440
Standard Stationery Supply Company	<u>6,084</u>
Total	\$ 186,603

7050.1 Photographic Supplies and Equipment

Awardees

Abbey Camera, Inc.	\$ 26,911
B & H Photo Video	39,299
Bernie's Photo Center, Inc.	294
Calumet Photographic, Inc.	2,768
HPI International, Inc.	15,651
Kunz, Inc.	6,474
Penn Camera Exchange	23,491
Unique Photo, Inc.	2,809
Valley Litho Supply	<u>38,246</u>
Total	\$ 155,943

7051.1 Art Equipment for Montgomery Blair High School

Awardees

Bailey Pottery Equipment Corporation	\$ 2,203
Dick Blick, East	5,044
Clayworks Supplies, Inc.	7,611
Kunz, Inc.	1,030
Pine Ridge Potter, Inc.	2,315
Sax Arts and Crafts	7,893
School Specialty	11,092
Sheffield Pottery, Inc.	<u>4,156</u>
Total	\$ 41,344

MORE THAN \$25,000 \$1,417,203

* Denotes MFD vendor

RESOLUTION NO. 677-98 Re: **AWARD OF CONTRACTS - MONTGOMERY BLAIR
MIDDLE SCHOOL #3/ELEMENTARY SCHOOL #11**

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

WHEREAS, The following sealed bids represent the fourth in a series of subcontracts that were bid as part of a construction management process for the Montgomery Blair Middle School #3/Elementary School #11 project:

<u>Low Bids</u>	<u>Amount</u>
<u>Flooring</u>	
Shaw Contract Flooring Services, Inc.	\$388,888
<u>Gymnasium Equipment</u>	
Steel Products, Inc.	34,870
<u>Lockers/Shelving</u>	
Steel Products, Inc.	75,880
<u>Markerboards, Projection Screens and Display Cases</u>	
Sun Control Systems	142,900

and

WHEREAS, The current aggregate minority business participation for the subcontracts bid to date is 13 percent; and

WHEREAS, Details of the bid activity are available in the Department of Facilities Management; and

WHEREAS, The low bids are within the estimates and sufficient funds are available to award the contracts; now therefore be it

Resolved, That contracts be awarded to the above referenced subcontractors meeting specifications for the Montgomery Blair Middle School #3/Elementary School #11 project, in accordance with plans and specifications prepared by Grimm & Parker, P.C.

RESOLUTION NO. 678-98 Re: **AWARD OF CONTRACTS - BETHESDA ELEMENTARY SCHOOL**

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

WHEREAS, The following bid represents the seventh in a series of subcontracts that were bid as part of a construction management process for the Bethesda Elementary School project:

<u>Bidder</u>	<u>Amount</u>
<u>Floor Tile/Carpet</u>	
Shaw Contract Flooring Services, Inc.	\$143,888
L & R Enterprises, Inc.	154,300

and

WHEREAS, The current aggregate minority business participation for the subcontracts bid to date is 13.12 percent; and

WHEREAS, The low bid is within the estimate and sufficient funds are available to award the contract; now therefore be it

Resolved, That a contract in the amount of \$143,888 be awarded to Shaw Contract Flooring Services, Inc., for floor tile/carpet for the Bethesda Elementary School project, in accordance with plans and specifications prepared by Walton, Madden, Cooper, Robinson, Poness, Inc.

RESOLUTION NO. 679-98 Re: **ACCEPTANCE OF MONTGOMERY BLAIR HIGH SCHOOL**

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

WHEREAS, Montgomery Blair High School was duly inspected on September 24, 1998; now therefore be it

Resolved, That Montgomery Blair High School now be formally accepted; and be it further

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

RESOLUTION NO. 680-98 Re: **CHANGE ORDERS OVER \$25,000 - ADA**

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

WHEREAS, Changes are required to the scope of the contract with 4-S Construction, Inc., for ADA modifications at additional schools that exceed \$25,000; and

WHEREAS, Staff and the project architect have reviewed these change orders and found them to be cost effective; and

WHEREAS, Contingency funds are available in the program accessibility budget for these changes; now therefore be it

Resolved, That the Board of Education approve the following change orders for the amounts indicated:

Change Order #03

Description: Addition of a toilet room at Garrett Park Elementary School.

Amount: \$46,857

Change Order #04

Description: Installation of a chairlift at Wheaton Woods Elementary School.

Amount: \$47,304

Change Order #05

Description: Renovation of the health room at William S. Farquhar Middle School.

Amount: \$44,741

RESOLUTION NO. 681-98 Re: **CHANGE ORDERS OVER \$25,000 - TAKOMA PARK MIDDLE SCHOOL**

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

WHEREAS, The Construction Manager (CM) and architect for the Takoma Park Middle School project have notified staff that the masonry subcontractor is behind schedule; and

WHEREAS, The CM and architect have recommended that the masonry subcontractor's workers be supplemented in order to meet the overall completion schedule; and

WHEREAS, The contract documents contain provisions that allow the owner to take these measures and backcharge the subcontractor for any cost associated with this action if the work is not being completed in accordance with the contract documents; and

WHEREAS, Staff concurs with the CM and architect's opinion that this action is necessary to meet the overall completion schedule; and

WHEREAS, Staff has recommended the CM's contract be increased by \$150,000 to hire masonry personnel to supplement the sub-contractor's work forces; and

WHEREAS, Our outside counsel from Reese & Carney has reviewed this matter and feels the action recommended by the CM and architect is within the owner's contractual rights; now therefore be it

Resolved, That the contract with Bovis Construction Corp. for CM services for the Takoma Park Middle School project be increased by \$150,000 for additional masonry workers; and be it further

Resolved, That the masonry subcontractor be responsible for this additional cost.

RESOLUTION NO. 682-98 Re: **CHILLER AND COOLING TOWER REPLACEMENTS AT FRANCIS SCOTT KEY MIDDLE SCHOOL**

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

WHEREAS, The following sealed bids were received on September 17, 1998, in accordance with MCPS procurement practices, for chiller and cooling tower replacements at Francis Scott Key Middle School, with work to begin on October 7, 1998, and be completed by May 21, 1999:

<u>Bidder</u>	<u>Amount</u>
Calvert Mechanical, Inc.	\$207,923
All Season Control, Inc.	217,864
Hot & Cold Corporation	218,499
John J. Kirlin, Inc.	228,500
High Purity Systems, Inc.	231,368
Edward Kocharian & Co., Inc.	231,500
Interstate Services, Inc.	233,312
American Mechanical Services of Md., Inc.	234,600
R.M. Thorton, Inc.	237,037
Shapiro & Duncan, Inc.	249,000
M & M Welding and Fabricators, Inc.	251,000
Beardsley Heating & A/C	257,617
Adrian L. Merton, Inc.	279,700

and

WHEREAS, Calvert Mechanical, Inc., has submitted evidence of 97 percent minority participation; and

WHEREAS, The low bid is below staff estimates, and Calvert Mechanical, Inc., has completed similar work successfully for MCPS; now therefore be it

Resolved, That a contract for \$207,923 be awarded to Calvert Mechanical, Inc., for chiller and cooling tower replacements at Francis Scott Key Middle School.

RESOLUTION NO. 683-98 Re: **ENERGY MANAGEMENT AUTOMATION SYSTEM
INSTALLATION AT WALTER JOHNSON MIDDLE
SCHOOL**

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

WHEREAS, The following bids were received on August 25, 1998, for the energy management automation system installation at Walter Johnson Middle School:

<u>Bidder</u>	<u>Bid Amounts</u>
Control Systems Sales, Inc.	\$322,223
Engineered Services, Inc.	448,860
Siebe Pritchett, Inc.	554,694

and

WHEREAS, The low bidder, Control Systems Sales, Inc., made a significant error in its estimate and has requested that it be allowed to withdraw the bid; and

WHEREAS, State procurement statutes require that contractors be allowed to withdraw a bid if they can show an error was made that would cause substantial financial loss; and

WHEREAS, The project engineer has reviewed the bids and feels that the low bidder's claim is legitimate; and

WHEREAS, Staff has verified that the contractor has made a good faith effort to obtain minority participation; and

WHEREAS, The second low bid is below the staff estimate of \$460,000, and the recommended contractor has completed similar work successfully for Montgomery County Public Schools; now therefore be it

Resolved, That the Board of Education award a contract in the amount of \$448,860 to Engineered Services, Inc., to install a building automation and temperature control system at Walter Johnson Middle School.

RESOLUTION NO. 684-98

Re: **UTILIZATION OF FY 1999 SUPPORTED PROJECT FUNDS FOR THE LITERACY WORKS PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1999 Provision for Future Supported Projects a grant award of \$15,114 from the U.S. Department of Education, under the Adult Basic Education Act, via the Maryland State Department of Education, for the Literacy Works program, in the following categories:

<u>Category</u>	<u>Amount</u>
3 Instructional Salaries	\$ 9,059
5 Other Instructional Costs	5,330
12 Fixed Charges	<u>725</u>
Total	<u>\$15,114</u>

and be it further

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

RESOLUTION NO. 685-98

Re: **UTILIZATION OF FY 1999 SUPPORTED PROJECT FUNDS FOR THE TEACHER ENHANCEMENT: ALGEBRA IN THE NEW MILLENNIUM PROJECT**

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

Resolved, That the superintendent of schools be requested to receive and expend within the FY 1999 Provision for Future Supported Projects a grant award of \$49,745 from the National Science Foundation Teacher Enhancement Planning Grant for the Teacher Enhancement: Algebra in the New Millennium project, in the following categories:

<u>Category</u>	<u>Amount</u>
1 Administration	\$ 1,208
2 Mid-Level Administration	47,577
12 Fixed Charges	<u>960</u>
Total	<u>\$ 49,745</u>

and be it further

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

RESOLUTION NO. 688-98 Re: **UTILIZATION OF FY 1999 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 Ms. Signer, the following resolution was adopted unanimously by members present:#

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1999 Provision for Future Supported Projects a grant award of \$346,590 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>Category</u>	<u>Positions*</u>	<u>Amount</u>
1 Administration		\$ 8,420
3 Instructional Salaries	1.5	94,240
4 Textbooks and Instructional Supplies		9,000
5 Other Instructional Costs		211,826
12 Fixed Charges	_____	<u>23,104</u>
Total	<u>1.5</u>	<u>\$ 346,590</u>

* 0.5 project specialist, B-D (12-month)
 0.5 instructional specialist, B-D, (12-month)
 0.5 fiscal assistant, Grade 13 (12-month)

and be it further

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

RESOLUTION NO. 689-98 Re: **UTILIZATION OF FY 1999 SUPPORTED PROJECT FUNDS FOR THE PRESIDENT'S INITIATIVE IN K-8 MATHEMATICS PROJECT**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1999 Provision for Future Supported Projects a grant award of \$84,461 from the National

Science Foundation for the President's Initiative in K-8 Mathematics project, in the following categories:

<u>Category</u>	<u>Positions*</u>	<u>Amount</u>
3 Instructional Salaries	1.0	\$62,611
12 Fixed Charges		<u>21,850</u>
Total	<u>1.0</u>	<u>\$ 84,461</u>

* 1.0 Instructional specialist B-D (12-month)

and be it further

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

RESOLUTION NO. 690-98 Re: **UTILIZATION OF FY 1999 SUPPORTED PROJECT FUNDS FOR THE EMERGENCY IMMIGRANT PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1999 Provision for Future Supported Projects a grant award of \$529,373 in Federal Funds through the Maryland State Department of Education, under the Emergency Immigrant Education Act (P.L. 98-511, Title VI), to provide supplementary educational services to immigrant students in Grades K-12, in the following categories:

<u>Category</u>	<u>Positions*</u>	<u>Amount</u>
1 Administration		\$ 924
3 Instructional Salaries	1.0	136,334
4 Textbooks and Instructional Supplies		217,168
5 Other Instructional Costs		156,223
12 Fixed Charges		<u>18,724</u>
Total	<u>1.0</u>	<u>\$ 529,373</u>

* .4 Secretary, Grade 12, (12-month)

.6 Staff Aide, Grade 20, (12-month)

and be it further

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

Re: **RECOMMENDED FY 1999 SUPPLEMENTAL
APPROPRIATION FOR THE YEAR 2000 PROJECT**

On recommendation of the Superintendent, the following resolution was placed on the table:

Resolved, That the superintendent of schools be authorized to submit a request for an FY 1999 supplemental appropriation of \$3,989,055 to the Montgomery County Council for the Montgomery County Public Schools Year 2000 project to solve computer software and hardware problems in the following categories:

<u>Category</u>	<u>Amount</u>
3 Instructional Salaries	\$ 174,100
4 Textbooks and Instructional Supplies	1,731,105
5 Other Instructional Costs	2,065,950
12 Fixed Charges	<u>17,900</u>
Total	<u>\$3,989,055</u>

and be it further

Resolved, That the requested expenditures are considered as nonrecurring costs according to state law and eligible for exclusion from the maintenance of effort requirement; and be it further

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

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

Re: **DISCUSSION**

Ms. Signer observed that the school system had spent \$20 million on the Year 2000 (Y2K) remediation. In FY 2000, the Superintendent's memorandum indicated that another \$4 million was needed to ameliorate this problem. She was concerned that the school system was not moving forward as expeditiously as it should with the Student Information System (SIS) and the Human Resources Information System (HRIS). The Audit Committee planned to come forward with a recommendation to move as quickly as possible with HRIS. She could not support the supplemental appropriation, as written, because it did not comport with the priorities that the school system should have. Mr. Walsh explained that the two highest

priorities of the Y2K was the SIS and HRIS. Staff spent more and more time focused on the successful management of bringing those two systems operational.

Ms. Signer indicated that the HRIS was the main topic of discussion at the last Audit Committee meeting. The recommendation that would be made was to find out how much money was needed to complete the project and how soon that could be accomplished in the current fiscal year.

Earlier in the year, Ms. Gutiérrez had expressed her concerns about the Y2K problem, particularly as an umbrella to buy and replace systems. The Board had a need for greater accountability of expended funds. She had very serious concerns about the \$23 million expenditure. That was a significant amount in the operating budget. She asked the Superintendent to provide the Board with a detailed account of what was spent, and what was behind the high level of requirements and acquisitions. Mr. Walsh replied that staff looked at a number of options that were common in the industry, such as remediation and replacement of equipment. The full spectrum of responses were based on cost-effective decisionmaking. A five to ten percent management reserve was appropriate for contingencies for small adjustments in projects.

If the Board did not support the resolution for final action, Mr. Ewing asked if the Board could take tentative action pending further details. With the concerns of the Board members, Dr. Vance thought the Education Committee might accept tentative approval.

Mr. Felton stated that the Board was experiencing frustration with a very complex problem. As a Board, the members needed to understand the school system's strategy to deal with the Y2K problem. The Board only saw the authority to expend funds without a strategic plan. It was important for the Board and community to understand what the school system planned to do to address the problem.

Mrs. Gordon recalled from the operating budget season, there was general agreement that not all of the money would be put in the operating budget, and MCPS and other agencies would request supplemental appropriations. Mr. Bowers explained that the school system had requested a supplemental appropriation last year, but it was not entirely funded. It was the understanding of the review committees and the Council that MCPS would reassess the problem and ask for a supplemental appropriation.

RESOLUTION NO. 691-98

Re: **SUBSTITUTE MOTION ON THE RECOMMENDED FY
1999 SUPPLEMENTAL APPROPRIATION FOR THE YEAR
2000 PROJECT**

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

Resolved, That the Board of Education tentatively approve the Recommended FY 1999 Supplemental Appropriation for the Year 2000 Project; and be it further

Resolved, That the Superintendent present to the Board for its review and final approval a fuller explanation of the past expenditures as well as the purposes, strategy, plans, priorities, resource allocations, of the proposed FY 1999 appropriation, together with timetables for implementation of the appropriation.

RESOLUTION NO. 692-98 Re: **RECOMMENDED FY 1999 APPROPRIATION FOR THE NORTHEAST CONSORTIUM SIGNATURE SCHOOL PROJECT AT JAMES HUBERT BLAKE, PAINT BRANCH, AND SPRINGBROOK HIGH SCHOOLS**

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

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 1999 supplemental appropriation for a grant award of \$1,107,283 from the U.S. Department of Education, Office of Elementary and Secondary Education Magnet Schools Assistance Program, pursuant to the Magnet Schools Assistance Program at the elementary and secondary level, Title V, as amended, to support a three-year effort to promote school choice by developing and implementing whole school magnet/signature programs at each of the three high schools in the Northeast Consortium -- James Hubert Blake, Paint Branch, and Springbrook, in the following categories:

<u>Category</u>	<u>Positions*</u>	<u>Amount</u>
1 Administration		\$ 27,006
2 Mid-Level Administration	2.0	73,122
3 Instructional Salaries	4.6	279,698
4 Textbooks and Instructional Supplies		132,590
5 Other Instructional Costs		500,892
12 Fixed Charges		<u>93,975</u>
Total	<u>6.6</u>	<u>\$1,107,283</u>

- * 1.0 program assistant, 10-month (Grade 22)
 1.0 media services technician, 12-month (Grade 15)
 1.0 secretary, 12-month (Grade 12)
 1.0 user support specialist, 12-month (Grade 23)
 2.6 teachers, A-D, 10-month

and be it further

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

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

RESOLUTION NO. 693-98 Re: **DEATH OF MR. JOHN D. ANDERSEN, CLASSROOM
TEACHER, RICHARD MONTGOMERY HIGH SCHOOL**

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, The death on September 5, 1998, of Mr. John D. Andersen, classroom teacher at Richard Montgomery High School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Mr. Andersen was a conscientious, dedicated professional who constantly provided high quality educational experiences for his students; and

WHEREAS, In the four years that Mr. Andersen taught in Montgomery County Public Schools, he demonstrated a positive outlook on his role in success for every student; and he worked well with all students in a variety of settings; now therefore be it

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

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

RESOLUTION NO. 694-98 Re: **PERSONNEL MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Personnel Monthly Report dated October 6, 1998.

Re: **1998 UPDATE ON THE READING INITIATIVE**

Dr. Vance invited the following people to the table: Dr. Mary Helen Smith, associate superintendent for the Office of Instruction and Program Development; Dr. Steven Seleznow, associate superintendent for the Office of School Administration; Dr. Patricia B. Flynn, director of Academic Programs; Ms. Joanne Busalacchi, principal of New Hampshire Estates and Oak

View elementary schools; and Dr. Suzanne Clewell, coordinator, Reading/English Language Arts.

In order to ensure continuous improvement in the academic performance of students in Montgomery County Public Schools, the Board of Education approved a comprehensive and far-reaching Reading Initiative that targeted improvements in the reading performance of elementary students. The Reading Initiative was grounded in current research that indicated effective instructional programs during children's early learning years lead to higher levels of success in school in later years. One of the unique features of the Reading Initiative was that it provided multiple responses to factors that influence teaching and learning by including consideration for reductions in class size, establishment of small student-teacher ratios, intensive staff development, and assurance of adequate time-on-task to master content. The Board was to be applauded for its unparalleled support of each of these critical elements of the Reading Initiative and for its vision to maintain a commitment to this vital effort.

There were 104 classroom teachers assigned to 54 schools to reduce class size in Grades 1 and 2 to a student-teacher ratio of 15:1 during a 90-minute block of reading instruction. As reported by Slavin and Madden, all children who have sufficient access to high quality reading instruction can achieve in reading. Additionally, children who do not learn to read early remain poor readers throughout their school careers. Among other salient research findings was that staff development must be available to broaden teachers' knowledge base, improve their skills, and keep them abreast of new research, theories, trends, and practices. The various components of the Board's Reading Initiative respond to each of these important research findings.

The Reading Initiative planning committee grappled with the many issues and questions related to implementation of the Reading Initiative and as they dialogued with principals and staff from the limited number of schools that had piloted a reading initiative the previous year, enthusiasm began to grow. Evidence of the enthusiastic response principals have generated for the Reading Initiative includes expressions of eagerness to become involved and requests for continuous updates on the status of the Reading Initiative from principals not implementing the program this year. Additionally, principals from the original 54 schools facilitated the identification of teachers to participate in summer training and were so impressed with the quality of staff development received by their teachers that they asked for those teachers to be allotted one day during the summer to return to their buildings for strategic planning with other members of their schools' staff. That enthusiasm has increased since implementation began, and community members, educators, civic activists, and others throughout Maryland and the country have acknowledged the potential impact of this targeted strategy to improve the literacy ability of young students and expressed interest in examining results.

Re: DISCUSSION

Mrs. Gordon had heard from principals, and they were very excited about the reading initiative. She was sure that the reading initiative would make MCPS students very successful. She asked if the reading initiative was implemented in 54 schools at the same level using the same timeframe. Dr. Seleznow confirmed that there was some variation, but it was narrow. Some schools did pre-assessments to establish the reading groups to implement the initiatives, and there would be evaluations over the course of the first year. Mrs. Gordon reported that the staff training for the reading initiative was excellent.

Ms. Gutiérrez was delighted to see that the reading initiative had become a reality. In the 54 schools, she asked if the basic criteria included all of the Title I schools. Dr. Seleznow replied that the basic criteria was educational load, and all of those schools were Title I schools. Ms. Gutiérrez asked if staff had established benchmarks and goals. Dr. Seleznow clarified that the evaluation was comprehensive and focused on all parts of the reading initiative, including the arrangement of the program, actual implementation, student performance, and every student reading on or above grade level by the time they enter 3rd grade. Ms. Gutiérrez asked if the indicator for reading would be the CRT. Ms. Busalacchi indicated that there must be running records, observations from the classroom teacher, portfolios, and writing samples. Therefore, a total picture would be established to evaluate each child. There were four stages of reading development in the early grades: early emergent, emergent, early fluent, and fluent.

Ms. Signer had observed the reading initiative, and it was very exciting. The parents and staff dream about small class size for a targeted purpose. She asked to what extent had the school system hired full- and part-time additional staff for the reading initiative, what effect had it had on classroom space in the school, and how were students grouped and regrouped. Dr. Smith replied that excellent part-time staff had been hired, and it had been a plus to maintain some staff. Some schools had enough space, and other schools used creative ideas in order to find the instructional space for the reading initiative. The children were in multilevel groups dependant on the task in order for the students to grow and stretch their reading skills.

Mr. Felton was excited by the reading initiative, and there were individuals interested in research-based programs. For those students who were not accelerating, he asked what the variables were, and how could the school system target those children. Ms. Busalacchi replied that staff had learned from Reading Recovery that intensive instruction could help every student to be a successful reader. As teachers compile the running records, any deficiency in the child's reading would be detected very early and strategies would be put in place to assist that child.

Mr. Ewing thought the reading initiative was wonderful, and he was glad that the school system had introduced this program. The evaluation plans were excellent and comprehensive. He wanted to examine the notebook provided to staff on the reading initiative.

Re: **REVIEW OF BOARD OF EDUCATION ADVISORY COMMITTEES**

This item was deferred until the next all-day Board meeting in November.

Re: **UPDATE ON THE EDUCATION OF LIMITED ENGLISH PROFICIENT STUDENTS**

Dr. Vance invited the following people to the table: Dr. Mary Helen Smith, associate superintendent for instruction and program development; Dr. Patricia Flynn, director of academic programs; Ms. Maria Helena Malagon, director of ESOL/Bilingual Programs; and Dr. Denise McKeon, research scientist, The George Washington University Center for Equity and Excellence in Education.

In response to these resolutions, staff in the Office of Instruction and Program Development (OIPD) began the process to review the policy for limited English proficient (LEP) students. In July 1998, Dr. Mary Helen Smith, associate superintendent for instruction and program development, Dr. Patricia B. Flynn, director of academic programs, and staff from the Center for Equity and Excellence in Education at The George Washington University met to explore possible areas of collaboration between the Center and Montgomery County Public Schools (MCPS) and discuss types of technical assistance that the center could offer. As a result of this meeting, areas of potential collaboration were identified, including support from the center for review and revision of our LEP policy.

On August 25, 1998, and September 3, 1998, meetings were held with center staff, Ms. Ana Sol Gutierrez, Ms. Maria Helena Malagon, director of the Division of ESOL/Bilingual Programs and other staff members from the Department of Academic Programs. The purpose of these meetings was to outline the revision process, discuss potential areas for revision, and develop a timeline to draft a revised policy. Additionally, the current MCPS policy was reviewed and although found to be consistent with the center's six Guiding Principles to ensure the academic success of LEP students, it needed to be updated to reflect current research and terminology in the field of English as a second language, support the goals established in the *Success for Every Student Plan*, and incorporate the six Guiding Principles directly into the policy. When the policy revision process has been completed, the new policy will provide a framework to provide services to limited English proficient students that reflects the standards and best practices in the field of English as a second language and the goals and expectations in *Success for Every Student*.

Dr. Denise McKeon was designated as the liaison and primary support specialist to MCPS from the Center for Equity and Excellence. Dr. McKeon will continue to meet with and provide technical assistance to MCPS staff throughout the revision process and as implementation of the policy takes place.

Re: DISCUSSION

Ms. Gutiérrez was pleased that this topic had been put on the agenda. However, she was very disappointed that very little had been done in the area. The Board had directed the Superintendent to revise the policy for LEP students, but the white paper did not address that directive and nothing had been done. She had gone to a conference and found George Washington University's initiative which was a far-reaching and ingenious solution to the education of LEP students. She brought those six principles to the Board which it adopted in order for the Superintendent to incorporate into the policy. She was very disappointed with the low level of attention this issue had received from the Superintendent and staff. On August 25, she and staff had met to work on the policy that could be ready for Board approval. There were three major issues the policy should encompass: (1) continuum of student ability from monolingual to multilingual; (2) standards for the student in a total inclusive and holistic approach; and (3) governance and management. Ms. Gutiérrez requested a timeline for the revision of Board of Education Policy IOD and Regulation IOD-RA (Limited English Proficient Students).

Mrs. Gordon understood Ms. Gutiérrez' frustration, but hoped that she would come back to participate in the discussion when the policy was before the Board. Mrs. Gordon was excited about promoting excellence within the LEP population. Beyond the policy, the implementation and practical application was more important. ESOL and OIPD look at the guiding principles in their efforts to instruct students. Therefore, the principles established the framework on which to work prior to adoption of the policy.

Mr. Ewing thought the principles were a solid basis for the revision of the policy.

RESOLUTION NO. 695-98

Re: **CLOSED SESSION RESOLUTION**

On recommendation of the Superintendent and on motion of Ms. Gutiérrez seconded by Ms. Signer, 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 Monday, October 26, 1998, from 7:30 to 8:00 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 the meeting be conducted in Room 120 of the Carver Educational Services Center, Rockville, Maryland, as permitted under Section 4-107, *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 8, 1998, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on September 22, 1998, as permitted under § 4-107, *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 September 22, 1998, from 7:30 to 8:30 p.m. The meeting took place in Room 120, Carver Educational Services Center, Rockville, Maryland.

The Board met to discuss personnel matters and real estate issues. The Board reviewed and adjudicated the following appeals: T-1998-85, T-1998-88, T-1998-90, T-1998-92, T-1998-95, T-1998-96, T-1998-100, T-1998-101, T-1998-102, T-1998-103, T-1998-105, T-1998-108, T-1998-109, T-1998-110, T-1998-113, T-1998-114, T-1998-115, T-1998-116, T-1998-117, and T-1998-118.

In attendance at part or all of the above closed session were: Elizabeth Arons, Larry Bowers, Judy Bresler, Geonard Butler, Alan Cheung, Blair Ewing, Reggie Felton, David Fischer, Kathy Gemberling, Bea Gordon, Ana Sol Gutiérrez, Pat Hahn, Roland Ikheloa, Nancy King, Joe Lavorgna, George Margolies, Brian Porter, Glenda Rose, Ruby Rubens, Mona Signer, Roger Titus, Paul Vance, and Bill Wilder.

On September 28, 1998, by the unanimous vote of members present, the Board of Education voted to conduct a closed session as permitted under § 4-107, *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 September 28, 1998, from 7:30 to 8:45 p.m. The meeting took place in Room 120, Carver Educational Services Center, Rockville, Maryland, and the Board discussed negotiations.

In attendance at part or all of the above closed session were: Larry Bowers, Alan Cheung, Blair Ewing, Reggie Felton, Ed Frantz, Wes Girling, Bea Gordon, Ana Sol Gutiérrez, Nancy King, Don Kopp, George Margolies, Glenda Rose, Mona Signer, Marshall Spatz, and Paul Vance.

RESOLUTION NO. 696-98 Re: **MINUTES OF JUNE 16, 1998**

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

Resolved, That the Board of Education approve its minutes for June 16, 1998.

RESOLUTION NO. 697-98 Re: **MINUTES OF JUNE 22, 1998**

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

Resolved, That the Board of Education approve its minutes for June 22, 1998.

RESOLUTION NO. 698-98 Re: **BOARD APPEAL NO. T- 1998-120**

On motion of Mrs. Gordon and seconded by Ms. Gutiérrez, the following resolution was adopted:

Resolved, That the Board of Education adopts its Order in Appeal T-1998-120 a student transfer matter, reflective of the following vote: Dr. Cheung, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, and Ms. Signer voted to affirm; Mr. Ewing voted to reverse; Mr. Butler was absent.

RESOLUTION NO. 699-98 Re: **BOARD APPEAL NO. T- 1998-121**

On motion of Mrs. Gordon and seconded by Ms. Gutiérrez, the following resolution was adopted:

Resolved, That the Board of Education adopts its Order in Appeal T-1998-121 a student transfer matter, reflective of the following vote: Dr. Cheung, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, and Ms. Signer voted to affirm; Mr. Ewing voted to reverse; Mr. Butler was absent.

RESOLUTION NO. 700-98 Re: **BOARD APPEAL NO. T- 1998-122**

On motion of Mrs. Gordon and seconded by Ms. Gutiérrez, the following resolution was adopted:

Resolved, That the Board of Education adopts its Order in Appeal T-1998-122 a student transfer matter, reflective of the following vote: Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, and Ms. Signer voted to affirm; Mr. Butler was absent.

RESOLUTION NO. 701-98

Re: **BOARD APPEAL NO. T- 1998-123**

On motion of Mrs. Gordon and seconded by Ms. Gutiérrez, the following resolution was adopted:

Resolved, That the Board of Education adopts its Order in Appeal T-1998-123 a student transfer matter, reflective of the following vote: Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, and Ms. Signer voted to affirm; Mr. Butler was absent.

RESOLUTION NO. 702-98

Re: **FACILITY MODERNIZATION TO MEET LOWER CLASS SIZES (Previous New Business Item)**

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

Resolved, That the Board of Education request that the Superintendent bring forth with the next set of facilities' modernization plans and proposals an adjustment in cost to meet the lower class size standards adopted and reflected in the operating budget.

RESOLUTION NO. 703-98

Re: **BOARD OF EDUCATION POSITION STATEMENT (Previous New Business Item)**

On motion of Mr. Felton and seconded by Ms. Gutiérrez, the following resolution was adopted unanimously by members present, as amended:

Resolved, That the Board officers prepare resolutions for consideration by the Board in opposition to vouchers.

Re: **NEW BUSINESS**

The following new business items were introduced:

1. Mr. Felton moved and Ms. Signer seconded the following:

Resolved, That the Board of Education requests the Superintendent to bring forth a proposal to address the issue of the Northeast Consortium and how it relates to the cluster structure especially for the elementary and middle schools.

2. Mr. Ewing moved and Ms. Gutiérrez seconded the following:

Resolved, That the Board of Education schedule discussion and appropriate action on the recommendations of the Early Childhood Task Force as responded to by the Superintendent in the information Item 10.3 as well the future plans and commitment to the recommendations of the Early Childhood Task Force.

- 3. Ms. Signer moved and Mrs. Gordon seconded the following:

Resolved, That the Board of Education’s Ethics Policy and proposals to allocate resources and to establish an ethics officer position in FY 99 be scheduled for discussion and action no later than December 9, 1998.

- 4. The Audit Committee moved the following:

Resolved, That the Board of Education authorizes a competitive bid for the annual audit of the school system, but allow KPMG Peat-Marwick to respond to the bid; and be it further

Resolved, That Montgomery County Public Schools reserves the right to change audit firms.

RESOLUTION NO. 704-98 Re: **PRINCIPLES TO GUIDE COLLABORATIVE GOVERNANCE**

On motion of Mrs. Gordon and seconded by Ms. Signer, the following resolution was adopted unanimously by members present, as amended

WHEREAS, The Board of Education held a Future Search that included numerous stakeholders; and

WHEREAS, Other elected and appointed officials participated in and supported the concepts of collaboration to support our students; and

WHEREAS, The Board of Education has endorsed collaborative efforts to support students including participation on the Collaboration Council; and

WHEREAS, The County Executive and County Council have joined the Board of Education in supporting children through collaboration; and

WHEREAS, The County Council unanimously approved the collaborative principles developed through joint participation by the collaboration council, the County Executive staff, County Council and Board of Education; now therefore be it

Resolved, That the Board of Education support the *Principles to Guide Collaborative Governance*; and be it further

Resolved, That the Board of Education in its support does not relinquish any of its authority set in either state or local laws and its policies.

PRINCIPLES to GUIDE COLLABORATIVE GOVERNANCE

WE, the County Executive, the County Council, the Board of Education and the Collaboration Council are committed to achieving better outcomes for all children, youth and families in Montgomery County by building bridges across institutional lines.

We agree:

- ▶ To employ collaboration as the vehicle for joint planning, problem-solving, decision-making, policy development, resource allocation and developing strategies for better outcomes.
- ▶ To recognize the interdependence of our mission to serve the residents of Montgomery County and to respect each other's mandates, autonomy, diversity and cultural values.
- ▶ To jointly initiate and support programs and services that were outcomes-based, collaborative, comprehensive, preventive, culturally competent, accessible and effective in helping children and their families thrive and succeed within their community.
- ▶ To create mechanisms to diminish or eliminate categorical, narrowly defined programs in order to achieve better outcomes.
- ▶ To commit joint efforts to fully support replication of programs and strategies which demonstrate measurable positive outcomes.
- ▶ To use collaborative resource allocation strategies which include leveraging, redirecting and pooling funds and building joint budgets.
- ▶ To develop accountability measures, across all public and private organizations, which use benchmarks to track enhanced child and family well-being.
- ▶ To foster and nurture creativity, mutual trust and respect among ourselves, our staff and the communities we serve.

RESOLUTION NO. 705-98

Re: **POSITION ON BALLOT H**

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

WHEREAS, An initiative will appear on the November 3, 1998, ballot as Question H, which, approved by the voters, would drastically reduce county revenues by up to \$2 billion over six years; and

WHEREAS, This reduction of revenues would inevitably result in sharply decreased funding for Montgomery County Public Schools; and

WHEREAS, This decreased funding would require the Board, at the very least, to roll back FY 1999 improvements in class size and other classroom initiatives in future years; and

WHEREAS, These quality improvements in public education were a priority of parents and other citizens of Montgomery County; now therefore be it

Resolved, That the Board of Education go on record in opposition to Question H: Property Tax -Relation to Income Tax, seeking to amend Section 305 of the County Charter; and be it further

Resolved, That the superintendent be directed to use any means authorized under state law to convey the Board's position on this ballot question; and be it further

Resolved, That this resolution be sent to the Montgomery County Executive and County Council.

Re: **ITEMS OF INFORMATION**

The following items were available to the Board of Education as information:

1. Items in Process
2. Construction Progress Report
3. Staff Update to the Report and Recommendations of the Early Childhood Task Force

RESOLUTION NO. 706-98

Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of October 6, 1998, at 5:00 p.m.

PRESIDENT

SECRETARY

PLV:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

October 6, 1998

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