

APPROVED
14-1999

Rockville, Maryland
April 14, 1999

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Wednesday, April 14, 1999, at 10:10 a.m.

ROLL CALL Present: Mr. Reginald M. Felton, President
 in the Chair
 Mr. Stephen Abrams
 Mr. Kermit V. Burnett
 Mrs. Beatrice B. Gordon
 Mrs. Nancy J. King
 Mrs. Patricia O'Neill
 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. 212-99Re: **CLOSED SESSION**

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

WHEREAS, The Board of Education of Montgomery County is authorized by the *Education Article* and *State Government Article* of the *Annotated Code of Maryland* 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 a closed session on April 14, 1999, in Room 120 from 8:30 to 10:00 a.m. and 12:30 to 2:00 p.m. to consult with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed sessions on April 14, 1999, to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

Resolved, That these portions of the meeting continue in closed session until the completion of business.

RESOLUTION NO. 213-99Re: **AGENDA**

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 its agenda for April 14, 1999.

Re: FINAL LEGISLATIVE REPORT

Mrs. Stoner reported that the most amazing thing about this session was the fact that so many major education bills did not pass until the final day of session, and most of the bills had been introduced either as leadership bills or by the governor. Mrs. Stoner described the disposition of each bill as follows:

Local Pension Bill: This bill was the last to pass in the Senate on Monday night rather dramatically after Senator Ruben demanded that the President of the Senate bring it up. Last Monday, it passed the House. A senate hearing on Monday morning was actually held on Saturday late evening, although an informal hearing was held by the Budget and Taxation Committee prior to its 7-6 vote.

Quality Teacher Act: Passed the Senate heavily amended on Monday evening. The House which had passed the bill two weeks ago with several major changes agreed to the new amendments, after commenting that the bill now really reallocates teachers within the state rather than attracting new teachers from out of state. Changes include mentor grants limited to use for new teachers, targeted to schools with 40 percent high risk and either 50 percent of teachers with five years or less or student achievement scores below average; three-year tenure for teachers consisting of a series of one year contracts; probationary period remains two years except that it may be extended for a certificated teacher under specified circumstances if a mentor is provided; changes the National Board certification bonus to a match of a county grant up to \$2,000 that can be negotiated or given outside collective bargaining (similar to SB 272 as amended) rather than 10 percent of salary; condition of employment for signing bonus was to stay in the school system, rather than the individual high risk school and bonus is reduced to \$ 1,000 from \$3,000; eliminates the certification fee increase; and increases to \$2,000 from \$1,000 the bonus for a teacher who teaches in a reconstituted or a challenge school. The bill delays the implementation of the tuition tax credit for a year, but no funding is in the budget for the other provisions for FY 2000.

School Safety Bills - SB 391 and HB 907: Senate made no substantive changes but House eliminated the section on warrantless arrests for penknife possession and the section prohibiting threats; each house conformed bill to its version and so to conference where on Monday the provisions dealing with threats to school employees was reinserted.. Both bills passed with only the pen knife warrantless arrest provision missing from the original bill. This bill was worked hard by the county government staff

Class Size Reduction Bills - SB 137 and HB 187 : Both eliminated the math component; final version adopted the Senate change phasing in the program over five years for the reading factor; waiver of the funding penalty was included for LEAs not reaching 2 percent provisionally certified if the LEA had made substantial efforts to recruit and help teachers get certified; in final version the state superintendent alone has the authority to waive; in uncodified section both asked the Special Study Committee on Class Size Reduction to recommend position on math and 3rd grade reading.

Teacher Scholarships - SB 131 and HB 189: Bills were amended to apply to graduates as well as undergraduates; only teaching in a public elementary or secondary school will count toward payback of the \$3,000 a year scholarship. Private school teaching had been included when the bill left the Senate, but the Governor plans to review issues related to state funding of private schools more generally over the Interim so this was eliminated.

After School Opportunity Act - SB 632 and RB 6: After House bill was amended, it was almost identical to Senate bill as filed except that Senate bill added 9 members to the Advisory Board, including a local school Board member. The final bills add 15 members to the Advisory Board, including the local Board member.

Charter School Bills - HB 116 and SB 761: Not companion bills; SB 761 had universities chartering as well as LEAs and was also specifically directed at poverty students in the Family Investment Program; House sponsor willing to compromise on latter provision, but Senate Committee said no conference committee so both bills died. Undoubtedly, bills will be reintroduced next year.

Holiday Bills - SB 736, HB 1167, HB 1066, HB 1113 and on the last weekend of session HB 1219: Senate wanted only Martin Luther King Day (MLK); House Bill had MLK and President's Day; Conference went only to MLK and move on House floor to reject the report failed but vote close; so new bill was introduced that made President's Day a holiday. It passed the House in one day, but did not get out of the Senate.

Bridge Funding - HB 34: Funding never promised by governor and reluctance by Budget and Taxation to pass the bill which would require funding in FY 2001.

Commission on School Finance - HB 10: Senate added advocate and parent members which were agreed to by the House.

Breakfast Bills - SB 744 and HB 868: Passed as an all school program to be served when students arrive but in form different from original - no longer classroom serving required and the tax credit was deleted. Nor is there funding in the final budget for adding additional schools.

Employment of Retirees - SB 15: Mentors were added to classroom teachers as those eligible as retirees for reemployment without an income cap. They must teach in a reconstituted school or in a critical shortage area.

Passed - HB 609 - Hearing Examiners: Extends to all counties right for a non-attorney hearing examiner except for personnel issues where the hearing examiner must be an attorney; HB 984 - imposes certain prohibitions on hiring noncertificated employees but only after hiring, background check not required for applicants.

The following bills were defeated : HB 431 - Escheat extension; Religious Exercise bill that would have changed the standards; HB 697 - Fiscal Accountability; and HB 489/SB 698 Suspension and Expulsion Assessments.

Mrs. Stoner expressed her gratitude to Board members and staff for their support and testimony during the legislative session.

RESOLUTION NO. 214-99Re: NATIONAL WEEK OF THE YOUNG CHILD

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, A goal of the *Success for Every Student Plan* is to secure the commitment of the entire community to maintain quality education in Montgomery County by building partnerships that promote and support initiatives to help all children succeed; and

WHEREAS, The Montgomery County community recognizes that children's experiences during their first five years of life have a profound effect on their performance in school; and

WHEREAS, The Board of Education reaffirms its strong commitment to early childhood education and recognizes the importance of involving families in a child's education; and

WHEREAS, The *Week of the Young Child* will be celebrated nationally during the week of April 18 through 24, 1999; now therefore be it

Resolved, That the National *Week of the Young Child* be observed by the Montgomery County Public Schools during the week of April 18 through April 24, 1999; and be it further

Resolved, That the Board of Education commend the efforts of volunteers and staff for their contributions to the *Week of the Young Child* celebration.

RESOLUTION NO. 215-99Re: NATIONAL PROFESSIONAL SECRETARIES WEEK

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

WHEREAS, Professional Secretaries' Week will be celebrated nationally the week of April 19-23, 1999; and

WHEREAS, The Board of Education wishes to recognize publicly the competence and dedication of its staff of secretarial and clerical employees and express its appreciation for their efforts in the effective, courteous, and economical operation of the Montgomery County Public Schools; and

WHEREAS, The Board of Education thanks its secretarial staff for their contributions to excellence in education and for their commitment to "Success for Every Student;" now therefore be it

Resolved, That National Professional Secretaries' Week be observed by the school system during the week of April 19-April 23, 1999; and be it further

Resolved, That Wednesday, April 21, 1999, be designated as Professional Secretaries Day for the Montgomery County Public Schools.

RESOLUTION NO. 216-99Re: PERSONNEL PROFESSIONALS DAY

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

WHEREAS, Montgomery County Public Schools is a member of the Local Government Personnel Association (LGPA) of the Baltimore-Washington Metropolitan Area, an organization comprised of representatives from 49 such jurisdictions located in the District of Columbia, Maryland, and Virginia; and

WHEREAS, The goal of the LGPA is to serve as a forum for the exchange and sharing of information between the personnel offices and staffs of member jurisdictions; and

WHEREAS, The objective of the LGPA is to provide opportunities for the education, information and professional development of its personnel specialists, and to facilitate interaction and discussion helpful in their performance of the personnel function; and

WHEREAS, The employees of Montgomery County Public Schools include professionals in the Department of Personnel Services who perform our personnel functions with professionalism and distinction; and

WHEREAS, The LGPA has established the APersonnelist Of The Year@ Awards Program to promote and encourage professionalism among the personnel staffs of its respective member jurisdictions; and

WHEREAS, The program includes an Awards Luncheon scheduled for Friday, May 7, 1999, at Fort Meade, Maryland, to recognize and honor AThe Best And The Brightest@ of the personnel profession; now therefore be it

Resolved, That the Board of Education proclaim Friday, May 7, 1999, as APersonnel Professionals Day@in Montgomery County Public Schools; and be it further

Resolved, That the Board of Education support the goals and objectives of the Local Government Personnel Association; and be it further

Resolved, That the Board of Education congratulate the staff members of the Montgomery County Public Schools= Department of Personnel Services on their performance of the personnel functions.

RESOLUTION NO. 217-99Re: NATIONAL VOLUNTEER WEEK

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

WHEREAS, A goal of Success for Every Student Plan is to secure the commitment of the entire community to maintain quality education in Montgomery County by building partnerships that promote and support initiatives to help all children succeed; and

WHEREAS, Every school in Montgomery County relies on volunteers to supplement and enrich programs for students; and

WHEREAS, Schools rely on both paid and volunteer staff to provide coordinated efforts to develop and manage school volunteer and partnership programs that serve staff and student needs; and

WHEREAS, Last year, 92 schools met the criteria and earned a citation of merit from the Maryland State Department of Education for an outstanding school volunteer program; and

WHEREAS, During the prior school year more than 54,800 volunteers gave almost four million hours of service to staff and students and provided the equivalent hours of 1,876 full-time, 12-month employees; and

WHEREAS, If a dollar value were attached to the hours of service volunteers provided, the sum would be more than \$43 million; and

WHEREAS, As volunteers share their time, energy, and experience in schools, they inspire the school and community to renew their commitment to success for every student; now therefore be it

Resolved That the Montgomery County Board of Education express its appreciation to all volunteers and volunteer coordinators for their assistance, generosity of spirit, commitment to our schools and our young people, and outstanding contribution to the Montgomery County community.

Re: BOARD/SUPERINTENDENT COMMENTS

Mr. Abrams commented on the Pension Bill that was passed by the legislature. There were aspects of the bill that merited further comments from him. He viewed that piece of legislation as a thorn in what had been generally a rosy legislative session. But, that thorn bodes very poorly in several areas. His comments were directed toward the state legislators and the teachers= association which lobbied very heavily for the bill. As a returning Board member, he was struck by the attempt to create a new climate in negotiations, which was based on collaboration rather than confrontation or advocacy. He was struck that in this instance there was much more rhetoric than reality in the approach of the Montgomery County Education Association (MCEA). MCEA had indicated to the Board that the negotiated compromise on the pension issue had been concluded amicably. However, MCEA had backed away from that agreement. That was not the way to foster collaboration from his perspective. It was an issue that he would remember in engaging in arms-length bargaining because bargaining in good faith means that one must rely on the good faith of both parties, not just one. It means that there must be an element of trust and the ability to live up to commitments. When he came back on the Board, he was asked whether he would reopen the issue of the five percent supplemental, and he indicated that he would not if, in fact, that was the Board=s agreement. That agreement had not held, and he no long felt bound by that commitment. More importantly, he thought that the legislators needed to be questioned. It was fortunate that the economy was good, but that did not mean that legislators should lose sight of the very difficult choices that local governments had to make during leaner times. One of those areas was the protection of unfunded pension liabilities. When he first served on the Board, there was a substantial shortfall between the school system=s obligations and the financial reserves. Through the stewardship of MCPS during difficult times, now it was at the stage where it had a 98 percent funded pension liability, which is meritorious. However, that should not be the source for legislative pork barrel. He reminded the predominantly Democratic state legislators that at the federal level the Democratic Party was making an issue about protecting Social Security. The issue in Social Security is the unfunded liability in a trust fund program. It seemed to Mr. Abrams that the action of the state legislators took on the pension bill ran totally contrary to what Democrats were claiming at the national level. If state legislators had national aspirations, they would be hard pressed to explain to voters of Montgomery

County why they refused to protect local pension funds. This was the year of education legislation with the federal government providing funding and cutting the strings since there was agreement that decisions made closest to the people were the best decisions. He was curious why the Montgomery County legislators did not feel they could live up to that level of obligation when it came to a local jurisdiction. In sum, he raised those issues to point out an egregious bill and the hope that constituents in Montgomery County would be cognizant of what legislators had done. Board members should be cognizant of public commitments made by state legislators on their position on the bill and measure them and their word based on their performance in the passage of this legislation.

Last week, Mr. Felton commented that the Board had the opportunity to join with other board members across the nation at the National School Boards Association convention. As always, the Board was inspired by others throughout the nation who are committed to high quality education as they interchange ideas.

Ms. Signer commented that Mrs. Gordon and Mrs. Gemberling presented a session at the convention that was attended by 300 other local board members. The presentation was a data driven approach to looking at student achievement.

Mr. Felton announced the dedication of Northwest High School on Saturday, April 17, 1999, and he invited the community to attend.

Dr. Vance congratulated Brian K. Betts, who had been selected to receive the 1999 Agnes Meyer Outstanding Teacher Award from The Washington Post. Mr. Betts, who is the physical education and arts interdisciplinary resource teacher at Neelsville Middle School, began his career with MCPS in 1989 at Rock View Elementary School. He taught at Redland Middle School before helping to open the new Neelsville Middle School in 1996. The extent to which he is valued by his school community is evident in the enthusiastic endorsements he received in the nomination process. Dr. Vance announced that six MCPS students are among the 23 corporate-sponsored National Merit Scholars in Maryland this year. They were Krister Fardig, Paul Johnson, Benjamin Huber, Hannah Foster, Thomas Lin and Shen Lily. Congratulations to these students who represent Montgomery Blair, Quince Orchard, Watkins Mill, Wait Whitman and Thomas S. Wootton high schools. MCPS students have such a range of accomplishments, yet it always seems there is something new that continues to surprise and delight. Recently, six ESOL students who participate in the Chess for Success program created by ESOL counselor Fernando Moreno at Montgomery Blair High School were invited to play against a group of top White House aides. Of the sixteen matches played, 15 were won by the students. And in addition to the thrill of victory, the students were treated to a tour of the Executive Office Building and an opportunity to learn about the staffers' jobs. Congratulations to these students for their outstanding chess skills and to Mr. Moreno for his excellent innovative program.

Re: GLOBAL ACCESS UPDATE

Dr. Vance invited the following people to the table: Mr. Ronald Walsh, Chief Information Technology Officer; Mr. Lee Coldren, Director of the Application Development and Implementation Team; Mrs. Deeva Garel, Director of the Network and Computer Services Team; Dr. Elizabeth Glowa, Director of the Instructional Technology Support Team; and Mrs. Susan Marks, Director of the User Services Team.

Mr. Walsh reported that the update for the Board of Education focused on the accomplishments of the Office of Global Access Technology as it supports student success and resolves the school system's year 2000 (Y2K) challenges. The Office of Global Access Technology (OGAT) was created to ensure schools and offices in MCPS have the technological tools, connectivity and training they need to improve student achievement and provide efficient administrative services. This report provided an update on Y2K projects and information on how our Y2K projects are impacting the level and timing of OGAT's ongoing services.

Y2K Update

The major Y2K projects undertaken by the school system were the Student Information System (SIS), the Human Resources Information System (HRIS), and Y2K Workstations. Other Y2K projects include the Warehouse Management System, BATAB (Library Materials Ordering System replacement), Financial Information System corrections, Fixed Asset System, Transportation (Fleet Management) System, Independent Activity Fund, Fuel Delivery System, and Resumix implementation.

The following was an update on the status of the three major Y2K projects.

SIS Update - The Student Information System (SIS) is a commercial software application customized to fit the needs of MCPS. SIS will be used by staff to enroll and withdraw students, schedule secondary students, collect and report attendance, collect and report grades (including interim grades and transcripts), and maintain and access student data including extracurricular eligibility and academic achievement. The initial implementation will replace the current functionality of the legacy system; however, enhanced functions are planned once the Y2K "fix" is ensured.

OGAT continues to work closely with the Office of School Administration and principals, counselors, schedulers, and attendance secretaries in the development and implementation of SIS. The SIS effort is dependent on the work of the local prime contractor, Marconi (formerly Tracor Systems Technologies Inc.), and the Canadian software developer, Administrative Assistants Ltd.

The SIS timeline for 1999 includes:

- \$ Continued customization of the software
- \$ Pilot use in selected schools

- \$ Installation of a dedicated SIS file server, workstations in schools (as needed), and SIS software on individual computers in schools and offices
- \$ Electronic transfer of all student data, including 1999-2000 class schedules, from the mainframe to the SIS database in July
- \$ Intensive "just-in-time" staff training prior to use of specific functions beginning in June
- \$ School staff use of enrollment and scheduling functions starting August 2, 1999
- \$ Use of period-by-period and daily attendance starting September 1, 1999
- \$ Use of secondary interim reports beginning in October 1999
- \$ Use of grade collection and reports beginning in November 1999

HRIS Update - The Human Resources Information System (HRIS) project is a commercial application that will perform the administrative functions that support MCPS staff involved in personnel, payroll, and benefits. HRIS will store needed information on MCPS employees, retirees, and their dependents and will enable MCPS to issue paychecks and retirement checks, withhold required taxes, make accurate deductions and retirement account contributions, track leave and other employee benefits, and improve workforce management and budgeting.

The HRIS project is led by OGAT in collaboration with the Department of Personnel Services, the Division of Payroll, and the Division of Insurance and Retirement. In this effort, OGAT works closely with the prime contractor, The Hunter Group, and the software subcontractor, Lawson Software.

The HRIS timeline calls for modifications to both the Lawson HRIS application and to MCPS procedures. Functions will be prioritized for implementation, beginning with functions that will fail without Y2K-compliance modifications. Installation of the software on individual workstations will occur over the summer, staff training will occur before November, trial use of the Lawson software will occur in early November, and cut-over to vital functions under the ERIS Lawson application will occur November 15, 1999. The remaining functions will be added after the cut-over, extending into the Year 2000.

Y2K Workstation Update - The Y2K Workstation project is designed to ensure instructional and administrative computers meet student and staff needs for effective technology in the year 2000. The five components of the Y2K Workstation project are instructional PC replacement, instructional software updating, application workstation replacement and/or software installation, Apple inventory, and non-school-based office remediation.

Work schedules for the five Y2K Workstation components are well underway. Tasks are being carried out by both outside contractors, MCPS employees (including OGAT staff and school-based user support specialists) and, where appropriate, MCPS student

employees. The majority of this work is scheduled for the spring and summer, with needed training to occur after school begins.

Addressing the Impact of Y2K Projects

The staff support needed for these Y2K projects is having an impact on OGAT services. Based on current Y2K project estimates, MCPS needs an average of 88 full-time equivalent staff to perform the work. These needed staff members must include OGAT staff currently supporting teachers, schools, and offices because they are trained and experienced in software development, testing, field installation, user training, and customer communications.

As experienced staff is used to ensure Y2K project success, other OGAT services are being reduced, delayed, or deferred. Reductions in OGAT staff assigned to current, ongoing Global Access services will vary monthly from a 25% reduction in the spring to a 75% reduction in the peak summer months. For some units (e.g., trainers), 100% of the staff may be assigned to the Y2K effort during periods of peak activity.

The full impact of Y2K project staffing needs is attached and includes the reduction, delay, and deferral of needed services that may impact day-to-day school and office operations. In summary, these impacts include:

- \$ No new information technology development or enhancements unless they are Y2K critical
- \$ A six-month delay in full Global Access (GA) implementation for 1999-2000 GA schools -- schools will be up by March to May 2000, as opposed to the typical November/December full implementation date.
- \$ A three-month delay in full GA implementation for new and modernized schools - while administrative areas will be up by the opening of school, some classrooms may not be integrated until October.
- \$ An overall reduction of 25 percent in site-based training available to GA schools

OGAT is making every effort to ensure that we retain those services most valuable to our customers. However, we ask for the support and understanding of the Board of Education as teachers, schools, offices, and communities begin to feel the impact of these short-term service reductions.

Re: **DISCUSSION**

Ms. Signer asked if there would be a delay in wiring all schools beyond this year as staff concentrated on the Y2K problem. Mr. Walsh replied that there would be some delay based on staff support of SIS and HRIS in the next calendar year. Ms. Signer asked for an estimate in the delay for school-based technology. Mr. Walsh stated that an

estimate would be made after January 2000 based on contingency plans developed between now and January.

Ms. Signer was concerned about the delay in technology at John F. Kennedy High School. Dr. Glowa responded that with the modernized school, the administrative offices would be technology ready in August, and the full network would come on line in October or November for staff and students.

Ms. Signer asked the Superintendent to look into transcripts produced by the Student Information System. At present, transcripts reflect middle school credit in the freshman section, and the outside courses taken by the student were reflected with an asterisk without any indication of where the course was taken and quality or intensity of those courses.

Mr. Burnett asked if MCPS= computer systems had to be certified as Y2K compliant. Mr. Walsh explained that certification was not a good use of public funds since it was based on a questionnaire. However, there would be in-depth testing of all system computers. Mr. Burnett asked if staff planned on presenting the Board with a Aget-well@ plan, and how the school system would get back on track after addressing the Y2K problem. Mr. Walsh replied that when the contingency plans for SIS and HRIS were developed, those plans would be shared with the Board.

Mrs. O'Neill felt that the earlier Global Access schools were falling behind in replacing old technology with new technology. She asked about the status of Y2K for elementary schools without Global Access. Also, she inquired about teachers employing technology in a consistent and standard approach throughout the school system. Mr. Walsh explained that schools wired in 1994-95 cannot use the latest software technology. As to the question of equity and the use of resources to equalize all 185 schools, Dr. Glowa stated that through non-wiring grants and partnerships, new equipment would be brought into the early Global Access schools. Mr. Walsh stated that older computer labs were not Y2K compliant and would be replaced. In the FY 2001 operating budget, there would be a strategy to replace technology on a routine and consistent basis. Regarding the use of technology, Dr. Glowa stated that after training, some teachers were comfortable with technology while others needed encouragement. It was important that enough equipment was provided in the classroom, such as projection equipment to display computer screens to the students. Also, OGAT worked with OIPD to incorporate technology into curriculum delivery. Another issue was students= access to computers within the schoolhouse.

Mr. Abrams asked if the initial wiring had become obsolete. Mrs. Garel answered that the wiring was not obsolete, but there were opportunities to increase the speed and capabilities of the Global Access schools. The state of Maryland had new telecommunications standards that would enhance future wiring.

Mr. Abrams inquired about the older computers and whether or not the machines would be upgraded or replaced. Mr. Walsh replied that industry experts recommend against organizations or individuals investing a significant amount to upgrade technology since it was cheaper to buy new equipment than components. This was based on the bus components, operating speed, modems, ports, and microprocessors, among others.

Based on that information, Mr. Abrams asked if there would be new strategies on equipment deployment as needs were identified. Mr. Walsh replied that there had been informal discussions with staff, and a plan would be developed for the FY 2001 Operating Budget request. An initial thought was to have replenishment on a three-year cycle, and the older computers would be left in the classroom to increase the ratio of computers to students.

Mrs. King asked if MCPS would be testing to ascertain Y2K compliance by January 2000. Mr. Walsh replied that the Y2K problem did not hinge on January 2000. Functions that rely on a date beyond January 2000 must operate on a Y2K-ready machine. MCPS had already started testing and the mainframe would be tested especially if contingency plans were implemented for SIS and/or HRIS.

Mr. Felton wanted the contingency plans to be well known after the decisions were made. Because of the Y2K problem there had been delays in the implementation of Global Access, Mr. Felton asked why the decision was made to realignment staff rather than to add resources. Mr. Walsh answered that most organizations had shifted resources to keep mission-critical systems working, and MCPS used its present staff to address that situation based on their expertise. Mr. Felton inquired about the cost implications of the delays in the programs and had resources been increased. Mr. Walsh replied that the costs have been contained, but there will be a request for supplemental funding of \$1.2 million in May.

RESOLUTION NO. 218-99Re: CONTRACTS FOR MORE THAN \$25,000

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mr. Abrams, the following resolution was adopted unanimously by members present:#
WHEREAS, Funds have been budgeted for the purchase of equipment, supplies, and contractual services; and

WHEREAS, Funds have budgeted for Bid No. 7053.1, Lease/Purchase of Seven Refrigerated Vans for the Division of Food and Nutrition Services; now therefore be it

Resolved, That seven refrigerated vans be lease/purchased under the Master Lease/Purchase Agreement and that this resolution has been reviewed by our attorneys; and be it further

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

1080.1	Auditing Services	
	<u>Awardee</u>	
	Arthur Anderson	\$ 205,000
1083.1	Professional Services and Temporary Personnel for Computer Programming, Analysis and Consulting Services for the Office of Global Access Technology	
	<u>Awardees</u>	
	April Consulting, LLC	
	Chesapeake Computer Engineering, Inc.	
	Computer Aid, Inc.	
	Compuware	
	MCS Group, Inc.	
	Mason Dixon Consulting and Services, Inc.	
	Metro Technical Consulting LLC	
	Peace Technology, Inc.	
	Total	\$ 550,000
4017.1	AV/PA Hardware and Replacement Parts - Extension	
	<u>Awardees</u>	
	Allegheny Electronics	\$ 17,800
	Capitol Cable and Technology, Inc.	300
	Crest Electronics, Inc. *	900

	Herman Electronics	6,200
	Kunz, Inc.	1,100
	Metropolitan Audio Visual Corporation	5,000
	Nicholas P. Pipino and Associates	2,500
	Pyramid School Products	4,500
	Leonard Steinberg Associates	2,500
	Washington Cable Supply, Inc. *	1,000
	Nelson C. White Company, Inc. *	4,500
	Wholesale Education Supplier	<u>300</u>
	Total	\$ 46,600
4063.1	Art Supplies	
	<u>Awardees</u>	
	Century Office Supply	\$ 669
	Elgin School Supply Company, Inc. *	26,668
	J.L. Hammett Company, Inc.	55,784
	Jackman-s, Inc.	4,582
	Logans Marketing *	2,738
	Pyramid School Products	96,975
	Standard Stationery Supply Company	30,865
	Windtree Enterprises, Inc.	12,162
	Henry S. Wolkins Company *	<u>2,274</u>
	Total	\$ 232,717
7053.1	Refrigerated Vans for the Division of Food and Nutrition Services	
	<u>Awardees</u>	
	Chesapeake Truck Body	\$ 169,785
	District International Trucks, Inc.	<u>228,200</u>
	Total	\$ 397,985
9004.1	Vehicle Replacement Glass	
	<u>Awardee</u>	
	Banner Glass, Inc.	\$ 32,000
9005.1	Industrial and Technology Education Lumber	
	<u>Awardees</u>	
	Allied Plywood Corporation	\$ 5,619
	Lafferty Company, Inc.	29,141
	Mann and Parker Lumber Company	24,056

	North Bay Distributors	1,003
	Pikesville Lumber Company	29,982
	Rex Lumber Company	<u>2,580</u>
	Total	\$ 92,381
9102.1	Beverages	
	<u>Awardees</u>	
	Canada Dry Potomac Corporation	\$ 152,600
	The Quaker Oats Company - Gatorade	250,000
	SYSCO Food Services	<u>20,000</u>
	Total	\$ 422,600
9103.1	Groceries and Staples	
	<u>Awardees</u>	
	Carroll County Foods	\$ 419,631
	Princess Ann Products	245,745
	Royalle Dining Services, Inc.	18,614
	SYSCO Food Services	<u>194,888</u>
	Total	\$ 878,878
9153.1	Powered Telescopic Seating Systems Replacement at Various Schools	
	<u>Awardee</u>	
	Modern Door and Equipment Sales	\$ 249,880
	MORE THAN \$25,000	\$3,108,041

* Denotes MFD vendor

FOR THE RECORD: Mr. Abrams stated that the Audit Committee agreed with the recommendation for Auditing Services.

RESOLUTION NO. 219-99Re: **AWARD OF CONTRACTS - WINSTON CHURCHILL HIGH SCHOOL**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mr. Abrams, the following resolution was adopted unanimously by members present: # WHEREAS, On December 8, 1998, the Board of Education authorized staff to utilize a construction management process for the Winston Churchill High School modernization project; and

WHEREAS, The following sealed bids represent the second and third in a series of subcontracts that were bid as a part of a construction management process for the Winston Churchill High School modernization project:

<u>Bidders</u>	<u>Amount</u>	<u>Consultant-s Estimate</u>
<u>Darkroom Equipment</u>		
Fuller and D=Albert, Inc.	\$ 53,650	\$ 54,000
<u>Electrical</u>		
VARCO/MAC Electrical Construction Company (Female-owned, MDOT certified)	2,790,500	2,667,937
<u>Food Service Equipment</u>		
Restaurant Equipment Sales (Submitted 1.4 percent, female- owned, MDOT certified, minority participation)	341,630	350,000
<u>Glass/Storefront</u>		
Engineering Construction Products, Inc. (Submitted 7 percent, Hispanic/African- American, MDOT certified, minority participation)	488,000	543,546
<u>Metal Shelving</u>		
Steel Products, Inc.	41,880	70,000

and

WHEREAS, The aggregate of the bids is within the consultant-s overall estimate and sufficient funds are available to award the contracts; and

WHEREAS, The aggregate minority business participation for the subcontracts bid to

date is 49.7 percent; now therefore be it

Resolved, That contracts be awarded for the above-referenced subcontractors meeting specifications for the Winston Churchill High School modernization project, for the amounts listed, in accordance with plans and specifications prepared by Duane, Cahill, Mullineaux and Mullineaux.

RESOLUTION NO. 220-99Re: AWARD OF CONTRACT - RELOCATABLE CLASSROOMS - REROOFING

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

WHEREAS, The following sealed bids were received on March 11, 1999, to provide reroofing of various locally owned relocatable classroom buildings, with work to begin June 20, 1999, and to be completed by August 27, 1999:

<u>Bidder</u>	<u>Unit Price</u>
J. E. Wood & Sons Company, Inc.	\$ 8,830
Orndorff & Spaid, Inc.	8,973
R. D. Bean, Inc.	9,877
Interstate Corporation	11,200
Alliance Roofing & Sheet Metal, Inc.	11,400
CitiRoof Corporation	12,709

and

WHEREAS, J. E. Wood & Sons Company, Inc., has completed similar work successfully for Montgomery County Public Schools; and

WHEREAS, These unit prices will be the basis for determining the cost of reroofing at each site; and

WHEREAS, The low bid is below the staff estimate of \$9,300 per unit; and

WHEREAS, J. E. Wood & Sons Company, Inc., has submitted minority business participation of 8 percent (Asian); now therefore be it

Resolved, That a contract not to exceed \$75,000 be awarded to J. E. Wood & Sons Company, Inc., based on the unit price per building, to provide for reroofing of various locally owned modular classroom buildings in accordance with plans and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 221-99Re: **CONTINUATION OF ARCHITECTURAL CONTRACT - AMERICANS WITH DISABILITIES ACT FACILITIES MODIFICATIONS**

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

WHEREAS, It is necessary to improve accessibility for the disabled at various schools both on a systematic basis and as individual needs become known; and

WHEREAS, Accessibility modifications include improvements to entrances, parking lots, rest rooms, wheelchair lifts, elevators, signage, and alarm and communications systems; and

WHEREAS, It is necessary to appoint an architectural firm to provide architectural and engineering services on an as-needed basis to respond to program accessibility modification requirements at various schools to meet the intent of the Americans with Disabilities Act of 1990; and

WHEREAS, An emergency supplemental appropriation amending the FY 1999-2004 Capital Improvements Program was approved by the County Council on March 16, 1999; and

WHEREAS, An Architectural Selection Committee, in accordance with Board of Education adopted procedures, identified Murray & Associates, Architects, a female-owned business, as the most qualified firm to provide the necessary professional and architectural services; and

WHEREAS, Murray & Associates, Architects, has provided these services successfully for Montgomery County Public Schools; now therefore be it

Resolved, That the Board of Education extend the contractual agreement with the architectural firm of Murray & Associates, Architects, to provide professional architectural and engineering services for accessibility modifications at various schools as requirements arise, with the individual fees to be negotiated based on a percent of the estimated construction cost, with the total contract amount not to exceed \$100,000.

RESOLUTION NO. 222-99Re: CONTINUATION OF CONTRACTS - RELOCATABLE CLASSROOMS

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

WHEREAS, Bids were taken in the spring of 1998 and contracts were awarded to several contractors for various work on the relocatable classroom project which included relocating buildings; providing electrical service to the buildings; constructing steps, decks, ramps, and canopies; restoration of sites; installing canopy lighting; and miscellaneous painting of the interior and exterior of modular classrooms; and

WHEREAS, A clause in the bid specification allows the Board of Education to extend the contract for another year provided the vendor agrees to hold unit prices or costs to the original bid price; and

WHEREAS, Letters were received from each of the vendors listed below agreeing to a contract extension for another year at the original bid price; now therefore be it

Resolved, That the following vendors= contracts be extended for another year at last year's unit prices with the contract amounts to be determined by the total number of classrooms to be moved this summer:

<u>Vendor</u>	<u>Service</u>
J&L Services, Inc.	Relocation of Buildings
Cynthia M. Hastings, Inc.	Construction of steps, decks, ramps and canopies
Paul Vignola Electric Company	Electrical service to buildings
D. L. Brown Construction	Site restoration and clean up
William M. Wetmore, Inc.	Canopy lighting
Universal Coatings, Inc.	Painting

RESOLUTION NO. 223-99Re: REDUCTION OF RETAINAGE - FOREST OAK MIDDLE SCHOOL REPLACEMENT FACILITY

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mr. Abrams, the following resolution was adopted with Mr. Abrams, Mr. Burnett, Mr. Felton, Mrs. Gordon, Mrs. O'Neill, and Ms. Signer voting in the affirmative; Mrs. King recused herself:#

WHEREAS, Henley Construction Company, Inc., general contractor for the Forest Oak Middle School Replacement Facility project, has completed 80 percent of all specified

requirements and requested that the 10 percent retainage, which is based on completed work to date, be reduced to 5 percent; and

WHEREAS, The project bonding company, Hartford Accident and Indemnity Company, has consented to this reduction; and

WHEREAS, The project architect, SHW Group, Inc., recommends approval of the reduction; now therefore be it

Resolved, That the 10 percent retainage withheld from periodic payments to Henley Construction Company, Inc., general contractor for the Forest Oak Middle School Replacement Facility project, be reduced to 5 percent, with the remaining 5 percent to become due and payable after completion of all remaining contract requirements and formal acceptance of the completed project.

RESOLUTION NO. 224-99Re: CONTRACT EXTENSION FOR ENGINEERING SERVICES - ENERGY MANAGEMENT AUTOMATION SYSTEMS

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

WHEREAS, Engineering services are required to perform energy audits and lighting surveys and to assist in the design of various energy conservation measures; and

WHEREAS, Engineering services to review and administer construction contracts are necessary for the installation of energy management automation systems and lighting conservation measures; and

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

WHEREAS, Von Otto & Bilecky, Professional Corporation, was the successful bidder through the Architect/Engineer Selection Procedures approved by the Board of Education, and the firm has provided engineering services satisfactorily for Montgomery County Public Schools; now therefore be it

Resolved, That the Board of Education approve a two-year contract extension for an amount not to exceed \$225,000 annually with the firm of Von Otto & Bilecky, Professional Corporation, for the performance of energy audits, the design of recommended conservation measures, and the design and administration of construction contracts for Energy Management Automation Systems in Montgomery County Public Schools.

RESOLUTION NO. 225-99Re: FOREST CONSERVATION EASEMENT AT MARK TWAIN SCHOOL

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

WHEREAS, The Mayor and City Council of Rockville have joined with the Board of Education and the State of Maryland Department of Natural Resources to develop certain recreational facilities at Mark Twain School as described in a Joint Use Agreement; and

WHEREAS, The City has requested a Forest Conservation Easement and Declaration of Covenants encumbering 6.7763 acres at Mark Twain School to preserve existing forest and plant new areas of forest in connection with the City's Forest and Tree Preservation Ordinance; and

WHEREAS, The easement area consists of land on steep slopes that could not be developed or used for school programming and recreation activities; and

WHEREAS, All planting of trees in conservation areas will be at no cost to the Board of Education, with the City of Rockville and its contractors assuming liability for all damages and injury during plant installation; and

WHEREAS, This grant of a Forest Conservation Easement and Declaration of Covenants will benefit the school and surrounding community by preserving and expanding existing forest on land along steep slopes, providing shelter for wildlife, preventing soil erosion, and protecting water quality; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Forest Conservation Easement and Declaration of Covenants encumbering 6.7763 acres to preserve and expand existing forest at Mark Twain School.

RESOLUTION NO. 226-99Re: JOINT USE AGREEMENT AT MARK TWAIN SCHOOL

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

WHEREAS, The City of Rockville (City) desires to construct, maintain, and utilize certain recreational facilities on land owned by the Board of Education (Board) at the Mark Twain School, located at 14501 Avery Road in Rockville; and

WHEREAS, The City will apply for state aid in the development of said recreational facilities, pursuant to Title 5, Subtitle 9 of the Natural Resources Article of the Annotated Code of Maryland and Chapter 403 of the Acts of Maryland of 1969, and its

amendments, said laws being known as AProgram Open Space;@and

WHEREAS, The City, Board, and State of Maryland Department of Natural Resources wish to enter into a Joint Use Agreement governing the location, construction, maintenance, operation, and continued public use of said recreational facilities following the receipt of state aid from AProgram Open Space;@and

WHEREAS, The City will construct a soccer/softball field, playground and tot lot, tennis court, and a storage/shelter building on a portion of the school site consisting of approximately 22.4 acres; and

WHEREAS, After completion of construction, the Board will be entitled to priority use during the school day for school sponsored activities; and

WHEREAS, The City shall operate and maintain the recreational facilities throughout its estimated life of fifteen years which shall be renewable by mutual consent of all parties; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Joint Use Agreement between the Board, the City of Rockville, and the Maryland State Department of Natural Resources which will allow the City to construct recreational facilities on approximately 22.4 acres of the Mark Twain School; and be it further

Resolved, That the Joint Use Agreement stipulate that the Board of Education will be entitled to priority use during the school day for school sponsored activities and the City shall operate and maintain the recreational facilities throughout its estimated life of fifteen years which shall be renewable by mutual consent of all parties.

RESOLUTION NO. 227-99Re: UTILIZATION OF FY 1999 FUTURE SUPPORTED PROJECT FUNDS FOR THE CHILD ABUSE, YOUTH SUICIDE, AND TEEN PREGNANCY PREVENTION PROGRAM

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1999 Provision for Future Supported Projects a grant award of \$17,131 from the Maryland State Department of Education for the Child Abuse, Youth Suicide, and Teen Pregnancy Prevention Program, in the following categories:

<u>Category</u>	<u>Amount</u>
3 Instructional Salaries	\$ 2,922
4 Textbooks and Instructional Materials	2,475
5 Other Instructional Costs	11,500
12 Fixed Charges	<u>234</u>
 Total	 <u>\$ 17,131</u>

and be it further

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

RESOLUTION NO. 228-99Re: **RECOMMENDED FY 1999 SUPPLEMENTAL APPROPRIATION FOR THE ADULT EDUCATION AND SUMMER SCHOOL FUND**

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

Resolved, That the superintendent of schools be authorized, subject to County Council approval, to receive and expend an FY 1999 supplemental appropriation of \$390,800 from the County Council for the Adult Education and Summer School Fund in Category 41 Adult Education and Summer School Fund; 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: **BOUNDARY CHANGE PROCESS AND POLICY FAA,
LONG-RANGE EDUCATIONAL FACILITIES
PLANNING BOUNDARY CHANGE PROCESS AND
POLICY FAA, LONG-RANGE EDUCATIONAL
FACILITIES PLANNING**

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Mrs. King, the following resolution was placed on the table:

WHEREAS, On June 11, 1997, the Board of Education requested a study be undertaken of the Montgomery County Public Schools=boundary change process; and

WHEREAS, A survey was conducted of nearby school systems= boundary change processes and other county planning agencies= community involvement processes; and

WHEREAS, The Montgomery County Council of Parent Teacher Associations (MCCPTA) formed a subcommittee to assess the boundary change process and made recommendations for modifications that were adopted on October 28, 1997, by the MCCPTA Delegate Assembly; and

WHEREAS, The input from other school systems, other planning agencies, and the MCCPTA report were carefully considered in development of a pilot process to be used in Montgomery County for boundary processes conducted during the 1997-98 school year; and

WHEREAS, During the 1997-98 school year, four boundary advisory committees used the pilot process successfully; and

WHEREAS, At the conclusion of the pilot period a survey was conducted of participants of the four pilot boundary processes and the results showed support for the new process; and

WHEREAS, The Board of Education now wishes to make these improvements permanent, and make the required changes to FAA, *Policy on Long-Range Educational Facilities Planning*; now therefore be it

Resolved, The Board of Education direct the superintendent to continue the process used during the pilot year in all future boundary committee studies for community notification and committee responsibility; and be it further

Resolved, That the Board of Education take tentative action on the proposed revisions to Policy FAA, *Long-Range Educational Facilities Planning* as shown on the attached draft.

Re: **DISCUSSION**

Ms. Signer commended staff on what had been accomplished in the revision of the boundary change process. She asked why the time slots between the release of the Superintendent's recommendations, the Board's alternative worksession, and the public hearing were not equally divided as proposed by Ms. Cox and Ms. Camp. Mr. Lavorgna explained that the difficulty in moving back the worksession was due to the receipt and review of the CIP by Board members. This past year there was only one week for the Board to review the CIP prior to the worksession. The boundary process and CIP must work in concert. Ms. Signer pointed out that in the past the Board had held the action session the week of Thanksgiving. With that schedule, there would be more time between each step of the Board's process.

Mrs. Gordon stated that recently there had been a separate meeting for the worksession. In the past, the worksession/alternatives was done at the all-day Board meeting which allowed added time in the process. She had a concern about changing the timeline and compacting the time the public had for input regarding boundary and CIP issues.

Mrs. O'Neill commented that the changes in the policy were positive, especially shifting the burden for recommendations from the community to the staff. However, she was concerned about the short time frame for the process.

Mr. Abrams pointed out that the process was a cluster-based process in terms of community involvement. He asked about the role of the citizens/civic associations in the process. Mr. Lavorgna replied that the process relied on input from PTAs with two community forums. There was always the opportunity for letters, calls, and lobbying by civic associations, but there were no civic association representatives on the boundary advisory committees. Mr. Abrams thought the school system would be well-served by including a provision for formal input from civic associations.

Mrs. Gordon stated that the clusters within the Northeast Consortium did not want to be subsumed into a mega cluster, especially at the elementary level.

By consensus, the following amendments were approved by the Board:

C.1.a)(3) -- Enrollment forecasts for the next six years by year, and longer term cluster, consortium, **and base area** forecasts for a period approximately ten and fifteen years into the future

E.3. -- **November 1 or the first business day in November**

E.4. -- Information from other community organizations, **civic associations registered with the National Park and Planning Commission**, and individuals also is important.

E.4.(e)(2) -- Written comments from any interested parties will be accepted at any point, but in order to be considered comments must reach the Board **48** hours before the time scheduled for action by the Board.

RESOLUTION NO. 229-99Re: **BOUNDARY CHANGE PROCESS AND POLICY FAA, LONG-RANGE EDUCATIONAL FACILITIES PLANNING**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution, as amended, was adopted with Mr. Burnett, Mr. Felton, Mrs. Gordon, Mrs. King, Mrs. O'Neill, and Ms. Signer voting in the affirmative; Mr. Abrams voting in the negative:

WHEREAS, On June 11, 1997, the Board of Education requested a study be undertaken of the Montgomery County Public Schools=boundary change process; and

WHEREAS, A survey was conducted of nearby school systems= boundary change processes and other county planning agencies= community involvement processes; and

WHEREAS, The Montgomery County Council of Parent Teacher Associations (MCCPTA) formed a subcommittee to assess the boundary change process and made recommendations for modifications that were adopted on October 28, 1997, by the MCCPTA Delegate Assembly; and

WHEREAS, The input from other school systems, other planning agencies, and the MCCPTA report were carefully considered in development of a pilot process to be used in Montgomery County for boundary processes conducted during the 1997-98 school year; and

WHEREAS, During the 1997-98 school year, four boundary advisory committees used the pilot process successfully; and

WHEREAS, At the conclusion of the pilot period a survey was conducted of participants of the four pilot boundary processes and the results showed support for the new process; and

WHEREAS, The Board of Education now wishes to make these improvements permanent, and make the required changes to FAA, *Policy on Long-Range Educational Facilities Planning*; now therefore be it

Resolved, The Board of Education direct the superintendent to continue the process used during the pilot year in all future boundary committee studies for community notification and committee responsibility; and be it further

Resolved, That the Board of Education take tentative action on the proposed revisions to Policy FAA, *Long-Range Educational Facilities Planning* as shown on the attached draft.

FOR THE RECORD: Mr. Abrams stated that he voted against this resolution. He

believed the work was constructive, but he wanted a limited vote since this policy would be sent out for further comment, and for the public to understand that his vote in opposition was based on the failure to provide civic associations and/or citizen associations an opportunity to file a report along with the advisory committee's report and be given the same status as individual PTAs. His concern for that provision was based on the experiences of disgruntled communities in previous processes and raised the issue that they were not afforded an opportunity for an early comment on the process.

LONG-RANGE EDUCATIONAL FACILITIES PLANNING

A. PURPOSE

1. The Board of Education has a primary responsibility to provide school facilities that address changing enrollment patterns and that sustain high quality educational programs in a way that meets its policies. The Board of Education fulfills this responsibility through the facilities planning process. The achievement of Success for Every Student through the delivery and execution of an excellent educational program is of primary importance to students and parents in Montgomery County.
2. The Long-Range Educational Facilities Planning (LREFP) policy provides direction on how the planning process should be conducted and prescribes criteria and standards to guide planning. This process is designed to promote public understanding of planning for Montgomery County Public Schools (MCPS) and to encourage community members, local government agencies and municipalities to identify and communicate their priorities and concerns to the superintendent and Board.
3. The Board recognizes the interrelationship of its facilities planning policy with other policies such as those on educational programs, quality integrated education, and capital modernization/renovation projects.
4. The Long-Range Educational Facilities Planning policy also describes the ways in which facilities planning for school sites and school service areas supports the Quality Integrated Education (QIE) policy.

B. ISSUE

Enrollment in MCPS is never static. The fundamental goal of facilities planning is to provide a sound educational environment for a changing enrollment. The number of students, their geographic distribution, and the demographic characteristics of this population all concern facilities planning. Enrollment

changes are driven by factors including birth rates, movement within the school system and into the school system from other parts of the United States and from other parts of the world.

Enrollment changes in MCPS do not occur at a uniform rate throughout the county. The MCPS system is among the twenty largest in the country in terms of enrollment and serves a county of approximately 500 square miles. The full range of population density, from rural to urban, is present in the county. Where new communities are forming, enrollment has been growing faster than in established areas of the county. In areas with affordable housing, there is often greater diversity in enrollment caused by immigration from outside the country.

MCPS is challenged continually to anticipate and provide facilities in an efficient and fiscally responsible way to meet the varied educational needs of students. The Long-Range Educational Facilities Planning policy describes how the school system responds to educational and enrollment change, the rate of change, its geographic distribution, and the racial, ethnic and socioeconomic diversification of enrollment.

School facilities also change. Aging of the physical plant requires a program of maintenance, renovation, and modernization. Acquiring new sites, designing new facilities, and modifying existing ones so that they keep current with program needs is essential. This policy provides the framework for coordinating planning for these capital improvements.

C. POSITION

The following procedures, criteria, and standards apply to the facilities planning process.

1. *Capital Improvements Program (CIP)* - On or about November 1, the superintendent will publish recommendations for a capital budget and improvements program. Boundary change recommendations, if any, will be released by mid-October. The Capital Improvements Program schedules needed changes to the MCPS physical inventory for the coming six fiscal years.
 - a) After review of the superintendent's recommendations for a capital budget and six-year CIP, the Board will adopt a capital budget and a six-year CIP and submit them to the county executive for review and recommendations to the County Council for inclusion in the county CIP and for funding of upcoming fiscal year projects. The superintendent will notify PTA/PTSAs, municipalities, civic groups registered with the Maryland-National Capital Park and Planning

Commission, student government associations, and other interested groups of its publication and availability in public libraries. The proposed CIP will be sent for review and comment to the Maryland-National Capital Park and Planning Commission, State Board of Education, State Interagency Committee on Public School Construction, county government, municipalities, MCCPTA, Montgomery County Region of the Maryland Association of Student Councils, and Montgomery County Junior Council. The six-year CIP will include:

- (1) Background information on the enrollment forecasting methodology
 - (2) Current enrollment figures and demographic profiles of all schools including racial/ethnic composition, Free and Reduced Meals program participation, English for Speakers of Other Languages (ESOL) enrollment, and school mobility rate
 - (3) Enrollment forecasts for the next six years by year, and longer term cluster, consortium, and base area forecasts for a period approximately ten and fifteen years into the future
 - (4) A profile of all school facilities showing physical and program characteristics, such as Head Start, kindergarten and pre-kindergarten, ESOL, and special education centers
 - (5) A summary of any capital requests by the Board of Education that would change the facility, as well as Board actions affecting programs at the facility or the service area of the facility (When necessary, supplements to the CIP may be published to provide more information on issues.)
 - (6) Montgomery County Project Description Forms for all requested capital projects (A project description form describes the needs for a particular facility or for several facilities with similar requirements and contains the project budget.)
- b) The county executive and County Council are required to adopt a six-year capital improvements program (CIP) which includes MCPS projects, reporting construction schedules, and anticipated costs. This document includes:

- (1) A statement of the objectives of MCPS capital programs and the relationship of these programs to the long-range development plans adopted by the county
- (2) Recommended capital projects and a proposed construction schedule for schools and other educational facilities
- (3) An estimate of cost and a statement of all funding sources
- (4) All anticipated capital projects and programs of the Board including substantial improvements and extensions of projects previously authorized

2. Master Plan

- a) On or about June 15 of each year the superintendent will publish a summary of all Board-adopted capital and non-capital facilities plans. This document, called the *Master Plan for Educational Facilities*, is required under the rules and regulations of the State Public School Construction Program.
 - (1) This comprehensive plan will incorporate the impact of all capital projects approved for funding by the County Council and any non-capital facilities plans approved by the Board of Education.
 - (2) The *Master Plan for Educational Facilities* will show projected enrollment and utilization for facilities for the next six years and for a period approximately 10 and 15 years in the future. This information will reflect projections made the previous fall as updated in spring, and any changes in enrollment or capacity projected to result from capital projects, boundary adjustments or other changes authorized by the Board prior to the date of the plan's publication.
 - (3) The plan will include demographic profiles of school enrollments and physical and program profiles of school facilities.
- b) Schools that fail to meet one or more of the facility standards for enrollment and utilization based on projections will be identified in the Master Plan. The *Master Plan for Educational Facilities* serves as the review and reporting mechanism required by this policy.

3. Enrollment Forecasts

- a) Each fall enrollment forecasts for all schools will be developed for a six-year period. In addition, longer term forecasts for a period of approximately ten and fifteen years in the future also will be developed. These forecasts will be the basis for evaluating facility space and initiating planning activities. The forecasts should be developed in coordination with the Montgomery County Planning Department's county population forecast and any other relevant planning sources.
- b) On or about April 1, a revision to the enrollment forecast for the next school year will be developed to refine the forecast for all schools and to reflect any change in service areas or programs.

4. Capacity Calculations

- a) The capacity of a facility is determined by the space needs of educational programs. The capacity ratios shown in the following table should not be confused with staffing ratios as determined through the operating budget process. Program capacity is calculated as the product of the number of teaching stations at a school according to the following ratios:

Level	Capacity Ratings Per Room
Head Start & Pre-K	36:1 (2 sessions per day)
Grade K 2 day	44:1 (2 sessions per day)
Grade K all day	22:1
Grades 1-6 Elementary	25:1
Grades 6-12 Secondary	25:1*
Special Ed. Intensity 4	13:1
Special Ed. Intensity 5	10:1
ESOL/SPARC/BASIC	15:1

* Program capacity differs at the secondary level in that the regular

calculated capacity of 25 is multiplied by .9 to reflect the optimal utilization of a secondary facility.

Some special programs require classroom ratios different from those listed.

Maximum class size for preschool and special education programs is mandated by state and federal regulations.

- b) Elementary, middle, and high schools should operate in an efficient utilization range of 80 to 100 percent of program capacity. If a school is projected to be underutilized (less than 80%) or overutilized (over 100%), facilities planning to address these utilization levels may be undertaken. In the case of overutilization, an effort to judge the long-term needs for permanent space should be made prior to planning for new construction. Temporary measures such as the use of relocatable classrooms may be appropriate. Underutilization of facilities also should be evaluated in the context of short-term and long-term enrollment forecasts.

5. Preferred Range of Enrollment

The description of preferred ranges of enrollment for schools refers to all students, except those special education students receiving instruction in self-contained classrooms, whose numbers are added to these ranges.

- a) A preferred range of enrollment for schools, provided they have program capacity, is:
 - (1) Two to four classes per grade of students in an elementary school
 - (2) Two to three teams per grade in middle schools with team size averaging between 100 to 125 students
 - (3) 250 to 450 students per grade in high schools
 - (4) Enrollment as set forth in applicable education policies for the K-12 program
- b) The preferred range of enrollment will be considered when planning new schools or changes to existing facilities. Departures from the preferred range may occur if educational program justifies or requires it. Larger enrollments for high schools may be justified

for those schools in which students are academically very diverse in order to meet the programmatic needs of all students. Fiscal constraints may also require MCPS to build schools of other sizes. If larger or smaller schools are built or created, alternative approaches to school construction, management, organization, or staffing will be considered in order to facilitate effective delivery of educational programs.

6. School Site Size

Size for school sites are:

- a) 12 usable acres for elementary schools
- b) 20 usable acres for middle schools
- c) 30 usable acres for high schools

Sites of these approximate sizes accommodate the instructional program including related outdoor activities. In some circumstances it may be necessary to use smaller or larger sites. In these circumstances special efforts to accommodate outdoor activities are necessary such as use of adjacent or nearby park properties or shared use of school fields. It may be necessary to acquire more than the standard acreage in order to accommodate environmental concerns, unusual topography, or surrounding street patterns.

7. Community Representation

Members of the community have several opportunities for direct input into the facilities decision-making process including: actual participation as voting or non-voting members of advisory committees, submission of letters, alternatives, or other written material for consideration by the superintendent and staff; and testimony in written or oral form before the Board of Education. In addition, the views of the members of the community are solicited through:

- ! the Montgomery County Council of PTAs which is the largest group seeking views of school communities affected by facility planning activities
- ! cluster coordinators
- ! local PTAs

- ! student advocacy groups
- ! other organizations
- a) PTA or other parent and student representatives along with appropriate MCPS facility and program staff should be involved in the facility planning process for site selection, school boundary studies, school closings and consolidations, and aspects of facility design (including modernization planning, new school planning, and architect selection).
- b) In addition to parent and student representation, MCPS employees, municipalities, local government agencies, civic and homeowner associations, and countywide organizations contribute to the facilities planning process. A civic or homeowner association must be registered with the Maryland-National Capital Park and Planning Commission. Countywide organizations are those with members throughout the county, including organizations such as the League of Women Voters, and federations of civic groups.
- c) The Board will conduct public hearings for potentially affected school communities prior to any action affecting attendance areas and the closure or consolidation of schools.
 - (1) Public hearings will be conducted following publication of the superintendent's recommended budget and six-year capital improvements program.
 - (2) Public hearings also may be held in March for any capital budget recommendations deferred from the fall or in cases where capital decisions must be made in March.
 - (3) Written comments from interested parties will be accepted at any point, but in order to be considered comments must reach the Board 24 hours before the time scheduled for action by the Board.

D. DESIRED OUTCOMES

This policy is intended to achieve the following outcomes:

1. Provide the facilities and future school sites necessary to sustain high

quality educational programs at reasonable cost, including non-traditional facilities where these provide needed educational programs

2. Utilize schools in ways that are consistent with sound educational practice. Consider the impact of facility changes on educational program and related operating budget requirements and on the community
3. Provide opportunities for all students in accordance with the Board policy on Quality Integrated Education
4. Provide space to accommodate all students, where feasible, in their home schools
5. Provide a schedule to maintain and modernize older school buildings in order to continue their use on a cost-effective basis, and to keep facilities current with educational program needs
6. Provide a capital program and master plan that consider long-term enrollment trends, educational program needs, and capacity available over a broad region in determining:
 - a) Where and when new schools and additions will be constructed
 - b) Where and when school closures and consolidations are appropriate
7. Provide a meaningful role for the community in facilities planning
8. Provide as much stability in school assignments as possible
 - a) Provide high schools for Grades 9-12 and, where possible, create clusters composed of one high school, and a sufficient number of elementary and middle schools, each of which send all students including special education and ESOL students, to the next higher level school in the cluster.
 - b) Efficient utilization of resources and facilities may require shared use of facilities by more than one cluster.

E. IMPLEMENTATION STRATEGIES

1. Evaluating Utilization of Facilities
 - a) In the fall of every year after new enrollment forecasts are

developed, utilization of all school facilities will be evaluated. The effect of any proposed educational program changes or grade level reorganizations also will be evaluated. For schools that are projected to have insufficient capacity, excess capacity or other facility issues in the future, the superintendent will recommend:

- (1) A capital project in the six-year CIP
 - (2) A solution such as boundary change, school pairing, facility sharing, closing/ consolidation, or any other similar solution which does not necessarily involve a capital project
 - (3) No action or deferral pending further study of enrollment or other factors
- b) Facility recommendations made by the superintendent will incorporate consideration of educational program impacts. As part of the process of developing facility plans, facilities planning staff will work closely with appropriate program staff to identify program requirements for facility plans.
- c) Recommendations that relate to school boundary changes will be made after the superintendent receives advice from a school boundary advisory committee.
- d) The superintendent also may request advice from the school community for other types of facility recommendations, such as school closures and consolidations, grade level reorganizations, pairings and program moves.

2. Guidelines For Development of Facilities Recommendations

In cases where enrollment change requires the opening of additional facilities, or any other change in student assignments, a number of factors are to be taken into consideration by the Board of Education, the superintendent, and any advisory committee.

- a) Area of Focus: Facility
- (1) Facilities proposals should result in school utilizations in the 80% to 100% efficient range whenever possible.
 - (2) Proposals should be fiscally responsible and consider ways to minimize capital and operating costs whenever feasible.

The geographic scope of facility studies should be broad enough to realize economies in costs and comprehensive long-range solutions to facility issues while preserving as much stability in school assignments as possible.

- (3) When the Board of Education moves special education programs, physical modifications to the facility will be made in accordance with the Americans with Disabilities Act (ADA).
- (4) Shared use of a facility by more than one cluster may be the most feasible facility solution in some cases. In these cases, not less than 25 percent of the shared school's enrollment should come from each cluster.

b) Area of Focus: Population

- (1) New school openings and boundary adjustments demand that consideration be given to the impact of various proposals on the affected school populations. A school population consists of students assigned from a specific geographic attendance area regardless of the location of the school building itself.
- (2) Where reasonable, school service area boundaries should be established to promote creation of a diverse student body in each of the affected schools considering the county's different racial/ethnic groups in accordance with the Quality Integrated Education policy; the socioeconomic background of students as measured by participation in the Free and Reduced Meals Programs (FARMs), U.S. Census information, and other reliable indicators; the inclusion of special education programs and students; mobility rates at schools; and the mix of single family and multiple family dwellings within each service area. Data showing the impact of proposals on applicable factors shall be developed.

c) Area of Focus: Geography

- (1) In most cases, the geographic scope of elementary school boundary studies should be limited to the high school cluster area. For secondary schools, one or more clusters of schools may be studied.

- (2) Consistent with the school system policy on Site-Based Participatory Management, with its emphasis on community involvement in schools, boundary proposals should result in service areas that are, as much as practical, made up of contiguous communities surrounding the school. Walking access to the school should be maximized and transportation distances minimized when other priorities do not require otherwise.

d) Area of Focus: Stability

- (1) Recognizing that at times changes to facilities and boundaries may occur, plans should result in as long a period as possible of stable assignment patterns.
- (2) Recommendations for aggregate student reassignments should consider recent boundary changes and/or school closings and consolidations which may have affected the same communities.

3. Calendar

The long-range facilities planning process will be conducted according to an annual calendar that will adhere to the following calendar adjusted annually to account for holidays and other anomalies.

School principals, cluster coordinators, and PTA representatives meet with facilities planning and other appropriate staff and exchange information about facilities issues requiring consideration in upcoming CIP's	Late May
Superintendent publishes a summary of all actions to date affecting schools (Comprehensive Master Plan) and identifies future needs	June 15
Cluster PTA representatives submit comments and proposals about issues affecting their schools to superintendent	July 15
Staff presents enrollment trends and planning issues for Board of Education information	September 30
The County Council passes spending affordability guidelines that set limits on bonding debt the county can undertake	Early October
Superintendent publishes and sends to Board of Education any recommendations for boundary changes	Mid-October
Superintendent publishes and sends to the Board of Education and county executive Capital Budget and Six-Year Capital Improvements Program (CIP) with recommendations for capital projects. Any reorganizations or other facility plans as appropriate for changing enrollments, programs, and policies	Early November or first business day of November
Board of Education holds worksession on CIP recommendations. Alternatives to recommendations may be requested by Board of Education at this time	Early November
OE holds public hearings on recommendations and any Board adopted alternatives	Mid-November
Board of Education acts on CIP and any related facility planning recommendations	End of November
County Executive and Montgomery County Planning Board receive Board of Education	December 1

adopted CIP for review	
County Executive transmits recommended CIP to County Council	January 15
Planning Board reviews County Executive's recommended CIP	February 1
County Council holds public hearings on CIP	February - March
County Council reviews Board of Education requested and County Executive recommended CIPs	March - April
Deferred facility planning issues and boundary recommendations, if any, published with superintendent's recommended amendment(s) to CIP for Board of Education review	Mid-February
Board holds worksession, requests any alternatives	Early-March
Board holds public hearings	Mid-March
Board acts on deferred recommendations	Late-March
County Council approves CIP	June

In the event the Board of Education determines that an unusual circumstance exists, the superintendent will establish a different and/or condensed time schedule for making recommendations to the Board, for scheduling public hearings on recommendations for alternatives not previously subject to public hearing and for Board action.

4. Community Involvement Process

School and community involvement in MCPS facilities plans is important to the success of the plans. Parents, staff, and students are primary constituents in the facilities planning process. The county network of Parent Teacher Associations (PTAs), organized in each high school area by cluster coordinators, is the focus for involvement of the school communities. Coordination with municipalities and local government agencies also is appropriate. Information from other community organizations, civic associations registered with the National Park and Planning Commission, and individuals also is important.

The following sections describe the community involvement process in site selection, boundary changes, and in planning and design of new and modernized facilities. These sections refer to formation and operation of advisory groups. In addition to these activities all community members have opportunities to advise the superintendent and Board annually through cluster reports, written correspondence, and public testimony.

a) Site Selection

- (1) MCPS staff will work with the Montgomery County Planning Board during the development of master plans to identify future school site requirements based on existing and proposed residential development. General or floating locations of sites are identified on master plan maps. As

subdivision occurs, site dedications may be requested.

- (2) Specific site selection begins when MCPS projections indicate a new facility is required. The facility in most cases will be programmed in the six year CIP before a site selection committee is formed.
- (3) The MCPS site administrator works with the cluster coordinators in consultation with PTA presidents to form site selection committees composed of MCPS staff, PTA representatives, and appropriate municipal and county government agency officials. In cases of secondary school sites, representatives of more than one cluster may be involved in the committee.
 - (a) The MCPS site administrator and planning staff work with the committee reviewing alternative site options from the MCPS inventory, and in some cases study potential purchase of properties.
 - (b) The committee considers the geographic location, its relation to future student populations, the appropriateness of potential sites and makes a recommendation to the superintendent.
- (4) The superintendent evaluates this recommendation and then makes his/her recommendation to the Board.
- (5) The Board considers the committee and superintendent's recommendation before officially adopting a site.

b) Facility Design

- (1) Parent and student representatives will serve with MCPS staff on planning advisory committees to modify, modernize, or construct new facilities.
 - (a) Parent representatives will be identified by cluster coordinators, in consultation with PTA presidents in coordination with school principals.
 - (b) Student representatives at the secondary level will be identified by the principal or chair of the committee.

- (c) Representatives of adjacent homeowner, civic association, or other neighborhood groups also may serve on the advisory committee.
- (2) Activities incorporating community viewpoints include development of educational specifications for schools, architect selection and review of architectural plans.
 - (a) Architectural plans should be available for review by homeowner and civic associations adjacent to the school site.
 - (b) Whenever possible, concerns of these groups should be addressed at the design stage before architectural plans are finalized.
- c) School Boundary Changes
 - (1) In cases where MCPS facilities planning staff identify the need for possible changes in school service areas, an advisory committee will be formed to assist in the development of those changes. MCPS facilities planning staff and program staff will organize and work directly with this group.
 - (a) The cluster coordinator(s) in consultation with the school principal(s) and PTA presidents will identify parent representation from areas potentially affected by boundary changes.
 - (b) At the secondary level, the school principal(s) will identify interested students to serve on the committee.
 - (c) The cluster coordinator(s) in consultation with the school principal(s) and PTA presidents also will identify any additional representatives from organized parent or student organizations who have knowledge of the schools involved.
 - (2) At the outset of meetings, the committee will provide guidelines, criteria, or priorities based on the factors outlined in the section of this policy titled "*Guidelines For Development of Facilities Recommendations*" (Section E.2) to planning staff for consideration in developing options.

The superintendent and Board of Education also will consider factors outlined in Section E.2 in their review of boundary proposals.

- (3) Staff will then develop and present approximately 3-5 viable options for the advisory committee to consider. Members of the advisory committee may request development of additional options; however, the total number of options developed for the committee shall not exceed ten.
- (4) Official membership on school boundary advisory committees will consist of individuals who are familiar with the affected school communities.
- (5) Advisory committees may call on other community resources such as civic and homeowner associations.
- (6) Membership on advisory committees should reflect the racial/ethnic and socioeconomic diversity of the area.
- (7) MCPS staff will notify civic and homeowner associations in the potentially affected communities of proposed boundary changes being discussed in an area. Cluster coordinators, and PTAs may also assist in notification of planning activities through their individual communication mechanism.
- (8) An advisory committee report including evaluation of the options by committee representatives, and any individual PTA position paper on the options, will be forwarded to the superintendent.
- (9) The superintendent will develop recommendations after considering staff advice, the advisory committee report, if any, and input from other organizations and individuals who have provided comments. The superintendent will publish his/her recommendations in mid-October with the CIP.
- (10) Copies of the recommendations are distributed to the affected communities.
- (11) The Board of Education will hold a worksession and may request by majority vote that alternatives to the superintendent's recommendations be developed for official

review. Any significant modification to the superintendent's recommendation requires an alternative. Any modification that impacts any or all of the school community that has not previously been included in the superintendent's recommendation should be considered a significant modification.

- (12) Recommendations from the superintendent and Board-adopted alternatives will be the subject of public hearings prior to final Board action.
- (13) Upon taking action on a boundary proposal, the Board has the discretion to adopt minor modifications to the superintendent's recommendation or Board-adopted alternatives if it has been determined by a majority vote of the Board that this action will not have a significant impact on a plan that has received public review. To the greatest extent possible, alternatives will not be considered after the Board of Education alternatives worksession without adequate notification and opportunity for comment to the affected communities.

d) Cluster Reports

- (1) By July 15, cluster representatives should state in writing to the superintendent any proposals, priorities, or concerns that have been identified for its schools.
- (2) The views may be amended by September 15 in cases where fall enrollments or other events may change the comments.
- (3) Cluster reports are to be considered in facilities recommendations made by the superintendent in the subsequent capital improvements program.

e) Public Hearing Process

- (1) Public hearings are open to the potentially affected public and are held annually following publication of the superintendent's recommended CIP. This document incorporates any boundary changes and school closure/consolidations that may also be recommended.

- (a) The PTA cluster coordinator in consultation with the PTA president will coordinate testimony at the hearing on behalf of cluster schools.
 - (b) Civic groups, municipalities and countywide organizations should contact the Board of Education office to schedule testimony.
 - (c) Public comments from individuals not represented by school or civic groups will be heard by the Board of Education at an appropriate place in the public hearing. Individuals should contact the Board Office to schedule testimony.
- (2) Written comments from any interested parties will be accepted at any point, but in order to be considered comments must reach the Board 48 hours before the time scheduled for action by the Board.
- (3) Public hearings may also be held on any CIP or facilities planning issues deferred from the fall. These usually would occur in late February or early March. In unusual circumstances public hearings may be called at other times to consider facility issues that do not fit into the fall or spring timetables.

5. School Closures and Consolidations

The Maryland State Board of Education requires all school systems to consider certain factors and follow set procedures in cases where a school closure is contemplated. The procedures described below are in accordance with those requirements and the guidelines as outlined in this Board of Education policy.

- a) The following information on each school that may be affected by a proposed closing shall be prepared and analyzed:
 - (1) Student enrollment trends
 - (2) Number of transfers into school from outside attendance area
 - (3) Race/ethnic composition of student body

- (4) Educational programs at schools
- (5) Age or condition of building
- (6) Review of school's location and site characteristics
- (7) Building characteristics, including any modifications for special programs
- (8) Physical condition
- (9) Financial considerations including operating costs
- (10) Feeder pattern
- (11) Percentage of students transported
- (12) Potential of the facility for alternative use
- (13) Student relocation
- (14) Impact on community in geographic attendance area for school proposed to be closed and school, or schools, to which students will be relocating

Copies of the data are also to be sent to affected schools' principals and community representatives.

- b) In conjunction with requirements, the superintendent shall provide an analysis of each school's current and projected enrollment given the enrollment and facility standards described in this policy and analysis of the impact of closure/consolidation options on objectives of the QIE policy.
- c) Recommendations for closure or consolidation should move schools toward standards for enrollment and facility utilization and should represent fiscally responsible and educationally sound responses to changing enrollment. Recommendations should be consistent with the Board's policy on Quality Integrated Education. They should enable as many students to walk to school as possible, and minimize transportation distances except when transportation or longer distances are required to address racial and ethnic isolation.

- d) The community's role in the process shall be as follows:
- (1) The superintendent shall request formation of a community advisory committee to provide input prior to making any recommendations. Procedures for operation of advisory committee found in Section E.4c (on boundary changes) shall be followed in instances where school closures/consolidations are being considered.
 - (2) The superintendent shall publish recommendations for school closures and consolidations by mid-October or mid-February. After providing recommendations to the Board of Education, copies are to be sent for review and comment to the M-NCPPC, State Board of Education, State Interagency Committee, County Council, municipalities, county government, MCCPTA and all affected school PTAs and cluster coordinators.
 - (3) Individuals, schools, and/or community organizations may react to the recommendations for their school within two months after they are distributed. All reactions and community-developed proposals will be shared with the Board.
 - (4) If the Board chooses to request alternatives to the superintendent's formal recommendations, affected communities will be informed about them promptly.
 - (5) Subsequent to these steps, the Board's prescribed process for public hearing shall be followed. (see Section E.4e) In addition, state requirements for adequate notice to parents and guardians of students in attendance at all schools being considered for closure by the local board of education will be followed. In addition to any regular means of notification, written notification of all schools that are under consideration for closing shall be advertised in at least two newspapers having general circulation in the geographic attendance area for the school or schools proposed to be closed, and the school or schools to which students will be relocating.
 - (6) The newspaper notification shall include the procedures that will be followed by the local board of education in making its final decision. Time limits on the submission of oral or

written testimony and data shall be clearly defined in the notification of the public meeting. The newspaper notification shall appear at least two weeks in advance of any public hearings on a proposed school closing. The Board reserves the right to solicit further input or to conduct further hearings if it considers them desirable.

- (7) In making its decision, the Board shall take into account the superintendent's recommendations and the criteria outlined in this policy.
- (8) The final decision of the Board of Education to close a school shall be announced at a public session and shall be in writing. The final decision shall include the rationale for the school closing and address the impact of the proposed closing on the factors set forth above in this policy. There shall be notification of the final decision of the local board of education to the community in the geographic attendance area of the school proposed to be closed and school or schools to which students will be relocating. The final decision shall include notification of the right to appeal to the State Board of Education.
- (9) Except in emergency circumstances, the decision to close a school shall be announced at least 90 days before the date the school is scheduled to be closed but not later than April 30 of any school year. An emergency circumstance is one where the decision to close a school because of unforeseen circumstances cannot be announced at least 90 days before the date a school is scheduled to close or before April 30 of any school year.

F. REVIEW AND REPORTING

1. The annual June publication of the Master Plan will constitute the official reporting on facility planning. This document will reflect all facilities actions taken during the year by the Board of Education and approved by the County Council, project the enrollment and utilization of each school, and identify schools that may be involved in future planning activities.
2. This policy will be reviewed on an on-going basis in accordance with the Board of Education's policy review process.

Re: **MONTHLY FINANCIAL REPORT**

The report reflected the projected financial condition through February 28, 1999, based on program requirements and estimates made by primary and secondary account managers. There was a projected surplus in revenues of \$364,865 and a projected surplus of \$250,000 in expenditures.

Mrs. Gordon thought staff should be complimented on their work in the special education category. In the past, the school system had a deficit of millions of dollars. Staff had worked diligently to bring this category under control in both legal costs and service delivery.

Re: LUNCH AND CLOSED SESSION

The Board of Education recessed from 12:30 to 1:30 p.m. for lunch and closed session.

Re: BOARD OF EDUCATION HANDBOOK

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

WHEREAS, The Board, on September 10, 1985, first adopted a Handbook for the Montgomery County Board of Education, governing the operations and procedures of the Board; and

WHEREAS, On November, 10, 1988, the Board of Education approved an update of the contents of the handbook; and

WHEREAS, On July 13, 1993, the Board of Education last comprehensively updated the handbook; and

WHEREAS, On July 14, 1998, the Board of Education undertook a comprehensive review of proposed changes to the handbook and directed that certain revisions be made; now therefore be it

Resolved, That the Board of Education approve the attached revisions to the Handbook for the Montgomery County Board of Education, superseding all previous resolutions addressing the provisions of the handbook; and be it further

Resolved, That staff be directed to publish the handbook in a convenient format to be made readily available, as soon as feasible, to MCPS staff, Board candidates, and the community-at-large; and be it further

Resolved, That the provisions of the handbook be automatically updated as changes occur via future resolution of the Board of Education.

RESOLUTION NO. 230-99Re: **AN AMENDMENT TO THE BOARD OF EDUCATION HANDBOOK**

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

Resolved, That the Board of Education insert the following language at the end of ~~Authority and Responsibilities of the Board of Education~~ and before ~~Board Member Authority~~

In addition to those mandatory duties that are defined in law, the Board is committed to the Key Work of School Boards developed by the National School Board Association. The Key Work of School Boards encompasses these eight areas of action:

- 1.1 Establish a clear vision of student achievement as the top priority of the school board, staff, and community.
- 1.2 Set clear standards for student performance.
- 1.3 Establish an assessment process that measures success at regular intervals.
- 1.4 Establish a strong accountability process.
- 1.5 Align resources to focus on students meeting the standards.
- 1.6 Create a positive climate for student success.
- 1.7 Build collaborative relationships with political and business leaders, with a focus on developing a consensus for student success as a top community priority.
- 1.8 Commit to continuous improvement for student achievement.

By consensus, the following amendments were approved by the Board:

Under Authority and Responsibilities of the Board of Education, add **aligned to support the strategic plan of the school system.**

Under Student Board Member: If invited to do so by a majority **vote** of the **seven full voting members of the** Board, notwithstanding the lack of a vote, the student member, may attend personnel hearings pursuant to '6-202 and closed sessions related to collective bargaining.

Under Board of Education Goals and Priorities: With the advice of the Superintendent of Schools, the Board of Education establishes priorities ~~biennially~~ together with specific objectives for the attainment of these priorities. Following the establishment of priorities, the Superintendent **and Board members** recommend agenda items for Board meetings based on these priorities.

Under Responsibilities and Duties of the Superintendent of Schools: The Superintendent also ~~recommends~~ **informs the Board in advance of** administrative reorganizations, including transfers of functions, establishment of positions and offices, and consolidation of positions and offices.

Under Board Organizational Meeting: The names of all members are automatically placed in nomination, and, through an individually recorded vote, the members elect a president and vice president from among the **currently sitting** members by majority vote.

Under Meetings of the Board of Education: If submitting written testimony, speakers are requested to provide ~~20~~ **25** copies. Prior to voting on an item of new business which seeks a paper from the Superintendent, the Superintendent shall be asked ~~as to the amount of time~~ **how much time** it would take staff to prepare a response. **At every business meeting, time shall be set aside for AConsent Items,@ consisting of matters which the president or Superintendent believes will be adopted by unanimous vote. Approval of the consent agenda shall include the approval, by one voice vote, of all items included as consent items, provided that any member may defer to the end any item on which discussion is desired, after which a separate vote shall be taken.**

Under Record of **Board** Meetings: Audio and video tapes of the Board's business meetings and hearings **are retained for five years.**

Under Personnel Appointment Procedures: ~~These transfers are discussed in closed session and subject to disapproval by majority vote in public session.~~

Under Meetings with Various Organizations: The Board may also meet from time to time in informal meetings with **other elected and appointed officials, education, civic, and community organizations** —~~the Montgomery County Council, the County Executive, the Board of Trustees of Montgomery College, and the Montgomery County Planning Board.~~

Under Agenda-setting and Board Materials: ~~As a result of this biennial review, respective Board Members shall be notified of the deletion of any items which they had originally introduced.~~

Under Board Advisory Committees: **Committees appointed by the Board are subject to the Open Meetings Act.**

Under Board Member Expense Standards: Meals -- actual expenses for business-related meals for three meals **per day.**

RESOLUTION NO. 231-99Re: BOARD OF EDUCATION HANDBOOK

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

WHEREAS, The Board, on September 10, 1985, first adopted a Handbook for the Montgomery County Board of Education, governing the operations and procedures of the Board; and

WHEREAS, On November, 10, 1988, the Board of Education approved an update of the contents of the handbook; and

WHEREAS, On July 13, 1993, the Board of Education last comprehensively updated the handbook; and

WHEREAS, On July 14, 1998, the Board of Education undertook a comprehensive review of proposed changes to the handbook and directed that certain revisions be made; now therefore be it

Resolved, That the Board of Education approve the attached revisions to the Handbook for the Montgomery County Board of Education, superseding all previous resolutions addressing the provisions of the handbook; and be it further

Resolved, That staff be directed to publish the handbook in a convenient format to be made readily available, as soon as feasible, to MCPS staff, Board candidates, and the community-at-large; and be it further

Resolved, That the provisions of the handbook be automatically updated as changes occur via future resolution of the Board of Education.

A Handbook for the Montgomery County Board of Education

Authority and Responsibilities of the Board of Education

The powers and mandatory duties of the Board of Education are defined in the Education Article of the Annotated Code of Maryland and Title 13A of the Code of Maryland Regulations. The Board's primary responsibilities, aligned to support the strategic plan of the school system, include, but are not limited to:

1. Selecting and appointing the Superintendent of Schools;
2. Formulating and interpreting policies;
3. Adopting operating and capital budgets;
4. Making decisions on educational, budgetary, financial (including

authorization of legal settlements with the exception of special education settlements up to a level adopted by the Board), and facility matters;

5. Establishing curriculum guides and courses of study;
6. Making a continuous appraisal of the educational and administrative management of the school system;
7. Establishing school boundaries;
8. Communicating with citizenry, staff, and students;
9. Acting in a quasi-judicial capacity, in particular, deciding appeals;
10. Acting on personnel matters; and
11. Advancing a legislative agenda before the County Council and General Assembly.

In addition to those mandatory duties that are defined in law, the Board is committed to the Key Work of School Boards developed by the National School Board Association. The Key Work of School Boards encompasses these eight areas of action:

- 1.1 Establish a clear vision of student achievement as the top priority of the school Board, staff, and community.
- 1.2 Set clear standards for student performance.
- 1.3 Establish an assessment process that measures success at regular intervals.
- 1.4 Establish a strong accountability process.
- 1.5 Align resources to focus on students meeting the standards.
- 1.6 Create a positive climate for student success.
- 1.7 Build collaborative relationships with political and business leaders, with a focus on developing a consensus for student success as a top community priority.
- 1.8 Commit to continuous improvement for student achievement.

Board Member Authority

State law determines that power belongs not to individual members of a Board of Education but to the Board of Education itself. Board members have authority only when acting as a Board of Education in a legally constituted session, a quorum being present. The statement or action of an individual member or group of members of the Board of Education does not bind the Board of Education itself, except when that statement or action is authorized by an official act of the Board.

Board Member Qualifications

A full-voting member of the Board of Education must be a registered voter of Montgomery County. An individual subject to the authority of the county Board may not serve.

The seven full-voting members are elected for a four-year term at the general election every two years. Four members (three by district and one at large) are elected in gubernatorial election years, and three members (two by district and one at large) are elected in presidential election years. Unlike County Council elections, all voters in the county vote for members of the Board of Education regardless of the candidate's district. Notwithstanding when the ceremonial oath of office is administered, the term begins on December 1 after the election and continues until a successor is elected and qualifies.

The student member must be a resident of Montgomery County and a regularly enrolled junior or senior year student from a Montgomery County public high school.

The student Board member is elected for a one-year term each year by students enrolled in grades 6 through 12 in the Montgomery County Public Schools. The student term of office begins on July 1 after the election.

Board Candidates and Members-Elect

Election procedures are found in the Election Article of the *Annotated Code of Maryland*.

Board candidates are required to file public financial disclosure statements for the preceding calendar year with the Board of Supervisors of Elections at the time they submit their certificate of candidacy. After the candidate's election to the Board of Education, the Board of Supervisors of Elections sends the financial disclosure form to the Board of Education Ethics Panel. School system practice is to use the following processes for Board member candidates:

1. Materials, except items of a confidential nature, for Board business meetings are made available to be picked up by candidates who have filed.
2. After the primary election, the remaining candidates receive these materials at their homes.
3. After the general election and prior to being sworn in, members-elect receive all materials, including items of a confidential nature, provided to Board members. Except for voting, they participate fully in all meetings of the Board.
4. After the student member is elected, he or she receives all Board materials at his/her home. He/she participates in meetings of the Board of Education.
5. Newly elected Board members are usually seated at the outside of the Board table.

New Board Member Orientation

Following the election of new members, the Board of Education officers provide for an orientation to the Board's operation and processes. Information is provided about the functions of the office of the Board of Education and the working relationships with the Superintendent of Schools and the staff of the Montgomery County Public Schools. - New Board members are informed that Board members must file financial disclosure statements

annually with the Board's Ethics Panel.

Student Board Member

The student member has the same rights and privileges of an elected member except that the student member may not vote on matters relating to capital and operating budgets, school closings, school reopenings and boundaries, personnel matters governed by '6-202 of the Education Article, and collective bargaining. The student member may indicate a preference, and the vote of the student is recorded in parentheses on these issues. If invited to do so by a majority of the seven, full voting members of the Board, notwithstanding the lack of a vote, the student member may attend personnel hearings pursuant to '6-202 and closed sessions related to collective bargaining. The student member may also make motions or second motions made by others. However, his or her right to vote on such motions is predicated upon whether it concerns a matter on which the student member's vote counts.

The student member is awarded one full credit in social studies and student service learning hours equivalent to hours devoted to being the student member of the Board upon completion of a one-year term on the Board of Education.

The student member may distribute diplomas and/or certificates at high school commencements but may not confer his or her own diploma.

Filling Vacancy of Board Member's Unexpired Term

In the event of an adult Board member's resignation, death, or removal from office, the remaining members of the Board will select a qualified individual to fill the vacancy. This individual will serve for the remainder of the term and until a successor is elected. The Board determines the process for the selection of the new Board member. In the event of a vacancy in the student Board member, the individual receiving the second highest vote in the most recent election shall be seated as the student member for the remainder of the term.

Removal of Board Member

Pursuant to statute, the County Council may remove a Board member for immorality, misconduct in office, incompetency, or willful neglect of duty. The member may request a hearing and have an opportunity to be heard. The member also has the right to a de novo review of the removal by the Circuit Court of Montgomery County.

Ethics

The Board of Education has adopted the following Code of Ethics as recommended by the National School Boards Association:

"As a member of my local Board of Education I will strive to improve public education, and to that end I will:

Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;

Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings;

Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;

Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community;

Work with other Board members to establish effective Board policies and to delegate authority for the administration of the schools to the Superintendent of Schools;

Communicate to other Board members and the Superintendent of Schools expressions

of public reaction to Board policies and school programs;

Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school Board associations;

Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;

Avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal or partisan gain;

Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law; and

Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools."

Moreover, the Board has adopted Policy BBB, *Ethics Policy*, to govern actions of its members, school officials, and employees.

The Board, meeting in retreat, adopted the following principles to reflect its commitment to work together as a Board in the best interests of the school system:

- \$ Respecting individual differences and opinions and being open-minded
- \$ Being prepared to do the work of the Board
- \$ Supporting decisions of the Board and not working against them
- \$ Reassessing the way the Board does business
- \$ Disagreeing on issues without making it personal
- \$ Keeping confidential issues and closed session issues within the Board
- \$ Being more candid in expressing opinions
- \$ Improving communications among all Board members
- \$ Maintaining professional decorum during Board meetings

Board of Education Goals and Priorities

The Board of Education has control over educational matters that affect the county and promotes the interests of schools under its jurisdiction. The Board of Education adopts a strategic plan to guide the school system in developing, implementing, and improving educational programs for its students.

With the advice of the Superintendent of Schools, the Board of Education establishes priorities together with specific objectives for the attainment of these priorities. Following the establishment of priorities, the Superintendent of Schools and Board members recommend agenda items for Board meetings based on these priorities.

Appointment of the Superintendent of Schools

The term of the Superintendent of Schools is four years beginning on July 1. The Superintendent of Schools serves until a successor is appointed and qualifies. By February 1 of the year in which a term ends, the county Superintendent of Schools must notify the Board whether or not he/she is a candidate for reappointment.

In the year in which a term begins, the Board of Education appoints the Superintendent of Schools between February 1 and June 30. Should the Board decide to reappoint the incumbent Superintendent of Schools, the Board must take final action at a public meeting no later than March 1 of that year.

The appointment of the Superintendent of Schools is subject to written approval of the state Superintendent of Schools. If there is a vacancy in the office, the Board shall appoint an interim Superintendent of Schools who serves until July 1 after his/her appointment.

Responsibilities and Duties of the Superintendent of Schools

The Superintendent of Schools is responsible for the administration of his/her office and carries out the laws, bylaws, and policies of the state Board of Education as well as the rules, regulations, and policies of the county Board of Education.

The Superintendent of Schools advises the Board of Education on educational policies of the school system, school attendance areas, curriculum guides and courses of study, and any question under consideration by the Board. The Superintendent of Schools recommends contracts, to the extent required by law, and other documents for Board approval. The Superintendent of Schools also informs the Board in advance of administrative reorganizations, including transfers of functions, establishment of positions and offices, and consolidations of positions and offices. The Superintendent of Schools proposes annual operating and capital budgets to the Board of Education. The Superintendent of Schools attends all meetings of the Board and its committees unless his/her tenure or salary or the administration of his/her office is under consideration, and except when the Board is considering appeals in its quasi-judicial role in closed session. In the absence of the Superintendent of Schools, the Deputy Superintendent of Schools or designee fulfills these duties. By contract, the Superintendent of Schools is evaluated annually on the achievement of mutually agreed upon priorities and objectives.

By law, the Superintendent of Schools as executive officer, secretary, and treasurer of the Board keeps a record of the proceedings of each meeting of the Board and of all actions taken by the Board.

The Superintendent of Schools recommends the appointment of administrative and supervisory personnel to the Board of Education for its approval, whether by discrete personnel actions or by way of a monthly personnel report approved by the Board. The

Superintendent of Schools also informs the Board in advance of transfers of administrative and supervisory personnel. In the monthly personnel report, the Superintendent of Schools recommends approval of personnel appointments, terminations of MCPS personnel, and disciplinary actions.

Officers

The officers of the Board of Education are the president, vice president, and, by law, the Superintendent of Schools as the executive officer, secretary and treasurer.

The president presides at all meetings, signs authorized or approved contracts and other documents on behalf of the Board, represents the views of the Board in all communications and correspondence, and performs other duties prescribed by law or by the Board. The president may appoint ad hoc committees of the Board and/or staff members to study specific issues or undertake desired projects. In the absence of the president, the vice president performs these duties.

Board Organizational Meeting

The Board of Education must conduct an annual meeting on or before January 10 for the election of a president and vice president. The Board traditionally conducts its election of officers as the first order of business at its first business meeting in December, but, in any event, the election shall take place no earlier than December 1 or the date on which new members are sworn in, whichever is later.

The meeting is called to order by the secretary-treasurer (by law, the Superintendent of Schools). The names of all members are automatically placed in nomination, and, through an individually recorded written vote, the members elect a president and vice president from among the currently sitting members by majority vote. The election for president shall precede the election for vice president. Immediately upon their election, the president and vice president shall assume the duties of their office.

If both the president and vice president are absent from a Board meeting, the Superintendent of Schools presides until a president pro tem is elected from among the Board members.

Meetings of the Board of Education

All meetings of the Board of Education are public meetings, except for closed sessions as permitted under state law.

Regular Meetings

1. The Board usually conducts two business meetings per month. The all-day business meeting is usually held on the second Tuesday of the month, and the evening business meeting is usually held on the second Monday following the all-day meeting (13 days later). These meetings are held at the offices of the Board of Education at the Carver Educational Services Center in Rockville, Maryland, unless otherwise designated.

2. Every effort is made to schedule items of significant public interest at times convenient to the general public, and a special effort is made to group similar and major educational issues together during business meetings. Presentations by staff should not be repetitive of the written paper; rather, the highlights of the paper and recommendations shall be made in a manner that allows sufficient time for the Board to discuss the agenda item.
3. At every business meeting, 30 minutes are set aside for Public Comments to encourage public participation. The first fifteen (15) speakers who contact the Board Office by telephone from 3 p.m. to 4:30 p.m. on Monday prior to the business meetings are granted two (2) minutes to speak. If the Board Office is closed on a Monday, callers may register to speak by calling as of 8:30 a.m. the following Tuesday. Unallocated slots may be filled -- first come, first served -- by signing the appropriate sheet at the Board meeting no later than 15 minutes prior to the scheduled time for Public Comments. Comments about the actions or statements of individual staff members are not appropriate for Public Comments and should be referred to the Superintendent of Schools or processed through available channels. If submitting written testimony, speakers are requested to provide 25 copies.
4. The advance agenda shall indicate if an item is intended for discussion (D), action (A), information (I), and/or recognition (R). Notwithstanding the designation, any member can introduce a resolution germane to an agenda item before the Board.
5. In addition to taking action on scheduled items, the agenda of each business meeting contains an opportunity for Board and Superintendent of Schools comments on activities, requests for information, and questions of a general concern. Requests for information that would entail a commitment of considerable amount of time of staff to respond shall require either approval by the Board as an item of new business or voicing of a consensus on the part of the entire Board.
6. There are two ways to place an item on Board agendas. One way is for the Board officers and the Superintendent of Schools, when setting the Board agenda, to agree that certain items need to appear. The other method is for an item to be brought before the Board through a motion and a second under "new business" at a business meeting, and for a majority of the Board to approve that motion at a subsequent meeting. Unless stated in the motion, the scheduling of any new business item shall be determined by the Board officers and Superintendent of Schools, with every effort being made to schedule major action items when all Board Members can be present. Except for policy matters, items that are time- sensitive may be voted upon

during the same meeting as introduced if the Board members by majority vote so concur. Board member proposals to establish special programs where a substantial amount of staff time is needed to develop the programs must be approved in accordance with Board procedure for establishing and evaluating special programs. Prior to voting on an item of new business which seeks a paper from the Superintendent of Schools, the Superintendent of Schools shall be asked as to the amount of time it would take staff to prepare a response.

7. At every business meeting, an item is scheduled on future and past closed sessions. For future closed sessions, the Board will adopt a resolution citing the reason(s) for the sessions as well as the time and place of the sessions. Immediately prior to the Board convening a closed session, the Board shall adopt a resolution in open session that more specifically details the items for consideration at the closed session. For past closed sessions, a statement will be made on the time, place, and purpose of the closed session; a record of the vote of each member as to closing the session; a citation of the authority for closing the session; and a listing of topics of discussions, and persons present, and each action taken during the session.
8. At every business meeting, time shall be set aside for "Consent Items" consisting of matters which the president or Superintendent of Schools believes will be adopted by unanimous vote. Approval of the consent agenda shall include the approval, by one voice vote, of all items included as consent items, provided that any member may defer to the end any item on which discussion is desired, after which a separate vote shall be taken.
9. Meetings are to begin promptly at the starting time on the agenda, a quorum being present. Closed sessions normally are scheduled at the start, lunch hour, and/or end of the meeting. Evening meetings will be scheduled to conclude no later than 11 p.m. and, normally, no new item of discussion or action will be taken up after 11 p.m.
10. The Board of Education schedules a recess during August. The Board officers shall establish the timeframe for the recess.

Special Meetings

Other than regularly scheduled business and committee meetings publicized in advance, the Board may meet for work sessions, policy development sessions, annual meetings with organizations and other public bodies, meetings with students, public hearings, cluster meetings, and public forums. These meetings may

be held at the offices of the Board of Education or in communities throughout the county.

Special meetings may also be called by the president of the Board, by the Superintendent of Schools, or at the written request of a majority of the Board. Whenever possible, at least 24 hours notice of special meetings and their purpose will be given to each Board member and, whenever feasible, meeting dates will be determined in consultation with Board members.

No business may be transacted at a special meeting which does not come within the purposes set forth in the call for the meeting unless all Board members are present and agree unanimously to the consideration of the additional item(s).

Retreats

The Board holds retreats from time to time for such purposes as to provide orientation to newly elected Board members, to provide background for contract negotiations and to provide the opportunity for members to discuss Board operations, goals, and priorities. Any substantive conclusions about priorities, and other specific actions of a policy or budgetary nature, reached during Board retreats must be publicized afterward and adopted formally by the Board in recognition of the fact that Board business must be conducted in public.

Closed Sessions

Meetings of the Board and its committees are subject to the Open Meetings Act. Under Title 10 of the *State Government Article* of the *Annotated Code of Maryland*, the Board of Education is authorized to meet in closed session and retreats to discuss personnel matters, acquisition of real estate, pending litigation, collective bargaining issues, matters protected from public disclosure by law, and other issues including consultation with counsel to obtain specific legal advice under Section 4-107 of the *Education Article* and Section 10-508 of the *State Government Article* of the *Annotated Code of Maryland*. The Board of Education adopts a resolution prior to going into closed session and states the reason for the session; if an emergency session is required, the Board must give notice of the session and take a public vote to go into closed session. The following are guidelines for closed sessions:

1. Closed sessions may be called by the president at any time, at the request of any member or the Superintendent of Schools. However, the Board must take a public vote to go into closed session and must give public notice of the meeting by delivering a notice of the date, time, and place of meeting to the news media or posting the notice at the meeting site.

2. The presiding officer shall conduct a recorded vote on the closing of the meeting and shall make a written statement setting out the reason for closing the meeting, the specific provision of the Open Meetings Act that allows the meeting to be closed, and the topics to be discussed at the closed session.
3. It is the responsibility of Board members to monitor the topics discussed in closed session to assure that the topics discussed are appropriate for closed session.
4. Board members and staff are expected to maintain the confidentiality of closed session.
5. The attorney general has ruled that although the Montgomery County Board of Education is without power to discipline its members, it is free to adopt a resolution that expresses its disapproval of a member's action in disclosing the contents of a closed session discussion.

Committees

As the Board deems appropriate, standing and ad hoc committees and subcommittees shall be established by resolution, reflecting their mission and composition. After initial appointments being made for staggered terms, future vacancies shall be filled at the all day meeting each December. Committees shall decide upon their own meeting schedules and make recommendations to the full Board, as appropriate. The Board shall consider any recommendations from a committee or subcommittee after having provided the opportunity to the Superintendent of Schools to make a recommendation or otherwise advise the Board as to its committee or subcommittee's recommendation. Committee and subcommittee meetings are governed by the Opening Meetings Act.

Rules of Order

The Board of Education observes *Robert's Rules of Order, Newly Revised*, in conducting its meetings, except as provided otherwise either in this Handbook or Board Policy. Moreover, the Board is guided by its own rules, state statutes, and state Department of Education bylaws which establish the following:

1. A motion is not adopted without the approval of five members with the exception of those matters on which the student member's vote does not count, in which instance the motion requires the approval of only four members.

2. The Board adopts its agenda at the beginning of a business meeting. Times listed are intended for guidance only. Unless changed by the Board, the order in which items appear on an agenda will be followed. Any changes in the adopted agenda are made by consensus or by majority vote.
- 8.1 A quorum consisting of a majority of the full Board shall be present to convene a meeting. Thereafter, the quorum required to transact business will vary depending upon whether the student member's vote counts.
4. Any resolution introduced which involves a matter of policy shall lie on the table for at least one week before being voted upon. The presiding officer rules as to whether any proposed resolution is a policy. If there is an emergency, this provision may be waived without notice if all members are present and there is unanimous agreement.
5. The rules and regulations governing the operations of the Board (except those required by statute and governing special meetings and policy issues) may be amended by a majority vote of the Board at any meeting, provided that each member shall have been furnished a copy of the proposed amendment at least one week in advance. Robert's Rules state: "Rules protecting absentees or a basic right of the individual member cannot be suspended, even by general consent or a unanimous vote."
6. Board members may not vote in absentia or by proxy.
7. The staff director serves as parliamentarian to the Board of Education.

Record of Board Meetings

The Board of Education maintains records of meetings as follows:

1. Audio and video tapes of the Board's business meetings and hearings are retained for five years.
2. The minutes of all public meetings, contain actions taken by the Board and a summary of the Board's discussion. A Board member may specifically request that a statement on a subject be reflected in the minutes. The minutes record the vote of the student member in parentheses when the student's vote does not count.
3. Minutes of closed sessions, which include a list of each item considered, the action taken, and each recorded vote.
4. The tape recordings and minutes of public meetings are available as a matter of public record. Arrangements can be

made to purchase audio and video tape recordings of Board meetings.

Negotiations

The Board of Education engages in contract negotiations with the Montgomery County Association of Administrative and Supervisory Personnel (MCAASP), the Montgomery County Education Association (MCEA), and the Montgomery County Council of Supporting Services Employees (MCCSSE). By law, the Board of Education is permitted to meet in closed session to discuss issues related to contract negotiations with the employee organizations. It is expected that Board members will maintain the confidentiality of issues discussed during closed sessions.

The *Annotated Code of Maryland*, Education Article, '6-408 and 6-510, provide the framework for negotiations.

Personnel Appointment Procedures

1. Under state law, it is the responsibility of the Superintendent of Schools to recommend the appointment of personnel to administrative and supervisory positions. These appointments are discussed by the Board of Education in closed session and confirmed by majority vote in public session.
2. The Superintendent of Schools also notifies the Board in advance of the transfers of personnel to administrative and supervisory positions.
3. The Board of Education also receives and reviews a monthly personnel report in closed session and takes a public vote on the report. The report contains appointments and of administrative and supervisory personnel, teachers and supporting services personnel, terminations for all personnel, and notice of suspension and dismissal actions. In addition, the Board adopts resolutions expressing sympathy when an employee has died.

Meetings with Various Organizations

As part of its master calendar, the Board schedules annual meetings with the officers of the Montgomery County Region of Student Councils, Montgomery County Junior Councils, and Student Government Association presidents, Montgomery County Council of PTAs, Montgomery County Association of Administrative and Supervisory Personnel, Montgomery County Education Association, Montgomery County Council of Supporting Services Employees, and PTA clusters (the latter on a rotating basis). The Board may also meet from time to time in informal meetings with other elected and appointed officials,

education, civic, and community organizations.

Public Hearings -- Other Than Facilities Hearings

The Board of Education schedules public hearings on issues it determines to be of widespread interest and concern. A quorum of the Board is not required to be present for a hearing to be conducted. In addition to special public hearings, the Board holds hearings on its annual operating budget, its proposed capital budget and CIP, and on school boundaries. Hearings for the proposed capital budget and CIP and/or boundaries are governed by Board Policy FAA.

General guidelines for these public hearings are as follows:

1. Whenever possible, a public hearing will be scheduled one month in advance. The subject and date of the hearing will be publicized through the Board's customary communications channels and by a release to the news media.
2. The public may sign up to speak beginning at 9 a.m. on the day three weeks prior to the hearing. The agenda for the hearing is closed when the maximum number of speakers is registered or at the close of business the day before the hearing. Hearings usually begin at 7:00 p.m. and conclude at 10:30 p.m., unless the Board decides to schedule a hearing during a weekday or weekend.
3. The following time limits for testimony apply:

Organizations/Municipalities/Elected Officials	5 minutes
Individuals	3 minutes
Clusters (depending on number of schools)	10-15 minutes

4. Municipalities and the MCCPTA shall be accorded the opportunity to testify first, followed by PTAs and then--on a first come, first served basis--individuals, civic and countywide organizations. Usually, MCCPTA Cluster Coordinators in consultation with their PTA Presidents, will coordinate testimony on behalf of local PTAs and notify the Board Office of speakers within their allotted cluster time. Alternatively, such testimony may be coordinated by MCCPTA Area Coordinators, in which case testimony may be grouped by areas and time allotted differently than stated above. Cluster Coordinators and Area Coordinators are strongly encouraged to ensure that diversity of opinions are accommodated when scheduling testimony.
5. A person calling to speak, other than a Cluster or Area Coordinator, may reserve only one space. Only one speaker will be registered for any organization unless the Board provides otherwise. Individuals and organizations may not cede time to others who have signed up. Elected officials are given the courtesy of being placed at the time of their choice on

the agenda.

6. Speakers are encouraged to provide 25 copies of their statements at the hearing for distribution to Board, staff, and press.
7. Public hearings are taped (audio and video) recorded, and arrangements can be made to purchase the recording at a later date, if desired.
8. If the speakers are not present at their designated time, every effort will be made to accommodate their testimony prior to adjournment of the meeting.
9. To expedite the hearing, Board members and the Superintendent of Schools will limit their participation solely to asking questions of the speakers or followups of staff. Cluster coordinators, and other interested citizens upon request, shall be provided copies of follow-up responses to questions raised at hearings.
10. Written statements submitted in lieu of testimony will be given equal consideration, but, in order to be considered, must reach the Board no later than 48 hours before the time scheduled for action by the Board. Whenever possible, the public record will remain open for two weeks following the public hearings.

Public Participation in Board Meetings

The members of the Board of Education desire to hear the views and have the advice of interested citizens. To help ensure effective public participation in the decision-making process, the Board:

1. Makes agenda materials available to the public on the day of the evening business and special meetings and the Monday prior to the all-day business meetings.
2. Maintains an agenda mailing list for interested citizens and press.
3. Posts the agenda on the school system's e-mail system and Internet site.
4. Involves citizens and students on advisory committees.
5. Holds public hearings on the operating and capital budgets and on issues of wide public interest.
6. Provides time at its business meetings for the public to comment on educational issues and other matters before the Board.
7. Encourages citizens to communicate with Board members by publishing public telephone numbers, fax numbers, addresses, and e-mail addresses.
8. Widely circulates proposed policies for comment. (See below.)

Policy Development and Adoption

The Board of Education has a policy on policy-setting which includes a definition of "policy" and a uniform format for policy development and implementation, including publication, monitoring of implementation, and review. Discussion of a new policy usually occurs over three meetings: one to discuss the Superintendent's policy analysis, the second to take tentative action, and the third to take final action on the policy.

Any resolution introduced which involves a matter of policy shall lie on the table for at least one week before being voted upon. The presiding officer rules as to whether any proposed resolution is a policy. If there is an emergency, this provision may be waived without notice if all members are present and there is unanimous agreement.

Agenda-Setting and Board Materials

1. Prior to July of each year, the Board of Education receives a master calendar of Board meetings and hearings for the ensuing year.
2. A continuous listing of future agenda items is maintained; provided, however, that subsequent to the last meeting in November following each biennial election of Board members, upon the adjournment of the Board *sine die*, the Board officers and Superintendent of Schools shall determine those items to remain on the list of items to be scheduled, giving due regard to items of new business approved by the Board and considered input of individual members. Information on topics to be discussed is made available to the press, staff, and public through "items in process," an information item distributed at the all-day business meeting, as well as through materials developed at the agenda-setting meeting (explained below).
3. Pre-Board and Post-Board:
 - a) Pre-Board. Prior to a Board meeting, with as much advance notice as feasible, Board members who need information or desire staff members to be available to answer questions at the table about an issue should alert Board staff to request that the Superintendent of Schools answer those questions and/or provide the information needed.
 - b) Post-Board. After business meetings and hearings, the Board staff and Superintendent's staff discuss items raised during the Board meeting, assign responsibilities for follow-up items, and review draft agendas and calendars for future Board meetings.
4. The Board Office schedules a monthly agenda-setting meeting with Board officers, the Superintendent of Schools, and designated staff. At these meetings, the following items are discussed:

- a) The agenda for future business meetings. The Superintendent of Schools and/or designee advise the Board officers of time requirements for agenda items, the status of major items to be discussed, and the availability of staff to be present for Board discussions.
 - b) A list of items to be scheduled. The Superintendent of Schools and/or designee inform the officers of the status of items to be scheduled and suggest dates for their presentation.
 - c) Calendar. The Superintendent of Schools and/or designee and Board officers review a calendar of future Board meetings (regular and special), closed sessions, public hearings, and work sessions.
 - d) After the agenda-setting meeting, copies of materials agreed upon are sent to Board members, executive staff, employee organizations, MCCPTA, and MCR. Upon request, copies are made available to the public and the press.
5. An agenda mailing list, which is updated annually, is maintained for designated organizations, government agencies, and individuals.
 6. Packets of Board agenda materials are prepared for Board members, key staff, selected organizations, and the press. Board members receive duplicate copies of materials previously distributed.
 7. Board folder materials are not released to the public until Board members have received them. Press packets are normally available on Monday mornings prior to regular Board meetings.
 9. Upon distribution of the Board folder materials, the agenda for all business meetings shall be posted on the school system's e-mail system and Internet site.
 9. Major reports and policies which require extensive study and review are distributed to Board members at least one regular meeting in advance of the meeting when they are scheduled for Board consideration.

Appeals to the Board of Education

The various procedures governing appeals to the Board are listed in the MCPS Policies and Regulations Handbook as well as state law.

The major documents governing appeals to the Board of Education are in MCPS Policy BLB: *Rules of Procedure in Appeals and Hearings* and MCPS Regulation JEE-RA, *Transfer of Students*. Appeals are of three types pursuant to *Annotated Code of Maryland, Education Article*: '4-205(c) disputes involving rules and regulations of the Board; '6-202(a)

suspensions or dismissals of professional and/or certificated personnel; and '7-305(c) student suspensions of more than 10 days or expulsions.

Once an appeal is started through the process, it is inappropriate for Board members to discuss the issue with the appellant, the public, or staff. Once the appeal is properly filed, unless the appeal is subsequently withdrawn by the appellant or the Superintendent of Schools has granted the requested relief, only the Board itself can dismiss the appeal. It is expected that Board members will maintain the confidentiality of documents related to the appeal and not discuss these materials with those not privy to such information.

Board of Education Correspondence and Memoranda Procedure

Logs are maintained of incoming and outgoing correspondence and memoranda to the Board and from the Board members.

Correspondence, Form Letters, and Petitions

1. Incoming correspondence is duplicated for all members of the Board and Superintendent of Schools. Board Office staff determines whether correspondence requires a response and, if a response is required, assigns a due date for the preparation of the reply and directs the correspondence to the appropriate staff member. Staff prepares responses for the signature of the Board president, or in special cases the Board president responds personally. When the reply is signed by the Board president, copies of the response are duplicated for Board members.
2. Petitions and form letters are not duplicated for Board members. Staff counts the signatures and provides a sample page of the petition. One copy of the form letter is provided to the Board with a count of the number of form letters received.
3. When a heavy volume of single issue mail is received, the Board president determines whether these letters can be responded to by postcard. The postcard acknowledges receipt of the letter.
4. Individual Board members have the option of responding directly to correspondence addressed to the Board or the individual member.
5. The ombudsman/staff assistant maintains oversight of the incoming mail process and reviews all outgoing correspondence pertaining to the Board of Education.

Memoranda

1. A memorandum written by a Board member is automatically duplicated for all Board members, the Superintendent of Schools, Deputy Superintendent of Schools, appropriate associate superintendents, and Board staff. The Superintendent of

Schools assigns the responsibility of preparing replies to Board memoranda and follows up to make sure a timely response is prepared.

2. A memorandum written to a Board member is automatically duplicated for all Board members, the Superintendent of Schools, Deputy Superintendent, appropriate associate superintendents, and Board staff. Exceptions are confidential memoranda which may have expressly limited distribution.

Public Access to Correspondence and Memoranda

1. All correspondence and memoranda addressed to the Board of Education, the Board President, or to Board members that are received in connection with the transaction of public business are available for public inspection at reasonable times unless they meet one of the criteria for denial in Maryland's Public Information Act (Annotated Code of Maryland, State Government Article, Sections 10-611 et seq.).
2. The Superintendent of Schools is the official custodian of the records with the authority to delegate this responsibility.
3. The requestor of records may be charged fees to cover the cost of searching, preparing, or photocopying a public record.
4. If the request for records is denied, the reasons must be consistent with Maryland's Public Information Act, subject to review by the Circuit Court of Montgomery County.

Board Advisory Committees

The Board of Education is empowered by state law to create citizen advisory committees to advise the Board, to facilitate activities and programs in the school system, and to recommend possible changes in Board policy. Committees may be on-going or created for special purposes on a short term basis. A listing of current Board advisory committees and subcommittees shall be available from the Board Office. Committees appointed by the Board are subject to the Open Meetings Act.

In addition, there are advisory committees reporting to the Superintendent of Schools. On occasion, these committees present their annual reports to the Board of Education.

Moreover, pursuant to law and policy, the Board of Education has appointed an Ethics Panel which interprets the Board's ethics policy, reviews financial disclosure statements, and advises persons subject to the policy as to its application.

Board of Education Memberships

The Board of Education maintains membership in state and national school boards associations as well as educational associations. The Board determines which, if any, state and/or national affiliations it wishes to add or maintain. Organizational memberships currently include the Maryland Association of Boards of Education, the Legal Services Association, the National School Boards Association, the National Federation of Urban-Suburban School Districts, and the American Association of School Administrators.

Operating Budget Approval Process and Long-Range Educational Facilities/Capital Budget Process

Two major issues which come before the Board of Education each year are the operating budget and the long-range educational facilities plan which includes action on the capital budget.

The operating budget includes salaries, contractual services, supplies and materials, furniture and equipment, and other funds necessary for the daily operation of the school system. The Board holds operating budget hearings in January after the December presentation of the Superintendent's recommended budget.

The operating budget is developed under the direction of the Superintendent of Schools who receives a wide range of community and parental input, including that of the Budget Review Committee established by resolution of the Board. The Superintendent of Schools recommends the budget's adoption to the members of the Board. The Board may hold work sessions prior to the adoption of the budget to secure additional information on the recommendations of the Superintendent of Schools and on items the Board itself is considering.

The date for submission of the operating budget to the County Council is established by county law. The budget must be submitted to the county by March 1 of each year and be adopted by the Council by June 1. In June the Board makes adjustments to the budget to conform with Council action and to reflect the final judgment of the Board on expenditure priorities prior to the July 1 deadline for submitting the school system's final operating budget to the County.

Each spring, the Superintendent of Schools reviews all Board of Education facilities decisions and capital budget requests. The capital budget includes construction and planning funds for new facilities, modernizations and renovations; furniture and equipment associated with these projects; and countywide maintenance efforts. Facilities issues include building utilization, educational program capacity, enrollment projections, boundary changes, and school closings/consolidation. During the spring, cluster, school, and community representatives meet to discuss feasible school program and facility alternatives, and by July 1, cluster representatives send the Superintendent of Schools

proposed solutions, priorities, or concerns the cluster has identified for its schools.

Early in October, the Superintendent of Schools holds a public work session with the Board to discuss new school enrollments and projections. On or about November 1, the Superintendent of Schools publishes a proposed Six-year Capital Improvements Program or amendments thereto, subsequent to which the Board holds a work session at which members may propose alternative solutions to boundary changes. During November, the Board holds public hearings on facilities and boundary proposals with decisions scheduled prior to the end of November. The Board may opt to defer until a later time (usually March) selected boundaries and facilities decisions. (See the Policy on Long-range Education Facilities Planning (FAA) for more details.)

Board Office Staff

Acting under the supervision of the Staff Director, the Board of Education staff shall provide general support to the Board of Education and its members to facilitate the discharge of their statutory responsibilities. Specifically, staff

- \$ assists employees, parents, citizens and students having problems, complaints, information or suggestions and brings them to the attention of Board of Education members and other school officials, as appropriate;
- \$ responds to requests from members of the Board of Education, the Superintendent of Schools, staff, public, and other governmental agencies for information on past or pending Board business;
- \$ provides legislative and intergovernmental information and support, including representation of the Board of Education's interests before the General Assembly and State Board of Education;
- \$ provides research assistance and analysis to members of the Board of Education;
- \$ keeps official records of Board of Education business;
- \$ attends all appropriate Board meetings;
- \$ provides staff support, minutes, and follow-ups to Board of Education committees;
- \$ coordinates the process of recruitment of nominations for appointment to Board of Education advisory committees;
- \$ directs all appeal matters before the Board of Education;
- \$ carries out responsibility of the daily administration of the office of the members of

the Board of Education, including correspondence, calendar and general staff support.

School Board Attorney

By state law, the Board of Education is empowered to retain counsel to represent it in legal matters. The procedures for retaining, appointing, and reviewing the performance of counsel are contained in the Board of Education Policy on Legal Services (BOA).

Board Member Expense Standards

All members of the Board of Education are entitled to be reimbursed for expenses directly related to Board business, beyond compensation provided by law (the adult members receive an annual compensation of \$12,000, and the president receives an additional \$2,000). The expenses directly related to Board business for which a Board member may be reimbursed include local travel expenses (travel and expenses in the Washington metropolitan area and elsewhere in Maryland) as follows:

1. Automobile mileage, except for two regular business meetings a month, for hearings, special meetings, and other travel related to Board business or their responsibilities as Board members. The student member receives similar reimbursement for expenses incurred in connection with official duties.
2. Parking, tolls, taxis, rail, bus or air fare.
3. Meals -- actual expenses for business-related meals for three meals per day. Actual expenses for meals at banquets or other events are reimbursed.
4. Telephone installation and monthly charges for an additional private line, fax line, computer line, and long-distance calls related directly to Board business are reimbursed.
5. Reimbursement for local newspapers and publications not subscribed to prior to taking office; supplies, postage, and other materials necessary for discharging the responsibilities of Board members.

Actual expenses directly related to Board business for out-of-state travel to meetings and conferences are reimbursed and are not included in the limits established for local expenses. Overnight stays in the Washington metropolitan area and elsewhere in Maryland are considered to be out-of-state travel. These expenses include transportation, meals, registration fees, and incidental expenses.

Expenses relating to the operation of the Board of Education as an entity shall be expended

at the discretion of the Staff Director in consultation with the officers of the Board.

If equipment is purchased by MCPS for the use of a Board member, that equipment is the property of MCPS and reverts to MCPS at the conclusion of the member's term of office. All efforts will be made to supply the member with operable equipment from within the inventory of MCPS.

Once equipment funds budgeted for the Board of Education are expended, only the Board officers may authorize additional purchases. Board members will be provided with a quarterly report on the status of Board Office expenditures.

Procedures for processing monthly expense accounts are as follows:

1. Expense forms should be submitted to the Board Office at the beginning of the next month for the prior month's expenses.
2. The Staff Director processes the reports and refers questions to the president of the Board.
3. The expense form is reviewed and signed by the president of the Board and the primary account manager before being forwarded for payment. Whenever possible, the expense form must be accompanied by appropriate receipts and phone bills.

Commencements

One of the major responsibilities of a Board member is to officiate at high school commencements. Board members typically attend a number of graduations which are proportionate for each member of the Board. The Superintendent of Schools has the responsibility for ensuring that Board members are informed in advance of the role Board members are likely to play at commencements. By tradition, Board members certify the graduation of students from high school by the following statement:

By virtue of the authority vested in the Board of Education of Montgomery County under the laws of the State of Maryland, I do now award diplomas or certificates evidencing the satisfactory completion of prescribed courses of study to the students of _____ High School who are recommended for graduation by the faculty of this school. In receiving this diploma or certificate, each of you is entitled to all of the privileges and honors accorded graduates of a high school accredited by the Maryland State Department of Education and the Middle States Association of Colleges and Secondary Schools.

Re: PUBLIC COMMENTS

There were no public comments.

RESOLUTION NO. 232-99Re: PRESENTATION OF PRELIMINARY PLANS -- WHEATON HIGH SCHOOL

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

WHEREAS, The architect for the addition to Wheaton High School, Burt Hill Kosar Rittelmann Associates, has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Wheaton High School Facilities Advisory Committee has approved the proposed schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plans for the addition to Wheaton High School developed by Burt Hill Kosar Rittelmann Associates.

**RESOLUTION NO. 233-99Re: SPECIAL EDUCATION CENTERS - LONGVIEW AND STEPHEN KNOLLS
SPECIAL EDUCATION CENTERS - LONGVIEW AND STEPHEN KNOLLS**

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

WHEREAS, In November 1998, the Board of Education directed the superintendent to develop a recommendation in the spring 1999 for proposed relocations for Longview and Stephen Knolls school programs, and to include in feasibility studies to be done in the summer of 1999 the costs of modernizing their existing facilities; and

WHEREAS, In December 1998, the superintendent reconvened the Special Education Centers Advisory Committee (SECAC) comprised of community and MCPS staff representatives to review staff-developed proposals for elementary schools to be considered for the relocation of the Longview and Stephen Knolls school programs; and

WHEREAS, The SECAC held five meetings over a two-month period and submitted a report to the superintendent in February 1999 for his review and consideration; and

WHEREAS, The superintendent reviewed and carefully considered the SECAC-s report along with individual school and community concerns and then formulated a recommendation for elementary schools to be considered by the Board of Education for the relocation of the special education programs; and

WHEREAS, The Board of Education held a public hearing on March 16, 1999, on the superintendent-s recommendation; now therefore be it

Resolved, That the school to be considered for the relocation of the Longview School program is Northwest Elementary School #6; and be it further

Resolved, That nine partially developed building lots adjacent to the Northwest Elementary School #6 site on Bromfield Road be purchased immediately to increase the size of the site; and be it further

Resolved, That the Northwest Elementary School #6 site be master planned to allow the school to be completed as currently scheduled in September 2001, and for the eight-room special education facility and school gymnasium additions to be completed as soon as funds can be appropriated in the FY 2001-2006 CIP if program relocation is approved by the Board of Education in November 1999; and be it further

Resolved, That the school to be considered for the relocation of the Stephen Knolls School program is Glen Haven Elementary School; and be it further

Resolved, That the modernization of Glen Haven Elementary School be designed to include a ten-room special education program as part of the project design if program relocation is approved by the Board of Education in November 1999; and be it further

Resolved, That a lease agreement be entered into with the Maryland-National Capital Park and Planning Commission for use of the five-acre park land adjacent to Glen Haven Elementary School, so that the five acres can be incorporated into the project design for playfields.

RESOLUTION NO. 234-99Re: CLOSED SESSION RESOLUTION

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 Board of Education of Montgomery County is authorized by the *Education Article* and *State Government Article of the Annotated Code of Maryland* 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, April 26, 1999, in Room 120 of the Carver Educational Services Center from 7:30 to 8:00 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*, consult with counsel to obtain legal advice, as permitted by Section 10-508(a)(7) of the *State Government Article*; and to review and adjudicate appeals in its quasi-judicial capacity and to discuss matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*); and be it further

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

Re: REPORT OF CLOSED SESSION

On March 22, 1999, by the unanimous vote, the Board of Education voted to conduct a closed session, as permitted under the *Education Article ' 4-107* and *State Government Article ' 10-501, et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed session on from 7:00 to 8:45 p.m. in Room 120, Carver Educational Services Center, Rockville, Maryland, and reviewed and/or adjudicated Board Appeal T-1999-3, which is a quasi-judicial function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*), and discussed the personnel appointment of the Ombudsman/Staff Assistant, as permitted under Section 10-508(a)(1).

In attendance at part or all of the above closed sessions were: Steve Abrams, Kermit Burnett, Geonard Butler, Reggie Felton, Bea Gordon, Nancy King, George Margolies, Patricia O'Neill, Stan Schaub, and Mona Signer.

RESOLUTION NO. 235-99Re: MINUTES OF THE FEBRUARY 2, 1999, BOARD MEETING

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

Resolved, That the Board of Education approve its minutes of the February 2, 1999, meeting.

RESOLUTION NO. 236-99Re: MINUTES OF THE FEBRUARY 9, 1999, BOARD MEETING

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 Board of Education approve its minutes of the February 9, 1999, meeting.

RESOLUTION NO. 237-99Re: MINUTES OF THE FEBRUARY 24, 1999, BOARD MEETING

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

Resolved, That the Board of Education approve its minutes of the February 24, 1999, meeting.

RESOLUTION NO. 238-99Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment was approved effective April 12, 1999:

Appointment
Francis Brenneman

As
Ombudsman/Staff Assistant to the Board

Re: **NEW BUSINESS**

The following new business items were introduced:

Mr. Felton moved and Mrs. Gordon seconded the following:

Resolved, That the Board of Education requests the Superintendent to identify a pilot project to assess polling.

Mr. Felton moved and Mrs. Gordon seconded the following:

Resolved, That the Board of Education requests the Superintendent to review square footage in terms of classroom size and state requirements.

Re: **ITEMS OF INFORMATION**

The following items were available for information:

1. Items in Process
2. Legal Fees Report
3. Citizens Advisory Committee on Family Life And Human Development Annual Report For 1997-98 And Staff Response
4. Construction Progress Report

RESOLUTION NO. 239-99Re: **ADJOURNMENT**

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 Board of Education adjourn its meeting of April 14, 1999, at 2:45 p.m.

PRESIDENT

SECRETARY

PLV:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

April 14, 1999

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