

APPROVED
20-1999

Rockville, Maryland
June 21, 1999

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Monday, June 21, 1999, at 8:25 p.m.

ROLL CALL Present: Mr. Reginald M. Felton, President
 in the Chair
 Mr. Stephen Abrams
 Mr. Geonard F. Butler, Jr., Student Board Member
 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: Ms. Laura Sampedro, Student Board Member-Elect

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

RESOLUTION NO. 348-99 Re: **CLOSED SESSION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded Mrs. King, the following resolution was adopted unanimously:

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 June 21, 1999, in Room 120 from 7:30 to 8:00 p.m. 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*), and discuss personnel appointments (under Section 10-508(a)(1) of the *State Government Article*); and be it further

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

RESOLUTION NO. 349-99 Re: **AGENDA**

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

Resolved, That the Board of Education approve its agenda for June 21, 1999.

RESOLUTION NO. 350-99 Re: **ODYSSEY OF THE MIND**

On recommendation of Mrs. O'Neill and on motion of Mrs. King seconded by Ms. Signer, the following resolution was adopted unanimously:

WHEREAS, Students in the Montgomery County Public Schools have won numerous awards in national competitions; and

WHEREAS, These students have brought great honor to their families, schools, and community; and

WHEREAS, In past years MCPS students have done exceptionally well in the Odyssey of the Mind; and

WHEREAS, This year six Takoma Park Middle School students won first place at the Maryland State Finals; and

WHEREAS, These students were among the 8,000 finalists from around the world competing for the international title; and

WHEREAS, These students competed in the Odyssey of the Mind 1999 World Finals in late May in Knoxville, Tennessee; now therefore be it

Resolved, That the members of the Board of Education and superintendent of schools extend congratulations to Melis Anahtar, Musaddiq Awan, Dylan Erwin, Jesse Galef, Amy Koran, and Ashley Thomas as well as Nuray Anahtar, a parent who coached the team; and be it further

Resolved, That letters of congratulations and best wishes be sent to all six finalists for their outstanding accomplishments in the competition.

Re: **PUBLIC COMMENTS**

The following people appeared before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Said Jahanmir	Class Rank
2.	Pam Moomau	Indoor Air Quality
3.	Lafe Solomon	Wood Acres ES Modernization
4.	Bill Chappell	John F. Kennedy HS Stadium Lights

RESOLUTION NO. 351-99 Re: **CONTRACTS FOR MORE THAN \$25,000**

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

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

WHEREAS, Funds have been budgeted for MC 6507000193AC, Automotive Vehicle for the Safety and Environmental Health Unit under the Master Lease/Purchase Agreement; now therefore be it

Resolved, That an automotive vehicle for the Safety and Environmental Health Unit be lease/purchased under the Master Lease/Purchase Agreement; 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:

MC6507 000193AC	Automotive Vehicle for the Safety and Environmental Health Unit	
	<u>Awardee</u> Criswell Chevrolet	\$ 25,945
1085.1	Retirement/Pension File Data Reconciliation	
	<u>Awardee</u> AON Consultants, Inc.	\$ 524,000
165.1	Asbestos Abatement at Various Locations within MCPS	
	<u>Awardees</u>	
	Arc Asbestos Removal	\$ 21,132
	Environmental Group *	10,657
	LVI Environmental Services, Inc.	18,570
	Retro Environmental, Inc.	<u>22,893</u>
	Total	\$ 73,252

166.1 Heating Water Piping Replacement at Whittier Woods
Elementary School

Awardee

M & M Welding and Fabricators, Inc. *

\$ 268,000

168.1 Underground Fuel Storage Tanks at Thomas Edison High School of Technology
and Wheaton High School

Awardee

Tri-County Industries

\$ 87,472

170.1 Modular Boilers at Summit Hall Elementary School

Awardee

Hughes Supply

\$ 35,229

MORE THAN \$25,000

\$1,013,898

* Denotes MFD vendor

RESOLUTION NO. 352-99

Re: **AWARD OF CONTRACTS - THOMAS S. WOOTTON
HIGH SCHOOL**

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

WHEREAS, On November 10, 1998, the Board of Education authorized staff to utilize a construction management process for the Thomas S. Wootton High School addition project with work to begin July 1, 1999, and be completed by August 2000; and

WHEREAS, The following sealed bids represent the third in a series of subcontracts that were bid as a part of a construction management process for the Thomas S. Wootton High School addition project:

<u>Bidders</u>	<u>Amount</u>	<u>Consultant's Estimate</u>
<u>Ashpalt Paving</u>		
Hill & Jack Construction Corporation (African American, MDOT certified, minority firm)	\$160,000	\$189,670

Concrete Paving

AMA Construction Company, Inc. (Hispanic, MDOT certified, minority firm)	100,600	87,240
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Food Service Equipment

Essbar South Company	152,220	169,000
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Roofing

Brothers Construction Company, Inc. (Asian, MDOT certified, minority firm)	235,000	216,100
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and

WHEREAS, The aggregate of the bids is slightly over the consultant's estimate; and

WHEREAS, The aggregate minority business participation for the subcontracts bid to date is 18 percent; now therefore be it

Resolved, That contracts be awarded for the above-referenced subcontractors meeting specifications for the Thomas S. Wootton High School addition project, for the amounts listed, in accordance with plans and specifications prepared by Samaha Associates.

RESOLUTION NO. 353-99 Re: **AWARD OF CONTRACTS - AIR CONDITIONING
EQUIPMENT INSTALLATION AT VARIOUS SCHOOLS**

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

WHEREAS, The following sealed bids were received on May 28, June 4, and June 10, 1999, to provide air-conditioning systems for various schools, with work to begin June 22, 1999, and be completed by August 28, 1999:

<u>Low Bidder</u>	<u>Amount</u>
Calvert Mechanical, Inc.	
<u>Bells Mill Elementary School</u>	\$157,467
<u>Carderock Springs Elementary School</u>	180,642
<u>Cresthaven Elementary School</u>	143,000

Pro-Air, Inc.

<u>Cashell Elementary School</u>	\$117,943
<u>College Gardens Elementary School</u>	159,170
<u>Galway Elementary School</u>	137,932

Shapiro & Duncan, Inc.

<u>Cannon Road Elementary School</u>	\$138,000
<u>Farmland Elementary School</u>	165,000
<u>Seven Locks Elementary School</u>	122,000

and

WHEREAS, Calvert Mechanical, Inc., Pro-Air, Inc., and Shapiro & Duncan, Inc., have submitted 14 percent, 14.1 percent, and 11.2 percent, respectively, African-American, MDOT certified, minority participation; and

WHEREAS, Calvert Mechanical, Inc., Pro-Air, Inc., and Shapiro & Duncan, Inc., have completed similar work successfully; and

WHEREAS, The low bids are within the staff estimates; and

WHEREAS, Details of the bid activity are available in the Department of Facilities Management; now therefore be it

Resolved, That contracts be awarded to Calvert Mechanical, Inc., in the amount of \$481,109; to Pro-Air, Inc., in the amount of \$415,045; and to Shapiro & Duncan, Inc., in the amount of \$425,000, to provide air-conditioning systems at various schools in accordance with plans and specifications prepared by Mendoza, Ribas, Farinas & Associates.

RESOLUTION NO. 354-99

Re: **RELOCATION OF STATE-OWNED CLASSROOM BUILDINGS**

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

WHEREAS, The following sealed bids were received on May 26, 1999, to provide relocation of 14 state-owned modular classrooms, with work to begin immediately and be completed by August 28, 1999:

<u>Bidder</u>	<u>Amount</u>
EMH Environmental, Inc.	\$165,800
J & L Services, Inc.	184,400

and

WHEREAS, EMH Environmental, Inc., has completed similar work successfully at various schools; and

WHEREAS, The low bid is within the staff estimate of \$175,000; and

WHEREAS, The movement of portable classrooms requires heavy equipment, the bid is proprietary, and there are no minority firms bidding this work that are MDOT certified; and

WHEREAS, The State Interagency Committee for School Construction has approved the movement of the state-owned modular classrooms and agreed to fund 50 percent of the eligible items; now therefore be it

Resolved, That a \$165,800 contract be awarded to EMH Environmental, Inc., to provide relocation of state-owned modular classroom buildings at various schools in accordance with plans and specifications prepared by the Department of Facilities Management; and be it further

Resolved, That a copy of this contract be forwarded to the State Interagency Committee for School Construction, and that reimbursement be requested.

RESOLUTION NO. 355-99

Re: **ARCHITECTURAL APPOINTMENT - BURNT MILLS
ELEMENTARY SCHOOL GYMNASIUM**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases of a gymnasium addition to Burnt Mills Elementary School; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2000 Capital Budget; and

WHEREAS, The Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, identified Weincek & Zavos, Architects, as the

most qualified firm to provide the necessary professional architectural and engineering services; and

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

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Weineck & Zavos, Architects, to provide professional architectural services for a gymnasium addition to Burnt Mills Elementary School for a fee of \$120,000.

RESOLUTION NO. 356-99 Re: **ARCHITECTURAL APPOINTMENT - EASTERN MIDDLE SCHOOL ADDITION**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases of an addition to Eastern Middle School; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2000 Capital Budget; and

WHEREAS, The Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, identified Grimm and Parker, P.C., Architects, as the most qualified firm to provide the necessary professional architectural and engineering services; and

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

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Grimm and Parker, P.C., Architects, to provide professional architectural services for an addition to Eastern Middle School for a fee of \$244,000.

RESOLUTION NO. 357-99 Re: **CONTINUATION OF CONTRACT - SURFACE MOUNTED SWING DOOR OPERATOR SUPPLY AND INSTALLATION**

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

WHEREAS, In June of 1998 a contract was awarded to Besam Automated Entrance Systems, Inc., for surface mounted automatic door opening hardware at various schools; 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 their price to the original bid; and

WHEREAS, A letter was received from Besam Mid-Atlantic, Inc., agreeing to a contract extension for another year at the original bid price; now therefore be it Resolved, That the contract with Besam Automated Entrance Systems, Inc., be extended for another year at last year's unit price.

RESOLUTION NO. 358-99 Re: **CHANGE ORDERS OVER \$25,000 - INDOOR AIR QUALITY AT WASHINGTON GROVE ELEMENTARY SCHOOL**

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

WHEREAS, The Department of Facilities Management has received a change order proposal from Shapiro & Duncan, Inc., that exceeds \$25,000; and

WHEREAS, Staff and the project engineer have reviewed this change order and found it to be reasonable; now therefore be it

Resolved, That the Board of Education approve the following change order:

Change Order #1

Project:	Indoor Air Quality at Washington Grove Elementary School
Description:	Modifications to the energy management system to accommodate mechanical revisions.
Contractor:	Shapiro & Duncan, Inc.
Amount:	\$168,130

RESOLUTION NO. 359-99

Re: **AWARD OF CONTRACTS - ON-CALL CONSTRUCTION SERVICES AND ACCESSIBILITY MODIFICATIONS AT VARIOUS SCHOOLS**

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

WHEREAS, The following sealed bids were received on June 8, 1999, accessibility modifications at various schools, with work to begin immediately, and be completed by August 28, 1999:

<u>Low Bids</u>	<u>Amount</u>
Hanlon Construction Company, Inc. <u>John T. Baker Middle School</u>	\$ 49,000
Golden Construction, Inc.	
<u>Burnt Mills Elementary School</u>	16,096
<u>Rachel Carson Elementary School</u>	1,764
<u>Diamond Elementary School</u>	7,995
<u>Montgomery Village Middle School</u>	7,059
<u>Paint Branch High School</u>	83,760
<u>Sherwood Elementary School</u>	61,346
<u>Whetstone Elementary School</u>	27,164

and

WHEREAS, The low bidders have completed similar work successfully; and

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

WHEREAS, The low bids are within the consultant's estimates and sufficient funds are available to award the contracts; and

WHEREAS, In addition to receiving bids for the specific accessibility modifications listed above, expressions of interest were submitted by the following contractors for on-call emergency construction services that need to be completed within abbreviated time frames:

Hanlon Construction Company, Inc.
Golden Construction, Inc.
Smith & Haines, Inc.

and

WHEREAS, The purpose of the on-call services solicitation is to develop a list of qualified general contractors capable of assisting Montgomery County Public Schools in responding to short-term, critical facilities-related construction issues that must be completed immediately; and

WHEREAS, Staff has recommended that the above contractors be placed on a bid list for emergency construction services that would be utilized to solicit proposals for critical work that must be completed within time frames that are shorter than traditional bidding cycles; and

WHEREAS, Proposals for the work to be completed as part of on-call services will be solicited from the three contractors for each project with the lowest cost proposal being utilized; and

WHEREAS, The three contractors proposed for on-call services have completed numerous projects satisfactorily for similar work; now therefore be it

Resolved, That a contract in the amount of \$49,000 be awarded to Hanlon Construction Company, Inc., for accessibility modifications at John T. Baker Middle School; and seven contracts totaling \$205,184 be awarded to Golden Construction, Inc., for accessibility modifications at Burnt Mills, Rachel Carson, Diamond, Whetstone and Sherwood elementary schools, Montgomery Village Middle School, and Paint Branch High School, in accordance with plans and specifications prepared by Murray & Associates; and be it further

Resolved, That the Department of Facilities Management be authorized to solicit proposals for emergency and short-term critical facility related services as the need arises utilizing Hanlon Construction Company, Inc., Golden Construction, Inc., and Smith & Haines, Inc., on an on-call basis for a one year period; and be it further

Resolved, That the Department of Facilities Management be authorized to proceed with work procured from the on-call contractor that submits the lowest cost proposal for the specific project; and be it further

Resolved, That the work performed by the on-call contractors be submitted to the Board of Education as part of the Division of Construction's Quarterly Change Order Report.

RESOLUTION NO. 360-99

Re: **EMERGENCY SUPPLEMENTAL APPROPRIATION -
JOHN F. KENNEDY HIGH SCHOOL STADIUM LIGHTS**

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

WHEREAS, On June 15, 1999, the County Council introduced a resolution for an FY 2000 Capital Budget emergency supplemental appropriation to install stadium lights at John F. Kennedy High School this summer with the condition that the Boosters Club will reimburse Montgomery County Public Schools (MCPS) for one-half of the cost of the lights; and

WHEREAS, The Board of Education must request this emergency supplemental appropriation before the County Council can take final action; and

WHEREAS, The John F. Kennedy High School Boosters Club has agreed to reimburse MCPS for its share of the cost of the stadium lights; now therefore be it

Resolved, That the Board of Education's FY 1999-2004 Capital Improvements Program be amended to request an FY 2000 Capital Budget emergency supplemental appropriation in the amount of \$130,000 for the installation of stadium lights for John F. Kennedy High School with the condition that the Boosters Club will reimburse MCPS for one-half of the cost of the stadium lights; and be it further

Resolved, That this request be forwarded to the county executive and County Council for action.

RESOLUTION NO. 361-99

Re: **INSTALLATION OF CLOSED CIRCUIT TELEVISION IN
HIGH SCHOOLS**

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

WHEREAS, A recent evaluation of CCTV systems indicated that it would cost \$685,000 to complete the installation of these systems in selected high school facilities; and

WHEREAS, The County Council and Board of Education have expressed an interest in completing the installation of CCTV systems for high school facilities; now therefore be it

Resolved, That an FY 2000 Capital Budget emergency supplemental appropriation and amendment to the FY 1999-2004 CIP in the amount of \$685,000 be requested to complete the installation of CCTV systems for all high schools; and be it further

Resolved, That this request be forwarded to the county executive and County Council for action.

RESOLUTION NO. 362-99

Re: **UTILIZATION OF FY 2000 FUTURE SUPPORTED
PROJECT FUNDS FOR THE YOUTH IN ACTION
PROJECT**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 2000 Provision for Future Supported Projects a grant award of \$23,513 from the Workforce Development Corporation under the Job Training Partnership Act Title IIB for the Youth in Action Program, in the following categories:

	<u>Category</u>	<u>Amount</u>
6	Special Education	\$21,845
12	Fixed Charges	<u>1,668</u>
	Total	<u>\$23,513</u>

and be it further

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

RESOLUTION NO. 363-99

Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 1999:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
JoAnn A. Leleck	Elementary Principal Intern, Rosemont ES	Principal, Board Acres ES

RESOLUTION NO. 364-99

Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 1999:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Katherine Harvey	Principal, Rio Rancho HS New Mexico	Principal, Bethesda-Chevy Chase HS

RESOLUTION NO. 365-99 Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 1999:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Joan V. Cisz	Principal, Twinbrook ES	Principal, Rock Terrace School

RESOLUTION NO. 366-99 Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective July 1, 1999:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Judith F. Lewis	Principal, Centerville ES, Virginia Beach, VA	Principal, Kensington Parkwood ES

RESOLUTION NO. 367-99 Re: **PRESENTATION OF PRELIMINARY PLAN - WOOD ACRES ELEMENTARY SCHOOL MODERNIZATION**

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

WHEREAS, The architect for the modernization of Wood Acres Elementary School, McDonald Williams Banks Architects, has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Wood Acres Elementary School Facilities Advisory Committee has approved the proposed schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plan report for the modernization of Wood Acres Elementary School developed by McDonald Williams Banks Architects.

Re: **ANNUAL REPORT OF THE TITLE IX/GENDER EQUITY
ADVISORY COMMITTEE AND STAFF RESPONSE**

Dr. Vance invited the following people to the table: Dr. Kathy Scales Bryan, chairperson for the Title IX Gender Equity Advisory Committee for the 1997-1998 school year, and Ms. Mary Ann Jobe, coordinator, career initiatives and family and consumer sciences and staff liaison to the committee.

Dr. Bryan presented the following recommendations for the Board to:

1. Approve and support the implementation of the Title IX Committee website.
2. Approve and support continued data collection on participation of males and females in Global Access and other technology education, and support further study of gender equity in relation to technology access and participation.
3. Approve and support further study of the implementation of sexual harassment training for staff and students (following up on 1996-97 recommendations).
4. Approve and support development of a sexual harassment curriculum unit for middle and high school students, similar to the one developed by Guidance for lower grades.
5. Clarify the role of the internal review process of advisory committee reports.

Re: **DISCUSSION**

Mr. Abrams asked how much the website recommendation would cost, if implemented, and would it be maintained by the committee or some other entity. Ms. Jobe indicated that Mr. Walsh, chief information technology officer, thought that the office could implement the website at no additional cost using school system personnel.

Ms. Signer asked if any Board advisory committees were linked to the MCPS website, and, if not, could this be done. Dr. Vance stated that he would need to get a report. Ms. Jobe commented that this was the first committee to ask to be on the website.

Mrs. O'Neill thought it was the responsibility of the school system to train staff on gender equity, especially in light of the Supreme Court ruling. Dr. Vance replied that MCPS' attorneys had reviewed current policy and practice and had concluded that MCPS was in compliance. Mrs. O'Neill requested information on the ongoing staff training on sexual harassment issues.

Mr. Burnett stated that each new employee in the corporate world receives sexual harassment training and that training is updated every year thereafter. He asked what the practice was in MCPS regarding the frequency of training. Ms. Jobe replied that in August 1998 a packet was sent to all principals with training materials for new staff, current staff,

and students. The Department of Human Relations continued training for central office staff. Mr. Burnett asked about the assurances that everyone within MCPS received training on an annual basis. Ms. Alvez (Department of Human Relations) replied that MCPS did not demand that every employee be trained on an annual basis, but administrators were charged with the duty to ensure that training was provided for staff and students, especially within the first year of employment.

Mr. Abrams interpreted that the private sector requirements were different from public institutions, especially with private companies with federal contracts. He asked for the school system's recommendations for ongoing and updated information on changes in sexual harassment laws and implementation.

Re: BALLFIELD WORK GROUP REPORT

The Ballfield Work Group, established at the request of Councilmember Stephen Silverman, was organized by Planning Board staff and chaired by Dr. Tom Egan, who is active with private sports associations in the Burtonsville area. MCPS was represented by Mr. Vivian D'Souza, acting director of facilities management, and Mr. G. C. Edward Masood, director of aesthetic, health, and physical education. Mr. Donald Cochran, director of parks, Mr. Greg Baylor, director of recreation, and Mrs. Ginny Gong, director of the Interagency Coordinating Board (ICB), represented county agencies. Representatives from 13 youth sports associations in the county also participated in the work group. Dr. Vance had asked the work group to include representatives from the high, middle, and elementary school principals' associations in future meetings.

The group was charged with the responsibility of assessing and documenting the availability of playing fields in the county, recommending the creation of additional playing fields if land was available, and recommending the reconfiguration and/or lighting of existing playing fields to maximize their use. This report was presented to the Planning Board and to a joint Planning, Housing, and Economic Development/Education Committee of the County Council in April.

MCPS facilities staff shared information about the report with high school principals at their monthly meeting in May. Copies of the report were sent to middle and elementary school principal leadership and MCCPTA. Staff will meet with these groups to explain the advantages of this collaborative effort.

Dr. Vance believed very strongly that it was in MCPS' interest to participate and collaborate with other agencies in this initiative that will result in upgrading our playing fields. The installation of new backstops, soccer goal posts, player benches, and protective fences on some sites and the reconfiguration of existing fields to provide more effective use will be a tremendous benefit to our physical education program. In addition, because

school playing fields are not as well maintained as Parks Department fields, the Parks Department was asked to provide proposals to maintain school fields on a par with Park fields. MCPS will continue to retain the right of "first use" for school day and extracurricular activities and there will be no infringement on school activities.

Mr. Charles Steinbraker, recreation administrator, Mr. D'Souza, Mr. Masood, and other members of the work group made the following presentation with recommendations.

1. The Ballfield Work Group Report was consistent with the Scope of Work framed by the Planning Board -- FY2000 short-term field recommendations.
2. The Ballfield Work Group Report created a partnership opportunity among major field providers and users to maximize and efficiently utilize public and private resources and initiatives.
3. The Ballfield Work Group Report recommended innovative field solutions and a broad range of cost sharing initiatives.
4. The Ballfield Work Group Report recommended that public expenditures be dispersed throughout the County.
5. The Ballfield Work Group Report identified a number of overarching policy issues that require resolution by County decision-makers in the future.
6. The Ballfield Work Group Report recommends a 2.4 million dollar cost sharing partnership to deliver approximately ...

40 Renovated and/or reconfigured fields,
7 Lighted fields,
3 New game fields,
15 Existing open practice field areas that can be permitted, and
New equipment (goals and backstops) to expand game and practice opportunities.

RECOMMENDATIONS

1. Support FY 2000 short term field recommendations and associated funding levels and allocations.
2. Develop a comprehensive field maintenance funding package to support FY2000 short term field recommendations and subsequent field initiatives.
3. Initiate a comprehensive reexamination of the Adopt-a-Field Program to provide greater incentives to users, while retaining sufficient community use.
4. Authorize the Ballfield Work Group to proceed with development of FY 2001-2004 proposals and long term CIP recommendations for Planning Board presentation in July.

5. Transmit the Ballfield Work Group Report - Phase 1 to the County Council and Executive.

The purpose of the presentation was to apprise the Board of the work group's activities and to seek the Board's endorsements of these efforts.

Re: DISCUSSION

Mrs. O'Neill was concerned about the shortage and condition of practice fields within the county. While there is a need for such a partnership, MCPS must maintain its fields to schedule school athletic competitions. MCPS must monitor its fields, especially the stadium fields where maintenance is an issue with the growth of boys' and girls' sports. The high school principals must be involved in the entire process of ballfield usage. Adopt-a-Field is wonderful, but there are outside groups who feel they have a priority for field usage. Also, the disposition of closed schools must retain access to those fields, and the community must be taken into consideration. Gender equity must be observed when lighting ballfields.

Mrs. King thought the recommendations of the committee had some merit; however, the principals had not been consulted prior to the recommendations. If the committee was projecting a deficit of over 100 fields, she asked what plan would be in place to ensure that the present fields were not overused. Mr. Steinbraker stated that the fields were overused and there was too much pressure on Park and Planning and school fields. Mr. Cockran believed that there was an obligation with school staff to provide a quality field, and the Recreation Department would be the permitting agency to control field utilization. Mrs. King asked what would happen to community and booster club maintenance. Mr. Cockran stated that there would need to be a memorandum of understanding to lay out the responsibilities for all agencies.

Ms. Signer appreciated the work to maintain fields and additional support, but she was not prepared to endorse the recommendations of the Work Group. The principals were left out of the loop, and they must have community involvement. She needed to hear more from the principals and executive staff about the impact of the recommendations on the school system. Mr. Steinbraker clarified that the Work Group needed the Board's endorsement to expend allocated funds to rehabilitate school ballfields. Ms. Signer stated that she understood their request.

Mr. Abrams asked if there had been sites identified for rehabilitation. Mr. Steinbraker stated that the group was very close and the Recreation Department had its top priorities for middle schools. Mr. Abrams asked if there had been any consultation with the school system. Mr. Steinbraker indicated that there had been no formal contract. Mr. Abrams thought that if there was money available for school fields in another agencies' budgets

and there were fields that had been identified, there should be some communication with the parties regarding those sites and should be brought to the table.

Mr. Felton wanted to know who had authority over fields when school was not in session. Mr. Masood stated that school facilities are permitted through ICB with the schools having top priority for their use.

Mrs. Gordon had served as a liaison to ICB for over two years and understood the partnership. She agreed with Ms. Signer that the report came to the Board too late. Since the Board was a key component of the agreement and the recommendations were received so late, she was not prepared to take any action or position on the recommendations. She did not know what it meant to expend the funds and what the commitment was once the fields were rehabilitated. It was unfair not to involve principals, executive staff, and the Board until the 11th hour.

Mr. Burnett stated that most of his concerns were voiced by other members of the Board, and he was not prepared to vote on the recommendations due to lack of information, staff input, and clarification of the responsibilities and role of MCPS.

Mr. Abrams thought the item should be discussed further with the ferreting out of specifics in the proposal. After all issues were clarified by staff, then there could be a discussion with the Board for appropriate action.

Mr. Felton appreciated the Work Group's work, but the principals must be involved from this point. He wanted to know if there was a Board requirement for approval for the Council to expend funds on the fields. The response stated that the Council saw funds to rehabilitate fields in four budgets in the county. Therefore, the Council asked for coordination between the four agencies to establish funding efficiency as well expansion and rehabilitation of fields in the county.

Mrs. Gordon mentioned that Mr. Cockran had stated that some schools might not come into the agreement. That was an important issue that the Board should hear about. Another issue was that formal user groups had been looked at, but many elementary schools were located within communities that use the fields on an informal basis. She thought that was an important piece that was overlooked. She hoped that the communities would be involved in establishing or upgrading fields. If the fields were booked throughout the playing season, it would not allow for citizens to use the fields on an informal and impromptu basis.

Mr. Felton summed up the dialogue and the request of the Board was to continue the dialogue with principals and staff to develop a plan for the use of ballfields. Dr. Vance

thought that clarification was needed as to the next steps of the Work Group based on the Board's ideas.

Mrs. Gordon asked if principal representatives would be added to the Work Group. Mr. Steinbraker assured her that the new work group would have principals.

Re: BOARD/SUPERINTENDENT COMMENTS

Mr. Butler expressed his thanks to the Board of Education for their support throughout his term as student Board member.

Mr. Felton accepted the presentation on behalf of the John F. Kennedy High School PTSA to the Board in recognition of the Board's commitment to the school. He acknowledged that this was the last Board meeting for Mr. David Fischer who was retiring and Dr. Lucinda Sullivan who was accepting the position of deputy superintendent for instruction in Atlanta, Georgia.

RESOLUTION NO. 368-99 Re: CLOSED SESSION RESOLUTION

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

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 Tuesday, July 13, 1999, in Room 120 of the Carver Educational Services Center from 8:30 to 10:00 a.m. and 12:00 to 2:00 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 June 8, 1999, by 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 June 8, 1999, from 8:45 to 10:45 a.m. and 1:10 to 2:35 p.m. in Room 120, Carver Educational Services Center, Rockville, Maryland, and

6. Reviewed and/or adjudicated the following appeals: 1999-11, 1999-12, and 1999-22.
7. Reviewed with legal counsel the recently passed pension legislation.
8. Discussed and reviewed the Personnel Monthly Report, subsequent to which the vote to approve the report was taken in open session.
9. Reviewed the Superintendent's recommendations for the appointments as principal of Flower Hill and Montgomery Knolls elementary schools, assistant principal transfer, and retirement report, subsequent to which the vote to approve the appointments were taken in open session.
7. Reviewed the Superintendent's recommendation and offered further clarification on the provision of legal services.
8. Selected a member for the Ethics Panel, subsequent to which the vote to approve the selection was taken in open session.
9. Decided to defer the appointment of members to the Board's advisory committees subsequent to a further discussion on the role of advisory committees.
10. Received an update on the student transfer process.
11. Considered a legal opinion regarding the use of internal e-mail.

In attendance at part or all of the above closed sessions were: Steve Abrams, Elizabeth Arons, Giles Benson, Larry Bowers, Fran Brenneman, Judy Bresler, Kermit Burnett, Geonard Butler, Robin Confino, Reggie Felton, David Fischer, Hiawatha Fountain, Bea Gordon, Marlene Hartzman, Marie Heck, Roland Ikheloa, Nancy King, George Margolies, Patricia O'Neill, Brian Porter, Glenda Rose, Laura Sampedro, Steve Seleznow, Mona Signer, Marshall Spatz, Lois Stoner, Mary Helen Smith, Chuck Thompson, Roger Titus, Paul Vance, and Ron Walsh.

RESOLUTION NO. 369-99**Re: BOARD APPEAL 1999-12**

On motion of Mrs. O'Neill and seconded by Mrs. Gordon, the following resolution was adopted:

Resolved, That the Board of Education adopts its Decision and Order in Appeal 1999-12, a residency matter, reflective of the following vote: Mr. Abrams, Mr. Burnett, Mr. Felton, Mrs. Gordon, Mrs. King, Mrs. O'Neill, and Ms. Signer voting to affirm; Mr. Butler was absent.

RESOLUTION NO. 370-99 Re: **BOARD APPEAL 1999-14**

On motion of Mrs. O'Neill and seconded by Mrs. Gordon, the following resolution was adopted:

Resolved, That the Board of Education adopts its Decision and Order in Appeal 1999-14, an expulsion of a student, reflective of the following vote: Mr. Abrams, Mr. Burnett, Mr. Felton, Mrs. Gordon, Mrs. King, Mrs. O'Neill, and Ms. Signer voting to affirm; Mr. Butler was absent.

RESOLUTION NO. 371-99 Re: **BOARD APPEAL 1999-22**

On motion of Mrs. O'Neill and seconded by Mrs. Gordon, the following resolution was adopted:

Resolved, That the Board of Education adopts its Decision and Order in Appeal 1999-22, a graduation matter, reflective of the following vote: Mr. Butler, Mrs. Gordon, Mrs. King, and Mrs. O'Neill voting to affirm; Mr. Abrams, Mr. Burnett, and Mr. Felton voting to reverse; Ms. Signer recused herself.

RESOLUTION NO. 372-99 Re: **CLASS RANK**

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

Resolved, That the Board of Education schedule a discussion on the policy on class rank, including valedictorians, salutatorians, and other academic honors.

RESOLUTION NO. 373-99 Re: **POLICY IKA, GRADING AND REPORTING**

On motion of Mrs. Gordon and seconded by Mrs. O'Neill, the following resolution was adopted unanimously:

Resolved, That the Board of Education schedule time to review Policy IKA, *Grading and Reporting*, to take into consideration the Board's June 8, 1999, discussion of the Double

A Exam Exemption; however, the discussion should not be limited to the Double A Exam Exemption, but evaluate the other comments and discussion about grading and reporting.

RESOLUTION NO. 374-99 Re: **SIGNATURE AND MAGNET PROGRAMS**

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

Resolved, That prior to November 1, the Board of Education schedule for discussion and possible action the process for development and approval of signature, special, and magnet programs.

RESOLUTION NO. 375-99 Re: **POLICY IFB, CITIZEN REVIEW OF CURRICULAR AND INSTRUCTIONAL MATERIALS**

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

WHEREAS, Policy IFB, *Citizen Review of Curricular and Instructional Materials*, was adopted by the Board of Education on February 9, 1954; and

WHEREAS, Policy IFB was last reviewed and amended by the Board of Education in 1986; now, therefore be it

Resolved, That the Board of Education schedule time no later than October 1, 1999, for a review of Policy IFB.

Re: **NEW BUSINESS**

The following new business items were introduced:

1. Mr. Abrams moved and Mrs. King seconded the following:

Resolved, That the Board of Education request information on the establishment of web pages on the MCPS website for advisory committees,

2. Mr. Burnett moved and Ms. Signer seconded the following:

Resolved, That the Board of Education ask the Superintendent to provide information on gender equity training for new employees and the feasibility of providing the current training on an annual basis for staff.

3. Mr. Felton moved and Mr. Butler seconded the following:

Resolved, That the Board of Education authorize funding to protect the interests of Montgomery County Public Schools in the development of the system for the Network of Community Resources.

RESOLUTION NO. 376-99 Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of June 21, 1999, at 10:30 p.m.

PRESIDENT

SECRETARY

PLV:gr

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET**

June 21, 1999

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