

APPROVED
9-2001

Rockville, Maryland
February 27, 2001

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, February 27, 2001, at 7:40 p.m.

ROLL CALL Present: Mrs. Nancy J. King, President
 in the Chair
 Mr. Stephen Abrams
 Ms. Sharon Cox
 Mr. Reginald M. Felton
 Mr. Walter Lange
 Mrs. Patricia B. O'Neill
 Mr. Christopher Lloyd, Student Board Member
 Dr. Jerry Weast, Secretary/Treasurer

Absent: Mr. Kermit V. Burnett

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

RESOLUTION NO. 109-01 Re: **CLOSED SESSION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Lange, 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 portions of its closed session on February 27, 2001, in Room 120 from 7:00 to 7:30 p.m. 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 session on February 27, 2001, to acquit its executive functions and to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act under Section 10-503(a) of the *State Government Article*; and be it further

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

RESOLUTION NO. 110-01

Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for February 27, 2001.

RESOLUTION NO. 111-01

Re: **WOMEN'S HISTORY MONTH**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Ms. Cox, the following resolution was adopted unanimously by members present:

WHEREAS, In 1987, the United States Congress passed a resolution proclaiming the month of March as "National Women's History Month"; and

WHEREAS, The Maryland Women's History Project has selected the theme, *Celebrating the Past & Creating the Future*, to commemorate Women's History Month in 2001; and

WHEREAS, Maryland women have shaped our families, our communities, our county, and our state; and

WHEREAS, Women have helped to build and enrich all aspects of our society through their contributions; and

WHEREAS, The Board of Education takes pride in its efforts to create an awareness of the often unrecognized contributions of women; and

WHEREAS, The Board of Education and the superintendent of schools are committed to providing learning and working environments that encourage the pursuit of academic and career opportunities for women; now therefore be it

Resolved, That on behalf of the superintendent, staff, students, and parents of Montgomery County Public Schools, the members of the Board of Education hereby declare the month of March 2001 to be observed as "Women's History Month"; and be it further

Resolved, That the Montgomery County Board of Education and the superintendent of schools recognize and honor our female students, staff, business, and community leaders who, by their hard work, vision, and achievements, are creating a better tomorrow.

RESOLUTION NO. 112-01

Re: **NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by

Ms. Cox, the following resolution was adopted unanimously by members present:

WHEREAS, The National Board for Professional Teaching Standards has established a national awards program to recognize outstanding teacher competency; and

WHEREAS, The Maryland State Department of Education and the Montgomery County Public Schools have participated in programs of financial aid and incentives to encourage teachers to engage in the rigorous process of becoming a National Board-certified teacher; and

WHEREAS, The Montgomery County Public Schools has identified the skills, competencies, and rigor of the National Board's Core Goals as the foundation for the new Teacher Evaluation System; now therefore be it

Resolved, That the Montgomery County Board of Education hereby recognize the teachers listed below for having completed the National Board certification process and achieved the certificate:

Ms. Jean Diamond, art teacher, Walt Whitman High School
Ms. Nannette Dyas, math teacher, Montgomery Blair High School
Ms. Lelia Dyer, math teacher, Walt Whitman High School
Ms. Cynthia Eldridge, instructional specialist, Division of Technology Training
Ms. Estelle Flank, Head Start teacher, Harmony Hills Elementary School
Ms. Linda Hiltz, social studies teacher, Forest Oak Middle School
Ms. Lisa Koenigsberg, Grade 2 teacher, Beverly Farms Elementary School
Mr. Brian Lucas, Grade 3 teacher, Cedar Grove Elementary School
Ms. JoAnne McKemon, Grade 4 teacher, Thurgood Marshall Elementary School
Ms. Anita O'Neil, Grade 5 teacher, Germantown Elementary School
Ms. Pamela Parker, special education teacher, Dr. Charles R. Drew
Elementary School
Mr. Jay Savage, science teacher, Argyle Middle School
Ms. Jolynn Tarwater, consulting teacher, Department of Staff Development
Ms. Karalee Turner, staff development specialist, Department of
Staff Development
Ms. Lelah Wilkerson, Grade 2 teacher, Cedar Grove Elementary School
Ms. Maria York, Grade 5 teacher, Twinbrook Elementary School

and be it further

Resolved, That the Board of Education and the superintendent urge all Montgomery County residents to join in recognition of these teachers and share the appreciation of these teachers and the skills and capacity that they bring to the Montgomery County Public

Schools in building workforce excellence.

RESOLUTION NO. 113-01

Re: **RECOMMENDATION TO APPROVE THE AGREEMENT WITH THE MONTGOMERY COUNTY EDUCATION ASSOCIATION**

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

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

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

WHEREAS, The Board's negotiated agreement with MCEA expires on June 30, 2001, and the Board of Education and MCEA began negotiations in September of 2000 for a successor agreement; and

WHEREAS, Said negotiations have occurred in good faith, as directed by law, and the parties have reached a tentative agreement; and

WHEREAS, The tentative agreement has been duly ratified by the membership of the MCEA; now therefore be it

Resolved, That the Board of Education approve the agreement for the period of July 1, 2001, through June 30, 2004, with a reopener during the fall of 2002 for discussion of career ladder issues for the 2003-2004 school year; and be it further

Resolved, That the president of the Board of Education be authorized to sign the agreement, which will be implemented by the Board of Education when funds are properly authorized, all according to said agreement and to the law.

RESOLUTION NO. 114-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support **SB 626 B Coordination of Immunization Services Act of 2001** B which would require the Department of Health and Mental Hygiene to develop a system that collects and informs about immunization data.

RESOLUTION NO. 115-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education strongly oppose **SB 435 B Captive Audience/Stop Commercialism in Schools Act of 2001 B** which would require county boards of education to develop and adopt policies related to marketing and advertising in public schools.

RESOLUTION NO. 116-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education oppose **SB 438 B Elementary and Secondary Education- Procurement B Competition B** which would require county boards of education to draft specifications to obtain maximum competition in certain school procurement contracts and prohibit specifications favoring a single prospective bidder.

RESOLUTION NO. 117-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support, if adequately funded, **HB 818 B Maryland Playground Safety Act of 2001 B** which would establish regulations for playgrounds open to the public. Standards would be established for the construction, equipment, operation, and accessibility of public playgrounds. (The bill is intended for new installations, but has a provision for retrofitting existing public playgrounds to the new standards between the passage of the legislation and 2009. The regulations to be adopted require the Governor to include money in the state budget to fund the retrofits of publicly operated playgrounds, including those operated by local governments.)

RESOLUTION NO. 118-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support **HB 483 B Warrantless Arrests B**

Weapons Offenses B School Property B which would give officers the codified right to make arrests for weapons violations on school property, and it would ensure that individuals who bring weapons to school would be subject to arrest, thus making our schools safer.

RESOLUTION NO. 119-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support **SB 713 B Arrest of Student B Transfer to Another School System B Notification Required** B which would require a local superintendent with certain information regarding a child arrested for certain offenses to provide this information to the local superintendent of the school system to which the student is transferring.

RESOLUTION NO. 120-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support **HB 406 B Private Group Homes B Notice to Police and Schools** B which would require an applicant seeking approval to establish a private group home to provide a statement on the application that certain law enforcement agencies and the principal of the school which a resident of a group home will attend have been notified of the intent to establish the private group home.

RESOLUTION NO. 121-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education strongly support **SB 399 B Education B Creation of a Task Force to Study Adult Education Services in Maryland** B which would establish a task force to study adult education services to ensure effective workers, family members, and citizens.

RESOLUTION NO. 122-01

Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by

Mr. Felton, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education support **HB 434 B Education B School Library Funds B** which would alter the school library funds grant program of the SAFE program in order to make middle and high schools eligible.

RESOLUTION NO. 123-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support **SB 415 B Vehicle Laws B Duty to Yield Right-of-Way to Buses and School Vehicles B** which would require the driver of a motor vehicle to yield the right of way to a bus or school vehicle if the driver of the bus or school vehicle signals an intention to change lanes or merge into traffic.

Re: **ITEM OF LEGISLATION**

On motion of Mr. Abrams and seconded by Mr. Lange, the following resolution failed with Mr. Abrams, Mrs. King, Mrs. O'Neill, and Mr. Lange voting in the affirmative; Ms. Cox, Mr. Felton, and Mr. Lloyd voting in the negative:

Resolved, That the Board of Education support **HB 557 B Admission of Students to Kindergarten B** which would alter the age requirements for admission to kindergarten utilizing a 4-year phase-in plan B the child must be 5 by November 30 in the year 2001, 5 by October 31 in the year 2002, 5 by September 30 in the year 2003, and 5 by the first day of the school year in the year 2004 and thereafter. This compares to the current December 31 date. Counties would receive a hold harmless grant for FY 2003 through FY 2015 to offset the decrease in the state share of the basic current expenses resulting from the decline in student enrollment due to the changes; and be it further

Resolved, That a waiver provision would be provided, upon good cause shown by a parent applicant, for a child who wishes to enroll without meeting the age requirement.

Re: **ITEM OF LEGISLATION**

On motion of Ms. Cox and seconded by Mr. Felton, the following resolution failed with Ms. Cox and Mr. Felton voting in the affirmative; Mr. Abrams, Mr. Lange, Mr. Lloyd, and Mrs. O'Neill voting in the negative:

Resolved, That the Board of Education oppose **HB 557 B Admission of Students to Kindergarten B** which would alter the age requirements for admission to kindergarten

utilizing a 4-year phase-in plan. The child must be 5 by November 30 in the year 2001, 5 by October 31 in the year 2002, 5 by September 30 in the year 2003, and 5 by the first day of the school year in the year 2004 and thereafter. This compares to the current December 31 date. Counties would receive a hold-harmless grant for FY 2003 through FY 2015 to offset the decrease in the state share of the basic current expenses resulting from the decline in student enrollment due to the changes.

RESOLUTION NO. 124-01

Re: **ITEM OF LEGISLATION**

On motion of Ms. Cox and seconded by Mr. Abrams, the following resolution was adopted unanimously:

Resolved, That the Board of Education send a letter to the Maryland State Board of Education indicating the Board's interest in changing the age for admission of students into kindergarten, supply the information available to MCPS, and the Board's wish for State Board's leadership in this matter.

RESOLUTION NO. 125-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support **HB 1218 Education B Salary Signing Bonus B Increase B** which would increase the salary bonus from \$1,000 to \$3,000 for classroom teachers (who graduate from an accredited institution of higher education in the top 10 percent of their class, become employed by a county board, and remain employed as a classroom teacher in the public school system for at least 3 consecutive years). Funding is from the State budget.

RESOLUTION NO. 126-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education strongly support **HB 1135 Maryland After-School Opportunity Act B Appropriations B Requirements B** which would require the Governor to include an appropriation of not less than \$20 million in the State budget for FY 2003 for the Maryland After-School Opportunity Fund.

RESOLUTION NO. 127-01

Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Lange, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education strongly support **HB 950 B Education Finance, Equity, and Excellence Act of 2001** B which would implement the interim recommendations of the Commission on Education Finance, Equity, and Excellence. Additional funding for special education transportation, special education programs, and the extension of several education initiatives (including the Governor's Teacher Salary Challenge Program) scheduled to sunset, is included. \$132 million in additional State funding for local school systems in both FY 2002 and 2003 would be provided. A companion bill, SB 719, has already been heard in the Senate; and be it further

Resolved, That the Board send a letter to each of the Montgomery County delegates and senators to spell out the impact that HB 950 would have on the school system.

RESOLUTION NO. 128-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support **HB 1217 B Education B Early Child Care and Education Services** B which requires appropriations in the FY 2002 budget of MSDE to fund the Judith P. Hoyer Early Child Care and Education Enhancement Programs (\$4 million for Judy Center Grants; \$1.9 million for Early Child Care and Education Enhancement Grants for child care providers; \$1.1 million for Early Child Care and Education Enhancement Grants for local boards of education; and \$1 million for institutions of higher education to provide professional development leading to credentialing of child care providers).

RESOLUTION NO. 129-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education strongly support **HB 878 B Education B Montgomery County Educational Opportunity Summer Pilot Program B Establishment** B which would provide \$2 million per year, beginning in FY 2003, for MCPS to provide summer enrichment programs for K-12 students. (The county Board would be able to develop proposals for educational curriculum and activities using existing faculty. The State Board of Education would review the proposals and those selected would have funding distributed by the local Board. Priority would be given to proposals for schools that show the lowest levels of improvement toward meeting MSPAP standards. Funds could not be used to supplant existing funding.)

RESOLUTION NO. 130-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education oppose **HB 1072 B Public Schools B Extracurricular ActivitiesB Private School and Home-Schooled Students B** which would authorize a public elementary or secondary school to allow a student who is not enrolled in the school (and is enrolled in a private school or participates in a home instruction program) to participate in an extracurricular activity sponsored by the school to the same extent that a student who is enrolled in the school may participate.

RESOLUTION NO. 131-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education oppose **SB 722 B Public Schools B Reconstitution B Transfer to Private Schools B** which would authorize a county board of education to offer students in schools identified as reconstituted or reconstituted-eligible the option of attending other county schools, public charter schools, or applying to attend specified private schools. The bill would also require a county board that offers the option for students to apply to attend a private school to provide financial assistance to the students who transfer to a private school.

FOR THE RECORD: Mr. Abrams supported SB 722 since the bill follows President Bush's proposal which has a precondition for a failing school. That bill has more standards than the textbook assistance to private and parochial school in Maryland that the Governor supports.

RESOLUTION NO. 132-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support **HB 861 B Education B School Accountability Funding for Excellence Program B Grants for Non-and Limited-English Proficient Students B** which would alter the definition of Non- and limited-English proficient student count to be the number of non- and limited-English proficient students

in each county as of October 31 of a school year.@

RESOLUTION NO. 133-01

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education support **HB 1408 B Education B State Payments for Public School Construction and Improvements B** which would require the Board of Public Works to adopt regulations establishing specified statewide averages for maximum per pupil area allowances for public schools; require the State to use specified percentages to determine the maximum State construction allocation for renovating, modernizing, altering, or remodeling, in whole or in part, existing school buildings that have been occupied for specified amounts of time; and including specified improvements in the calculation of the maximum State construction allocation.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

<u>Person</u>	<u>Topic</u>
1. Josh Rosen	Double A Exemption
2. Neal Bobys	Rock Terrace High School
3. Matt Lavine	Magnet Programs
4. Ann Horwitz	Double A Exemption
5. Brenda Fuentes	Policies in Schools
6. Bridgette Benavides	Fairness to the ARegular@ Student
7. Robin Burnett	Double A Exemption
8. Jessica Bond	Double A Exemption
9. Jacob Leibenluft	Double A Exemption
10. Jonathan Sherman-Presser	Double A Exemption
11. Mike Tabor	Commercialism in Schools
12. Henry Lee	Naming of Schools
13. Geonard Butler	Double A Exemption

**Mr. Abrams temporarily left the meeting.

RESOLUTION NO. 134-01

Re: **AWARD OF CONTRACT B NORTHWEST ELEMENTARY SCHOOL #6/LONGVIEW SPECIAL EDUCATION CENTER**

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

WHEREAS, The following sealed bid represents the eleventh in a series of contracts that

were bid as part of a construction management process for the Northwest Elementary School #6/Longview Special Education Center project:

<u>Bidder</u>	<u>Amount</u>	<u>Consultant-s Estimate</u>
<u>Elevator</u>		
Otis Elevator Company	\$45,000	\$42,000

and

WHEREAS, The aggregate minority business participation for the contracts bid to date is 25.21 percent; now therefore be it

Resolved, That a \$45,000 contract be awarded to Otis Elevator Company for an elevator for the Northwest Elementary School #6/Longview Special Education Center project, in accordance with drawings and specifications prepared by SHW Group, Inc.

RESOLUTION NO. 135-01

Re: **AWARD OF CONTRACTS B REROOFING**

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

WHEREAS, The following sealed bids were received for roof replacements for Damascus and Col. Zadok Magruder high schools, Sligo Middle School, and Seven Locks Elementary School, with work to begin June 19, 2001, and be completed by September 1, 2001:

<u>Bidder</u>	<u>Amount</u>	<u>Estimate</u>
<u>Damascus High School (Phase I)</u>		\$179,322
J. E. Wood & Sons Company, Inc.	\$270,806	
R. D. Bean, Inc.	275,550	
Orndorff & Spaid, Inc.	284,718	
Interstate Corporation	288,000	
<u>Col. Zadok Magruder High School</u>		\$390,012
Interstate Corporation	\$395,000	
Vatica Contracting, Inc.	463,600	
Orndorff & Spaid, Inc.	473,373	
KI Construction Company, Inc.	477,300	
Brothers Construction Company, Inc.	523,000	
J. E. Wood & Sons Company, Inc.	564,726	

<u>Seven Locks Elementary School</u>		\$100,000
Built-Up Roofing Systems	\$ 96,300	
Vatica Contracting, Inc.	99,850	
J. E. Wood & Sons Company, Inc.	104,205	
Interstate Corporation	125,000	
Orndorff & Spaid, Inc.	146,104	
<u>Sligo Middle School</u>		\$205,000
R. D. Bean, Inc.	\$249,655	
J. E. Wood & Sons Company, Inc.	261,289	
Orndorff & Spaid, Inc.	264,975	
Vatica Contracting, Inc.	268,200	
Interstate Corporation	285,000	

and

WHEREAS, The low bidder for each project has completed similar work successfully for Montgomery County Public Schools; and

WHEREAS, The cumulative total of the low bids is slightly above the staff estimate; however, contingency funds are available in the generic roofing project to cover the overage; and

WHEREAS, Interstate Corporation is an Asian American, Maryland Department of Transportation-certified, minority firm; and Built-Up Roofing is a certified minority firm in the category of disability, Maryland-National Capital Park and Planning Commission-certified, minority firm; and

WHEREAS, The State Interagency Committee for Public School Construction will fund 50 percent of the eligible work for these four schools as part of the state systemic renovation program; now therefore be it

Resolved, That contracts be awarded to J. E. Wood & Sons Company, Inc., in the amount of \$270,806; to Interstate Corporation in the amount of \$395,000; to Built-Up Roofing Systems in the amount of \$96,300; and to R. D. Bean, Inc., in the amount of \$249,655, for reroofing of Damascus and Col. Zadok Magruder high schools, Seven Locks Elementary School, and Sligo Middle School, respectively, in accordance with plans and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 136-01

Re: **FY 2001 OPERATING BUDGET
CATEGORICAL TRANSFER FOR UNIVERSITY
PARTNERSHIP AND STAFF DEVELOPMENT**

PROGRAMS

On recommendation of the Superintendent and on motion of Mr. Felton seconded by Mrs. O'Neill, the following resolution was adopted unanimously by members present: Resolved, That the superintendent of schools be authorized, subject to County Council approval, to effect an FY 2001 categorical transfer of \$865,456 between state categories for costs related to university partnership and staff development programs within the following categories:

<u>Category</u>	<u>From</u>	<u>To</u>
3 Instructional Salaries	\$ 865,456	
5 Other Instructional Costs		\$ 865,456
Total	<u>\$ 865,456</u>	<u>\$ 865,456</u>

Resolved, That the superintendent of schools be authorized to effect an FY 2001 object transfer of \$865,456 within the following objects of expenditure:

<u>Object</u>	<u>From</u>	<u>To</u>
01 Salaries and Wages	\$ 865,456	
02 Contractual Services		\$ 865,456
Total	<u>\$ 865,456</u>	<u>\$ 865,456</u>

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 to the County Council of this categorical transfer.

RESOLUTION NO. 137-01

Re: **CHANGE ORDER POLICY**

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

WHEREAS, Changes are periodically required for various reasons after a construction contract has been awarded; and

WHEREAS, Board of Education Policy FEA, *Construction Change Order Policy*, was

initially adopted in 1973 to ensure that necessary changes to construction contracts are implemented in a timely manner to avoid delays and to specify the authority for the approval of construction change orders; and

WHEREAS, The policy authorizes the superintendent of schools or his/her designee to approve change orders less than \$25,000 and requires all change orders exceeding \$25,000 to be submitted to the Board of Education for approval; and

WHEREAS, The last amendment to this policy was approved in 1991; and

WHEREAS, The cost of construction has increased significantly since the last amendment to Policy FEA, resulting in a substantial increase in the number and type of change orders exceeding \$25,000; and

WHEREAS, It is recommended that the approval limits for change orders be amended to reflect current prices and avoid potential monetary damages from delays to project schedules; now therefore be it

Resolved, That the following amendments to Policy FEA be tentatively approved and brought back to the next business meeting for final adoption by the Board of Education:

14. The authority of the superintendent of schools or his/her designee to approve construction change orders is increased from \$25,000 to \$100,000

15. The authority of the director of facilities management to approve construction change orders is increased from \$5,000 to \$25,000

and be it further

Resolved, That Regulation FEA-RA, *Change Order for Construction Contracts*, be amended to reflect the change in approval limits, outdated nomenclature, and current position titles.

**Mr. Abrams rejoined the meeting.

Re: **REQUEST TO DEVELOP A COMPUTER SCIENCE CURRICULUM**

On recommendation of the Superintendent and on motion of Mr. Lloyd seconded by Mr. Felton, the following resolution was placed on the table:

WHEREAS, The public school laws of Maryland specify that the county superintendent shall prepare courses of study and recommend them for adoption by the county Board

of Education (*The Annotated Code of the Public General Laws of Maryland*, Education Volume, Sec. 4-205); and

WHEREAS, The public school laws of Maryland also state that the county Board of Education, on the written recommendation of the county superintendent, shall establish courses of study for the school under its jurisdiction (*Ibid.*, Sec. 4-110); and

WHEREAS, The Board of Education will review and approve the planned curriculum changes before the curriculum development process begins; and

WHEREAS, Excellence in curriculum can be maintained only by continuing attention to the need for curriculum change; and

WHEREAS, The College Board will implement a change of the programming language used in the AP Computer Science examination from C++ to Java; and

WHEREAS, The Office of Instruction and Program Development has requested permission to revise the computer science curriculum so that students will continue to be prepared for success in AP Computer Science; now therefore be it

Resolved, That the Board of Education approve the request by the superintendent of schools to begin the process to revise the curriculum for computer science.

Re: **DISCUSSION**

Mr. Lloyd was excited about the request to upgrade the computer science curriculum. He hoped that other programs would be included in the curriculum.

Mr. Felton asked about the implementation timeline and the training of teachers in the fundamentals and advanced Java. It looks like staff will develop the course and then train the teachers. Mr. Barry Burke, director of the Division of Career and Technology Education, replied that teachers who are currently teaching C++ would learn Java without difficulty. The training will focus on fundamentals followed by advanced applications of Java.

Mr. Felton assumed that Java was offered in other school systems and asked to what degree staff would review developed curriculum. Mr. Burke replied that staff would survey other school systems, but the AP requirement is new, and all districts would be converting to Java. Mr. Schoendorfer, director of the Department of Instructional Support Programs, added that AP will continue to offer C++ until 2004. Staff must develop a sequence to coincide with the students who are advancing through the grades. All districts are on the same timeline because it is governed by the College Board.

Mr. Felton noted that the curriculum would be piloted in all schools. Normally, the term pilot indicates that the curriculum is not mature and ready for implementation in all schools. Mr. Burke replied that staff will be fully prepared to employ the curriculum in all schools based on their experience with developing C++ curriculum.

Ms. Cox asked if there was a timeline for the development of the curriculum. Ms. Muntner explained that the first step was for Board approval to develop a curriculum, then the framework will come to the Board.

Mr. Lange inquired as to whether or not additional math was required for Java as opposed to C++. Mr. Burke replied that Java was similar to other computer languages and Algebra II was the only requirement.

Mr. Lange asked how many teachers would be involved in the training for Java. Mr. Burke stated that it would be between 23 and 30 teachers.

Mr. Lange noted that Poolesville students take the course online. Would that be available to other students? Mr. Burke responded that staff had increased delivery of the course, and there were now 100 students taking the course online.

Mr. Lange shared Mr. Felton's concern with the term *Apilot*. This new curriculum would be an enhancement of the computer course.

Mr. Abrams inquired about the competency levels of instructors and whether there would be a problem transferring to Java. Mr. Burke replied that all instructors were competent in C++ and there would be no difficulty with the transition to Java.

Mrs. O'Neill noted that principals report they have a hard time recruiting teachers qualified in C++. She asked if MCPS used business partners to address this issue. Mr. Burke replied that the staff was exploring the idea of business people teaching a course as well as other alternatives.

RESOLUTION NO. 138-01

Re: **REQUEST TO DEVELOP A COMPUTER
SCIENCE CURRICULUM**

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

WHEREAS, The public school laws of Maryland specify that the county superintendent shall prepare courses of study and recommend them for adoption by the county Board of Education (*The Annotated Code of the Public General Laws of Maryland*, Education Volume, Sec. 4-205); and

WHEREAS, The public school laws of Maryland also state that the county Board of

Education, on the written recommendation of the county superintendent, shall establish courses of study for the school under its jurisdiction (Ibid., Sec. 4-110); and

WHEREAS, The Board of Education will review and approve the planned curriculum changes before the curriculum development process begins; and

WHEREAS, Excellence in curriculum can be maintained only by continuing attention to the need for curriculum change; and

WHEREAS, The College Board will implement a change of the programming language used in the AP Computer Science examination from C++ to Java; and

WHEREAS, The Office of Instruction and Program Development has requested permission to revise the computer science curriculum so that students will continue to be prepared for success in AP Computer Science; now therefore be it

Resolved, That the Board of Education approve the request by the superintendent of schools to begin the process to revise the curriculum for computer science.

Re: FY 2002 CAPITAL BUDGET AND AMENDMENTS

Dr. Weast and Mr. Joseph Lavorgna, director of the Department of Planning and Capital Programming, presented the superintendent's recommendations for the FY 2002 Capital Budget and amendments to the FY 2001-2006 Capital Improvements Program. The seven amendments are:

1. The scope of the boundary study for Albert Einstein Middle School #2.
2. Planning funds to reopen the Belt facility for a second middle school in the Wheaton Cluster
3. The scope of the James T. Baker Middle School addition.
4. Planning funds for corridor circulation improvements at Damascus High School.
5. FY 2001 funds in the Advance Land Acquisition Revolving Fund (ALARF) project to acquire sites for the Quince Orchard Middle School #2 and Rocky Hill Middle School replacement projects.
6. Additional facility planning funds to explore opening a new elementary school in the Cresthaven area of the Northeast Consortium.
7. Additional funds in FY 2001 for relocatable classrooms.

The total amount of these amendments would cost \$10.6 million over six years.

Re: DISCUSSION

Mr. Abrams asked about the core of Baker and, with the eight-room addition, what would

be the capacity of the school. Mr. Lavorgna replied that the addition would bring the school's capacity to 750 with some core improvements.

Mr. Abrams noted that the City of Gaithersburg was concerned about land use in the city because of the number of relocatables. Mr. Lavorgna responded that there have been meetings with the Mayor and City Manager to discuss their goals and directions to developers within the city limits. The county has a schools test and Annual Growth Policy, but the city does not have a growth policy.

Mrs. O'Neill was pleased that the County Council supported the additional funds for relocatable classrooms. In the past, these funds were parceled out and not all portables were available at the beginning of school. Mr. Lavorgna reported that the Council had taken action based on the Education Committee's recommendations. The school system will need \$2.1 million for all 155 moves this summer.

Ms. Cox asked about the process of the request for planning funds for Cresthaven Elementary School, and why was it not part of the long-range plan in the fall. Mr. Lavorgna replied that there is an addition planned for Broad Acres Elementary School, a modernization for Cresthaven Elementary School, and a feasibility study for an addition at Burnt Mills Elementary School. This would provide an opportunity to consider three large elementary schools or four smaller elementary schools. If there were a new school, the additions to the other two elementary schools might be eliminated; however, there would be a modernization at Cresthaven.

Ms. Cox noted that there was capacity at a number of other elementary schools in the Consortium. Was it a false hope with potential for class-size reductions and all-day kindergarten? Mr. Lavorgna reported that capacities are based on 25 students in a classroom. At the present, staffing is 23/24 students at the elementary level. Therefore, schools showing available space are already above capacity.

Ms. Cox asked if the Hillandale Elementary School could be reclaimed. Mr. Lavorgna replied that the Centers for the Handicapped occupy the facility. MCPS has been unsuccessful in reclaiming schools with viable programs.

Ms. Cox asked if MCPS was confident that the community was aware of the plans for the cluster. Mr. Lavorgna replied that staff had been in contact with the Consortium leadership, and they are supportive of the plans.

Mr. Felton wanted clarification on the dates for reclaiming Newport School and funding decisions. Mr. Lavorgna reported that MCPS already has planning funds, and the Council should approve funds in May for construction. Mr. Hawes added that the construction funds were part of the six-year plan.

Re: SPECIAL EDUCATION FUNDING FORMULA

Dr. Weast invited the following people to the table: Dr. Raymond W. Bryant, associate superintendent for the Office of Student and Community Services, and Dr. Marshall C. Spatz, director of the Department of Management, Budget, and Planning.

The MCPS report provided Board members with information concerning the funding of special education in MCPS and throughout the State of Maryland. The goal is to demonstrate why further state funding support for special education is vital and to discuss the data that will support MCPS's advocacy for additional funds, across the state and here in Montgomery County. Dr. Weast wants to encourage the Board's advocacy, and that of the Montgomery County community, for increased state special education funding and a fair allocation of those funds.

The Need for Increased Funding

The Commission on Education Finance Equity and Excellence is in the process of analyzing the equity and adequacy of funding for education in Maryland. In its Interim Report issued in January 2001, "the Commission concluded that the state's current contribution to the funding for special education should be increased. The Commission believes that the Governor and the General Assembly should begin to address this issue in fiscal 2002." The Thornton Commission recommends adding \$42.3 million in state funding for public school special education programs in the fiscal year 2002 budget, which it anticipates would be the first installment of a five-year plan by which the state's contribution would increase each year until it equals 2.3 times the state's share of the fiscal year 2001 per-pupil foundation amount.

In addition, the Thornton Commission recommends that the supplemental transportation aid for disabled students be increased from \$500 to \$1,000 per student and that the student count be based on the actual number of students transported, rather than just the increased number of students over a 1981 baseline. That change also would be made for FY 2002.

The Thornton Commission recommendations for increased state aid for special education programs and special education transportation are not included in the Governor's FY 2002 budget. However, HB1 includes changes to the Education Article that would provide additional allocations for special education transportation.

Dr. Weast urged the support and advocacy of the Board, parents, and community members for these increases. He agrees with the Thornton Commission on the need for additional state funds for the reasons listed below:

\$ Total state funding for public school special education programs has been \$81.25

million annually for more than 10 years. That amount is put toward the programmatic needs of approximately 110,670 special education students statewide.

- \$ While overall enrollment in Montgomery County is rising about 3 percent each year, the number of special education students is increasing annually by 4.5 percent.
- \$ Special education costs two to three times as much per pupil as regular education. For FY 2001, Montgomery County has budgeted \$139 million for special education to serve 16,360 students.
- \$ Of the MCPS FY 2001 special education budget, 9.23 percent comes from the state grant for children with disabilities and 6.07 percent is funded through federal grants. Nearly all the remaining 84.69 percent comes from local taxes. Federal and state funds do not adequately support the needs of children with disabilities, although federal and state laws support the vital goal of extending appropriate educational services to disabled students.

While the state support for special education programs and services for students with disabilities has not changed for more than 10 years, increased state funding for special education students in non-public placements has been forthcoming. The state funding has increased automatically as the number and cost of private placements have increased: the State Board has sought supplemental funds to cover its cost overruns for funding private placements. The result is that in FY 1999, the state paid \$74.5 million toward private placements for just 3,686 students. The Governor's FY 2002 budget proposal includes more than \$4.7 million to fund a deficiency request for non-public placements.

Like non-public placements, public school special education services have increased in cost and extent over recent years, but the public school cost increases have been unrecognized by the state. Many federally mandated changes have escalated special education costs, including the following:

1. Infants and Toddlers and Preschool Special Education Programs
2. Augmentative Communication and Assistive Technology
3. Inclusion and Community Integration and Travel Training

The result of this situation is that, although the special education enrollment in Montgomery County has increased by almost 50 percent since FY 1990, the state funds received by MCPS under the students with disabilities program have increased less than 30 percent during the same period. This has resulted in a decrease in the amount of money received per student. In 1990, MCPS received \$1,055 per student, but in 2000, MCPS received only \$918 per student.

A Fair Allocation of Additional State Funding for Special Education

The Thornton Commission's recommendation that the supplemental transportation aid for disabled students be increased from \$500 to \$1,000 per student and that all students transported be counted, beginning in FY 2002, would be a very helpful step toward meeting the real cost of transporting these students. This proposed increase is based on the actual count of students transported currently and would result in a fair allocation of the increased funds to the districts in the state most in need. This recommendation would result in an increase in special education transportation funding statewide of \$22 million, of which \$5.2 million would come to Montgomery County. MCPS encourages strong support for this aspect of HB1.

The allocation issues concerning special education public school program funding are more complex and require some understanding of the current formula for allocating state funds. The present state funding formula for special education programs in public schools has the following two levels, or tiers:

- \$ Tier 1 allocates a base amount of funding among school districts based on the amounts distributed in 1981. The 1981 allocation was based mainly on total district enrollment and a 1976 cost index for special education expenditures in each county. Tier 1 funding has been \$70 million annually statewide since 1981.
- \$ Tier 2 is distributed under a formula that is based on special education enrollment and local wealth. The second tier is \$11.25 million annually statewide; that amount has remained unchanged since 1990.

The Thornton Commission recommendation would add \$42.3 million to Tier 2 for FY 2002. This would result in an increase of \$3.3 million to Montgomery County, which would provide some help toward making up for many years of increasing local revenue effort to meet the needs of disabled children. By adding the dollars to Tier 2, however, this short-term solution would build on a formula based on student counts from decades ago and increase the link between state special education funding and the local wealth of school districts.

Staff welcomes dialogue with the Board and community as the discussion of these issues proceeds before the Thornton Commission and in the state budget process for FY 2002 and beyond. In particular, staff encourages consideration of the following facets of this issue:

- \$ Should state funding for special education programs parallel the federal funding formula provided under the IDEA? Federal funds are based on a combination of overall district enrollment and student poverty, as measured by eligibility for free and reduced-price meals.

- \$ Should state funding for special education programs be sensitive to the relative cost of a student's program (i.e., the intensity level of the student's placement)?
- \$ Should state funding for special education programs reflect differences in cost among school?
- \$ Should the Tier I/Tier 2 structure be retained? If it is retained, should the count data underlying those allocations be updated?
- \$ If additional state funds are to be put into the existing special education funding structure pending further work and recommendations by the Thornton Commission, should they be put into Tier 1 or Tier 2, or should they be added on some other basis?

**Mr. Abrams temporarily left the meeting.

Re: **DISCUSSION**

Mr. Felton appreciated the comment that the school system is committed to all students. Clearly, these are political issues. Typically, communities say if you gain, someone loses. Therefore, which counties lose and, if there are hold-harmless provisions, what impact would they have on increased funding? Mr. Bowers stated that no counties lose, and the basis is support for the Thornton Commission recommendations and the \$43 million. However, Baltimore City would do less well since Montgomery County and Baltimore City had exchanged enrollment numbers over the past 20 years.

Dr. Weast stated that the question the Board must ask from a policy view is are you in the jurisdiction that receives a fair and equitable share of the distribution of funds? If not, why not? It is hard to explain how a formula can be based on 1980 enrollment when there has been significant changes. This is a basic equity/fairness issue. Why not use the same formula that the federal government uses to distribute funds to all jurisdictions. Why is that not an adequate formula? Why does the state formula differ for distribution of state funds? Why should the distribution not be based on current enrollment data?

Mr. Felton inquired as to the answers to those questions. Dr. Weast replied that the Board should raise the questions, since this Board has never posed these questions.

Mrs. King remarked that if legislators are not aware of the Board's concerns, things cannot change.

Dr. Weast summed up with the following: (1) staff had looked closely at the formula over the last 18 months; (2) the formula had been unpacked on a statewide basis; and (3) there are glaring inconsistencies in the distribution of funds. He would like to get the funding for a service level that is reasonable. Also, he did not want the Thornton Commission funds distributed using the old, flawed formula.

Mr. Felton thought those were valid points. The Board needs to raise the question of funding, receive answers, and ensure equitable distribution across the state.

Mrs. King requested copies of the slides to present to legislators in Annapolis. She believed that one-on-one discussions with legislators were very effective in informing legislators of the Board's position. Dr. Bryant replied that copies would be made as well as copies of an edited version of the presentation to the Board. Mr. Felton thought there should be draft language for use by Board members.

Mrs. O'Neill stated that the Board was successful on the ESOL funding because of working with delegates. The problem in Annapolis is that many legislators are in their parochial mode, and HB 1 has aid for distressed counties. The Governor's budget is now more

than \$210 million over spending affordability. The presentation should be culled down to the salient points for the legislators to focus on funding that is critical to the education of children. Maybe special education parents could personalize the issue to programs and funding affecting the education of their children. Mrs. O'Neill noted that MCPS helped draft the language for the ESOL bill that will be introduced by Delegate Dembrow. Mr. Felton thought the Board should do the same for the special education funding formula.

Dr. Weast thought the legislators needed the background, and an edited presentation would be effective. When there is understanding of the formula, then draft language could be developed to amend the legislation concerning distribution of funds.

Mrs. King suggested making a presentation to the Montgomery County delegation in its meetings. Mr. Felton added that there must be a combined strategy for advancing the Board's position.

Ms. Rogovin reported that there is basically no funding in the budget this year for the Thornton Commission's recommendations. If there is some money, there could be minimal money in the supplemental budget. She suggested that the Board might want to focus on priorities.

Dr. Weast focused on the context to demonstrate his and parents' angst regarding funding. The Board could be faced with an operating budget shortfall due to the County Council's inability to provide funding and the increased special education budget. How would the Board reconcile any potential cuts that would, for example, retain oversized classes to sustain special education funding? If the economy takes a down turn, the importance of a fair formula becomes essential.

Mr. Felton thought the other issue was that other states litigated the equity of the distribution of funds. At one time it was equal per-pupil expenditure, but now the law is clear that funding is based on the success of child's program. He thought the Board should explore draft language at the state level and the implications of litigation. Other urban districts across the nation are in similar circumstances.

Mrs. O'Neill thought it was a two-fold problem. There is a need for an immediate solution to fulfill educational commitments as well as a long-term provision of services with a fair funding formula. Since the present formula is 20 years old, the Board may not have another chance to change the formula for a long time.

Mr. Felton asked what the superintendent wanted from the Board. Dr. Weast replied that the Board should provide a strong legislative voice and present the Board's position to those legislators. The Board must distribute the facts about the formula with a sense of urgency. If the legislature funds some of the Thornton Commission's recommendations

using the same formula, the legislators will be happy and wonder why Montgomery County is complaining. The window of opportunity to change the formula is when they vote on the Thornton Commission bills. The Board should request that the funds be distributed equally to the special education children in Maryland. If anything, there should be some consideration to the handicapping condition of the child in the funding formula.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast announced the expansion of a unique international reading program in Montgomery County. Designed to help struggling students achieve reading fluency and comprehension, the new initiative is based on the Yachad tutoring program successfully established over the past 18 years in Israeli schools. Congress directed \$1.8 million in funding to establish, in part, a national demonstration site in Montgomery County for the Reading Together USA program, in collaboration with the University of North Carolina at Greensboro. Reading experts at the university, together with the Hebrew University of Jerusalem, collaborated to adapt the Israeli program for use in the United States.

Mr. Felton reported that three students are among the state finalists in the 2001 Prudential Spirit of Community Awards program. Sponsored by the Prudential Insurance Company of America in partnership with the National Association of Secondary School Principals, the awards program recognizes students in middle and high school who have demonstrated exemplary community service. The students are:

- \$ Jared Joiner, a senior at Bethesda-Chevy Chase High School, who created and taught the first session of the Rosemary Hills Lacrosse Camp, a project designed to involve more minority children in the predominantly white sport.
- \$ Jeffrey Schiffman, a senior at Bethesda-Chevy Chase High School, who created a computer camp to teach 10 underprivileged children how to use computers and personally built 10 computers for the students to use and keep afterward.
- \$ Yashar Pirzadeh, a senior at Springbrook High School, who is student chairman of Reunited International, a nonprofit organization dedicated to helping reunite refugees separated from their families during times of crisis and war.

RESOLUTION NO. 139-01

Re: **CLOSED SESSION RESOLUTION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Felton, 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 Tuesday, March 13, 2001, in Room 120 of the Carver Educational Services Center to meet in closed sessions from 9:00 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 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 February 13, 2001, by unanimous vote of members present, the Board of Education voted to conduct closed sessions 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 sessions on February 13, 2001, from 9:05 to 10:35 a.m. and 1:55 to 2:30 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

2. Reviewed and/or adjudicated the following appeals: 2000-55, 2000-57, 2000-58, 2001-1, 2001-5, and T-2000-82.
3. Reviewed the Superintendent's recommendation for personnel appointments and personnel matters, subsequent to which votes to approve the superintendent's recommendations were taken in open session.
4. Reviewed the Human Resources Monthly Report, subsequent to which the vote to approve the report was taken in open session.
5. Reviewed the Equal Employment Opportunity report.
6. Considered the acquisition of real property for a public purpose and matters directly related thereto.
7. Consulted with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
8. Discussed matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

In attendance at the closed sessions were: Steve Abrams, Elizabeth Arons, Larry Bowers, Fran Brenneman, Judy Bresler, Kermit Burnett, Sharon Cox, Reggie Felton, Dick Hawes, Roland Ikheloa, Nancy King, Frieda Lacey, Walter Lange, Christopher Lloyd, George Margolies, Patricia O'Neill, Brian Porter, Glenda Rose, Roger Titus, Janice

Turpin, David Wayne, Jerry Weast, James Williams, and Mary Pat Wilson.

RESOLUTION NO. 140-01

Re: **BOARD APPEAL B 2001-01**

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2001-01, employee dismissal, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Lange, Mr. Lloyd, and Mrs. O'Neill voting to affirm.

RESOLUTION NO. 141-01

Re: **BOARD APPEAL B 2000-58**

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2000-58, search and seizure, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Lange, Mr. Lloyd, and Mrs. O'Neill voting to affirm.

Re: **NEW BUSINESS**

Mrs. King moved and Mrs. O'Neill seconded the following:

WHEREAS, The Board of Education is committed to an operating budget adoption process that actively encourages and assures input from all Montgomery County stakeholders; and

WHEREAS, The Board seeks to revise the operating budget adoption timetable to assure the Board's active involvement early in the budget development process; and

WHEREAS, This revised process will allow for more substantive and active participation by the Board and the community in developing a budget that is truly reflective of the school system's needs; now therefore be it

Resolved, That the budget adoption process be revised to include, in the early fall, a series of geographically dispersed town meetings dedicated to hearing testimony on the operating budget; and be it further

Resolved, That the Board also hold at least one worksession shortly after these town meetings to consider the views of the community as stated in the public hearings, and to provide the Superintendent with a set of budget priorities that will guide his development of the Board's operating budget; and be it further

Resolved, That subsequent to the adoption of the Superintendent's proposed budget, the Board receives written comment thereon; and be it further

Resolved, That the Board set a date in February to consider amendments to the Superintendent's proposed budget prior to submission to the County Council and County Executive; and be it further

Resolved, That this new budget adoption process be reflected in the Board's 2001-2002 calendar.

RESOLUTION NO. 142-01

Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of February 27, 2001, at 11:25 p.m.

PRESIDENT

SECRETARY

JDW:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

February 27, 2001

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