

APPROVED
15-2001

Rockville, Maryland
April 23, 2001

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Monday, April 23, 2001, at 8:00 p.m.

ROLL CALL Present: Mrs. Nancy J. King, President
 in the Chair
 Mr. Stephen Abrams
 Mr. Kermit V. Burnett
 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: None

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

RESOLUTION NO. 203-01 Re: **CLOSED SESSION**

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, 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 closed session on April 23, 2001, in Room 120 from 7:30 to 8:00 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education consult with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*; and be it further

Resolved, That the Board of Education of Montgomery County dedicate part of the closed session on April 23, 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 this portion of the meeting continue in closed session until the completion

of business.

RESOLUTION NO. 204-01 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for April 23, 2001.

RESOLUTION NO. 205-01 Re: **NATIONAL VOLUNTEER WEEK**

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

WHEREAS, Our *Call to Action* seeks to secure the commitment of the entire community to maintain quality education in Montgomery County by building family and community friendly partnerships that promote and support initiatives to help all children succeed; and

WHEREAS, The Department of Family and Community Partnerships and the Montgomery County Business Roundtable for Education have collocated their offices to provide a single point of entry for business and community involvement in education; and

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

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

WHEREAS, Last year, 110 schools met the criteria and earned a citation of merit from the Maryland State Department of Education for an outstanding school volunteer program; and

WHEREAS, During the prior school year, more than 41,000 volunteers gave two million hours of service to staff and students and provided the equivalent hours of 961 full-time, 12-month employees; and

WHEREAS, If a dollar value were attached to the hours of service volunteers provided, the sum would be more than \$20 million; and

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

Resolved, That the Montgomery County Board of Education express its appreciation to all volunteers and volunteer coordinators for their assistance, generosity of spirit, commitment to our schools and out young people, and outstanding contributions to the Montgomery County community; and be it further

Resolved, That the Board of Education hereby join with the superintendent of Schools in designating the week of April 22-28, 2001, as National Volunteer Week in Montgomery County Public Schools.

RESOLUTION NO. 206-01 Re: **NATIONAL STUDENT LEADERSHIP WEEK**

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

WHEREAS, The Montgomery County Board of Education has a continuing commitment to support active student participation in school and community activities; and

WHEREAS, The Board of Education and student organizations respect and engage in an open dialog in matters of common concern and diverse interests that is productive and useful; and

WHEREAS, Participation by our youth is valued by the Board of Education; and

WHEREAS, In April, student leadership activities include the election of the student member of the Board of Education, the Montgomery County Region of the Maryland Association of Student Councils and Montgomery County Junior Council elections, and National Student Leadership Week; now therefore be it

Resolved, That the Board of Education hereby join with the superintendent of schools in designating the week of April 22-28, 2001, as Student Leadership Week in Montgomery County Public Schools; and be it further

Resolved, That the Board of Education commend student leaders for their efforts and achievements on behalf of Montgomery County Public Schools.

RESOLUTION NO. 207-01 Re: **ASIAN PACIFIC AMERICAN HERITAGE MONTH**

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

WHEREAS, The United States Congress has designed the month of May to honor Asian Pacific American heritage; and

WHEREAS, the Asian Pacific American Heritage Council has selected “Asian Pacific Americans Emerging Together” as the national theme to promote the message that Asian Pacific Americans are involved in the community at all levels in our county and our country; and

WHEREAS, Montgomery County recognizes and celebrates the contributions of Asian Pacific Americans to our county and our country; and

WHEREAS, The Board of Education is proud that Montgomery County Public Schools continues to strengthen the K-12 curriculum and student activities that promote a greater awareness of the legacy and achievements of Asian Pacific Americans; 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 May 2001 to be observed as “Asian Pacific American Heritage Month.”

Re: FINAL UPDATE ON LEGISLATION

Ms. Lori Rogovin, legislative aide, reported on the following legislation.

SB 719 – Education Finance, Equity, and Excellence Act of 2001 extends funding for programs through FY 2003:

1. Governor’s Teacher Salary Challenge Program (except the transitional component of at least \$9 million)
2. Academic intervention program (changes allocation formula–page 12) – \$19.5 million
3. Teacher mentoring programs – \$15.9 million
4. At least \$19 million to fund programs that improve the academic achievement of students in pre-kindergarten through third grade that shall be distributed in accordance with the recommendations set forth in the 11/86 report of the Task Force to Study Funding of Special Education (Governor’s Budget Request).
5. At least \$11.625 million for the Judith Hoyer Early Child Care and Education Enhancement Program
6. At least \$9.8 million to fund the program for reconstitution – eligible schools
7. \$50 million in additional funds for the Baltimore City Public Schools
8. PG County School Construction Funds

HB 828 – Tax Amnesty Program allows individuals to file late or neglected tax returns without penalties that would normally be applied. The revenue generated would be directed to:

1. First \$2 million – special fund for publicity, hiring by comptroller
2. Next \$30 million to General Fund – for mental health deficiency appropriation
3. Next \$8 million to a special fund to be used only to provide grants for public education for FY 2002 to Allegheny, Baltimore City, Caroline, Cecil, Dorchester, Garrett, PG, Somerset, Wicomico
4. Next \$10 million to Low Interest Revolving Loan Account of the Volunteer Company Assistance Fund (volunteer fire companies)
5. Remainder to Tax Amnesty Reserve Fund – for counties and Baltimore City to be used for primary and secondary public education purposes only

Textbooks for private schools allocated \$5 million for textbooks to private/parochial schools.

HB 67 – Juvenile Law – Prohibition Against Possession of Portable Pagers on School Property – Repeal passed by the General Assembly. This bill repeals a prohibition against the possession of portable pagers on public school property; states the intent of the General Assembly that local education agencies, working with the State Department of Education, develop local policies regarding the use of pagers and cellular telephones on public school property during school hours; and declares it is not the intent of the General Assembly to encourage with the enactment of the Act the use of pagers and cellular telephones on public school property during school hours. Amendments added to the legislation during Senate deliberations exempt certain Eastern Shore counties and the Baltimore jurisdictions from the repeal. **HB 835**, the local bill supported by the Board, which addressed cell phones after school hours, was given an unfavorable report by the House Judiciary Committee.

HB 791 and SB 124 – Education – Public Schools – Firearms Accident Prevention Program passed by the General Assembly. As amended, it requires the State Board to write the gun safety education guidelines for K-12. Local school systems would decide which program to use (several are mentioned in the bills, including the NRA Eddie Eagle Program) or to develop their own program. Children in kindergarten through Grade 6 would be taught about firearms safety and accident prevention, but would be prohibited from being exposed to guns. Students in Grades 7-12 would have the option of learning about firearms safety or hunting safety, depending on what the local school system chooses. In the hunting safety classes, students would be allowed to handle a rifle, shotgun or other firearm, but only at an established shooting range.

HB 775/SB 399 – Education – Creation of a Task Force to Study Adult Education Services in Maryland passed by the General Assembly. The membership includes two county superintendents and language in the bill specifically requires the task force to study the statewide need for adult education services, including instruction for adults in basic skills, English for Speakers of Other Languages, and family literacy. The report is due

November 1, 2001.

SB 713 – Arrest of a Student – Transfer to Another School System – Notification passed by the General Assembly, which would allow a local superintendent to share information with another school system about a child who has been arrested for certain offenses).

SB 438 – Elementary and Secondary Education – Procurement – Competition passed the General Assembly (with amendments), which would have required county boards of education to draft specifications encouraging maximum competition in public school procurement contracts. When it became clear that this legislation was moving, MCPS staff and the Green Street coalition worked to draft amendments to make the bill less onerous. Much of the substance of these amendments was retained in the final version of the bill. The new provisions are virtually duplicative of what is already in COMAR.

HB 1240/SB 810 – Child Abuse – Reports – Public School Contractors and Employees of Contractors passed by the General Assembly. This Maryland Association of Boards of Education-sponsored bill would authorize the disclosure of reports or records concerning child abuse or neglect to public school superintendents for specified purposes following a report of specified abuse committed by an independent contractor, including a bus driver, or an employee of an independent contractor who supervises or works directly with students.

HB 823 – Public School Students – Inspection of Records – Prohibitions on Use and Disclosure of Information prohibits any person, organization, or community college that obtains specified information from a public school student's records from using the information commercially or from redisclosing the information.

HB 434 – Education – School Library Funds passed by the General Assembly, which would make middle and high schools eligible for this funding.

Collective Bargaining, HB 518, as amended, and SB 378 died in the Senate Finance Committee.

SB 435 – Captive Audience/Stop Commercialism in Schools Act of 2001 was defeated and would have required local boards to develop and adopt policies prohibiting marketing and advertising in public schools and would have prohibited the sale of certain unhealthy foods in school vending machines.

SB 604 – Public Charter School Act of 2001 and HB 29 passed the Senate and HB 29 passed the House, but differences were not worked out between the two versions, so the legislation died in the General Assembly.

HB 557 – Education – Admission of Students to Kindergarten – Age Requirements died in the House Ways and Means Committee after considerable discussion in the Children and Youth Subcommittee.

Some of the issues to be looked at during the interim:

SB 171 – Education – Children in Out-of-County Living Arrangements – Kinship Care would have required a local superintendent to allow a child to attend a public school in a county where the child is not domiciled with the child's parent or legal guardian if the child lives with a relative in the county due to a serious family hardship.

Special education issues including:

1. **HB 1252 – Educational Placement for Handicapped Children – Required Agency Response to Parent's Mediation or Hearing Request** would have required a local school system to respond in writing within seven business days from the date of receipt of a request for special education mediation or a due process hearing.
2. **HB 1392 – Special Education – Program Eligibility – Representation** would have allowed a non-minor student to represent himself or herself in special education matters under certain circumstances.
3. Possibly **SB 372/HB 358 – Technology for Education Program – Nonvisual Access** – would have required the State Superintendent and the DBED to include a clause concerning non-visual access technology in any contract or grant awarded under the Technology for Education Program.
4. **Thornton Commission funding deliberations** – a meeting has been scheduled for June 7.

Re: **DISCUSSION**

Mrs. King suggested, and her colleagues agreed, that the Board should meet to discuss items for local legislation. The Montgomery County Delegate has agreed to file any bill to address the Board's concerns.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

Person

Topic

- | | | |
|----|-------------------|---|
| 1. | Rosanne Hurwitz | Math Survey |
| 2. | Evelyn Frankel | Math Survey |
| 3. | Griffith Rees | Tracking |
| 4. | Lonna Shin | Tracking |
| 5. | Eryn Trimmer | Tracking |
| 6. | Christine Wang | Tracking |
| 7. | Vince Brannigan | Bethesda-Chevy Chase High School Construction |
| 8. | Ruth DeHaas | Bethesda-Chevy Chase High School Construction |
| 9. | Ana Sol Gutierrez | Tracking |

RESOLUTION NO. 208-01 Re: **AWARD OF CONTRACTS – THOMAS S. WOOTTON HIGH SCHOOL ADDITION PROJECT**

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

WHEREAS, Environ, Inc., the window contractor for the Thomas S. Wootton High School addition project, no longer has the resources to continue work on the project; and

WHEREAS, Prices have been obtained from other contractors to complete the balance of the work; and

WHEREAS, The St. Paul Fire and Marine Insurance Company has authorized MCPS to proceed on this basis; now therefore be it

Resolved, That the contract with Environ, Inc., be terminated according to the General Conditions of the Contract for Construction; and be it further

Resolved, That contracts be awarded based upon the original drawings and specifications prepared by Samaha Associates, architect for the Thomas S. Wootton High School addition project, to furnish and install the windows and interior glazing to the following:

<u>Contractor</u>	<u>Amount</u>
Engineered Construction Products, Ltd.	\$103,429
Free State Metal Crafters, Inc.	104,850
Designer Glass & Mirror Company	11,421

RESOLUTION NO. 209-01 Re: **ARCHITECTURAL APPOINTMENT – SOMERSET ELEMENTARY SCHOOL MODERNIZATION**

On recommendation of the Superintendent and on motion of Mr. Felton seconded by Ms. Cox, 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 for the modernization of Somerset Elementary School; and

WHEREAS, Funds for architectural planning were programmed as part of the FY 2001 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, identified Muse 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 Muse Architects to provide professional architectural and engineering services for the Somerset Elementary School modernization project for a fee of \$880,000.

RESOLUTION NO. 210-01 Re: **AMENDMENT TO THE FY 2001-2006 CAPITAL BUDGET**

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

WHEREAS, The Lakewood Elementary School modernization project is scheduled to begin construction with a gymnasium addition during the summer of 2001, pending final action on the Board of Education's FY 2002 Capital Budget Request and proposed amendments to the FY 2001-2006 Capital Improvements Program; and

WHEREAS, The mayor and the City Council of Rockville have included funds in their proposed FY 2002 Capital Budget for the Lakewood Elementary School project to fund additional square feet for the new gymnasium and add a small section of spectator bleachers for community events; and

WHEREAS, This type of cooperative agreement has been successfully implemented at other school facilities within incorporated city limits in Montgomery County; and

WHEREAS, The architectural plans for the Lakewood Elementary School project have been designed so that the larger gymnasium can be constructed as part of the modernization if the mayor and City Council of Rockville include the additional funds in their final action on the city's FY 2002 Capital Budget; and

WHEREAS, The Board must take action now on the funding for this collaborative agreement so that a decision can be made on the larger gymnasium once the project bids are received; now therefore be it

Resolved, That the Board of Education agree to accept the contribution from the mayor and City Council of Rockville for the Lakewood Elementary School modernization project to increase the size of the gymnasium addition contingent on the following:

1. Final approval of a Memorandum of Understanding between the City of Rockville and the Board of Education outlining the use of the funds and gymnasium improvements;
2. Final approval by the County Council of the funding for the Lakewood Elementary School modernization and gymnasium addition in the FY 2002 Capital Budget; and
3. Final approval by the County Council to accept the City of Rockville's contribution and appropriate the additional funds as part of the Lakewood Elementary School modernization and gymnasium addition project;

and be it further

Resolved, That a \$200,000 FY 2002 supplemental appropriation request and amendment to the FY 2001-2006 Capital Improvements Program be requested for improvements to the proposed gymnasium addition for Lakewood Elementary School, contingent on the mayor and City Council of Rockville contributing a similar amount to fund the improvements; and be it further

Resolved, That the County Council be requested to accept a contribution of \$200,000 from the mayor and City Council of Rockville for improvements to the proposed gymnasium addition at Lakewood Elementary School; and be it further

Resolved, That this resolution be forwarded to the county executive requesting that it be recommended to the County Council.

RESOLUTION NO. 211-01

Re: **CAPITAL PROJECTS TO BE CLOSED EFFECTIVE
JUNE 30, 2001**

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

WHEREAS, The Board of Education annually closes capital projects and transfers any unencumbered balances to the unliquidated surplus account; and

WHEREAS, The Department of Facilities Management has reviewed capital projects that may be closed effective June 30, 2001; now therefore be it

Resolved, That the superintendent be authorized to close, effective June 30, 2001, the capital construction projects listed below, subject to final audit:

<u>Project No.</u>	<u>Project</u>	<u>Balance</u>
545-03	Watkins Mill High School	\$ - 0 -
551-05	Gaithersburg High School	725,790
709-01	Forest Oak Middle School Replacement Facility	- 0 -
9925	Transportation/Maintenance Depot	15,340

and be it further

Resolved, That a copy of this resolution be sent to the county executive and County Council to be included in the FY 2002 Educational Facilities Master Plan and the FY 2001-2006 Capital Improvements Program.

RESOLUTION NO. 212-01 Re: **UTILIZATION OF FY 2001 FUTURE SUPPORTED PROJECT FUNDS**

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

WHEREAS, The grants qualify for a transfer of appropriation from the Provision for Future Supported Projects pursuant to the provisions of County Council Resolution No. 14-525, approved May 25, 2000; and

WHEREAS, The programs do not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available within the FY 2001 Provision for Future Supported Projects to permit the transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 2001 Provision for Future Supported Projects awards as specified below:

<u>Project</u>	<u>Amount</u>
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National Institutes of Health Science Education Support	\$10,321
Event-Based Science: Earth Observing Satellite Connection	<u>75,000</u>
 Total	 <u>\$85,321</u>

and be it further

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

RESOLUTION NO. 213-01 Re: **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated April 23, 2001.

RESOLUTION NO. 214-01 Re: **DEATH OF MR. JAMES MILLER ROBINSON, BUS OPERATOR II, BETHESDA DEPOT, DEPARTMENT OF TRANSPORTATION**

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

WHEREAS, The death on March 4, 2001, of Mr. James Miller Robinson, bus operator II in the Department of Transportation, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the twenty years that Mr. Robinson worked with Montgomery County Public Schools, he was a dependable employee and an asset to his colleagues and the transportation department; and

WHEREAS, Mr. Robinson's cooperative attitude and initiative made him a valuable employee; now therefore be it

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

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

RESOLUTION NO. 215-01

Re: **DEATH OF MR. STEPHEN M. FORMAN,
CLASSROOM TEACHER, THOMAS W. PYLE
MIDDLE SCHOOL**

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

WHEREAS, The death on March 19, 2001, of Mr. Stephen M. Forman, classroom teacher at Thomas W. Pyle Middle School, has deeply saddened the staff, students, and members of the Board of Education; and

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

WHEREAS, Mr. Forman had been an MCPS teacher for three years, having come to this system with 11 years of exemplary teaching experience in New York, now therefore be it

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

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

RESOLUTION NO. 216-01

Re: **DEATH OF MR. GRANVILLE G. HALL, BUS
OPERATOR, RANDOLPH DEPOT, DEPARTMENT
OF TRANSPORTATION**

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

WHEREAS, The death on March 19, 2001, of Mr. Granville G. Hall, bus operator in the Department of Transportation, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Mr. Hall was an inspiring employee, always willing to help out when called upon and displaying great pride in his work; and

WHEREAS, Mr. Hall's dependability and good relationships with his fellow workers made him a valuable employee; now therefore be it

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

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

RESOLUTION NO. 217-01 Re: **DEATH OF MR. JAMES A. WALTERS,
CLASSROOM TEACHER, FRANCIS SCOTT KEY
MIDDLE SCHOOL**

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

WHEREAS, The death on April 1, 2001, of Mr. James A. Walters, classroom teacher at Francie Scott Key Middle School, has deeply saddened the staff, students, and members of the Board of Education; and

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

WHEREAS, In more than 20 years with Montgomery County Public Schools, Mr. Walters developed a top-notch music program, achieving excellent ratings in several state music festivals in which his students participated; now therefore be it

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

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

RESOLUTION NO. 218-01 Re: **DEATH OF MR. JOSEPH R. SCHEFFER, BUS
OPERATOR, RANDOLPH DEPOT, DEPARTMENT
OF TRANSPORTATION**

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

WHEREAS, The death on April 2, 2001, of Mr. Joseph R. Scheffer, bus operator in the Department of Transportation, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Mr. Scheffer was a true asset to MCPS and consistently exceeded performance expectations; and

WHEREAS, Mr. Scheffer promoted harmony and teamwork among his fellow employees; now therefore be it

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

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

RESOLUTION NO. 219-01 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective April 24, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Mary Holly Allison	Interim Principal, Germantown ES	Principal, Germantown ES

RESOLUTION NO. 220-01 Re: **HUMAN RESOURCES APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective April 24, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Barbara Jasper	Acting Director, Department of Special Education	Director, Department of Education

Re: **POLICY BMA – BOARD OF EDUCATION
ADVISORY COMMITTEES**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Ms. Cox, the following resolution was placed on the table:

WHEREAS, State law (Section 4-112, Education Article, *Annotated Code of Maryland*) requires that each county board of education establish "at least one citizen advisory committee to advise the Board and to facilitate its activities and programs in the public schools"; and

WHEREAS, The Advisory Council on Career and Technology Education and a citizen advisory committee for evaluating family life and human development curricula and instructional material are required by state regulation; and

WHEREAS, There currently exist three policies related to Board advisory committees: Policy BMA, *Board of Education Policy on Committees*; Policy BMB, *Appointing Members of Board of Education Advisory Committees*; and Policy BMG, *Guidelines for Committee Operation*; and

WHEREAS, The Board of Education has had several discussions over the last few years about the role and purpose of Board advisory committees in order to encourage participation when warranted, ensure effectiveness, and clarify committee operations; and

WHEREAS, The Board continues to have a genuine interest in receiving meaningful and timely advice from its citizen advisory bodies; and

WHEREAS, On December 14, 1999, the Board adopted a resolution to retain the two required committees as Board advisory committees, dissolve the remaining six committees that existed at that time, and allow for the ability to create new standing or ad hoc committees that would advise the Board on current issues and concerns as they are identified; and

WHEREAS, All three policies relate to the authority and implementation of Board advisory committees, the three policies have been combined into one overall policy on Board advisory committees that reflects changes discussed by the Board of Education; now therefore be it

Resolved, That the Board of Education take tentative action to adopt draft Policy BMA, *Board of Education Advisory Committees*, as shown on the following policy, and send it out for public comment.

Board of Education Advisory Committees

A. **PURPOSE**

To establish a policy on committees designed to advise the Board on specific issues

B. **ISSUE**

Citizen advisory committees are required by the Annotated Code of Maryland, Education, to ensure that **the Board will be informed by a variety of opinions from citizens and staff when considering specific issues.**

C. **POSITION**

1. Establishment

The Board of Education will establish **standing and ad hoc** advisory committees to advise the Board on specific issues **that** may result in changes in Board policy. ~~These committees will be created for general or special purposes in order to seek a variety of opinions from citizens, staff, and Board members. These committees would be formed at the direction of the Board to assume whatever tasks they are directed to do by the Board.~~ For each advisory committee, the Board of Education normally will take the following actions with respect to each advisory committee.

a) Adopt a resolution:

- (1) Stating that the committee is advisory only
- (2) Setting forth a clear and unambiguous charge
- (3) Setting the task to be accomplished with alternative solutions, if possible
- (4) Establishing a schedule for interim and/or final reports
- (5) Stating the expected term or life of the committee

b) ~~It will~~ Adopt a resolution to appoint the initial and successor membership with terms of office ~~It will adopt one or more resolutions, as needed, to reappoint or replace members.~~

~~It will adopt, once the committee's task is completed, a resolution of appreciation and formally disband the committee if the committee is not a standing committee.~~

~~It will request the committee to adhere to the Board's "Guidelines for Committee Operation."~~

2. Appointment of Members

a) Application

- (1) The Board of Education will announce openings on an advisory committee and solicit members in a display advertisement or news release in one or more Montgomery

County newspapers and through other **internal and external** media.

- a) Members for standing committees shall be solicited **on a regular basis** ~~each spring and fall~~ with appointments to be made at the all-day meetings in June and December; **on an on-going basis; or on an annual basis to be determined by the Board.** ~~Members for new committees shall be solicited when the formation of the committee is announced.~~
 - b) **Members of ad hoc committees shall be solicited in a manner determined by the Board at the time of the formation.**
- (2) Interested candidates shall fill out applications for advisory committee membership. Applications for membership will be retained ~~for twelve months~~ through two rounds of Board appointments unless the applicant is no longer interested or able to serve.
 - (3) In cases where the Board has determined membership on a committee will be by organization, the organization will be requested to submit nominees for vacancies. **However, the final selection of membership remains the responsibility of the Board.**
 - (4) Individuals who apply by the deadline stated on the application, and those who are to be recommended by the superintendent of schools and by organizations and agencies, will be considered for appointment to the advisory committee.
 - (5) The Board will not transfer members from one committee to another. However, members may apply to another committee for terms commencing after their current committee term has ended.

b) Appointment

The Board will endeavor to appoint advisory committees balanced by geographic area, race, **ethnicity**, gender, and a range of viewpoints.

c) Term of Office

- (1) All appointments and reappointments shall be for ~~a the two-year term unless otherwise~~ designated in law, or regulation, **or Board of Education resolution**. ~~Terms of office will end on June 30 or December 31,~~
- (2) Students appointed to Board advisory committees shall serve one-year terms. All student member terms begin on July 1 and end on June 30 of the next year.
- (3) If a new committee's task is expected to take more than one year to accomplish, overlapping terms and rotating membership will be considered.
- (4) No member shall be appointed to serve for more than two consecutive terms on the same committee unless specifically exempted by the Board. Reappointment to a second term is not automatic, particularly when a committee does not exhibit balance, as described above.
- (5) The superintendent will be asked to designate a staff member as liaison to facilitate information-gathering for the committee, to ensure good communication between the committee and the Board, and, when requested, to assist the advisory committee in preparing the committee's report(s).
- (6) The responsibility of advisory committees is to the Board of Education, and committees receive their direction and guidance from the Board of Education.

3. Committee Operation

- a) When the Board **of Education** creates a new committee, the Board will appoint a temporary chairperson to preside until the committee elects its chair and, thereafter, committees will annually elect their own chairpersons.

- (1) All advisory committee chairpersons are responsible for preparing agenda of meetings and sending these, together with supplementary materials, to committee members, the staff liaison person (if any), and the Board of Education office.
 - (2) All advisory committees shall keep action minutes of their meetings ~~and forward them to the Board of Education office.~~ These minutes should be approved by the committee at its next meeting and, within 15 days after approval, **should be sent forwarded** to the Board of Education.
- b) Although the staff liaison person ~~(if any is appointed)~~ has the responsibility to maintain good communication between the Board of Education and an advisory committee, the committee chairperson should feel free to contact the president of the Board orally or in writing whenever necessary.
- c) Any advisory committee member who is absent from 25 percent or more of the scheduled meetings during any one-year period will be considered resigned from membership 30 days after the committee notifies the Board of Education. The Board may, **upon request**, waive resignation for good cause; i.e., illness, emergency situation, or other extenuating circumstances. The individual shall be notified in writing by the Board whether or not a waiver has been granted.
- ~~If no liaison person is appointed to the committee, the chairperson should contact the Office of the Deputy Superintendent of Schools regarding any information or clerical assistance the committee may need in the course of its work.~~
- d) All meetings of advisory committees must be open to the public **pursuant to the Open Meetings Act** and should be held in MCPS or other public facilities. **A schedule of meetings for each school year shall be established in advance and communicated to the staff assistant to the Board for routine posting in the official bulletin board and on the Board's web site.**
- e) ~~If a member~~ the **chair** of an advisory committee, **acting at the behest of the full committee**, wishes to obtain nonconfidential personnel information about an MCPS employee or to express concern about the performance of an MCPS employee, the member should

communicate that request or concern to the superintendent and/or the ombudsman/staff assistant **to the Board**.

- f) **The chair of each committee shall be granted access to the appropriate MCPS internal electronic forums and e-mail system.**

D. DESIRED OUTCOME

To appoint advisory committee members who can advise the Board on the educational issues confronting the county.

E. IMPLEMENTATION STRATEGIES

1. The Superintendent will appoint a staff member to act as liaison to each committee.
2. The Board Office, with the cooperation of the advisory committee liaisons appointed by the superintendent, shall:
 - a) Develop and implement the advisory committee application process, including announcements and application forms
 - b) Prepare for the Board, in advance of appointment, briefing packets that contain lists of committee vacancies, persons who have applied or been recommended, current committee compositions, and copies of applications received

E. REVIEW AND REPORTING

1. All advisory committees will submit written reports to the Board of Education at least annually ~~or on whatever schedule that shall be determined in advance by the Board and/or the committee.~~

~~As a matter of practice, committees are requested to inform the Board of Education of statements they expect to make or reports they expect to release before they are made or released. All advisory committees will submit written reports to the Board of Education at least annually or on whatever schedule will be determined in advance by the Board and/or the committee. Written reports should contain a cover memorandum that highlights the major issues and recommendations that may require Board or administrative action. Reports, or their summary cover memoranda, will be duplicated by MCPS and distributed to interested citizens and staff. The Board will acknowledge in writing the receipt of an advisory committee report, meet with the committee at a mutually agreeable time to discuss the report, and request.~~

2. The superintendent ~~to~~ **will** prepare a staff reaction to the committee's report which will be shared with the committee **and the Board.**
3. ~~At a minimum~~ the request of each advisory committee, the Board will meet annually with each of its advisory committees, at a time and place to be determined by the Board officers.
4. This policy will be reviewed ~~every three years~~ on an ongoing basis in accordance with the Board of Education policy review process.

RESOLUTION NO. 221-01

Re: **AN AMENDMENT TO POLICY BMA – BOARD OF EDUCATION ADVISORY COMMITTEES**

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

Resolved, That the Board of Education amend draft Policy BMA at C.3.d) and it should read:

A schedule of meeting shall be established in advance. **That schedule and subsequent changes shall be** communicated to the **ombudsman/staff** assistant to the Board for routine posting in the official bulletin Board and on the Board's web site.

RESOLUTION NO. 222-01 Re: **AN AMENDMENT TO POLICY BMA – BOARD OF EDUCATION ADVISORY COMMITTEES**

On motion of Ms. Cox and seconded by Mr. Abrams, the following resolution was adopted Mr. Abrams, Mr. Burnett, 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 amend draft Policy BMA at C.3.e) and it should read:

If the chair of an advisory committee, acting at the behest of the full committee, wishes to obtain nonconfidential personnel information about an MCPS employee or to express concern about the performance of an MCPS employee, the member should communicate that request or concern to the superintendent and/or the **ombudsman**/staff assistant to the Board.

RESOLUTION NO. 223-01 Re: **AN AMENDMENT TO POLICY BMA – BOARD OF EDUCATION ADVISORY COMMITTEES**

On motion of Mr. Felton and seconded by Mrs. O'Neill, the following resolution was adopted with Mr. Burnett, 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 amend draft Policy BMA to clarify throughout what are standing and ad hoc advisory committees.

RESOLUTION NO. 224-01 Re: **AN AMENDMENT TO POLICY BMA – BOARD OF EDUCATION ADVISORY COMMITTEES**

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

Resolved, That the Board of Education amend draft Policy BMA at E.1. and it should read:

All advisory committees will submit written reports to the Board of Education at least annually. **Ad hoc committees will submit such written reports as directed by the Board.**

RESOLUTION NO. 225-01 Re: **AN AMENDMENT TO POLICY BMA – BOARD OF EDUCATION ADVISORY COMMITTEES**

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

Resolved, That the Board of Education amend draft Policy BMA at E.3. and it should read:

At the request of each **standing** advisory committee, the Board will meet annually with each of its **standing** advisory committee, at a time and place to be determined by the Board officers. **The Board will determine if an when ad hoc committees will be required to meet with the full Board, or with the Board officers, and/or designated Board representatives.**

RESOLUTION NO. 226-01 Re: **AN AMENDMENT TO POLICY BMA – BOARD OF EDUCATION ADVISORY COMMITTEES**

As introduced by Mr. Lange and on motion of Ms. Cox and seconded by Mr. Abrams, the following resolution was adopted unanimously:

Resolved, That the Board of Education amend draft Policy BMA at C.2.a)(1)(a) and it should read:

Members for standing committees shall be solicited on an **ongoing** basis with appointments to be made at the all-day meetings in June and December.

RESOLUTION NO. 227-01 Re: **POLICY BMA – BOARD OF EDUCATION ADVISORY COMMITTEES, AS AMENDED**

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

WHEREAS, State law (Section 4-112, Education Article, *Annotated Code of Maryland*) requires that each county board of education establish “at least one citizen advisory committee to advise the Board and to facilitate its activities and programs in the public schools”; and

WHEREAS, The Advisory Council on Career and Technology Education and a citizen advisory committee for evaluating family life and human development curricula and instructional material are required by state regulation; and

WHEREAS, There currently exist three policies related to Board advisory committees: Policy BMA, *Board of Education Policy on Committees*; Policy BMB, *Appointing Members of Board of Education Advisory Committees*; and Policy BMG, *Guidelines for Committee Operation*; and

WHEREAS, The Board of Education has had several discussions over the last few years about the role and purpose of Board advisory committees in order to encourage participation when warranted, ensure effectiveness, and clarify committee operations; and

WHEREAS, The Board continues to have a genuine interest in receiving meaningful and timely advice from its citizen advisory bodies; and

WHEREAS, On December 14, 1999, the Board adopted a resolution to retain the two required committees as Board advisory committees, dissolve the remaining six committees that existed at that time, and allow for the ability to create new standing or ad hoc committees that would advise the Board on current issues and concerns as they are identified; and

WHEREAS, All three policies relate to the authority and implementation of Board advisory committees, the three policies have been combined into one overall policy on Board advisory committees that reflects changes discussed by the Board of Education; now therefore be it

Resolved, That the Board of Education take tentative action to adopt draft Policy BMA, *Board of Education Advisory Committees*, as shown on the following policy, and send it out for public comment.

Board of Education Advisory Committees

A. PURPOSE

To establish a policy on committees designed to advise the Board on specific issues

B. ISSUE

Citizen advisory committees are required by the Annotated Code of Maryland, Education, to ensure that the Board will be informed by a variety of opinions from citizens and staff when considering specific issues.

C. POSITION

1. Establishment

The Board of Education will establish standing and ad hoc advisory committees to advise the Board on specific issues that may result in changes

in Board policy. For each advisory committee, the Board of Education will take the following actions with respect to each advisory committee.

- a) Adopt a resolution:
 - (1) Stating that the committee is advisory only
 - (2) Setting forth a clear and unambiguous charge
 - (3) Setting the task to be accomplished with alternative solutions, if possible
 - (4) Establishing a schedule for interim and/or final reports
 - (5) Stating the expected term or life of the committee
- b) Adopt a resolution to appoint the initial and successor, for standing committees, membership with terms of office.

2. Appointment of Members

- a) Application
 - (1) The Board of Education will announce openings on standing advisory committees and solicit members in a display advertisement or news release in one or more Montgomery County newspapers and through other internal and external media.
 - (a) Members for standing committees shall be solicited on an on-going basis with appointments to be made at the all-day meetings in June and December.
 - (b) Members of ad hoc committees shall be solicited in a manner determined by the Board at the time of the formation.
 - (2) Interested candidates shall fill out applications for advisory committee membership. Applications for membership will be retained through two rounds of

Board appointments unless the applicant is no longer interested or able to serve.

- (3) In cases where the Board has determined membership on a committee will be by organization, the organization will be requested to submit nominees for vacancies. However, the final selection of membership remains the responsibility of the Board.
- (4) Individuals who apply by the deadline stated on the application, and those who are to be recommended by the superintendent of schools and by organizations and agencies, will be considered for appointment to the advisory committee.
- (5) The Board will not transfer members from one committee to another. However, members may apply to another committee for terms commencing after their current committee term has ended.

b) Appointment

The Board will endeavor to appoint advisory committees balanced by geographic area, race, ethnicity, gender, and a range of viewpoints.

c) Term of Office

- (1) All appointments and reappointments shall be for the term designated in law, regulation, or Board of Education resolution.
- (2) Students appointed to Board standing advisory committees shall serve one-year terms. All student member terms begin on July 1 and end on June 30 of the next year.
- (3) If a new committee's task is expected to take more than one year to accomplish, overlapping terms and rotating membership will be considered.
- (4) No member shall be appointed to serve for more than two consecutive terms on the same standing advisory committee unless specifically exempted by the Board. Reappointment to

a second term is not automatic, particularly when a committee does not exhibit balance, as described above.

- (5) The superintendent will be asked to designate a staff member as a liaison to facilitate information-gathering for the committee, to ensure good communication between the committee and the Board, and, when requested, to assist the advisory committee in preparing the committee's report(s).
- (6) The responsibility of advisory committees is to the Board of Education, and committees receive their direction and guidance from the Board of Education.

3. Committee Operation

- a) When the Board of Education creates a new committee, the Board will appoint a temporary chairperson to preside until the committee elects its chair and, thereafter, standing committees will annually elect their own chairpersons and ad hoc committees will elect their chairpersons as appropriate.
 - (1) All advisory committee chairpersons are responsible for preparing agenda of meetings and sending these, together with supplementary materials, to committee members, the staff liaison person, and the Board of Education office.
 - (2) All advisory committees shall keep action minutes of their meetings. These minutes should be approved by the committee at its next meeting and, within 15 days after approval, should be forwarded to the Board of Education.
- b) Although the staff liaison has the responsibility to maintain good communication between the Board of Education and an advisory committee, the committee chairperson should feel free to contact the president of the Board orally or in writing whenever necessary.
- c) Any standing advisory committee member who is absent from 25 percent or more of the scheduled meetings during any one-year period will be considered resigned from membership 30 days after the committee notifies the Board of Education. The Board may, upon request, waive resignation for good cause; i.e., illness, emergency situation, or other extenuating circumstances. The individual shall be

notified in writing by the Board whether or not a waiver has been granted.

- d) All meetings of advisory committees must be open to the public pursuant to the Open Meetings Act and should be held in MCPS or other public facilities. A schedule of meetings for each school year shall be established in advance. That schedule and subsequent changes shall be communicated to the ombudsman/staff assistant to the Board for routine posting in the official bulletin board and on the Board's web site.
- e) If the **chair** of an advisory committee, acting at the behest of the full committee, wishes to obtain nonconfidential personnel information about an MCPS employee or to express concern about the performance of an MCPS employee, the member should communicate that request or concern to the superintendent and/or the ombudsman/staff assistant to the Board.
- f) The chair of each committee shall be granted access to the appropriate MCPS internal electronic forums and e-mail system during his or her term of office.

D. **DESIRED OUTCOME**

To appoint advisory committee members who can advise the Board on the educational issues confronting the county.

E. **IMPLEMENTATION STRATEGIES**

1. The Superintendent will appoint a staff member to act as liaison to each committee.
2. The Board Office, with the cooperation of the advisory committee liaisons appointed by the superintendent, shall:
 - a) Develop and implement the advisory committee application process, including announcements and application forms
 - b) Prepare for the Board, in advance of appointment, briefing packets that contain lists of committee vacancies, persons who have applied or been recommended, current committee compositions, and copies of applications received

E. REVIEW AND REPORTING

1. All standing advisory committees will submit written reports to the Board of Education at least annually. Ad hoc committees will submit reports as directed by the Board.
2. The superintendent will prepare a staff response to the committee's report which will be shared with the committee and the Board.
3. At the request of each standing advisory committee, the Board will meet annually with each of its standing advisory committees, at a time and place to be determined by the Board officers. The Board will determine if and when ad hoc committees will be required to meet with the full Board, or with the Board officers, and/or designated Board representatives.
4. This policy will be reviewed on an ongoing basis in accordance with the Board of Education policy review process.

Re: FY 2002 OPERATING BUDGET NON-RECOMMENDED REDUCTIONS

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

WHEREAS, The Board of Education adopted an FY 2002 Operating Budget Request of \$1,213,614,529, excluding grants and enterprise funds, on February 13, 2001; and

WHEREAS, On March 15, 2001, the county executive recommended a budget for Montgomery County Public Schools, excluding grants and enterprise funds, of \$1,187,205,476, an amount \$26,409,053 lower than the Board of Education's request; and

WHEREAS, On April 10, 2001, the County Council designated a spending affordability guideline allocation for MCPS of \$1,187,200,000; and

WHEREAS, The County Council requested that its Education Committee recommend a budget for MCPS at the target allocation with an opportunity to request funding for important priorities in addition to the allocation target; and

WHEREAS, Non-recommended reductions have been submitted by the superintendent of schools in the prioritized grouping based on the severity of the consequences of the reductions; and

WHEREAS, Additional state aid of \$1,537,698 for the Governor's Early Childhood Initiative permits avoidance of equivalent reductions of elementary school QIE/academic support teachers; now therefore be it

Resolved, That the Board of Education submit the attached prioritized non-recommended reductions as required by law totaling \$26,414,529, in the following categories:

	<u>Category</u>	<u>Amount</u>
1	Administration	\$ 768,480
2	Mid-level Administration	1,271,218
3	Instructional Salaries	14,504,007
4	Textbooks and Instructional Supplies	629,125
5	Other Instructional Costs	398,228
6	Special Education	500,866
7	Student Personnel Services	326,814
8	Health Services	20,074
9	Student Transportation	306,260
10	Operation of Plant and Equipment	642,076
11	Maintenance of Plant	565,739
12	Fixed Charges	<u>6,481,642</u>
	Total	<u>\$26,414,529</u>

and be it further

Resolved, That the detailed items suggested to the Education Committee as non-recommended reductions would have detrimental long-term effects on the ability of the Montgomery County Public Schools to make significant progress in raising the bar for all students of the school system and closing the achievement gaps among racial and ethnic groups; and be it further

Resolved, That the impact of these reductions on the quality of education are explained in another document; and be it further

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

Re: **DISCUSSION**

Mrs. King noted that for the last week and a half, Board members and staff had wrestled with the horrendous job of identifying the non-recommended reductions. There is no way to reduce the budget by \$26.4 million without causing some pain and upsetting various

groups. It is important for people to understand that the decisions at this meeting are not the end of the budget process. Based on county law, the Board is obliged to present a list of non-recommended reductions to meet the spending affordability guideline (SAG). The County Council to determine the funding for the school system by next month.

Mr. Abrams thanked the superintendent for his leadership role in working on this budget issue. The assumptions for efficiency put forward by the staff of the County Council were not reflected in the list of the non-recommended reductions. He had asked what the assumptions were based on, and no one seemed to know. It reminded him of recommendations made by outside auditors reviewing a program, and the assumptions they made did not bear out. Moreover, the Board added very little to the operating budget when it reviewed the superintendent's recommendation. The Board realized that this year would be same services and a continued commitment to the *Call to Action*, which was broadly supported by the community. He was disheartened that the SAG puts the Board in a position to limit funding for its initiatives. He strongly urged the County Council to identify additional resources for the school system.

Mrs. King noted that the County Council and county executive are supportive of the Board's initiatives and the *Call to Action*.

Mrs. O'Neill thought the decision on non-recommended reductions was very painful. She urged people who had opinions on the reductions and wanted to protect the operating budget to work with the County Council to help secure resources. Moreover, the Council has indicated that the economics will not improve next year.

Mr. Felton thanked the superintendent and staff for the three-tier layout of the non-recommended reductions. Throughout the county, time is spent making long-range forecasts and planning for programs; however, there must be a long-range revenue plan for the community to support those programs. The Board of Education acted in good faith in putting together a long-range plan with the *Call to Action*, it engaged the community, the community made a commitment to ensure quality education, and, yet, the revenue does not support the demands of the community. He hoped that the Board's dialogue with the County Council, county executive, and citizens is a commitment to develop a revenue stream for projections to assure support for the community's demands, which it is willing to pay for.

Ms. Cox appreciated the work of staff in presenting the reductions to give the community a clear idea of what would not be eliminated assuming there is more funding. The Board's decision should be based on what is best for student achievement.

Mr. Burnett agreed with the comments of his colleagues. He thanked the superintendent and staff for taking the time to explain the reductions. The school system has tremendous

support from the County Council and county executive. The Council will try its best to fund the budget. The school system has planned for the future, now there must be a commitment to fund long-range planning. The non-recommended reductions demand difficult choices. Hopefully, the Council will adequately fund the budget, and some of the reductions can be restored.

Mr. Lloyd thanked the superintendent and staff for their presentation. He echoed his colleagues in disappointment with the reductions. Many in the community support these programs and initiatives. He would like more community involvement in the budget process prior to the first draft of the budget.

Mrs. King remarked that a different budget process had been discussed. However, the Board's four-year plan and the full phase-in of the initiatives do not allow a great deal of fluctuation. The Board's input was in developing and endorsing the long-range plan.

Mr. Abrams pointed out that the school system has multi-year contracts with its unions, and there is no room for expansion over the next several years. If the funding challenge is met, the school system can be held accountable for the promised outcomes.

Mr. Lange found the process painful. He thanked the staff for identifying in tiers how best to approach the decision on non-recommended reductions. He urged community members to become more familiar with the programs and recognize that the proposed budget should be supported.

Mrs. King had heard people ask when ineffective programs would be eliminated by the school system. There is a brochure that lists all programs, the objectives, and the outcomes.

Mr. Abrams asked if the bill on gun safety passed by the General Assembly was funded. Dr. Spatz stated that the funding was not in the current budget.

Mrs. King asked what the cost per student would be if the Outdoor Education Program was self-sustaining. Dr. Spatz replied that it would cost \$110 per student for three days of the program.

Mr. Felton asked if the reduction in the Office of Shared Accountability would preclude the evaluation and data analysis necessary to validate the success of programs. Dr. Weast replied that staff would be less able to do in-depth analysis.

Mr. Felton asked if the reduction deferred Phase II for staff development for substitute teachers. Dr. Weast responded that MCPS would expand Phase II. This is a proven practice that works.

Mr. Felton assumed that the reduction would scale back the increase for counselors, pupil personnel workers, and psychologists. Dr. Weast answered that the budget had never funded the ratio established by standards from counseling organizations, states, and the federal government. The reductions would not allow the school system to reach those goals.

Mrs. King asked what was placed in the budget for special education and what was contained in the non-recommended reductions. Dr. Spatz replied that the biggest single item was to restore class size to 1995 levels for \$2 million. In addition, there were resources for psychologists, special education instruction assistants, support for elementary schools, and resource teachers. The non-recommended reduction list included psychologists, support for elementary schools, and resource teachers.

Ms. Cox asked about the reduction for efficiency-based revised enrollment projections for special education. Dr. Spatz answered that the March revision is more refined than the fall projection, and next year there is a small decrease in enrollment.

Mrs. O'Neill asked if, with the reduction, there were sufficient building service workers to clean the requested relocatables this fall. Dr. Weast responded that there is a reduction on the original budget request. The school system calculates cleaning services based on square footage; however, the relocatables require moving all cleaning supplies to a separate location with little consideration for the increased square footage. Therefore, the job responsibilities have edged up every year without additional staffing.

Mrs. O'Neill noted that the non-recommended reductions eliminated the second air quality team. Dr. Weast noted that the walled-up "open" schools produce poor air quality. The first air quality team resolved problems; therefore, the funding for a second team was placed in the budget. Asthma seems to affect poverty students at a higher-than-normal rate.

Ms. Cox inquired about the consultant services increase due to realignment of services in technology and staff development. Dr. Spatz explained that the Workforce Excellence implementation required outside services, and the amount realigns the funding and program.

Re: **AN AMENDMENT TO THE FY 2002 OPERATING
BUDGET NON-RECOMMENDED REDUCTIONS**

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

Resolved, That the Board of Education replace the non-recommended reduction for Shared Accountability with a non-recommended reduction in Contractual Services (\$215,112).

RESOLUTION NO. 228-01 Re: **FY 2002 OPERATING BUDGET NON-RECOMMENDED REDUCTIONS**

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

WHEREAS, The Board of Education adopted an FY 2002 Operating Budget Request of \$1,213,614,529, excluding grants and enterprise funds, on February 13, 2001; and

WHEREAS, On March 15, 2001, the county executive recommended a budget for Montgomery County Public Schools, excluding grants and enterprise funds, of \$1,187,205,476, an amount \$26,409,053 lower than the Board of Education's request; and

WHEREAS, On April 10, 2001, the County Council designated a spending affordability guideline allocation for MCPS of \$1,187,200,000; and

WHEREAS, The County Council requested that its Education Committee recommend a budget for MCPS at the target allocation with an opportunity to request funding for important priorities in addition to the allocation target; and

WHEREAS, Non-recommended reductions have been submitted by the superintendent of schools in the prioritized grouping based on the severity of the consequences of the reductions; and

WHEREAS, Additional state aid of \$1,537,698 for the Governor's Early Childhood Initiative permits avoidance of equivalent reductions of elementary school QIE/academic support teachers; now therefore be it

Resolved, That the Board of Education submit the attached prioritized non-recommended reductions as required by law totaling \$26,414,529, in the following categories:

	<u>Category</u>	<u>Amount</u>
1	Administration	\$ 768,480
2	Mid-level Administration	1,271,218
3	Instructional Salaries	14,504,007
4	Textbooks and Instructional Supplies	629,125
5	Other Instructional Costs	398,228

6	Special Education	500,866
7	Student Personnel Services	326,814
8	Health Services	20,074
9	Student Transportation	306,260
10	Operation of Plant and Equipment	642,076
11	Maintenance of Plant	565,739
12	Fixed Charges	<u>6,481,642</u>
	Total	<u>\$26,414,529</u>

and be it further

Resolved, That the detailed items suggested to the Education Committee as non-recommended reductions would have detrimental long-term effects on the ability of the Montgomery County Public Schools to make significant progress in raising the bar for all students of the school system and closing the achievement gaps among racial and ethnic groups; and be it further

Resolved, That the impact of these reductions on the quality of education are explained in another document; and be it further

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

Re: BOARD/SUPERINTENDENT COMMENTS

Dr. Weast remarked that eight students received scholarships at the NAACP Banquet. In fact, MCPS students have received a number of scholarships. Four students will represent MCPS at the International Science Fair in San Jose, California. Three students have been named semifinalists for Presidential Scholar Awards. Thirty-seven students in career-focused programs in the MCPS Career and Technology Education Program will be honored for their achievements at an awards ceremony on Wednesday, April 25, at 6:00 p.m. at the National Institute of Standards and Technology in Gaithersburg. In addition, five local businesses will be recognized with Friends of Career and Technology Education awards for their many contributions to education in the county.

Mr. Lange commented on the recognition of Leon F. Busche, social studies resource teacher at Quince Orchard High School, who received a 2001 Agnes Meyer Outstanding Teacher Award from *The Washington Post*. Richard Montgomery High School students organized a non-violence covenant, which several students signed. The Trend Benders meeting outlined the next steps in curriculum and information systems.

Ms. Cox reported that she went to GE Global Exchange Services to observe the students from Paint Branch High School's engineering course present their projects.

RESOLUTION NO. 229-01 Re: CLOSED SESSION RESOLUTION

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Mr. Felton, 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, May 8, 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 April 3, 2001, by unanimous vote of members present, 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 April 3, 2001, from 12:00 to 1:30 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and/or adjudicated the following appeals: 2001-4, 2001-8, 2001-10, and 2001-13.
2. Reviewed the Superintendent's recommendation for a personnel appointment, subsequent to which the vote to approve the appointment was taken in open session.
3. Reviewed the Equal Employment Opportunity and Sexual Harassment reports.
4. Consulted with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
5. 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 session were: Steve Abrams, Larry Bowers, Judy Bresler, Ray Bryant, Kermit Burnett, Robin Confino, Sharon Cox, Reggie Felton, Marlene Hartzman, Dick Hawes, Jay Headman, Roland Ikheloa, Nancy King, Don Kress, Walter Lange, Freida Lacey, Erik Lang, Christopher Lloyd, George Margolies, Louis Martinez, Judie Muntner, Pat O'Neill, Brian Porter, John Porter, Glenda Rose, Kim Statham, Frank Stetson, Roger Titus, Jerry Weast, and James Williams.

RESOLUTION NO. 230-01 Re: BOARD APPEAL – 2001-8

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2001-8, athletic eligibility, 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. 231-01 Re: BOARD APPEAL – 2001-10

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

Resolved, That the Board of Education adopt its Decision and Order in Appeal 2001-10, reimbursement for tuition, 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**

There was no new business.

RESOLUTION NO. 232-01

Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of April 23, 2001, at 11:10 p.m.

PRESIDENT

SECRETARY

JDW:gr

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET**

April 23, 2001

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