

APPROVED
24-2001

Rockville, Maryland
August 28, 2001

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, August 28, 2001, at 1:30 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. Dustin Jeter, Student Board Member
 Dr. Jerry Weast, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 453-01 Re: **CLOSED SESSION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Jeter, the following resolution was adopted unanimously by those 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 August 28, 2001, in Room 120 from 9:00 a.m. to 1:30 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 August 28, 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. 454-01 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for August 28, 2001.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Mr. Lange expressed his appreciation to staff for their numerous activities this summer.

Mr. Abrams reported that he attended the MACO Conference in Ocean City where there was a panel on education discussing teacher recruitment and retention. One of the presenters was the Maryland Teacher of the Year from Howard County. Howard County is involved in a project using devices that are sponsored by Ether Systems and the Sylvan Learning Centers. Mr. Abrams asked the superintendent to research interactive wireless computers for the classroom.

Mrs. O'Neill expressed her thanks to staff who had worked so hard this summer to make sure facilities were ready and teachers were hired. The New Teacher Welcome was exciting because the teachers were filled with enthusiasm and ready to teach their students.

Mr. Burnett was pleased that staff was ready for a new school year. This Board has many good things that will happen this year.

Ms. Cox echoed her colleagues for a successful school year.

Mr. Felton congratulated staff for their hiring efforts, and he was pleased that MCPS was a school system of choice for many new teachers.

Mrs. King stated that every summer she is amazed at the amount of work that takes place. With many construction sites, staff has outdone itself in getting ready for the new school year. It was exciting to watch the new teachers' enthusiasm at their recent orientation. She also talked to the new teachers about how they found job opportunities on the MCPS website, and they were impressed by the website, which identified staff support.

Dr. Weast reported that the results of the 2001 SAT 1: Reasoning Test were being released nationwide on August 28. The continuing disparity by race and ethnicity in student achievement within MCPS is reflected in the 2001 SAT results and underscores a fundamental disparity that strikes at the core of the school system's academic mission.

White students achieved an overall average score of 1154, the highest average score ever reported, and Asian American students increased to an average score of 1127. However, the average score for African American students fell by four points to 911, and the score for Hispanic students declined by 11 points to 949. The lowest scores were among students affected heavily by poverty, English language development, and fewest years of schooling in MCPS.

Dr. Weast was impressed that the energy and commitment essential for the success of the school system's core initiatives were abundantly present at the ceremonies to welcome new teachers, held at Walt Whitman High School on August 27, 2001. Among the interesting statistics about these new teachers is that they have been hired from 32 states, Puerto Rico, the District of Columbia, and Spain, but more than half come from Maryland. Not all the new hires are novices. Less than half of them (47 percent) are new to teaching.

Dr. Weast noted that the MCPS website has been redesigned. The web team has been working on this improved site for several months, and the results are well worth waiting for. It was designed using data from an online survey of MCPS website users, and in consultation with staff, parents, and other community members. It is interactive, attractive, and full of easy-to-find information.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education.

	<u>Person</u>	<u>Topic</u>
1.	Christina Rose	Mascots
2.	Reuben Gist	Tracking of Students
3.	Jerry Klobukowski	Poolesville's Mascot
4.	Frank Jamison	Mascots
5.	Lisa Wilson	Appeal Process
6.	Balerina Burgess	Mascots
7.	Erica Morgan	Recycling
8.	Juanita Echo-Hawk	Native American Children

Mrs. O'Neill commented that the Board of Education had no intention of eliminating public comments or input through its revised policy on *Policysetting*. Mr. Abrams requested that staff provide the material to the Board, and the Board schedule action during a recess.

RESOLUTION NO. 455-01 Re: **PROCUREMENT CONTRACTS OF \$25,000 OR MORE**

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

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

WHEREAS, It is recommended that Bid No. 1103.1, Comparative Analysis of Montgomery County Head Start Community-Based and School-Based Program, be rejected due to lack of competitive bids; now therefore be it

Resolved, That Bid No. 1103.1, Comparative Analysis of Montgomery County Head Start Community-Based and School-Based Program, be rejected due to lack of competitive bids; and be it further

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

MC8507 00231AA	Antifreeze Recycling – Extension		
	<u>Awardee</u>		
	B–Environmental, Inc.	\$	35,500
1102.1	Polyliner Bags – Extension		
	<u>Awardees</u>		
	Calico Industries, Inc.	\$	106,352
	Central Poly Corporation		<u>9,648</u>
	Total	\$	116,000
4101.1	Recycled Toner Cartridges – Extension		
	<u>Awardee</u>		
	Advanced Business Concepts, Inc.	\$	44,143
4108.1	Recycling Containers for Recycling Program – Extension		
	<u>Awardee</u>		
	Porter’s Supply Company, Inc.	\$	64,240
7065.3	Custodial Supplies		
	<u>Awardees</u>		
	A Liss and Company	\$	6,950
	Abel Industries, Inc.		2,589

	Acme Paper and Supply Company, Inc.		187,947
	Apex Supply Company, Inc.		95,305
	M. A. Bruder and Sons, Inc.		2,159
	Calico Industries, Inc.		27,242
	Consolidated Maintenance Supply, Inc.*	97,317	
	Daycon Products Company, Inc.		212,375
	Gabriel First Corporation		2,834
	Genesis II, Inc.*		8,448
	Holt Paper and Chemical Company		78,542
	Industrial Products Supply*	94	
	W.S. Jenks and Son		2,033
	Laniado Wholesale Company		31,975
	Leonard Paper Company		140,586
	Metrochem Industries, Inc.	5,400	
	National Supply Company		89,751
	Oma Day, Inc.*		7,330
	Poolesville Hardware		536
	Porter's Supply Company, Inc.		27,558
	Portionpac Chemical Corporation	1,764	
	Potomac Rubber Company	74	
	Pyramid School Products		13,372
	Safeware, Inc.		4,553
	Spectrowax Corporation		11,828
	Unisource		219,745
	Viking Chemicals, Inc.*		3,023
	Total		\$1,281,330
9006.1	Shade/Upholstery Materials – Extension		
	<u>Awardees</u>		
	Crown Shade Company		\$ 13,384
	Frankel Associates, Inc.		26,105
	Loktite		5,673
	Mileham and King		27,544
	Rocky Mount Cord Company		4,993
	Sun Control System	45,300	
	Tedco Industries, Inc.		<u>37,518</u>
	Total		\$ 160,517
9008.3	Glass and Glazing Materials		
	<u>Awardees</u>		

	Gardner Glass Products	\$ 15,501
	G.E. Polymershapes	38,580
	Hawkins Glass Company	139,491
	Maryland Glass and Mirror Company	<u>1,500</u>
	Total	\$ 195,072
9303.1	Asphalt Replacement at Various Facilities (addition to original contract)**	
	<u>Awardee</u>	
	Francis O. Day Company, Inc.	\$ 582,000
9321.1	Classroom Sink and Cabinet Replacement at Poolesville Elementary School	
	<u>Awardee</u>	
	B & B Restoration and Repair* **	\$ 42,500
	TOTAL PROCUREMENT CONTRACTS OF \$25,000 OR MORE	\$2,521,302

* Denotes Minority-, Female-, or Disabled-owned Business

** Planned Life-cycle Asset Replacement Bid (PLAR)

RESOLUTION NO. 456-01 Re: **AWARD OF CONTRACT – NONSKID SURFACE FOR
MODULAR CLASSROOM STEPS, DECKS, AND
RAMPS**

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

WHEREAS, The following sealed bid was received July 19, 2001, for nonskid surfaces for steps, decks, and ramps for modular classroom buildings at various locations, with work to begin immediately:

<u>Bidder</u>	<u>Amount</u>
Universal Coatings, Inc.	\$1.50 sq. ft.

and

WHEREAS, Universal Coatings, Inc., has completed similar work successfully for the

Montgomery County Public Schools; and

WHEREAS, The bid is within the staff estimate; and

WHEREAS, There is limited opportunity for Minority Business Enterprise (MBE) participation on this project because of the work scope; and

WHEREAS, Staff recommends waiving the MBE goal for this contractor; now therefore be it

Resolved, That a unit price contract for \$1.50 per square foot, with a maximum of \$80,000, be awarded to Universal Coatings, Inc., for the application of nonskid surfaces for steps, decks, and ramps for modular classroom buildings.

RESOLUTION NO. 457-01 Re: AWARD OF CONTRACT – CANOPY LIGHTING FOR MODULAR CLASSROOMS

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

WHEREAS, The following sealed bids were received August 15, 2001, for canopy lighting for modular classrooms, with work to begin immediately:

<u>Bidder</u>	<u>Unit Price</u>
William M. Wetmore, Inc.	\$275
Congressional Electric, Inc.	280

and

WHEREAS, The low bidder, William M. Wetmore, Inc., has completed similar work successfully for the Montgomery County Public Schools; and

WHEREAS, The low bid is within the staff estimate; and

WHEREAS, William M. Wetmore, Inc., has limited opportunity for Minority Business Enterprise (MBE) participation on this project because of the work scope; and

WHEREAS, Staff recommends waiving the MBE goal for this contractor; now therefore be it

Resolved, That a unit price contract be awarded to William M. Wetmore, Inc., for an amount not to exceed \$75,000 for canopy lighting for modular classrooms, in accordance with plans and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 458-01 Re: **AWARD OF CONTRACT – MODULAR CLASSROOM
RELOCATION AND INSTALLATION**

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

WHEREAS, The following sealed bids were received August 15, 2001, for the relocation and installation of locally owned and leased modular classroom units, with work to begin immediately and be completed in phases between October 31 and November 14, 2001:

<u>Bidder</u>	<u>Amount</u>
Cynthia M. Hastings, Inc.	\$535,479
EMH Environmental, Inc.	564,675
Cottonwood Construction, Inc.	574,900
Tex-Am Construction Company, Inc.	879,480

and

WHEREAS, The low bidder, Cynthia M. Hastings, Inc., has completed similar work successfully for the Montgomery County Public Schools; and

WHEREAS, The low bid is within the staff estimate; and

WHEREAS, Cynthia M. Hastings, Inc., has limited opportunity for Minority Business Enterprise (MBE) participation on this project because all of the work is self-performed by the contractor's employees; and

WHEREAS, Staff recommends waiving the MBE goal for this contractor; now therefore be it

Resolved, That a \$535,479 contract be awarded to Cynthia M. Hastings, Inc., for the relocation and installation of locally owned and leased modular classroom units, in accordance with plans and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 459-01 Re: **AWARD OF CONTRACT – SKYLIGHT REPAIR FOR
WATKINS MILL HIGH 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 skylights at Watkins Mill High School need extensive repair and maintenance work; and

WHEREAS, The only firm to submit a proposal for the repair and maintenance work was D & A Contracting, Inc.; and

WHEREAS, D & A Contracting, Inc., has provided an estimate for the labor to complete the work based on the condition of the skylights with materials to be replaced as needed; now therefore be it

Resolved, That a time-and-materials contract for an amount not to exceed \$500,000 be awarded to D & A Contracting, Inc., for repair of the skylights at Watkins Mill High School, in accordance with the specifications outlined by the Department of Facilities Management.

RESOLUTION NO. 460-01 Re: **ENGINEERING APPOINTMENT – HVAC SYSTEMS
COMMISSIONING FOR SPARK MATSUNAGA
ELEMENTARY SCHOOL**

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

WHEREAS, Professional architectural/engineering services are needed for the commissioning and start-up of the mechanical/electrical and energy management systems at Spark Matsunaga Elementary School; and

WHEREAS, An Architectural/Engineering Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, identified Von Otto & Bilecky as the most qualified firm to provide the necessary professional commissioning services; and

WHEREAS, Staff has negotiated a fee for the commissioning services; now therefore be it

Resolved, That a \$32,300 contract be awarded to Von Otto & Bilecky for HVAC systems commissioning for Spark Matsunaga Elementary School.

RESOLUTION NO. 461-01 Re: **CHANGE ORDERS EXCEEDING \$100,000**

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

WHEREAS, The Department of Facilities Management has received the following change order proposals from various contractors that exceed \$100,000; and

WHEREAS, Staff and the project architects have reviewed these change orders and found them to be equitable; now therefore be it

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

Activity 1

Project: Silver Spring International Middle School/Sligo Creek Elementary School

Description: Final payment and claims settlement to the mechanical contractor for costs incurred beyond the contract base bid. The architect recommends payment for these additional services after lengthy negotiation over the cost of the additional work.

Contractor: Ryco Associates, Inc.

Amount: \$138,232

Activity 2

Project: Thomas S. Wootton High School

Description: The paving contractor, Hill & Jack Construction Corporation, has gone out of business. Ross Contracting, Inc., submitted the lowest proposal for the paving work that must be completed prior to the start of school. The construction manager is working with the bonding company on compensation for the uncompleted work.

Contractor: Ross Contracting, Inc.

Amount: \$171,456

Activity 3

Project: Wheaton High School Addition

Description: The central energy management system at Wheaton High School needs to be updated to make it compatible with new software and operating equipment. The vendor installing the temperature control equipment for the new addition will complete the update to the central system.

Contractor: Systems 4, Inc.

Amount: \$110,000

RESOLUTION NO. 462-01 Re: **REDUCTION OF RETENTION – NORTHWEST HIGH SCHOOL**

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

WHEREAS, Henley Construction Company, Inc., general contractor for the Northwest High School addition project, has completed 95 percent of all specified requirements and requested that the 10-percent retainage, which is based on completed work to date, be reduced to 5 percent; and

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

WHEREAS, The project architect, Samaha Associates, recommends approval of the reduction; now therefore be it

Resolved, That the 10-percent retainage withheld from periodic payments to Henley Construction Company, Inc., be reduced to 5 percent, with the remaining 5 percent to become due and payable after completion of all remaining contract requirements and formal acceptance of the completed project.

RESOLUTION NO. 463-01 Re: **EXTENSION OF ARCHITECTURAL CONTRACT – OAK VIEW ELEMENTARY SCHOOL**

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

WHEREAS, On September 25, 2000, the Board of Education approved the appointment of Robert J. Glaser and Associates, P.A., to provide architectural services through the schematic development phase for the core improvements at Oak View Elementary School; and

WHEREAS, Schematics for the core improvements have now been approved; and

WHEREAS, Staff has negotiated a fee adjustment with the firm Robert J. Glaser and Associates, P.A., to complete the construction documents and provide construction administration services; now therefore be it

Resolved, That the Montgomery County Board of Education extend the contract with Robert J. Glaser and Associates, P.A., to provide architectural and construction administration services for the Oak View Elementary School core improvements in the amount of

\$340,128.

RESOLUTION NO. 464-01 Re: **ARCHITECTURAL APPOINTMENT – GERMANTOWN
ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, The following sealed bids were received July 20, 2001, for the relocation and installation of 38 leased modular classroom units, with work to begin immediately and to be completed in phases, with 26 units to be completed by August 24, 2001, and 12 units to be completed during October 2001:

<u>Bidder</u>	<u>Amount</u>
J & L Services, Inc.	\$1,083,000
Cottonwood Construction, Inc.	1,334,600
Tex/Am Construction Co., Inc.	2,214,780

and

WHEREAS, The low bidder, J & L Services, Inc., has completed similar work successfully for the Montgomery County Public Schools; and

WHEREAS, The low bid is within the staff estimate; and

WHEREAS, There is limited opportunity for Minority Business Enterprise (MBE) participation on this project because of the work scope: and

WHEREAS, Staff recommends waiving the MBE participation goal for this project; now therefore be it

Resolved, That a contract be awarded to J & L Services, Inc., in the amount of \$1,083,000 for relocation and installation of modular classroom units, in accordance with plans and specifications prepared by the Department of Facilities Management.

RESOLUTION NO. 465-01 Re: **ARCHITECTURAL APPOINTMENTS – FEASIBILITY
STUDIES FOR VARIOUS SCHOOLS**

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

WHEREAS, It is necessary to appoint architectural firms to provide professional and

technical services to conduct design feasibility studies of alternatives for various capital improvements; and

WHEREAS, Funds for feasibility planning have been programmed as part of the FY 2002 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, identified the following architects as the most qualified firms to provide the necessary professional architectural and engineering services:

<u>School</u>	<u>Architectural Firm</u>	<u>Amount</u>
Brookview Site	McKissack & McKissack Architects*	\$24,750
Carderock Elementary School	Beery, Rio & Associates Architects	25,000
Clarksburg Elementary School	Proffitt and Pryor Architects	22,400
Cresthaven Elementary School	Sorg and Associates, P.C.*	35,000
Albert Einstein High School	Grimm & Parker, P.C.	11,200
Gaithersburg Elementary School	Smolen▪Emr + Associates Architects	17,400
Francis Scott Key Middle School	Robert J. Glaser & Associates, P.A.	45,700
Northwood High School	Fanning Howey Associates, Inc.	35,000
Quince Orchard Middle School #2	Grimm & Parker, P.C.	45,000
Seven Locks Elementary School	Walton, Maddon, Cooper, Robinson, Poness, Inc.	28,000

*indicates minority business

and

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

Resolved, That the Montgomery County Board of Education enter into contractual agreements with the architectural firms identified above for the amounts listed to provide professional architectural services.

RESOLUTION NO. 466-01 Re: UTILIZATION OF FY 2002 FUTURE SUPPORTED PROJECT FUNDS

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

WHEREAS, The above-noted grants qualify for a transfer of appropriation from the Provision for Future Supported Projects pursuant to the provisions of County Council Resolution No. 14-890, approved May 24, 2001; and

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

WHEREAS, Sufficient appropriation is available, within the FY 2002 Provision for Future Supported Projects, to permit the above-noted transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2002 Provision for Future Supported Projects, as specified below:

<u>Project</u>	<u>Amount</u>
Maryland Character Education	\$ 4,000
Schools for Success/Goals 2000 – Middle School Math Certification	68,250
Judy Center/Judy Center Enhancement Grant	220,000
Head Start	28,661
Head Start Summer Program	8,556
Total	<u>\$329,467</u>

and be it further

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

RESOLUTION NO. 467-01 Re: HUMAN RESOURCES MONTHLY REPORT

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated August 28, 2001.

RESOLUTION NO. 468-01 Re: PERSONNEL 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 September 4, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Nelson McLeod	Assistant Principal, Takoma Park MS	Principal, Albert Einstein HS

RESOLUTION NO. 469-01 Re: **PERSONNEL 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 August 29, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Robert Doody	Acting Controller, Division of Controller	Controller, Division of Controller

RESOLUTION NO. 470-01 Re: **PERSONNEL 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 September 17, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Wesley Boykin	Director, Evaluation and Research Services, Lake Success, NY	Director, Division of Academic Accountability

RESOLUTION NO. 471-01 Re: **PERSONNEL 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 August 29, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Ricardo Salandy-Defour	Acting Director, Division of Applications Development	Director, Division of Applications Development

RESOLUTION NO. 472-01 Re: **PERSONNEL 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 August 29, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Debra Berner	Elementary Principal Intern, College Gardens ES	Supervisor, Special Education

RESOLUTION NO. 473-01 Re: **PERSONNEL 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 September 17, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Michael Perich	Supervisor, Continuous Improvement, Westminster, Md.	Coordinator, Systemwide Improvement

RESOLUTION NO. 474-01 Re: **PERSONNEL 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 August 29, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Joan Stoer	Art Teacher, Strawberry Knoll ES	Coordinator, Elementary Art, Theatre, and Dance

RESOLUTION NO. 475-01 Re: **PERSONNEL 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 August 29, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Lori-Christina Webb	Coordinator, Division of Equity and Compliance	Coordinator, Policies and Procedures

RESOLUTION NO. 476-01 Re: **PERSONNEL 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 August 29, 2001:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Agustin Martinez	English Teacher, Quince Orchard HS	Human Resources Specialist

Re: UPDATE ON HIRING

Dr. Elizabeth Arons, associate superintendent for the Office of Human Resources, reported that a successful New Teacher Welcome was held on August 27, 2001, with 1,057 new teachers in attendance. The new teacher training had the highest number of participants yet, with 994 attending the classes. Both the retirement rate and resignation rate for teachers is down from last year with only 240 (2.3 percent) teachers retiring and 614 (6 percent) resigning. Nationwide, these figures can be as high as 15 percent, and MCPS's turnover rate is significantly lower than that of surrounding jurisdictions.

The new teacher cadre is an outstanding group. MCPS offered more than 1,145 contracts with only 82 candidates declining, for an acceptance rate of 93 percent. This rate was 5 percentage points higher than last year's acceptance rate of 88 percent. The school system's database of resumes increased from 10,000 to 15,000 resumes this year. Of the new group of teachers, 21 percent are male, 15.6 percent are African American, 4.4 percent are Asian, and 3 percent Hispanic. There are 51 new male teachers at the elementary level. Twenty-three percent of the new teachers speak a second language – 14 percent Spanish, 5 percent French, and 3 percent Chinese, Japanese, or Korean. The school system's critical shortage fields are well covered, with 68 new math teachers, 26 new Spanish teachers, 10 new French teachers, and 115 new special education teachers.

MCPS always has last-minute vacancies due to open-contract teachers who change their minds, teachers who retire prior to the opening of schools, or new allocations for growth or lower class size. At this time, there are 40 full-time vacancies. One principal vacancy and one assistant principal vacancy exist. The 35 new principals, who have an average of 14 years of administrative experience, are 17 percent African American, 3 percent Hispanic, and 3 percent Asian. All supporting services positions are fully staffed.

Re: DISCUSSION

Ms. Cox asked how many new hires resign within the first five years. Dr. Arons responded that resignations average 8 to 9 percent, which is lower than nationwide data. Staff will analyze the impact of support and staff development for new teachers. Dr. Weast added that the nationwide turnover is 10 to 12 percent, with 40 percent of new teachers resigning. However, there are some issues about whether teaching was the right career choice for

some people.

Mr. Felton inquired about mentoring the new teachers and principals. Dr. Arons answered that all new teachers, whether experienced or not, will be assigned a mentor. Through a grant, some second- and third-year teachers in high educational load schools also will have mentors. Mr. Felton was pleased that teachers with second language skills were hired.

Mrs. King asked how many new teachers are MCPS graduates. Dr. Arons responded that according to anecdotal data, about 25 percent of the new teachers are MCPS graduates.

Mr. Abrams asked Dr. Arons to provide the following: (1) what percentage of new hires have graduate degrees; (2) what is the average age of the workforce; and (3) what percentage of the workforce is eligible to retire.

Mr. Lange asked how many employees have entered teaching as a second career.

RESOLUTION NO. 477-01 Re: **REVISED MINORITY BUSINESS ENTERPRISE PROCEDURES**

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

WHEREAS, The Interagency Committee on School Construction has asked local school boards to formally adopt revisions to the procedures for Minority Business Enterprise participation on state-funded projects that were developed by the Board of Public Works to incorporate changes approved with the passage of Maryland State House Bill 306; and

WHEREAS, Staff recommends that the revised procedures be adopted and incorporated in the Board of Education's procedures for Minority Business Enterprise participation on state- and locally-funded projects; now therefore be it

Resolved, That the July 14, 1998, procedures for Minority Business Enterprise participation adopted by the Board of Education be modified to include the changes to state statutes that were approved with the passage of Maryland State House Bill 306.

Re: **UPDATE ON SCHOOL FACILITIES/ CONSTRUCTION PROJECTS**

Mr. Richard Hawes, director of the Department of Facilities Management, reported that there were three modernizations, three additions, and one new facility under construction and scheduled for partial or complete occupancy in August. The Department of Facilities Management also is responsible for hundreds of facility projects this summer that will be

completed before the opening of school in September. The following is a brief status report of the major projects:

Winston Churchill High School

This facility is undergoing a phased modernization. The final phases of the project are nearing completion. All of the interior spaces will be available for use when school begins, with the exception of 10 classrooms and the main lobby area adjacent to the gymnasium. Relocatables will be utilized until the remaining classrooms are completed. The demolition of the D wing has been completed, and work has begun on the new parking lot. The new parking lot and the balance of the project work will be completed by November 1, 2001. The fire marshal's preliminary inspection was performed on August 15, 2001. All life safety concerns are being addressed.

Thomas S. Wootton High School

This facility is undergoing a phased addition and an interior renovation project. The first-phase addition has been completed, and work within the existing building, along with the reconstruction of the staff parking lot, will be completed prior to the beginning of school. The second-phase addition is scheduled to be completed by December 1, 2001. Relocatable classrooms will be utilized until the second-phase addition is finished.

Northwest High School

A 10-classroom addition is in the final stages of completion. A second driveway connection from the parking lot onto Richter Farm Road is complete. This project will be completed before students and staff arrive for the 2001-2002 school year.

Wheaton High School

This project includes an 18-room addition and interior modifications. The final finishes for the interior renovation to the cafeteria, media center, science laboratories, and administrative areas have been installed, and these spaces will be ready for use by the school before students return. The reconstruction of the parking area has started and the school will use the old bus loop until the parking lot is completed on October 15, 2001.

Earle B. Wood Middle School

Earle B. Wood Middle School is undergoing a complete modernization. Furniture and equipment have been moved into the classroom spaces and the administrative areas. Reconstruction of the parking lot, bus loop, and tennis courts also is scheduled to be completed before school starts. Due to the wet spring, part of the athletic fields will be completed later this summer and will not be available for use until next spring.

Spark Matsunaga Elementary School

The elementary school building, excluding the gymnasium, has been completed with the exception of minor items. The special education center is scheduled to be completed on December 1, 2001. Site work is continuing and will be completed before school opens. The elementary school gymnasium will be completed by mid-October.

Rock Creek Valley Elementary School

The building work and paving have been completed with the exception of minor items. The contractor is working on the final site work.

Relocatable Classrooms

This year, approximately 195 relocatable classrooms will be placed at 72 schools. One hundred forty-six units are scheduled to be ready by the beginning of the school year. The remaining 49 units are either the result of additional staffing allocations received by schools in recent weeks or relocatables for FY 2003 class-size and full-day kindergarten initiatives that were funded this year. The installation of these units will be completed by December 1, 2001. Principals at schools that will not have their classrooms ready for the first day of school have been notified to make contingency plans for alternative space use in the building until the units are available.

Reroofing Projects

Ten reroofing projects will be completed this summer. These include Thomas S. Wootton, Colonel Zadok Magruder, Sherwood, and Damascus high schools; Sligo Middle School; Bradley Hills, Darnestown, Seven Locks, and Twinbrook elementary schools; and the Grosvenor Center. All of these projects are on schedule to be completed before the start of school or have already been completed. Westbrook Elementary School, originally scheduled to be completed this summer, will be completed in phases.

Division of Maintenance Projects

The Division of Maintenance is currently conducting 101 major projects. These include Planned Life-cycle Asset Replacement; Heating, Ventilation, and Air Conditioning Replacement; and the State Aging Schools program.

Safe Access

Safe access projects are under construction at Thomas W. Pyle and North Bethesda middle schools and Highland, Viers Mill, and Wayside elementary schools. These projects will be completed before school opens in September. Contractors currently under contract with other county agencies are being utilized to ensure the work is completed as expeditiously as possible.

Re: **UPDATE ON SUMMER INSTITUTES: BUILDING PROFESSIONAL LEARNING COMMUNITIES**

Dr. Weast invited the following people to the table: Mrs. Darlene Merry, associate superintendent, Office of Staff Development; Mrs. Judie Muntner, associate superintendent, Office of Instruction and Program Development; Dr. Barry Amis, director, staff development initiatives, Office of Staff Development; and Mrs. Nancy Schultze, director, middle school instruction, Office of Instruction and Program Development. In the audience are members of

the team who were fundamental in planning and implementing the institutes. Staff reported that building the capacity of all staff in MCPS was the focus of the Workforce Excellence Initiative. This summer, two well-received staff development institutes were part of the ongoing effort to create a professional learning community. By providing learning opportunities focused on system priorities, staff is working to ensure that staff members have the necessary skills and strategies to meet the needs of all children. To accomplish this, MCPS created a learning environment for teachers and administrators in the format of "summer institutes." The focus of the Principals/Leadership Institute was to build the capacity of the leadership staff, and the primary goal of the teachers institutes was to provide targeted training and development to identified schools that have been working with school performance support teams to improve student achievement.

Principals/Leadership Institute

The Principals/Leadership Institute was focused on providing the tools and information necessary for school leadership staff to effectively implement the school improvement process through the key work that the Board of Education and initiatives in *Our Call to Action* have identified. Held during the week of July 9, 2001, this institute began with the Superintendent's Summer Leadership Conference at Quince Orchard High School. The theme for the day was effectively managing the change process as staff worked to change the culture and ethos of the district. The following three days of the institute were held at John F. Kennedy High School. The major topics of the institute were the System of Shared Accountability, the Instructional Planning Model, the Ten-Step Maryland State Department of Education's School Improvement Process, and Building Professional Learning Communities.

On Friday, July 13, the week ended with meetings held by the community superintendents for school principals that focused on bringing together the collective knowledge gained from the week and using vertical teaming to facilitate cluster-wide consistency.

Planning of the Principals/Leadership Institute focused on consistent communication of system updates and information. During the planning stages, the principals stated their strong interest in having their leadership teams involved in the institute. To best meet the needs of principals, the Principals Institute was changed to a Leadership Institute. Instead of involving 190 principals, the Leadership Institute hosted more than 1,000 principals, assistant principals, secondary resource teachers, interdisciplinary resource teachers, staff development teachers, reading specialists, and central services content directors, program supervisors, and instructional specialists. By providing key information to principals and their leadership teams, staff utilized resources more efficiently and effectively. This is directly aligned with what was learned from the Baldrige self-assessment, which identified the need for MCPS to provide information to a broader team at the local school level.

The entire project had a strong focus on alignment and collaboration between and among the offices of Instruction and Program Development, Shared Accountability, Global Access Technology, Student and Community Services, and School Performance. While the Office of

Staff Development served as the overall project manager for the week-long Principals/Leadership Institute, staff from individual offices planned and delivered the daily programs that revolved around central themes.

Anecdotal feedback from the week indicated that the participants were highly enthusiastic about the content and pleased to hear the important system messages as a school team. Additional feedback from the institute is being gathered through a survey of all participants and through focus groups that consist of representatives from each of the job groups. The change in venue from a small participant group to a much larger group created minor facility issues that will need to be addressed in future years to find conference locations that can meet the needs of a large school district effectively.

Teachers Institute for School Improvement

In February 2001, the plan to conduct staff development summer institutes for staff at 53 priority elementary, middle, and high schools was initiated. Using a collaborative approach for planning and implementation, staff members from the offices of Staff Development, Instruction and Program Development, Global Access Technology, and Student and Community Services met to design the summer institutes for teachers. Consultation was held with the Office of School Performance to ensure alignment with the work already in progress at these identified schools. To address the specific needs of participating schools, the teachers institutes were divided into an institute for elementary school teams, an institute for middle school teams, and an institute for high school teams.

Effective instruction for reading, writing, and mathematics was the general focus for all of the institutes. Instructional strategies related to Maryland Learner Outcomes and Core Learning Goals and the skills needed for success on the Maryland School Performance Assessment Program (MSPAP), the High School Assessment (HSA), the Comprehensive Test of Basic Skills (CTBS), the PSAT, and the SAT were paramount in the development of content sessions for teachers. In alliance with the work under the Skillful Teacher and the new teacher evaluation system, the institute trainers used instructional strategies – including direct instruction, coaching, data analysis, modeling, guided practice, differentiation, and tiered instruction – while conducting their seminars and work sessions. Institute trainers consisted of outside consultants, MCPS teachers, and MCPS instructional specialists. While each institute was a combination of learning, sharing, and reflecting, staff members prepared unit and lesson plans related to the school's instructional focus. An accountability component was built into each institute to ensure that each school team understood that knowledge gained and products developed as part of the institute were to be implemented in schools this fall. Follow-up sessions will be held with the school teams to reflect on the implementation of the lesson plans and to further refine the improvement strategies and skills.

The Elementary School Institute was divided into two week-long sessions with 23 schools in

attendance July 16-20,2001, and 14 schools in attendance July 23-27, 2001. Teams consisting of as many as 10 staff members, including the reading specialist, the staff development teacher, a special education teacher, the ESOL teacher, and six classroom teachers (one from each grade level), represented each of the elementary schools. The middle school institute was held July 23-27, 2001, with 24 member teams from 10 middle schools participating. The high school institute was held July 24-26, 2001, and July 31-August 1, 2001, with six schools sending teams of 24 staff members. All the institutes were held at John F. Kennedy High School.

Next Steps

The feedback collected at each of the teachers institutes indicated that school teams were enthusiastic with the empowerment these summer institutes have generated for each of their schools. In assessing the impact of the institutes, staff is identifying both the satisfaction with the presentations and the future impact of the content on school improvement efforts.

The summer institutes provided an opportunity for school leadership and teams to work collaboratively to plan for an effective instructional program and school improvement process that ensures maximum learning for all students. Information gathered from both the Principals/Leadership Institute and the teachers institutes will inform future planning to provide ongoing support to schools and staffs.

Re: DISCUSSION

Mr. Felton inquired into the possibility of sharing this material with smaller school systems for a fee. Mr. Abrams thought that videotaping the sessions to market them would be a good start.

Ms. Cox asked for a copy of the instructions for local schools on the School Improvement Plan. Regarding the 53 schools attending the Summer Institute and the School Improvement Plan, she asked for an analysis of how well they achieved their goals, what the results were, and how effective the provided supports were.

Re: NATIVE AMERICAN SYMBOLS AND REFERENCES IN SCHOOL-SPONSORED REPRESENTATIONS

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

WHEREAS, Concerns have been raised about the use of Native American images and references at three schools: Montgomery Village Middle School, Sherwood High School, and Poolesville High School; and

WHEREAS, The United States Commission on Civil Rights has called for an end to the use of Native American images and team names by non-Native American schools; and

WHEREAS, The Maryland Commission on Indian Affairs has sought the intervention of the Community Relations Service of the United States Department of Justice to eliminate the use of Native American symbols as school mascots within Maryland; and

WHEREAS, The steering committee of the Achievement Initiative for Maryland's Minority Students (AIMMS) of the Maryland State Department of Education has called for the elimination of the use of logos, mascots, and team descriptions related to Native Americans; and

WHEREAS, The Maryland State Board of Education directed that a statewide effort be implemented to educate school communities on the negative stereotypes and cultural implications associated with the use of Native American references in school mascots, logos, and team nicknames; and

WHEREAS, Board of Education Policy ACA on *Human Relations* provides the expectation that the school system community will promote respect for individuals, culture, and language differences; respect for the personal rights of others; and respect for the rights of others to seek and maintain their own identities with dignity; and

WHEREAS, The use of Native American symbols and references in school-sponsored representations (including mascots, logos, names, nicknames, chants, and musical accompaniments) is not expressly prohibited by Board of Education Policy ACA on *Human Relations* or any other local policy; now therefore be it

Resolved, That the Board of Education policy committee review Policy ACA on *Human Relations* and consider making the following modification under Section E.3: "Staff will create schools, classrooms, ~~and~~ offices, *and school-sponsored representations (including mascots, logos, team names, nicknames, chants, or musical accompaniments)* that are inclusive, bias-free, and provide a welcoming climate for all;" and be it further

Resolved, That the Board of Education recognize that individual schools need support and assistance in modifying school-sponsored representations in order to ensure successful stakeholder communication, collaboration, and the timely acquisition of replacement items, such as stationery, uniforms, decals, scoreboards, flags, and other items.

Re: **DISCUSSION**

Mr. Abrams thought the green sheet was inaccurate, and he wanted to address the

procedural process. The action that he brought forward was not reflected in the green sheet. The action placed on the table was the issue of the naming of Poolesville High School's mascot. A policy issue could be taken up in the context of that discussion; however, the order was significant. First, the Board must decide on whether it has the authority to act on the mascot name, and he believed the Board already had that authority. Then, other issues would moot out. If the policy issue is taken first, it stalls the ultimate decision on the Poolesville issue.

Mr. Abrams continued that the Board has the authority to establish policy regarding tolerance in a multicultural school system. It is not what is legally required, but it is what the Board wants to do and has the authority vested in it as a policymaking group. The legislative intent of the Board's policies on *Human Relations* and *Nondiscrimination*, amended in 1996, documented that tolerance and sensitivity were high virtues in the school system. Therefore, the insensitivity of continuing a name that had no negative connotation when it was first used is now creating an environment of intolerance.

Mr. Abrams did not agree with the proposed resolution. He may have agreed when the issue was first raised initially in March. Anything that leads to a delay in addressing the issue is continuing harm. Therefore, he felt he would be in violation of the Board's policy that he was required to uphold.

Dr. Weast stated that staff was not advocating delay, but there needed to be an amplification in the regulations to change the mascot. If a majority of the Board agreed that the present policy gives the Board to authority to move on this issue, then the Board can proceed to direct staff to develop a process to change the mascot.

Re: **AN AMENDMENT TO THE RESOLUTION ON
NATIVE AMERICAN SYMBOLS AND REFERENCES
IN SCHOOL-SPONSORED REPRESENTATIONS**

On motion of Mr. Felton and seconded by Mr. Abrams, the following amendment to replace the resolves was placed on the table:

Resolved, That schools currently in conflict with Board policy be provided financial assistance to implement such changes within the next 12 months; and be it further

Resolved, That the Board of Education clarify its policies and regulations, as needed, that would eliminate the use of any racial, gender, and cultural stereotyping in school-sponsored representations, including mascots, logos, team names, nicknames, chants, or musical accompaniments.

Re: **DISCUSSION**

Mrs. O'Neill thought the process should be twofold, and the policy should be clarified with public input. There will be other schools identifying mascots. The policy speaks of bias and being gender free; however, some schools do not have gender-neutral mascots. Ms. Bresler thought it was an issue of inclusiveness versus offensiveness.

Mr. Abrams thought the Board could do both – take action to address the Poolesville issue with a timeframe and change the policy over a period of time. He thought the amendments should include a *resolve* or *whereas* that Poolesville was in conflict with the current policy.

Ms. Cox reflected that it was difficult to cover all specific areas, and she agreed that the policy covered the issue. The right approach was to change the regulations. In Montgomery County, there is a fine line between reasonable and absurd. This issue hinges on intent to hurt.

Mr. Abrams thought that if a mascot offends, it makes no difference if it was intentional. If the Board has direct control over the issue, it can take action.

RESOLUTION NO. 478-01 Re: **AN AMENDMENT TO THE RESOLUTION ON NATIVE AMERICAN SYMBOLS AND REFERENCES IN SCHOOL-SPONSORED REPRESENTATIONS**

On motion of Mr. Felton and seconded by Mr. Abrams, the following amendment was adopted with Mr. Abrams, Mr. Burnett, Mr. Felton, Mrs. King, Mr. Lange, Mr. Jeter, and Mrs. O'Neill, voting in the affirmative; Ms. Cox voting in the negative:

WHEREAS, Poolesville High School, although acting in good faith, has engaged in practices that are inconsistent with the spirit and intent of Policy ACA (*Human Relations*) and Policy ACB (*Nondiscrimination*); now therefore be it

Resolved, That schools currently in conflict with Board policy be provided financial assistance to implement such changes within the next 12 months; and be it further

Resolved, That the Board of Education clarify its policies and regulations, as needed, that would eliminate the use of any racial, gender, and cultural stereotyping in school-sponsored representations, including mascots, logos, team names, nicknames, chants, or musical accompaniments.

RESOLUTION NO. 479-01 Re: **NATIVE AMERICAN SYMBOLS AND REFERENCES IN SCHOOL-SPONSORED REPRESENTATIONS**

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

WHEREAS, Concerns have been raised about the use of Native American images and references at three schools: Montgomery Village Middle School, Sherwood High School, and Poolesville High School; and

WHEREAS, The United States Commission on Civil Rights has called for an end to the use of Native American images and team names by non-Native American schools; and

WHEREAS, The Maryland Commission on Indian Affairs has sought the intervention of the Community Relations Service of the United States Department of Justice to eliminate the use of Native American symbols as school mascots within Maryland; and

WHEREAS, The steering committee of the Achievement Initiative for Maryland's Minority Students (AIMMS) of the Maryland State Department of Education has called for the elimination of the use of logos, mascots, and team descriptions related to Native Americans; and

WHEREAS, The Maryland State Board of Education directed that a statewide effort be implemented to educate school communities on the negative stereotypes and cultural implications associated with the use of Native American references in school mascots, logos, and team nicknames; and

WHEREAS, Board of Education Policy ACA on *Human Relations* provides the expectation that the school system community will promote respect for individuals, culture, and language differences; respect for the personal rights of others; and respect for the rights of others to seek and maintain their own identities with dignity; and

WHEREAS, The use of Native American symbols and references in school-sponsored representations (including mascots, logos, names, nicknames, chants, and musical accompaniments) is not expressly prohibited by Board of Education Policy ACA on *Human Relations* or any other local policy; and

WHEREAS, Poolesville High School, although acting in good faith, has engaged in practices that are inconsistent with the spirit and intent of Policy ACA (*Human Relations*) and Policy ACB (*Nondiscrimination*); now therefore be it

Resolved, That schools currently in conflict with Board policy be provided financial

assistance to implement such changes within the next 12 months; and be it further

Resolved, That the Board of Education clarify its policies and regulations, as needed, that would eliminate the use of any racial, gender, and cultural stereotyping in school-sponsored representations, including mascots, logos, team names, nicknames, chants, or musical accompaniments.

Re: **CRITERION-REFERENCED TESTING**

On motion of Mrs. King and seconded by Mrs. O'Neill, the following resolution was placed on the table:

WHEREAS, The Board of Education is cognizant of parents' desire for an assessment tool that monitors individual student achievement; and

WHEREAS, The Montgomery County Public Schools began the development of an assessment tool known as the Criterion-Referenced Tests program in 1992 to measure grade-level performance in mathematics, reading, and writing; and

WHEREAS, The Board of Education adopted Policy IFA, *Curriculum*, on February 13, 2001, to require the alignment of the written, taught, and assessed curriculum and approved a new pre-K-8 curriculum framework in mathematics, English/language arts, science, and social studies; and

WHEREAS, Although the CRT assessments were aligned with the curriculum in place at that time in mathematics, reading, and writing, they will no longer be aligned with the revised curriculum; and

WHEREAS, The state-required administration of the Comprehensive Tests of Basic Skills in Grades 2, 4, and 6 makes portions of the CRTs redundant; and

WHEREAS, As a part of the curriculum revision process, the Office of Instruction and Program Development will develop and pilot quarterly assessments during the 2001-2002 school year, which will be fully implemented during the 2002-2003 school year; now therefore be it

Resolved, That the Board of Education adopt the superintendent's recommendation that the 2000-2001 school year be the final year for the administration of the MCPS Criterion-Referenced Tests.

Re: **DISCUSSION**

Mr. Felton understood the rationale in discontinuing the CRTs. However, since there will be

requirements for annual testing of students, especially in math and language, what did staff envision, and when would that take place? Mrs. Muntner replied that assessments would be periodic and ongoing throughout the year to monitor student learning. The states are waiting for clarification from the federal government on acceptable tests, such as CTBS and MSPAP. Mr. Bowers added that the critical point is the assessment plan is aligned with state assessments – CTBS and MSPAP. That could change with federal requirements, but there will be annual tests. Parents will receive reports of both the CTBS and MSPAP.

Ms. Cox asked about the reliability of the new assessments from school-to-school. Mr. Fulton replied that it was very important that the grading system had credibility and validity with the new curriculum. This will be a two-year process of standards setting.

Dr. Weast stated that the federal government will want to know, especially in highly impacted schools that receive funding, whether there is student progress on an annual basis in grades 3, 4, 5, 6, 7, and 8. Also, the federal government will want the same measurement in all 50 states, with state tests meeting a federal standard. At the present time, there is ample testing in Maryland. With shared accountability and a curriculum framework, duplicative tests can be eliminated.

Ms. Cox noted that the Board does not normally take action on this kind of issue. Mr. Margolies responded that the CRTs are not embodied in Board policy, and the Board does not need to take action. Mrs. King agreed that the Board did not have to take action, but that the issue is important enough for the Board to take a position. Ms. Cox suggested that the Board endorse the superintendent's decision rather than affirm it.

Mr. Felton thought it was not required but appropriate for the Board to take action because of its investment in the total strategy for improving student achievement and eliminating barriers within the school system.

Mrs. O'Neill felt the Board should endorse the superintendent's recommendation. She believed there is too much testing in MCPS. In addition, the CRTs are not aligned with the curriculum framework, have been criticized by the community for not identifying children as being above- or below-grade level, and have only a small portion that is nationally normed. However, parents do receive a report on the CRT results, and it would find it helpful if the school system sent the MSPAP to them. The Board shares the superintendent's vision and should endorse his recommendation to eliminate CRTs.

Mr. Abrams agreed with his colleagues and asked how much it cost the school system to administer the CRTs. Ms. Cox reported that the response to her question regarding costs was \$486,905. Mr. Abrams noted that some parents think the CRTs are important, and he asked if the test could be optional at the parent's request. Dr. Weast replied that he did not think this was possible, and the entire CRT would need to be overhauled to fit the curriculum.

Parents will get the results of the CTBS and MSPAP to reflect the progress of their students.

Mr. Jeter agreed with eliminating the CRTs. Also, report cards give parents information on the academic achievement of their children, and will be especially helpful when the grading and reporting policy is revised. It is important for parents to have the tools to help their children. Dr. Weast remarked that he wanted an individual student assessment to identify as early as possible when intervention and remediation is needed. Ideally, students can be taught to monitor their own progress, and that will drive instruction.

Mr. Lange lent his support to this issue. Formative assessment is critical. He was concerned about the coming pilot with full implementation in 2002.

** Mr. Abrams temporarily left the meeting.

RESOLUTION NO. 480-01 Re: **AN AMENDMENT TO THE RESOLUTION ON CRITERION-REFERENCED TESTING**

On motion of Ms. Cox and seconded by Mrs. King, the following amended was adopted unanimously by those present:

Resolved, That the Board of Education **endorse** the superintendent's recommendation that the 2000-2001 school year be the final year for the administration of the MCPS Criterion-Referenced Tests; and be it further

Resolved, That the Board of Education direct the superintendent of schools to ensure that MCPS assessment program provides the information that students, parents, and staff need to monitor student achievement and support student learning.

RESOLUTION NO. 481-01 Re: **CRITERION-REFERENCED TESTING**

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

WHEREAS, The Board of Education is cognizant of parents' desire for an assessment tool that monitors individual student achievement; and

WHEREAS, The Montgomery County Public Schools began the development of an assessment tool known as the Criterion-Referenced Tests program in 1992 to measure grade-level performance in mathematics, reading, and writing; and

WHEREAS, The Board of Education adopted Policy IFA, *Curriculum*, on February 13, 2001, to require the alignment of the written, taught, and assessed curriculum and approved a new

pre-K-8 curriculum framework in mathematics, English/language arts, science, and social studies; and

WHEREAS, Although the CRT assessments were aligned with the curriculum in place at that time in mathematics, reading, and writing, they will no longer be aligned with the revised curriculum; and

WHEREAS, The state-required administration of the Comprehensive Tests of Basic Skills in Grades 2, 4, and 6 makes portions of the CRTs redundant; and

WHEREAS, As a part of the curriculum revision process, the Office of Instruction and Program Development will develop and pilot quarterly assessments during the 2001-2002 school year, which will be fully implemented during the 2002-2003 school year; now therefore be it

Resolved, That the Board of Education endorse the superintendent's recommendation that the 2000-2001 school year be the final year for the administration of the MCPS Criterion-Referenced Tests; and be it further

Resolved, That the Board of Education direct the superintendent of schools to ensure that MCPS assessment program provides the information that students, parents, and staff need to monitor student achievement and support student learning.

**Mr. Abrams rejoined the meeting.

RESOLUTION NO. 481-01

Re: **ANNUAL GROWTH POLICY**

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

WHEREAS, A review of the Annual Growth Policy test for school adequacy shows that the test provides too great a degree of flexibility in favor of development, and this has resulted in clusters where schools are seriously overutilized while passing the AGP schools test; and

WHEREAS, Public testimony concerning schools clearly indicates that there is a lack of acceptance in the community of the use of 110 percent school utilization as one component of the AGP schools test; and

WHEREAS, Even with a modification of the AGP schools test to use 100 percent school utilization instead of 110 percent, there will continue to be considerable flexibility in the test as a result of the component of this test that looks to capacity in adjacent clusters, which assumes the possibility of boundary changes; now therefore be it

Resolved, That the County Council, county executive, and the Planning Board be advised that the Board of Education requests that the Annual Growth Policy test for school adequacy be modified to use 100 percent utilization as the maximum allowable in tests of cluster capacity; and be it further

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

RESOLUTION NO. 482-01 Re: **CLOSED SESSION RESOLUTION**

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 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, September 11, 2001, in Room 120 of the Carver Educational Services Center to meet in closed sessions from 8:30 to 10:00 a.m. and 12:00 to 1:30 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 July 26, 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 July 26, 2001, from 6:30 to 7:35 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and/or adjudicated the following appeals: 2001-20, 2001-24, 2001-26, 2001-28, 2001-29, 2001-31, 2001-32, 2001-36, 2001-37, 2001-39, 2001-

- 40, T-2001-17, T-2001-18, T-2001-19, T-2001- 20, T-2001-22, T-2001-24, T-2001-26, T-2001-27, T-2001-29, T-2001-30, T-2001-31, T-2001-32, T-2001-33, T-2001-35, T-2001-34, and T-2001-36.
2. Reviewed the Superintendent's recommendation for personnel appointments, subsequent to which the votes to approve were taken in open session.
 3. Consulted with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
 4. 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, Elizabeth Arons, Larry Bowers, Sharon Cox, Theresa Flak, Roland Ikheloa, Dustin Jeter, Nancy King, Walter Lange, George Margolies, Judie Muntner, Pat O'Neill, Brian Porter, Glenda Rose, Kim Statham, Frank Stetson, Jerry Weast, and James Williams.

RESOLUTION NO. 483-01 Re: MINUTES OF MAY 8, 2001, BOARD MEETING

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

Resolved, That the Board of Education approve its minutes for May 8, 2001.

RESOLUTION NO. 484-01 Re: MINUTES OF MAY 21, 2001, BOARD MEETING

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

Resolved, That the Board of Education approve its minutes for May 21, 2001.

RESOLUTION NO. 485-01 Re: MINUTES OF JUNE 12, 2001, BOARD MEETING

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

Resolved, That the Board of Education approve its minutes for June 12, 2001.

RESOLUTION NO. 486-01 Re: MINUTES OF JUNE 25, 2001, BOARD MEETING

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

Resolved, That the Board of Education approve its minutes for June 25, 2001.

RESOLUTION NO. 487-01 Re: MINUTES OF JULY 2, 2001, BOARD MEETING

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

Resolved, That the Board of Education approve its minutes for July 2, 2001.

RESOLUTION NO. 488-01 Re: MINUTES OF JULY 18, 2001, BOARD MEETING

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

Resolved, That the Board of Education approve its minutes for July 18, 2001.

RESOLUTION NO. 489-01 Re: APPEAL 2001-6

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 2001-6, student expulsion, reflective of the following vote: Mr. Abrams, Ms. Cox, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 490-01 Re: APPEAL 2001-20

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 2001-20, student's grades, reflective of the following vote: Mr. Abrams, Ms. Cox, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 491-01 Re: APPEAL 2001-31

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 2001-31, admission to immersion program, reflective of the following vote: Mr. Abrams, Ms. Cox, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 492-01 Re: APPEAL 2001-36

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 2001-36, challenge to *Huckleberry Finn*, reflective of the following vote: Mr. Abrams, Ms. Cox, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 493-01 Re: APPEAL 2001-37

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 2001-37, admission to IB program, reflective of the following vote: Mr. Abrams, Ms. Cox, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 494-01 Re: APPEAL 2001-39

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 2001-39, admission to IB program, reflective of the following vote: Mr. Abrams, Ms. Cox, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 495-01 Re: APPEAL 2001-40

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 2001-40, admission to Takoma Park magnet, reflective of the following vote: Mr. Abrams, Ms. Cox, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett and Mr. Felton were absent when the case was adjudicated.

RESOLUTION NO. 496-01 Re: APPEAL 2001-42

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 2001-42, student discipline/zero tolerance rule, reflective of the following vote: Mr. Abrams, Ms. Cox, Mr. Felton, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm; Mr. Burnett

voting to reverse.

RESOLUTION NO. 497-01 Re: **APPEAL T-2001-37**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-37, student transfer, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm.

RESOLUTION NO. 498-01 Re: **APPEAL T-2001-41**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2001-41, student transfer, reflective of the following vote: Mr. Abrams, Mr. Burnett, Ms. Cox, Mr. Felton, Mrs. King, Mr. Jeter, Mr. Lange, and Mrs. O'Neill voting to affirm.

RESOLUTION NO. 499-01 Re: **CELLULAR PHONES ON PUBLIC SCHOOL PROPERTY**

On motion of Mr. Jeter and seconded by Mr. Abrams, the following resolution, as amended, was adopted unanimously:

WHEREAS, Legislation, supported by the Board of Education, was passed in the 2001 session of the General Assembly that repeals the prohibition on the possession of portable pagers and cellular phones on public school property and is effective October 1, 2001; and

WHEREAS, In the absence of state law, local school systems have been left with the responsibility of developing policies on this issue, and

WHEREAS, The first meeting of the MCPS work group to discuss and develop a proposed policy and accompanying regulation is scheduled for August 6th; and

WHEREAS, School administrators, staff, students, and parents need to have guidance regarding policies governing student use of cellular phones and pagers; now therefore be it

Resolved, That the superintendent of schools, upon gathering input from representatives of a wide range of stakeholders, submit a proposed policy to the Board in time for action at one of its September meetings of the Board; and be it further

Resolved, That consideration be given to including in the proposed policy the following provisions: that students be authorized to use cellular phones before and after school; that

cellular phones carried by students be turned off at all times during the school day on school grounds; and that imposition of penalties for infraction of the policy be left to the discretion of the principal, up to and including a ten-day suspension, as warranted.

RESOLUTION NO. 500-01 Re: **ACADEMIC RIGOR**

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

WHEREAS, The Board of Education and MCPS are dedicated to ensuring academic rigor; and

WHEREAS, MCPS is reviewing and revising standards, curriculum, and accountability; and

WHEREAS, The Office of Instruction and Program Development (OIPD) will be reporting to the Board on the development of K-8 curriculum supporting the standards adopted by the Board of Education; and

WHEREAS, MCPS will continue to review and revise curriculum at the secondary level through Grade 12; now therefore be it

Resolved, That OIPD also report to the Board on how the K-6 curriculum addresses academic rigor and make appropriate recommendations for enhancement in FY 03 and beyond that will support efforts to challenge each student to fulfil his/her academic potential; and be it further

Resolved, That the superintendent of schools recommend for the Board's approval a work group to review these issues at the secondary level during the 2001-2002 school year.

Re: **NEW BUSINESS**

Mr. Felton moved and Mr. Abrams seconded the following:

WHEREAS, Improving academic performance of all students is the top priority of the Montgomery County Board of Education; and

WHEREAS, The Call to Action sets forth major objectives and strategies to achieve this goal; and

WHEREAS, The active involvement of parents is an essential component toward achieving this goal; and

WHEREAS, The Montgomery County Public Schools has instituted a series of voluntary parental agreements, including agreements to prohibit the use of drugs and alcohol by students at activities held at private homes and other

sites beyond school buildings and facilities; now therefore be it

Resolved, That the superintendent of schools submit a proposed policy for the use of voluntary parental agreements to support improved student achievement; and be it further

Resolved, That the process for the development of this proposed policy, implementing guidance and voluntary parental agreement contract provided for the participation of major stakeholders including parents, students, teachers, and principals.

Re: **ITEMS OF INFORMATION**

The following items were available:

9. Items in Process
10. Legal Fees Report for May 2001
11. Minority-, Female-, or Disabled-owned Business Procurement Report for the Fourth Quarter of FY 2001

RESOLUTION NO. 501-01 Re: **CLOSED SESSION**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Ms. Cox, 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 session on August 28, 2001, in Room 120 beginning at 5:35 p.m. 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. 502-01 Re: **ADJOURNMENT**

Resolved, That the Board of Education adjourn its meeting of August 28, 2001, at 5:35 p.m.

PRESIDENT

SECRETARY

JDW:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

August 28, 2001

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