

Resolved, That April 21-27 be designated Student Leadership Week in Montgomery County Public Schools; and be it further

Resolved, That our student leaders be commended for their efforts and achievements on behalf of Montgomery County Public Schools; and be it further

Resolved, That the Board of Education join with the superintendent and county executive in proclaiming April 21-27 as Student Leadership Week in Montgomery County; and be it further

Resolved, That the superintendent inform school system employees and student government organizations of this action and encourage appropriate recognition activities during the week.

Resolution No. 159-85 Re: National Secretaries Week, April
21-27, 1985

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Mrs. DiFonzo, the following resolution was adopted unanimously:

WHEREAS, A well-qualified and dedicated staff of secretarial and clerical employees is an integral part of an effective school system; and

WHEREAS, The Montgomery County public school system is extremely fortunate in having such a staff; and

WHEREAS, The Board of Education wishes to recognize publicly the competency and dedication of this group of employees and express its appreciation for their efforts in the effective, courteous, and economical operation of our school system; and

WHEREAS, The week of April 21 through April 27, 1985, has been designated as National Secretaries' Week; now therefore be it

Resolved, That National Secretaries' Week be observed by the school system during the week of April 21 through 27, 1985; and be it further

Resolved, That Friday, April 26, 1985, be designated as Secretaries' Day for the Montgomery County Public Schools.

Re: Recommendation for the Management
of Legal Services

Dr. Cody stated that the Board had before it a report of a committee which had done a good job of putting together their recommendations. It contained a number of parts previously discussed by the Board including a policy, an agreement with attorneys, a process for evaluating attorneys, and a financial accounting process for legal services. He thought the report would

cause them to set up a filing system for legal matters. He said it was important for him as superintendent and for associate superintendents and directors to become knowledgeable not only about state law but also about case law. He explained that he was not at the point where he wanted to propose the total plan be adopted. He would be coming back to the Board with specific recommendations.

Dr. Shaffner reported that the original study had been done by the Department of Educational Accountability in 1983 as a result of prior Board concerns about the escalating costs of legal services. Last year it was determined that there would be a temporary legal services planner appointed who would meet with the Legal Services User Committee to come out with a complete design for external and internal management of legal services. Since FY 1980 their total cost of legal services had run between \$300,000 to \$500,000. He introduced Mr. Fess, Dr. Johns, Mr. Cooney, Dr. Rohr, Dr. Frankel, Mr. Baacke, Mrs. Dean, and Mrs. Marilyn Nelson, the legal services planner. These individuals represented the major parts of MCPS using legal services.

Mrs. Nelson emphasized that this was truly a committee report. The committee had already determined, as a result of the study and the work that they had done, what kinds of items needed to be addressed. They had a job description lined out before she came on board. She had addressed the tasks that had to be done and reported to the committee at every step.

Mrs. Nelson reported that they had started with interviews of the Board, the superintendent, the senior staff, and legal services users to determine what the criteria for selection and appointment of attorneys should be, what criteria they should use to evaluate services, and with that data, they developed a selection process for the Board and superintendent and made the criteria for evaluation synonymous. In this way, feedback from an evaluation process would feed to the Board information to renew selection of attorneys or select new attorneys or revise their criteria. They envisioned a fairly continuous process with feedback to the Board and to the attorneys so they could learn of staff expectations and how well they met these expectations.

Mrs. Nelson explained that this consideration of legal problems within an organization was not unique to Montgomery County Public Schools. Every corporation in the country with in-house legal staff and using external services had this kind of matter under consideration. Using Board policies throughout the country, statutes, and material being prepared by corporate legal departments, they came up with the plan before the Board. They made the assumption that some system of internal control was essential and that it was important to articulate to attorneys what MCPS staff and Board members were saying about their expectations for attorneys. At the same time it was felt there was no central agency or person knowing the extent of all of the services that were being requested and provided by attorneys. It was felt that part of the work requested was nonessential and that they needed to reduce

nonessential work wherever they could.

Mrs. Nelson said the Board policy recognized the authority of the Board to retain counsel and also recognized that the superintendent as the chief legal officer of the Board needed assistance from attorneys in order to interpret and carry out the laws. The paper contained a selection and appraisal process and also a proposed agreement with attorneys that would put in written form for the first time the articulation of expectations the school system had about communication and billing. She explained that the administrative regulations outlined the roles and responsibilities of MCPS staff and required planning, budgeting, and monitoring expenditures of funds as well as cases. They provided an initial function for a legal services manager which had to do with coordinating the communication process, providing quality control, setting up a records and reporting system in addition to the opinion retrieval system, and making sure that the work going to attorneys was coordinated through a single office. The work would be confirmed in writing to make sure the questions posed and work initiated was put in a form so that lawyers could work on it efficiently. She said they did need to begin asking attorneys how much the work was going to cost when a request was made. If an attorney found the work was going to be more than the initial estimate, they should have an opportunity to reconsider the request. They anticipated that the legal services manager would be in a position to set up a communications pattern with attorneys and also to monitor costs.

Mrs. Nelson said that the responses from the school system attorneys varied. One attorney said he found the agreement both useful and comprehensive and suggested an adjustment in the billing date. One attorney said he would write them if he had a comment or question about it and didn't. One attorney had a problem with setting a cap on litigation costs. However, the agreement did not require that they put a cap on litigation costs. It required a cap on specific services to be performed within the whole collection of tasks for litigation so that they would know how much they were going to pay for a deposition or a motion for summary judgment. There was some question raised in responses from attorneys about confidentiality. They felt this issue had been resolved. They felt the billing format put them in no worse position than they were currently in because they did receive names on their bills. They did not receive information about the lawyer assigned the work, the hours worked, and the rate of pay. She said there was mixed reaction to the two-year fee schedule.

Mrs. Nelson stated that the committee recommended that someone be in charge for the initial year or two to put the plan in action and set up communication patterns. The committee recommended that the Board review this at the end of a two-year period. They made no recommendation regarding the pattern of external providers of service.

Dr. Shaffner noted that the committee had pointed out options. Mrs.

Nelson pointed out Options A and B on page 6 which suggest that a single corporate law firm could provide all legal services or there could be a combination of some internal legal counsel and a single corporate firm outside or a number of external providers.

Dr. Shoenberg commented that what they were doing here was putting in place a management procedure which also imposed another layer of management where there had not been one. He asked what convinced the members of the committee that there was something to be gained by doing that. He asked whether they were imposing a 100 percent solution on a three percent problem. He asked what reassured them they would not find the same thing happening at the end of two years except that some procedures had been tightened up. Dr. Frankel replied that they were going to pay for 5,000 hours of legal services at an average cost of \$90 an hour. Of the 5,000 hours, only 400 hours were direct representation. The 4,600 hours were research, writing letters, and consulting with clients. They felt if they hired the proper full-time person working 2,000 hours and if they assumed the cost of the office was around \$80,000, if this person provide background research and if they could avoid 900 of the 4,600 hours, they would be at a breakeven point plus they had external controls which should yield savings.

Dr. Shoenberg explained that his question was not a dollar question, but rather was one about procedures for managers and about nuisance. Dr. Steve Rohr thought the procedures were a bureaucratic nuisance, but they were desperately needed. He was comfortable with the services they had received, but the arrangement was too loose. He truly believed this was sorely needed, and he thought that the legal costs were almost runaway.

Mr. Fess stated that there was dissent on the committee from his perspective. There was not dissention on the identification of the problem, it was on the solution to the problem. There were problems with the lack of control, but he believed that because there was a committee and a report that certain concerns had self-corrected. There was increased sensitivity in terms of the utilization of the attorneys. He did have extreme difficulty with the solution.

Miss Duby noted that Mr. Titus had explained that several of the cost controls in the report would increase legal fees and would be a big nuisance. He said that if they really wanted to save money they should implement improved MCPS staff criteria for the use of legal services including litigation avoidance measures. She assumed that was what the person in the new position would do, but she wondered why they were not dealing with these things first before they asked their attorneys to make all kinds of changes that might not be necessary. She requested a response since they had not had an opportunity to get responses to any of this.

Dr. Shoenberg was not sure that the report did anything about litigation avoidance. Mrs. Nelson replied that in the section on records and reporting they talked about an aggregate caseload management system to get some kind of statistics and a profile of

the kinds of cases they had, what generated them, and what they could do to attempt to reduce them. Until they had that information, it would be hard to go back and say that something they were doing in this area was causing problems. Dr. Shoenberg did not believe they had to go to that trouble to reach that end.

It seemed to Mrs. Praisner that they had very competent and able attorneys who could, based on their experiences, give the Board the kind of information about the kinds of questions they were continually asked and suggestions about avoiding litigation or asking the same questions over again. She thought Mr. Titus' recommendations about in-service programs for staff or the preparation of material or periodic reports to the Board on trends in law or potential problems could strengthen and improve the process they had without waiting for a case file. She had a problem with the material because it created a bureaucracy and, in the end, contributed to increased costs not reduced costs. Her other concern was that the chart in the report referred to the kinds of services provided but not the reason for the service. Dr. Frankel thought this could be done at one third the cost, and Mrs. Praisner asked whether it could be done as well at one third the cost. Dr. Frankel said the committee thought it could be because they were talking about routine background research which was not done by senior people anyway but on which they were paying overhead. Dr. Shoenberg pointed out that this was not the work of a legal manager. This was the work of an in-house lawyer which was another thing.

Mrs. Praisner pointed out that this research would have to be done by someone at the law firm even if someone within MCPS wanted to look at it as well. An attorney would not want to rest his case on information provided by someone within the school system. She wondered why they had not discussed in-servicing of staff members as Mr. Titus had suggested.

Mr. Ewing felt very strongly about the issue and had for many years. He believed that Dr. Rohr was right when he said that in some respects legal costs were runaway. He believed it was the only area in the whole school system management process where they did not have accountability. He explained that bureaucracy in its most positive sense was the orderly provision of services through a series of regulations which govern the behavior of people in a large system. They had no orderly arrangement for the provision of services which guaranteed accountability. He said that maybe the proposal in front of them was not the proposal they wanted, but they had to have some method of assuring accountability. He said that the lawyers did not like it because no one liked it when it was first imposed. He believed they would never know how to go about the business of litigation control until they knew more about what generated their cases. The lawyers would not do this because it was not in their interest. He had great respect for lawyers and great enthusiasm for their abilities, but they were not managers themselves. All they were in need of here was someone to manage this process. He agreed with Mrs. Praisner that they should make an effort to insure that staff knew how to go about the business of

dealing with the issue of supervision of legal services. He felt they desperately needed some control over this process. The objections from the lawyers reflected their concerns that it would be uncomfortable for them for the first time to have to be accountable. He believed that as long as they used external counsel they would have to provide for regular increases in fees. He did not think a two-year contract which froze fees was going to work.

Mr. Ewing stated that if they did not institute some better method of managing legal services, when the attention faded the problem would reoccur. He thought that whether the Board liked the proposed procedure or not, the evidence was so strong that they were not effectively managing this area and had to do something to manage it better. He used to be convinced they needed in-house counsel but he did not make the point for in-house counsel here because there were lots of options for them to consider in that report. He said that if they did not do something to better manage this area they would continue to find themselves at the mercy of the attorneys.

Dr. Cronin pointed out that historically budgeted figures for legal services had been unrealistic. He said that the Board had never asked the hard question about deliberately underfunding so that it did not appear in the budget. He thought they had to deal with this before they dealt with anything else. He had a problem with having an in-house group doing legal research because he was then basing his decisions on something that was not done by an attorney. He wondered whether this person would have to have a license to practice law in Maryland. Mrs. Nelson replied that if you were doing legal research, you did have to have a license. However, researching opinions they already had and making that information available was not legal research. She said they were talking about putting in the legal opinion system all the unpublished letter opinions, decisions and reports from hearing examiners, and decisions of the state and local boards. This information would be keyed to the statute and if the statute changed they would need another opinion. If one superseded another, this would be on file.

Dr. Rohr cited situations in which he had been requested four times to get an opinion and this had been done instead of giving the attorney the last opinion and asking for his views. Dr. Cronin wondered whether they were saying that one office should collect this information and ask an attorney whether this was still valid.

Mr. Fess explained that his office received carbon copies of most opinions and received the decisions and orders from the state. However, they had no standardized system for retrieval. Now because they had upgraded the equipment, they would begin to have the ability to retrieve this information.

Dr. Cronin stated that when they talked about litigation avoidance they had to consider cases which were pushed through the appeals process by citizens. He wondered how they could avoid that. Dr. Cody explained that in many instances they did call in the attorneys for advice and sometimes they did avoid litigation. The problem was

not what attorneys were doing. Their problem was what they were asking the attorneys to do. That was the major purpose of much of what was being recommended. He had used an opinion reference file which was not complicated or difficult. They had to think about what was needed to get that done and what would help the users to be more conscious and aware of the cost implications of what they were asking for. He thought the quality of the work they were getting was good, but the problems came when they asked fuzzy questions. He knew that they had cut down on incidental telephone calls and casual opinions. He agreed that staff knowledge about case law ought to be one of the objectives.

Dr. Frankel explained that they would have cost savings with a case management system. There was commercial software available. He felt that the system could work from the standpoint of litigation because they would know what it would cost them to get to a certain point and, therefore, they had a much better idea of whether they should settle.

Dr. Cronin noted that the Board had general counsel representing the Board; however, in some instances that counsel represented the superintendent before the Board. He wondered whether this was a conflict of interest. Dr. Cody explained that most of the use of attorneys in the school system was done in his official capacity because he was the legal officer of the school system. Attorneys were hired to advise him and his staff members. When they got to an appeal, there needed to be another attorney involved. Once this was settled by the Board, they were on the same side again and Mr. Titus and the other attorneys involved would consult. Mr. Fess pointed out that they were unique because they did have a Board of Education office with staff having that duality. The hearing examiners had a vestige of independence in this kind of circumstance. No other jurisdiction in Maryland had that kind of arrangement. Dr. Cody added that the appointment of the hearing examiner for the Board was a function of the Board Office which was as it should be.

Dr. Cronin noted that Mr. Cooney's area was especially difficult, and he wondered how the new position would affect Association Relations in the collective bargaining process. Mr. Cooney thought that the working relationship would not change because his office would continue to deal directly with his attorney. He explained that he already had his own retrieval system because his cases were so specialized.

Mrs. Nelson called attention to the list of persons authorized to contact attorneys directly. Dr. Cronin noted that ten people would be able to bypass the office. Mrs. Nelson explained that they would not bypass the office because the written authorization would have to come from the office.

Mrs. Praisner did not see how the Board could obtain legal advice separate from the system and have to go through the superintendent's office to ask for authorization. Mrs. Nelson explained that the Board was not included in the administration. Mrs. Praisner asked

about Board staff. Mrs. Nelson explained that the Board had the authority to contact counsel. The regulation referred to staff access. The regulation could not address the Board and Board staff.

It seemed to Mr. Ewing that when they adopted a policy they would be well advised to have some kind of statement dealing with the roles and responsibilities of the Board itself. There should be something about the Board's authority to contact legal counsel, and there should be some kind of tie to the process. He thought that when the Board contacted counsel they should inform the person handling legal services, not to seek authorization but to make sure the contact was noted. He recalled a practice several years ago when Board members were encouraged to contact lawyers on their own to ask whatever legal questions they wanted to ask. He did not think this was a good idea, and he suggested there should be some kind of procedure for that. Finally there was the issue of the information the Board itself needed about this process. He would expect that the Board would need only to be informed about particular cases in which the Board had involvement and to receive information on the quality of services provided. He suggested that it would be helpful for staff to highlight the litigation report in terms of key issues or policy matters or large dollar issues. He did get nervous about attorneys filing materials with the courts absent any prior authorization to do so, and yet their attorneys did that now.

Dr. Cody thought there were procedural items that ought to take place that were not now taking place. They needed an agreement about how things were going to work, and they did have a situation where phone calls were generating a lot of work. There was a nonawareness of what the costs were of the various services. He was not yet clear as to whether there was another way of doing this without having a full-time person. He thought that maintaining a file of court decisions was important. He felt that there were good ideas in the report and that the committee had done very hard work in sorting out problems and identifying the parts they need to get in place. Dr. Shoenberg assumed that the superintendent would be coming back to the Board with a plan for Board action on this topic.

Re: Staff Response to Child Care
Issues

Dr. Shoenberg noted that the Board had a staff paper and a major budgetary initiative from the county executive. Dr. Cody commented that lack of child care was a problem, but he thought the opportunity to provide programs and services for child care was congruent with their purpose as an educational institution to increase their effectiveness with kids. He thought that this almost fit under the same argument as the extended school day. He said they should give consideration to extending the school day for educational programs. They might be well served to think of ways to wed child care and educational concerns together. They were already getting more and more requests from principals to provide late school buses for educational purposes. He suggested that, as they thought about this, they look at it not only from the point of view

of children needing supervision but also from the educational point of view. For instance, it might be appropriate for the ICB to have an expanded mission so they could cooperate with greatly expanded day care programs or the school system could run more afterschool educational programs.

Mr. Ewing remarked that they now had a staff response to the recommendations from the child care committee of the Commission on Children and Youth. They now had a set of recommendations from the county executive with regard to the FY 1986 budget. It seemed to him the Board needed to talk about these issues in the context of what it was the Council did with the executive's recommendations. They could do this after the budget was adopted, but on the other hand they might want to review what the executive was recommending and see whether there were items the Board might want to endorse. He would be interested in seeing a staff analysis of these recommendations. He also thought they needed to deal with the superintendent's proposition about the role of education in this whole area in a philosophic vein at some juncture. There were two views, one was to look at the whole child and the other was that the job of the school system was just imparting academic skills. He thought there were important implications about the way they positioned themselves on that continuum. If they went beyond the academic, they ran the risk of ending up with a budget item which might be at the expense of the academic program. On the other hand, they had the superintendent's remarks to consider. He added that he thought the staff response before the Board was a good one.

Dr. Cronin agreed with Mr. Ewing and commented that they had to take it a step further because they had an opportunity to lead in terms of the services they offered children. He noted that in some of their charges they had a responsibility for children from birth to age 21. They had to recognize that statistics showed that much of the family structure was going to be a second marriage structure because 50 percent of marriages ended in divorce. More women were working, and there was more need for care of children after school. He suggested that as a Board they needed to accept that responsibility. He liked the idea of cooperation with the Department of Family Resources in the formation of an independent countywide advocacy group on behalf of children. They could make space available where they had space and, in particular, they had underutilized junior high schools where they could make space available for day care offices, resource areas, and information areas. They could help parents learn about the availability of quality day care. He said they did have expertise in the area of child development that could be made available. He commented that it was a step beyond saying they could assist. They should say that they would lead and actively reach out.

Mrs. Praisner remarked that she had a different perspective. She agreed that there were important issues they could focus on. She recalled that the ICB started as a concept that had broad county support and was going to go beyond the school buildings, but that had stopped at the school building door. She was concerned that

when they started talking about child care they would find everyone else stopping because the school system was willing to be involved. She was concerned that the leadership would become solely that of the school system. She thought that there were areas where they could provide a focal point. She said it was important for them to be clear with the community and with the county government about the implications of that kind of responsibility from the standpoint of staffing, space, and budget commitments. She said they had to lay out financial and staff implications when they made statements of endorsement. They had to consider how far they could go with the resources they had. She asked that the response define the issue of building in space for day care, providing transportation, and providing administrative support. They had to know the implications of their being involved in any kind of partnership or responsibility.

Mrs. Praisner said she would not like them to get involved in codes and accreditation for child care. She thought there was enough on their plate as to recommendations they should comment on. She also pointed out that people involved with child care were not aware of everything the school system was already doing. She felt that they had to make the point that if space was going to be available in schools in perpetuity for external community programs it had to be built for that rather than for educational purposes. If the community and county government thought it was worthwhile to fund these spaces, this should come from them as well. She said that before they commented on transportation they should have more information and evaluation of Ride-on.

Dr. Shoenberg urged caution. He noted that the initiatives they had here were in response to what had become a major societal issue. He agreed that they did have an important role, but they had to decide what that role was. He thought they had to restrict themselves and take a somewhat more narrow view than others might want them to and concentrate on those things which they did well and had the space to do. He was concerned about the space issue and making a long-term commitment for the use of that space. He was concerned about their getting into something at the neglect of things they should be doing better. He said that Mr. Ewing in his memo had made a very good case for the effectiveness of Head Start which suggested again that there was an educational role to play in this matter. However, they had to be careful that they did not dissipate the limited funds available to them. When they came into this particular field, they had to come into the field from the point of view of education.

Dr. Cronin stated that he wanted to challenge a sentence that said they provided transportation for day care at a minimum fee or no cost basis. He was not certain he would say he would expect this practice to continue. He suggested that they could have a breakout in their budget for day care which would include the cost of transportation, staff assistance, and interfacing with other county agencies. The county could fund that category or not. If the category was not funded, the service would not be provided. He thought that the cost must be understood by all members of the

community; that they were not going to provide a free day care program. They would cooperate, but each of the services would be spelled out in terms of a budget item.

Mr. Ewing noted that Mrs. Praisner had raised a question about certification of day care and not being involved, but there was something missing in the recommendations that came from the Commission. He pointed out that they had programs for handicapped children from birth. They had early preschool programs including Head Start and would be expanding all-day kindergarten. He said that day care programs were increasing their academic components. He was not suggesting that the educational parts of those programs should belong to MCPS, but they should have a mechanism for learning about these programs so that they could adjust their own programs. He thought they should be aggressive about this issue because it was part of their direct educational responsibility. He pointed out that the case for Head Start was largely based on the educational benefits of early intervention.

Dr. Cody commented that, if they could ignore their existing programs and commitments, he would look at preschool programs and making space available to private providers as they had it available. They could encourage the county to make space available in other places. They would provide technical assistance for the educational part of the programs. They could give a stamp of approval if day care programs followed their recommendations about the educational part of the program. This would be the preschool part. Once children were in the public school system, their educational obligations were much stronger. He was convinced that children would be better served by being in school eight hours a day rather than six, at least most of them. He said it was appropriate for them to provide the opportunity for another two hours a day of school. He said that maybe this could be operated as they did other supplemental programs like summer school on a fee basis. He noted that it was common in places that for a nominal amount parents could have their children stay in school for an educational program. He knew of places where the charge was a dollar or two a day and where the parents would pick up the children after school so that the school system avoided transportation fees. The time could be used for enrichment activities such as access to computers.

Re: Executive Session

The Board met in executive session from noon to 1:50 p.m. on personnel and legal matters.

Re: Board/Press/Visitor Conference

The following individuals appeared before the Board of Education:

1. Vicki Bowers, Richard Montgomery High School community
2. Nancy Dacek, MCCPTA
3. Margaret Hammar, Suburban Area Study Group

Miss Duby temporarily left the meeting at this point.

Resolution No. 160-85 Re: Approval of the Landscaping/Nursery
Management Program

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Mrs. Slye, the following resolution was adopted unanimously:

WHEREAS, The school laws of Maryland specify that the county superintendent shall prepare courses of study and recommend them for adoption by the county Board (The Public School Laws of Maryland, Section 4-205); and

WHEREAS, The school laws of Maryland also state that the county Board, on written recommendation of the county superintendent, shall establish courses of study for the schools under its jurisdiction; and

WHEREAS, Board of Education policy has resolved "that newly developed curriculum documents will be presented to the Board of Education for consideration approximately one month prior to the date on which approval will be sought..." (Board Resolution No. 400-73, June 18, 1973); and

WHEREAS, The Program of Studies is the document which contains the prescribed curriculum elements, including instructional objectives, of all MCPS curriculum programs and courses (MCPS Regulation IFB-RA Development and Approval of Curriculum and Supporting Materials); and

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

WHEREAS, The Council on Instruction, charged by the superintendent with considering recommendations for curriculum change, has expressed approval of an additional internship course; and

WHEREAS, The superintendent recommends that the Board approve this course; now therefore be it

Resolved, That the Board of Education approve Landscaping/Nursery Management for inclusion in the MCPS Program of Studies as part of a countywide offering for Grades 10, 11 and 12.

Resolution No. 161-85 Re: Procurement Contracts Over
\$25,000

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Dr. Cronin, the following resolution was adopted unanimously:

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

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

	Name of Vendor(s)	Dollar Value of Contracts
85-09	Software Products (DICS) UCCEL annual	\$ 14,820
66-85	Physical Education Supplies and Equipment	
	BSN Corporation	\$ 4,867
	Bacharach Rasin Co., Inc.	609
	Beckley-Cardy Co.	63
	Bel Air Sporting Goods, Inc.	215
	Champ Exercise Equipment Co. T/A American Physical Fitness	848
	R. P. Clarke Co., Inc.	2,925
	DVF Sporting Goods Co.	11,452
	Dekan Athletic Equipment Co.	4,054
	The Dugout Sporting Goods	1,399
	Eagle Sports Co.	93
	Gold Medal Recreational Products	122
	Graves-Humphreys Company	429
	J. L. Hammett Company	2,433
	High Tech Tools, Inc.	160
	Marlow Sports, Inc.	25,153
	Mitchell Industries, Inc.	10,438
	Mitchell & Ness	2,306
	NFA, Inc.	1,669
	Play Sports Activities Co.	1,435
	Sportmaster	3,958
	Sportsman's Ltd.	199
	Springriver Corp.	300
	John W. Taylor Associates	940
	Tri-State Enterprises, Inc.	6,672
	U. S. Games, Inc.	6,177
	TOTAL	\$ 88,916
67-85	Motor Vehicles Step Van Trucks	
	Chevy Chase Chevrolet	\$ 47,610
	less trade-ins	-3,700
	Sport Chevrolet	16,380
	less trade-in	-100
	TOTAL	\$ 60,190
70-85	Fresh Produce	
	Baer Packing Corporation	\$ 94,430
75-85	Office Furniture	
	Baltimore Stationery Co.	\$ 10,212
	Douron, Inc.	66,773

	Glover School & Office Equipment, Inc.	25,704
	Lombard Educational Furniture	
	Div. of Lombard Office Furniture Co.	4,612
	TOTAL	\$ 107,301
77-85	Classroom Furniture	
	Baltimore Stationery Company	\$ 3,303
	Douron, Inc.	571,179
	Glover School & Office Equipment, Inc.	24,221
	Jakanna Woodworks	13,865
	Lombard Educational Furniture	1,411
	Reed Associates, Inc.	9,626
	TOTAL	\$ 623,605
78-85	Art Tools	
	Chaselle, Inc.	\$ 83,460
	Thompson & Cooke, Inc.	123
	TOTAL	\$ 83,583
82-85	Art Supplies	
	Chaselle, Inc.	\$ 152,313
90-85	Library Furniture	
	Douron, Inc.	\$ 19,439
	Glover School & Office Equip., Inc.	13,151
	The Library Store, Ltd.	340
	TOTAL	\$ 32,930
COG	Gasoline Fuel	
IFB#5136	Fannon Co.	\$ 95,667
	regular	
	J. E. Meintzer & Son, Inc.	109,107
	unleaded	
	J. E. Meintzer & Son, Inc.	1,254,060
	regular	
	TOTAL	\$1,458,834
	GRAND TOTAL	\$2,702,102

Resolution No. 162-85 Re: Gaithersburg High School -
 Modifications (Area 3)

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Mrs. Slye, the following resolution was adopted unanimously:

WHEREAS, Sealed bids were received on February 28, for the modifications to Gaithersburg High School, as indicated below:

Bidder	Lump Sum
1. Patrick Quinn, Inc.	\$337,000.00
2. Jesse Dustin & Son, Inc.	364,000.00

and,

WHEREAS, The low bidder, Patrick Quinn, Inc., has performed similar projects satisfactorily; and

WHEREAS, Low bid is within staff estimate and sufficient funds are available in Account #551-17 to effect award; now therefore be it

Resolved, That a contract for \$337,000.00 be awarded to Patrick Quinn, Inc., to accomplish modifications to Gaithersburg High School in accordance with plans and specifications covering this work prepared by Thomas Clark Associates, architect.

Resolution No. 163-85 Re: Architectural Appointment - Quince Orchard High School (Area 3)

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Mrs. Slye, the following resolution was adopted unanimously:

WHEREAS, It is necessary to appoint an architect to provide required design services and administration of the construction contract for the Quince Orchard High School project; and

WHEREAS, Staff has employed the Architect/Engineer Selection Procedures approved by the Board of Education in November, 1975; now therefore be it

Resolved, That the Board of Education enter into a contractual agreement with the firm of Grimm & Parker to provide required design services and administration of the construction contract for the lump sum total of \$434,800 for the Quince Orchard High School project.

Resolution No. 164-85 Re: Architectural Appointments - Cable TV Physical Facilities

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Mrs. Slye, the following resolution was adopted unanimously:

WHEREAS, It is necessary to appoint architects to provide requisite design and administration of construction contracts services for the provision of physical facilities to securely house switching and control equipment for cable TV services in all schools; and

WHEREAS, Staff has employed the Architect/Engineer Selection Procedures approved by the Board of Education in November, 1975; and

WHEREAS, Because of the nature and scope of the required activities, the best interests of the Montgomery County Public Schools will be served by appointing two firms, each to be responsible for approximately one-half of the scheduled facilities; now therefore be it

Resolved, That the Board of Education enter into separate contractual agreements with the firm of Fox, Hanna, Architects/Planners, and the firm of Garrison-Babarsky Associates, to provide required design services and administration of construction contracts in accordance with proposals submitted on February 22, 1985, for the provision of physical facilities to securely house switching and control equipment for cable TV services at all Montgomery County Public Schools.

Re: Inspection Dates for Bradley Hills
and Washington Grove Elementary
Schools

The inspection date for Bradley Hills Elementary School was set for Friday, March 22, at 9 a.m. Dr. Floyd will attend. The inspection date for Washington Grove Elementary School was set for Friday, March 22, at 11 a.m. Dr. Shoenberg will attend.

Resolution No. 165-85 Re: Submission of an FY 1985 Proposal
for a Job Training Partnership
Act Grant to Provide Vocational
Orientation for Economically
Disadvantaged Youth

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Dr. Cronin, the following resolution was adopted unanimously:

Resolved, That the superintendent of schools be authorized to submit an FY 1985 grant proposal to the JTPA Service Delivery Agency for funds to operate a vocational orientation program during the summer of 1985; and be it further

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

Resolution No. 166-85 Re: Utilization of FY 1985 Future
Supported Project Funds for a
Teacher Assistance Team Workshop

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Dr. Cronin, the following resolution was adopted unanimously:

Resolved, That the superintendent of schools be authorized to receive and expend a \$1,000 grant award in Category 01, Administration, within the FY 1985 Provision for Future Supported Projects, from MSDE under the Education Consolidation and Improvement Act Chapter 2 for a Teacher Assistance Team workshop; and be it further

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

Resolution No. 167-85

Re: FY 1985 Categorical Transfer
within the Vocational Educational
State Categorical Funds

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Dr. Cronin, the following resolution was adopted unanimously:

Resolved, That the superintendent of schools be authorized to effect the following categorical transfer within the FY 1985 Vocational Education State Categorical Funds for Occupational Programs in accordance with the County Council provision for transfers:

Category	From	To
02 Instructional Salaries	\$ 700	
03 Instructional Other	590	
10 Fixed Charges		\$1,290
Total	\$1,290	\$1,290

and be it further

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

Resolution No. 168-85

Re: FY 1985 Categorical Transfer
within the Vocational
Education Programs

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Dr. Cronin, the following resolution was adopted unanimously:

Resolved, That the superintendent of schools be authorized to effect the following transfer, subject to County Council approval, within the FY 1985 vocational education program under P.L. 94-482 from MSDE:

Category	From	To
03 Instructional Other	\$42,465	
04 Special Education		\$42,465

and be it further

Resolved, That the county executive be requested to recommend approval of this transfer to the County Council and a copy be sent to the county executive and County Council.

Miss Duby rejoined the meeting at this point.

Resolution No. 170-85

Re: Monthly Personnel Report

On recommendation of the superintendent and on motion of Mrs. Praisner seconded by Dr. Cronin, the following resolution was

Effective April 1,
1985

Re: Amended FY 1986-91 Capital
Improvements Program

Dr. Cronin moved and Mrs. Praisner seconded the following:

WHEREAS, The Interagency Committee for Public School Construction has recommended, and the Board of Public Works has approved, \$3,567,000 in FY 1986 for capital projects for the Montgomery County Public Schools; and

WHEREAS, Local funds are required in addition to the allocations received from the State of Maryland's Public School Construction Program; and

WHEREAS, The Board of Education's FY 1986-91 Capital Improvements Program must be amended to reflect the actions of the Board of Public Works, actions by the Board of Education on the 15-Year Comprehensive Master Plan for Educational Facilities, and recent information on each capital project; now therefore be it

Resolved, That the Board of Education amends its FY 1986-91 Capital Improvements Program, including the Capital Budget Request, which is amended to \$43,338,000, of which \$3,567,000 is to be provided by the state and \$39,771,000 is to be provided by the county, as detailed on the recapitulation sheet; and be it further

Resolved, That the county executive be requested to recommend approval of these actions to the County Council.

Resolution No. 174-85 Re: Amendment to Capital Budget

On motion of Mrs. Praisner seconded by Dr. Cronin, the following resolution was adopted unanimously:

Resolved, That the proposed resolution on the capital budget be amended by the addition of the following Resolved clause:

Resolved, That the Board's request for 800-capacity elementary schools is tentative pending a discussion of the educational consequences of an elementary school of increased size.

Resolution No. 175-85 Re: Amendment to Capital Budget

On motion of Mr. Ewing seconded by Dr. Shoenberg, the following resolution was adopted unanimously:

Resolved, That the proposed resolution on the capital budget be amended by the addition of the following Resolved clause:

Resolved, That the New Hampshire Estates and Rolling Terrace requests are tentative pending an examination of alternatives and an

opportunity for the Board to complete the facilities process required by policy.

Resolution No. 176-85 Re: Amended FY 1986-91 Capital
Improvements Program

On recommendation of the superintendent and on motion of Dr. Cronin seconded by Mrs. Praisner, the following resolution was adopted unanimously:

WHEREAS, The Interagency Committee for Public School Construction has recommended, and the Board of Public Works has approved, \$3,567,000 in FY 1986 for capital projects for the Montgomery County Public Schools; and

WHEREAS, Local funds are required in addition to the allocations received from the State of Maryland's Public School Construction Program; and

WHEREAS, The Board of Education's FY 1986-91 Capital Improvements Program must be amended to reflect the actions of the Board of Public Works, actions by the Board of Education on the 15-Year Comprehensive Master Plan for Educational Facilities, and recent information on each capital project; now therefore be it

Resolved, That the Board of Education amends its FY 1986-91 Capital Improvements Program, including the Capital Budget Request, which is amended to \$43,338,000, of which \$3,567,000 is to be provided by the state and \$39,771,000 is to be provided by the county, as detailed on the recapitulation sheet; and be it further

Resolved, That the Board's request for 800-capacity elementary schools is tentative pending a discussion of the educational consequences of an elementary school of increased size; and be it further

Resolved, That the New Hampshire Estates and Rolling Terrace requests are tentative pending an examination of alternatives and an opportunity for the Board to complete the facilities process required by policy; and be it further

Resolved, That the county executive be requested to recommend approval of these actions to the County Council.

Re: New Graduation Requirement in
Fine Arts

Dr. Lois Martin, associate superintendent, explained that the Board had adopted an arts requirement, and they believed the state Board of Education would do the same.

Mrs. Praisner called attention to the fine arts credit information sheet and asked whether students could not get the whole credit in one arts course. Mr. Richard Pioli, director of the Department of

Aesthetic Education, replied that they could get it in one area or in two art forms. Mrs. Praisner inquired about in-service work with teachers in order to prepare them to modify the courses. She also asked about expenses related to that and clarification of the statement that they were going to examine home arts and industrial arts to see if some courses might meet the requirements. Mr. Pioli replied there would be staff training required because this represented a new approach in teaching the fine arts. Teachers had been trained in the studio approach. Now there was a move away from that to a combination of process/product/performance plus aesthetic understanding and intellectual awareness of the value of that art form. He reported that they would use their countywide meetings with teachers to do in-service work. In addition, they would have all-day stipend workshops on a voluntary basis for all art and music teachers. They would not include theatre teachers this year because they did not have any ninth grade courses in theatre. He estimated that the cost would be \$88,000 over a three-year period. He thought it would be a \$5,000 additional cost for this year.

Mr. Pioli explained that there was a question about photography as taught in aesthetic education and photography as taught in the industrial arts department. There was also some discussion about creative crafts as taught by the home arts department and advanced architecture. He said that during the next year they would take a closer look at those courses to see whether these courses would meet the guidelines for the aesthetic education approach.

Dr. Frank Carricato, director of the Department of Career and Vocational Education, thought there might be a potential savings if this could be done because they would not have to hire more arts teachers to satisfy the arts requirement.

In response to a question raised by Mrs. DiFonzo, Mr. Pioli explained that a slight revision in a course did not need to go to the Council on Instruction for approval. A minor revision might involve taking something from the second semester of a course and adding it to the first semester of a course. A moderate revision might involve adding items of new emphasis to a course. In addition, they were considering changing course titles to make the titles more interesting to students.

Mr. Ewing asked whether it was correct to say from the material from the state that in even those courses that were studio and performance courses there had to be some element of the content categories of perceptual experience, creative expression, and historical heritage. Mr. Pioli explained that this was the way they were interpreting this. Mr. Ewing asked whether it was true that a great many of their courses had relatively little of the historical heritage appreciation element. Mr. Pioli replied that this would have to be added. Mr. Ewing was concerned about two things. One concern was that initially they would use the courses they had which were studio and performance courses. This would worry some students because they might be designated as handicapped or handicapped in

their own minds in the sense of being able to perform. They might not worry about this so much if there were ample option for them to take music appreciation, music history, art history, etc. He asked whether nonperformance courses would be available for all students in all high schools from the beginning and in adequate numbers so that students could take those courses to meet this requirement.

Mr. Pioli replied that they had three courses in art history, music history and literature, and theatre one which would be available and which had a minimum of performance. This summer they were planning an art appreciation course. The following summer they would be developing the idea of an interrelated arts course that would look at all of the arts over a year's time and not require excessive performance experiences.

Mr. Ewing said he had another concern. He thought it was important for them to focus on the need for students to gain an understanding and appreciation of the heritage they have in art and music. This should have the impact over time of reducing the view that the arts were an extra that they could dispense with. He said that the additional intellectual content of the courses would be beneficial in this regard.

Dr. Cody asked Dr. Frankel to assess the impact on staffing. Dr. Frankel reported that 57 percent of the students in high school would have to take at least one more semester of art to satisfy this requirement. There was no impact on any one group of students. All students were affected by the requirement. This would have an impact on other course areas and on the number of teachers required. Mr. Clifford Baacke added that when all four years of high school students were up to the requirement it would mean about 200 classes system-wide.

Dr. Cody remarked that this would mean 40 more teachers of the arts. Dr. Martin saw this as a significant step in meeting the Board's priority on higher order intellectual skills. She also hoped that this would create a demand among parents for high quality arts courses in K to 8.

Miss Duby noted that they had not adopted which courses would meet the requirements, but eighth graders were now signing up for their program for next year. She asked how they were informing students about this requirement. Mr. Pioli explained they had tried to advise principals of the courses they were recommending to fulfill this requirement, but they also noted that this was not a final list. They were suggesting that students wait until tenth grade to consider this requirement. They would be meeting with the resource guidance counselors and would convey this same message. Once the Board made a decision, they would prepare a brochure for all students which outlined all the courses to fulfill this requirement.

Miss Duby asked if the document would include courses in preparation, and Mr. Pioli assured her that it would. Miss Duby requested additional information on dance as a dual requirement for

gym and the arts. She was concerned about students who were involved in the arts outside of school and wondered if there could be an exemption for them.

Mrs. Slye hoped that in implementing this new requirement, students might have open to them more opportunities for exposure to the arts. She suggested they consider developing the interrelated arts course first.

Dr. Cronin asked whether staff was confident they could find 40 more teachers of the arts. Dr. Cody replied that it was 10 teachers a year. Mr. Pioli added that once the graduate schools learned that these courses would be offered for required credit, he did not think they would have any problem. The only exception might be dance. Dr. Shoenberg commented that what they were dealing with here was not the subject matter but the approach to the subject matter. He thought that was why some of these courses need more revision than others. They had to convey understanding about a new approach to this subject matter, and he did not think they would be able to do this with a few days of in-service. Mr. Pioli emphasized that they did look forward to the challenge of awakening an interest in the arts. Dr. Shoenberg had the greatest confidence that staff would make this happen.

Re: Weighted Rank in Class

Dr. Cronin moved and Mrs. Slye seconded the following:

WHEREAS, The Board of Education is committed to motivating all students to pursue a challenging program; and

WHEREAS, The Board of Education has given considerable thought and discussion to means of motivating students through weighted grades; and

WHEREAS, The Department of Educational Accountability has provided a summary of the information available on the advantages and disadvantages of using a weighted grading system; and

WHEREAS, The MCPS practice of computing class rank based on unweighted grades differs from practices in many public school districts both locally and nationally; and

WHEREAS, A weighted class rank may provide better and more accurate information to postsecondary institutions regarding students' accomplishments, may encourage students to select more difficult courses, and would provide for grade differentiation for high achievers; now therefore be it

Resolved, That weighted rank in class shall be calculated for students at the end of their junior year and at the end of the first semester of their senior year, beginning with the class of 1987; and be it further

Resolved, That weighted rank in class be provided to students, to principals, and to colleges and universities in addition to the grade point average.

Resolution No. 177-85 Re: An Amendment to the Proposed
Resolution on Weighted Rank
in Class

On motion of Mr. Ewing seconded by Mrs. Praisner, the following resolution was adopted with Dr. Cronin, Mrs. DiFonzo, Mr. Ewing, Mrs. Praisner, Dr. Shoenberg, and Mrs. Slye voting in the affirmative; Dr. Floyd abstaining (Miss Duby voting in the affirmative):

Resolved, That "and would provide for grade differentiation for high achievers" be deleted from the last WHEREAS clause.

Resolution No. 178-85 Re: An Amendment to the Proposed
Resolution on Weighted Rank in
Class

On motion of Mr. Ewing seconded by Mrs. Praisner, the following resolution was adopted unanimously:

Resolved, That the proposed resolution on weighted rank in class be amended by the addition of the following clause:

Resolved, That weighted rank in class be calculated by adding one quality point to an A, B, or C grade for those courses designated in the honors program; and be it further.

Resolution No. 179-85 Re: An Amendment to the Proposed
Resolution on
Weighted Rank in Class

On motion of Mrs. Praisner seconded by Mr. Ewing, the following resolution was adopted unanimously:

Resolved, That the proposed resolution on weighted rank in class be amended by the addition of the following clause:

Resolved, That at the end of the first year of implementation the superintendent be required to provide an evaluation of the impact of weighted class rank on such issues as staffing and enrollment in honors courses.

Resolution No. 180-85 Re: Tentative Adoption of
Weighted Rank in Class

On recommendation of the superintendent and on motion of Dr. Cronin seconded by Mrs. Slye, the following resolution was tentatively adopted with Dr. Cronin, Mrs. DiFonzo, Mr. Ewing, Dr. Floyd, Dr. Shoenberg, and Mrs. Slye voting in the affirmative; Mrs. Praisner voting in the negative (Miss Duby voting in the affirmative):

WHEREAS, The Board of Education is committed to motivating all students to pursue a challenging program; and

WHEREAS, The Board of Education has given considerable thought and discussion to means of motivating students through weighted grades; and

WHEREAS, The Department of Educational Accountability has provided a summary of the information available on the advantages and disadvantages of using a weighted grading system; and

WHEREAS, The MCPS practice of computing class rank based on unweighted grades differs from practices in many public school districts both locally and nationally; and

WHEREAS, A weighted class rank may provide better and more accurate information to postsecondary institutions regarding students' accomplishments and may encourage students to select more difficult courses; now therefore be it

Resolved, That weighted rank in class shall be calculated for students at the end of their junior year and at the end of the first semester of their senior year, beginning with the class of 1987; and be it further

Resolved, That weighted rank in class be calculated by adding one quality point to an A, B, or C grade for those courses designated in the honors program; and be it further

Resolved, That weighted rank in class be provided to students, to principals, and to colleges and universities in addition to the grade point average; and be it further

Resolved, That at the end of the first year of implementation the superintendent be required to provide an evaluation of the impact of weighted class rank on such issues as staffing and enrollment in honors courses.

Re: Board Member Comments

1. Dr. Floyd reported that last Thursday he had presented the Board's testimony to the House Appropriations Committee in Annapolis on H.B. 888 on Montgomery County construction costs. He had written a memo on this subject but wanted to acknowledge the fine work done by Phil Rohr and Lois Stoner in assisting him. He said that Mrs. Stoner was well known in Annapolis and did a very good job of representing the school system and the Board of Education.

2. Dr. Floyd stated that the superintendent had been acknowledged as the educator of the month by Executive Educator, published by the National School Boards Association. This spoke positively to the professional esteem in which Dr. Cody was held in the national arena

and brought great credit to the school district.

3. Mrs. Praisner said she had gone to the AASA conference and planned to share some information with other Board members. She acknowledged the contributions of Lorraine Zeigler, Chapter I, Dr. Martin, Dr. Powell, and Dr. Cody.

4. Mrs. Praisner explained that she had been asked by the Executive Educator to present the outstanding achievement award to Dr. Cody. She reported that the award was for the month of March, 1985.

5. Mr. Ewing said there had been a story in the media recently about the League of Women Voters and its influence on and participation in various aspects of public affairs in Montgomery County. The assertion was made that the League supported the Democratic party and was paid off in jobs. He stated that he had been a member of the Board selecting Lois Stoner. To his knowledge, Lois Stoner is a registered Republican. Furthermore, at that time, to his knowledge, the majority of the Board members were registered Republicans. In addition, the Board itself is nonpartisan. He thought the whole business was unfortunate and inaccurate. The accusation was made that Barbara Heyman had been paid off because she had worked to defeat Questions D and E. He knew that Mrs. Heyman was not involved in that at all. He stated that Mrs. Stoner and Mrs. Judy Heiman were appointed in competition with other people. He also stated that Lois Stoner was tremendously effective with a delegation and a legislature that were largely Democratic.

6. Mr. Ewing said that earlier in the day they were talking about making sure people knew of the high quality magnet programs in the Blair area. He shared a letter from the co-presidents of the Piney Branch Elementary School PTA concerning their chagrin over the lack of advertisement of the availability of program at Piney Branch and other programs in their area, outside of Takoma Park Junior and Blair High School. The letter indicated that when parents were invited to obtain information about the Cannon Road Elementary exceptionally gifted program and learned that there were spaces for only 25 students, they were not told about the option of Piney Branch. The parents had to demand that information be made available, and this was not the only instance of the inability of MCPS to get the word out even to its own staff. He was concerned that they do a better job of making people aware of programs and making their own staff aware of programs. He asked for feedback on what they were doing in this area and what they planned to do.

Resolution No. 181-85

Re: Minutes of January 2, 3, 9, 17,
22, 23, 24, 28, and 30, 1985

On recommendation of the superintendent and on motion of Dr. Floyd seconded by Mrs. Slye, the following resolution was adopted unanimously:

Resolved, That the following minutes be approved: January 2, 3, 9, 17, 22, 23, 24, 28, and 30, 1985.

Re: New Business

1. Mrs. Slye moved and Mr. Ewing seconded that the Board give consideration to discussing a long-range set of goals and strategies for moving in a consistent manner toward educational programs that they had deemed important so that the community, the county executive, and other branches of government had an idea of where the Board was heading. This would include all-day kindergarten, class size reduction, and improvement in other programs such as ESOL. Dr. Shoenberg said that these would be issues started in this year's budget. Dr. Cody said he would add elementary guidance counselors. Dr. Shoenberg noted that they were due for a meeting on Board priorities, and this might be folded into this discussion.

2. Dr. Shaffner noted that he and Miss Duby had attended the town meeting for the election of the student Board member for 1985-86. He pointed out that the first student Board member, Mr. David Naimon, was seated in the audience.

Re: Items of Information

Board members received the following items of information:

1. Items in Process
2. Construction Progress Report

Re: Adjournment

The president adjourned the meeting at 4:35 p.m.

President

Secretary

WSC:mlw