

Montgomery County Public Schools through their participation in all aspects of education; now therefore be it

Resolved, That on behalf of the superintendent, staff, and students of the Montgomery County Public Schools, the members of the Board of Education hereby declare the month of May 1997 to be observed in Montgomery County Public Schools as Asian Pacific American Heritage Month.

RESOLUTION NO. 261-97 Re: **PUBLIC SERVICE RECOGNITION WEEK**

On recommendation of the superintendent and on motion of Mrs. King seconded by Ms. Prager, the following resolution was adopted unanimously by members present:

WHEREAS, Nationally, over 20 million public service employees work for school systems, municipal government, state and county government, and national government; and

WHEREAS, These 20 million individuals make government work and provide the education, law enforcement, fire protection, and a myriad of other services so that Americans can live in a free, safe, and orderly environment; and

WHEREAS, Too often public servants are unrecognized and unappreciated, and the general public forgets how much these people contribute to their daily lives and take for granted the services rendered by public servants; and

WHEREAS, The Montgomery County public school system is fortunate in having an outstanding group of over 14,000 of the very best public service employees who deserve to be recognized for their efforts; and

WHEREAS, National Public Service Recognition Week will be celebrated during the week of May 5-11, 1997; now therefore be it

Resolved, That the superintendent of schools and members of the Board of Education hereby declare May 5-11, 1997, to be National Public Service Recognition Week in the Montgomery County Public Schools; and be it further

Resolved, That on behalf of the children and parents in the Montgomery County Public Schools, the superintendent and members of the Board extend their appreciation to the over 14,000 public service employees in MCPS for their efforts in providing a quality education to students.

Re: **PUBLIC COMMENTS**

The following people appeared before the Board:

	<u>Person</u>	<u>Topic</u>
1.	Bill Kenealy	Best Buddies, Special Education
2.	Erin Coyne	Special Education
3.	Nguyen Minh Chau	SSI Funding

RESOLUTION NO. 262-97

Re: **AWARD OF CONTRACT FOR MAINTENANCE PROJECT AT VARIOUS MCPS FACILITIES**

On recommendation of the superintendent and on motion of Mrs. King seconded by Ms. Prager, the following resolution was adopted unanimously by members present:#

WHEREAS, The following sealed bid was received on April 7, 1997, in accordance with Montgomery County Public Schools procurement practices, for emergency/standby electric generating system replacement at Wheaton High School; Argyle, Col. E. Brooke Lee, and William H. Farquhar middle schools; East Silver Spring, Oak View, and Wheaton Woods elementary schools; with work to begin on April 24, 1997, and be completed by August 15, 1997:

<u>Bidder</u>	<u>Amount</u>
Advanced Equipment, Maintenance, Service and Repair, Inc.	\$143,396

and

WHEREAS, The low bid is below staff estimates and Advanced Equipment, Maintenance, Service and Repair, Inc., has been determined to be a qualified, responsible contractor; now therefore be it

Resolved, That a contract for \$143,396 be awarded to Advanced Equipment, Maintenance, Service and Repair, Inc., for emergency/ standby electric generating system replacement at various Montgomery County Public Schools facilities.

RESOLUTION NO. 263-97

Re: **AWARD OF CONTRACT - BETHESDA MAINTENANCE AND TRANSPORTATION DEPOT STORMWATER MANAGEMENT SYSTEM**

On recommendation of the superintendent and on motion of Mrs. King seconded by Ms. Prager, the following resolution was adopted unanimously by members present:#

WHEREAS, The following sealed bids were received on April 1, 1997, for the retrofit of a stormwater management system at the Bethesda Maintenance and Transportation Depot, with work to begin June 20, 1997, and be completed by August 15, 1997:

<u>Bidder</u>	<u>Amount</u>
AccuBid Excavation, Inc.	\$178,000
Busy Ditch, Inc.	216,800

and

WHEREAS, The low bidder, AccuBid Excavation, Inc., has completed similar work successfully for Montgomery County Public Schools; and

WHEREAS, The low bid is below the staff estimate of \$195,000; now therefore be it

Resolved, That a contract for \$178,000 be awarded to AccuBid Excavation, Inc., for the retrofit of a stormwater management system at the Bethesda Maintenance and Transportation Depot.

RESOLUTION NO. 264-97 Re: **AWARD OF CONTRACT - EASTERN MS REROOFING**

On recommendation of the superintendent and on motion of Mrs. King seconded by Ms. Prager, the following resolution was adopted unanimously by members present:#

WHEREAS, The following sealed bids were received on April 1, 1997, for the reroofing of Eastern Middle School, with work to begin June 23, 1997, and be completed by August 1, 1997:

<u>Bidder</u>	<u>Amount</u>
R. D. Bean, Inc.	\$355,880
J. E. Wood & Sons Co., Inc.	365,880
Orndorff & Spaid, Inc.	445,892
AEO Construction Co., Inc.	487,941

and

WHEREAS, The low bidder, R. D. Bean, Inc., has completed similar work successfully for Montgomery County Public Schools; and

WHEREAS, The low bid is below the staff estimate of \$360,000; and

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

Resolved, That a contract for \$355,880 be awarded to R. D. Bean, Inc., for the reroofing of Eastern Middle School, in accordance with plans and specifications prepared by the Department of Facilities Management and subject to final action by the County Council on the FY 1998 Capital Budget; and be it further

Resolved, That the contract be forwarded to the State Interagency Committee for Public School Construction for approval to reimburse Montgomery County Public Schools for the state eligible portion of the reroofing of Eastern Middle School.

RESOLUTION NO. 265-97 Re: **GRANT OF ENCROACHMENT EASEMENT AND
ACCEPTANCE OF GRANT OF STORM DRAINAGE
EASEMENT AT WESTFARM BUS FACILITY**

On recommendation of the superintendent and on motion of Mrs. King seconded by Ms. Prager, the following resolution was adopted unanimously by members present:#

WHEREAS, A boundary survey conducted by an engineering consultant determined that a neighboring parking lot encroaches onto the WestFarm Bus Facility in an area consisting of 330 square feet; and

WHEREAS, The encroaching property owner, WestFarm Associates Limited Partnership (WestFarm), requested a grant of an encroachment easement within the encroaching area in order to set forth their responsibilities for maintenance and liability; and

WHEREAS, The proposed encroachment easement will not adversely affect any land anticipated to be utilized for school transportation purposes; and

WHEREAS, The proposed encroachment easement allows WestFarm continued use of its parking lot without costly reconfiguration, and WestFarm will maintain and accept all liability for damages or injury within the encroachment area; and

WHEREAS, WestFarm has agreed to the Board of Education's request for a grant of storm drainage easement from WestFarm to provide storm drainage facilities to serve the WestFarm Bus Facility; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute an encroachment easement consisting of 330 square feet to WestFarm Associates Limited Partnership at the WestFarm Bus Facility, and be it further

Resolved, That the president and secretary of the Board of Education be authorized to execute a storm drainage easement evidencing their agreement to use, operate, maintain, repair or replace the storm drainage facilities to be installed on WestFarm's property for the benefit of the WestFarm Bus Facility.

RESOLUTION NO. 266-97 Re: **UTILIZATION OF FY 1997 FUTURE SUPPORTED PROJECTED FUNDS FOR MONITORING AND REPORTING ON THE PROVISION OF EXTENDED SCHOOL YEAR SERVICE**

On recommendation of the superintendent and on motion of Mrs. King seconded by Ms. Prager, the following resolution was adopted unanimously by members present:#

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1997 Provision for Future Supported Projects a grant award of \$5,000 from the U.S. Department of Education under Part B of the Individuals with Disabilities Education Act (P.L. 101-476) via the Maryland State Department of Education for the monitoring and reporting on the provision of extended school year services for students with disabilities, in the following categories:

<u>Category</u>	<u>Amount</u>
4 Special Education	\$ 5,000

and be it further

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

RESOLUTION NO. 267-97 Re: **RECOMMENDED FY 1997 SUPPLEMENTAL APPROPRIATION FOR THE MIDDLE SCHOOL INTERSCHOLASTIC SPORTS PROGRAM**

On recommendation of the superintendent and on motion of Mrs. King seconded by Ms. Prager, the following resolution was adopted unanimously by members present:#

WHEREAS, The Board of Education took action on June 11, 1996, to reinstate a modified middle school interscholastic sports program; and

WHEREAS, The Board of Education also took action on June 11, 1996, to authorize the implementation of an extracurricular activities fee for all secondary school students participating in extracurricular activities for the 1996-97 school year; and

WHEREAS, The County Council's Education Committee recommended that Montgomery County Public Schools request a supplemental appropriation if the Board of Education charged the extracurricular activities fee; and

WHEREAS, The County Council approved an FY 1997 supplemental appropriation of \$925,000 for the middle school interscholastic sports program; and

WHEREAS, The extracurricular activities fee is expected to provide revenue of at least \$1,094,000; now therefore be it

Resolved, That the Board of Education request authorization from the County Council for an FY 1997 supplemental appropriation of \$169,000 for the middle school interscholastic sports program and other extracurricular activities in Category 3 - Other Instructional Costs; and be it further

Resolved, That a copy of this resolution be sent to the county executive, and the county executive be requested to transmit this resolution to the County Council along with his recommendation for approval.

RESOLUTION NO. 268-97 Re: **RECOMMENDATION FOR COMBINED PRINT SHOP PROJECT AND RECOMMENDED AMENDMENT TO THE FY 1997-2002 CIP**

On recommendation of the superintendent and on motion of Ms. Signer seconded by Mrs. King, the following resolution was adopted with Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. King, Ms. Prager, and Ms. Signer voting in the affirmative; Ms. Gutiérrez abstaining:#

WHEREAS, The report of the Montgomery County Office of Legislative Oversight indicated that costs could be reduced by combining the county government and Montgomery County Public Schools (MCPS) print shops; and

WHEREAS, The County Council requested that the Board of Education manage a consultant's feasibility study of the consolidation; and

WHEREAS, The County Council and its Education Committee approved staff and consultant's recommendation to modify the existing MCPS print shop at the Lincoln Center site and add a pre-engineered building to that site to house the combined unit; and

WHEREAS, The County Council requested that the Board amend its FY 1997-2002 CIP to include the print shop project; and

WHEREAS, The County Council requested that the print shops begin operating in combination by January 1, 1999; and

WHEREAS, MCPS has been assured that the combination of the print shops will not reduce funds for any other MCPS capital budget project or operating budget activity; now therefore be it

Resolved, That the FY 1997-2002 CIP be amended to include \$1,395,000 to modify and add to the MCPS print shop as shown on the attached print shop project description form; and be it further

Resolved, That this action is contingent upon MCPS assuming responsibility for managing the combined print shop; and be it further

Resolved, That the superintendent of schools include the combined print shop activity as of January 1, 1999, in MCPS' FY 1999 operating budget by migrating county print shop appropriations into the MCPS operating budget without reducing appropriations for MCPS.

RESOLUTION NO. 269-97 Re: **PERSONNEL APPOINTMENT**

On recommendation of the superintendent and on motion of Ms. Signer seconded by Dr. Cheung, the following resolution was adopted unanimously by members present:

Resolved, That the following personnel appointment be approved effective April 24, 1997:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Carole C. Goodman	Principal, Herbert Hoover MS	Principal, Northeast Area HS

RESOLUTION NO. 270-97 Re: **DEATH OF MS. NINA S. AXELRAD, SPECIAL EDUCATION TEACHER ON LEAVE FROM REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS (RICA)**

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Mrs. King, the following resolution was adopted unanimously by members present:

WHEREAS, The death on April 13, 1997, of Ms. Nina S. Axelrad, special education teacher on leave from RICA, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Ms. Axelrad was a conscientious professional who demonstrated sensitivity to the needs of the diverse population at RICA; and

WHEREAS, In more than five years with Montgomery County Public Schools, Ms. Axelrad

maintained a positive and inviting atmosphere for her students and had a very good rapport with staff and students; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Ms. Nina S. Axelrad and extend deepest sympathy to her family; and be it further

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

RESOLUTION NO. 271-97 Re: **DEATH OF MS. CAROL M. SHEPPARD, SPECIAL
EDUCATION BUS ATTENDANT, DIVISION OF
TRANSPORTATION**

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Mrs. King, the following resolution was adopted unanimously by members present:

WHEREAS, The death on March 22, 1997, of Ms. Carol M. Sheppard, special education bus attendant in the Division of Transportation, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the short time that Ms. Sheppard had been employed with Montgomery County Public Schools, she had been a loyal and conscientious employee; and

WHEREAS, Ms. Sheppard's dedication to her job was recognized by students and fellow employees; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Ms. Carol M. Sheppard and extend deepest sympathy to her family; and be it further

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

RESOLUTION NO. 272-97 Re: **DEATH OF MRS. PATRICIA A. NEAL, SPECIAL
EDUCATION BUS ATTENDANT, DIVISION OF
TRANSPORTATION**

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Mrs. King, the following resolution was adopted unanimously by members present:

WHEREAS, The death on March 27, 1997, of Mrs. Patricia A. Neal, special education bus attendant in the Division of Transportation, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the short time Mrs. Neal had been employed with Montgomery County Public Schools, she had been a loyal and dedicated employee; and

WHEREAS, Students and fellow employees will miss her cheerfulness and attentiveness to the needs of her passengers; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Mrs. Patricia A. Neal and extend deepest sympathy to her family; and be it further

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

RESOLUTION NO. 273-97 Re: **DEATH OF MR. FRANK A. REEDY, BUS OPERATOR,
DIVISION OF TRANSPORTATION**

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Mrs. King, the following resolution was adopted unanimously by members present:

WHEREAS, The death on April 6, 1997, of Mr. Frank A. Reedy, bus operator in the Division of Transportation, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, In the short time Mr. Reedy had been employed with Montgomery County Public Schools, he demonstrated competence as a bus operator; and

WHEREAS, Mr. Reedy's eagerness to learn and his pleasant personality and good relationships with his fellow workers made him a valuable employee; now therefore be it

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

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

RESOLUTION NO. 274-97 Re: **PERSONNEL MONTHLY REPORT**

On recommendation of the superintendent and on motion of Dr. Cheung seconded by Mrs. King, the following resolution was adopted unanimously by members present:

Resolved, that the Board of Education approve the Personnel Monthly Report dated April 23, 1997.

Re: **OFFICE OF LEGISLATIVE OVERSIGHT REPORT ON
SCHOOL CONSTRUCTION**

Dr. Vance invited the following people to the table: Ms. Karen Orlansky, director of the office of Legislative Oversight, Mr. Richard G. Hawes, director of the Division of Construction, Mr. William M. Wilder, director of the Department of Facilities Management, Mr. Michael Bellaman with McDevitt Street Bovis, Inc., and Mr. Steven Parker with Grimm and Parker, P.C.

Ms. Orlansky reported that the review was initiated because of (1) school construction bids exceeded project budgets by 15 to 30 percent, and (2) requests for \$12.6 million in emergency appropriations. The scope of the review was to explain the gap between approved budgets and construction bids, determine why costs increased, and compare MCPS' experience to other jurisdictions.

In carrying out their mission, the Office of Legislative Oversight (OLO) did (1) document reviews, (2) case studies of six schools, and (3) private and public sector interviews. In the case study of six schools, the increase in square foot costs from initial estimates ranged from 8 to 36 percent. The gap between approved funding and construction bids were created by real cost increase and the county's budget process. The average MCPS square foot costs of new construction from 1986 to 1996 have fluctuated between a low of \$68 to a high of \$95. It has been noted that school construction costs do not track with the general inflation figures.

The reasons for cost increases since 1991 include market conditions, new construction standards, and changed educational requirements. The market factors include recovery from the recession, fewer contractors and more construction projects, and competition from other large projects for materials and labor. Since 1991, the new construction standards and educational requirements have increased costs in the following areas: stricter fire code regulations; Americans with Disabilities Act requirements; stricter building code regulations to reduce "sick building syndrome"; stormwater management requirements; and a technology infrastructure. In making comparison with other jurisdictions on a square foot cost, caution should be exercised due to inconsistent methods used to calculate square foot costs and difficult to determine "fair" comparisons.

Problems with the current budget process include no early and clear decision point; cost estimates; adjusting prices for market conditions; pressures to accommodate more projects; and view that lower budgets will hold down construction bids.

The OLO made the following recommendations which have been endorsed by the County Council:

1. To improve the budget process: strengthen the process of estimating costs; develop

- and use a school construction cost escalator; and adopt a consistent and early decision point.
2. To reduce future increases in costs: commend the Board for initiative to develop master education specifications; explore use of alternative construction delivery methods; and expand use of value analysis.
 3. Other: revisit 10% bid alternatives policy; continue to report on region's school construction market; and develop method for more valid comparative analyses.

Mr. Felton expressed appreciation to Ms. Orlansky for presenting the report. Below are listed the Board members questions, issues and concerns:

1. Mrs. King was pleased that the report was well received at the Council, and it is encouraging to see agencies working together to focus on a shared concern such as rising construction costs.
2. Ms. Gutiérrez stated that the report brought forth facts on which decisions can be made by both the school system and the local government.
3. Dr. Cheung asked about the three reasons for cost increases and how much each contributed to that increase. He also wanted to know how the alternative methods versus the traditional could save time. Mr. Bellaman replied that time can be saved when the one phase of the traditional "bid, design, and construct" model can be bid out of sequence and staggered to complete the project earlier.
4. Mr. Ewing stated that one of the reasons for cost increases is the delay in making decisions about capital construction. His concern about improving the budget process was that it could result in an early but not very public decision to substitute the Council's and Executive's judgments about what is educationally appropriate; therefore, he did not favor this recommendation.
5. Ms. Signer saw the report of an affirmation of the way MCPS constructs capital projects. She thought the development of a cost escalator would eliminate requesting supplemental appropriations. She asked if the alternative delivery methods were appropriate for MCPS? Mr. Hawes replied two of alternative delivery appropriate for MCPS are (1) MCPS acting as construction manager for a project and (2) design/build method.
6. Mr. Felton asked about the design and the impact on costs. Mr. Parker responded that as money becomes tight, the design of construction projects becomes more austere with minimum design elements.
7. Ms. Prager pointed out that the response to the County Council should focus on the desire to start the process as well as send out letters with a modified copy of the report to legislators to let them know construction costs will be high in the coming 15 years.

It was the sense of the Board of Education to support the OLO report.

Re: TELECOMMUNICATIONS TRANSMISSION FACILITIES

Dr. Vance invited the following people to the table: Mr. Terry Brooks, substituting for Mr. William Hussman, chairman of the Montgomery County Planning Board; Ms. Ann Muller, county tower coordinator; Mr. David Fischer, associate superintendent for the Office of Supportive Services; Mr. William Wilder, director of the Department of Facilities Management; and Mr. Michael Molinaro, counsel for MCPS.

Ms. Muller presented the background for the need for cellular communication facilities. Over the past several years, cellular communication has become almost commonplace. An effective cellular communications system has become an important part of the economic and business infrastructure as well as a convenience for personal communications. However, as users know, the quality of service varies depending on topography and intensity of use. Current technology solves reception problems through construction of more cell sites at more locations and installation of more antennas.

While there have been several requests to place cellular monopoles on MCPS sites, none has yet been approved. There are two applications from Cellular One that have been forwarded to MCPS--one to install an antenna on an extended stadium light pole at Paint Branch High School and another to place a monopole at the Randolph Maintenance Depot.

Recognizing this growing need for telecommunications infrastructure, the federal government enacted the Telecommunications Act of 1996. Montgomery County followed with Bill 5-96 and related zoning text amendment 95208. In general, this legislation requires the school system to develop a plan about the placement of private telecommunication facilities on school sites.

Based on a county executive regulation, the coordinated process has taken the form of a Telecommunications Transmission Facility Coordinating Group supported by the county's contract tower coordinator. Montgomery County Public Schools (MCPS) representatives have served on that group since its inception.

The county's zoning text amendment tries to reduce the number of transmission facilities that may be placed in neighborhoods. It permits antenna installation as a matter of right on tall buildings and co-location of antennas as much as possible. Any proposed tower or pole must permit the installation of at least three antennas. In addition, such installations are permitted on public property subject to the relevant mandatory referral or special exception review procedures.

Mr. Brooks reported that the Maryland-National Capital Park and Planning Commission has proposed using its "Public/Private Development Guidelines" to provide a fair process

for evaluating proposals. In addition, they require applicants to answer the following six questions:

1. Are there alternative sites to parkland?
2. Is the proposed use decidedly required on park property in order to serve the greater public interest?
3. Is the proposed use compatible with the department's mission, and would the proposed use substantially detract or contribute to the department's short-term and long-term goals?
4. Is the proposed use compatible and consistent with the purchase intent and development plans for the parcel that would receive the project?
5. What form of compensation will be provided?
6. Is the proposed use aesthetically and environmentally acceptable?

Mr. Wilder stated that although the federal act prohibits use of health concerns as a basis for denying placement of cellular transmission facilities on public property, communities continue to worry about potential health risks. These concerns focus on the effect of high frequency radio waves and related electromagnetic fields on children. Although many studies conclude that no deleterious effects have been proven, others indicate some basis for concern. No studies have been running long enough to evaluate the long-term impact of high frequency radio waves on children. Consequently, concerned citizens caution that public policy should err on the side of avoiding any potential public health risks, especially for children.

Other concerns raised by community groups include the aesthetic effect of such installations on neighborhoods and the potential damage that could be caused by a tower or pole falling down. The zoning text amendment implicitly recognizes this latter risk by requiring the tower or pole to be setback the full extent of its height in residential zones.

No other school system in the state of Maryland has developed a policy or guidelines relating to placement of cellular poles and none in the metropolitan area has any such installation.

In February 1997, Fairfax County Public Schools adopted a policy granting leases for the placement of telecommunications transmission facilities on school property. The policy indicates that requests shall be reviewed on a case by case basis, first-come, first-served. Requests will be evaluated on the basis of compatibility with the county comprehensive plan, impact on school operations, school and community input, rent, and co-location options.

Ultimately, the impact of telecommunications transmission facilities on school operations is of critical importance to all of us. Nothing should be allowed to interfere with our mission

of improving the academic achievement of all our students. The safety of students and staff must be protected. To the extent possible, the aesthetics and the architectural integrity of the school site must be preserved. Schools must be mindful of being perceived as good neighbors in the community. On the other hand, significant revenue from site rental would be expected to provide additional support to our instructional program. Finally, the Board of Education must be indemnified and held harmless from any and all liability related to such installations.

The Board members raised the following issues and questions:

1. Mrs. King stated that the community will accept them as long as the telecommunication facilities blend into the neighborhood.
2. Ms. Signer inquired that as public agency, MCPS cannot refuse to accept telecommunications equipment? Mr. Molinaro responded that the law requires that local and state governments to review the requests and treat them fairly, legitimately, and not in an arbitrary manner. Under this law, there is an obligation to have a process for review. Ms. Signer stated that her preference was not to place telecommunication facilities on school property.
3. Ms. Gutiérrez requested the status of draft policy for Board of Education review. Mr. Fischer stated that staff needed direction from the Board prior to drafting such a policy for review.
4. Mr. Ewing stated that the Board should review a proposed policy and a limited sampling of other schools systems' policies would be helpful. MCPS' policy should be consistent with other agencies within the county, but augmenting that policy with the unique requirements of the school system.
5. Ms. Prager questioned what the rents receipts would be, and who would receive them? Ms. Muller stated that agencies negotiate the payments and conditions, but receipts could run \$1,500 per month, and the revenues would go to the leasing agency. Ms. Prager thought the safety and aesthetic issues can be resolved, and the school system should lease sites for telecommunications.
6. Ms. Gutiérrez did not support encouraging the school system to lease sites for telecommunications, but the school system must comply with the law by developing a policy involving specific criteria and public input.
7. Mr. Felton summed up the discussion by stating that the superintendent had a sense of the Board, and staff should move forward with a draft policy.

Re: BOARD/SUPERINTENDENT COMMENTS

Dr. Vance stated that the Maryland General Assembly had increased state aid by \$6.3 million for next year. Unfortunately, the additional funding may not be a clean gift. There may be strings attached and requirements on how the money is to be spent. The Education Committee has assumed — with support from the County Executive and others

— that the Board's budget request will satisfy the funding requirements. The Education Committee has discussed this situation while reviewing potential non-recommended reductions to address the County Council's spending affordability guidelines. Mr. Subin suggested very strongly that the new state aid should help offset the spending affordability limitations, not as replacement money, but as new money to help close the gap between the Board's request and the spending affordability limit. Nonetheless, Mr. Subin has also proposed for the Committee's review a series of non-recommended reductions — reflecting the Board's own list — should the full funding not be approved by the Council. It is not yet clear how the state will attempt to control the funding. The school system is waiting an interpretation of the legislation by MSDE. At this time, it is important to note that if the Board's planned expenditures do not meet the legislative requirements, it may be necessary to make reductions in certain areas in order to provide the funding in the expenditure categories required by the state. It could also cause the Board to request the County Council for approval of a categorical transfer of funds to cover the reductions. Ideally, the state aid will be available for use wherever the Board decides, and that the remaining funds needed from the Council will be provided to address as much of the Board's full request as possible.

Mrs. King stated that April 24 is a special day. The Board will be celebrating secretaries' day. She thanked the secretarial staff for their support. April 24 is also "Take Your Daughter to Work Day."

Ms. Gutiérrez described her visits to the evening high schools to understand the impact of a potential County Council budget reduction to make it into an enterprise fund. Some of the statistics are: (1) 373 students are enrolled in the weekly program of which 330 are minorities; (2) enrollment in the Saturday school is 197 of which only 30 are white students with the rest being minorities; (3) students are usually seniors and are taking classes to graduate; (4) students are paying the \$35 on an installment pay, and an increase in the cost of the program would greatly affect these students; and (5) students will need these classes in order to graduate even more when the math and science policies are fully implemented.

Mr. Felton reported that management and representatives from the labor organizations (Labor Partnership Council) met yesterday and will meet again in three weeks.

RESOLUTION NO. 275-97

Re: **CLOSED SESSION RESOLUTION**

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

WHEREAS, The Board of Education of Montgomery County is authorized by the Education Article of the Annotated Code of Maryland and Title 10 of the State Government Article to

conduct certain meetings or portions of its meetings in closed sessions; now therefore be it

Resolved, That the Board of Education of Montgomery County conduct a portion of its meeting on Tuesday, May 13, 1997, at 8:30 to 10:00 a.m. and 12:00 to 2:00 p.m. to discuss personnel matters and other matters protected from public disclosure by law, to review and adjudicate appeals, and to address other issues including consultation with counsel to obtain legal advice; and be it further

Resolved, That these meetings be conducted in Room 120 of the Carver Educational Services Center, Rockville, Maryland, as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and Section 10-508 of the State Government Article; and be it further

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

Re: REPORT OF CLOSED SESSION

On March 24, 1997, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on April 8, 1997, as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and State Government Article 10-501.

The Montgomery County Board of Education met in closed session on April 8, 1997 from 8:35 to 10:05 a.m. and 1:00 to 1:45 p.m. The meeting took place in Room 120, Carver Educational Services Center, Rockville, Maryland.

The Board met to discuss personnel issues, legal matters with its attorney, and the Quarterly EEO Report. The Board reviewed and adjudicated Appeal No. 1997-4.

In attendance at part or all of the closed sessions were: Betsy Arons, Larry Bowers, Judy Bresler, Alan Cheung, Blair Ewing, Reggie Felton, David Fischer, Katheryn Gemberling, Ginny Gong, Bea Gordon, Ana Sol Gutiérrez, Pat Hahn, Roland Ikheloa, George Johnston, Nancy King, George Margolies, Brian Porter, Rachel Prager, Glenda Rose, Ruby Rubens, Steven Seleznow, Mona Signer, Mary Helen Smith, and Paul Vance.

RESOLUTION NO. 276-97

Re: **BOARD APPEAL NO. 1997-3**

On motion of Mrs. King seconded by Dr. Cheung, the following resolution was adopted:

Resolved, That the Board of Education adopt its Decision and Order in BOE Appeal

1997-3, a student matter, reflective of the following vote: Dr. Cheung, Mr. Ewing, Mr. Felton, Ms. Gutiérrez, and Mrs. King voting to reverse the superintendent's decision; Mrs. Gordon, Ms. Prager, and Ms. Signer voting to affirm the superintendent's decision.

RESOLUTION NO. 277-97 Re: **GLOBAL ACCESS PLAN**

On motion of Mr. Ewing and seconded by Ms. Prager, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education schedule time for further discussion, review, and approval of the Global Access plan presented to the Board on April 8, 1997.

Re: **REVIEW OF MASTER PLANS**

The following resolution was deferred until Mrs. Gordon could speak to the motion:

Resolved, That the Board of Education take time to review the various master plans as they become available for comment as to impact of the changes in the master plans on schools.

Re: **NEW TEACHER HIRING PRIORITIES**

On motion of Mr. Felton and seconded by Ms. Gutiérrez the following motion was placed on the table:

WHEREAS, Montgomery County Public Schools (MCPS) has established a national reputation for its success in hiring teachers of the highest caliber; and

WHEREAS, MCPS expects to hire a significant number of new teachers for the academic year 1997-1998; and

WHEREAS, Increasing numbers of MCPS students are entering our classrooms with the ability to speak languages other than English; and

WHEREAS, MCPS continues to have high expectations in the performance of all its students and its ability to address their needs; now therefore be it

Resolved, That the Board of Education request the Superintendent to include, among selection criteria for new teachers (who are otherwise qualified and suitable for employment), fluency in additional languages when the specific position requires or makes such additional capability desirable.

RESOLUTION NO. 278-97

Re: **SUBSTITUTE MOTION ON NEW TEACHER HIRING PRIORITIES**

On motion of Mr. Felton and seconded by Ms. Gutiérrez, the following substitute motion was adopted unanimously by members present:

WHEREAS, Montgomery County Public Schools (MCPS) has established a national reputation for its success in hiring teachers of the highest caliber; and

WHEREAS, MCPS expects to hire a significant number of new teachers for the academic year 1997-1998; and

WHEREAS, Increasing numbers of MCPS students are entering our classrooms with the ability to speak languages other than English; and

WHEREAS, MCPS continues to have high expectations in the performance of all its students and its ability to address their needs; now therefore be it

Resolved, The Board of Education requests the superintendent to address the issue of fluency in additional languages as an issue for selection criteria.

Re: **NEW BUSINESS**

Ms. Gutiérrez moved and Mr. Ewing seconded the following:

Resolved, That the Board of Education schedule for discussion and action a review of the year's experience with extracurricular fees charged for middle school interscholastic sports.

RESOLUTION NO. 279-97

Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of April 23, 1997, at 11:10 p.m.

PRESIDENT

SECRETARY

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET**

April 23, 1997

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