

APPROVED
32-1998

Rockville, Maryland
October 26, 1998

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Monday, October 26, 1998, at 8:10 p.m.

ROLL CALL Present: Mrs. Nancy J. King, President
 in the Chair
 Mr. Geonard F. Butler, Jr., Student Board member
 Dr. Alan Cheung
 Mr. Blair G. Ewing
 Mr. Reginald M. Felton
 Mrs. Beatrice B. Gordon
 Ms. Ana Sol Gutiérrez
 Ms. Mona M. Signer
 Dr. Paul L. Vance, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 707-98 Re: **AGENDA**

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

Resolved, That the Board of Education approve its agenda for October 26, 1998.

RESOLUTION NO. 708-98 Re: **AMERICAN INDIAN HERITAGE MONTH**

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Ms. Signer, the following resolution was adopted unanimously:

WHEREAS, Since 1991, the President of the United States has proclaimed the month of November as "National American Indian Heritage Month"; and

WHEREAS, American Indians were the original inhabitants of the lands that now constitute the United States of America; and

WHEREAS, American Indians have made distinct and important contributions to America and the rest of the world in many fields, including agriculture, medicine, music, language, and art; and

WHEREAS, American Indians have an important role in decision-making, educational, and outreach activities within and by Montgomery County Public Schools; and

WHEREAS, American Indian students, parents, and staff contribute to the success of the Montgomery County Public Schools through their participation in all aspects of education; and

WHEREAS, The American Indian community has enriched our county in many ways; now therefore be it

Resolved, That on behalf of the superintendent of schools and staff, the Board of Education hereby declare the month of November 1998 to be observed in Montgomery County Public Schools as "American Indian Heritage Month."

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Linda Plummer	Presentation to Mr. Ewing
2.	Paul Tardif	Air Quality/Washington Grove Elementary School
3.	Larry Simmons	Air Quality/Washington Grove Elementary School
4.	David Hunt	Air Quality/Washington Grove Elementary School
5.	Michael Miller	Middlebrook Manor South/Boundary
6.	Sandy Steele	Air Quality/Washington Grove Elementary School
7.	Michelle Schultz	Air Quality/Washington Grove Elementary School
8.	Wendy Lesko	Cross Country Coach
9.	Jessica Dang	Cross Country Stipend
10.	Samira Hussein	Air Quality/Washington Grove Elementary School
11.	Linnette Garber	Cross Country Coach
12.	Dr. David Siegel	Health Education
13.	Joe Murry	Cross Country Coach
14.	Patti Capozzi	Air Quality/Washington Grove Elementary School
15.	Linda Goldsholl	Health Education

Mr. Ewing asked for the Superintendent's reaction to the air quality problems at Washington Grove Elementary School. The information should include a plan, schedule, and cost for dealing with the issue.

Re: **CALL UP THE MOTION TO RECONSIDER THE MCPS
PENSION SUPPLEMENT MADE ON OCTOBER 6, 1998**

Mr. Ewing requested that the following motion be called up for action by the Board:

Resolved, That the Board of Education reconsider the pension supplement vote that the Board took on September 22, 1998.

Re: **DISCUSSION**

Ms. Signer asked for a point of order. Section 36 of Roberts Rules of Order provided that the motion to reconsider can be called up, but it also provides that notice must be given with the call of the meeting if the motion to reconsider would be called up. It also provides that a motion to reconsider cannot be applied to any affirmative action taken by the Board if that action had been partly carried out. In fact, the school system had already taken action to implement the Board's decision. Therefore, the motion to reconsider was out of order.

Re: **SUSPEND THE RULES**

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

Resolved, That the Board of Education suspend the rules to consider the motion.

Re: **DISCUSSION**

Mr. Ewing thought that the real question before the Board was whether or not his motion was out of order. Ms. Signer stated that a motion to suspend the rules was not debatable. Mr. Ewing continued that her motion may not be debatable, but the argument that his motion or action was out of order was a matter for the Board to determine. He asked for a ruling by the Board President. Mrs. King asked for advice from the parliamentarian.

Mr. Margolies advised that a motion to reconsider cannot be called up without prior notice if the vote could not be later when the motion was originally made (at the prior Board meeting). However, since this motion could have been taken up at the last meeting, that language in *Robert's Rules* was not applicable. If subsequent action could have been taken at the last meeting to modify, add, or delete from the motion, the body was not precluded from taking action. If the rules were suspended, the action required a two-thirds vote.

Ms. Signer reiterated that *Robert's Rules of Order* specifically states that "the motion to reconsider can be applied to the vote on any motion except" (b) an affirmative vote whose provisions have been partly carried out." The provisions had been carried out in this instance. Therefore, her motion to suspend the rules stood. It was not a debatable motion. It took precedence over everything else.

Ms. Gutiérrez replied that the motion would take precedence over all other motions if the motion to suspend the rules was in order. What the Board had before it was simply a motion that was not voted on at the previous meeting. There was no need to make it more complicated. At the last meeting, it was appropriate to make the motion to reconsider and by the Board's fault, the motion was not voted on. By the action before the Board, that fault would be corrected.

On the issue of the school system's carrying out of the motion, Mr. Margolies reminded the Board that it was in the same position as it was on October 6 and September 22, 1998. The state law had gone into effect on July 1, 1998, requiring the 2 percent deduction for the affected employees, and the removal of the differential.

Re: RULING ON THE MOTION

Mrs. King ruled that Mr. Ewing's motion was appropriate and the Board would vote on the motion to reconsider.

**Re: CALL UP THE MOTION TO RECONSIDER THE MCPS
PENSION SUPPLEMENT MADE ON OCTOBER 6, 1998**

The following resolution was adopted with Mr. Butler,* Dr. Cheung, Mr. Ewing, Ms. Gutiérrez, and Mrs. King voting in the affirmative; Mr. Felton, Mrs. Gordon, and Ms. Signer voting in the negative: (* Mr. Butler's vote was counted per the parliamentary ruling of the chair pro tem on October 6, 1998.)

Resolved, That the Board of Education reconsider the pension supplement vote that the Board took on September 22, 1998.

Re: STATEMENT

Mr. Butler stated that, as the student member, he had the opportunity to represent the issues and beliefs of the students of Montgomery County. It was his belief that all issues were somehow tied into students and their welfare. Still, there were some issues that were specific to the teachers and employees of Montgomery County. The pension plan was one of those issues. As he studied this issue, he noticed the amount of emotion it had caused with teachers and staff. It had hit him emotionally, as well. For almost 12 years, MCPS

had been a system where he could learn, trust, and grow. A large part of that was because of the teachers of MCPS and they had made a difference in his life. This world revolves around teachers. All of the life saving doctors in this country had teachers who taught them. All the high-powered lawyers had teachers. Even the greatest of the athletes had teachers to teach them to play. He believed that teachers were the epitome of greatness. The teachers deserve an abundance of thanks and gratitude. Although, he did not have a say in the final outcome of this issue, he did have a voice. With that voice, he said thank you to all the teachers of Montgomery County.

Re: OPTION D AS AN ALTERNATIVE TO THE PENSION PLAN

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

Resolved, That effective July 1, 1998, the Montgomery County Public Schools Employees' Pension System be amended to provide benefits for all service prior to July 1, 1998, equal to the greater of 1) the existing pension system benefit or 2) 1.2 percent of average final compensation multiplied by years of credited service; and for all service after July 1, 1998, benefits equal to 1.4 percent of average final compensation multiplied by years of credited service; and be it further

Resolved, That effective July 1, 1998, the Montgomery County Public Schools Employees pension system be amended to provide supplemental pension benefits for all employees for all service prior to July 1, 1998, equal to .08 percent of average final compensation up to the social security integration level, plus .15 percent of average final compensation in excess of the social security integration level multiplied by years of credited service; and for all service after July 1, 1998, equal to .07 percent of average final compensation multiplied by years of credited service; and be it further

Resolved, That the total benefit under this plan be adjusted to ensure that no employee hired prior to July 1, 1998, receives any lower benefits than under the pension formula in effect prior to July 1, 1998; and be it further

Resolved, That effective July 1, 1998, employees in the Maryland State Teachers' Pension System be required to contribute two percent of covered earnings to the Maryland State Teachers' Pension System and A percent of covered earnings to the Montgomery County Public Schools Employees' Pension System, and employees in the Montgomery County Public Schools Employees' Pension System be required to contribute 2.1 percent of covered earnings to the Montgomery County Public Schools Employees' Pension System; and be it further

Resolved, That there will be no change for MCPS employees enrolled in either the

Montgomery County Public Schools Employees' Retirement System, the Maryland State Teachers' Retirement System, or the "bifurcated" pension system, and be it further

Resolved, That the superintendent of schools is authorized to amend the Montgomery County Public Schools Employees' Pension System plan document to reflect these changes.

Re: DISCUSSION

Ms. Signer asked how the taxpayers would be asked to pay the \$2.7 million a year for this alternative. Mr. Bowers replied that the school system would use half of the unrecognized gains in the fund which reduced the unfunded accrued liability.

Ms. Signer understood that, by recognizing those gains ahead of schedule, they would not be available in the out years through the smoothing process. The information that she received as of June 30, 1997, indicated that the school system showed \$66 million in unrecognized gains, and \$54 million of that amount was necessary to ensure that the plan was fully funded for current and future retirees. That left \$12 million as a surplus. Although the plan's return was strong in 1998, at the time she spoke with staff, the school system had lost \$62 million due to stock market fluctuations. The school system had predicated its performance on a percent, which the staff did not feel would be realized this year because security rates were low. Therefore, if staff used the unrecognized gains, it would increase the unfunded accrued liability because those gains were not there. Mr. Bowers responded that half of the loss had been regained because the market had rebounded. In FY 1998, there were another \$40 million of gains which took the unrecognized gains to \$100 million through the end of the last fiscal year.

Ms. Signer stated that the smoothing process was used because the market was volatile. This year was a perfect illustration of why the school system had not recognized those gains ahead of schedule. Mr. Bowers agreed, but the numbers had been so significant in terms of the surpluses, the actuary felt comfortable in recommending that half of the gain be used to fund the pension.

Mr. Ewing thought the question of how the pension plan was paid for was important. There was a substantial amount of unrecognized gains, it fluctuated, and only a portion should be used in this instance. The future payment of the pension plan would be placed in the budget. The Board budgets for these items because it is right and just. He was sure that the Board would find support from the County Council for this expenditure.

Mr. Felton asked for the rationale for the changes and the cost. Mr. Girling (director of the Department of Insurance and Retirement) responded that the overall cost for the option was \$2.7 million to fund a 5 percent supplement on a prospective basis.

Mr. Felton asked about the third resolve – total benefit under this plan be adjusted to ensure that no employee hired prior to July 1, 1998, receives any lower benefits than under the pension formula in effect prior to July 1, 1998. That resolve was added because the Board wanted to assure that there were no losses in not providing the supplement. He wanted to know the rationale for this statement if, in fact, this option provided a supplement. Mr. Bowers answered that the Board did not want any employee to receive a lower benefit, and there was no harm in keeping this language in the resolution.

Mr. Felton asked if there was a need to keep that language. Mr. Girling responded that it was not necessary. Mr. Felton offered the deletion of that resolve as a friendly amendment. Mr. Ewing agreed with the affirmation from staff that it was not mathematically needed with the supplement in the alternative.

Mr. Felton had looked at this opportunity as a way to deal with other types of compensation issues, particularly tied more directly to the improvement in student performance. Should the resolution pass, he asked what the process would be for identifying compensation funds that would be more directly related to improved student achievement. Mr. Bowers thought that issue could be dealt with in the contracts of the employee organizations related to compensation.

Ms. Gutiérrez thought that dropping the third resolve did no harm. On Mr. Felton's second issue, she never thought that the proposal for a pension issue and the planned change from the state had embedded in it any changes in policies or compensation issues. What was before the Board was a pension issue, and other compensation issues would be addressed in another arena. Mr. Felton clarified that an earlier discussion on the state's action would allow the Board to move in more creative ways to support compensation that would be more directly tied to student achievement. Ms. Gutiérrez thought that might have been his impression, but at this point the Board was dealing purely with pension issues.

Ms. Gutiérrez added her support for the motion before the Board. She felt that from all her previous comments at the table, this was an appropriate action. She felt certain that the Board must go forth immediately to ensure that the funds were in the operating budget.

Mrs. Gordon referred to the state's legislation that required employees to contribute two percent. She had heard considerable comments from employees about paying the two percent. The option before the Board increased that contribution to 2.1 percent. She wanted to clarify that the two percent was mandated from the state, but the Board's action would increase the amount to 2.1 percent.

Mr. Ewing thought it was important to understand that the Board had a proposal from the employee organizations for the retention of the entire 10 percent supplemental. Initially, the Board decided not to support that proposal, and what was before the Board was a

compromise. He asked the Superintendent if the resolution before the Board was one that he could support.

Dr. Vance explained that his point of view on this issue had not changed since the last time he recounted his efforts to work on a compromise behind the scenes with elected officials and union leaders. There was no interest in a compromise because the 10 percent supplemental was very important to them. The compromise on the table seemed reasonable to him.

Dr. Cheung agreed with Mr. Butler's statement, and he was proud to serve with him.

Mr. Felton noted that another issue was Mr. Heller's claim that, should the Board adopt anything less than a 10 percent supplemental, he would introduce state legislation. He asked if the five percent compromise would eliminate that action.

Mrs. King stated that legislation could force the school system to fund a 10 percent supplement. At this point, no bill had been introduced by Mr. Heller.

Mrs. Gordon indicated that there had been conversations that the unions would not pursue legislation if there was a compromise. She asked what would be the effective date of the resolution and would it be retroactive. Therefore, the increased payment by employees would need to be computed and deducted from their paychecks. The five percent pay out would not offset their contribution, but would be available when they retire in increased benefits.

Mrs. King stated that the pension issue had been very difficult issue for several months. When she initially voted for Option C for the pension plan, she believed then, and believed now, that the numbers were correct and nothing was taken away from employees. However, the perception among employees was that the Board had taken something from them. Along with the feeling that the Board had taken dollars away from them, there was the perception that the Board removed respect for the employees, which resounded throughout the school system. After studying the issue and talking with people, she felt that the fairest thing was to approve Option D as a compromise. It was crucial that MCPS employees felt respected and appreciated for their work with students.

RESOLUTION NO. 710-98

Re: **OPTION D AS AN ALTERNATIVE TO THE PENSION PLAN**

On motion of Mr. Ewing and seconded by Ms. Gutiérrez, the following alternative was adopted with (Mr. Butler), Dr. Cheung, Mr. Ewing, Ms. Gutiérrez, and Mrs. King voting in the affirmative; Mr. Felton, Mrs. Gordon, and Ms. Signer voting in the negative:

Resolved, That effective July 1, 1998, the Montgomery County Public Schools Employees'

Pension System be amended to provide benefits for all service prior to July 1, 1998, equal to the greater of 1) the existing pension system benefit or 2) 1.2 percent of average final compensation multiplied by years of credited service; and for all service after July 1, 1998, benefits equal to 1.4 percent of average final compensation multiplied by years of credited service; and be it further

Resolved, That effective July 1, 1998, the Montgomery County Public Schools Employees pension system be amended to provide supplemental pension benefits for all employees for all service prior to July 1, 1998, equal to .08 percent of average final compensation up to the social security integration level, plus .15 percent of average final compensation in excess of the social security integration level multiplied by years of credited service; and for all service after July 1, 1998, equal to .07 percent of average final compensation multiplied by years of credited service; and be it further

Resolved, That effective July 1, 1998, employees in the Maryland State Teachers' Pension System be required to contribute two percent of covered earnings to the Maryland State Teachers' Pension System and A percent of covered earnings to the Montgomery County Public Schools Employees' Pension System, and employees in the Montgomery County Public Schools Employees' Pension System be required to contribute 2.1 percent of covered earnings to the Montgomery County Public Schools Employees' Pension System; and be it further

Resolved, That there will be no change for MCPS employees enrolled in either the Montgomery County Public Schools Employees' Retirement System, the Maryland State Teachers' Retirement System, or the "bifurcated" pension system, and be it further

Resolved, That the superintendent of schools is authorized to amend the Montgomery County Public Schools Employees' Pension System plan document to reflect these changes.

RESOLUTION NO. 711-98 Re: **AWARD OF CONTRACT - BETHESDA ELEMENTARY SCHOOL**

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

WHEREAS, The following bid represents the eighth in a series of subcontracts that were bid as part of a construction management process for the Bethesda Elementary School project:

<u>Bidder</u>	<u>Amount</u>
<u>Painting</u>	
WKW Construction, Inc.	\$56,000
J. A. Argetakis Construction Company	69,000
Precision Wall Tech, Inc.	94,415

and

WHEREAS, The current aggregate minority business participation for the subcontracts bid to date is 13.87 percent; and

WHEREAS, The low bid is within the estimate and sufficient funds are available to award the contract; now therefore be it

Resolved, That a contract in the amount of \$56,000 be awarded to WKW Construction, Inc., for painting for the Bethesda Elementary School project, in accordance with plans and specifications prepared by Walton, Madden, Cooper, Robinson, Poness, Inc.

RESOLUTION NO. 712-98 Re: **CONTRACT AMENDMENT - GYMNASIUM ADDITION - WESTOVER ELEMENTARY SCHOOL**

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

WHEREAS, The County Council appropriated supplemental funds in the FY 1998 Capital Budget to construct a gymnasium addition to Westover Elementary School; and

WHEREAS, These funds became available during the final phases of the construction work for the modernization project; and

WHEREAS, Staff solicited a proposal from the modernization contractor to complete site and foundation work for the gymnasium prior to the start of school to minimize the impact the addition construction would have on the building operation; and

WHEREAS, The modernization contractor submitted a cost proposal to complete the entire gymnasium addition construction for an amount less than current bid prices being received for similar work; and

WHEREAS, Staff and the project architect have reviewed the modernization contractor's proposal and determined that the cost to complete the gymnasium addition is slightly lower than the anticipated cost if the project were bid separately; and

WHEREAS, Extending the modernization contract to include the gymnasium addition will also allow the project to be completed earlier reducing the impact the ongoing construction will have on the school operation; and

WHEREAS, Staff and the project architect have recommended that a change order be approved adding the gymnasium addition to the modernization contract for Westover Elementary School; now therefore be it

Resolved, That a change order in the amount of \$1,178,583 be added to the contract with Henley Construction Company Construction, Inc., for the modernization of Westover Elementary School.

RESOLUTION NO. 713-98 Re: **ARCHITECTURAL APPOINTMENT - WALTER JOHNSON HIGH SCHOOL FEASIBILITY STUDY**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services to conduct a design feasibility study of alternatives for the addition to and future modernization of Walter Johnson High School; and

WHEREAS, Funds for feasibility planning have been programmed as part of the FY 1999 Capital Budget; and

WHEREAS, The Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, identified Samaha Associates as the most qualified firm to provide the necessary professional architectural and engineering services; and

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

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Samaha Associates to provide professional architectural services for the Walter Johnson High School modernization feasibility study project for a fee of \$58,500.

RESOLUTION NO. 714-98 Re: **ENGINEERING CONSULTANT SERVICES - INDOOR AIR QUALITY**

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

WHEREAS, Engineering design and construction administration services are needed to complete mechanical equipment modifications at Kensington Parkwood Elementary School and similar modifications at other facilities to improve indoor air quality; and

WHEREAS, Funds for this work were allocated in the FY 1999 operating budget; and

WHEREAS, In accordance with procedures adopted by the Board of Education on July 14, 1998, a committee consisting of community representatives, school staff, and central office staff selected WEDGCO Engineering as the firm most qualified to perform these services; now therefore be it

Resolved, That a contract with WEDGCO Engineering be approved in the amount of \$90,000 to provide engineering services for mechanical equipment modifications at various facilities, including Kensington Parkwood Elementary School, related to indoor air quality improvements.

RESOLUTION NO. 715-98 Re: **ACCEPTANCE OF LUCY V. BARNESLEY ELEMENTARY SCHOOL**

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

WHEREAS, Lucy V. Barnesley Elementary School was duly inspected on October 7, 1998; now therefore be it

Resolved, That Lucy V. Barnesley Elementary School now be formally accepted; and be it further

Resolved, That the official date of completion be established as that date upon which formal notice is received from the architect that the building has been completed in accordance with the plans and specifications, and all contract requirements have been met.

RESOLUTION NO. 716-98 Re: **SITE SELECTION FOR NORTHWEST ELEMENTARY SCHOOL #6**

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

WHEREAS, The approved FY1999 Capital Improvements Program indicates the need for a new elementary school to serve the Northwest cluster by September 2001; and

WHEREAS, A Site Selection Advisory Committee was formed and recommended that the

10-acre Kingsview Village Elementary School site, located on an extension of Richter Farm Road between Germantown Road (MD 118) and Schaeffer Road, as shown on the attached drawing, be used for the new school; and

WHEREAS, By Resolution No. 664-93, the Board of Education approved acceptance of this site on September 14, 1993, including the developer's commitment to accommodate school needs for stormwater management and afforestation off-site, enabling the Board to reduce its standard requirement of 12 acres; and

WHEREAS, The Montgomery County Planning Board provided that the school site be conveyed to the Board of Education no later than December 10, 1998, and that road improvements be completed no later than December 10, 2000, all as a condition of that body's approval of the Kingsview Village subdivision; now therefore be it

Resolved, That the Kingsview Village Elementary School site be selected for Northwest Elementary School #6; and be it further

Resolved, That the County Council and State Interagency Coordinating Committee for the Public School Construction Program be made aware of this action.

RESOLUTION NO. 717-98 Re: **UTILIZATION OF FY 1999 FUTURE SUPPORTED PROJECT FUNDS FOR THE COMMUNITY TEAM COLLABORATION PROJECT**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1999 Provision for Future Supported Projects a grant award of \$28,525 form the Maryland State Department of Education's Individuals with Disabilities Education Act, Part B State Grant Preschool Discretionary Program for the extension and expansion of the Community Team Collaboration Project, in the following categories;

<u>Category</u>	<u>Amount</u>
6 Special Education	\$ 26,655
12 Fixed Charges	<u>1,870</u>
Total	<u>\$ 28,525</u>

and be it further

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

RESOLUTION NO. 718-98 Re: **UTILIZATION OF FY 1999 FUTURE SUPPORTED PROJECT FUNDS FOR THE TECHNOLOGY IN MARYLAND SCHOOLS PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1999 Provision for Future Supported Projects a grant award of \$96,624 from the Maryland State Department of Education for the Technology in Maryland Schools Program in the following categories:

<u>Category</u>	<u>Position*</u>	<u>Amount</u>
3 Instructional Salaries	1.0	\$ 60,369
4 Textbooks and Instructional Supplies		17,624
5 Other Instructional Costs		13,631
12 Fixed Charges	—	<u>5,000</u>
Total	<u>1.0</u>	<u>\$ 96,624</u>

* 1.0 Instructional Specialist, (B-D), 12-month

and be it further

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

RESOLUTION NO. 719-98 Re: **UTILIZATION OF FY 1999 FUTURE SUPPORTED PROJECT FUNDS FOR THE SCHOOLS FOR SUCCESS/GOALS 2000 PROJECT**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1999 Provision for Future Supported Projects a grant award of \$55,000 from the Maryland State Department of Education Schools for the third and final year of the Success/Goals 2000 Project in the Rockville Cluster in the following categories:

<u>Category</u>	<u>Amount</u>
3 Instructional Salaries	\$ 27,226
4 Textbooks and Instructional Supplies	8,876
5 Other Instructional Costs	16,720
12 Fixed Charges	<u>2,178</u>
Total	<u>\$ 55,000</u>

and be it further

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

RESOLUTION NO. 720-98 Re: **UTILIZATION OF FY 1999 FUTURE SUPPORTED PROJECT FUNDS FOR THE WEST CENTRAL REGIONAL PROFESSIONAL DEVELOPMENT NETWORK PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 1999 Provision for Future Supported Projects a grant award of \$330,649 for a grant award from the Maryland State Department of Education for the West Central Regional Professional Development Network program, in the following categories:

<u>Category</u>	<u>Amount</u>
1 Administration	\$ 4,387
2 Mid-Level Administration	317,187
12 Fixed Charges	<u>9,075</u>
Total	<u>\$330,649</u>

and be it further

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

RESOLUTION NO. 721-98

Re: **RECOMMENDED FY 1999 SUPPLEMENTAL
APPROPRIATION FOR THE TECHNOLOGY
INNOVATION CHALLENGE GRANT STAFF
DEVELOPMENT PROJECT**

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

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 1999 supplemental appropriation for a grant award of \$1,774,635 from the U. S. Department of Education under the Technology Innovation Challenge Grant Program to support a five-year project that will provide teachers with staff development opportunities focusing on the integration of technology into classroom instruction in the following categories:

<u>Category</u>	<u>Positions*</u>	<u>Amount</u>
1 Administration		\$ 43,114
2 Mid-level Administration	4.0	1,671,260
12 Fixed Charges	—	<u>60,261</u>
Total	<u>4.0</u>	<u>\$1,774,635</u>

- *1.0 Project Coordinator, B-D (12-month)
- 2.0 Instructional Specialist, B-D (12-month)
- 1.0 Fiscal Assistant, Grade 13 (12-month)

and be it further

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

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

RESOLUTION NO. 722-98

Re: **RECOMMENDED FY 1999 SUPPLEMENTAL
APPROPRIATION FOR THE MARYLAND NET
WEEKEND '98 SCHOOL TECHNOLOGY PROJECTS**

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

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 1999 supplemental appropriation for a grant

award of \$117,500 from the Maryland Information Technology Investment Fund through the Maryland Department of Budget and Management's Office of Information Technology and the Maryland State Department of Education to support Net Weekend '98 projects in 54 schools in the following categories:

<u>Category</u>	<u>Amount</u>
Textbooks and Instructional Supplies	\$ 40,000
Other Instructional Costs	<u>77,500</u>
Total	<u>\$117,500</u>

and be it further

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

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

RESOLUTION NO. 723-98 Re: **AWARD OF CONTRACT FOR THE ADMINISTRATION OF POINT OF SERVICE MEDICAL PLANS**

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

WHEREAS, The Board of Education by Resolution No. 563-58 established in 1958 an Employee Benefit Plan (EBP) to provide life and health insurance to eligible employees; and

WHEREAS, The Board of Education expanded the EBP by Resolution No. 448-72, 457-72, and 43-76 to include dental coverage, vision coverage, a prescription drug plan, and dependent life insurance; and

WHEREAS, The Board of Education has periodically bid elements of the EBP for the benefit of employees and to reduce administrative costs; and

WHEREAS, The Board of Education and the Montgomery County Education Association, the Montgomery County Council of Supporting Services Employees, and the Montgomery County Association of Administrative and Supervisory Personnel have agreed to replace the traditional indemnity medical plan for active employees with a high option Point-of-Service medical plan effective January 1, 1999; and

WHEREAS, MCPS has joined with the Maryland-National Capital Park and Planning Commission to solicit proposals to administer both the standard Point-of-Service medical plan and the high option Point-of-Service medical plan effective January 1, 1999; and

WHEREAS, Having been duly advertised under Request for Proposals (RFP) No. 1060.1, vendors were asked to submit proposals for consideration; and

WHEREAS, MCPS and the Maryland-National Capital Park and Planning Commission engaged the services of a benefit consultant, Aon Consulting, Inc., to assist them in the evaluation of proposal responses; and

WHEREAS, Four of the six vendors that submitted proposals were selected for finalist interviews, and asked to commit to best and final pricing, performance guarantees, and specific contractual commitments; and

WHEREAS, The evaluation of proposals has identified a vendor that best meets the needs of Montgomery County Public Schools; and

WHEREAS, The employee bargaining units participated in the development of the RFP prior to its release, and the results of the evaluation of the RFP were shared with the employee bargaining units; and

WHEREAS, MCPS will receive enhanced service to its employees and will achieve an estimated \$450,000 annual savings from this award; now therefore be it

Resolved, That a contract for administering the standard Point-of-Service medical plan and the high option Point-of-Service medical plan components of the Employee Benefit Plan be awarded to Blue Cross and Blue Shield of the National Capital Area; and be it further

Resolved, That the Board of Education president and superintendent of schools be authorized to execute the documents necessary for this transaction.

RESOLUTION NO. 724-98

Re: **AWARD OF CONTRACT FOR THE ADMINISTRATION
OF PHARMACY BENEFIT MANAGEMENT PLAN**

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

WHEREAS, The Board of Education by Resolution No. 563-58 established in 1958 an Employee Benefit Plan (EBP) to provide life and health insurance to eligible employees; and

WHEREAS, The Board of Education expanded the EBP by Resolution No. 448-72, 457-72, and 43-76 to include dental coverage, vision coverage, a prescription drug plan, and dependent life insurance; and

WHEREAS, The Board of Education has periodically bid elements of the EBP for the benefit of employees and to reduce administrative costs; and

WHEREAS, MCPS has joined with the Maryland-National Capital Park and Planning Commission to solicit proposals to administer the prescription drug Pharmacy Benefit Management plan effective January 1, 1999; and

WHEREAS, Having been duly advertised under Request for Proposals (RFP) No. 1061.1, companies were asked to submit proposals for consideration; and

WHEREAS, MCPS and the Maryland-National Capital Park and Planning Commission engaged the services of a benefit consultant, Aon Consulting, Inc., to assist them in the evaluation of proposal responses; and

WHEREAS, Two of the five vendors that submitted proposals were selected for finalist interviews, and asked to commit to best and final pricing, performance guarantees, and specific contractual commitments; and

WHEREAS, The evaluation has identified a vendor that best meets the needs of Montgomery County Public Schools; and

WHEREAS, The employee bargaining units participated in the development of the RFP prior to its release, and the results of the evaluation of the RFP were shared with the employee bargaining units; and

WHEREAS, MCPS and its employees will receive a high quality prescription drug Pharmacy Benefit Management plan and will achieve an estimated \$200,000 in annual savings from this award; now therefore be it

Resolved, That a contract for administering the prescription drug Pharmacy Benefit Management Plan be awarded to Caremark, Inc.; and be it further

Resolved, That the Board of Education president and superintendent of schools be authorized to execute the documents necessary for this transaction.

RESOLUTION NO. 725-98

Re: **PERSONNEL APPOINTMENT**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. Gordon, the following resolution was adopted unanimously:

Resolved, That the following personnel appointment be approved effective November 1, 1998:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Joseph M. Sacco	Assistant Principal, Tilden MS	Principal, John Poole MS

Re: **UPDATE ON THE NORTHEAST CONSORTIUM**

Dr. Vance invited the following people to the table: Dr. Steven G. Seleznow, associate superintendent for school administration; Dr. Lucinda Ross Sullivan, director of high school academic initiatives and Preferred Choice in the Northeast Consortium; Mr. Joseph Headman, director of school administration for the Northeast Consortium; Mr. Michael Durso, principal of Springbrook High School; Ms. Carole Goodman, principal of James Hubert Blake High School; and Mr. Fred Lowenbach, principal of Paint Branch High School.

The Northeast Consortium (three high schools and signature programs) was a reality with Fine Arts and Humanities at James Hubert Blake High School, Science and Media at Paint Branch High School, and Information Technology in a Global Society and the International Baccalaureate Diploma Program at Springbrook High School. The implementation of the Northeast Consortium represents "three works in progress" with each school at different stages of development. However, the major goals -- to provide access for these three schools to share instructional programs and resources, to offer a comprehensive high school program, and to collaborate in offering the best and most challenging educational programs possible for their students -- were firmly underway.

Efforts of program development and implementation within the Northeast Consortium have been greatly bolstered by MCPS being awarded a highly competitive grant. In September, MCPS was awarded a \$2.9 million, three-year grant by the United States Department of Education, Office of Elementary and Secondary Education Magnet Schools Assistance Program. These funds are earmarked to enrich, augment, and extend the comprehensive high school curriculum within the Northeast Consortium.

On August 31, 1998, approximately 4,217 students, Grades 9 through 12, attended school in the three high schools comprising the Northeast Consortium. Unique among this group are 2,442 ninth and tenth grade students who are the first in the history of MCPS and the

state of Maryland to participate in public school choice. These students were able to choose the high school they preferred to attend from among three schools in the northeast attendance area - James Hubert Blake, Paint Branch, and Springbrook high schools.

Student enrollment in the Northeast Consortium through the Preferred Choice process consists of 2,442 students in Grades 9 and 10. Each subsequent year, the next higher grade will be added to the signature program until all four grades at each of the three high schools are composed of students who have participated in Preferred Choice. Enrollment numbers are as follows: 712 (Grade 9, 428 and Grade 10, 284) attend the new James Hubert Blake High School with its Fine Arts and Humanities signature; 728 (Grade 9, 351 and Grade 10, 377) attend Paint Branch High School with its Science and Media signature; and 982 (Grade 9, 524 and Grade 10, 458) attend Springbrook High School with its Information Technology in a Global Society signature. Springbrook also has the International Baccalaureate Diploma Program where Grade 11 and 12 students in the Northeast Consortium may participate in this rigorous liberal arts course of study.

In accordance with the Board of Education resolution of November 25, 1996, students residing in the Preferred Choice attendance area who attended ESOL centers at Sherwood and Springbrook high schools would be able to choose among the three Preferred Choice high schools. The option to participate in Preferred Choice by students in ESOL centers and those in middle school ESOL programs was implemented fully with wide community support and enthusiasm. More than 78 percent of students identified previously in Grades 8 and 9 as ESOL were exited from the ESOL program, selected and received choice, and are participating in the Northeast Consortium signature programs.

Students with special education needs in Intensity 1 to 3 participated in the Preferred Choice application process along with other students. Intensity 4 students also were able to choose a program at one of three high schools. Informed decisions for parents and special needs students were supported by local school ARD teams and classroom teachers, consortium counselors, and central office staff in the Department of Special Education.

The communication and public information campaign to provide opportunities for parents, students, and other community members to learn about Preferred Choice in the Northeast Consortium is continuing as the 1999-2000 school year gets underway. Specifically, contacts with parents and other school leadership began in early September 1998, when a representative of the Northeast Consortium staff attended Back-to-School-Night at each elementary, middle, and high school in the Consortium.

In developing the processes and parameters for the Northeast Consortium, student transportation to consortium schools was a highly visible and special concern for both students and parents. I appreciated fully the importance of this issue as did all other MCPS

employees. It was, and continues to be, understood that providing dependable, well-timed transportation to and from school, as well as for programs after school, sets the tone for each and every school day.

Currently baseline data are being gathered in order that the effectiveness of promoting school choice, ensuring augmented program implementation, ascertaining student and parent satisfaction, maintaining diversity in school populations, and accomplishing effective school utilization can be evaluated and monitored continuously.

In summarizing the progress made to date in the implementation and development of signature programs and Preferred Choice in the Northeast Consortium high schools, the team effort in launching this initiative must be commended. Further collaborative efforts have been extensive involving all segments of school system and business as well as parents, students, and community members.

The initiatives guiding the development of the signature programs are precipitating a renaissance of invigoration for teaching and learning within and among staff and students at all three campuses. The vision initiating thematic approaches to teaching and learning at these sites – “works in progress” -- is creating a synergy that is motivating a special bonding throughout the consortium and greater community. This enthusiastic collaboration will yield inestimable future benefits to our students and the citizens of Montgomery County as we progress through the next levels of implementation.

Re: DISCUSSION

Mr. Felton pointed out what can happen when there was community support for an innovative program. Everyone was excited and the school system must ensure that excitement continues. He congratulated Dr. Sullivan on the grant that was obtained from the federal government. Since one of his concerns was student achievement, he asked how the school system would motivate students to improve their achievement and how would that improvement be measured. He was interested in knowing the students' experience with the consortium and preferred choice. Mr. Lowenbach explained that student achievement would continue to be monitored for successful learners. Mr. Durso pointed out that his school had offered the PSAT to 9th and 10th graders during school hours rather than the traditional Saturdays. Ms. Goodman and staff had sent out interims to all of the students that established the initial baseline.

Mrs. Gordon congratulated everyone from the consortium, including staff, parents, and students. This was not an easy task to undertake since there were many naysayers. Everyone put their collective wills together to ensure that the consortium was a success. She congratulated the principals since all three of them had gone a tremendous job in pulling together staff and a commitment to the consortium. She congratulated Dr. Sullivan

and the staff for ensuring that students were enrolled and at school the first day. The National Federation of Urban Suburban School Districts (NFUSSD) conference attendees were very impressed with the consortium, and some were interested in replicating the concept in their school districts.

Ms. Gutiérrez thought the idea for the consortium was good and staff had implemented the beginning of a successful philosophy. The concept had released so much energy and creativity. All the Board did was to give staff the permission to educate in an exciting, significant, and innovative way. She noted that more than 78 percent of students identified previously in Grades 8 and 9 as ESOL were exited from the ESOL program, selected and received choice, and were participating in the Northeast Consortium signature programs. She requested data on students exiting the ESOL programs in the Northeast Consortium, including the distribution of ESOL students by school and grade across the Consortium and Sherwood High School.

Ms. Signer recalled two years ago through the meetings on the consortium and heard interest and skepticism about the consortium and preferred choice. There were questions about transportation and academics. The night the Board took action to create the consortium, she commented that this concept was one of the most exciting and innovative concepts undertaken in Montgomery County. She expressed her gratitude to all who had worked so hard to implement preferred choice within the consortium. It was this type of cutting edge and innovative programming that had become a pride with MCPS. She was very pleased to hear that transportation was a non-issue within the consortium since it was such an issue during the discussion phase of establishing a consortium. She looked forward to visiting all three schools where she could observe the programs in action.

Dr. Cheung thanked everyone for the successful beginning for the consortium. It took leaders to bring about effective change within any organization, especially a school system. He always was supportive of programs of excellence. He was not as concerned with the traditional way of measuring performance because the most important part was students learning in order to create the quality of the future lives.

Mr. Butler reported that his peers within the consortium were very excited and enthusiastic about the signature programs. He had observed that at-risk students were doing better, as well.

Mr. Ewing thanked everyone for the excellent creation, and the fine work done by staff.

Re: **BREAK**

The Board of Education took a break from 10:25 to 10:40 p.m.

Re: **UPDATE ON MCPS EDUCATIONAL FOUNDATION,
INC.**

Mr. Ewing introduced the following people: Ms. Esther Gelman, Mr. Thomas Choate, and Ms. Sandra Schmookler, MCPS liaison.

The Foundation's Board of Directors now includes 25 members. In addition, the bylaws were changed to include the following vision statement for the Foundation:

The mission of the Montgomery County Public Schools Educational Foundation is to encourage and develop support for innovative and creative approaches to meeting the needs of the school system's students and teachers. The Foundation will seek to enlist the vision, utilize the skills and experience, and mobilize the efforts of the private sector in support of challenging projects that reach beyond the programs provided through tax--supported resources.

The Foundation is committed to the support of actions and programs designed to prepare students for success in future careers in business, industry, and the professions, and will help the school system to take into account the profound changes that are occurring in society and in the workplace, so that the system enables teachers and students to change, grow, and meet the challenges of a rapidly changing society.

The Educational Foundation will provide a means of engaging fully the private sector in these efforts. A major task of the Foundation is to identify the objectives that will serve these purposes and then to identify the strategies and resources needed to ensure their achievement.

Ms. Gelman was pleased to be before the Board. Together with the help of Mr. Bowers and Ms. Schmookler the directors put together an outstanding group of individuals to be on the Board of Directors of the Educational Foundation, Inc. However, the foundation should be raising a lot more money. With small grants, the foundation had done quite well. One of their initiatives was the funding of small computer centers in the county.

Mr. Choate thought the cooperation between the business community and the school system was very exciting. The foundation was tapping into that increasing level of commitment. There was a large potential commitment of large and small business throughout the community, and the foundation was an excellent vehicle for that commitment. The after-hours technology grant was a good example of bringing technology into the community.

Re: DISCUSSION

Mr. Ewing commended Mr. Bowers, executive director, who was in charge of the management of the funds and the oversight function of the auditors. He thought the foundation was a wonderful innovation to deal with escheated funds. The foundation was based on law that allows private sector individuals and corporations to donate funds to the school system. All of the money from the Howard Hughes Medical Institute came to the school system through the foundation. Ms. Gelman did a wonderful job of establishing the Board of Directors.

Mr. Felton thanked the directors for their work on the foundation. He asked what were the foundation's short and long-term goals. Ms. Gelman reported that there had been a fundraising event. If there had been more staff, the event would have been a bigger success.

Re: UPDATE ON THE DEVELOPMENT OF THE TEACHER EVALUATION SYSTEM

Dr. Vance invited the following people to the table: Mr. David Fischer, associate superintendent for the Office of Supportive Services; Dr. Elizabeth Arons, director, Department of Personnel Services; Mr. James Fish, principal, Sherwood High School; Mr. Mark Simon, president, Montgomery County Education Association (MCEA); and Mr. Gregory Ciardi, projector director, Research for Better Teaching, Inc.

The development of a new teacher evaluation system reflects a significant next step in improving the involvement of teachers and principals in a collaborative assessment of instructional and classroom effectiveness in MCPS. The new evaluation system was envisioned as a key element of ensuring not only the success of every student but also the success of every teacher. In a fundamental way, the initiative is actually a continuous improvement model for instruction that will provide teachers with appropriate professional benchmarks for improving teaching and learning throughout our school system.

Staff identified a significant amount of national research on student learning that provides a strong correlation between the quality of instruction and quality of student performance. It is clear that high standards for teaching performance, and a strong evaluation system to determine if those standards are being met, are building blocks on which to create an even stronger academic program.

In February 1998, a contract was awarded to Research for Better Teaching, Inc., that authorized the development of a new teacher evaluation system. This initiative had been a priority of the Board of Education since 1995, when a task force was assembled. The task force recommended to the Board in May 1997 that the school system hire a consultant to develop the new system. The Board supported the task force recommendations and

made a strong commitment to the development of a new teacher evaluation system that would accomplish the following goals:

1. Develop a teacher evaluation system that has a primary focus on excellence in teaching through professional growth and development and continuous improvement
2. Base teacher effectiveness ratings on teacher competencies and illustrative indicators
3. Develop a teacher evaluation system that established differentiated evaluation models (probationary teachers, tenured teachers, outstanding teachers, underperforming teachers)
4. Develop a teacher evaluation system in which the teacher and evaluator collaborate in identifying the objectives for professional improvement and determine the criteria by which success will be measured
5. Develop a teacher evaluation system that provides more support for evaluators
6. Centralize the authority, responsibility, and resources to implement and assess the evaluation system

The consultants emphasized that a new system should:

1. Promote reflection, professional growth, and student achievement
2. Involve the stakeholders in setting the rules and implementing the system
3. Provide opportunities for collaboration regarding all aspects of the system
4. Allow for the evaluation of multiple proficiencies within clear standards
5. Bring data-driven decision making and accountability to the evaluation process

The consultants are continuing to work closely with the joint MCEA-MCPS Work Group on the Professional Development Process (PDP), created as a result of the 1998 negotiations between the Board of Education and MCEA. The work group is co-chaired by Ms. Susan Marks, director, User Services Team, and Mr. James F. Deligianis, resource teacher, Quince Orchard High School, representing MCEA. Several MCAASP representatives (school-based and central office) are included on the joint work group to ensure that all stakeholders are involved in the development of the new system. The work group has three subcommittees developing the teacher evaluation processes for probationary teachers, tenured teachers, and underperforming teachers in need of improvement.

The first set of training sessions began October 7, 1998. The enthusiasm among participants for the quality, skills, and insights provided by the instructors from Research for Better Teaching, Inc., has been extremely high. The training outcomes include:

1. An understanding of the research on school culture and its importance in providing an environment for a successful teacher evaluation process

2. The knowledge base of the teaching profession
3. Observation and communication skills for evaluators
4. Leadership skills for teachers and administrators that strengthen the school culture.

A high level of communication between MCPS and various constituent groups has been established to ensure information continues to reach all stakeholders. The Professional Development Process joint work group meets approximately every three weeks to collaborate with the consultants on all aspects of the new system. A special MCEA newsletter was published during the summer devoted to the various stages of development, Dr. Arons has met several times with Mrs. Sharon Cox, MCCPTA president, to inform her of the progress being made. An evening seminar is being planned in March 1999 by MCCPTA for individual school PTAs to receive information on the new system and to collaborate on ways in which parents will be involved. Dr. Arons will be presenting an overview of the teacher evaluation project to the Montgomery County Region of the Maryland Association of Student Governments on October 27, 1998, to incorporate student involvement in the process. Dr. Arons conducted individual sessions with the seven pilot clusters to keep administrators informed, and similar sessions are planned with faculties from the pilot clusters.

Re: DISCUSSION

Mr. Felton was enthused by the new system and the feedback he had received from teachers. He asked for more information on the correlation between the evaluation system and student achievement. Mr. Ciardi responded that good teaching was an integral part of the teaching/learning experience; good learning was the other side of the coin. Standards of practice were important when they get reiterated and grounded in student learning. Incorporated in the draft performance standards was a statement that teachers would hold themselves and their students accountable for learning and measurable improvement.

Dr. Cheung was pleased with performance and learning of both teachers and students. Performance must be based on good data for the evaluation of teachers and students. Therefore, he advocated for the individual profiles for teachers' learning as well as students. With the students' outcomes, teachers and administrators can evaluate their performance. He wanted to know what kind of database was planned and was that information tied to student performance and development of the teacher. Dr. Arons responded that the Department of Personnel Services was working with the Department of Educational Accountability to determine classroom data, as well as school data. There were many ways of collecting data that could be used by teachers to improve student success. Staff would look at how the school population performed and the individual teacher's role in the school performance during the evaluation cycle.

Mr. Ewing liked the approach outlined by staff. Based on observations and data of teacher performance measured against established standards, he wanted to know what was needed to make teachers more effective. In the community, he ran across the most extraordinary perceptions of public schools and teachers. People, who should know better, generalize by stating that schools and teachers have slipped badly. The evaluation process must seek out ineffective teachers, offer training, and, if there was no improvement, rid the system of incompetent instructors. That process must be communicated to the public. Also, the evaluation process would build a record that was essential to take action against those teachers who did not meet the standards. Mr. Simon replied that ineffective teachers should be encouraged to leave the profession, and that concept was very much a part of the evaluation process. The public did not understand the nature of the profession, and how complex it was. Dr. Arons stated that the process would result in documentation for better or worse. The teacher could grow from what they were doing well, and learn better techniques, where needed. The strong peer assistance program would provide intensive scrutiny and assistance.

Ms. Signer stated that she was the Board member who had asked for the report. The report was not what she hoped it would be since it was not particularly substantive. In his comments, Mr. Ciardi had commented that the school system might be in danger of doing something important, but Ms. Signer could not tell that from this report. Staff had mentioned that there were draft performance standards for teachers. Ms. Signer asked for the draft performance standards and other documents that would be developed on the process to implement the Teacher Evaluation System. She did not want the process developed in a direction that the Board may or may not agree with and left with a process where the Board had no significant input.

Ms. Signer referred to the statement that the new system should "involve the stakeholders in setting the rules and implementing the system." She asked if the stakeholders had been determined. Dr. Arons replied that they were multiple and could include the employees associations, parents, students, Board, and a number of different groups inside and outside the school system.

Ms. Gutiérrez thought the new process would supply what had been missing in the past, i.e., measuring individual performance. Over the past several years, the school system had improved in planning, setting outcomes, producing data, and aligning its mission with the Success for Every Student goals. She was pleased with the progress that had been made. Her overall concern was the focus on teachers and not the total system. She wanted evidence that the school system would use the same standards and criteria to evaluate principals and their administrators. She hoped that all evaluations of staff were totally integrated. Dr. Arons replied that through best practices, staff had learned that how principals evaluate teachers was part of a good evaluation system.

Re: BOARD/SUPERINTENDENT COMMENTS

Mr. Ewing asked the Superintendent for information on the AP courses at Rockville High School, and whether or not sophomores were forbidden to enroll in AP courses. Mr. Ewing asked the Superintendent to inquire about the issue at Montgomery Knolls Elementary School where the class size was 26 to 28 kindergarten students. Regarding the Visual Arts Center at Albert Einstein High School, Mr. Ewing asked the Superintendent for information on the rumored budget cut and future support for the Center.

Ms. Gutiérrez hoped that the school system could resolve the air quality problems at Washington Grove Elementary School. Other buildings that desperately needed modernization were Northwood and Eastern Middle School.

RESOLUTION NO. 726-98**Re: CLOSED SESSION RESOLUTION**

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Ms. Gutiérrez, the following resolution was adopted unanimously:

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 closed session on Tuesday, October 27, 1998, from 7:45 p.m. to 10:30 p.m. to adjudicate appeals and obtain legal advice; and be it further

Resolved, That the Board of Education of Montgomery County conduct a portion of its meeting on Tuesday, November 10, 1998, from 8:30 a.m. to 10:00 a.m. and 12:15 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 4-107, *Education Article of the Annotated Code of Maryland* and Section 10-508 of the *State Government Article*; and be it further

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

Re: REPORT OF CLOSED SESSION

On September 22, 1998, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on October 6, 1998, as permitted under § 4-107, *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 October 6, 1998, from 8:45 to 10:10 a.m. and 1:15 to 1:45 p.m. The meeting took place in Room 120, Carver Educational Services Center, Rockville, Maryland.

The Board met to discuss personnel matters, non-special education legal fees, real estate issues, and received legal advice from its attorneys. The Board reviewed and adjudicated the following appeals: 1998-27, T-1998-96, T-1998-113, T-1998-115, T-1998-116, T-1998-117, T-1998-118, T-1998-120, T-1998-121, and T-1998-122.

In attendance at part or all of the above closed session were: Aggie Alvez, Elizabeth Arons, Giles Benson, Larry Bowers, Judy Bresler, Alan Cheung, Robin Confino, Blair Ewing, Reggie Felton, David Fischer, Hiawatha Fountain, Bea Gordon, Ana Sol Gutiérrez, Pat Hahn, Richard Hawes, Roland Ikheloa, Oliver Lancaster, Nancy King, George Margolies, Brian Porter, Glenda Rose, Ruby Rubens, Steve Seleznow, Mona Signer, Marshall Spatz, Paul Vance, Ron Walsh, and Bill Wilder.

RESOLUTION NO. 727-98**Re: BOARD APPEAL NO. 1998-27**

On motion of Mrs. Gordon and seconded by Ms. Gutiérrez, the following resolution was adopted:

Resolved, That the Board of Education adopts its Decision and Order in Appeal 1998-27, a student graduation matter, reflective of the following vote: Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, and Mrs. King voted to affirm; Mr. Butler did not participate in the adjudication of this appeal; Ms. Signer recused herself.

RESOLUTION NO. 728-98**Re: BOARD APPEAL NO. NEC- 1998-124**

On motion of Mrs. Gordon and seconded by Ms. Gutiérrez, the following resolution was adopted:

Resolved, That the Board of Education adopts its Order in Appeal NEC-1998-124 a student transfer matter, reflective of the following vote: Mr. Butler, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, and Ms. Signer voted to affirm; Dr. Cheung and Mr. Ewing voted to reverse.

RESOLUTION NO. 729

Re: **BOARD APPEAL NO. T- 1998-125**

On motion of Mrs. Gordon and seconded by Ms. Gutiérrez, the following resolution was adopted:

Resolved, That the Board of Education adopts its Order in Appeal T-1998-125, a student transfer matter, reflective of the following vote: Mr. Butler, Dr. Cheung, Mr. Ewing, Mr. Felton, Mrs. Gordon, Ms. Gutiérrez, Mrs. King, and Ms. Signer voted to affirm.

RESOLUTION NO 730-98

Re: **CLUSTER STRUCTURE**

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

Resolved, That the Board of Education requests the Superintendent to bring forth a proposal to address the issue of the Northeast Consortium and how it relates to the cluster structure especially for the elementary and middle schools.

RESOLUTION NO. 731-98

Re: **EARLY CHILDHOOD TASK FORCE REPORT**

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

Resolved, That the Board of Education schedule discussion and appropriate action on the recommendations of the Early Childhood Task Force as responded to by the Superintendent in the information item (distributed October 6, 1998) as well as the future plans and commitment to the recommendations of the Early Childhood Task Force.

RESOLUTION NO. 732-98

Re: **ETHICS OFFICER**

On motion of Ms. Signer and seconded by Mrs. Gordon, the following resolution was adopted unanimously:

Resolved, That the Board of Education's Ethics Policy and proposals to allocate resources and to establish an ethics officer position in FY 99 be scheduled for discussion and action no later than December 9, 1998.

RESOLUTION NO. 733-98

Re: **ANNUAL AUDIT**

On motion of the Audit Committee, the following resolution was adopted unanimously:

Resolved, That the Board of Education authorizes a competitive bid for the annual audit of the school system, but allow KPMG Peat-Marwick to respond to the bid; and be it further

Resolved, That Montgomery County Public Schools reserves to right to change audit firms.

Re: **NEW BUSINESS**

The following new business items were introduced:

1. Mr. Felton moved and Ms. Signer seconded the following:

Resolved, That the Board of Education requests the Superintendent to provide options for support to the Educational Foundation.

2. Mr. Felton moved and Ms. Signer seconded the following:

Resolved, That the Board of Education requests the Superintendent to provide information on incentives and participation of students in honors classes by high school.

Re: **BALLOT QUESTION E**

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

WHEREAS, Question E has been proposed as an initiative to change the Montgomery County Charter to permit the County Council to adopt a final operating budget in each fiscal year that exceeds the spending affordability limits without requiring a super majority vote as the Charter now requires for adoption; and

WHEREAS, Adoption of Question E will allow a simple majority of the County Council to adopt an operating budget, including the MCPS budget, that is responsive to the needs of the school system as revenues allow; now therefore be it

Resolved, That the Board of Education go on record in support of Ballot Question E, "Budget Adoption - Majority Vote," seeking to amend Section 305 of the County Charter; and be it further

Resolved, That this resolution be sent to the County Executive and County Council and that the Superintendent use any authorized means to convey the Board's position on this ballot question.

RESOLUTION NO. 734-98 Re: VOTE ON A NEW BUSINESS ITEM

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

Resolved, That the Board of Education vote on a new business item as it was not a policy matter.

RESOLUTION NO. 735-98 Re: BALLOT QUESTION E

On motion of Mr. Ewing and seconded by Ms. Gutiérrez, the following resolution was adopted unanimously

WHEREAS, Question E has been proposed as an initiative to change the Montgomery County Charter to permit the County Council to adopt a final operating budget in each fiscal year that exceeds the spending affordability limits without requiring a super majority vote as the Charter now requires for adoption; and

WHEREAS, Adoption of Question E will allow a simple majority of the County Council to adopt an operating budget, including the MCPS budget, that is responsive to the needs of the school system as revenues allow; now therefore be it

Resolved, That the Board of Education go on record in support of Ballot Question E, "Budget Adoption - Majority Vote," seeking to amend Section 305 of the County Charter; and be it further

Resolved, That this resolution be sent to the County Executive and County Council and that the Superintendent use any authorized means to convey the Board's position on this ballot question.

RESOLUTION NO. 736-98 Re: ADJOURNMENT

On recommendation of the Superintendent and on motion of Dr. Cheung seconded by Mr. Butler, the following resolution was adopted unanimously:

Resolved, That the Board of Education adjourn its meeting of October 26, 1998, at 11:58 p.m.

PRESIDENT

PLV:gr

SECRETARY

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

October 26, 1998

AGENDA	1
AMERICAN INDIAN HERITAGE MONTH	1
PUBLIC COMMENTS	2
CALL UP THE MOTION TO RECONSIDER THE MCPS PENSION SUPPLEMENT MADE ON OCTOBER 6, 19983 OPTION D AS AN ALTERNATIVE TO THE PENSION PLAN	5
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