

APPROVED
42-1999

Rockville, Maryland
December 14, 1999

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, December 14, 1999, at 10:07 a.m.

ROLL CALL Present: Mr. Reginald M. Felton, President
in the Chair
Mr. Stephen Abrams
Mr. Kermit V. Burnett
Mrs. Beatrice B. Gordon
Mrs. Nancy J. King
Mrs. Patricia O'Neill
Laura Sampedro, Student Board Member
Ms. Mona M. Signer
Dr. Jerry Weast, Secretary/Treasurer

Absent: None

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

RESOLUTION NO. 709-99 Re: **CLOSED SESSION RESOLUTION**

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

WHEREAS, The Board of Education of Montgomery County is authorized by the *Education Article* and *State Government Article* of the *Annotated Code of Maryland* to conduct certain meetings or portions of its meetings in closed sessions; now therefore be it

Resolved, That the Board of Education of Montgomery County conduct portions of its closed sessions on December 14, 1999, in Room 120 from 8:30 to 10:00 a.m. and 12:30 to 2:00 p.m. to discuss the personnel appointments and the monthly report, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

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

Resolved, That the Board of Education of Montgomery County dedicate part of the closed session on December 14 to acquit its executive functions and to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act under Section 10-503(a) of the *State Government Article*; and be it further

Resolved, That these portions of the meeting continue in closed session until the completion of business.

Re: **CLOSED SESSION**

The Board was in a closed session from 8:35 to 10:00 a.m.

Re: **ELECTION OF OFFICERS**

Dr. Weast announced that as secretary-treasurer of the Board of Education he would preside until the election of the president. To be elected president or vice president, a member needed five votes, and all members were in nomination.

Dr. Weast announced the results of the first ballot for president:

- Ms. Sampedro voted for Mrs. O'Neill
- Mr. Abrams voted for Mrs. O'Neill
- Mrs. King voted for Mrs. O'Neill
- Mrs. Gordon voted for Mr. Abrams
- Ms. Signer voted for Mrs. Gordon
- Mrs. O'Neill voted for Mrs. O'Neill
- Mr. Burnett voted for Mrs. O'Neill
- Mr. Felton voted for Mrs. O'Neill

Mrs. O'Neill was elected president and assumed the chair.

Mr. Felton was presented with a gavel plaque for his service as president.

Mrs. O'Neill announced the results of the first ballot for vice president:

- Mr. Abrams voted for Mr. Abrams
- Mr. Burnett voted for Mr. Burnett
- Ms. Signer voted for Mr. Burnett
- Mr. Felton voted for Mr. Burnett
- Mrs. O'Neill voted for Mr. Burnett
- Mrs. King voted for Mr. Burnett
- Mrs. Gordon voted for Ms. Sampedro
- Ms. Sampedro voted for Mr. Burnett

Mr. Burnett was elected vice president.

Mrs. O'Neill expressed her appreciation for serving with Mr. Felton as the elected officers of the Board last year. She thought everyone in Montgomery County owed Mr. Felton a debt of gratitude for his leadership in the superintendent search process. She knew he

put his family and job below his duty to the Board. Mr. Felton is a role model and consensus builder and always considered the best interests of MCPS students.

RESOLUTION NO. 710-99 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approved its agenda for December 14, 1999.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast commented that the recycling program has a goal to recycle 50 percent of all discarded materials. The school system will join with the other county agencies to affirm this goal. The key to success is participation, with all schools and facilities designating a recycling leader to coordinate activities.

Mr. Felton reported that the Board met with the Montgomery College Board of Trustees. He extended his appreciation to the college for its partnership and commitment to bridging the gap between public school and college.

Mrs. Gordon congratulated the three schools—Damascus, Richard Montgomery and Paint Branch high schools—that won state Blue Ribbon awards. Paint Branch had a wonderful celebration attended by County Council members, Board members, leaders from the community, students, staff and former staff.

Mrs. King congratulated the newly elected officers and pledged her support for the coming year. Also, she thanked Mr. Felton for his dedication as a Board member and as past president.

Mrs. O'Neill said she was flattered to be elected Board president. She would count on her colleagues for support because one Board member does not do the job alone. The job requires that all members work as a team. The Board will face many challenges this year, including the full funding of the operating budget. She congratulated the various athletic fall champions.

Re: **ACADEMIC MILESTONE H: DISPROPORTIONATE REPRESENTATION IN SPECIAL EDUCATION PROGRAMS**

Dr. Weast invited the following people to the table: Dr. Raymond Bryant, director of the Department of Special Education; Dr. Carolyn Bailey, psychologist; and Ms. Judy Brubaker, principal of Germantown Elementary School.

Montgomery County Public Schools (MCPS) continued to identify a disproportionate number of African American students as eligible for special education services. Overrepresentation traditionally has been viewed solely as a special education issue; however, its roots can be traced to general education. Overrepresentation often begins when there is a disconnect between the child and the general education classroom. The culture and experiences a child brings from home may differ from the culture, experiences, and instructional program of the classroom and school. When this happens, cultural/experiential disconnect may lead to a referral for consideration for special education.

African American students experience high suspension rates, and the disproportionality in this area has implications for special education, as well. Due to the high suspension rates, these same students often are referred for consideration of a disability. African American students who are coded as emotionally disabled and placed in special education have the highest suspension rates in MCPS.

This issue of overrepresentation is a longstanding one in MCPS. *Making A Difference: A Strategic Plan to Ensure Equity for All Students in Special Education* was released in January 1995 as one of many efforts over the past 30 years to address this critical area of concern. These efforts have been extensive over the last five years. In April 1996, MCPS and the United States Department of Education, Office for Civil Rights (OCR) entered into a partnership agreement "to engage in cooperative efforts to ensure equal access to public education and to promote efforts toward high academic achievement for all students."

In October 1996, the Advocacy Review Committee was established to review case summaries of African American students recently identified as emotionally disabled or mentally retarded. The August 1999 final report of this committee recommended that each school with an overrepresentation of African American students in special education be required to incorporate a related goal into the school's *Success for Every Student* plan.

The recently completed *Classical Program Review of Special Education* cited two primary areas of concern related to African American students and special education. The first concern was that this group of students continues to be overrepresented in the special education population. The second concern highlighted that, once coded for special education services, African American students frequently are placed in more restrictive settings than their white special education peers.

Throughout the past five years, these and additional efforts have spurred many discussions and generated much data about the problem. Yet the problem persists, and the gap widens in coding and test scores for African American special education students.

The solution to the problem of overrepresentation and high suspension rates for African American students is found in the Academic Priorities of the Board of Education, which form the guiding framework for *Our Call to Action: Raising the Bar and Closing the Gap, Because All Children Matter*. The six Trend Benders identified in *Our Call to Action* provide the vehicle with which to solve the problems of overrepresentation and high suspension rates for African American students.

If MCPS is truly to eliminate the overrepresentation in special education and the high suspension rates of African American students in general, staff must work together. This is an issue for the entire school system to address, and not just an isolated problem to be solved by one department in MCPS. There must be individual school accountability. The school system must evaluate the instructional program and ensure that all students have equal access to the same rich curriculum taught by teachers who are trained to teach in each content area. This is critical if MCPS is to promote early and ongoing success for all students. School staffs must be given the skills to work with the wide range of diverse learners in the community and the resources to intervene effectively and promptly when learning and behavioral problems arise. Partnerships among schools, parents, and communities must be established and strengthened to foster support among these entities as the school system works on behalf of all children. In doing so, MCPS will create a culturally competent climate for educating all students and one in which children of color will no longer be overrepresented in special education.

Re: **DISCUSSION**

Mrs. O'Neill commented that many students are schooled at Mark Twain School, where the staff is seeing a repetitive pattern of the second generation of students moving into that school.

Ms. Signer noted that there were 2,078 African-American students designated as learning disabled and asked what it would take to reevaluate all those students to ascertain if they had been properly coded. Dr. Bryant responded that students are reviewed annually, and schools could be directed that the review process include an analysis of the educational assessment for the initial coding, as well as an assessment of the student's progress under special education and the need for special education services.

Ms. Signer commented that if the school system was over-coding, then there were students who should not be in special education. Special education is not a one-way door for students, and procedures should exist for exiting special education services. What resources would be necessary to reevaluate those students? Dr. Bryant replied that since all students are reevaluated every three years, there would be a comprehensive review of African-American students without added resources.

Ms. Signer asked how many students are moved back into general education as a result of the triennial reviews. Dr. Bryant replied that about three percent are returned to general education. Ms. Signer thought that number would not address the over-coding issue.

Mr. Felton noted that over-identification of African-American students had been an issue for the Board for many years. He asked if this situation was improving or getting worst and how it compared with other school districts in the state and nation. Dr. Bryant replied that other Maryland counties have the same problem, which is a nationwide concern. The Office of Civil Rights (OCR) worked closely with MCPS in developing plans and activities because OCR is seeking solutions. MCPS must have a database to analyze the percentage of students coded by school and referral rates.

Mr. Felton was concerned that the problem still existed, despite continuous improvement and best practices, and even with the help of OCR as well as other school districts throughout the country. He asked if there were other strategies that could be used beyond evaluating the students. Dr. Weast thought the following strategies could alleviate the issue: (1) do not label this issue as a special education problem, but rather an education problem; (2) use more psychologists and technical equipment to increase effectiveness and efficiency in the identification of students; (3) identify the behavior and not the child with an intervention program that trains teachers to recognize and treat behaviors; (4) establish an early identification program in preschool to prepare students for MCPS; (5) make the process more family-friendly to involve parents when their children are young; (6) provide training opportunities for all staff to identify what is wrong in the skill set; (7) develop a tracking mechanism; and (8) assure there is a way out of special education. That is a compendium of strategies across the country, and MCPS should have them all.

Mr. Burnett agreed with Ms. Signer and supported Dr. Weast in the initiatives in *the Call to Action*. He had met with Dr. Bryant and he was encouraged by the report and staff's determination to solve this problem. Over-identification is not just about the African-American males, but all students in the system. If students are not coded properly and left in special education, that is wrong, and it is not based on color. If a doctor misdiagnosed our illness, we would be upset. The same applies to children who are miscoded for special education. There should be a process for entry, exit, and evaluation. There should be safety nets to catch inaccurate decisions. If psychologists or staff members blindly endorse a decision to go along with their team, that is wrong. Three years is a long time to wait for another evaluation if a child is inappropriately placed in a program. Mr. Burnett encouraged the school system to reevaluate children with all deliberate speed to identify those who did not belong in special education. He thought it was important for parents to have an advocate for them and their child at all special education-related meetings. This process is new to the parents, and they are not sure of their rights or how to advocate for the best placement for their child.

Mrs. Gordon thought it was a good idea to view this issue as an education problem, not a special education problem. The problem begins long before students are in special education. Parents are reluctant to say no because that is the way to get services for their children. More time should be spent with regular education teachers to develop accommodations for a student prior to coding that student as special education. This would lessen the overrepresentation of African-American students in special education. It is wrong to code a child special education just so that student can receive services. Also, the expectation is that, for the vast majority of students, special education is a temporary placement. However, when a child is coded Intensity 4, the assumption is that the child will remain in special education without any possibility of a code of Intensity 2 or 3. Ideally, the school system could provide services to a student without a code. Dr. Bryant noted that Project Achieve in Baltimore City trains general education teachers to help them work on children's social skills to help them learn. The project involves teachers and staff throughout the school.

Mrs. O'Neill pointed out that Dr. Weast had included money in the FY 2001 Operating Budget for Project Achieve, and there was a Project Achieve presentation at MCEA for the school psychologists and counselors. It was a very interesting project and one that would be suitable for Montgomery County.

Mrs. King asked what help the regular classroom teacher would receive to help identify special education students. Dr. Bryant explained that a skilled teacher would conduct a lesson in a classroom, maintain the momentum of that lesson, and manage behavior in a positive way. However, the system should ask teachers what strategies they need, such as behavior management techniques or ways to break down a lesson. The same should be done with principals to provide them with the appropriate resources. Mrs. King knew how many hours teachers put into class preparation each day. Training classroom teachers would take more than a day. Dr. Bryant agreed and said special education training would be done through summer academies and not during the school year. Dr. Weast said the FY 2001 Operating Budget addresses these issues on a systemic basis with embedded staff development tailored to individual building staff. Also, there must be a mentoring and induction program for new staff.

Mr. Abrams stated that when overrepresentation is corrected in one area, overrepresentation would be created in another area. Two strains led to students being coded for special education services: (1) dealing with disruptive students and (2) getting special help. As an alternative, Mr. Abrams asked what services parents could get without putting their children in special education. Also, with more rigor in the system, the impact of disruptive students becomes greater. He said the budget contained good interventions, but a series of programs needed to be put in place. He would like to see the classroom teacher brought to the table, as well as the parents. Dr. Bryant stated that the plan (1) had accountability and (2) involved stakeholders.

Ms. Sampedro was concerned about the three-year evaluation and felt that had to be changed to deal with the overrepresentation of African-American males in special education. The behavior or needs could change in that period of time. Alternative programs could deal with disruptive students. Dr. Bryant said the school system is required to evaluate students every three years, but there is an annual review with parents and educators. However, he was concerned about alternative programs for disruptive students because those programs are usually out of the schoolhouse. Keeping students in the school with different support could prove effective since the school offers more extensive classes as well as extracurricular activities.

Ms. Signer pointed out that the school system must inform parents of their rights with regard to special education placement. There must be advocates for the parents and students to determine the best interest of the student.

Re: **IMPLEMENTATION OF FOURTH CIRCUIT COURT OF APPEALS DECISION**

Dr. Weast invited the following people to the table: Dr. Marlene Hartzman, director of the Department of Applied Research and Evaluation; Dr. Pam Splaine, director of policy and records; and Judith Bresler, Esq.

On October 6, 1999, the United States Court of Appeals for the Fourth Circuit invalidated the use of race/ethnicity in the MCPS transfer policy. The Board of Education voted unanimously on November 1, 1999, to ask the United States Supreme Court to review the decision of the Fourth Circuit Court of Appeals prohibiting any consideration of race or ethnicity as a factor in approving student transfers. Two resolutions for approval were designed to comply with the Fourth Circuit Court's decision and temporarily alter the annual transfer process.

The omnibus resolution suspends all policies, regulations, and procedures that require consideration of the race or ethnicity of an individual student in a school or program assignment decision until such time as the Supreme Court takes action. The transfer resolution specifically suspends the transfer policy and directs the superintendent to revise the transfer regulation to allow transfers on the basis of a documented hardship, the presence of a sibling, and/or the continuation of a feeder pattern at transition points (e.g., elementary school to middle school and middle school to high school).

Re: **OMNIBUS RESOLUTION**

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

WHEREAS, On October 6, 1999, the United States Court of Appeals for the Fourth Circuit invalidated the use of race in the MCPS transfer policy; and

WHEREAS, On November 1, 1999, the Board of Education voted unanimously to ask the United States Supreme Court to review the decision of the Fourth Circuit Court of Appeals prohibiting any consideration of race or ethnicity as a factor in approving student transfers; now therefore be it

Resolved, That any and all policies, regulations, or procedures that require consideration of the race or ethnicity of an individual student in a school or program assignment decision be and hereby are suspended until further notice.

Re: **POLICY JEE**, *Student Transfers*

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

WHEREAS, Policy JEE, *Student Transfers*, allows students to transfer from their home school to another school within certain parameters; and

WHEREAS, The policy provides that the racial composition of the student body in both schools not be unduly affected; and

WHEREAS, On October 6, 1999, the United States Court of Appeals for the Fourth Circuit invalidated the use of race in the MCPS transfer policy; and

WHEREAS, On November 1, 1999, the Board of Education voted unanimously to ask the United States Supreme Court to review the decision of the Fourth Circuit Court of Appeals prohibiting any consideration of race or ethnicity as a factor in approving student transfers; now therefore be it

Resolved, That Policy JEE, *Student Transfers*, be and hereby is suspended until further action by the Board; and be it further

Resolved, That the Board of Education direct the superintendent to revise Regulation JEE-RA to allow transfers on the basis of a documented hardship, the presence of a sibling, and/or the continuation of a feeder pattern.

Re: **DISCUSSION**

Mr. Abrams noted that the resolution changes the presumption from transfers that were constrained by factors to a transfer process that is home-school driven unless there is a

compelling reason, such as hardship. That change in presumption would lead to fewer transfers. Ms. Bresler agreed with his summary of the two resolutions.

Mrs. Gordon quoted the following *resolve*: "That any and all policies, regulations, or procedures that require consideration of the race or ethnicity of an individual student in a school or program assignment decision be and hereby are suspended until further notice." She stated that the whole policy would not be suspended, just the portion that dealt with race and ethnicity, and she was not sure that was clear in the *resolve* language. Ms. Bresler stated that was the intent and the discussion or clarifying language could refine the resolution. Mrs. Gordon asked that the language be clear when information was released so there would be no confusion on what portion of the policy was suspended.

Mrs. Gordon quoted the following *resolve*: "That the Board of Education direct the superintendent to revise Regulation JEE-RA to allow transfers on the basis of a documented hardship, the presence of a sibling, and/or the continuation of a feeder pattern." She noted that referred to an older sibling already at the school being requested. However, people have tried to make a case based on a child in the attendance area. She thought the language in the *resolve* was unclear. Ms. Bresler believed the booklet and regulation explained it more fully. The intent was an older sibling at the school at the same time, and the continuation of the feeder pattern is at the transition points. Mrs. Gordon suggested that the following language should be added: "the presence of an older sibling currently attending the requested school." Mrs. O'Neill thought language should be added to state that the transfer was reviewed in the feeder pattern at the transition points.

Mr. Felton was concerned that the phrase "all procedures" did not preclude maintaining data. Ms. Bresler assured him that the school system would continue to track data and it still would be a factor the Board would consider regarding boundary changes that affect large populations. The resolution was aimed at individual student assignments.

Mr. Felton asked about information to parents and what plans were being developed to assure that parents understand the key changes in the policy. Dr. Hartzman explained that the booklet had been revised, and the Department of Communications will send out press releases. Staff will work with principals and pupil personnel workers to explain the details.

Mr. Felton asked what would happen to a transfer request when the facility is not overutilized. Ms. Bresler explained that utilization of a facility would not be used as a factor and the presumption is that all students will attend their home school unless they fall within a specific category of hardship, sibling simultaneously in the school, or continuation in the feeder pattern.

RESOLUTION NO. 711-99 Re: **OMNIBUS RESOLUTION**

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

WHEREAS, On October 6, 1999, the United States Court of Appeals for the Fourth Circuit invalidated the use of race in the MCPS transfer policy; and

WHEREAS, On November 1, 1999, the Board of Education voted unanimously to ask the United States Supreme Court to review the decision of the Fourth Circuit Court of Appeals prohibiting any consideration of race or ethnicity as a factor in approving student transfers; now therefore be it

Resolved, That the portions of policies, regulations, or procedures that require consideration of the race or ethnicity of an individual student in a school or program assignment decision be and hereby are suspended until further notice.

RESOLUTION NO. 712-99 Re: **POLICY JEE**

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

WHEREAS, Policy JEE, *Student Transfers*, allows students to transfer from their home school to another school within certain parameters; and

WHEREAS, The policy provides that the racial composition of the student body in both schools not be unduly affected; and

WHEREAS, On October 6, 1999, the United States Court of Appeals for the Fourth Circuit invalidated the use of race in the MCPS transfer policy; and

WHEREAS, On November 1, 1999, the Board of Education voted unanimously to ask the United States Supreme Court to review the decision of the Fourth Circuit Court of Appeals prohibiting any consideration of race or ethnicity as a factor in approving student transfers; now therefore be it

Resolved, That Policy JEE, *Student Transfers*, be and hereby is suspended until further action by the Board; and be it further

Resolved, That the Board of Education direct the superintendent to revise Regulation JEE-RA to allow transfers on the basis of a documented hardship, the presence of an older sibling simultaneously attending the school, and/or the continuation of a feeder pattern at

transition points.

RESOLUTION NO. 713-99 Re: **CONTRACTS FOR MORE THAN \$25,000**

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

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

WHEREAS, Funds have been budgeted for Bid No. 7055.2, Lease/Purchase of School Buses for the Division of Transportation; and

WHEREAS, Funds have been budgeted for Bid No. C96-112, Lease/Purchase of Motor Vehicles for the Division of School Plant Operations; and

WHEREAS, Funds have been budgeted for Bid No. 0507000028, Lease/Purchase of Off the Lot New and Used Vehicles for the Division of School Plant Operations; now therefore be it

Resolved, That school buses be leased/purchased under the Master Lease/Purchase Agreement and that this resolution has been reviewed by our attorneys; and be it further

Resolved, That motor vehicles for the Division of School Plant Operations be leased/purchased under the Master Lease/Purchase Agreement and that this resolution has been reviewed by our attorneys; and be it further

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

COG7000 Heating Oil - Extension
2339

Awardees

Apex Oil Company, Inc.	\$ 98,482
Naughton Energy Company	364,476
Phoenix Petroleum Company*	<u>30,000</u>
Total	\$ 492,958

COG Diesel Fuel - Extension
72522

Awardee

Global Petroleum Corporation	\$ 1,775,000
------------------------------	--------------

C96-112	Lease/Purchase of a Motor Vehicle for the Division of School Plant Operations under the Master Lease/Purchase Agreement	
	<u>Awardee</u>	
	Standard Leasing Corporation	\$ 26,250
MC0507 000028	Lease/Purchase of Off the Lot New and Used Motor Vehicles for the Division of School Plant Operations under the Master Lease/Purchase Agreement	
	<u>Awardees</u>	
	Century Ford	\$ 34,173
	Criswell Chevrolet	62,564
	Norris Ford	<u>18,568</u>
	Total	\$ 115,305
228-97	Systems Contract for Office Supplies – Extension	
	<u>Awardee</u>	
	Boise Cascade Office Products	\$ 666,802
1069.1	Consulting and Programming Services for the Division of Early Childhood Services	
	<u>Awardee</u>	
	ITL*	\$ 25,000
1078.2	Professional Program Integration Services for the Department of Global Access – Extension	
	<u>Awardee</u>	
	Deloitte & Touche, LLP	\$ 1,200,000
4005.2	Woodwind and Brass Instrument Repairs – Extension	
	<u>Awardee</u>	
	L & L Music Wind Shop	\$ 35,000
4007.1	Asbestos Abatement Supplies and Equipment – Extension	
	<u>Awardees</u>	
	Airgas Lyons Safety, Inc.	\$ 24,637
	AramSCO	61,571

	Grainger, Inc.	1,065
	IpcO Safety	5,021
	National Capital Industries, Inc.	665
	Vallen Safety Supply, Inc.	<u>10,370</u>
	Total	\$ 103,329
4085.1	Heavy Equipment, Tractor and Mower Parts	
	<u>Awardees</u>	
	Frederick Kubota and Equipment Company	\$ 2,000
	GL Cornell Company	2,500
	Gaithersburg Ford Tractor Company	100,500
	Kohler Equipment, Inc.	20,200
	Lawn & Power Equipment	28,200
	Precision Small Engines, Inc.	45,500
	Sumter Small Engine, Inc.	<u>500</u>
	Total	\$ 199,400
4086.1	Dimming System for Black Box Theatre	
	<u>Awardee</u>	
	Kinetic Artistry	\$ 45,974
7055.2	Lease/Purchase of School Buses under the Master Lease/Purchase Agreement	
	<u>Awardees</u>	
	American Bus Sales and Service, Inc.	\$ 7,573,594
	District International Trucks, Inc.	<u>1,394,948</u>
	Total	\$ 8,968,542
9010.1	Bus Wash Chemicals, Service and Maintenance	
	<u>Awardee</u>	
	McHenry Equipment	\$ 34,202
	MORE THAN \$25,000	\$13,687,762

* Denotes MFD vendor

ESOLUTION NO. 714-99 Re: **ACCEPTANCE OF TAKOMA PARK MIDDLE SCHOOL**

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

WHEREAS, Takoma Park Middle School was duly inspected on October 10, 1999; now therefore be it

Resolved, That Takoma Park Middle 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. 715-99 Re: **ACCEPTANCE OF WALT WHITMAN HIGH SCHOOL – CLASSROOM ADDITIONS**

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

WHEREAS, The Walt Whitman High School classroom addition was duly inspected on October 12, 1999; now therefore be it

Resolved, That the Walt Whitman High School classroom addition 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. 716-99 Re: **ACCEPTANCE OF WATKINS MILL HIGH SCHOOL – CLASSROOM ADDITIONS**

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

WHEREAS, Watkins Mill High School was duly inspected on November 1, 1999; now therefore be it

Resolved, That Watkins Mill High 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. 717-99

Re: **AUTHORIZATION FOR PARTICIPATION IN A
JOINT PROCUREMENT OF ELECTRICITY
SUPPLY**

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

WHEREAS, The Electric Customer Choice and Competition Act of 1999 was enacted in April, 1999; and

WHEREAS, This act requires local utility companies to divest themselves of certain assets and allows customers to choose an electricity supply company; and

WHEREAS, The local utility company implementation plans, if approved by the Public Service Commission, will provide Montgomery County Public Schools (MCPS) with the opportunity to purchase electricity from other sources beginning July 2000; and

WHEREAS, MCPS has participated in an interagency task force to evaluate the benefit of a joint procurement among county agencies for electricity; and

WHEREAS, there may be significant benefit to combining the electricity requirements of MCPS with other county agencies for the purpose of procuring electricity; now therefore be it

Resolved, That Montgomery County Public Schools participate in a joint procurement of electricity supply with the county government and other county agencies in accordance with the attached Memorandum of Understanding; and be it further

Resolved, That the Board of Education will award a contract to the electricity vendor selected by the joint procurement provided that the pricing will reduce the cost of electricity below the standard service price offered by the local utility companies.

ESOLUTION NO. 718-99

Re: **AUTHORIZATION TO EXECUTE OPTION CONTRACT AND DEED – QUINCE ORCHARD HIGH SCHOOL**

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

WHEREAS, The Maryland State Highway Administration (MSHA) is planning to widen and improve Darnestown Road (MD 28) along the frontage of Quince Orchard High School; and

WHEREAS, Final design and construction of the road improvements require that Montgomery County Public Schools (MCPS) grant MSHA a fee simple conveyance of 0.810 acre, a revertible easement for supporting slopes consisting of 0.458 acre, a perpetual drainage easement of 0.354 acre, and a temporary construction easement of 1.3069 acres; and

WHEREAS, All construction, restoration, and future maintenance will be at no cost to the Board of Education, with the MSHA and its contractors assuming liability for all damages or injury; and

WHEREAS, The conveyance proposed easements will not adversely affect any land anticipated to be utilized for school purposes; and

WHEREAS, The improvements would benefit the school and community by providing improved road access to MD 28 with sidewalks and landscaping; and

WHEREAS, The State Roads Commission filed a Land Acquisition Petition in the circuit court for Montgomery County on November 12, 1998, to take possession of property which is to become public right-of-way so that utilities can be relocated in advance of actual road construction; and

WHEREAS, The state's deposit of \$199,100 into the court represents the fair market value of the property rights being acquired; and

WHEREAS, Execution of the Option Contract and Deed will eliminate any need for judicial proceeding in this matter; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute an Option Contract and Deed of property at Quince Orchard High School consisting of a fee simple conveyance of 0.810 acre, a revertible easement for supporting slopes consisting of 0.458 acre, a perpetual drainage easement of 0.354 acre, and a

temporary construction easement of 1.3069 acres to the Maryland State Highway Administration.

RESOLUTION NO. 719-99 Re: **AWARD OF CONTRACT – SENECA VALLEY HIGH SCHOOL – VENTILATION SYSTEM EQUIPMENT CLEANING AND DUCT INSULATION REPLACEMENT**

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

WHEREAS, Sealed bids were received on November 10, 1999, for cleaning the ventilation system equipment and duct insulation replacement at Seneca Valley High School; and

WHEREAS, The following contractors bid the service work to begin on December 11, 1999, and be completed by February 27, 2000:

<u>Bidders</u>	<u>Amount</u>
Barco Enterprises, Inc.	\$330,680
Tridim Filter Corporation	168,000

and

WHEREAS, The low bidder, Tridim Filter Corporation, has completed similar work successfully in other buildings; and

WHEREAS, The low bid is below the staff estimate of \$180,000; and

WHEREAS, Staff has verified that Tridim Filter Corporation has made a good faith effort to obtain minority participation; now therefore be it

Resolved, That a contract for \$168,000 be awarded to Tridim Filter Corporation for the ventilation equipment cleaning and duct insulation replacement at Seneca Valley High School, in accordance with plans and specifications prepared by Building Dynamics, LLC.

RESOLUTION NO. 720-99 Re: **AWARD OF CONTRACT –THOMAS S. WOOTTON HIGH SCHOOL**

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

WHEREAS, On November 10, 1998, the Board of Education authorized staff to utilize a

construction management process for the Thomas S. Wootton High School addition project, with work to begin July 1, 1999, and be completed by August 2000; and

WHEREAS, The following sealed bid represents the ninth in a series of subcontracts that were bid as part of a construction management process for the Thomas S. Wootton High School addition project:

<u>Bidder</u>	<u>Amount</u>	<u>Consultant's Estimate</u>
<u>Landscaping</u> W. H. Boyer, Inc.	\$160,360	\$ 80,295

and

WHEREAS, The aggregate of the bids exceeds the consultant's estimate; however, funds are available to cover the overage; and

WHEREAS, The aggregate minority business participation for the subcontracts bid to date is 18.53 percent; now therefore be it

Resolved, That a contract for \$160,360 be awarded to W. H. Boyer, Inc., for landscaping for the Thomas S. Wootton High School addition project, in accordance with plans and specifications prepared by Samaha Associates.

RESOLUTION NO. 721-99 Re: **AWARD OF CONTRACTS – WINSTON CHURCHILL HIGH SCHOOL**

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

WHEREAS, On December 8, 1998, the Board of Education authorized staff to utilize a construction management process for the Winston Churchill High School modernization project, with work to begin July 1, 1999, and be completed by November 2001; and

WHEREAS, The following sealed bids represent the tenth in a series of subcontracts that were bid as part of a construction management process for the Winston Churchill High School modernization project:

<u>Low Bid</u>	<u>Amount</u>	<u>Consultant's Estimate</u>
<u>Stage Curtains/Lighting and Rigging/ Sound System</u>		
Kinetic Artistry, Inc.	\$298,000	\$386,145
<u>Overhead Doors</u>		
Overhead Door Company of Washington, D.C.	\$ 34,109	\$ 31,000

and

WHEREAS, The aggregate minority business participation for the subcontracts bid to date is 27.7 percent; now therefore be it

Resolved, That contracts be awarded for the above-referenced subcontractors meeting specifications for the Winston Churchill High School modernization project, in accordance with plans and specifications prepared by Duane, Cahill, Mullineaux and Mullineaux.

RESOLUTION NO. 722-99 Re: **EXTENSION OF ARCHITECTURAL CONTRACT –
AMERICANS WITH DISABILITIES ACT FACILITIES
MODIFICATIONS**

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

WHEREAS, Funds are appropriated annually in the Capital Improvements Program (CIP) to provide improved accessibility for the disabled at various schools both on a systematic basis and as individual needs become known; and

WHEREAS, Accessibility modifications include improvements to internal and external entrances, parking lots, rest rooms, wheelchair lifts, elevators, signage, and alarm and communications systems; and

WHEREAS, It is necessary to appoint an architectural firm to provide architectural and engineering services on an as-needed basis to respond to program accessibility modification requirements at various schools to meet the intent of the Americans with Disabilities Act (ADA) of 1990; and

WHEREAS, Murray & Associates, Architects, a female-owned business, has provided these services successfully for other Montgomery County Public Schools projects; now therefore be it

Resolved, That the Board of Education extend the contractual agreement with the architectural firm of Murray & Associates, Architects, to provide professional architectural and engineering services for accessibility modifications at various schools as requirements arise, with the individual fees to be negotiated based on a percent of the estimated construction cost and the total contract amount not to exceed \$150,000.

RESOLUTION NO. 723-99 Re: **EXTENSION OF CONTRACT – ENERGY MANAGEMENT SYSTEM FOR THOMAS S. WOOTTON HIGH SCHOOL**

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

WHEREAS, The Energy Management System (EMS) at Thomas S. Wootton High School needs to be upgraded and extended to accommodate the new classroom addition and modernized areas; and

WHEREAS, Staff has negotiated a price with the vendor of the existing system to complete the upgrade and extension based on specifications prepared by the engineer, Von Otto & Bilecky, P.C.; and

WHEREAS, Staff and the engineer think the negotiated price is equitable; now therefore be it

Resolved, That the contract with Control Systems Sales, Inc., be amended in the amount of \$365,872 to upgrade and extend the EMS at Thomas S. Wootton High School, in accordance with plans and specifications prepared by Von Otto & Bilecky, P.C.

RESOLUTION NO. 724-99 Re: **FY 2000 EMERGENCY REQUEST FOR SUPPLEMENTAL APPROPRIATION – EARLY AWARD OF SUBCONTRACTS FOR NORTHWEST ELEMENTARY SCHOOL #6**

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

WHEREAS, The FY 1999-2004 Capital Improvements Program (CIP) contains funds to start construction on the new Northwest Elementary School #6 the summer of 2000 so the school can open September 2001; and

WHEREAS, The Board of Education requested funds in the FY 2001-2006 CIP to locate the Longview program at the new Northwest Elementary School #6 site which has created a much larger project than initially planned; and

WHEREAS, Staff has recommended the site work on the new Northwest Elementary School #6 portion of the combined project be started this spring to ensure it is ready for a September 2001 opening; and

WHEREAS, Beginning the site work earlier than originally planned requires that a portion of the program funding be advanced to the FY 2000 Capital Budget; now therefore be it

Resolved, That the Board of Education request a FY 2000 emergency supplemental request and amendment to the FY 1999-2004 CIP in the amount of \$1.9 million to advance funding for the new Northwest Elementary School #6 site work so that construction can start earlier than originally planned; and be it further

Resolved, That this request be forwarded to the county executive and County Council for approval.

RESOLUTION NO. 725-99

Re: **GRANT OF STORM DRAIN EASEMENT AND RIGHT OF WAY AT NORTHWEST ELEMENTARY SCHOOL #6**

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

WHEREAS, Montgomery County has requested a grant of storm drain easement and right-of-way of 8,926 square feet at the Northwest Elementary School #6 site; and

WHEREAS, Grant of the storm drain easement and right of way will aid in the site development for the future elementary school scheduled to open in September 2001; and

WHEREAS, All construction will be undertaken by the developer of the surrounding subdivision with Montgomery County inspecting and taking over the facility for future maintenance upon completion; and

WHEREAS, The proposed easement will not affect any land that could be used for school programming and recreational activities; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a storm drain easement and right-of-way to Montgomery County, Maryland, at the Northwest Elementary School #6 site.

RESOLUTION NO. 726-99

Re: **REQUEST FOR FY 2000 EMERGENCY SUPPLEMENTAL APPROPRIATION – ADVANCE LAND ACQUISITION REVOLVING FUND (ALARF)**

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

WHEREAS, The Board of Education selected a 10-acre site in the Kingsview Village area of Germantown for construction of the future Northwest Elementary School #6 on October 26, 1998; and

WHEREAS, On August 24, 1999, the Board of Education voted to expand the Northwest Elementary School #6 site and authorized staff to purchase nine adjacent lots; and

WHEREAS, The Board of Education also approved pre-grading of the site by the developer of the Kingsview Village subdivision as part of the land purchase for a cost below current market prices; and

WHEREAS, The site expansion and pre-grading were charged against the Advance Land Acquisition Revolving Fund (ALARF) because the construction appropriation for the Northwest Elementary School #6 site will not be available until FY 2001; and

WHEREAS, The funds expended for the Northwest Elementary School #6 need to be restored to the ALARF prior to FY 2001 for the purchase of other properties essential to the implementation of the Board of Education’s long-range facilities plan, now therefore be it

Resolved, That the Board of Education request an FY 2000 emergency supplemental appropriation and amendment to the FY 1999-2004 CIP in the amount of \$1,650,000 to replenish the Advance Land Acquisition Revolving Fund; and be it further

Resolved, That this request be forwarded to the county executive and County Council for approval.

RESOLUTION NO. 727-99

Re: **WOOD ACRES ELEMENTARY SCHOOL – LAND EXCHANGE AND SITE EXPANSION**

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

WHEREAS, The current site size of the Wood Acres Elementary School is 2.59 acres and the existing building encroaches into the adjacent Woodacres Local Park; and

WHEREAS, The Board of Education approved the schematic design for the modernization of Wood Acres Elementary School in June 1999; and

WHEREAS, The plan presented relies on the acquisition of additional land from the adjacent Woodacres Local Park owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC); and

WHEREAS, The Montgomery County Planning Board approved the transfer of 3.02 acres from the park to the Board of Education at the mandatory referral hearing held on September 16, 1999, contingent upon Montgomery County Public Schools (MCPS) taking action to exchange a parcel of land of equivalent value; and

WHEREAS, Staff will identify a suitable exchange parcel at a later date for a recommendation to the Board of Education; and

WHEREAS, The additional land will be a benefit to the school by increasing its site size and providing space for school facilities and programming; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to accept a deed from the Maryland-National Capital Park and Planning Commission for 3.02 acres to be incorporated into the Wood Acres Elementary School.

RESOLUTION NO. 728-99

Re: **UTILIZATION OF FY 2000 FUTURE SUPPORTED PROJECT FUNDS FOR THREE HOWARD HUGHES MEDICAL INSTITUTE SUPPORTED PROJECTS**

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

Resolved, That in accordance with the resolution from the Montgomery County Public Schools Educational Foundation, Inc., the Board of Education accept the interest earnings from grants to the MCPS Educational Foundation, Inc., by the Howard Hughes Medical Institute; and be it further

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 2000 Provision for Future Supported Projects \$26,310 in interest earnings from grants awarded to Montgomery County Public Schools by the Howard Hughes Medical Institute through the Montgomery County Public Schools Educational Foundation, Inc., in the following categories:

<u>Category</u>	<u>Amount</u>
3 Instructional Salaries	\$ 4,682
4 Textbooks and Instructional Supplies	12,514
5 Other Instructional Costs	8,739
12 Fixed Charges	<u>375</u>
Total	<u>\$26,310</u>

and be it further

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

RESOLUTION NO. 729-99

Re: **REALIGNMENT OF FEDERAL AND LOCAL FUNDING,
AND RECOMMENDED FY 2000 SUPPLEMENTAL
APPROPRIATION FOR THE CONSOLIDATED ADULT
EDUCATION AND LITERACY SERVICES PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive an additional grant award of \$304,856 from the U.S. Department of Education, Adult Education and Family Literacy Act (Title II of the Workforce Investment Act of 1998), via the Maryland State Department of Education for the Consolidated Adult Education and Literacy Services Program, with a \$121,655 decrease in local revenue; and be it further

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 2000 supplemental appropriation of \$183,201 from the U.S. Department of Education, Adult Education and Family Literacy Act (Title II of the Workforce Investment Act of 1998), via the Maryland State Department of Education for the Consolidated Adult Education and Literacy Services Program, in the following categories:

<u>Category</u>	<u>Positions*</u>	<u>Amount</u>
3 Instructional Salaries	2.0	\$124,571
5 Other Instructional Costs		25,593
12 Fixed Charges	—	<u>33,037</u>
Total	<u>2.0</u>	<u>\$183,201</u>

* 2.0 instructional specialists, (B-D) 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. 730-99 Re: **MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated December 14, 1999.

RESOLUTION NO. 731-99 Re: **DEATH OF MS. BARBARA J. ROBINSON, STAFFING SPECIALIST, DEPARTMENT OF HUMAN RESOURCES**

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

WHEREAS, The death on December 3, 1999 of Ms. Barbara J. Robinson, staffing specialist in the Department of Human Resources, has very deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Ms. Robinson started work with Montgomery County Public Schools more than 25 years ago as a teacher who believed that all children were capable of learning and that it was our responsibility to provide the method that best suited the child; and

WHEREAS, In her 13 years in Personnel, she held to the highest standards for the work she did and always took a stand for the right reasons and fought passionately for the welfare of the school system and the children entrusted to it; now therefore be it

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

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

RESOLUTION NO. 732-99

Re: **DEATH OF MRS. CATHLEEN JACOBSON, SCHOOL SECRETARY II ON LONG-TERM PERSONAL ILLNESS LEAVE FROM JOHN POOLE MIDDLE SCHOOL**

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

WHEREAS, The death on October 25, 1999, of Mrs. Cathleen Jacobson, school secretary II on long-term personal illness leave from John Poole MS, has deeply saddened the staff and members of the Board of Education; and

WHEREAS, Mrs. Jacobson had been a consistently superior employee of Montgomery County Public Schools for more than twenty years; and

WHEREAS, Mrs. Jacobson handled her position with a professionalism that went far and above the expected performance of a school secretary II; now therefore be it

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

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

Re: **MONTHLY FINANCIAL REPORT**

Mr. Bowers stated that the report reflected the projected financial condition through October 31, 1999, based on program requirements and estimates made by primary and secondary account managers. At that time, there was a projected surplus in revenues of \$95,623 and a projected expenditure surplus of \$400,000.

Re: **BOARD ADVISORY COMMITTEES**

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

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

WHEREAS, The Advisory Council on Career and Technology Education and a systemwide citizens advisory committee for evaluating family life and human development curricula and instructional materials are required by State regulation; and

WHEREAS, The Board currently has six other advisory committees, some of which have been existence for three decades; and

WHEREAS, The Board has reviewed the mission and structure of these advisory committees, with the aim of fostering more effective input from the community on current issues and concerns facing the Board; now therefore be it

Resolved, That the existing advisory committees, with the exception of the two committees referenced in the paragraph below, shall cease to exist, effective June 2000, and the resolutions that created such committees shall be deemed to be repealed; and be it further

Resolved, That the Board will create, through Board resolutions, new standing or ad hoc committees to advise the Board on issues and concerns identified by the Board; and be it further

Resolved, That, consistent with State regulation and in accordance with existing Board resolutions, the Advisory Council on Career and Technology Education and the Advisory Committee for Family Life and Human Development shall remain as Board advisory committees, with the next appointments to take place in June 2000, and be it further

Resolved, That, this resolution be widely disseminated to all of the existing Board advisory committees along with a letter of appreciation expressing the Board's thanks for all the valuable information and for the hard work that committee members have shared with the Board of Education throughout their existence.

Re: **DISCUSSION**

Mr. Felton noted that the resolution reflected how the Board engaged the community. It was the desire of the Board that advisory committees should be (1) established as needs are identified, (2) focused on the Board's needs, and (3) opportunities for the community to address a single issue. In effect, the resolution eliminated the previous structure and allowed the Board to establish ad hoc committees as it deemed appropriate.

Mrs. Gordon asked if any policy changes were needed. Mr. Margolies replied that the resolution necessitated no such changes.

Mr. Burnett asked if staff had reached out to the committees that would be dissolved to inform them of the Board's possible action. Ms. Brenneman replied that the liaisons had been advised. Since there was a range of possible Board actions, it was decided to wait until Board action to advise the committees.

With the two remaining committees established by law, Mrs. Gordon wanted to know if there would be an opportunity to review the membership and charges. Mr. Abrams thought the resolution establishing those committees would parallel state law. Mrs. Gordon asked to review the membership and charges prior to the appointments in June.

Mr. Burnett asked if the liaisons had expressed any concerns about eliminating the advisory committees. Ms. Brenneman replied that there would be a restructuring, and the liaisons had expressed no concerns. Mr. Burnett asked the question because he knew the Minority Student Advisory Committee had been seeking new members. Ms. Brenneman pointed out that some of the members might be interested in an ad hoc committee to deal with specific issues.

Mr. Abrams thought that ad hoc committees might lead to more participation rather than less. Ms. Brenneman replied that the Board was very interested in hearing from the community on a myriad of issues.

Mr. Felton hoped this resolution was not seen as the elimination of committees, but as a restructuring to allow for more community participation on issues of interest to the community and the Board.

RESOLUTION NO. 733-99 Re: **BOARD ADVISORY COMMITTEES**

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

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

WHEREAS, The Advisory Council on Career and Technology Education and a systemwide citizens advisory committee for evaluating family life and human development curricula and instructional materials are required by State regulation; and

WHEREAS, The Board currently has six other advisory committees, some of which have been existence for three decades; and

WHEREAS, The Board has reviewed the mission and structure of these advisory committees, with the aim of fostering more effective input from the community on current issues and concerns facing the Board; now therefore be it

Resolved, That the existing advisory committees, with the exception of the two committees

referenced in the paragraph below, shall cease to exist, effective June 2000, and the resolutions that created such committees shall be deemed to be repealed; and be it further

Resolved, That the Board will create, through Board resolutions, new standing or ad hoc committees to advise the Board on issues and concerns identified by the Board; and be it further

Resolved, That, consistent with State regulation, and in accordance with existing Board resolutions, the Advisory Council on Career and Technology Education and the Advisory Committee for Family Life and Human Development shall remain as Board advisory committees, with the next appointments to take place in June 2000, and be it further

Resolved, That, this resolution be widely disseminated to all of the existing Board advisory committees along with a letter of appreciation expressing the Board's thanks for all the valuable information and for the hard work that committee members have shared with the Board of Education throughout their existence.

RESOLUTION NO. 734-99 Re: **TIMETABLE FOR THE ELECTION OF THE STUDENT BOARD MEMBER**

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

WHEREAS, The Montgomery County Region of the Maryland Association of Student Councils (MCR) yearly submits a calendar of the major events surrounding the election of the student member of the Board of Education for its review and approval; now therefore be it

Resolved, That the Board of Education approve the calendar of major events for the election of the twenty-third student member of the Board of Education, as proposed by the Montgomery County Region of the Maryland Association of Student Councils.

CALENDAR OF MAJOR EVENTS

Advertising Period	December 7-23, 1999
Filing Period	January 3-21, 2000
Nominating Convention	March 9, 2000
Town Meeting	March 9, 2000
General Campaign Period	March 16-May 4, 2000
Town Meeting II	March 16, 2000
General Election	May 4, 2000

RESOLUTION NO. 735-99

Re: **MINUTES OF THE BOARD'S SEPTEMBER 14, 1999, MEETING**

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

Resolved, That the Board of Education approve the minutes of its September 14, 1999, meeting.

RESOLUTION NO. 736-99

Re: **MINUTES OF THE BOARD'S OCTOBER 14, 1999, MEETING**

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

Resolved, That the Board of Education approve the minutes of its October 14, 1999, meeting.

RESOLUTION NO. 737-99

Re: **MINUTES OF THE BOARD'S OCTOBER 26, 1999, MEETING**

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

Resolved, That the Board of Education approve the minutes of its October 26, 1999, meeting.

RESOLUTION NO. 738-99

Re: **MINUTES OF THE BOARD'S NOVEMBER 3, 1999, MEETING**

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

Resolved, That the Board of Education approve the minutes of its November 3, 1999, meeting.

RESOLUTION NO. 739-99

Re: **MINUTES OF THE BOARD'S NOVEMBER 10, 1999, MEETING**

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

Resolved, That the Board of Education approve the minutes of its November 10, 1999,

meeting.

RESOLUTION NO. 740-99 Re: **MINUTES OF THE BOARD'S NOVEMBER 11, 1999, MEETING**

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

Resolved, That the Board of Education approve the minutes of its November 11, 1999, meeting.

RESOLUTION NO. 741-99 Re: **BOARD APPEAL 1999-11**

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

Resolved, That the Board of Education adopts its Decision and Order in Appeal 1999-11, a disability retirement matter, reflective of the following vote: Mr. Abrams, Mr. Felton, Mrs. Gordon, Mrs. King, Mrs. O'Neill, Ms. Sampedro, and Ms. Signer voting in the affirmative; Mr. Burnett voting to reverse.

RESOLUTION NO. 742-99 Re: **BOARD APPEAL T-1999-112**

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

Resolved, That the Board of Education adopts its Decision and Order in Appeal T-1999-112, a student transfer matter, reflective of the following vote: Mr. Abrams, Mr. Burnett, Mr. Felton, Mrs. Gordon, Mrs. King, Mrs. O'Neill, Ms. Sampedro, and Ms. Signer voting to reverse.

RESOLUTION NO. 743-99 Re: **BOARD APPEAL T-1999-113**

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

Resolved, That the Board of Education adopts its Decision and Order in Appeal T-1999-113, a student transfer matter, reflective of the following vote: Mr. Abrams, Mr. Burnett, Mr. Felton, Mrs. Gordon, Mrs. King, Mrs. O'Neill, and Ms. Signer voting to reverse; Ms. Sampedro voting to affirm.

Re: **ITEMS OF INFORMATION**

The following information items were available:

- 1. Items in Process
- 2. Legal Fees Report for September 1999
- 3. Construction Progress Report
- 4. FY 2000 Summer School

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed from 12:07 to 2:00 p.m. for lunch and closed session.

Re: **PUBLIC COMMENTS**

There were no public comments at this time.

RESOLUTION NO. 744-99 Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective February 1, 2000:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Louis Martinez	Principal, Watkins Mill HS	Community Superintendent

RESOLUTION NO. 745-99 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 February 1, 2000:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Pamela Y. Hoffler-Riddick	Senior Director for Research, Testing, and Statistics Norfolk City Schools	Community Superintendent

RESOLUTION NO. 746-99

Re: **PERSONNEL APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective January 3, 2000:

<u>Appointment</u>	<u>Present Position</u>	<u>As</u>
Darryl L. Williams	Assistant Principal, James Hubert Blake HS	Executive Assistant, Office of School Performance and Accountability

Re: **PROCESS FOR DEVELOPMENT AND FUNDING
FOR SIGNATURE AND SPECIAL PROGRAMS**

Dr. Weast invited the following people to the table: Seated at the table for the discussion of signature programs are Mrs. Nancy Powell, a former high school principal and the chair of the work group; Mrs. Patricia Hanson, assistant principal, Albert Einstein High School; and Mr. Dale Fulton, director, department of high school innovative programs and academic initiatives. Seated in the audience are other members of the work group and teachers, students, and parents from many signature programs.

In June 1999, a work group composed of secondary school administrators and central office staff was convened to address concerns related to signature programs that had been raised by the County Council during its budget deliberations and by the Board of Education as part of its ongoing oversight of academic programs. During that year's budget process, the County Council eliminated \$225,000 from the FY 2000 budget intended for future signature program implementation and growth.

Based on data collected from a variety of sources, the work group found diversity and high levels of interest in the current high school signature programs. These programs demonstrate that schools – staff, students, parents, and community partners working together – can deliver the MCPS curriculum in ways that uniquely engage and challenge their students. With minimal financial investment on the part of the school system, students derive significant benefits from these programs.

However, the work group did find some problems with the way signature programs are developed, supported, and evaluated. For example, the majority of signature programs address the needs and interests of highly able, highly motivated students. One unintended effect of such programs is to further segregate students by race and socioeconomic status within a school and provide additional resources and an enriched academic program to

these most able students. This observation brought the work group face to face with a central policy issue: When the Board of Education embraces site-based management and encourages school communities to develop their own programs, what latitude is the Board willing to allow, and how should parameters be set?

Below are some of the issues and recommendations spelled out in greater detail:

Issue: There is no process to evaluate existing signature programs (except as required by an external group) to revise, revitalize, or refocus programs, if needed, or to discontinue them if they have outlived their usefulness.

Recommendation: To provide accountability, existing signature programs should be formally reviewed every two years to determine if the programs merit continued funding and, if so, at what level.

Issue: Some programs have received seed money without being clearly aligned to MCPS priorities and without having a vision and a multi-year plan.

Recommendation: The work group recommends a process to assure that a program is not funded until it has clearly articulated goals that are congruent with MCPS priorities, a vision and a multi-year plan for attaining that vision, an evaluation plan, and budget projections that spell out planning, start-up, and continuing costs. Such a plan will provide the basis for accountability and for decision-makers to judge the fiscal sustainability of a project.

Issue: The site-based initiative process can foster frustration and cynicism if a school/community team invests a great deal of effort in developing a plan that the team is then told is unacceptable because it lacks some of the required components.

Recommendation: A three-member support team composed of the community superintendent or her/his designee, the director of high school innovative programs and academic initiatives, and an appropriate central office staff member enter into a dialogue with and provide support to the school's planning team. The goal is that by the time the school presents its plan, the members of the support team will be prepared to advocate for the program.

The work group provided staff with valuable baseline data and recommendations with which to develop a comprehensive plan that will maximize the effectiveness of existing signature programs and assure that new programs are planned according to specific criteria and focus on system goals and objectives. Dr. Weast intended to keep the Board informed as the recommendations of the work group are further developed and refined.

Re: **DISCUSSION**

Mrs. Gordon was pleased with the comprehensive review of signature programs, and said

the recommendations of the work group were sound. She asked how closely staff worked with schools in developing a signature program and if there was any follow-up assistance. She knew that one school had requested and received startup funds on more than one occasion, but still had no program in place. Mrs. Powell replied that the work group looked at signature programs in three parts: (1) planning stages in the school with modest funding, (2) developing the signature with staff assistance, and (3) funding to initiate the program. Mr. Fulton added that the office now offers support and monitoring to schools for developing signature programs. In the past, even if a school did not want to continue or did not find it worthwhile to continue, the school may have developed some exciting proposals and interesting research. The job of his office is to disseminate that information, thus establishing a resource bank, so each school can have access to the data.

Mrs. Gordon noted a huge variation in signature programs. She thought some of them did not reach an appropriate level of rigor for a signature program, and she asked how existing and future programs would be evaluated. Mrs. Powell replied that the first recommendation was to provide accountability and a formal review of existing signature programs every two years to determine if the programs merit continued funding and, if so, at what level.

Mrs. Gordon asked what would happen to programs in schools that did not meet the definition of a signature program. Mr. Fulton responded that staff would help those schools evaluate their programs with a possible upgrade to meet the criteria for funding or the programs might be eliminated.

Mr. Felton appreciated the recommendations and increased accountability. A new concept throughout the nation is public-school choice. He asked if the work group addressed how signature programs could be a way to support that concept. Mrs. Powell said the group did not look at that concept; however, the Northeast Consortium could serve as a model.

Ms. Signer was pleased with the paper and its recommendations as it responded to the concerns of the County Council. She was concerned about schools that receive planning money for a signature program, without establishing a program, then seek more funding. She thought it was crucial that schools were held accountable for how the planning dollars were spent and the outcomes of the programs. She was intrigued by the trend toward signature programs, and she asked if all high schools had requested such a program. Mr. Fulton replied that all schools were interested in these programs, and staff was working with schools in the planning stages.

Ms. Sampedro was pleased by the recommendation for accountability with the merits of funding and level of rigor considered. She asked if there had been any consideration of reviewing the content of the program. She had not seen any changes in Springbrook High School courses since it became a signature school. She wanted to know if students and

parents were satisfied with signature programs. Mrs. Powell thought it varied from school to school and the biennial review would include student and parent perceptions.

Mr. Burnett asked what the difference was between a signature program and a signature school. Dr. Seleznow explained that schools received seed money to determinate whether the program would be for a focused group of students or for the entire school.

Mr. Burnett asked about funding. Some programs could operate on a small budget while others need more funding, especially those that relied heavily on technology. Was there a discussion on maintaining current technology in signature programs? Mrs. Powell explained that the work group was pressured to establish a recommended amount for a signature program, but the group felt that the program dictated the level of funding.

Mr. Burnett noted that middle schools have similar needs to the high schools and asked if the work group examined those needs. Mr. Fulton said the main concern was to address signature programs in high schools prior to working with middle schools. Mrs. Powell suggested the middle schools could build on the model that is established for the high schools.

Mrs. O'Neill suggested that the paper on the Process for Development and Funding for Signature and Special Programs be shared with the County Council. She was pleased with the biennial review and the accountability part. Also, a critical piece was funding for the retraining of teachers. Another issue is articulation about signature programs in the community.

Mrs. Gordon noted that the recommendation made by the work group would put tremendous pressure on the staff of the High School Innovative Programs and Academic Initiatives. If MCPS moves forward to support signature programs, there must be support for the operation with resources and staff.

Re: **REDESIGN OF KINDERGARTEN PROGRAM**

Dr. Weast invited the following people to the table: Dr. Patricia Flynn, director, Department of Academic Programs, and Ms. Pamela Prue, director, Division of Early Childhood Services.

In response to the Board of Education's academic priority to "develop, expand, and coordinate a literacy-based birth-to-kindergarten initiative," Dr. Weast proposed an early childhood program initiative entitled *Early Success*. This initiative includes a proposal to increase the number of full-day kindergarten programs in Montgomery County Public Schools (MCPS), beginning with the 28 schools having the largest number of students living in poverty. The initial expansion of full-day kindergarten programs will support efforts

to "close the gap" in performance among diverse students. However, the school system also must attend to its goal of "raising the bar" for all students. To accomplish this, Dr. Weast was proposing a complete redesign of the kindergarten program, with particular attention to the development of an accelerated, literacy-based curriculum and a differentiated model of program implementation for half-day and full-day programs. Dr. Weast requested approval to move forward with plans to redesign the existing kindergarten program for both half-day and full-day instruction.

The MCPS kindergarten study documented the need to take this action. Among the findings were:

- The curriculum lacks the comprehensiveness needed to accelerate the performance of all students in the area of literacy.
- Weekly time allocations for reading and mathematics in both half-day and full-day programs are insufficient to deliver a rigorous curriculum.
- Inconsistencies exist in the delivery of kindergarten instruction.
- The curriculum model fails to offer a differentiated instructional design for half-day and full-day programs.

ACTION

The MCPS full-day and half-day kindergarten programs will be redesigned to include extended time for balanced literacy instruction, with reading/language arts linked to all other subject areas. Staff has begun examining several national and international kindergarten program models that focus on literacy and numeracy and set high standards for student performance. Additionally, staff is reviewing content-specific curricula as well as material from national and international early childhood associations.

Curriculum

The revised rigorous and accelerated curriculum will contain a written framework and schedule that allocates whole blocks of time for sustained, high quality teaching and that differentiates between half-day and full-day kindergarten programs. Features will include:

- Challenging and accelerated instruction in a literacy-based curriculum
- Increased time allocations for reading, writing, and mathematics
- MSDE content standards in reading, mathematics, science, and social studies
- Instruction that mirrors the Reading Initiative approach to develop emerging reading fluency and comprehension skills of students
- Essential questions to guide children during their exploration of topics and themes
- Mathematics manipulatives, experiments in science, and technologies that promote

- real-world problem solving
- Provision for students to progress through the curriculum at an accelerated pace
- Specified content outcomes, performance outcomes as measured by a revised assessment component, and an inventory of furnishings, print, and instructional materials

Instruction

Instructional delivery will offer these features:

- Extended time allocations for reading, writing, and mathematics
- Use of flexible grouping and regrouping strategies.
- Cooperative learning opportunities
- Literacy-based instructional activities that integrate the curriculum disciplines, promote higher order thinking, and respond to individual learning needs
- Ongoing parent-teacher communication
- Early identification and intervention practices
- Strategies to accelerate learning, mastery, and achievement

Assessment

Comprehensive assessments of student performance will be designed to include:

- Early childhood academic assessments in reading, writing, and mathematics that use pre- and post-test student performance measures
- Utilization of existing measures including systematic observation by teachers, the *Early Childhood Observation Record*, running records, and portfolios of children's work
- Development of a system to monitor the progress of students identified as needing interventions or referrals through the Early Identification and Intervention Program
- Documentation through assessments of students' acquired knowledge and skills

Re: DISCUSSION

Mrs. O'Neill commented that most Board members were thrilled that the redesign of the kindergarten program was to move forward. She supported this redesign because it was her observation that a minimal amount of time was spent on instruction in kindergarten. For the most at-risk students, kindergarten was the time and place to begin. Smaller class sizes and teacher training will complete the instructional package.

** Mr. Abrams left the meeting at this point.

Mr. Felton noted that the Board had been talking about improvements in kindergarten, including a refocus on academic achievement. Calls from the community had questioned the Board's action. He suggested that the school system highlight the proposed curriculum

changes in an easy-to-read brochure for kindergarten parents. The redesign of the program is the right thing to do and must be tied into after-school programs as well as county-wide collaborative efforts.

Ms. Signer was pleased that staff had come to the Board early in the process to request a redesign of the curriculum. She was stunned to learn that students spend only 75 minutes a week on mathematics, 100 minutes a week on music, and 125 minutes a week on physical education. That was not an academic-based kindergarten program. In the past, she had been reluctant to support the expansion of all-day kindergarten because there was no real difference between the curricula of half-day and all-day kindergarten. MCPS research has shown that there were no long-term benefits from all-day kindergarten based on the current curriculum. However, the proposal before the Board makes it realistic to support the expansion to all-day kindergarten. She agreed with Mr. Felton that it would be up the school system to work with the community, particularly through the Collaboration Council and the Early Childhood Network, to describe the skill sets that children ought to bring to kindergarten.

Mrs. Gordon spoke about time allocations. She asked if the half-day kindergarten program was extended when the elementary school day was lengthened several years ago. Dr. Flynn responded that everything was open for redesign. That conversation would include union representatives, transportation, parents, and private and public day-care providers, because the impact would have a ripple effect throughout the community.

Mrs. Gordon hoped that the school system would involve all stakeholders because that conversation did not take place when the time was expanded for elementary schools. The expansion took place to comply with state law. The Board knows that the more time students are in school, the more opportunity they have to learn. The time for half-day kindergarten could be adjusted to accommodate, for example, getting coats and hats on and off. She hoped staff would look seriously at that suggestion. She hoped the decision would not be driven by the convenience for a few, but by the benefit for all. Dr. Flynn agreed and said that the decision would not be made in isolation.

Mrs. King noted that when the original curriculum was written, kindergarten was viewed as a playtime for getting children used to school rather than for focusing on instruction.

Ms. Sampedro thought more students must learn to read in kindergarten, and she was pleased to see the focus on reading and English. Classes are always separated into the more and less proficient readers.

Mr. Burnett was pleased to see the redesign of the kindergarten curriculum begin. Most people will agree that, as children run the race, if they do not come out of the blocks in kindergarten with a good start, they will never get around that track.

Dr. Weast stated that the curriculum must be redesigned, the time lengthened for children who are most impacted, and the class size lowered in grades one and two; it all fits together. There is a great transition between successful students and early instructional experiences in school.

RESOLUTION NO. 747-99 Re: REDESIGN OF KINDERGARTEN PROGRAM

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

WHEREAS, On November 9, 1999, the Board of Education approved an early childhood initiative; and

WHEREAS, Our kindergarten study documented the need to redesign our existing Kindergarten program for both half-day and full-day; and

WHEREAS, The Board anticipates that the FY 2001 operating budget will include requests for funds in support of this initiative; now therefore be it

Resolved, That the Board of Education approve moving forward with the redesign of our existing kindergarten program for both half day and full day.

Re: PUBLIC COMMENTS

The following person testified before the Board of Education:

<u>Person</u>	<u>Topic</u>
Melissa Croker	Cell Phones

RESOLUTION NO. 748-99 Re: CLOSED SESSION RESOLUTION

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

WHEREAS, The Board of Education of Montgomery County is authorized by the *Education Article* and *State Government Article of the Annotated Code of Maryland* to conduct certain meetings or portions of its meetings in closed sessions; now therefore be it

Resolved, That the Board of Education of Montgomery County conduct portions of its meeting on Tuesday, January 11, 2000, in Room 120 of the Carver Educational Services Center from 8:30 to 10:00 a.m. and 12:00 to 2:00 p.m. to discuss personnel matters, as permitted under Section 10-508(a)(1) of the *State Government Article*, consult with counsel

to obtain legal advice, as permitted by Section 10-508(a)(7) of the *State Government Article*; and review and adjudicate appeals in its quasi-judicial capacity and to discuss matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*); and be it further

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

Re: REPORT OF CLOSED SESSION

On November 9, 1999, by unanimous vote, the Board of Education voted to conduct a closed session as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed session on November 9, 1999, from 8:45 to 10:15 a.m. and 1:05 to 1:50 p.m. in Room 120, Carver Educational Services Center, Rockville, Maryland, and

- Reviewed and/or adjudicated the following appeals: 1999-9, 1999-35, 1999-36, 1999-37, T-199-105, and T-199-106.
- Reviewed the Superintendent's recommendation for the appointments of four Community Superintendents, subsequent to which the vote to approve the appointment was taken in open session.
- Discussed and reviewed the Personnel Monthly Report, subsequent to which the vote to approve the report was taken in open session.
- Consulted with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.

In attendance at the closed session were: Steve Abrams, Aggie Alvez, Jerrilyn Andrews, Elizabeth Arons, Larry Bowers, Fran Brenneman, Judy Bresler, Kermit Burnett, Reggie Felton, Bea Gordon, Marlene Hartzman, Roland Ikheloa, Nancy King, Frieda Lacey, George Margolies, Patricia O'Neill, Brian Porter, Glenda Rose, Laura Sampedro, Steve Seleznow, Mona Signer, Pam Splaine, Roger Titus, and Jerry Weast.

On November 29, 1999, by unanimous vote, the Board of Education voted to conduct a closed session as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed session on November 29, 1999, from 7:30 to 10:45 p.m. in Room 120, Carver Educational Services Center, Rockville, Maryland, and discussed collective bargaining negotiations, as permitted under Section 10-508(a)(9) of the *State Government Article* and Section 4-107(d)(2)(ii) of the *Education*

Article.

In attendance at the closed session were: Steve Abrams, Larry Bowers, Kermit Burnett, Reggie Felton, Ed Frantz, Wes Girling, Bea Gordon, Roland Ikheloa, Nancy King, Sheldon Kline, Don Kopp, Frieda Lacey, Patricia O'Neill, Brian Porter, Tom Reinert, Glenda Rose, Mona Signer, and Jerry Weast.

RESOLUTION NO. 749-99 Re: **APPOINTMENTS TO THE AUDIT SUBCOMMITTEE**

On motion of Mrs. Gordon and seconded by Mr. Felton, the following resolution was adopted unanimously by members present:

WHEREAS, On September 13, 1978, the Board of Education established an Audit Committee; and

WHEREAS, Eligibility for appointment to the Audit Committee is limited to members of the Board of Education whose remaining terms of office with the Board are equal to or greater than the terms for which they are appointed to this subcommittee; and

WHEREAS, The Audit Committee consists of three members, appointed by the president of the Board of Education, serving staggered terms of three years each, and the term of office begins on the date of the first all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Ms. Mona Signer's term expired on November 30, 1999, and one vacancy now exists on the committee; and

WHEREAS, Mr. Reginald Felton was appointed to serve until November 30, 2000, and Mr. Stephen Abrams was appointed to serve until November 30, 2001; and

WHEREAS, Mr. Stephen Abrams' term as chairperson expired on November 30, 1999; now therefore be it

Resolved, That Mona Signer be appointed to serve until November 30, 2002; and be it further

Resolved, That Steve Abrams serve as chairperson of the Audit Committee until November 30, 2000.

RESOLUTION NO. 750-99

Re: **APPOINTMENTS TO THE LONG-RANGE AND STRATEGIC PLANNING SUBCOMMITTEE**

On motion of Mrs. Gordon and seconded by Mr. Felton, the following resolution was adopted unanimously by members present:

WHEREAS, On September 8, 1994, the Board of Education established a Subcommittee on Long-Range Planning; and

WHEREAS, On September 12, 1995, the Board of Education changed the name to Subcommittee on Long-Range and Strategic Planning; and

WHEREAS, Eligibility for appointment to the Subcommittee on Long-Range and Strategic Planning is limited to members of the Board of Education whose remaining terms of office with the Board are equal to or greater than the terms for which they are appointed to this subcommittee; and

WHEREAS, The Subcommittee on Long-Range and Strategic Planning consists of three members, appointed by the president of the Board of Education, serving staggered terms of three years each, and the term of office begins on the date of the first all-day Board meeting in December of the year of appointment and ends three years later on November 30; and

WHEREAS, Mr. Kermit Burnett's term expired on November 30, 1999, creating a vacancy on the subcommittee; and

WHEREAS, Mrs. Nancy King was appointed to serve until November 30, 2000, and Mrs. Patricia O'Neill was appointed to serve until November 30, 2001, and;

WHEREAS, Mrs. King's term as chairperson expired on November 30, 1999; now therefore be it

Resolved, That Kermit Burnett be appointed to serve until November 30, 2002; and be it further

Resolved, That Nancy King serve as chairperson of the Subcommittee on Long-Range and Strategic Planning until November 30, 2000.

RESOLUTION NO. 751-99

Re: **APPOINTMENTS TO THE RESEARCH AND EVALUATION SUBCOMMITTEE**

On motion of Mrs. Gordon and seconded by Mr. Felton, the following resolution was adopted unanimously by members present:

teaching and learning for all students; and

WHEREAS, On October 26, 1999, the Honors/Advanced Placement Work Group met with the Board of Education and Superintendent to review the recommendations of the Work Group Report, relate the recommendations to the Board's academic priorities, and discuss effective strategies to ensure equity of opportunity and access to Honors and Advanced Placement courses; and

WHEREAS, On November 9, 1999, the Superintendent of Schools unveiled a "Call To Action" plan designed to raise student academic achievement and close the gap in student performance by race and ethnicity; and

WHEREAS, The Board of Education and MCPS expect all employees of Montgomery County Public Schools to be fully committed to rigorous academic instruction and learning of all our students; now therefore be it

Resolved, That the Board of Education and MCPS commit themselves to providing adequate resources to address the gap in honors participation among the racial, cultural and ethnic groups, especially by focusing on under-served and under-represented students.

Re: **NEW BUSINESS**

Ms. Signer moved and Mrs. King seconded the following:

WHEREAS, The Student Resource Officer Program (SRO) seeks to expand the concept of community policing by assigning police officers to high schools as part of the school staff; and

WHEREAS, The Montgomery County Chief of Police has announced his intention to assign police officers as liaisons in all high schools; and

WHEREAS, Parents of Gaithersburg High School students have expressed concerns about the placement of a SRO at that school and have asked that the program be suspended; and

WHEREAS, The Board of Education has no procedure for the placement of police officers or guidelines for their appropriate role in schools; now therefore be it

Resolved, That the Board of Education asks the Superintendent of Schools to recommend appropriate procedures for the assignment of SROs to high

schools and guidelines for the SRO's role and involvement with students; and be it further

Resolved, That the Board of Education schedule time to discuss the Superintendent's recommendations.

Ms. King moved and Mr. Burnett seconded by following:

WHEREAS, In response to the Ethics Panel's recommendations, the Board of Education approved the position of Ethics Officer in the FY 2000 Operating Budget; and

WHEREAS, The position has recently been advertised to be filled as soon as possible; and

WHEREAS, On November 10, 1998, The Superintendent of Schools wrote to the Board to state that staff was unable to identify any school district that has an ethics officer; rather, most local school districts, like Montgomery County Public Schools simply have policies that cover ethics and conflicts of interest; and

WHEREAS, A review of the duties and responsibilities of this position indicates that it is unnecessary to dedicate a permanent position to perform the stated functions; now be it

Resolved, That the Board of Education expresses its intention, as part of its FY 2001 Operating Budget, to redirect the dollars allocated for the Ethics Officer position to supplement resources for more pressing instructional needs; and be it further

Resolved, That the hiring of the Ethics Officer position, as recently advertised, cease effective immediately; and be it further

Resolved, That the Board of Education authorize the Superintendent of Schools to explore dollar-neutral options for performing the stated functions of the Ethics Officer position including collaborating with the County Government's Ethics Commission to perform some, if not all, of the functions identified by the Ethics Panel.

Mrs. King moved and Mrs. O'Neill seconded the following:

WHEREAS, Parents have raised concerns over the uneven enforcement of the MCPS regulation on cell phones and pagers (COG-RA); and

WHEREAS, Parents are concerned about being able to communicate with their children during extracurricular activities and especially when they are away as visitors at away athletic competitions; and

WHEREAS, Although the policy is reflective of state law, it was adopted at a time of concern over criminal use of the devices on school property and at a time when cell phones were not as ubiquitous as now; and today cell phones and pagers are part of many adult lives; now therefore, be it

Resolved, That the Board of Education authorizes the Superintendent of Schools to perform a thorough review of this issue, including a review of MCPS regulations as to the appropriate discipline to be imposed for violations; and be it

Resolved, That the Superintendent recommend to the Board options for seeking statewide support for appropriate changes in the law.

Mr. Felton moved and Mrs. King seconded the following:

Resolved, That the Board of Education request the Superintendent to develop recommendations to strengthen choice within Montgomery County Public Schools based on the discussion of signature and special programs.

RESOLUTION NO. 753-99

Re: **ADJOURNMENT**

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

Resolved, That the Board of Education adjourn its meeting of December 14, 1999, at 3:05 p.m.

PRESIDENT

SECRETARY

JWD:gr

**MONTGOMERY COUNTY BOARD OF EDUCATION
SUMMARY SHEET**

December 14, 1999

CLOSED SESSION RESOLUTION	1
CLOSED SESSION	2
ELECTION OF OFFICERS	2
APPROVAL OF THE AGENDA	3
BOARD/SUPERINTENDENT COMMENTS	3
ACADEMIC MILESTONE H: DISPROPORTIONATE REPRESENTATION IN SPECIAL EDUCATION PROGRAMS	3
IMPLEMENTATION OF FOURTH CIRCUIT COURT OF APPEALS DECISION	8
OMNIBUS RESOLUTION	11
POLICY JEE	11
CONTRACTS FOR MORE THAN \$25,000	12
ACCEPTANCE OF TAKOMA PARK MIDDLE SCHOOL	15
ACCEPTANCE OF WALT WHITMAN HIGH SCHOOL – CLASSROOM ADDITIONS	15
ACCEPTANCE OF WATKINS MILL HIGH SCHOOL – CLASSROOM ADDITIONS	15
AUTHORIZATION FOR PARTICIPATION IN A JOINT PROCUREMENT OF ELECTRICITY SUPPLY	16
AUTHORIZATION TO EXECUTE OPTION CONTRACT AND DEED – QUINCE ORCHARD HIGH SCHOOL ..	17
AWARD OF CONTRACT – SENECA VALLEY HIGH SCHOOL – VENTILATION SYSTEM EQUIPMENT CLEANING AND DUCT INSULATION REPLACEMENT	18
AWARD OF CONTRACT – THOMAS S. WOOTTON HIGH SCHOOL	18
AWARD OF CONTRACTS – WINSTON CHURCHILL HIGH SCHOOL	19
EXTENSION OF ARCHITECTURAL CONTRACT – AMERICANS WITH DISABILITIES ACT FACILITIES MODIFICATIONS	20
EXTENSION OF CONTRACT – ENERGY MANAGEMENT SYSTEM FOR THOMAS S. WOOTTON HIGH SCHOOL	22
FY 2000 EMERGENCY REQUEST FOR SUPPLEMENTAL APPROPRIATION – EARLY AWARD OF SUBCONTRACTS FOR NORTHWEST ELEMENTARY SCHOOL #6	22

GRANT OF STORM DRAIN EASEMENT AND RIGHT OF WAY AT NORTHWEST ELEMENTARY SCHOOL #6 23

REQUEST FOR FY 2000 EMERGENCY SUPPLEMENTAL APPROPRIATION – ADVANCE LAND ACQUISITION REVOLVING FUND (ALARF) 23

WOOD ACRES ELEMENTARY SCHOOL – LAND EXCHANGE AND SITE EXPANSION 24

UTILIZATION OF FY 2000 FUTURE SUPPORTED PROJECT FUNDS FOR THREE HOWARD HUGHES MEDICAL INSTITUTE SUPPORTED PROJECTS 25

REALIGNMENT OF FEDERAL AND LOCAL FUNDING, AND RECOMMENDED FY 2000 SUPPLEMENTAL APPROPRIATION FOR THE CONSOLIDATED ADULT EDUCATION AND LITERACY SERVICES PROGRAM 27

PERSONNEL MONTHLY REPORT 27

DEATH OF MS. BARBARA J. ROBINSON, STAFFING SPECIALIST, DEPARTMENT OF HUMAN RESOURCES 28

DEATH OF MRS. CATHLEEN JACOBSON, SCHOOL SECRETARY II ON LONG-TERM PERSONAL ILLNESS LEAVE FROM JOHN POOLE MIDDLE SCHOOL 28

MONTHLY FINANCIAL REPORT 29

BOARD ADVISORY COMMITTEES 29

TIMETABLE FOR THE ELECTION OF STUDENT BOARD MEMBER 32

MINUTES 32

BOARD APPEALS 34

ITEMS OF INFORMATION 35

LUNCH AND CLOSED SESSION 35

PERSONNEL APPOINTMENT 35

PROCESS FOR DEVELOPMENT AND FUNDING FOR SIGNATURE AND SPECIAL PROGRAMS 37

REDESIGN OF KINDERGARTEN PROGRAM 40

PUBLIC COMMENTS 44

CLOSED SESSION RESOLUTION 44

REPORT OF CLOSED SESSION 45

APPOINTMENTS TO THE AUDIT SUBCOMMITTEE 46

APPOINTMENTS TO THE LONG-RANGE AND STRATEGIC PLANNING SUBCOMMITTEE 46

APPOINTMENTS TO THE RESEARCH AND EVALUATION SUBCOMMITTEE 48

HONORS AND ADVANCED PLACEMENT COURSES 48

NEW BUSINESS	49
ADJOURNMENT	51