

APPROVED  
35-2004

Rockville, Maryland  
November 9, 2004

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, Nov. 9, 2004, at 10 a.m.

Present: Ms. Sharon W. Cox, President  
in the Chair  
Mr. Kermit V. Burnett  
Dr. Charles Haughey  
Mr. Walter Lange  
Mrs. Patricia B. O'Neill  
Mr. Gabe Romero  
Mr. Sagar Sanghvi, Student Board Member  
Ms. Valerie Ervin, Board member-Elect  
Dr. Jerry Weast, Secretary/Treasurer

Absent: Mr. Steve Abrams, Board Member-Elect

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

\*\*Mr. Lange was not present at the beginning of the meeting but joined the meeting at noon.

RESOLUTION NO. 616-04 Re: **CLOSED SESSION**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Mr. Sanghvi, 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 closed sessions on November 9, 2004, in Room 120 from 9:00 to 10:00 a.m., 12:00 to 2:00 p.m., and 4:00 to 5:30 p.m. to discuss the Human Resources Monthly Report and Appointments, as permitted under Section 10-508(a)(1) of the *State Government Article*; and be it further

Resolved, That the Board of Education consider the acquisition of real property for a public purpose and matters directly related thereto, as permitted under Section 10-508(a)(3) of the *State Government Article* and Section 4-107(d) of the *Education Article*; and be it further

Resolved, That the Board of Education of Montgomery County 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

sessions on November 9, 2004, to acquit its executive functions and to adjudicate and review appeals, which is a quasi-judicial function outside the purview of the Open Meetings Act under Section 10-503(a) of the *State Government Article*; and be it further

Resolved, That this portion of the meeting continue in closed session until the completion of business.

**RESOLUTION NO. 617-04 Re: APPROVAL OF THE AGENDA**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Dr. Haughey, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve its agenda for November 9, 2004.

**RESOLUTION NO. 618-04 Re: VETERANS' DAY**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Dr. Haughey, the following resolution was adopted unanimously by members present:

WHEREAS, In 1918, on the eleventh hour of the eleventh day in the eleventh month, the world rejoiced and celebrated the signing of an armistice to end four years of bitter war; and

WHEREAS, In 1938, Congress voted Armistice Day as a legal holiday; and

WHEREAS, In 1953, Congress passed a bill renaming the national holiday to Veterans' Day; and

WHEREAS, Each Veterans' Day, Americans continue to celebrate with ceremonies and speeches remembering and honoring those who fought for peace; and

WHEREAS, November 11, 2004, is our opportunity to remember and acknowledge the sacrifices of men and women who served our country in the Armed Forces of the United States; now therefore be it

Resolved, That the Board of Education commend students, parents, MCPS staff, and the entire community for reflecting, commemorating, honoring, and celebrating the contributions of our veterans.

**RESOLUTION NO. 619-04 Re: AMERICAN EDUCATION WEEK**

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

WHEREAS, The theme for the observance of American Education Week is “Celebrating the American Dream”; and

WHEREAS, Education is central to the pursuit of the many goals and aspirations of our country and its citizens; and

WHEREAS, Public schools are the backbone of our democracy, providing young people with the tools they need to maintain our nation’s precious values of freedom, civility, and equity; and

WHEREAS, By equipping young Americans with both practical skills and broader intellectual abilities, schools give them hope for, and access to, a productive future; and

WHEREAS, Schools are community linchpins, bringing together adults and children, educators and volunteers, business leaders, and elected officials in a common enterprise; and

WHEREAS, Employees at all levels of the Montgomery County Public Schools work to serve children and communities with dedication, professionalism, and compassion; now therefore be it

Resolved, That all schools strongly encourage parent, community, and business involvement in the education process, especially during American Education Week, to enhance the academic and personal success of all students; and be it further

Resolved, That, on behalf of the superintendent of schools and staff, the Montgomery County Board of Education hereby declare November 14 through November 20, 2004, to be observed in Montgomery County Public Schools as “American Education Week.”

**Re: PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Sal Marini	New Curriculum
2.	Jim Creegan	Family Life & Human Development
3.	Janet Maxim	Curriculum Changes in Sex Education
4.	Darnell Daisey	Olney Master Plan Impact
5.	Bonnie Cullison	Time Issues of Teachers
6.	Clark Baisden	Health Education Curriculum
7.	Michelle Turner	Family Life & Human Development
8.	Barbara Zellers	Health Education
9.	Dawn Dolan	Boundary Study
10.	Mary Healy	Pilot Curriculum on Sexual Orientation

- 11. Tony Castellano Health Education
- 12. Steve Bolen Boundary Study

RESOLUTION NO. 620-04 Re: **FINAL ACTION ON POLICY AEB – STRATEGIC PLANNING FOR CONTINUOUS IMPROVEMENT**

On recommendation of the Superintendent and on motion of the Policy Committee, the following resolution was adopted unanimously by members present:

WHEREAS, Policy AEB, *Strategic Planning for Continuous Improvement*, sets forth the Board's strong commitment to strategic planning for continuous improvement; and

WHEREAS, Policy AEB, *Strategic Planning for Continuous Improvement*, has been revised to reflect the Board's dedication to sound management principles and stakeholder involvement; and

WHEREAS, The draft revision of Policy AEB, *Strategic Planning for Continuous Improvement*, tentatively was adopted by the Board of Education on June 8, 2004, and sent out for public comment; and

WHEREAS, The Board of Education has received comments and the superintendent's recommendations; now therefore be it

Resolved, That the Board of Education adopt Policy AEB, *Strategic Planning for Continuous Improvement*, as revised.

## **STRATEGIC PLANNING FOR CONTINUOUS IMPROVEMENT**

### **A. PURPOSE**

The Board of Education is committed to strategic planning for continuous improvement in order to provide an effective instructional program, ensure success for every student, strengthen productive partnerships for education, and create a positive work environment in a self-renewing organization.

### **B. ISSUES**

Strategic planning must guide the work of MCPS in providing a high quality, world-class education that ensures success for every student through excellence in teaching and learning. It is essential that a broad range of stakeholders actively participate in this process. To that end, the strategic planning process must:

1. Use organizational assessment criteria that evaluate leadership; strategic planning; students, stakeholder, and community focus; measurement analysis and knowledge management; faculty and staff focus; process management; and organizational performance results.
2. Develop on an ongoing basis a five-year plan which identifies, analyzes and plans to successfully address the major factors that affect what and how students learn. Additionally, there will be careful consideration given to factors which affect schools and students over the foreseeable future.
3. Be guided by the MCPS core values:
  - a) Every child can learn and succeed
  - b) The pursuit of excellence is fundamental and unending
  - c) An ethical school system requires fair treatment, honesty, openness, integrity, and respect
  - d) A high quality school system strives to be responsive and accountable to the customer
4. Provide for ongoing monitoring and continuous improvement
5. Ensure the alignment of MCPS' strategic plan with state and federal requirements
6. Predicate major budget priorities on the strategic plan, as reflected in both the proposed and adopted capital and operating budgets

#### C. POSITION

1. Board participation

The Board will participate in strategic planning through several means:

- a) An annual meeting with the superintendent and senior staff to review progress on the implementation of priorities, initiatives and strategic plans, to determine which goals have been achieved, whether any new efforts are needed, and to review major issues that may affect the future
- b) It will also consider and act upon objectives and major activities

proposed by the superintendent to achieve long-range goals

- c) Through its standing Strategic Planning Committee, the Board shall provide leadership and monitor the progress of the strategic plan and receive recommendations for its consideration
- d) The Board's agenda-setting process shall determine from time to time specific initiatives and priorities to be addressed as part of a business meeting

2. Planning procedures

The superintendent will develop a comprehensive strategic planning process for all schools and offices

3. Staff, student, parent, and community involvement

The Board will actively seek the participation of a broad range of internal and external stakeholders representing the rich cultural and linguistic diversity of the community in the strategic planning process.

4. Progress reports

The Strategic Planning Committee will provide the Board with periodic reports on the progress and success of the strategic plan and its planning process.

D. DESIRED OUTCOMES FEEDBACK INDICATORS

There will be a strategic planning process that supports continuous improvement in creating a high quality, world-class school system, where success for every student is ensured through excellence in teaching and learning.

E. REVIEW AND REPORTING

This policy will be reviewed in accordance with the Board of Education policy review process.

RESOLUTION NO. 621-04 Re: **FINAL ACTION ON POLICY IJA – SCHOOL COUNSELING PROGRAM AND SERVICES**

On recommendation of the Superintendent and on motion of the Policy Committee, the

following resolution was adopted unanimously by members present:

WHEREAS, Policy IJA, *School Counseling Programs and Services*, sets forth the purpose and scope of school counseling programs and services; and

WHEREAS, Policy IJA, *School Counseling Programs and Services*, has been revised to reflect the Board of Education's vision for school counseling that is aligned with national standards, incorporates effective best practices, and supports the academic achievement of our diverse student population and

WHEREAS, The draft revision of Policy IJA, *School Counseling Programs and Services*, tentatively was adopted by the Board of Education on July 6, 2004, and sent out for public comment; and

WHEREAS, The Board of Education has received comments and the superintendent's recommendations; now therefore be it

Resolved, That the Board of Education adopt Policy IJA, *School Counseling Programs and Services*, as revised.

## **SCHOOL COUNSELING PROGRAMS AND SERVICES POLICY ON COUNSELING AND GUIDANCE**

### **A. PURPOSE**

The Board of Education is committed to ensuring high quality school counseling programs that are comprehensive, developmentally appropriate, foster academic achievement and personal growth, and are provided to all Montgomery County Public Schools (MCPS) students in an equitable manner.

### **B. ISSUE**

Comprehensive, developmentally appropriate, school counseling programs and services provided by credentialed school counselors are essential to achieving the MCPS mission of academic excellence and success for all students. School counselors are critical partners in the delivery of a high quality education and contribute significantly to the removal of barriers to learning. In partnership with school staff, school counselors teach the knowledge and skills necessary for success in a rigorous instructional program and promote healthy social and emotional development as it pertains to academic achievement. Counselors collaborate with staff, parents, and community members to mobilize resources needed to support student success.

Counselors support students in attaining their full potential and achieving their academic and personal aspirations.

## C. POSITION

1. In all schools:
  - a) Counselors provide a comprehensive, developmentally appropriate school counseling program to all students
  - b) The school counseling program aligns with the MCPS educational mission
  - c) Counselors provide information and support to students and families about academic programming, community supports, and other relevant information
  - d) School counselors are essential to the articulation process and communicate information needed to ensure a student's continued success
  - e) The school counseling program is based on national standards and includes prevention, intervention, and crisis response services
  - f) School counselors promote personal, interpersonal, health, academic, and career development for all students through proactive classroom programs and other services
  - g) School counselors address the unique needs of individual students through interventions which are culturally appropriate
  - h) School counselors communicate the role and goals of the school counseling program with all stakeholders including students, parents, staff, administrators, and community
  - i) The school counseling program and school counselors address equitably the needs of the diverse school population and advocate for educational excellence for all students
  - j) School counselors collect and analyze both qualitative and quantitative data to identify and address student needs and to develop, implement, evaluate, and continuously improve the counseling program
2. The school counseling program is implemented in grades preK-12. Because the academic and developmental needs of students change as they mature, the

counseling program addresses the unique academic and developmental needs of students at each school level in collaboration with staff, parents, and community.

a. At the elementary level:

- (1) The school counseling program promotes school success by assisting students in acquiring the skills and attitudes necessary for academic achievement
- (2) The school counseling program teaches decision making, problem solving, and resiliency skills
- (3) School counselors foster the development of positive self-concept and interpersonal skills

b. At the middle school level:

- (1) The school counseling program focuses on building academic and social competence and career awareness
- (2) School counselors coordinate, monitor, and manage the process by which students develop a rigorous, appropriate comprehensive plan that meets high school graduation requirements and reflects post secondary goal setting

c. At the high school level:

- (1) School counselors meet with students regularly to review, guide, and support them through the academic and career planning process. School counselors plan and manage the process for students reviewing and updating rigorous comprehensive plans to support students' post-secondary educational and career goals
- (2) The school counseling program equips students to develop competence in decision making, career planning, interpersonal relationships, personal responsibility, and other skills essential to being a productive citizen

D. DESIRED OUTCOMES

Throughout MCPS, all students will have access to comprehensive, developmentally appropriate school counseling programs and services which support academic achievement and personal growth. At all school levels, school counselors collaborate with parents, students, staff, and community to remove barriers to learning and provide opportunities and supports to empower students to embrace their full potential and achieve their academic and personal aspirations.

E. REVIEW AND REPORTING

This policy will be reviewed in accordance with the Board of Education policy review process.

RESOLUTION NO. 622-04 Re: **CONTRACTS OF \$25,000 OR MORE**

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

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

WHEREAS, Funds have been budgeted and/or identified for the purchase of five additional copier systems through RFP No. 4139.1; and

WHEREAS, The acquisition of additional copier systems through lease/purchase arrangements has been reviewed by legal counsel; now therefore be it

Resolved, That the purchase of five additional copier systems in the amount of \$113,760, be leased purchased for a five-year term under the Master Lease/Purchase Agreement; and be it further

Resolved, That the Board of Education of Montgomery County authorize the acquisition of the five additional copier systems from BCE Corporation through a Lease/Purchase Agreement with M&T Bank; and be it further

Resolved, That the proceeds from the financing be used to reimburse Montgomery County Public Schools' accounts to the extent that the additional copier systems will be acquired before closing; and be it further

Resolved, That the Board president and superintendent be authorized to execute the documents necessary for this transaction; and be it further

Resolved, That having been duly advertised, the following contracts be awarded to the low

bidders meeting specifications as shown below:

BL0-1 47806 2-12A	HVAC Preventative Maintenance and Repairs—Extension	
	<u>Awardee</u>	
	Boland Services	\$200,000
DBM-0 5-0R38 00366	Commercial Wireless Cellular Service and Equipment**—Extension	
	<u>Awardee</u>	
	Cingular Wireless	\$ 25,000
1-03 C056	On-Site Technical Mobile Communications Services—Extension	
	<u>Awardee</u>	
	Teltronics, Inc.	\$ 50,000
35020 3073	Emergency Generator Service—Extension	
	<u>Awardee</u>	
	Johnson and Towers, Inc.	\$ 90,000
35020 30074	Electrical Control Services**—Extension	
	<u>Awardee</u>	
	Electric Advantage, Inc.	\$246,490
4081.5	Art Equipment	
	<u>Awardees</u>	
	AFP Industries, Inc.*	\$ 2,407
	Bailey Pottery Equipment Corporation	911
	Clayworks Supplies, Inc.	5,025
	Cutlass Enterprises, Inc.	25,089
	Dick Blick East	161
	Glover Equipment, Inc.	35,196
	Integrity School Supplies*	1,061
	Midwest Technical Products and Service*	41,026
	Nelson White Systems, Inc.*	260
	Pyramid School Products	9,258
	Satco, Inc.	523
	School Specialty	4,371

	Sheffield Pottery, Inc.	10,468
	Windtree Enterprises, Inc.	<u>3,499</u>
	Total	\$139,255
408204	Science Equipment	
	<u>Awardees</u>	
	American Scale and Equipment Company	\$ 1,316
	Amzco Health Supply*	312
	Benz Microscope Optics Center	945
	Carolina Biological Supply Company	1,893
	Edvotek, Inc.	7,162
	Fisher Science Education	45,482
	Frey Scientific/Division of School Specialty	3,075
	Para Scientific Company	9,297
	Parco Scientific Company	3,528
	Pasco Scientific	27,514
	Sargent Welch	45,809
	Science Kit, Inc.	387
	Thomas Scientific Company	25,043
	Wards Natural Science Establishment, Inc.	<u>986</u>
	Total	\$172,749
4161.1	Grant Evaluators	
	<u>Awardee</u>	
	ORC Macro	\$ 60,000
7006.4	Hand Held Calculators and CBL Data Collection System	
	<u>Awardees</u>	
	D & H Distributing Company	\$452,394
	Pasco Scientific	28,368
	School Mart	5,366
	Vernier Software	<u>38,358</u>
	Total	\$524,486
7050.6	Photographic Supplies and Equipment—Extension	
	<u>Awardees</u>	
	Calumet Photographic, Inc.	\$ 172
	Freestyle Sales Company	7,700

	HPI International, Inc.	6,108
	Kunz, Inc.*	853
	Photo Warehouse	12,818
	Service Photo Supply, Inc.	<u>19,858</u>
	Total	\$ 47,509
7137.1	Cafeteria Disposable Supplies—Extension	
	<u>Awardee</u>	
	Marathon Sales, LLC	\$ 32,239
9019.2	Roofing Supplies—Extension	
	<u>Awardee</u>	
	Roof Center, Inc.	\$ 501,966
9115.5	Potatoes, Frozen—Extension	
	<u>Awardees</u> (See note below)	
	Cavendish Farms, Inc.	
	Imperial Sales Company*	
	Marathon Sales, LLC	
	Total	\$ 720,000
9381.1	Portable Classrooms Re-Roofing At Various Locations**	
	<u>Awardee</u>	
	Citiroof Corporation	\$ 113,625
	TOTAL PROCUREMENT CONTRACTS EXCEEDING \$25,000	\$2,923,319
*	Denotes Minority-, Female-, or Disabled-owned Business	
**	Planned Life-cycle Asset Replacement Bid (PLAR)	

NOTE: Contract amounts will be based on individual requirements.

RESOLUTION NO. 623-04 Re: **ARCHITECTURAL APPOINTMENT – WELLER ROAD  
ELEMENTARY SCHOOL ADDITION**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services during the design and construction phases for the Weller Road Elementary School addition, which includes a 20,000-square-foot building and various site modification work; and

WHEREAS, The preliminary construction cost estimate for this work is approximately \$3,970,000; and

WHEREAS, Funds for this architectural planning were programmed as part of the FY 2005 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, selected Delmar Architects, P.A., to provide the necessary professional architectural and engineering services; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with the architectural firm of Delmar Architects, P.A., to provide professional architectural and engineering services for the Weller Road Elementary School addition for a fee of \$338,635.

**RESOLUTION NO. 624-04 Re: ARCHITECTURAL APPOINTMENT – ASHBURTON  
ELEMENTARY SCHOOL FEASIBILITY STUDY**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services to conduct a design feasibility study for an addition to Ashburton Elementary School; and

WHEREAS, Funds for this architectural planning were programmed as part of the FY 2005 Capital Budget; and

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

WHEREAS, Staff has negotiated a fee for the necessary architectural services based on the project scope; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual

agreement with JK Architects & Associates to provide professional architectural services for the Ashburton Elementary School feasibility study for a fee of \$20,000.

RESOLUTION NO. 625-04 Re: **ARCHITECTURAL APPOINTMENT – MARTIN LUTHER KING, JR. MIDDLE SCHOOL FEASIBILITY STUDY**

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

WHEREAS, It is necessary to appoint an architectural firm to provide professional and technical services to conduct a design feasibility study for an addition to Martin Luther King, Jr. Middle School; and

WHEREAS, Funds for this architectural planning were programmed as part of the FY 2005 Capital Budget; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, selected The Lukmire Partnership, Inc., as the most qualified firm to provide the necessary professional architectural and engineering services; and

WHEREAS, Staff has negotiated a fee for the necessary architectural services based on the project scope; now therefore be it

Resolved, That the Montgomery County Board of Education enter into a contractual agreement with The Lukmire Partnership, Inc., to provide professional architectural services for the Martin Luther King, Jr. Middle School feasibility study for a fee of \$20,000.

RESOLUTION NO. 626-04 Re: **ACCEPTANCE OF OAKLAND TERRACE ELEMENTARY SCHOOL**

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

WHEREAS, Oakland Terrace Elementary School was inspected on November 1, 2004; now therefore be it

Resolved, That the Board of Education accept the Oakland Terrace Elementary School project and that the official date of completion is that date when formal notice is received from the architect that this project has been completed in accordance with the plans and specifications, and all contract requirements have been met.

RESOLUTION NO. 627-04 Re: **CONTRACT EXTENSION – ENVIRONMENTAL SAFETY TESTING SERVICES**

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

WHEREAS, On June 8, 2004, the Board of Education awarded an extension to the annual on-call contract to Science Application International Corporation for work associated with time-sensitive and critical facilities-related engineering/health-related issues; and

WHEREAS, Staff recommends an increase in the contract amount to complete the balance of water testing needed for the lead remediation program; now therefore be it

Resolved, That the annual on-call contract with Science Application International Corporation for time-sensitive and critical facilities-related engineering/health-related issues be increased by \$250,000.

RESOLUTION NO. 628-04 Re: **RECOMMENDED FY 2005 SUPPLEMENTAL APPROPRIATION FOR THE ENTREPRENEURIAL ACTIVITIES FUND**

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

Resolved, That the superintendent of schools be authorized to submit and to receive and expend an FY 2005 supplemental appropriation of \$273,000 for the Entrepreneurial Activities Fund in the following category:

<u>Category</u>	<u>Positions</u>	<u>Amount</u>
81 Entrepreneurial Activities Fund	<u>0.8</u>	<u>\$ 273,000</u>
Total	<u>0.8*</u>	<u>\$ 273,000</u>

Positions

\*0.8 Bindery Equipment Operator

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. 629-04 Re: **FY 2005 FIRST QUARTER CATEGORY AND OBJECT TRANSFERS REQUEST**

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

Resolved, That the superintendent of schools be authorized to effect FY 2005 categorical transfers of \$667,068 in the following categories:

**21<sup>st</sup> Century Community Learning Centers**

<u>Category</u>	<u>From</u>	<u>To</u>
3 Instructional Salaries	\$ 22,500	
5 Other Instructional Costs		\$ 65,538
9 Student Transportation	23,038	
12 Fixed Charges	<u>20,000</u>	
Total	<u>\$ 65,538</u>	<u>\$ 65,538</u>

**Challenge Schools Initiative**

<u>Category</u>	<u>From</u>	<u>To</u>
2 Mid-level Administration	\$ 90,000	
3 Instructional Salaries		\$ 32,660
4 Textbooks and Instructional Supplies		51,550
9 Student Transportation	<u>                    </u>	<u>5,790</u>
Total	<u>\$ 90,000</u>	<u>\$ 90,000</u>

**Consolidated Adult Education and Literacy Services**

<u>Category</u>	<u>From</u>	<u>To</u>
1 Administration		\$ 10,242
2 Mid-level Administration	\$ 182,984	
3 Instructional Salaries		184,767
4 Textbooks and Instructional Supplies	628	
5 Other Instructional Costs		685
12 Fixed Charges	<u>12,082</u>	
Total	<u>\$ 195,694</u>	<u>\$ 195,694</u>

**Early Reading First**

<u>Category</u>	<u>From</u>	<u>To</u>
2 Mid-level Administration	\$ 5,288	
3 Instructional Salaries	124,995	
4 Textbooks and Instructional Supplies		\$ 205,496
5 Other Instructional Costs	36,500	
12 Fixed Charges	<u>38,713</u>	
Total	<u>\$ 205,496</u>	<u>\$ 205,496</u>

**Individuals with Disabilities Education Act**

<u>Category</u>	<u>From</u>	<u>To</u>
1 Administration		\$ 7,979
6 Special Education	\$ 7,979	
Total	<u>\$ 7,979</u>	<u>\$ 7,979</u>

**K-12 Digital Library**

<u>Category</u>	<u>From</u>	<u>To</u>
5 Other Instructional Costs	\$ 3,000	
12 Fixed Charges		\$ 3,000
Total	<u>\$ 3,000</u>	<u>\$ 3,000</u>

**Reading First Grant**

<u>Category</u>	<u>From</u>	<u>To</u>
4 Textbooks and Instructional Supplies	\$ 2,500	
5 Other Instructional Costs		\$ 2,500
Total	<u>\$ 2,500</u>	<u>\$ 2,500</u>

**Judy Centers**

<u>Category</u>	<u>From</u>	<u>To</u>
3 Instructional Salaries	\$ 49,983	
7 Student Personnel Services		\$ 49,983

14 Community Services	2,000	
10 Operation of Plant and Equipment		<u>2,000</u>
Total	<u>\$ 51,983</u>	<u>\$ 51,983</u>

**Takoma Park Wetlands**

<u>Category</u>	<u>From</u>	<u>To</u>
3 Instructional Salaries	\$ 970	
4 Textbooks and Instructional Supplies		\$ 1,009
5 Other Instructional Costs		681
9 Student Transportation	540	
12 Fixed Charges	<u>180</u>	
Total	<u>\$ 1,690</u>	<u>\$ 1,690</u>

**Title I School Improvement**

<u>Category</u>	<u>From</u>	<u>To</u>
3 Instructional Salaries	\$ 22,446	
4 Textbooks and Instructional Supplies		\$ 43,188
5 Other Instructional Costs	5,650	
9 Student Transportation	11,170	
12 Fixed Charges	<u>3,922</u>	
Total	<u>\$ 43,188</u>	<u>\$ 43,188</u>

and be it further

Resolved, That the superintendent of schools be authorized to effect FY2005 object transfers of \$171,490 in the following objects:

**Judy Centers**

<u>Object</u>	<u>From</u>	<u>To</u>
02 Contractual Services		\$ 171,490
04 Other Charges	<u>171,490</u>	
Total	<u>\$ 171,490</u>	<u>\$ 171,490</u>

and be it further

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

RESOLUTION NO. 630-04 Re: **UTILIZATION OF THE FY 2005 PROVISION FOR FUTURE SUPPORTED PROJECT FUNDS**

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

WHEREAS, The grants qualify for a transfer of appropriation from the Provision for Future Supported Projects, pursuant to the provisions of County Council Resolution No. 15-631, approved May 27, 2004; and

WHEREAS, The projects do not require any present or future county funds; and

WHEREAS, Sufficient appropriation is available, within the FY 2005 Provision for Future Supported Projects, to permit the transfers within state categories; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, within the FY 2005 Provision for Future Supported Projects, as specified below:

<u>Projects</u>	<u>Amount</u>
The IntelliTools/NICHD Reading Research Grant	\$ 18,000
21 <sup>st</sup> Century Community Learning Centers	<u>600,000</u>
Total	<u>\$ 618,000</u>

and be it further

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

RESOLUTION NO. 631-04 Re: **HUMAN RESOURCES MONTHLY REPORT**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Dr. Haughey, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education accept the Human Resources Monthly Report dated November 9, 2004.

RESOLUTION NO. 632-04 Re: **DEATH OF SUSAN A. PIGNONE, PARAEUCATOR, WATERS LANDING ELEMENTARY SCHOOL**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Dr. Haughey, the following resolution was adopted unanimously by members present:

WHEREAS, The death on August 4,2004, of Susan A. Pignone, paraeducator at Waters Landing Elementary School, has deeply saddened the staff, students, and members of the Board of Education; and

WHEREAS, Mrs. Pignone maintained outstanding interpersonal relationships with her students by handling situations in a calm manner when under pressure, acting as a mentor and student advocate, and demonstrating unusual caring for her students; and

WHEREAS, In her more than nineteen years with Montgomery County Public Schools, Mrs. Pignone was committed to her students and sensitive to the needs of her colleagues, making her an asset to the school system and community; now therefore be it

Resolved, That the members of the Board of Education and the superintendent of schools express their sorrow at the death of Susan A. Pignone 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. Pignone's family.

RESOLUTION NO. 633-04 Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective November 10, 2004:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Brian Edwards	Vice President of Public Affairs, Potomac, Inc.	Director of Public Information

RESOLUTION NO. 634-04 Re: **APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective November 10, 2004:

Appointment  
Shelley Beddingfield

Current Position  
Acting Director, Division of  
Technology Support

As  
Director, Division of  
Technology Support

**RESOLUTION NO. 635-04 Re: APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective November 10, 2004:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Shelley Johnson	Acting Director, Division of Career and Technology Education	Director, Division of Career and Technology Education

**RESOLUTION NO. 636-04 Re: APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective November 10, 2004:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Jeannie Franklin	Acting Coordinator of Preferred Choice, NEC	Coordinator of Preferred Choice, NEC

**RESOLUTION NO. 637-04 Re: APPOINTMENT**

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

Resolved, That the following personnel appointment be approved effective November 10, 2004:

<u>Appointment</u>	<u>Current Position</u>	<u>As</u>
Shahpar Modarresi	Supervisor of Program Evaluation, Prince George's County Public Schools	Coordinator of Program Evaluation

**Re: MONTHLY FINANCIAL REPORT**

This report reflects the projected financial condition through September 30, 2004, based on program requirements and estimates made by primary and secondary account managers.

At that time, revenues had a projected surplus of \$1,254,680 while expenses had a projected surplus of \$1,200,000.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast commented that the MCPS Web site recently was named the best K-12 school district Web site in the United States by the Center for Digital Education. This 2004 Best of the Web award recognizes the outstanding content and design that make the site useful and easy to use for community members, staff, and students. This is the second award the MCPS Web site has won this year. In June, the site won the National School Public Relations Association's Gold Medallion award. The Web team, part of the Department of Communications led by Aggie Alvez, includes: Chris Noonan Sturm, director; Elaine Keagle, technical lead; Gail Horvath, systems engineer and webmaster support; and Susan Eskite, designer and content producer.

Dr. Weast also remarked that *Building Our Future* – the 2004 annual report to parents, staff, and community – provides an excellent summary of the successful academic reforms that the Board has approved in the past five years and the dramatic results in improved student achievement. He was heartened by these results, particularly the gains made by students in the areas of the county most affected by poverty. At the same time, MCPS must acknowledge the critical importance of sustaining this momentum and the persistence this will require. The report is being mailed next week to the parents of all MCPS students and leaders of community organizations. MCPS staff will receive copies as well. Congratulations to the team in the Department of Communications, led by Kate Harrison and John Marshall, that produced this report.

Dr. Haughey commented that he attended the Montgomery County Business Roundtable for Education breakfast. He was pleased with many of the conversations held with business leaders about education in the county. Also, he participated in an event at Montgomery College and heard inspiring stories from former students.

Mrs. O'Neill reported that she attended a meeting in New Hampshire as a representative of the Maryland Boards of Education. Thirteen 13 states were represented. The meeting reinforced her perceptions of the struggles across the country in terms of adequate resources for IDEA and other educational initiatives.

Mr. Burnett noted that this was his last business meeting. The last six years have been a challenge, but he looked back with pride on what the Board had accomplished.

Ms. Cox stated that she enjoyed working with Mr. Burnett, and she looked forward to his comments on December 1. Ms. Cox reported that the Harvard Public Education Leadership project was brought to the MCPS staff; it was a tremendous opportunity and will continue to

be a benefit as MCPS shares the process for learning.

RESOLUTION NO. 638-04 Re: **CLOSED SESSION RESOLUTION**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Sanghvi, 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 a closed session on Tuesday, December 14, 2004, in Room 120 of the Carver Educational Services Center to meet from 9:00 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*; review and adjudicate appeals in its quasi-judicial capacity; and 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.

RESOLUTION NO. 639-04 Re: **REPORT OF CLOSED SESSION**

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

On October 25, 2004, by unanimous vote of members present, the Board of Education voted to conduct a closed session as permitted under the *Education Article* § 4-107 and *State Government Article* § 10-501, *et seq.*, of the *Annotated Code of Maryland*.

The Montgomery County Board of Education met in closed session on October 25, 2004, from 7:05 to 8:00 p.m. in Room 120 of the Carver Educational Services Center, Rockville, Maryland, and

1. 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*.
2. Discussed matters of an executive function outside the purview of the Open Meetings Act (Section 10-503(a) of the *State Government Article*).

In attendance at the closed session were: Aggie Alvez, Larry Bowers, Kermit Burnett, Sharon Cox, Charles Haughey, Roland Ikheloa, Don Kopp, Don Kress, Frieda Lacey, Walt Lange, George Margolies, Pat O'Neill, Brian Porter, Lori Rogovin, Gabe Romero, Glenda Rose, Sagar Sanghvi, and Jerry Weast.

**RESOLUTION NO. 640-04 Re: MINUTES OF THE SEPTEMBER 27, 2004, MEETING**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Mr. Sanghvi, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve its minutes for the September 27, 2004, meeting.

**RESOLUTION NO. 641-04 Re: MINUTES OF THE OCTOBER 12, 2004, MEETING**

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

Resolved, That the Board of Education approve its minutes for the September 27, 2004, meeting.

**RESOLUTION NO. 642-04 Re: ICB APPOINTMENT**

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

WHEREAS, the term of Mr. Ralph Brown, citizen member of the Interagency Coordinating Board, expired on September 26, 2004; now therefore be it

Resolved, That on the recommendation of the superintendent of schools, the Board of Education confirm the appointment of Mr. Jonathan Walker for a four-year term beginning November 10, 2004, and ending June 30, 2008; and be it further

Resolved, That a copy of this resolution be sent to the Montgomery County Council, County Executive, director of the Community Use of Schools, and members of the Interagency Coordinating Board for Community Use of Public Facilities.

**RESOLUTION NO. 643-04 Re: APPEAL T-2004-69**

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

Resolved, That the Board of Education adopt its Order in Appeal T-2004-69, student transfer, reflective of the following vote: Mr. Burnett, Ms. Cox, Dr. Haughey, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting to reverse; Mr. Lange was absent when this case was adjudicated.

**Re: NEW BUSINESS**

There was no new business introduced by the Board of Education.

**Re: ITEMS OF INFORMATION**

The following items were available:

1. Legal Fees Report
2. Construction Progress Report
3. FY 2005 Summer School
4. Minority-, Female-, or Disabled-owned Business Procurement Report for the First Quarter of FY 2005

**Re: LUNCH AND CLOSED SESSION**

The Board of Education recessed for lunch and closed session from 11:55 a.m. to 2:15 p.m.

\*\*Mr. Lange joined the meeting at this point, and Mr. Burnett left the meeting.

**Re: 2003-04 ANNUAL REPORT OF THE CITIZENS' ADVISORY COMMITTEE ON FAMILY LIFE AND HUMAN DEVELOPMENT AND STAFF RESPONSE**

Dr. Weast invited the following people to the table: Mr. Dale Fulton, associate superintendent, Office of Curriculum and Instructional Programs; and Mr. Russell Henke, coordinator of health education and staff liaison to the committee.

The *Annual Report of the Citizens' Advisory Committee on Family Life and Human Development for School Year 2003–2004* was presented for discussion by the Board of Education. Mr. David Fishback, the committee chairperson of the Citizens' Advisory Committee on Family Life and Human Development for the 2003–2004 school year, presented the report to the Board.

Below is the staff response to the recommendations outlined in the *Annual Report of the Citizens' Advisory Committee on Family Life and Human Development, for School Year 2003–04*.

**Committee Recommendation 1. Condom Use Demonstration**

The Board's decision to have the MCPS staff develop a condom demonstration video and accompanying materials for High School Comprehensive Health Education classes was in response to a recommendation from the committee, which was supported by the staff. This

addition to the high school health education curriculum materials (which already included "general information on condoms") was deemed important because of the dangers of unprotected sexual activity, including the transmission of sexually transmitted infections (STIs).

Having presented an earlier sample video to the committee during the 2002–2003 cycle, the staff developed a draft video and accompanying materials during the summer of 2003. These materials were presented to the committee at its September 2003 meeting. The committee spent most of the September meeting viewing and discussing the video. In the course of the discussion, the committee learned the context in which the video would be presented and that the existing curriculum stresses personal responsibility and the consequences of sexual activity. The committee viewed the video, discussed it, viewed it again, and went over what seemed to members to be effective and noting areas that could be improved. The principle thrust of the discussion was that some things needed to be made a bit clearer, and that there should be even more stress on the simple fact that abstinence is the only way to absolutely protect against pregnancy and transmission of STIs. One excellent suggestion made by student members was that these messages be reinforced with words on the screen.

The video was returned to the staff with committee suggestions for revisions – all of which were incorporated into a final version, which was presented to the committee at its October 2003 meeting. After viewing the video and examining the accompanying instructional material as amended pursuant to committee suggestions, the committee recommended the materials by a vote of 12-2 with one abstention. (Note: Traditionally, the chair does not vote, and the chair did not cast a vote with regard to any of the matters discussed in this report.) The vast majority of the committee members were impressed with the quality of the video and the accompanying lesson plan. The vast majority firmly believe that this quality material will provide students with a clear message about personal responsibility and the importance of protecting oneself and others from STIs. On March 22, 2004, the Board accepted the committee's recommendation; this instructional material is currently being piloted in three high schools.

*On September 2, 2004 the committee received the evaluation results of the completed pilot from parents, students, and staff in the three high schools. After reviewing and discussing the evaluations, the committee recommended that the video, Protect Yourself, and the accompanying lesson plan be included as part of the required curriculum in all high school comprehensive health education classes.*

### **Staff Response**

Staff produced a report on the field test of the video and lesson plan in the three high schools during the spring semester 2004. The report was provided to the committee at its first meeting of the 2004–2005 school year on September 2, 2004. The committee reviewed the report and decided to proceed with a recommendation to the Board for systemwide implementation of the video and lesson plan in Grade 10 Comprehensive Health Education.

The committee recommendation to have the video and lesson plan become part of the required curriculum is supported by staff. Parents of students enrolled in high school comprehensive health education will be informed of the addition of this material to the curriculum and will have the opportunity to review the video at the parent information meeting held in each high school prior to instruction. Parents also will receive information about the video as part of the parent permission letter that must be signed and returned to the school prior to the start of instruction on family life and human sexuality. All high school health education teachers will receive training and information on the use of the video and lesson plan prior to being permitted to present the video to students.

**Committee Recommendation 2. Revision of the Grade 8 and 10 Health Education Curricula to Include Information on Sexual Variation**

The Board's decision to have the staff of MCPS develop "revisions to the health education curriculum in Grades 8 and 10 to include information about sexual variation" was also in response to a recommendation from the committee, which was supported by the staff. This step was deemed important because, in part, the then-extant policies mandated that issues regarding homosexuality could not be discussed, except in response to specific questions by students, and then only in a perfunctory manner. In making this recommendation, the committee recognized "the concept of sexual orientation as an essential human quality; [stated its belief] that individuals have the right to accept, acknowledge, and live in accordance with their sexual orientation, be they heterosexual, bisexual, gay, or lesbian;" and noted that its recommendation was "in harmony with recommendations for comprehensive sexuality education" endorsed by the surgeon general of the United States in 2001 and by "a coalition of 120 national organizations including the American Medical Association, the National Medical Association, the American School Health Association, [and] the American Public Health Association."

Moreover, groups such as the American Psychiatric Association, the American Psychological Association, the American Academy of Pediatrics, and every other mainstream medical and mental health organization in the United States have concluded that homosexuality is not a disease or mental disorder. The existing curriculum wisely taught about the importance of relationships and the development of families in ways that convey values of caring and responsibility. But the exclusion from that discussion of the fact that not all people are heterosexual, and that non-heterosexuals can have healthy and happy lives, was destructive to the mental health of students who were not heterosexual. Indeed, that deafening silence may have fostered – and certainly did not combat – "the emotional distress and physical violence displayed toward them by some students and adults in the general population," to use the words of the staff response. Because the committee wants ALL children to grow up to be emotionally and physically healthy adults, the committee believes that the Board acted wisely in acting to change the policy and develop curriculum revisions.

In spring of 2003, the staff created a writing committee to develop a draft of the recommended

curriculum. The writing committee consisted of 10 people, including two MCPS health education teachers, an MCPS school psychologist, two MCPS school counselors, a school-community health nurse, a representative of the Montgomery County Mental Health Association, the MCPS coordinator of health education, and two members of the Citizens' Advisory Committee designated by the committee chair, David Fishback. Those two members were Henrietta Brown and Sheron Rosen. When Ms. Rosen found that other commitments precluded her from attending all the meetings, it was agreed that she and Mr. Fishback would work in tandem on the writing committee.

For three weeks in the summer of 2003, the writing committee met full-time, researching relevant resources, discussing those resources, and reaching an overwhelming consensus on what should be added to the curriculum. Revisions were proposed for the Grade 8 Mental Health Unit and the Family Life and Human Sexuality Unit; and for the Grade 10 Mental Health Unit, the Safety, First Aid, and Injury Prevention Unit, and the Family Life and Human Sexuality Unit. In addition, teacher resource materials were proposed; those materials were from reputable, mainstream organizations such as the American Psychiatric Association, the American Psychological Association, the American Academy of Pediatrics, the National Association of School Psychologists, the National Mental Health Association, and Advocates for Youth.

The staff then took the material produced by the writing committee and formatted it for committee consideration, including both proposed curriculum changes and teacher resource materials. Beginning at the October 2003 meeting (after approval of the condom demonstration materials), nearly all of the committee's time through the May 2004 meeting was spent discussing the staff-recommended materials, offering revisions, and considering arguments and materials from members who did not agree with the basic staff recommendations. The committee's discussions of the proposed curriculum changes and the teacher resources were quite intense, and committee members took their responsibilities very seriously. While the recommended curriculum changes speak for themselves, the committee wishes to highlight the following:

1. The Grade 8 changes include definitions of sexual identity and sexual orientation. Notably, the recommended curriculum includes the following information: that one's sexual orientation is the "persistent pattern" of attraction to "members of the same or opposite sex" (FLHS Content Outline I.B.3); that homosexuality is not a mental disorder; that "[m]ost experts . . . have concluded that sexual orientation is not a choice; it's a natural response;" that having some homosexual feelings does not necessarily mean that one is homosexual; and that "[h]aving homosexual parents/guardians does not predispose you to being homosexual."

- a. The Grade 8 Mental Health Unit Curriculum revisions proposed by the staff, as amended by the committee, were approved by a vote of 12-1, with two abstentions.

- b. The Grade 8 Family Life and Human Sexuality Curriculum revisions proposed by the staff, as amended by the committee, were approved by a vote of 12-2.
- c. The Grade 8 teacher resources proposed by the staff, with three deletions by the committee, were approved by a vote of 13-1, with five abstentions. An additional teacher resource proposed by the chair was approved by a vote of 14-0, with two abstentions.

2. The Grade 10 changes build on the Grade 8 materials, and, in describing the kinds of families that exist in local communities, adds "Same sex parents family." FLHS Content Outline II.B.6.

- a. The Grade 10 Mental Health Unit Curriculum revisions proposed by the staff, as amended by the committee, were approved by a vote of 18-0, with two abstentions.
- b. The Grade 10 Safety, First Aid, and Injury Prevention Curriculum revisions proposed by the staff, as amended by the committee, were approved by a vote of 16-0.
- c. The Grade 10 Family Life and Human Sexuality Curriculum revisions proposed by the staff, as amended by the committee, were approved by a vote of 12-3, with one abstention.
- d. The Grade 10 teacher resources proposed by the staff (to supplement teacher resources already approved for Grade 8) were approved by a vote of 10-4, with three abstentions.

### **Staff Response**

Staff reviewed the proposed revisions to the Grade 8 and Grade 10 health education curricula and found them to be consistent with state and local regulations.

Many teachers have expressed concern about feeling restricted in what they are permitted to say or discuss regarding sexual variations. The state regulation COMAR 13A.04.18 uses the terminology "sexual variations" and has identified this topic as appropriate for discussion in Grade 8 and high school family life and human sexuality instruction since 1970; however, it never was included in the MCPS instructional program. Teachers, counselors, and school psychologists and nurses identified an increase in the number of students seeking information about this topic and questioning why it is excluded from the curriculum. The committee's proposal is not a substantial unit of instruction on sexual variations, but rather the elimination of restrictions about the topic and recognition of the topic as appropriate for presentation and discussion as part of the Family Life and Human Sexuality Unit in Grades 8–12. In November 2002, the Board recommended that administrative staff revise MCPS Administrative Regulation IGP-RA to remove any restrictions on the discussion of sexual variations, and that revision has been completed. The instructional content about sexual variations proposed by the committee will be presented only to students whose parents give permission for them to

receive this instruction as part of Grade 8 and 10 Comprehensive Health Education. All curricular revisions to include information about sexual variations will be submitted for review to the committee and will follow the standard MCPS review process. Any instructional materials recommended for use in presenting information about sexual variations also will be reviewed and approved by the committee and the Board prior to purchase or use.

Staff recommends that the proposed revisions to the Grade 8 and high school health education curricula be field-tested in three middle schools and three high schools during the spring semester 2005. Health education teachers from the three middle schools and three high schools will receive specific training on how to present the information that was approved by the committee. This field-test will include an evaluation of the curriculum by parents, students, and teachers and the results will be reported back to the committee in June 2005. The committee will review the results and then will decide how to proceed and if a recommendation for systemwide implementation will be made to the Board.

### **Additional Recommendations**

#### **Summer School Teachers**

At the February 5, 2004, meeting, the committee unanimously voted to strongly recommend to the Board that all teachers teaching Grade 10 Health Education in the summer should have the same certification courses that teachers must have to teach the same course during the regular school year. On March 23, 2004, the chair wrote a letter to the Board setting forth this recommendation. As of the last meeting of the committee on June 3, 2004 a response to the letter had not been received.

#### **Response**

Staff agrees with this recommendation. Students who enroll in high school courses for original credit during summer school should receive the same quality of instruction as they would during the regular academic year. No teachers should be permitted to teach a course during summer school that they would not be qualified to teach during the regular academic year. This is the only way to maintain quality of instruction and consistency of the instructional program. This matter has been resolved. There were no unqualified teachers assigned to teach high school health education during the 2004 summer school sessions.

A response to the letter from the chairman about this matter was received by the committee chair from the Board office on June 15, 2004, after the submission of the committee's annual report.

#### **Grade 9 Proposal**

At the May 6, 2004, meeting, Ms. Carol Blum, director of high school instruction, presented an MCPS proposal to permit Grade 9 students to enroll in Comprehensive Health Education – currently required of Grade 10 students. At the June 3, 2004, meeting this proposal was

discussed and the committee voted 18-2, not to recommend that Grade 9 students be permitted to enroll in the Comprehensive Health Education Grade 10 course.

### **Response**

Staff disagrees with this recommendation. High school principals indicated a need to have greater flexibility in scheduling the one-semester high school health education course. Many high school students have difficulty scheduling a one-semester course in Grade 10 because most of the courses they are taking are full-year courses. Parents and students raised this problem with counselors and principals and requested that students be permitted to enroll in comprehensive health education in Grade 9.

One concern raised by the committee is that since the course was originally designed for Grade 10, most of the family life and human sexuality curriculum and instructional materials were approved for use in Grade 10, including the condom use video and the attached revisions to the curriculum to include sexual variation. If the course is to be made available to Grade 9 students, it is the understanding of the staff and the committee that all curriculum and materials initially approved for Grade 10 would need to be reevaluated for use in Grade 9. Staff assured the committee that the majority of students enrolled in comprehensive health education would be in Grade 10 and only a minimal number of Grade 9 students will be enrolled in the course. Since parental permission is required for students to receive instruction, only students whose parents approve their enrollment would participate in the course.

### **Re: DISCUSSION**

Mr. Romero asked about the process for parents to give permission for their child to be enrolled in the course. Would a child feel discrimination if not enrolled in the course? Mr. Fulton explained that if the parents choose to “opt-out” of the course, there is an instructional component for those children – independent study, abstinence-only packet, or health-related issues.

Mr. Weast stated that the objective of the school system is to have the parent review the material and if the parent feels the child would benefit from the material and approves having the child take the course, the school system will do its best to present the material. This will be done without imposing the system’s or community’s will on individuals who have belief systems other than the curriculum. This procedure in which parents must take affirmative action to have their children participate in the curriculum exists to protect children.

Mrs. O’Neill recounted her experience with her daughter and said the process was clearly explained to her at back-to-school night. There was a permission slip to have her daughter take the course with information on when and where to view the material.

Mr. Lange asked if respect is part of the curriculum. Mr. Fulton stated that within the health curriculum respect for one another is part of the course.

Mr. Romero commented on the two videos and said the Board had reviewed *Protect Yourself*, but not *Hope Is Not a Method*. However, it is part of the recommendation for approval. Mr. Henke reported that the materials that are reviewed and accepted by the committee are brought to the Board for approval or rejection. The difference is that *Hope Is Not a Method* is not produced by MCPS and *Protect Yourself* was produced by MCPS.

Mr. Romero pointed out that some of the concerns of the community are contained in the video not viewed by the Board. Mr. Fishback noted that this video was approved by the committee with a close vote. However, the vendor can provide an edited version of the video that would delete the part about flavored condoms.

Mrs. O'Neill stated that the Board had received copies of *Protect Yourself*, and she thought it was extremely well done. She was confident of the MCPS video since it reinforces over and over that abstinence is the only reliable way to protect yourself. However, she did not know about the other video (*Hope is Not a Method*).

RESOLUTION NO. 644-04 Re: **AN AMENDMENT TO THE RESOLUTION ON THE 2003-04 ANNUAL REPORT OF THE CITIZENS' ADVISORY COMMITTEE ON FAMILY LIFE AND HUMAN DEVELOPMENT AND STAFF RESPONSE**

On motion of Mrs. O'Neill and seconded by Mr. Lange, the following amendment was adopted with Dr. Haughey, Mr. Lange, Mrs. O'Neill, Mr. Romero, and Mr. Sanghvi voting in the affirmative; Ms. Cox voting in the negative:

Resolved, That the Board of Education exclude the video entitled, *Hope Is Not a Method*, from the materials being approved, pending the Board's personal review of the video and subsequent vote whether to approve.

Re: **DISCUSSION**

Mrs. O'Neill commented on the Grade 10 health course and recent students' deaths through accidents. There is a unit on safety, and she thought there should be an emphasis on safety and accident prevention. Mr. Henke replied that the curriculum focuses on risk-taking behavior. The Police Department has put together a program that will be taught through high school health education classes.

Ms. Cox asked if there was enough flexibility in the curriculum to teach in context with current events. Mr. Fulton replied that this is called a "teachable moment" that is incorporated into the

lessons. Ms. Cox asked if this was a good argument not to move the curriculum to the ninth grade, but leave it at the tenth grade where students are closer to driving age.

Ms. Cox commented on the concerns of the community predicated on the whether homosexuality is a choice or not. Personally, she was confident that the material represents mainstream thinking, and it is important for students, who choose to participate in the curriculum, to be given the facts. Also, she thought it was important that parents have the opportunity to have their children excluded from certain portions of health classes. This fact is widely advertised, and the permission slip must be returned with affirmative action for enrollment.

Ms. Cox pointed out that the motion was to adopt the committee's recommendations, with the one exception voted on previously, including keeping the class at Grade 10, contrary to the staff recommendation to permit Grade 9 students to enroll in it.

Mr. Romero asked if the Board was approving the report. Ms. Cox clarified that the Board only receives the report, but approves the recommendations and materials.

RESOLUTION NO. 645-04 Re: **2003-04 ANNUAL REPORT OF THE CITIZENS' ADVISORY COMMITTEE ON FAMILY LIFE AND HUMAN DEVELOPMENT AND STAFF RESPONSE**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Mr. Sanghvi, the following resolution, as amended, was adopted unanimously by members present:

WHEREAS, Maryland COMAR 13A.04.18 requires each local school system to provide an instructional program in comprehensive health education for each year in Grades K–8 and that program will include a unit on family life and human development; and

WHEREAS, Maryland COMAR 13A.04.18 requires each local school system to appoint a joint committee of educators and representatives of the community that will examine all family life and human development curriculum and instructional materials proposed for use in the schools; and

WHEREAS, Maryland COMAR 13A.04.18 further requires that the committee's recommendations will be submitted to the local superintendent of schools and the local Board of Education for final action; now therefore be it

Resolved, That the Board of Education approve the curriculum revisions and the instructional materials that were evaluated and recommended during the 2003–2004 school year for use in Montgomery County Public Schools' Family Life and Human Development program by its

Citizens' Advisory Committee on Family Life and Human Development; and be it further

Resolved, That the Board of Education exclude the video entitled, *Hope Is Not a Method*, from the materials approved, pending the Board's personal review of the video and subsequent vote whether to approve; and be it further

Resolved, That the Board of Education accept the annual report and publicly recognize its Citizens' Advisory Committee on Family Life and Human Development for its continued support of the Montgomery County Public Schools Family Life and Human Development program.

RESOLUTION NO. 646-04 Re: **ADJOURNMENT**

On recommendation of the Superintendent and on motion of Dr. Haughey seconded by Mr. Sanghvi, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education adjourn its meeting of November 9, 2004, at 3:20 p.m.

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PRESIDENT

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SECRETARY

JDW:gr

Re: **CLOSED SESSION**

The Board of Education recessed for closed session from 4:00 to 5:00 p.m.

# MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

November 9, 2004

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