

APPROVED
9-2000

Rockville, Maryland
March 14, 2000

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Tuesday, March 14, 2000, at 10:00 a.m.

ROLL CALL Present: Mrs. Patricia B. O'Neill, President
 in the Chair
 Mr. Stephen Abrams
 Mr. Kermit V. Burnett
 Mr. Reginald M. Felton
 Mrs. Beatrice B. Gordon
 Mrs. Nancy J. King
 Ms. 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. 146-00 Re: **CLOSED SESSION**

On recommendation of the Superintendent and on motion of Mrs. King seconded by Mrs. Gordon, 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 March 14, 2000, in Room 120 from 9:00 to 10:00 a.m. and 12:30 to 2:00 p.m. to discuss the Human Resources 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 March 14, 2000, 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.

RESOLUTION NO. 147-00 Re: **APPROVAL OF THE AGENDA**

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

Resolved, That the Board of Education approve its agenda for March 14, 2000.

Re: **USDA PRESENTATION FOR BEST PRACTICES
OF FOOD AND NUTRITION SERVICES**

The Montgomery County Public Schools (MCPS) Division of Food and Nutrition Services has received two Best Practice Awards from the Mid-Atlantic Regional Office of the United States Department of Agriculture (USDA). The awards are in the categories of increasing nutrition awareness and establishing cooperative partnerships. Since 1993, the division has received a total of six Best Practice Awards.

The first award recognized the Division of Food and Nutrition Services' work with MCPS' Health Education and community groups to sponsor two Team Nutrition projects. These multi-faceted projects implemented Team Nutrition activities through teachers, parents, and elementary Food and Nutrition Services staff.

Staff created nine monthly activity packets that presented nutrition themes. Packets of teaching materials were distributed to elementary principals and teachers. More than 200 elementary teachers, as well as Food and Nutrition Services staff, were trained in Team Nutrition. Elementary school menus contained information about the monthly themes. The students and staff of Walt Whitman High School's music department wrote, produced, and recorded an original Team Nutrition jingle. Copies of the tape were distributed to all elementary schools during National Nutrition Month, as well as to other Maryland school systems attending educational workshops. The MCPS preschool program also received Heart Power Kits that were purchased from the American Heart Association.

The second award recognized the division's cooperative partnerships with non-school system organizations. During the 1998-1999 school year, the division served 33,269 meals that met the school lunch requirements to partners such as St. Bernadette Parish School, The Grafton School, and the YMCA (Head Start, preschool, and adult programs). The Grafton School and YMCA also received meals during the summer months. The division prepared lunch and afternoon snacks for SEEK VIA, a day-care program for disabled adults. Because of these partnerships, children and adults served by other organizations were able to receive nutritious meals.

Ms. Barbara Martin, chief of school programs, USDA Mid-Atlantic Office, will present these

awards to the Board of Education.

RESOLUTION NO. 148-00 Re: **RATIFICATION OF MCCSSE AGREEMENT**

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

WHEREAS, Section 6-510 of the Education Article, *Annotated Code of Maryland*, permits the Board of Education to enter into negotiations with designated employee organizations concerning "salaries, wages, hours, and other working conditions"; and

WHEREAS, The Montgomery County Council of Supporting Services Employees (MCCSSE) was properly designated as the employee organization to be the exclusive representative for these negotiations; and

WHEREAS, The Board's negotiated agreement with MCCSSE expires on June 30, 2000, and the Board of Education and MCCSSE began negotiations in November of 1999 for a successor agreement; and

WHEREAS, Said negotiations have occurred in good faith, as directed by law, and the parties have reached a tentative agreement; and

WHEREAS, The tentative agreement has been duly ratified by the membership of MCCSSE; now therefore be it

Resolved, That the Board of Education approve the agreement for the period of July 1, 2000, through June 30, 2003, with a salary reopener for the second and third years of the agreement if the average increase in the Baltimore-Washington CPI (September to September) reaches 4 percent or greater; and be it further

Resolved, That the secretary and the president of the Board of Education be authorized to sign the agreement, which will be implemented by the Board of Education when funds are properly authorized, all according to said agreement and to the law.

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education opposes HB 1241 – *Driver Education Programs in Public Schools* – which would provide state funding up to \$100 per individual for students who complete a driver education course in the public schools.

Re: DISCUSSION

Mr. Abrams asked what the per student cost was for drivers' education. Mrs. Stoner replied that it varied from \$350 to \$400.

Mr. Felton inquired if Delegate Dembrow had a dialogue with the school system to ascertain the impact on MCPS. Mrs. Stoner answered that he thought it was a good idea without dialogue.

Mrs. O'Neill understood that the state had a task force that looked at drivers' education after school. She requested that the Report of the Drivers' Education Task Force should accompany the Board's position on HB-1241.

Re: SUBSTITUTE MOTION ON AN ITEM OF LEGISLATION

On motion of Mr. Abrams and seconded by Mrs. O'Neill, the following substitute motion was placed on the table:

Resolved, That the Board of Education supports, if amended to increase state funding to \$300 per student and that it be an after-school program, HB 1241 – *Driver Education Programs in Public Schools*.

Re: DISCUSSION

Mr. Abrams preferred to support the bill based on the recent teenage traffic accidents in Montgomery County. There was clearly a need for an increased emphasis on drivers' education, and any assistance MCPS could get from the state would be useful.

Mrs. King thought it was a noble gesture, but MCPS would need to buy equipment and find the facilities for drivers' education classes.

Mrs. Gordon noted that this was an issue that had been addressed for several years at the state level. She was concerned about the needs across the state for regular instructional programs and said funds should not be supplanted for other purposes. The High School Improvement Program had not been funded and, if funded, would only be partially funded. She would prefer that funds be spent on instruction.

Mr. Felton had similar concerns about MCPS's emphasis on assessment, accountability, and student achievement, and said funding should be used to support those efforts.

Mr. Abrams stated that the idea behind drivers' education was to make teenagers become better drivers. Schools should teach the accountability and responsibilities for this right

and privilege of students since it was a life-and-death issue. If there was an interest in the legislature, the Board should be as constructive as possible in working with legislators. He would hate to see the Board always respond to any proposal that new money for educational purposes competed with existing dollars. He had not heard any persuasive argument that drivers' education was not for the betterment of children.

Mrs. King agreed with much of what Mr. Abrams said, but she felt that the state should raise the requirements for private drivers' education companies. Mr. Abrams accepted that as a friendly amendment.

Mr. Burnett wanted to see a response to the legislators that MCPS identified methods to strengthen commercial drivers' education programs as well as strengthen the requirements for completion of the course.

Mrs. Gordon would not support the substitute motion. She did not have the task force's recommendations, and she would not vote in support without knowledge of the content of the report. She thought that private providers should be held to a high level of accountability and performance. However, she did not believe the burden should be on the public for this program, even though it had merit. The funds should be expended for instructional programs.

Mr. Abrams thought a better-fashioned bill could provide financial relief for drivers' education students. However, he thought that the expenditure of public funds to reintroduce drivers' education was based on need.

Mr. Felton supported a drivers' safety program in the state without being part of the public school system.

Ms. Signer stated that she would not support the substitute motion. She suggested that the Board work with legislators on future legislation on drivers' education that public schools could support.

**Re: SUBSTITUTE MOTION ON AN ITEM OF
LEGISLATION**

On motion of Mr. Abrams and seconded by Mrs. O'Neill, the following substitute motion, as amended, failed with Mr. Abrams and Mrs. O'Neill voting in the affirmative; Mr. Burnett, Mr. Felton, Mrs. Gordon, Mrs. King, and Ms. Signer voting in the negative:

Resolved, That the Board of Education supports, if amended to increase state funding to \$300 per student, that driver education be an after-school program, study the task force's recommendations, and state should raise the requirements for private drivers' education companies, HB 1241 – *Driver Education Programs in Public Schools*.

RESOLUTION NO. 149-00 Re: ITEM OF LEGISLATION

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

Resolved, That the Board of Education opposes HB 1241 – *Driver Education Programs in Public Schools* – which would provide state funding of up to \$100 per individual for students who complete a driver education course in the public schools.

RESOLUTION NO. 150-00 Re: ITEM OF LEGISLATION

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

Resolved, That the Board of Education strongly supports HB 1120 – *Graphing Calculators* – which would provide state aid for purchasing graphing calculators that must be used with state-mandated MSPAP exams.

RESOLUTION NO. 151-00 Re: ITEM OF LEGISLATION

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

Resolved, That the Board of Education opposes SB 737 – *Character Education* – which would require all local school boards to establish a program of character education to be taught in all public schools.

RESOLUTION NO. 152-00 Re: ITEM OF LEGISLATION

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

Resolved, That the Board of Education strongly opposes HB 1319 – *Collective Bargaining – Organizations of Certificated Employees* – which would add a permissive category of collective-bargaining issues for certificated employees.

RESOLUTION NO. 153-00 Re: ITEM OF LEGISLATION

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

Resolved, That the Board of Education strongly opposes HB 1320 – *Collective Bargaining – Organizations of Non-certificated Employees* – which would add a permissive category

of collective-bargaining issues for non-certificated employees.

RESOLUTION NO. 154-00 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education strongly supports HB 1379 – *Social Security Contributions*– which would require the employer social security contributions for members of the Teachers’ Retirement System or the Teachers’ Pension System to be paid in full by the state, beginning in FY 2002.

RESOLUTION NO. 155-00 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Mrs. Gordon, the following resolution was adopted with Mr. Abrams, Mr. Burnett, Mr. Felton, Mrs. Gordon, Mrs. O’Neill, Ms. Sampedro, and Ms. Signer voting in the affirmative; Mrs. King abstaining:

Resolved, That the Board of Education opposes HB 832 – *Schools – Authorized Practices* – which would permit student-delivered voluntary messages or prayers on public school property or property being used for a school-sponsored event during graduation ceremonies or other school-sponsored events.

Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education strongly supports HB 1140 – *Drug Free School Zones* – which would change from a misdemeanor to a felony the possession or manufacture with intent to deliver or sell drug paraphernalia on or within 1,000 feet of school property or on a school bus.

Re: **DISCUSSION**

Mr. Felton understood the intent of the bill, but he had strong reservations given the judicial system and the impact it had on students within the school system. Drug paraphernalia has been challenged in many communities in terms of definitions. He was very concerned about a bill that would create felony charges for young people. He opposed the bill.

Mrs. Gordon noted that the bill was not just for possession, but possession with the intent

to deliver or sell drug paraphernalia. She thought that was very different than a student in possession of drugs. These laws were designed to keep students safe.

Mr. Abrams remarked that drug laws of the 1960s were developed to deal with persons profiting from drug traffic. Over the years, there have been clear definitions of what is or is not drug paraphernalia. The bill was crafted using “intent” to bring the criminal component into it. If the school system was taking a zero-tolerance position in certain areas, the bill would help MCPS in the drug area.

Mr. Burnett was concerned about the student receiving a felony record. He read it as simple possession of a drug. He could not support labeling a teenager.

RESOLUTION NO. 156-00 Re: ITEM OF LEGISLATION

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Mrs. Gordon, the following resolution was adopted with Mr. Abrams, Mrs. Gordon, Mrs. King, Mrs. O’Neill, and Ms. Signer voting in the affirmative; Mr. Burnett, Mr. Felton, and Ms. Sampedro voting in the negative:

Resolved, That the Board of Education strongly supports HB 1140 – *Drug Free School Zones* – which would change from a misdemeanor to a felony the possession or manufacture with intent to deliver or sell drug paraphernalia on or within 1,000 feet of school property or on a school bus.

RESOLUTION NO. 157-00 Re: ITEM OF LEGISLATION

On recommendation of the Superintendent and on motion of Ms. Signer seconded by Mrs. O’Neill, the following resolution was adopted with Mr. Abrams, Mr. Burnett, Mrs. Gordon, Mrs. King, Mrs. O’Neill, Ms. Sampedro, and Ms. Signer voting in the affirmative; Mr. Felton voting in the negative:

Resolved, That the Board of Education support, only if amended, SB 861 – *Child Sexual Offenders - Public Schools - Notice to Parents* – which would require principals to send written notice of a sexual offender’s registration statement to parents or guardians of students enrolled in school.

Re: ITEM OF LEGISLATION

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

Resolved, That the Board of Education support, if needed, HB 1057 – *Nonpublic Schools - State Grants* – which would authorize grants for the purchase of textbooks for nonpublic

schools that meet a set criteria.

Re: **DISCUSSION**

Ms. Signer remarked that the bill would ameliorate the conditions under which public funds would be given to private schools.

Mr. Abrams noted that it changed the tone of the debate, because this bill focused on students in need.

Mrs. Gordon would not support the motion since she could not support the use of public funds for private schools for any reason. Another issue was that the textbooks purchased with the funds would have to be approved by the Maryland State Department of Education.

Ms. Signer did not support the use of public funds for private schools. MABE supported the bill to have it in reserve as an alternative should the original legislation move forward.

Mr. Felton urged opposition of the bill. He thought there were people who would like to have public supplements and support for private education.

Mr. Burnett opposed the bill since he could not support using public funds for private schools.

Mrs. King did not want to start having public dollars go to private schools.

Mr. Abrams pointed out it was the Governor's inclusion of the line item in the budget, and the purpose behind the bill was to temper the Governor's proposal. His comments were to stimulate discussion on other issues, such as school capacity.

Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by Ms. Signer, the following resolution failed with Mr. Abrams voting in the affirmative; Mr. Burnett, Mr. Felton, Mrs. Gordon, Mrs. King, Mrs. O'Neill, Ms. Sampedro, and Ms. Signer voting in the negative:

Resolved, That the Board of Education support, if needed, HB 1057 – *Nonpublic Schools - State Grants* – which would authorize grants for the purchase of textbooks for nonpublic schools that meet a set criteria.

RESOLUTION NO. 158-00

Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by

Ms. Signer, the following resolution was adopted with Mr. Burnett, Mr. Felton, Mrs. Gordon, Mrs. King, Mrs. O'Neill, Ms. Sampedro, and Ms. Signer voting in the affirmative; Mr. Abrams abstaining:

Resolved, That the Board of Education opposes HB 1057 – *Nonpublic Schools - State Grants* – which would authorize grants for the purchase of textbooks for nonpublic schools that meet a set criteria.

RESOLUTION NO. 159-00 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Mrs. Gordon seconded by Mr. Burnett, the following resolution was adopted with Mr. Burnett, Mr. Felton, Mrs. Gordon, Mrs. King, Mrs. O'Neill, Ms. Sampedro, and Ms. Signer voting in the affirmative; Mr. Abrams voting in the negative:

Resolved, That the Board of Education opposes HB 1194 – *Textbook Funding for Private School* – which would permit state funds to be used to purchase textbooks for private schools provided that the local superintendents of schools certify that the different grades in the public schools in the county have a sufficient number of textbooks.

RESOLUTION NO. 160-00 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education opposes HB 1280 – *Core Curriculum Course - Textbook - Required* – which would require local boards of education to provide a textbook for each public school student for all core curriculum courses.

RESOLUTION NO. 161-00 Re: **ITEM OF LEGISLATION**

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

Resolved, That the Board of Education strongly supports HB 1357/SB 859 – *Reimbursement for Retirement Contributions* – which would prohibit the State Retirement Agency from asking local school systems, community colleges, and public libraries for reimbursement for retirement contributions associated with positions funded from federal and state categorical and general programs and made after June 30, 2000.

RESOLUTION NO. 162-00 Re: **ITEM OF LEGISLATION**

On recommendation of the Superintendent and on motion of Mr. Abrams seconded by

Mr. Felton, the following resolution was adopted unanimously:

Resolved, That the Board of Education strongly supports HJR 21 – *Federal Funding to Students with Disabilities* – which would call on the United States Congress to honor its commitment to fund 40 percent of the cost of educating children with disabilities.

Re: **BOARD/SUPERINTENDENT COMMENTS**

Dr. Weast noted that Paint Branch High School won the Basketball AAA Boys' State Championship, and Quince Orchard High School reached the finals. Eight MCPS high schools were ranked by *Newsweek* magazine among the top schools in the nation in the number of Advanced Placement or International Baccalaureate tests taken by students. Rosemont Elementary School won the 2000 Exemplary Reading Program Award from the State of Maryland International Reading Association Council, making this the sixth consecutive year that an MCPS school has earned the prestigious award. Mr. Joseph Bellino, Montgomery Blair High School, was a national winner of the Millennium International Volunteer Award given by the U.S. Department of State and *U.S.A. Today*. He developed an international newspaper called *The Silver International*.

Mrs. O'Neill remarked that she and Mrs. Gordon attended the Blue Ribbon Ceremony in Annapolis. She congratulated Paint Branch, Damascus, and Richard Montgomery high schools for being state Blue Ribbon winners.

Mr. Burnett commented that he and Mrs. O'Neill attended a ceremony at Albert Einstein High School for the guaranteed college program. He would like to see that program modeled in other schools.

Mrs. Gordon stated that the effort that had taken place resulted in five of the nine state Blue Ribbon schools being asked to submit additional data for the possibility of a site visit for the national award.

Ms. Signer reported that last week she and Mr. Abrams, Mrs. King, and Mrs. O'Neill attended the meeting of the Elementary School Educators Association, which provided educational programs and an opportunity for collegial interactions, especially on shared accountability and closing the achievement gap.

Mr. Felton visited Eastern Middle School to work with students in the communications program. It is a tremendous program, and he expressed appreciation to principal, staff, and students.

Re: **PUBLIC COMMENTS**

The following people testified before the Board of Education:

	<u>Person</u>	<u>Topic</u>
1.	Mayor Lynn Raufaste	Boundaries
2.	Councilmember Chris Bruch	Boundaries
3.	Linda Plummer	Social Promotion
4.	Dan Parr	Social Promotion
5.	Christopher Lloyd	Signature Program for Northwood
6.	Nancy Shulman	Transportation

Mr. Abrams asked the Superintendent to provide a memo to the Board outlining the steps taken to address magnet transportation concerns of up-county parents.

RESOLUTION NO. 163-00 Re: **JOINT USE AGREEMENT AT KENSINGTON PARKWOOD ELEMENTARY SCHOOL**

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

WHEREAS, In anticipation of receiving grant funding from the Town of Kensington and the State of Maryland under the Program Open Space, which operates pursuant to Title V, Subtitle 9 of the Natural Resources Article of the *Annotated Code of Maryland* and Chapter 403 of the *Acts of Maryland 1969*, the Kensington Parkwood Elementary School PTA paid to install recreation equipment on a portion of the school property; and

WHEREAS, The Town of Kensington intends to apply for a state grant under the Program Open Space in an amount not to exceed \$25,000 in order to reimburse the Kensington Parkwood Elementary School PTA in exchange for making the enhanced playground area available to residents of the Town of Kensington outside of the school day; and

WHEREAS, The parties want to enter into a Joint Use Agreement governing the location of recreational facilities and their maintenance, operation, and continued public use following receipt of state aid from Program Open Space; now therefore be it

Resolved, That the president and secretary of the Board of Education be authorized to execute a Joint Use Agreement between the Board of Education, the Town of Kensington, the Maryland State Department of Natural Resources, and the Kensington Parkwood Elementary School PTA that governs the recreational facilities and their maintenance, operation, and continued public use following receipt of state aid from Program Open Space.

Re: **CIP ALTERNATIVES**

Dr. Weast invited the following people to the table: Mr. Joseph Lavorgna, director of the Department of Facilities Planning and Capital Programming; Mr. Bruce Crispell, senior

planner; and Ms. Debbie Syzfer, planner.

Mrs. O'Neill announced that about this time each year, the Board considers issues related to boundary changes and the Capital Improvements Program that were deferred from Board discussions during November. Prior to this meeting, the Superintendent submitted to the Board his recommendations as they pertain to affected clusters. Pursuant to Board policy, Board members may place on the table any alternatives to the Superintendent's boundary recommendations. At the appropriate time, Mrs. O'Neill would entertain motions for alternatives, which would need four votes (not counting the student Board member) to be placed before the public for comment, along with the Superintendent's recommendations, at a public hearing scheduled for Tuesday, March 21, 2000 at 7:00 p.m. The Board would take final action on these matters on Wednesday, March 22, 2000, at 7:00 p.m.

Mr. Bowers listed the Superintendent's recommendations for the Quince Orchard Cluster Middle School site, collocation of Stephen Knolls School and Glen Haven Elementary School; Richard Montgomery, Albert Einstein and Walter Johnson clusters school boundaries; Montgomery Blair High School facility and program review, and current replacement/modernization projects.

Richard Montgomery Cluster

Mr. Crispell said the first recommendation was to change the boundary lines in the Richard Montgomery Cluster and to modernize Richard Montgomery High School on site, through construction of a replacement high school, to be completed by the 2004-2005 school year.

Albert Einstein and Walter Johnson Clusters

Mr. Lavorgna noted that the next recommendation was to maintain existing boundaries in the Albert Einstein and Walter Johnson clusters for the Town of Kensington school assignments.

Re: DISCUSSION

Mrs. O'Neill asked how many residences were involved. Ms. Syzfer replied that there were 52 homes in the affected area, with seven students living in those homes. One student attended Albert Einstein High School, and the other six students had transferred to other schools, including magnet programs.

Mr. Abrams asked if, even without a boundary adjustment, there were any requirements to change the assignments of any houses currently in the area due to a mistake in assignment. Ms. Syzfer replied that there were two homes on Plyers Mill Road. Mr. Abrams asked if there would be any impact on the diversity profiles of the two clusters if the Board approved the request of the Town of Kensington. Ms. Syzfer replied that there would be no impact on capacity or diversity. Mr. Abrams said there were 16 towns in

Montgomery County, and he asked how many of these towns were completely contained in a single cluster. Ms. Syzfer said all but one of the 16 towns were in one cluster. Mr. Abrams noted the benefits of having the school system foster a relationship with a town.

Mr. Felton noted that some students attending other schools would return to their home schools and asked how many students that would be. Ms. Syzfer replied that there was one student who was home schooled and that staff did not have data on students at private schools. Mr. Felton asked that, if there was no impact on diversity and capacity, what the Einstein Cluster's objection was. Mr. Lavorgna answered that the cluster felt that any movement out of the cluster was not supporting the cluster in terms of diversity and would set a precedent for boundary changes.

Mr. Burnett noted that the Board had denied transfer requests based on one child's impact on overutilization, among other factors. There was tremendous potential in 52 homes that could affect programmatic issues in a school. He had not seen any reason why the boundaries should be changed.

Mr. Abrams noted that demographers factor in the number of children attending private or parochial schools based on existing patterns. He appreciated the intellectual argument of the Einstein Cluster, but felt the change would not be significant.

RESOLUTION NO. 164-00 Re: **AN ALTERNATIVE TO THE FY 2001-2006
CAPITAL IMPROVEMENTS PROGRAM**

On motion of Mr. Abrams and seconded by Mrs. King, the following motion was adopted with Mr. Abrams, Mr. Felton, Mrs. King, Mrs. O'Neill, and Ms. Signer voting in the affirmative; Mr. Burnett and Mrs. Gordon voting in the negative:

Resolved, That the Board of Education request an alternative to the recommendations on deferred and new items for the FY 2001-2006 Capital Improvements Program with all areas of the Town of Kensington assigned to Walter Johnson cluster schools through the reassignment of areas currently in the Albert Einstein and Bethesda-Chevy Chase clusters, and school assignments for all of the Town of Kensington will include Kensington-Parkwood Elementary School, North Bethesda Middle School and Walter Johnson High School.

Blair Cluster

Mr. Lavorgna presented the recommendation for a comprehensive approach to resolve projected enrollment issues at Montgomery Blair and Albert Einstein high schools through the reopening of Northwood High School and the formation of a preferred-choice consortium including Montgomery Blair, Albert Einstein, John F. Kennedy, and Northwood high schools.

Re: **DISCUSSION**

Mrs. O'Neill noted the enthusiasm for the consortium in the Silver Spring area. Mr. Subin and Mr. Duncan had pledged support and would work with the business community. The Wheaton community should be involved in the discussions. Also, they did not want to be called the Southeast Consortium.

Mrs. Gordon asked if the Blair Magnet Program would be part of the consortium. Mr. Lavorgna replied that there was strong support for the magnet to remain at Montgomery Blair HS. Mrs. Gordon asked how it would work to have a school signature choice program with a countywide magnet program. Ms. Syzfer explained that one of the Superintendent's recommendations was to form a committee to study programming issues. Mrs. Gordon wanted to know when the Board would make a decision about the location of magnet programs. Mr. Lavorgna said these issues were facility driven in the beginning, but staff would have to come back to the Board after the program review is complete. Mrs. Gordon thought the placement of the magnet was a facility and countywide issue, not just a consideration within the Blair Cluster. Dr. Weast was prepared to leave the magnet at Blair based on capital costs. But, more importantly, the magnet was very successful and increased diversity at the school. He would like to replicate the program upcounty.

Ms. Signer was concerned about the Thomas Edison High School of Technology because it serves schools outside the planned consortium and provides educational opportunities for students countywide that are not available elsewhere in the county. If the plan was to link Edison with consortium, the Board would need to consider how it would provide those services to students outside the consortium if there was not enough space at Edison. If Wheaton High School was added to the consortium, she was concerned that the community did not have time to react to this alternative. Mr. Lavorgna noted that Wheaton was not part of the discussion when the community was held, but including Wheaton in the signature program development would be appropriate.

Mr. Felton wanted Edison to be available countywide until it is replicated or expanded. He saw Edison as a stand-alone issue. The Blair magnet was a stand-alone program that would be dealt with separately. He wanted to make sure that Wheaton was added to the discussion.

Mrs. Gordon asked about the signature programs developed for the consortium, since it would not be done the same as the Northeast Consortium in which each school developed a signature program. She had observed that the staff and the community at each of the Northeast Consortium schools was involved and dedicated to the signature programs. She was concerned that the signature program would not be successful if did not grow out of the interests in the school. Dr. Seleznow stated that the process would engage the whole community in identifying programs and selecting a location.

Mr. Burnett noted that Wheaton was not part of the original discussions. As the process develops he wanted staff to (1) dialogue with the Wheaton community to capture its vision for the school, and (2) give Wheaton an option for a base as a stand-alone school. He asked if there was a way to find something unique for Edison and Wheaton so that they could coexist academically and programmatically.

Mr. Abrams mentioned a year-around school approach to address the facilities issues. He observed that connecting all the conversations was an over-arching objective to reduce class size at the high school level, which leads to the need for more space. The only way to address class size was to look at every opportunity the Board had to maximize the utilization of existing class space. There needed to be public input as to trade-offs to increasing capacity of high schools.

RESOLUTION NO. 165-00 Re: **AN ALTERNATIVE TO THE FY 2001-2006
CAPITAL IMPROVEMENTS PROGRAM**

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

Resolved, That the Board of Education request an alternative to the recommendations on deferred and new items for the FY 2001-2006 Capital Improvements Program by adding Wheaton High School to the discussion for signature programs and the proposed consortium.

Quince Orchard Cluster

Mr. Lavorgna noted that the recommendation was to explore options for a second middle school in the cluster.

Stephen Knolls Collocation

Mr. Lavorgna stated that the recommendation was not to collocate Glen Haven Elementary School and Stephen Knolls Special Education Program, but to continue to review other elementary school locations for collocation.

RESOLUTION NO. 166-00 Re: **CIP AMENDMENT FOR RELOCATABLE
CLASSROOMS**

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

WHEREAS, Funds have been appropriated in the FY 2000 Capital Budget for relocatable classrooms to accommodate growth and instructional program needs for the summer of 2000; and

WHEREAS, Additional funds will need to be appropriated in FY 2000 to complete the estimated 90 relocatable classroom placements needed to accommodate projected enrollment growth; and

WHEREAS, To implement the first year of class-size reduction initiatives in Grades K-2 subject to the approval of the County Council in the FY 2001 Operating Budget, a total of 70 relocatable classroom units will need to be placed in the summer of 2000; and

WHEREAS, Approximately 87 additional relocatable classroom units will be needed by the fall of 2000 beyond the contracts for 53 relocatable classroom units awarded by the Board of Education on February 8, 2000; now therefore be it

Resolved, That the Board of Education request an emergency appropriation for the Relocatable Classroom Project for FY 2000 in the amount of \$2.36 million for projected enrollment growth and \$2.45 million for class-size reduction initiatives for a total of \$4.81 million as indicated in the following chart:

FY 2000 Emergency Appropriation for the Relocatable Classroom Project		
	No. of	FY 2000
Cost per Classroom = \$35,000	Units	Summer 2000
Relocatable Classroom Project		(thousands)
FY 2000 appropriation		\$3323
Maintenance of existing units		250
Expenses for units moved in summer of 1999		2283
Appropriation remaining for FY 2000		\$790
Relocatable classrooms needed for enrollment growth		
Relocate existing units	20	\$700
New leases	70	2450
Subtotal	90	3150
Emergency appropriation needed for enrollment growth		\$236
Class-size reduction initiatives (new leases)		
Relocatables needed for full-day Kindergarten	36	\$1260
Relocatables needed for Grades 1-2	34	1190
Subtotal	70	2450
Emergency appropriation needed for class-size reductions		\$2450
Total emergency appropriation needed		\$4810

and be it further

Resolved, That the Board of Education request in the amount of \$2.45 million for class-size reduction initiatives is contingent on approval by the County Council of the class-size reduction initiatives requested in the FY 2001 Operating Budget; and be it further

Resolved, That the Board of Education award a contract to General Electric Capital Corporation based on previously approved unit prices for 87 relocatable classroom units in the amount of \$739,065 contingent on approval of this emergency appropriation request; and be it further

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

RESOLUTION NO. 167-00 Re: **CIP EDUCATIONAL TECHNOLOGY: GLOBAL ACCESS**

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

WHEREAS, On November 18, 1999, the Board of Education adopted the FY 2001 Capital Budget and FY 2001-2006 Capital Improvements Program that included a schedule to provide the necessary matching funds to complete the schools eligible for TIMS grant funding; and

WHEREAS, The State of Maryland has subsequently accelerated the funding for the TIMS program to have all eligible schools wired by the end of FY 2002; and

WHEREAS, To leverage the available state TIMS funding and provide the necessary matching funds to complete the wiring for the remaining eligible schools in FY 2002, it is necessary to revise the FY 2001-2006 CIP request for the Educational Technology: Global Access Project; and

WHEREAS, The accelerated schedule would fund the wiring of 14 additional schools in FY 2001 and 23 additional elementary schools in FY 2002; and

WHEREAS, The amount of county current revenue needed to fund the November 18, 1999, request would be reduced by \$4.3 million in FY 2001-2003; now therefore be it

Resolved, That the Board of Education revise the adopted FY 2001 Capital Budget and FY 2001-2006 Capital Improvements Program request for the Educational Technology: Global Access Project by shifting \$401,000 from FY 2002 to FY 2001, and by shifting \$638,000 from FY 2003 to FY 2002; and be it further

Resolved, That the amended request would include \$11.385 million in the FY 2001 Capital Budget, and maintain the total six-year CIP request of \$58.243 million.

Re: **LUNCH AND CLOSED SESSION**

The Board of Education recessed from 1:10 to 2:30 p.m. for lunch and closed session.

RESOLUTION NO. 168-00 Re: **CONTRACTS FOR MORE THAN \$25,000**

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

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

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

DGSO PC9701	Microcomputers for Global Access Schools - Extension	
	<u>Awardees</u>	
	Apple Computer, Inc.	
	Daly Computer*	
	Data Networks, Inc.	
	Total	\$6,275,000
COG 00-051	Tires and Tubes	
	<u>Awardees</u>	
	Merchant's Truck and Auto Tire	\$ 130,000
COG 850700 0092	Unleaded Gasoline – Extension	
	<u>Awardee</u>	
	Petroleum Traders	\$ 230,000
COG 981059 9521	Motor Oils, Lubricants and Greases – Extension	
	<u>Awardees</u>	
	Century Autoline	
	Castrol Heavy Duty Lubricants	
	Fuchs Lubricants	
	Green Fuel Oil, Inc.*	
	Total	\$ 105,688
79-96	Office/Reception and Dining Area Furniture for New and	

Modernized Schools – Extension

Awardee

Douron, Inc.*	\$ 350,000
---------------	------------

4017.1 Audio Visual/Public Address Hardware and Replacement Parts – Extension

Awardees

Allegheny Electronics	\$ 17,800
Capital Cable and Technology, Inc.	300
Herman Electronics	6,200
Kunz, Inc.	1,100
Metropolitan Audio-Visual	5,000
Nicholas P. Pipino Associates	2,500
Pyramid School Products	4,500
Leonard Steinberg Associates*	2,500
Washington Cable Supply, Inc.*	1,000
Nelson C. White Company, Inc.	4,500
Wholesale Education Supplies	<u>300</u>
Total	\$ 45,700

9002.2 Door Hardware Closures and Exit Devices

Awardees

Blaydes Industries, Inc.	\$ 26,486
Builders Hardware Corporation	52,500
Southern Lock and Supply	1,000
Taylor Security and Lock Company, Inc.	<u>162,077</u>
Total	\$ 242,063

9005.2 Industrial and Technology Education Lumber

Awardees

Lafferty Company, Inc.	\$ 33,950
Mann and Parker Lumber Company	19,943
Pikesville Lumber Company	<u>42,396</u>
Total	\$ 96,289

9013.1 Industrial and Technology Education Hand Tools

Awardees

B & W Equipment and Supply Corporation	\$ 5,949
--	----------

	C & S Sales, Inc.*	3,920
	Columbia Industrial Hardware	9,000
	Diamond Tool Company	73,854
	Grainger, Inc.	2,800
	Metco Supply, Inc.	2,402
	Midwest Tech Products and Service*	8,014
	Paxton/Patterson	857
	Rutland Tool and Supply Company	6,904
	Satco, Inc.	41,867
	Sears Industrial Sales	37,516
	Snap On Tools Corporation	10,000
	Total	\$ 203,083
9058.1	Basketball Supplies and Equipment	
	<u>Awardees</u>	
	Anaconda Sports, Inc.	\$ 3,001
	Cannon Sports, Inc.*	835
	DVF Sporting Goods Company	46,215
	Bill Fritz Sports Corporation	610
	Morley Athletic Supply Company, Inc.	2,354
	Passon's Sports	6,472
	Sportmaster Recreation Equipment Unlimited	5,445
	Total	\$ 64,932
9063.1	Football Supplies and Equipment	
	<u>Awardees</u>	
	Anaconda Sports, Inc.	\$ 25,410
	Cannon Sports, Inc.*	4,351
	DVF Sporting Goods Company	1,398
	Fisher Athletic Equipment	3,350
	Marlow Sports, Inc.*	31,841
	Passon's Sports	10,250
	Riddell All American	47,133
	Rogers Athletic Company	1,600
	Sports Stop, Inc.	4,026
	Total	\$ 129,359
9066.1	Physical Education and Athletic Supplies	
	<u>Awardees</u>	
	Aluminum Athletic Equipment Company	\$ 1,925

Anaconda Sports, Inc.	7,174
Bill Fritz Sports Corporation	4,422
Gerstung Gym Thing, Inc.	124
Gill Sports Corporation	16,642
Gopher Athletic Sport	3,378
Marlow Sports, Inc.	1,885
M-F Athletic Company	358
Morley Athletic Supply Company, Inc.	11,337
Passon's Sports	52,922
Pyramid School Products	2,168
Rock Terrace High School*	2,512
Sportmaster Recreation Equipment Unlimited	76,576
Sports Imports, Inc.	1,479
Sports Stop, Inc.	52,279
Tiffin Athletic Mats, Inc.	42,852
Total	<u>\$ 278,033</u>

9073.1 Weight Training Supplies and Equipment

Awardees

B.E. Fit, Inc.	\$ 134,705
Fitness Resource	93,109
Heartline Fitness Products	56,885
International Youth Fitness	56,055
JBT Enterprises, Inc.	33,664
Passon's Sports	315
Total	<u>\$ 374,733</u>

9103.2 Groceries and Staples

Awardees

Carroll County Foods, Inc.	\$ 189,732
Doughties – SYSCO	43,440
Wm. R. Hill Company, Inc.	27,161
Princess Ann Products	33,541
Sysco Food Services of Baltimore/DC	567,828
Jimmy Zee's Services	31,488
Total	<u>\$ 893,190</u>

9181.1 Masonry Thru-Wall Flashing and Waterproofing

Awardee

Custom Masonry	\$250,500
----------------	-----------

1982.1 Concrete Removal and Replacement at Various Facilities

Awardee

DACO Construction Company

\$ 284,200

More Than \$25,000

\$9,952,770

* Denotes Minority-, Female-, or Disabled-owned Business

RESOLUTION NO. 169-00

Re: **ACCEPTANCE OF HARMONY HILLS
ELEMENTARY SCHOOL**

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

WHEREAS, Harmony Hills Elementary School was inspected on February 15, 2000; now therefore be it

Resolved, That Harmony Hills Elementary School now be formally accepted; and be it further

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

Re: **ACCEPTANCE OF JOHN F. KENNEDY HIGH
SCHOOL**

This item was removed from the agenda by consensus of the Board members.

RESOLUTION NO. 170-00

Re: **ARCHITECTURAL APPOINTMENT –
RELOCATABLE CLASSROOMS**

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

WHEREAS, Funds are appropriated annually in the Capital Improvements Program for the relocation of modular classroom buildings; and

WHEREAS, Architectural and engineering services are required for the development of site plans and associated permitting activities; and

WHEREAS, The scope of planned FY 2001 modular classroom building activities requires that the design services be rendered within a truncated time period and more than one architectural firm will be needed to complete these activities this summer; and

WHEREAS, An Architect Selection Committee, in accordance with procedures adopted by the Board of Education on July 14, 1998, selected E. M. Hanna, Fox Architects, and Wiencek & Zavos, Architects, as the top two qualified firms; and

WHEREAS, The architectural firms of E. M. Hanna, Fox Architects, and Wiencek & Zavos, Architects, have successfully provided these and similar services for multiple Montgomery County Public Schools projects; now therefore be it

Resolved, That the Board of Education enter into contractual agreements with the firms of E. M. Hanna, Fox Architects, and Wiencek & Zavos, Architects, to provide professional architectural and engineering services for location of modular classroom buildings at various schools as needs arise, with individual fees to be negotiated as a function of the requirements of the assignment, and total contract amount for each firm not to exceed \$50,000.

RESOLUTION NO. 171-00 Re: **AWARD OF CONTRACT – BURNT MILLS
ELEMENTARY SCHOOL GYMNASIUM**

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

WHEREAS, The following sealed bids were received on February 9, 2000, for the Burnt Mills Elementary School gymnasium project, with work to begin immediately and be completed by October 1, 2000:

<u>Bidder</u>	<u>Amount</u>
B & T Construction, Inc.	\$1,133,760
MDC Builders, LLC	1,264,119
Keller Brothers, Inc.	1,275,000
Pantech Construction Company, Inc.	1,302,840
Henley Construction Company, Inc.	1,359,300
Meridian Construction Company, Inc.	1,367,000
C. M. Parker & Company, Inc.	1,385,100
PEC Construction, Inc.	1,397,400
MSG Associates, Inc.	1,403,000
R. A. Ponte & Associates	1,492,600

and

WHEREAS, The low bidder, B & T Construction, Inc., a minority contractor, has provided an additional 14.1 percent Maryland Department of Transportation certified minority participation; and

WHEREAS, B & T Construction, Inc., has successfully completed similar work; and

WHEREAS, The low bid exceeds the budget by \$175,000; and

WHEREAS, The work at all of the schools that were included in the Facilities Air Conditioning Equity project has been completed and surplus funds are available to transfer to the unliquidated surplus fund; and

WHEREAS, Staff has recommended that surplus funds in the Facilities Air Conditioning Equity project be transferred to the Burnt Mills Elementary School gymnasium addition project to cover the budget deficit; now therefore be it

Resolved, That surplus funds in the amount of \$175,000 be transferred from the Facilities Air Conditioning Equity project to the Capital Budget unliquidated surplus fund; and be it further

Resolved, That \$175,000 from the Capital Budget unliquidated surplus account fund be transferred to the Burnt Mills Elementary School gymnasium addition project; and be it further

Resolved, That a contract in the amount of \$1,133,760 be awarded to B & T Construction, Inc., for the gymnasium addition to Burnt Mills Elementary School, in accordance with the contract documents prepared by Wiencek & Zavos, Architects, contingent upon County Council approval of the transfer of \$175,000 from the Capital Budget unliquidated surplus account to the Burnt Mills Elementary School project; and be it further

Resolved, That a copy of this resolution be forwarded to the county executive and County Council requesting approval of the fund transfer.

RESOLUTION NO. 172-00

Re: **SURPLUS EXCESS PROPERTY AT
BURTONSVILLE ELEMENTARY SCHOOL**

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

WHEREAS, The Board of Education purchased a 3.06-acre parcel of land in 1997 for a new access road to Burtonsville Elementary School; and

WHEREAS, The Montgomery County Department of Public Works and Transportation subsequently agreed to manage the design and construction of the new access road, including installation of sidewalks and street lights; and

WHEREAS, Construction of the new access road will be ready for construction bids in early June; and

WHEREAS, The Montgomery County Department of Public Works and Transportation has agreed to maintain the new road if it is dedicated to the public right-of-way; and

WHEREAS, It is recommended that the property associated with the access road to Burtonsville Elementary School be conveyed to Montgomery County; now therefore be it

Resolved, That the 3.06-acre parcel of land purchased in 1997 for the new access road to Burtonsville Elementary School be declared surplus to educational needs and conveyed to the Montgomery County Government.

RESOLUTION NO. 173-00 Re: **RECOMMENDED FY 2000 SUPPLEMENTAL
APPROPRIATION FOR THE MARYLAND STATE
DEPARTMENT OF EDUCATION FINE ARTS
INITIATIVES GRANT**

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

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, an FY 2000 supplemental appropriation of \$115,950 from the Maryland State Department of Education, Arts and Humanities Section, to provide support for implementation of the Montgomery County Public Schools *Program of Studies* for Art, General/Choral Music, and Instrumental Music in the following categories:

<u>Category</u>	<u>Amount</u>
3 Instructional Salaries	\$ 9,800
4 Textbooks and Instructional Supplies	37,405
5 Other Instructional Costs	68,125
12 Fixed Charges	<u>620</u>
Total	<u>\$115,950</u>

and be it further

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

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

RESOLUTION NO. 174-00 Re: **UTILIZATION OF FY 2000 FUTURE SUPPORTED PROJECT FUNDS FOR THE CHALLENGE GRANT PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 2000 Provision for Future Supported Projects, a grant award of \$1,285,000 from the Maryland State Department of Education, under the state Challenge Schools Program for the seventh year of the Challenge Grant Program in the Wheaton cluster, the fifth year in the Albert Einstein cluster and the third year for Clopper Mill and South Lake elementary schools in the following categories:

<u>Category</u>	<u>Positions*</u>	<u>Amount</u>
3 Instructional Salaries	4.7	\$ 811,959
4 Textbooks and Instructional Supplies		195,748
5 Other Instructional Costs	—	<u>277,293</u>
Total	<u>4.7</u>	<u>\$ 1,285,000</u>

- * 2.8 Teacher, Grade A-D (10-month)
 1.0 School Financial Assistant, Grade 15 (12-month)
 0.9 Instructional Assistant, Grade 10 (10-month)

and be it further

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

RESOLUTION NO. 175-00 Re: **UTILIZATION OF FY 2000 FUTURE SUPPORTED PROJECT FUNDS FOR THE MARYLAND EQUIPMENT INCENTIVE FUND PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 2000 Provision for Future Supported Projects a grant award of \$35,076 from the Maryland Equipment Incentive Fund, a component of the Governor's Mathematics/Science Initiatives, for the purchase of selected science materials and equipment to be placed in elementary and secondary schools, in the following categories:

<u>Category</u>	<u>Amount</u>
4 Textbooks and Instructional Supplies	\$ 995
5 Other Instructional Costs	<u>34,081</u>
Total	<u>\$35,076</u>

and be it further

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

RESOLUTION NO. 176-00 Re: **UTILIZATION OF FY 2000 FUTURE SUPPORTED PROJECT FUNDS FOR THE TRINITY COLLEGE PARTNERSHIP PROGRAM**

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

Resolved, That the superintendent of schools be authorized to receive and expend within the FY 2000 Provision for Future Supported Projects a grant award of \$3,500 from Trinity College for the Trinity College Partnership Program, in the following categories:

<u>Category</u>	<u>Amount</u>
6 Special Education	\$ 3,220
12 Fixed Charges	<u>280</u>
Total	<u>\$ 3,500</u>

and be it further

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

RESOLUTION NO. 177-00

Re: **AUTHORIZED SIGNATORIES FOR MONTGOMERY COUNTY PUBLIC SCHOOLS BANK ACCOUNTS**

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

WHEREAS, It is necessary to continue the policy of having several employees authorized to sign checks so that periods of leave and absences may be covered; and

WHEREAS, The staff persons authorized by Board Resolution No.297-97 to sign checks were the superintendent of schools; the chief financial officer; the director of the Department of Management, Budget, and Planning; the administrative assistant to the deputy superintendent of schools; and the administrative assistant to the chief financial officer; and

WHEREAS, The director of the Division of Insurance and Retirement and risk management specialist in the Division of Insurance and Retirement are authorized signatories for payroll checks only; and

WHEREAS, Montgomery County Public Schools reconfigured its management structure and created the Office of the Chief Operating Officer and Deputy Superintendent for Education; now therefore be it

Resolved, That Resolution No.297-97 be rescinded; and be it further

Resolved, That the authorized signatories for bank accounts shall be the persons in the following positions: the superintendent of schools; the chief operating officer; the director of the Department of Management, Budget, and Planning; the executive assistant to the deputy superintendent for education; and the executive assistant to the chief operating officer; and be it further

Resolved, That the director of the Division of Insurance and Retirement and the risk management specialist in the Division of Insurance and Retirement be authorized signatories for payroll checks only.

RESOLUTION NO. 178-00

Re: **HUMAN RESOURCES MONTHLY REPORT**

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

Resolved, That the Board of Education approve the Human Resources Monthly Report dated March 14, 2000.

RESOLUTION NO. 179-00

Re: **DEATH OF MR. GODFREY MOORE, CLASSROOM
TEACHER ON LONG-TERM LEAVE FROM JUDITH
RESNIK ELEMENTARY SCHOOL**

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

WHEREAS, The death on January 29, 2000, of Mr. Godfrey Moore, classroom teacher on long-term personal illness leave from Judith Resnik Elementary, has deeply saddened the staff, students and members of the Board of Education; and

WHEREAS, Mr. Moore was a conscientious, dedicated professional teacher in Montgomery County for more than 23 years; and

WHEREAS, During Mr. Moore's teaching career, he worked to develop group spirit, pride and responsibility among his students, gaining their respect and motivating them to do well; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Mr. Godfrey Moore and extend deepest sympathy to his 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 Mr. Moore's family.

RESOLUTION NO. 180-00

Re: **DEATH OF MR. STANLEY E. MAIN, BUS
OPERATOR IN THE DEPARTMENT OF
TRANSPORTATION**

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

WHEREAS, The death on February 18, 2000, of Mr. Stanley E. Main, bus operator in the Department of Transportation, has deeply saddened the staff, students and members of the Board of Education; and

WHEREAS, Mr. Main had worked for Montgomery County Public Schools for more than 26 years and could be relied upon to meet schedules and follow safety procedures; and

WHEREAS, Mr. Main's dependability and good relationships with students and parents made him a valuable employee; now therefore be it

Resolved, That the members of the Board of Education express their sorrow at the death of Mr. Stanley E. Main and extend deepest sympathy to his 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 Mr. Main's family.

Re: MONTHLY FINANCIAL REPORT

Mr. Bowers stated that the projected financial condition through January 31, 2000, based on program requirements and estimates made by primary and secondary account managers. There was a projected surplus in revenues of \$345,623 and a projected expenditure surplus of \$100,000.

RESOLUTION NO. 181-00 **Re: FY 2001 FEES FOR THE SUMMER SCHOOL, ADULT EDUCATION, PARENT RESOURCE CENTERS, AND GENERAL EDUCATION DEVELOPMENT PROGRAMS**

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

WHEREAS, In FY 1992, the Board of Education established an Adult Education/Summer School Enterprise Fund for summer school, adult education, and the General Education Development programs, and approved fees for non-enterprise fund programs; and

WHEREAS, The current fee structure for these programs is projected to be sufficient to offset expenses in FY 2001; now therefore be it

Resolved, That the fee structure for summer school, adult education, and the General Education Development programs be maintained at the FY 2000 level.

RESOLUTION NO. 182-00 **Re: PRELIMINARY PLANS FOR WALTER JOHNSON HIGH SCHOOL ADDITION**

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

WHEREAS, The architect for the Walter Johnson High School addition, Samaha Associates, has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Walter Johnson High School Facilities Advisory Committee has approved the proposed schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plan for the Walter Johnson High School addition developed by Samaha Associates.

RESOLUTION NO. 183-00

Re: **PRELIMINARY PLANS FOR ROCKVILLE HIGH SCHOOL MODERNIZATION**

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

WHEREAS, The architect for the Rockville High School modernization, Eddy & Eckhardt, Architects, has prepared a schematic design in accordance with the educational specifications; and

WHEREAS, The Rockville High School Facilities Advisory Committee has approved the proposed schematic design; now therefore be it

Resolved, That the Board of Education approve the preliminary plan for the Rockville High School modernization developed by Eddy & Eckhardt, Architects.

Re: **CHARTER SCHOOL APPLICATION**

Dr. Weast invited the following people to the table: Dr. Steven G. Seleznow, deputy superintendent for education; Mr. Larry A. Bowers, chief operating officer; Dr. James A. Williams, deputy superintendent for organizational development; Dr. William Wilhoyte, community superintendent; Dr. Patricia Flynn, director of the Department of Academic Programs and Dr. Pam Splaine, coordinator of the policy and records unit.

Dr. Weast was recommending that the first phase of the application for the Jaime Escalante Public Charter School be approved conditionally for the purpose of proceeding with the next phase of the application process. This would partially complete Phase I of the process and allow the applicants to focus primarily on the work involved in the finance, facilities, operations, and final documentation required in preparing the application for final approval by the Board of Education.

His recommendation for a conditional approval acknowledged that the applicants have worked hard towards developing an academic concept for the opening of a public charter school in Montgomery County but that there are deficiencies in the design of the academic program that need further work. These notable deficiencies will need to be remedied by the applicants in a timely and successful manner while work proceeds on the next phase. A review panel of educators and representatives from employee organizations as well as a parent identified the deficiencies.

As recommended by Dr. Weast, the Board of Education's approval, even conditionally, of the Phase I portion of the application would not foreclose eventual denial of the entire application, nor would it prejudice the Board's involvement in the next phase of the approval process. Indeed, there were serious issues related to the financial and facility

aspects of this endeavor that will require the Board's close scrutiny and judgment. In the meantime, however, Board action on the academic portion of the proposed school would provide the opportunity to establish whether this public charter school can provide an educationally viable alternative to regular public school services in Montgomery County. However, public charter schools must fulfill the following specific roles if they are to be found worthy of funding.

- They will provide a unique and different educational model for improving student achievement.
- The model, if proven successful through the evaluation of the results, will lead to replication in other public schools.

Dr. Weast's support for the conditional approval stemmed from both the Board of Education policy providing the framework for approving such proposals and his belief that public charter schools should be embraced as an option for parents and students, not that dissimilar to the opportunities provided through the preferred-choice selection of signature programs in the Northeast Consortium. In the current application, the obvious dedication and energy of the applicants impressed Dr. Weast in their efforts to add to the academic programs within the public school system.

Nonetheless, he cautioned the Board of Education about the enormity of the decisions regarding a public charter school application. Notwithstanding the good intentions of these first applicants and the commitment they have in this instance to the academic success of students, real and significant issues remain to be considered. These issues include the following, in part:

- Whether the student selection process of a public charter school has a potential impact on the rest of the student population in the vicinity of a charter school,
- Whether public charter school programs can effectively educate students in ways uniquely different from the other school programs that exist in the school system, and
- Whether public charter schools have the potential to provide "best practices" examples for the school system.

Furthermore, the costs to open public charter schools are similar to the costs to open any new school in the school system. Such expenses would have to be requested by the Board of Education and would compete with the Board's other priorities for funding. Similarly, if charter school proposals require additional facilities, the costs to provide those facilities will compete with the needs for the same kind of space necessary to address the school system's continued enrollment growth, class-size initiatives, and the multi-year

modernization program. For both the operating budget and the capital budget, funding approval would be necessary by the County Council.

Background and Process

Policy CFB, *Public Charter Schools*, allows for the consideration and evaluation of public charter school proposals in Montgomery County. The policy directs the superintendent or his designee to evaluate proposals and make recommendations to the Board of Education. The policy also directs the superintendent to develop and implement a process for evaluating applications for public charter schools.

The *Public Charter School Application Guidelines, April 1999*, developed by the Superintendent to implement the policy, establish a panel to review all public charter school applications. The review panel is composed of representatives from the following offices: Deputy Superintendent for Education; School Performance and Accountability; Human Resources; Academic Programs; Special Education; Applied Research and Evaluation; Management, Budget, and Planning; Planning and Capital Programming; and Accounting. In addition, representatives from the three employee groups – Montgomery County Education Association (MCEA), Montgomery County Council of Supporting Services Employees (MCCSSE), and Montgomery County Association of Administrative and Supervisory Personnel (MCAASP) – are members of the panel.

On September 13, 1999, the Board of Education received an application for the Jaime Escalante Public Charter School. The panel reviewed the application and generated a list of questions about issues that needed to be clarified. The questions were sent to the applicants, and a panel interview was held with the applicants in October 1999. The applicants responded in writing to the questions and provided further explanation during the panel interview. On November 9, 1999, the Board of Education did not take action on the superintendent's recommendation not to approve the Jaime Escalante Public Charter School application. After hearing presentations from both the staff and the applicants, the Board directed the superintendent to assist the applicants with those portions of the application that the panel believed were incomplete or confusing.

As a result of the November 9, 1999, Board meeting, three changes were made to enhance the application process:

First, a member of the Montgomery County Council of Parent-Teacher Associations and a member of the business community were added to the panel because some Board members expressed concern that there were no parent or community members on the review panel. Both were present at the next meeting and received the materials to review. However, the business representative later withdrew because he was not part of the entire review process.

Second, the deputy superintendent for education, the superintendent's designee for the review process, agreed to recommend to the Board that it approve the applicants' request to separate the review of the proposal's academic design and governance and management from the review of the facilities, finance, and operations. This would create a three-phase approval process for the application, if accepted by the Board:

- Phase I of the review of the Jaime Escalante Public Charter School application would consist of the "Academic Design" and the "Governance and Management" components that are described in the *Public Charter School Application Guidelines, April 1999*.
- Phase II would consist of the "Finance and Facilities," "Operations," and "Final Documentation" components that are described in the *Public Charter School Application Guidelines, April 1999*.
- Phase III would consist of a period of negotiations to grant the charter, which then would require final approval by the Board of Education.

Third, a rubric was developed to review the components of the application based on benchmarking with public charter agencies in other states. The rubric allows each reviewer to evaluate and articulate the strengths and deficiencies of the components independently.

Each member of the panel reviewed the responses submitted by the applicants on January 14, 2000, and attended a final two-hour meeting on February 25, 2000, to complete the process of review and allow the deputy superintendent for education to have a full understanding of the panel members' deliberations.

Strengths and Deficiencies

On January 14, 2000, the applicants for the public school charter submitted responses to the concerns raised by the review panel in the report that was discussed at the November 9, 1999, Board of Education meeting. The review panel conducted a thorough examination of the responses and the original application. The applicants had taken advantage of the offer for assistance and met with MCPS staff members over the last three months on staffing, policy, facility, and other issues. In addition, the deputy superintendent for education met with the applicants following the Board meeting and agreed with their request to recommend to the Board that it separate the review of the application's educational merit from the review of the operations.

The review panel, in this phase of the review, has identified the strengths and deficiencies of the application in the areas of academic design and governance and management. This is the first application requesting approval of a public charter school in Montgomery County. Staff has been working with these applicants and is refining the review process

based on this experience. Dr. Weast did not anticipate, nor should future applicants expect, the level of staff involvement or time that this process has taken.

The review panel, however, saw several strengths in the concept for this proposed public charter school. One strength is the potential implementation of IB/MYP program, which is highly structured and focuses on a rigorous academic design. Additional strengths include demonstrating community support, establishing high expectations for students, creating shared management responsibilities, and possessing a strong founding group committed to success.

Deficiencies in Academic Design (per the findings of the Review Panel)

- There is no coherent curricular plan beyond the framework of the IB/MYP. In response to concerns about the lack of documentation to obtain permission to use the IB/MYP, the applicants stated:

We see no need to have a contingency plan, because the charter proposal is not about the IB per se, it is about the use of a rigorous academic program to achieve measurable educational results. With or without IB certification the charter school would continue to provide a top-notch educational program with measurable results.

The "top-notch educational program" is not clearly defined. The application must include the description of an instructional program in enough detail to explain the specific curriculum design that fits into the IB/MYP framework and provides a rigorous academic program that is different from existing MCPS programs.

- The application explains that the school will serve "on-grade-level" students, but does not clearly define "on-grade level." When review panel members asked about the admissions criteria, the applicants responded that any student who indicates motivation to attend would be accepted. There is no description of how motivation will be measured. If the applicants are basing their academic design solely on serving on-grade-level, motivated students, the criteria must be unambiguous and the application screening process clearly defined.
- The revised responses on the application indicate that a lottery for admission will be used even though the applicants have expressed "motivation" and "on-grade level" as criteria for admissions. If the school anticipates using a lottery to select students, then all students who apply will have the same opportunity for selection. This discrepancy in the planned admissions policy needs to be corrected. An open lottery with acceptance for all that are selected provides stronger rationale for the charter school application. Therefore, automatic acceptance of founders' children could not be permitted.

- The applicants state an unrealistic assumption that the students who will apply will form a homogeneous group of "on-grade-level," motivated students.

Since the composition and mix of students in the first and subsequent years is unknown, MCPS has used countywide or targeted cluster averages; to provide additional planning for specific populations of students is unnecessarily speculative. Why would a large number of students already well-served by MCPS, such as gifted or Special Education Intensities 4 or 5, come to this school?

Special education students, ESOL students, students below grade level, and other students could be just as interested in a program such as the one described in the Jaime Escalante Public Charter School application. The application must include a plan for assisting students accepted into the school who have specific learning needs.

Deficiencies in the Governance and Management Structure (per the findings of the Review Panel)

- The review panel expressed concern during the initial review that there was not a certificated staff member to perform staff evaluations. In response to this concern, the applicants have proposed that an MCPS community superintendent could fulfill these duties and responsibilities. This solution is not viable and abrogates the fundamental authority of the school to make critical personnel decisions about the effectiveness of the teaching staff of the school. A critical and essential function of an effective instructional program is the evaluation of staff, which needs to be performed on a daily and ongoing basis in the school. Without a plan for instructional and staff evaluation, the leaders of the charter school provide no accountability plan for their success or failure. There needs to be a plan for program appraisal and teacher evaluation that will be performed by those who will direct the school and run its instructional program.
- Furthermore, the applicants have proposed that an MCPS community superintendent will fulfill the duties of handling serious disciplinary issues. Discipline cases frequently require immediate action and are resolved most satisfactorily when dealt with quickly by those most closely involved. The plan for having a community superintendent resolve difficult discipline cases is unacceptable and unlikely to be palatable with the parents who send their children to the school. Discipline problems are a reality in any school and a thorough plan for their resolution must be included in the application.

Next Steps

Based on an analysis of the review panel's work, Dr. Weast recommended that the Board of Education should grant conditional approval to the revised material outlining the

academic design and governance and management for the Jaime Escalante Public School Charter with the understanding that the applicants will satisfactorily correct the deficiencies that are identified below:

- There is no coherent curricular plan other than the International Baccalaureate/Middle Years Program (IB/MYP).
- There is no plan for differentiation for students with unique needs.
- There is an unrealistic assumption that the students who will apply will form a homogeneous group of "on-grade-level," motivated students.
- There is no plan to provide for program appraisal and teacher evaluation by those who will direct the school and run its educational program.

While it is clear that the responses submitted by the applicants did not address adequately the concerns raised in the first review, Dr. Weast believed that, with additional effort, the deficiencies can be satisfactorily resolved. At the same time MCPS will continue to work with the applicants to complete Phase II, which includes the remaining components of the application – "Finance and Facilities," "Operations," and "Final Documentation." Included in this phase are areas such as transportation, food services, building services, and obtaining a facility. It is anticipated that the Phase II review will take four months, during which time the Phase I problems also will be resolved. If Phase II is approved, according to the guidelines, the Board of Education and the applicants will have six months in which to agree mutually to the provisions of the contract for the public charter school. If the time frame outlined above is maintained and building renovations can be completed or another facility solution found, the earliest this public charter school could open is September 2002.

Re: CHARTER SCHOOL APPLICATION

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

WHEREAS, Policy CFB, *Public Charter Schools*, was adopted on November 10, 1998, to establish criteria to evaluate proposals for public charter schools; and

WHEREAS, The Board of Education received its first public charter school application on September 13, 1999; and

WHEREAS, The *Public Charter School Application Guidelines, April 1999* establish a process for the superintendent to review applications and make recommendations to the Board of Education; and

WHEREAS, The application was reviewed in accordance with the policy and the guidelines, and the superintendent of schools recommended on November 9, 1999, that the Jaime Escalante Public Charter School not be approved; and

WHEREAS, On November 9, 1999, the Board of Education did not take action, but directed the superintendent to assist the applicants with those portions of the application that the panel believed were incomplete or confusing; and

WHEREAS, Montgomery County Public Schools (MCPS) staff members have met with the applicants on staffing, policy, facility, and other issues; and

WHEREAS, On January 14, 2000, the applicants submitted responses to the concerns raised in the report submitted to the Board on November 9, 1999; and

WHEREAS, The superintendent added a member of the MCCPTA and a member of the business community to the panel and agreed to separate the review of the educational plan from the operational plans at the request of the applicants; and

WHEREAS, The review process was continued for the first phase only (educational merit); and

WHEREAS, The superintendent of schools recommends a conditional approval of the application with the condition that the stated deficiencies be corrected satisfactorily for Phase I while proceeding with Phase II; now therefore be it

Resolved, That the Board of Education take action to approve Phase I of the Jaime Escalante Public Charter School application with the conditions specified by the superintendent of schools.

Re: **STATEMENTS BY MR. MANCINO AND
MR. HAWKINS, JAIME ESCALANTE CHARTER
SCHOOL APPLICANTS**

Statement of Frank Mancino, in support of the Superintendent's Recommendation on the Jaime Escalante Public Charter School Application:

This is not the end. It is not even the beginning of the end, but it is, perhaps, the end of the beginning. (W.S. Churchill, 1942)

Madame President and Members of the Board, I thank you for this opportunity to state our case for what we think is a sound implementation of Board policy, another tool in the MCPS arsenal for greater achievement, and a win for all kids. We know that we have quite a way to go before opening our doors, but we think the Superintendent's recommendation

helps us on that path. We are pleased that he recognizes those things that we have been struggling to enunciate, namely:

- that this is public school within MCPS;
- that the coherent vision of this charter is to raise the bar and close the gap for all kids, as part of the "call to action";
- that results from the progress of this school can be used by MCPS;
- that the best ideas for reform often come from the front line workers, the teachers in the system.

We are confident that we can address all the conditions and terms of the Superintendent's recommendation for Phase I, as well as moving forward on the Phase II issues in a timely way. We are committed to the vision of academic success of the charter, even as we try to remain flexible and adaptive in operational aspects, size, and schedule.

We think there are creative, innovative, and nontraditional solutions to the facility issue which can be found as part of the Phase II process, and which ultimately will be placed before you, hopefully.

We think approval of this phase will result in a charter that both MCPS and the Board can be proud of, because it will be another step forward "for all children."

In closing, I would like to quote from another Anglo-American, T.S. Eliot, who said,

What we call the beginning is often the end. And to make an end is to make a beginning. The end is where we start from.

We started from an end that said, *ordinary kids can do great things if given a chance*, and this is as fine a beginning for any school as can be found. We hope you will agree and give this small call to action a chance to begin.

Statement of Joseph Hawkins, in support of the Superintendent's Recommendation on the Jaime Escalante Public Charter School Application:

The *American Heritage College Dictionary* defines unique as: "Without an equal."

If the Escalante Public Charter School opened tomorrow it would be without an equal. There would, in fact, be parts of our proposed school found elsewhere in MCPS. But no where else could one find the combined parts of what we have proposed.

One of the things that attracted me to the Escalante planners was this simple reality: the group was willing to design a school from scratch using the research literature as a guide.

And if your mission is to design a school for "average" kids, the research literature offers a lot of suggestions on what that school *ought* to include.

This reality also makes Escalante unique. But there is more:

- Escalante was intentionally designed as a small school because the literature says our target population is more likely to succeed academically in such a school. Escalante would be the smallest MCPS secondary school. Our size also provides us the flexibility to reside in a non-traditional school space. That's unique!
- Escalante involves parents directly in every aspects of school life. And the literature is very clear on this front – involved parents matter. Escalante will be the first MCPS school with parents providing co-leadership in every aspect of school life. That's unique!
- Finally, Escalante will offer every kid the same rigorous curriculum. Our mission is to close the achievement gap, and academic rigor is a must. Everyone believes this; however, success for all students is not yet a reality in this county. Escalante will alter this reality. That's unique!

Please vote "yes" to approve Superintendent Weast's proposal.

Re: **DISCUSSION**

Mrs. King asked what group of students the Jaime Escalante Public Charter School was seeking to enroll. Mr. Mancino replied that it would be the students in the "middle" and on grade, but the founders wanted to stress minority enrollment.

Mrs. King invited the MCPS teachers, Mr. Mathis and Ms. Greenberg, to the table. She inquired about the strategies they were planning to use at the charter school, whether or not they were using those strategies with their current students, and, if not, why not. Mr. Mathis replied it would be the culture of the whole school that would be different, and it was impossible to do that in a large high school. At his present school, he had 145 students, and he stated that he knew very few of their parents. Specifically, the charter school would have its expectations outlined from the beginning.

Mrs. King questioned the applicants on how they planned to evaluate staff. Mr. Mathis responded that they want to evaluate the personnel at the school with the executive director, and they had no desire to have the community superintendents do more work. They would support a waiver in order to have ownership of evaluating all staff.

Mrs. King asked how the charter school would handle discipline. Mr. Mathis said the authority would remain in the charter school, and the executive director would be certified

through the proper course work. Mrs. King asked about the appeal process. Mr. Mathis replied that it would work through the school system in the traditional manner.

Mrs. Gordon inquired about the standards that the charter school would use to evaluate student performance and staff performance. Mr. Mathis stated that the charter school did not seek a waiver from any test to evaluate student performance. They wanted to assure that the students' performance could be compared with other MCPS students. Also, they welcomed the MYP and the IB test, which is very rigorous.

Mrs. Gordon asked if the students' performance would be tied to the teacher evaluation. Ms. Greenberg said the charter school applicants were interested in being part of whatever staff evaluation was on the cutting edge within MCPS, and teachers would be evaluated the same. The applicants had not explored whether they would add an evaluation based on the success of the IB/MYP, but it would be consistent with an evaluation of staff performance.

Mrs. Gordon inquired about the plans the charter school had to look at the broad curriculum beyond what was required for the IB and Early Years program. Ms. Greenberg replied that their vision was to mesh with the best of the Montgomery County curriculum.

Mrs. Gordon noted that under the "Deficiencies" section in his paper, the Superintendent said the IB program was not a comprehensive instructional program, and there was more to middle and high school than the IB program. Therefore, how would the general curriculum be incorporated into the school's program? Ms. Greenberg replied that the charter school would have a very strong curriculum with or without certification and the enhancement that was provided by the IB curriculum at both levels. Without certification, the interdisciplinary programs and lesson planning would still be there. In addition, an innovative choice curriculum would allow an afternoon of electives presented in a more focused, exciting format by hired MCPS teachers and experts in the community. This would add another layer to curriculum, as would after-school programs. This would be a seamless concept that would enable students to work on course work, even if they do not receive credit.

Mrs. Gordon asked if they anticipated asking for waivers of any required curriculum. Ms. Greenberg replied "no."

Mr. Burnett wanted to know what waivers the charter school had requested. Mr. Hawkins responded that the applicants had discussed waivers. Mr. Burnett asked what waivers they had discussed. Mr. Hawkins replied that staff had discussed a state certification waiver. Ms. Greenberg noted an attachment to their application that asked for a waiver from MCPS policies, and she did not think any waivers would affect student instruction.

Mr. Burnett noted the concern of local education agencies over teacher recruitment and asked how the charter school would recruit teachers. Mr. Hawkins responded that the school environment and conditions would promote teacher recruitment, and they anticipated a flood of applicants. Mr. Mancino said he had already received 10 to 15 applications.

Mr. Burnett asked if the applicants had taken a poll to assure an enrollment of 200 to 300 students. Mr. Mathis replied that they had spoken to various groups in the Silver Spring community, and that the people wanted an application for the charter school. The feedback had been very positive from parents. In fact, admission may be made by lottery, if oversubscribed.

Mrs. O'Neill inquired about the applicants' desire to reach out to minorities and the "average" student. What criteria were the applicants using for the middle student to be eligible for this pool? The majority of the people involved with the formation of the charter school have been white parents. How did the applicants define "middle" and "average". How would a lottery address these criteria? Mr. Hawkins stated that the charter school would reflect the neighborhood they had chosen for the school. There would be a lottery if the charter school was oversubscribed for the projected student enrollment of 210.

Mrs. O'Neill again asked how the charter school planned to choose the "average" student. Mr. Mathis stated that the charter school applicants were willing to clarify admission standards. First, they would have an informational meeting for potential students and parents and state that the school would be dedicated to the "average" child. However, they would not turn away any child or parent who was interested in the charter school's goals of rigorous course work.

Mrs. O'Neill asked if the charter school would use the child's report card to ascertain if the child was on grade level. Mr. Mathis replied "no" and said that if a child was below grade level, he or she could apply for admission.

Mrs. O'Neill noted that one of the strengths the applicants saw in the charter school was parental involvement. She asked if the charter school would have a contract with parents requiring them to be involved. Mr. Hawkins thought the informational sessions would set high expectations for parental involvement with the school.

Mrs. O'Neill asked about the evaluator of the teachers and what would be different about the teaching in the charter school as compared to the teaching in MCPS. Mr. Mathis stated that classes would be between 20 and 25 students, and the difference was that the charter school would be small and the executive director would know what was going on in the classes.

Mrs. O'Neill asked about transportation based on the school day starting earlier, ending later, and including three-week remediation periods, and asked if that would require additional resources for the school. Mr. Hawkins stated those issues would be resolved in the next phase of the planning.

Mrs. O'Neill focused on the costs of starting the charter school, cell phones, stipends for the Board of Trustees, and a facility. She said that the Board should not approve the educational plan if there were no funds or a facility at the end of the process. Mr. Mancino stated that the start-up costs were based on MCPS figures for the start of a middle school.

Mr. Felton asked the applicants if they could address the academic requirements and what the timeframe would be to meet those requirements. Mr. Mathis thought the recommendations and questions of the superintendent were reasonable, and the applicants felt that, working with Dr. Seleznow, they could move quickly to address the concerns. Mr. Felton felt there was only half a plan, with no assurance that the vision for a charter school would be completed. He wanted some assurance of the second phase of the plan. Mr. Mathis thought the Phase I concerns could be addressed, and Phase II would be tough but others throughout the country have grappled with the same problems and found creative solutions.

Ms. Signer noted that the Board had received a great deal of correspondence about the charter application and that correspondence showed, in some cases, a lack of understanding that a charter school was a public school. She pointed out that Montgomery County was being watched statewide regarding charter schools. Ms. Signer stated that if she voted to support the Superintendent's recommendation, it was not an indication that she would ultimately support granting a charter. She asked for more specifics about parental involvement, and how this was different from Quality Management Councils (QMC) in MCPS. Mr. Hawkins replied that parent involvement would be built into the bylaws of the charter school with a percentage of parents and teachers on the Board of Trustees as equal partners in decisionmaking.

Ms. Signer asked about the greater involvement of staff in the lives of students. Ms. Greenberg replied that the executive director would compile non-professional duties for staff to reach outside the classroom for home visits, phone calls, conferences, lunch with students, and other activities to change the culture of the school.

Mr. Abrams wanted to know what was unique for Montgomery County and what could be learned from a charter. He was intrigued by the proposal because he knew what the IB program could do for children. Furthermore, MCPS had a space problem, and a program that would look at non-traditional settings for a school would free up space for the public schools. The minimum size of the charter should be between 125 and 150 students, which would allow sufficient staffing for the class-size ratios. Then, if the charter school worked, it could be expanded. Through parental involvement with motivated parents and students,

the school would have a different culture with additional resources from that commitment. He was not intrigued by a self-selecting program and favored a pure lottery, with siblings accepted into the school. With these conditions, a budget could be put together with a survey of interest from parents. However, the educational program must be deliberately constructed to ensure success. Mr. Mancino thought there was a critical size to develop a budget, and that the budget should not run so close to the margin that there would be no funds for an emergency or other contingency. In terms of the facility, the adjustment in the number of students would not make a significant difference in the square footage required for the school based on core requirements, such as cafeteria, media center, gym or all-purpose room.

Ms. Sampedro was concerned about the student selection process and the middle school child. She asked if students above or below the “average” would be turned away, since she did not see any clear criteria. There are a number of requirements for a school facility, but she was hearing the applicants say they would adapt to almost any housing. The whole application seemed very sketchy to her. Mr. Hawkins replied that the applicants had been asked to split the process into two phases – academic plan and facility issues.

Mrs. Gordon complimented the applicants on their commitment to education in Montgomery County. This new and unique process had not been easy for anyone. She supported moving forward with the application and said the issues raised by the Superintendent must be addressed. She noted that the school would be funded on a per pupil expenditure, and the only question was start-up funds. The budget would reflect how the money was spent. The charter school was a public school with public funds and public employees. The Board crafted a cautious policy with strong expectations for a charter school. Initially, the applicants have met the requirements of the policy, and the remaining issues could be addressed with staff.

Mrs. King congratulated the applicants for their effort and commitment to a charter school. She was not convinced that there was enough difference between the program and what could be done within the regular public schools. Also, she thought it would be unfair to support the academic program if there was no facility available for the school. She was not willing to give up CIP funding when MCPS was operating with restricted space. Therefore, she would not support the charter application.

**Re: SUBSTITUTE MOTION ON THE CHARTER
 SCHOOL APPLICATION**

On motion of Mr. Felton and seconded by Mrs. O’Neill, the following substitute motion was placed on the table:

Resolved, That the Board of Education defer the final decision on the charter school application pending a recommendation from the Superintendent regarding facilities.

Re: **DISCUSSION**

Mr. Felton stated that the value of a deferral was to stay on course with the application, but he had many reservations about the facility.

Mr. Burnett saw much potential for the charter school application, and he believed in the charter school concept. However, there were issues of the budget and a facility. The facility for a charter school would affect the MCPS CIP program, and public schools were overutilized. He did not want to mislead the applicants, and he found it difficult to support the application.

Mr. Abrams was pleased to hear the Board refer to capacity limitations. Therefore, the Board should leave no stone unturned in addressing that capacity constraint, and the Board should look for alternatives in using its facilities smarter. However, the present debate was not about facilities, but rather if the Board would follow its rules on charter schools. The applicants had complied by bringing forth an academic program in Phase I, but the Superintendent had some concerns. He was not in favor of deferring the decision, and the only way the application would work was if there was a non-traditional facility. He was interested in a charter school that demonstrated motivation for every student and produced students who were better prepared. He was prepared to move forward with the application.

Mrs. O'Neill wanted to see the issues addressed in writing prior to approval of the application. She needed to see in writing the admission criteria and teacher evaluation. Also, she was very concerned about the facility issue.

Mr. Felton pointed out that the discussion was not whether or not the Board wanted to support charter schools, but it was on one application. The Board supported the concept of charter schools as evidenced by its policy.

Mrs. Gordon reiterated that there were a lot of questions and a number of things that had to be worked out. However, a vote in support of the application indicated that there was merit in the instructional program. She believed the vote on the main motion was whether there was educational merit in the application. She sensed there was not support on the Board for charter schools. She was not comfortable with delaying the vote.

Mrs. O'Neill took offense that Mrs. Gordon stated there was not support on the Board for charter schools. Charter schools have a role in Montgomery County. She felt a sense of responsibility in getting the details from the applicants and offered a friendly amendment that the details of the program be made available in writing by September, 2000.

Ms. Signer was not anxious to defer a decision, and she felt the Board owed the applicants an answer on whether or not the Board supported the educational plan. She had not

heard any Board members say they did not support the plan, but they wanted more details. She concurred with the Superintendent's recommendation to move forward with a conditional approval.

Re: **SUBSTITUTE MOTION ON THE CHARTER SCHOOL APPLICATION**

On motion of Mr. Felton and seconded by Mrs. O'Neill, the following substitute motion failed with Mr. Felton and Mrs. O'Neill voting in the affirmative; Mr. Abrams, Mr. Burnett, Mrs. Gordon, Mrs. King, Ms. Sampedro, and Ms. Signer voting in the negative:

Resolved, That the Board of Education defer the final decision on the charter school application until there is a recommendation for a facility; and be it further

Resolved, That the details of the program issues raised be made available in writing by September, 2000.

Re: **MOTION ON CHARTER SCHOOL APPLICATION**

On recommendation of the Superintendent and on motion of Mrs. Gordon and seconded by Ms. Signer, the following resolution failed with Mr. Abrams, Mrs. Gordon, and Ms. Signer voting in the affirmative; Mr. Burnett, Mr. Felton, Mrs. King, Mrs. O'Neill, and Ms. Sampedro voting in the negative:

WHEREAS, Policy CFB, *Public Charter Schools*, was adopted on November 10, 1998, to establish criteria to evaluate proposals for public charter schools; and

WHEREAS, The Board of Education received its first public charter school application on September 13, 1999; and

WHEREAS, The *Public Charter School Application Guidelines, April 1999* establish a process for the superintendent to review applications and make recommendations to the Board of Education; and

WHEREAS, The application was reviewed in accordance with the policy and the guidelines, and the superintendent of schools recommended on November 9, 1999, that the Jaime Escalante Public Charter School not be approved; and

WHEREAS, On November 9, 1999, the Board of Education did not take action, but directed the superintendent to assist the applicants with those portions of the application that the panel believed were incomplete or confusing; and

WHEREAS, Montgomery County Public Schools (MCPS) staff members have met with the applicants on staffing, policy, facility, and other issues; and

WHEREAS, On January 14, 2000, the applicants submitted responses to the concerns raised in the report submitted to the Board on November 9, 1999; and

WHEREAS, The superintendent added a member of the MCCPTA and a member of the business community to the panel and agreed to separate the review of the educational plan from the operational plans at the request of the applicants; and

WHEREAS, The review process was continued for the first phase only (educational merit); and

WHEREAS, The superintendent of schools recommends a conditional approval of the application with the condition that the stated deficiencies be corrected satisfactorily for Phase I while proceeding with Phase II; now therefore be it

Resolved, That the Board of Education take action to approve Phase I of the Jaime Escalante Public Charter School application with the conditions specified by the superintendent of schools.

Re: **REVIEW OF POLICY IEB, *MIDDLE SCHOOL EDUCATION***

Dr. Weast invited the following people to the table: Ms. Judie Muntner, interim associate superintendent, Office of Instruction and Program Development; Dr. Patricia Flynn, director, Department of Academic Programs; Ms. Nancy Schultze, director, Middle School Instruction; and Mr. Donald Barron, principal, Montgomery Village Middle School and a member of the Maryland State Board of Education's Middle Learning Years Task Force (MLYTF).

On July 28, 1999, and on February 8, 2000, the Board of Education members adopted resolutions asking staff to review Policy IEB, *Middle School Education* to analyze the impact of the recommendations of the MLYTF and to prepare a comprehensive report outlining a course of action to make the middle school curriculum more rigorous and challenging to students. In response to these requests, staff completed a comparative review of the proposed recommendations from the MLYTF and the MCPS middle school policy. Many of the proposed recommendations are consistent with existing MCPS policy. If changes to the MCPS policy are required once the Maryland State Board of Education approves the final report of the MLYTF and after dialogue with key stakeholders, the policy will be brought before the Board for discussion and approval.

As part of a comprehensive plan to ensure rigor and challenge for all middle grade students, MCPS will do the following:

- Provide ongoing training to integrate instructional strategies that promote higher-level thinking and student achievement on the Maryland State Performance Assessments.
- Implement the curriculum audit findings as soon as they are finalized (mathematics is scheduled for completion July 2000).
- Schedule meetings with key stakeholders, including middle school principals, the Curriculum Advisory Committee, the Accountability Work Group, the new Teacher Evaluation System Work Group, and middle school resource teachers to discuss, review, and problem solve middle school issues. These groups will make recommendations for the changes needed to remove barriers to improvement and will identify resources to be recommended for inclusion in the FY 2002 budget.
- Provide for coordination and direction of services to middle schools through the unit of middle school instruction.
- Use the new organizational structure of community superintendents and school performance teams to monitor implementation of the middle school policy.

What Must Work in the Middle Grades

The middle school program in MCPS must be committed to the intellectual, emotional, social, and physical growth of young adolescents. To ensure the delivery of a middle school program that “raises the bar and closes the gap,” the following structures must be available.

- An organization with clear guidelines for grouping students and with instructional time and staff allocated to maximize academic challenge. Support for student learning can be strengthened through coordination of the individual expertise of teachers using community and parent/teacher partnerships.
- A challenging curriculum in English, science, social studies, and mathematics that focuses on academic rigor. This requires middle school students to master essential skills and concepts and become critical and creative thinkers, decision makers, and problem solvers. The curriculum must provide a literacy focus in all subjects, offer explicit connections across disciplines, and connect to real-world settings. Trained staff must provide a comprehensive arts, technology, physical education, guidance, and health program.

- Varied instructional practices that challenge all students through differentiation, engage students as active learners, encourage students to move quickly and deeply through a meaningful program of studies, and foster personalized learning communities that build stable and supportive relationships among adults and peers.
- Assessments that connect to and match instruction and promote student learning, and establish high standards for student performance.
- Staff development that enhances the content knowledge, instructional practices, and awareness of the developmental needs of young adolescents among the middle school teaching community.

Barriers to Making It Work

For change to occur, the following barriers must be removed.

- Pressures on facilities restrict flexible grouping practices and the sense of community that fosters personalized learning environments. Conversion to middle schools in existing facilities and the opening of new middle schools to accommodate ever-increasing growth in enrollments have strained staff to achieve flexible groupings while assuring order and security in crowded hallways and portable classrooms.
- Lack of a comprehensive, consistent set of administrative training modules. Administrators and their leadership teams have adopted different schedules and models for using time, allocating staff, and grouping students without the benefit of adequate training or guidelines.
- Staffing formula for leadership positions has not been adapted to accommodate for interdisciplinary team supervision. Although Montgomery County middle schools use interdisciplinary teaming, many schools have been unable to schedule students into small, self-contained teams due to the insufficient allocation of positions to support effective implementation of this organizational design.
- Inability to secure an adequate number of qualified leaders in the position of the interdisciplinary resource teacher/resource teacher. Out of necessity, the interdisciplinary resource teacher assumes the leadership activities related to the supervision of a subject area department and a grade-level student team. This position requires a person to teach on a team, lead a grade-level team, and supervise a department. Given the broad range of responsibilities, this position has become unattractive to teachers and is often characterized as “undoable.”

- Lack of guidelines, training, and support for grouping practices that respond to student needs. Currently, middle school grouping practices are inconsistent throughout Montgomery County. Some middle schools follow rigid, homogeneous grouping practices while others employ rigid, heterogeneous grouping practices. Neither practice alone may offer students access to the match of instructional experiences they need.
- Instructional delivery time and administrative support in the middle school is restricted by the amount and degree of testing required for middle school students. Middle school students currently take the Comprehensive Test of Basic Skills (CTBS) in sixth grade, Criterion-Referenced Tests (CRTs) in all grades, the Maryland Functional Mathematics and Reading Tests in Grade 7, Maryland Writing Test in Grade 8, the eighth grade Maryland School Performance Assessment Program (MSPAP), and foreign language and algebra final exams for students taking those courses. Testing practices must be reviewed to ascertain mismatches or overlap of testing outcomes in an effort to alleviate some of this testing burden.
- Lack of a cohesive program framework that clearly sets forth models for delivery of rigor and challenge in the academic areas. In the attempt to program for their highly able students, each school had to identify a gifted and talented objective or program initiative for their *Local School Success for Every Student Plan*. Copies of those plans are available for reference in the Board of Education office.
- Increased enrollment at the mid-level and the shortage of teacher applicants. Ever-increasing enrollment and statewide teacher shortages are placing a burden on the applicant pool of those who want to teach early adolescents. Research links a teacher's training and coursework in the content field (for example, mathematics or science) with student results. While courses in teaching strategies are equally important, some teachers at the middle school level need more training in content to produce increases in student results. Some teachers with extensive training in content may prefer to teach at the high school level, leaving middle schools with a challenge to recruit and retain teachers with strong content background.
- Decrease in the quality and quantity of communication between parents and the middle school. Students themselves become less communicative as they enter adolescence. They become less willing to elaborate about their school and/or personal experiences. The school system and individual middle schools need to use a range of communication approaches to engage parents and welcome them into the middle school community.

What Is Currently Working

- Organizational practices: Some middle schools in Montgomery County have interdisciplinary teams that work together cohesively to plan and implement a range of instructional opportunities for their students within personalized learning communities. Because administrators and their instructional leaders believe in the benefits of the team concept, they are determined to make it work. A number of schools have been able to schedule time effectively to allow for extended learning experiences. They have provided time within their schedules for advisory groups to address issues related to students' social, emotional, and learning needs.
- Curriculum: The middle school curricula in the content areas have been revised to align with Maryland Learning Outcomes. A focus on literacy and reading in the content areas has begun. William and Mary units have been included in the English curriculum. More than half of the middle schools have implemented the Soar to Success program in Grade 6 to address students' reading needs. The third and final cohort of teachers is being trained on the revised science curriculum, which is inquiry based and includes performance assessment and technology applications. The revised mathematics curriculum provides students with earlier access to algebra and geometry in the middle grades. The ESOL curriculum has been revised and tied to the outcomes of the middle school English curriculum.
- Instructional practices: For the past two years the Division of Enriched and Innovative Instruction (EII), in collaboration with the unit for middle school instruction, has provided symposia for teachers from each middle school to share successful strategies that differentiate instruction and challenge all learners. Over the past three summers, EII has provided extended training in differentiation strategies for middle school teachers from schools throughout the county.
- Assessments: A number of middle schools have adapted, developed, and implemented benchmark performance assessments tied to the curriculum and the Maryland Learning Outcomes. Some schools have instituted the use of portfolios as a comprehensive assessment approach. Three Montgomery County middle schools have met state standards for proficiency as well as achieving the highest scores statewide. Approximately eight schools have performed above county standard for reading CRT subtests, and four schools have achieved county standards in the mathematics CRTs.
- Staff development: Selected schools have implemented proven research-based programs such as *Dimensions of Learning*, the *Middle Years Program*, the *Maryland Reading Network*, and *Facilitative Leadership* to build staff competency for continuous improvement.

Some middle schools are implementing responsive organizational designs, using effective research-based instructional practices and assessments and conducting staff development programs. However, these components, as set forth in the middle school policy, have been implemented and supported inconsistently countywide. One sign of such inconsistency is that the middle school student performance on CRT and MSPAP assessments has not improved at the same rate as has the performance of elementary school students. These data reinforce parent concerns about the lack of programs that effectively meet the needs of all students within each middle school.

Once the MLYTF report has been finalized, curriculum audits have been completed, and key stakeholder groups have identified the resources needed to eliminate barriers to the implementation of an effective middle school program, staff will return to the Board of Education with a comprehensive report including any recommended changes to the existing middle school policy.

Re: **DISCUSSION**

Mrs. O'Neill pointed that parents have been concerned about the strength of the MCPS middle school program. With the high school assessments, she felt a sense of urgency to improve middle school instruction. Also, there was a lack of consistency in the schools, and staff must be very clear to articulate the progression in math.

Ms. Signer was pleased that this item was before the Board because parents were concerned about the program. She was interested in the report about the plan to ensure rigor and challenge, curriculum audit, stakeholder groups, training, and the policy. However, the report did not mention the cultural change that was needed in middle schools. At the present time, middle schools focus on self esteem at the expense of academics. The problem with that philosophy was that students were not prepared for high school where they cannot retake tests, redo projects, or have options for extra credit to raise their grades. A middle school student may never have an honors class since there was a wide variance among the schools.

Ms. Signer was intrigued with the proposal for the curriculum audit, and she looked to that audit to address the rigor in the middle schools. However, at the same time the curriculum audit is done, MCPS plans to implement a new math curriculum that had not come to the Board. She thought it was not productive for staff and students to begin the new math curriculum because the Board may not approve this curriculum, and the audit could indicate changes in the curriculum. Dr. Flynn replied that the change in the math curriculum had started several years ago to increase the number of students who successfully completed Algebra 1 by the end of the 8th grade and for all students to successfully complete algebra 1 by the end of 9th grade. In the past, the Council on Instruction approved the pilots for curriculum revision, but since December 1999 all curriculum will be Board approved.

Ms. Signer asked how long the curriculum audit would take for math and the other disciplines in middle school. Dr. Flynn replied that the first draft will be ready by July 10, 2000, and a final draft by July 31.

Ms. Signer was looking to ascertain what the school system could do to strengthen the middle school curriculum because the high school assessment will affect these students. Mr. Barron thought there were things that could be done. The early middle school research never downplayed rigor, but the implementation of the policy led to the self-esteem characterization. Teachers were not trained to deal with the adolescent child; therefore, professional development was critical as the new curriculum is implemented to ensure rigor.

Mrs. King noted that her biggest issue is the middle school. After the nurturing elementary school, parents feel their children do not have a challenge in middle school and lose the enthusiasm they had for school prior to high school. Students in middle schools that have honors classes are the most content. Differentiation worries most parents, and there were teachers who needed training in differentiation. Mrs. King's biggest worry was convincing parents that teachers were trained to differentiate. Dr. Seleznow thought principals were concerned that there was not a clear and coherent program standards about grouping students. There must be a comprehensive plan that would look at all issues that address grouping, create a set of program standards, and identify rigor in the curriculum and middle school culture.

Mrs. Gordon was not sure what happened, because the first middle schools in Montgomery County had honors courses and rigorous programming. As the transition from a junior high to a middle school model occurred, parents were assured that the same rigor in the junior high school would exist in the middle school. She was concerned that the school system had curriculum audits prior to middle schools being directed to return to the original philosophy. In dealing with self esteem, students feel good when they master challenging curriculum.

Mr. Felton thought there were actions the school system could take to improve the middle schools prior to the curriculum audits. Mr. Barron replied that it took a middle school leadership team that understands middle school philosophy and involves the community. Dr. Seleznow thought staff could define the standards in grouping and remove the mythology of what is appropriate. Principals were looking for guidance in what they could do and what they would be supported to do.

Ms. Signer stated that middle schools should not have a choice in offering challenging courses. Dr. Weast noted that middle schools will enroll children for next year, and staff has told principals there would be more rigor. Steps have been taken to improve student performance, such as appointing a middle school director, having a curriculum audit,

measuring student performance through shared accountability, more teacher developers and staff training, and discussing a common philosophy.

Ms. Signer noted that staff was sensing a great deal of frustration by the Board on what the parents perceive is happening in middle schools.

RESOLUTION NO. 184-00 Re: **REVIEW OF POLICY IEB, *MIDDLE SCHOOL EDUCATION***

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

Resolved, That the Board of Education directs the Superintendent to bring Policy IEB, *Middle School Education*, back to the Board in September 2000.

RESOLUTION NO. 185-00 Re: **CLOSED SESSION RESOLUTION**

On recommendation of the Superintendent and on motion of Mr. Felton seconded by Ms. Signer, 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 a portion of its meeting on Monday, March 27, 2000, in Room 120 of the Carver Educational Services Center from 7:30 to 8:00 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 February 23, 2000, 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 February 23, 2000, from 7:05 to 7:55 p.m. in Room 120, Carver Educational Services Center, Rockville, Maryland, and

1. Reviewed and/or adjudicated the following appeals: 1999-47, 1999-48, 2000-2, 2000-3, and 2000-4.
2. Reviewed the Superintendent's recommendation for the appointments of a Director of School Performance, Office of School Performance and Accountability, and the Assistant Director, Department of Transportation, subsequent to which the vote to approve the appointments was taken in open session.
3. Discussed and reviewed potential legal claims arising from technology problems.
4. Consulted with counsel to receive legal advice as permitted under Section 10-508(a)(7) of the *State Government Article*.
5. 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: Steve Abrams, Aggie Alvez, Elizabeth Arons, Larry Bowers, Fran Brenneman, Kermit Burnett, Reggie Felton, Bea Gordon, Roland Ikheloa, Nancy King, Frieda Lacey, Louis Martinez, George Margolies, Judie Muntner, Patricia O'Neill, Brian Porter, John Porter, Glenda Rose, Laura Sampedro, Steve Seleznow, Mona Signer, Roger Titus, and Jerry Weast.

RESOLUTION NO. 186-00 Re: **MINUTES OF THE OCTOBER 25, 1999, MEETING**

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

Resolved, That the Board of Education approve the minutes for its October 25, 1999, meeting.

RESOLUTION NO. 187-00 Re: **MINUTES OF THE MARCH 1, 2000, 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 for its March 1, 2000, meeting.

RESOLUTION NO. 188-00 Re: **BOARD APPEAL 2000-2**

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

Resolved, That the Board of Education adopts its Decision and Order in Appeal 2000-2, a student suspension, 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 affirm.

RESOLUTION NO. 189-00 Re: **BOARD APPEAL 2000-3**

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

Resolved, That the Board of Education adopts its Decision and Order in Appeal 2000-3, a personnel 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 dismiss.

RESOLUTION NO. 190-00 Re: **BOARD APPEAL 2000-4**

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

Resolved, That the Board of Education adopts its Decision and Order in Appeal 2000-4, a student suspension, 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 dismiss.

RESOLUTION NO. 191-00 Re: **BOARD APPEAL T-2000-4**

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

Resolved, That the Board of Education adopts its Decision and Order in Appeal T-2000-4, a student transfer matter, reflective of the following vote: Mr. Abrams, Mr. Burnett, Mr. Felton voting to reverse; Mrs. Gordon, Mrs. King, Mrs. O'Neill, Ms. Sampedro, and Ms. Signer voting to affirm.

Re: **PRACTICE OF SOCIAL PROMOTION (Previous
New Business Item)**

On motion of Ms. Signer and seconded by Mrs. Gordon, the following resolution failed with Mrs. Gordon and Ms. Signer voting in the affirmative: Mr. Abrams, Mr. Burnett, Mr. Felton, Mrs. King, Mrs. O'Neill, and Ms. Sampedro voting in the negative:

WHEREAS, the Board of Education and Superintendent of Schools have placed increased emphasis on rigorous student performance; and

WHEREAS, The focus of the Call to Action is to implement practices that improve students' chances for success; and

WHEREAS, The Annotated Code of Maryland Section 7-202 states that a student who "has not met either a minimum grade level competency or the minimum reading level required by the State Board for the previous grade, the student shall be:

1. Kept in the current grade; or
2. Enrolled in an appropriate reading assistance program as part of his instructional program"; and

WHEREAS, The practice of social promotion without assistance does not meet the needs of students; now therefore be it

Resolved, That the Board of Education directs the Superintendent to review the practice of social promotion and bring forward recommendations for addressing the issue so that student needs are more appropriately met; and be it further

Resolved, That the recommendations be brought to the Board for discussion and approval by July 1, 2000.

Re: **BALDRIGE IN EDUCATION INITIATIVE PROGRAM
(Previous New Business Item)**

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

WHEREAS, The Board of Education agreed to move forward with Quality Initiatives, System Thinking and the Baldrige Initiative; and

WHEREAS, For the last two years, MCPS has participated in a coalition at the state level to implement these initiatives and was accepted as part of the national Baldrige in Education Initiative (BiE-IN) program; and

WHEREAS, MCPS has applied for and received a grant from the Maryland State Department of Education for implementation of Baldrige; and

WHEREAS, The grant and the national BIE-IN program require Board of Education involvement; now therefore be it

Resolved, That the Board of Education schedule time to discuss the grant, BIE-IN, their requirements, implementation plan and Board involvement and training; and be it further

Resolved, That the discussion take place no later than April 30, 2000.

RESOLUTION NO. 192-00 Re: **BALDRIGE IN EDUCATION INITIATIVE PROGRAM**

On motion of Mrs. O'Neill and seconded by Mr. Abrams, the following amendment was adopted with Mr. Abrams, Mr. Burnett, Mr. Felton, Mrs. King, Mrs. O'Neill, and Ms. Sampedro voting in the affirmative; Mrs. Gordon and Ms. Signer voting in the negative:

Resolved, That the discussion take place no later than **September** 30, 2000.

RESOLUTION NO. 193-00 Re: **BALDRIGE IN EDUCATION INITIATIVE PROGRAM**

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

WHEREAS, The Board of Education agreed to move forward with Quality Initiatives, System Thinking and the Baldrige Initiative; and

WHEREAS, For the last two years, MCPS has participated in a coalition at the state level to implement these initiatives and was accepted as part of the national Baldrige in Education Initiative (BIE-IN) program; and

WHEREAS, MCPS has applied for and received a grant from the Maryland State Department of Education for implementation of Baldrige; and

WHEREAS, The grant and the national BIE-IN program require Board of Education involvement; now therefore be it

Resolved, That the Board of Education schedule time to discuss the grant, BIE-IN, their requirements, implementation plan and Board involvement and training; and be it further

Resolved, That the discussion take place no later than September 30, 2000.

Re: **IMPLEMENTATION OF THE NON-INSTRUCTIONAL PRIORITIES (Previous New Business Item)**

On motion of Mrs. Gordon and seconded by Ms. Signer, the following failed with Mr. Felton, Mrs. Gordon, and Ms. Signer voting in the affirmative; Mr. Abrams, Mr. Burnett, Mrs. King, Mrs. O'Neill, and Ms. Sampedro voting in the negative:

WHEREAS, The Board of Education met in retreat in September and agreed to both instructional and non-instructional priorities; and

WHEREAS, The Superintendent has responded to the instructional priorities with the Call to Action; and

WHEREAS, The non-instructional priorities will allow the Board to operate more efficiently and direct its efforts to the instructional priorities; and

WHEREAS, The non-instructional priorities have not been discussed and implemented; now therefore be it

Resolved, That the Board of Education schedule time to discuss a plan for implementation of the non-instructional priorities that the Board adopted in the fall; and be it further

Resolved, That the discussion and plan development take place no later than the end of May so that the 2000-2001 Board calendar includes the changes.

Re: **BULLYING (Previous New Business Item)**

On motion of Mr. Burnett and seconded by Mrs. Gordon, the following resolution failed with Mr. Abrams, Mr. Burnett, Mrs. King, and Mrs. O'Neill voting in the affirmative: Mr. Felton, Mrs. Gordon, Ms. Sampedro, and Ms. Signer voting in the negative:

WHEREAS, Parents have expressed concerns about the issue of bullying in Montgomery County Public Schools and have expressed a desire to see a more consistent enforcement of disciplinary measures against bullying; and

WHEREAS, There needs to be an increased awareness of the strategies and programs available to resolve conflict, prevent violence in our schools, and counsel victims of bullying; now therefore be it

Resolved, That the Board of Education directs the Superintendent of Schools to undertake a review of policies, regulations and programs in place that address violent acts such as bullying; and be it further

Resolved, That such a review be presented to the Board for discussion and, if necessary, action.

Re: **CREATING CAPACITY FOR LOWER CLASS SIZE (Previous New Business Item)**

On motion of Mr. Abrams and seconded by Mrs. King, the following resolution failed with Mr. Abrams and Mrs. King voting in the affirmative; Mr. Burnett, Mr. Felton, Mrs. Gordon, Mrs. O'Neill, Ms. Sampedro, and Ms. Signer voting in the negative:

Resolved, That the Board of Education direct the Superintendent to study alternatives to creating capacity for lower class size in schools and report to the Board for discussion no later than July 1, 2000.

Re: **NEW BUSINESS**

Mr. Abrams moved and Mrs. Gordon seconded the following:

Resolved, That the Board of Education suspend all new business until the next Board retreat.

Re: **ITEMS OF INFORMATION**

The following items were available:

1. Items in Process
2. Legal Fees Report
3. Construction Progress Report

RESOLUTION NO. 194-00 Re: **ADJOURNMENT**

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 adjourn its meeting of March 14, 2000, at 6:07 p.m.

PRESIDENT

SECRETARY

JDW:gr

MONTGOMERY COUNTY BOARD OF EDUCATION SUMMARY SHEET

March 14, 2000

CLOSED SESSION	1
APPROVAL OF THE AGENDA	2
USDA PRESENTATION FOR BEST PRACTICES OF FOOD AND NUTRITION SERVICES	2
RATIFICATION OF MCCSSE AGREEMENT	3
ITEM OF LEGISLATION	3
BOARD/SUPERINTENDENT COMMENTS	11
PUBLIC COMMENTS	12
JOINT USE AGREEMENT AT KENSINGTON PARKWOOD ELEMENTARY SCHOOL	12
CIP ALTERNATIVES	13
LUNCH AND CLOSED SESSION	19
CONTRACTS FOR MORE THAN \$25,000	19
ACCEPTANCE OF HARMONY HILLS ELEMENTARY SCHOOL	24
ACCEPTANCE OF JOHN F. KENNEDY HIGH SCHOOL	24
ARCHITECTURAL APPOINTMENT	24
AWARD OF CONTRACT - BURNT MILLS ELEMENTARY SCHOOL GYMNASIUM	25
SURPLUS EXCESS PROPERTY AT BURTONSVILLE ELEMENTARY SCHOOL	26
RECOMMENDED FY 2000 SUPPLEMENTAL APPROPRIATION FOR THE MARYLAND STATE DEPARTMENT OF EDUCATION FINE ARTS INITIATIVES GRANT	27
UTILIZATION OF FY 2000 FUTURE SUPPORTED PROJECT FUNDS FOR THE CHALLENGE GRANT PROGRAM	28
UTILIZATION OF FY 2000 FUTURE SUPPORTED PROJECT FUNDS FOR THE MARYLAND EQUIPMENT INCENTIVE FUND PROGRAM	28
UTILIZATION OF FY 2000 FUTURE SUPPORTED PROJECT FUNDS FOR THE TRINITY COLLEGE PARTNERSHIP PROGRAM	29
AUTHORIZED SIGNATORIES FOR MONTGOMERY COUNTY PUBLIC SCHOOLS BANK ACCOUNTS	29
HUMAN RESOURCES MONTHLY REPORT	30
DEATH OF MR. GODFREY MOORE, CLASSROOM TEACHER ON LONG-TERM LEAVE FROM JUDITH RESNIK ELEMENTARY SCHOOL	30

DEATH OF MR. STANLEY E. MAIN, BUS OPERATOR IN THE DEPARTMENT OF TRANSPORTATION 31

MONTHLY FINANCIAL REPORT 32

FY 2001 FEES FOR THE SUMMER SCHOOL, ADULT EDUCATION, PARENT RESOURCE CENTERS,
AND GENERAL EDUCATION DEVELOPMENT PROGRAMS 32

PRELIMINARY PLANS FOR WALTER JOHNSON HIGH SCHOOL ADDITION 32

PRELIMINARY PLANS FOR ROCKVILLE HIGH SCHOOL MODERNIZATION 33

CHARTER SCHOOL APPLICATION 33

REVIEW OF POLICY IEB, *MIDDLE SCHOOL EDUCATION* 50

CLOSED SESSION RESOLUTION 56

REPORT OF CLOSED SESSION 57

MINUTES 58

BOARD APPEALS 58

PRACTICE OF SOCIAL PROMOTION (Previous New Business Item) 59

BALDRIGE IN EDUCATION INITIATIVE PROGRAM (Previous New Business Item) 60

IMPLEMENTATION OF THE NON-INSTRUCTIONAL PRIORITIES (Previous New Business Item) 61

BULLYING (Previous New Business Item) 62

CREATING CAPACITY FOR LOWER CLASS SIZE (Previous New Business Item) 62

NEW BUSINESS 62

ITEMS OF INFORMATION 63

ADJOURNMENT 63