Rockville, Maryland APPROVED 15-1981 February 23, 1981 The Board of Education of Montgomery County met in regular session at the Educational Services Center, Rockville, Maryland, on Monday, February 23, 1981, at 7:40 p.m. Present: Mrs. Carol F. Wallace, President in the ROLL CALL Chair Mr. Joseph R. Barse* Mr. Blair G. Ewing Dr. Marian L. Greenblatt Mrs. Suzanne K. Peyser* Mrs. Elizabeth W. Spencer Miss Traci Williams* Mrs. Eleanor D. Zappone Absent: None Others Present: Dr. Edward Andrews, Superintendent of Schools Dr. Harry Pitt, Deputy Superintendent Dr. Robert S. Shaffner, Executive Assistant Re: Announcements Mrs. Wallace announced that Miss Williams was attending another meeting and would be late. Mr. Barse and Mrs. Peyser were expected at any time. Resolution No. 169-81 Re: Approval of the Agenda On recommendation of the superintendent and on motion of Dr. Greenblatt seconded by Mrs. Zappone, the following resolution was adopted unanimously: Resolved, That the Board of Education approve its agenda for February 23, 1981.* * Mrs. Peyser joined the meeting at this point. Resolution No. 170-81 Re: Maryland Women's History Week On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mr. Ewing, the following resolution was adopted unanimously:

WHEREAS, Women of every race, class, and ethnic background have played a significant role in the development of American social institutions: family, religion, education, volunteerism, philanthropy, and social welfare; and WHEREAS, Women have also achieved distinction in a variety of careers: art, medicine, science, music, government, literature, and sports; and

WHEREAS, Women have provided a significant portion of the labor force and business leadership essential to the economic development of the United States, both paid and unpaid, and within and outside of the home; and

WHEREAS, These contributions have been underrepresented, ignored, or stereotyped in American history; and

WHEREAS, It is appropriate to celebrate the contributions of women in history, particularly in Maryland and Montgomery County, to promote public awareness of these contributions and to encourage further study of this subject in all phases of the education process; now therefore be it

<u>Resolved</u>, That the Board of Education of Montgomery County, Maryland, does proclaim support of Maryland Women's History Week to be celebrated March 8-14, 1981 and, in succeeding years during the week surrounding March 8 ("International Women's Day"); and be it further

<u>Resolved</u>, That the Board directs the superintendent of schools to work with the Montgomery County Commission for Women and other interested groups to develop resources for local schools, public libraries, and community groups throughout the county and to initiate statewide and local activities within the schools to celebrate Women's History Week; and be it further

<u>Resolved</u>, That the Board urges local schools and communities to develop similar resources and activities.

Mrs. Wallace recognized Ms. Margaret Zierdt who had been instrumental in establishing Maryland Women's History Week.

Resolution No. 171-81 Re: Laytonsville Elementary and Area 3 Office Reroofing

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mr. Ewing, the following resolution was adopted unanimously:

WHEREAS, Sealed bids were received on February 12 for reroofing sections of Laytonsville Elementary School and Area 3 Office, as follows:

	Bidder	Proposal A Laytonsville	Proposal B Area Office
1.	Orndorff & Spaid,Inc.	\$62,956	\$ 7,829
2.	R. D. Bean, Inc.	71,900	8,662
3.	Colbert Roofing Corporation	79,951	9,945
4.	John Shumaker & Sons, Roofing	NB	16,205

and,

WHEREAS, The low bidder, Orndorff & Spaid, Inc., has performed similar projects satisfactorily; and

WHEREAS, Low bid is within staff estimate and sufficient funds are available in Account 999-42 to effect award; now therefore be it

<u>Resolved</u>, That a contract for \$70,785 be awarded to Orndorff & Spaid, Inc., to accomplish reroofing projects at Laytonsville Elementary School and Area 3 Office in accordance with plans and specifications covering this work dated January 29, 1981, as prepared by the Department of School Facilities.

Resolution No. 172-81 Re: Award of Construction Contract -Farquhar Middle School Physical Education Facility Addition (Area 4)

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mr. Ewing, the following resolution was adopted unanimously:

WHEREAS, Sealed bids were received on February 19 to construct a physical education facility addition at Farquhar Middle School:

Bidder

Total Base Bid

1.	Patrick Quinn, Inc.	\$584,900
2.	Robert J. Henley Construction Co., Inc.	594,000
3.	Keller Brothers, Inc.	601,150
4.	N. S. Stavrou Construction Co., Inc.	623,923
5.	Ernest R. Sines, Inc.	625,000
б.	Bird Construction Company, Inc.	626,190
7.	Baron Builders, Inc.	628,856
8.	Deneau Construction, Inc.	629,900
9.	Button & Goode, Inc.	630,000

and,

WHEREAS, The low bidder is Patrick Quinn, Inc., which firm has performed satisfactorily on similar projects; and

WHEREAS, Sufficient funds exist in the Farquhar Middle School project to award this contract; now therefore be it

<u>Resolved</u>, That a contract be awarded Patrick Quinn, Inc., for \$584,900 to accomplish the requirements of the plans and specifications entitled "Physical Education Facility Addition to William H. Farquhar Middle School," dated January 16, 1981, prepared by Arley J. Koran, Inc., architect.

Resolution No. 173-81

Re: Land Exchange Involving the

Future Grove Elementary and Emory Grove Junior High School Sites (Area 5)

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mr. Ewing, the following resolution was adopted unanimously:

WHEREAS, Recent negotiations between our school facilities staff and representatives of a local developer have brought about an opportunity to effect an equal parcel exchange involving two future school sites totalling 30 acres of land in the Emory Grove sector of Gaithersburg, Maryland; and

WHEREAS, The proposed parcel exchange will benefit the school system through the acquisition of 30 contiguous acres of land containing the former Hadley Dairy complex, with its two residential units, large warehouse/storage building, and numerous outbuildings, all at no cost to the Board of Education; and

WHEREAS, The trade of our Emory Grove future junior high and Grove future elementary school sites will provide the school system with a combination secondary/elementary school configuration with potential use as an interim agricultural study facility with rental income possibilities, and at the same time will allow the developer to construct the vital storm water and utility line facilities required to serve the surrounding Emory Grove community at our current location; now therefore be it

<u>Resolved</u>, That the president and secretary be authorized to make settlement with the development firm of Pettit and Griffin, Inc., to include the acceptance of a deed for the 30 acres of land formerly known as the Hadley Dairy, along with the existing improvements and structural facilities contained therein, and to execute a deed of transfer to the developer for the Emory Grove future junior high school site (20 acres) and the Grove future elementary school site (10 acres) and all appurtenances thereto.

Resolution No. 174-81 Re: Formal Acceptance of Oakland Terrace Elementary School Physical Education Addition Project (Area 1)

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mrs. Zappone, the following resolution was adopted unanimously:

<u>Resolved</u>, That having been duly inspected on February 6, 1981, the Oakland Terrace Elementary School physical education facility project now be formally accepted, and 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 plans and specifications, and all contract requirements have been met. Resolution No. 175-81

Re: Formal Acceptance and Transfer of Funds from the Local Unliquidated Surplus Account #997 to Damascus Elementary School Modernization/Addition Project 702-07 (Area 5)

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mrs. Zappone, the following resolution was adopted unanimously:

WHEREAS, The Damascus Elementary School project was inspected on February 5, 1981; and

WHEREAS, Local authorities and school staff have requested that several additional facility needs be met (for example, additional fire marshal requirements, cabinetry in kindergarten rooms, bubblers in classrooms, and concrete walks), and additional funding needs to be provided from the Local Unliquidated Surplus Account; now therefore be it

<u>Resolved</u>, That having been duly inspected on February 5, 1981, the Damascus Elementary School modernization/addition project now be formally accepted, and 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 plans and specifications, and all contract requirements have been met; and be it further

<u>Resolved</u>, That the superintendent be authorized to effect a transfer of \$16,000 from the Local Unliquidated Surplus Account #997 (balance after transfer \$78,000.49), to the Damascus Elementary School project; and be it further

<u>Resolved</u>, That the county executive be requested to recommend approval of this transfer to the County Council.

Resolution No. 176-81

Re: Submission of an FY 1982 Proposal for a Food Preparation Training Program

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mr. Ewing, the following resolution was adopted unanimously:

<u>Resolved</u>, That the superintendent of schools be authorized to submit a proposal to the Maryland State Department of Education for an FY 1982 grant to provide a Food Preparation Training Program; and be it further

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

Resolution No. 177-81 FY 1981 Appropriation for Projected Supported Projects Within the Guidance Program

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mr. Ewing, the following resolution was adopted unanimously:

<u>Resolved</u>, That the superintendent of schools be authorized to receive and expend under the FY 1981 Appropriation for Supported Projects of \$500,000 a grant of \$2,000 for this guidance program from MSDE in Category 03, Instructional Other; and be it further

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

Resolution No. 178-81 Re: Utilization of a Portion of the FY 1981 Appropriation for Projected Supported Programs for the FY 1981 Comprehensive System for Personnel Development (CSPD)

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mr. Ewing, the following resolution was adopted unanimously:

<u>Resolved</u>, That the superintendent of schools be authorized to receive and expend under the FY 1981 Appropriation for Supported Projects of \$500,000 an additional award of \$24,055 from MSDE through P.L. 94-142 for the Comprehensive System for Personnel Development in the following categories:

	Category		Amount
03	Instructional Other		\$ 8,671
05	Special Education		13,995
09	Fixed Charges		1,389
	_	Total	\$24,055

and be it further

<u>Resolved</u>, That a copy of this resolution be transmitted to the county executive and the County Council.

Resolution No. 179-81

Re: Submission of a Proposal for FY 1982 and FY 1983 Grant to Develop and Implement an Arts-Centered Reading Program

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mr. Ewing, the following resolution was adopted unanimously:

Resolved, That the superintendent of schools be authorized to

submit a proposal for FY 1982 and FY 1983 to the U.S. Department of Education for funds under the Arts Education Program, P.L. 95-561 to develop and implement an Arts-Centered Reading Program; and be it further

<u>Resolved</u>, That a copy of this resolution be sent to the county executive and the County Council.*

* Mr. Barse joined the meeting at this point.

Re: Amended FY 1982 Capital Improvements Program

Mr. Ewing moved approval of the following resolution, and Mrs. Spencer seconded the motion:

WHEREAS, The State Interagency Committee has recommended and the Board of Public Works has approved \$10,141,000 for FY 1982 capital projects for Montgomery County Public Schools; and

WHEREAS, Local funds are required in addition to the allocation received from the State Public Schools Construction Program for FY 1982; and

WHEREAS, It is necessary to amend the Board of Education's FY 1982 Capital Improvements Program to reflect changes based on actions of the IAC and BPW and to reflect the latest information regarding each capital project; now therefore be it

<u>Resolved</u>, That the Board of Education amend its FY 1982 Capital Budget Request from \$23,045,000 to \$22,910,000 for which \$10,141,000 is requested from the state and \$12,769,000 is requested from the county; and be it further

<u>Resolved</u>, That the Five-year Capital Improvements Program (FY 1982-1987) be revised, based on the amendments to the FY 1982 Capital Budget; and be it further

<u>Resolved</u>, That the county executive be requested to recommend approval of this amended FY 1982 Capital Improvements Program to the County Council.

Resolution No. 180-81 Re: An Amendment to the Proposed Resolution on the FY 1982 Capital Improvements Program

On motion of Mrs. Spencer seconded by Mrs. Zappone, the following resolution was adopted unanimously:

<u>Resolved</u>, That the proposed resolution on the FY 1982 Capital Improvements Program be amended by substituting "\$22,885,000" for "\$22,910,000 and \$12,744,000" for "\$12,769,000" in the first <u>Resolved</u> and deleting the request for Farquhar Middle in the amount of \$25,000.

Resolution No. 181-81 Re: Amended FY 1982 Capital Improvements Program

On recommendation of the superintendent and on motion of Mr. Ewing seconded by Mrs. Spencer, the following resolution was adopted unanimously:

WHEREAS, The State Interagency Committee has recommended and the Board of Public Works has approved \$10,141,000 for FY 1982 capital projects for Montgomery County Public Schools; and

WHEREAS, Local funds are required in addition to the allocation received from the State Public Schools Construction Program for FY 1982; and

WHEREAS, It is necessary to amend the Board of Education's FY 1982 Capital Improvements Program to reflect changes based on actions of the IAC and BPW and to reflect the latest information regarding each capital project; now therefore be it

Resolved, That the Board of Education amend its FY 1982 Capital Budget Request from \$23,045,000 to \$22,885,000 for which \$10,141,000 is requested from the state and \$12,744,000 is requested from the county; and be it further

Resolved, That the Five-year Capital Improvements Program (FY 1982-1987) be revised, based on the amendments to the FY 1982 Capital Budget; and be it further

Resolved, That the county executive be requested to recommend approval of this amended FY 1982 Capital Improvements Program to the County Council.

Re: Monthly Financial Report

The superintendent reported that the financial picture appeared to be a little bit better this month. The projected deficit of \$3,054,355 was down from last month's projection. He said that the Board had approved two supplemental appropriation requests; however, the County Council and county executive had not yet taken action. If the supplemental appropriations were approved, the projected deficit would be reduced to \$160,000. He indicated that he had put a freeze on classroom teaching vacancies which had started after the hiring had taken place for the second semester.

Mrs. Zappone inquired about why lifting the controls on fuel oil would affect them. The superintendent explained that there was an escalator clause in the oil contract that could work both ways if the cost of fuel were ever to go down. Dr. Greenblatt called attention to the increased consumption of fuel oil and water and asked that the staff provide the Board with information on how they could be brought under control.

The following individuals appeared before the Board:

- 1. Mr. Ward Morrow
- 2. Mr. Christopher Heer
- 3. Ms. Christine Richardson
- 4. Mr. Ron Smith
- 5. Mrs. Jean Hubbell

Resolution No. 182-81 Re: Tax-deferred Annuity Program

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Dr. Greenblatt, the following resolution was adopted unanimously:

WHEREAS, The Board of Education by Resolutions 335-65 and 365-65 has offered the benefits of a tax-deferred annuity program for its employees since 1965 in accordance with Section 403 (B) of the Internal Revenue Code of 1954 as amended and in 1974 by Resolution 15-74 added two additional companies for the benefit of the employees; and

WHEREAS, An amendment to the Internal Revenue Code under Section 403 (b) (7) now permits salary reductions for tax-deferred investment in regulated investment companies; and

WHEREAS, New types of investment vehicles for tax-deferred programs have been developed which were previously not available to MCPS employees, and interest has been expressed by employees to the Joint Employee Benefit Committee to include these new programs; and

WHEREAS, Having been advertised October 20, 1980, under Request for Qualifications 81-02, companies were asked to submit proposals for consideration; and

WHEREAS, The Board of Education approved the services of a consultant, Meidinger and Associates, Inc., to review and recommend additional companies and the consultant working in conjunction with the Joint Employee Benefit Committee has analyzed the proposals; now therefore be it

<u>Resolved</u>, That based on the committee recommendation, the Board of Education authorize the following additional carriers for inclusion in the tax-deferred annuity program in accordance with Section 403 (b) of the Internal Revenue Code of 1954 as amended:

Fidelity Distributors Corporation, Boston, Massachusetts
The Lincoln National Life Insurance Company, Ft. Wayne, Indiana
 (C. T. Hellmuth and Associates, Inc., Washington, D.C. brokers)
The Travelers Insurance Company, Hartford, Connecticut
 (H. C. Copeland and Associates, Inc., Columbia, Maryland -

brokers) T. R. Price Funds, Baltimore, Maryland The Variable Annuity Life Insurance Company (VALIC), Houston, Texas

and be it further

<u>Resolved</u>, That the companies previously approved by the Board of Education, Prudential Insurance Company of America, Aetna Life and Casualty, and First Investment Annuity Corporation (now known as Investors Life Insurance Company of North America), be continued as carriers; and be it further

<u>Resolved</u>, That a review be made on a regular basis every two years of the performance and service of the companies approved by the Board of Education for the tax-deferred annuity program, with the purpose of determining if specific companies should be continued in the program; and be it further

<u>Resolved</u>, That all carriers offering tax-deferred annuity programs meet a set of guidelines for solicitation, conduct, and disclosure of costs, and that any carrier violating these guidelines lose the right to conduct business.

Resolution No. 183-81 Re: Amendment to Board Agenda

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

<u>Resolved</u>, That the Board of Education amend its agenda to take up the item on Martin Luther King Junior High School.

Re: Martin Luther King Junior H. S. Attendance Area

Mrs. Spencer moved approval of the following, and Mrs. Wallace seconded the motion:

WHEREAS, A new junior high school, Martin Luther King, will be in operation for the 1981-82 school year; and

WHEREAS, Boundaries must be established for the new school and enrollment relief must be provided for Gaithersburg, Montgomery Village, and Ridgeview Junior High Schools; now therefore be it

<u>Resolved</u>, That, beginning in Grades 7 and 8 for 1981-82 and continuing with Grade 9 in 1982-83, the boundaries for Martin Luther King Junior High be established as follows:

From Ridgeview Junior

- . All of the Fox Chapel Elementary School area
- . All of the Germantown Elementary School area
- . The portion of the Brown Station Elementary
 - School area north of Seneca Park

From Montgomery Village Junior

- . The learning center
- . The portion of the Watkins Mill Elementary area along Watkins Mill Road and Route 355 consisting of the Seneca-Whetstone, Montgomery Knolls,

Village Overlook, and Woodland Hills developments, along with all future developments which are built in this portion of the elementary school area

. The portion of the Stedwick Elementary area from which students require transportation to

Montgomery Village Junior, consisting of the McRory, The Points, and the to-be-developed Essex Place subdivisions

The portion of the Whetstone Elementary area from which students require transportation to

Montgomery Village Junior, consisting of the Pleasant Ridge, Overlea, and Prathertown subdivisions and the to-be-developed Highland Hall subdivision

and be it further

<u>Resolved</u>, That students from Pleasant Ridge, Overlea, Prathertown, and the to-be-developed Highland Hall be assigned to Seneca Valley High School, but with any students currently in Gaithersburg High School being permitted to complete Grade 12 at the school; and be it further

<u>Resolved</u>, That students from Summit Hall Elementary School area be assigned to Ridgeview Junior High School beginning with Grade 7 students in September, 1981; and be it further

<u>Resolved</u>, That the state superintendent of schools, the county executive, and the County Council be made aware of these actions.

Resolution No. 184-81 Re:

Re: An Amendment to the Proposed Resolution on Martin Luther King Junior H.S. Attendance Area

On motion of Dr. Greenblatt seconded by Mr. Barse, the following resolution was adopted unanimously:

<u>Resolved</u>, That the proposed resolution on Martin Luther King Junior H.S. attendance area be amended by the deletion of the third <u>Resolved</u>, "<u>Resolved</u>, That students from Summit Hall Elementary School area be assigned to Ridgeview Junior High School beginning with Grade 7 students in September, 1981."*

* Miss Williams joined the meeting at this point.

Re: A Motion by Mr. Ewing to Amend the Proposed Resolution on Martin Luther King Junior H.S. Attendance Area

Mr. Ewing moved that in the first <u>Resolved</u>, third bullet, the reference to the Points be deleted. Mrs. Zappone seconded the motion.

Re: An Amendment to the Motion on The Points (FAILED)

A motion by Mr. Barse that Mr. Ewing's motion include the deletion of references to McRory and Essex Place failed for lack of a second.

Resolution No. 185-81

185-81 Re: Tabling of the Proposed Resolution on Martin Luther King Junior High School Attendance Area

On motion of Dr. Greenblatt seconded by Mr. Barse, the following resolution was adopted with Mr. Barse, Dr. Greenblatt, Mrs. Peyser, and Mrs. Zappone voting in the affirmative; Mr. Ewing, Mrs. Spencer, and Mrs. Wallace voting in the negative (Miss Williams abstaining):

<u>Resolved</u>, That the proposed resolution on Martin Luther King Junior High School attendance area be tabled until the all-day meeting in April.

Resolution No. 186-81 Re: Board of Education Agenda

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

<u>Resolved</u>, That the Board of Education delete the item on the Policy Statement on Long-range Educational Facilities Planning from its agenda.

> Re: A Motion by Dr. Greenblatt on HB 960 Elections--County Boards of Education (FAILED)

A motion by Dr. Greenblatt that the Board support HB 960 -Elections--County Boards of Education failed with Mr. Ewing, Dr. Greenblatt and Mrs. Zappone voting in the affirmative; Mr. Barse, Mrs. Peyser, and Mrs. Spencer voting in the negative; Mrs. Wallace abstaining (Miss Williams negative).

Resolution No. 187-81 Re: HB 894 - Washington County Board of Education Budget

On recommendation of the superintendent and on motion of Mr. Ewing seconded by Mr. Barse, the following resolution was adopted unanimously:

<u>Resolved</u>, That the Board of Education oppose HB 894 - Washington County Board of Education Budget.

> Re: A Motion by Mrs. Zappone on HB 857/SB 561 and HB 859/SB 562 -State Spending Limitations

Mrs. Zappone moved that the Board oppose HB 857/SB 561 and HB 859/SB 562 - State Spending Limitations. Mrs. Spencer seconded the motion.

Re: A Substitute Motion by Dr. Greenblatt on HB 857/SB 561 and HB 859/SB 562 - State Spending Limitations (FAILED)

A motion by Dr. Greenblatt that the Board take no position on HB 857/SB 561 and HB 859/SB 562 - State Spending Limitations failed with Mr. Barse, Dr. Greenblatt, and Mrs. Peyser voting in the affirmative; Mr. Ewing, Mrs. Spencer, Mrs. Wallace, and Mrs. Zappone voting in the negative (Miss Williams abstaining).

Resolution No. 188-81

Re: HB 857/SB 561 and HB 859/SB 562 State Spending Limitations

On recommendation of the superintendent and on motion of Mrs. Zappone seconded by Mrs. Spencer, the following resolution was adopted with Mr. Ewing, Mrs. Spencer, Mrs. Wallace, and Mrs. Zappone voting in the affirmative; Dr. Greenblatt and Mrs. Peyser voting in the negative; Mr. Barse abstaining (Miss Williams abstaining):

<u>Resolved</u>, That the Board of Education oppose HB 857/SB 561 and HB 859/SB 562 - State Spending Limitations.

Resolution No. 189-81 Re: HB 1172/SB 646 - Student Transportation

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mr. Ewing, the following resolution was adopted unanimously:

<u>Resolved</u>, That the Board of Education support, preferably if amended, HB 1172/SB 646 - Student Transportation.

Resolution No. 190-81 Re: HB 1166 - Nonpublic Special Education Programs

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mrs. Zappone, the following resolution was adopted with Mr. Barse, Dr. Greenblatt, Mrs. Peyser, Mrs. Spencer, Mrs. Wallace, and Mrs. Zappone voting in the affirmative; Mr. Ewing abstaining (Miss Williams affirmative): <u>Resolved</u>, That the Board of Education support HB 1166 - Nonpublic Special Education Programs.

Resolution No. 191-81 Re: SB 618 - Collective Bargaining--Public Employees

On recommendation of the superintendent and on motion of Dr. Greenblatt seconded by Mrs. Zappone, the following resolution was adopted with Dr. Greenblatt, Mrs. Peyser, Mrs. Spencer, Mrs. Wallace, and Mrs. Zappone voting in the affirmative; Mr. Barse and Mr. Ewing abstaining (Miss Williams abstaining):

<u>Resolved</u>, That the Board of Education oppose SB 618 - Collective Bargaining -- Public Employees.

Resolution No. 192-81 Re: SB 680 - Binding Arbitration of Grievances

On recommendation of the superintendent and on motion of Mrs. Zappone seconded by Mrs. Spencer, the following resolution was adopted with Dr. Greenblatt, Mrs. Peyser, Mrs. Spencer, Mrs. Wallace, and Mrs. Zappone voting in the affirmative; Mr. Barse and Mr. Ewing voting in the negative (Miss Williams abstaining):

<u>Resolved</u>, That the Board of Education oppose SB 680 - Binding Arbitration of Grievances.

Re: A Motion by Mr. Barse Regarding HB 990 Silent Meditation (FAILED)

A motion by Mr. Barse to support HB 990 - Silent Meditation failed with Mr. Barse and Mrs. Peyser voting in the affirmative; Dr. Greenblatt, Mrs. Spencer, Mrs. Wallace, and Mrs. Zappone voting in the negative; Mr. Ewing abstaining (Miss Williams negative).

Resolution No. 193-81 Re: HB 1198 - Scoliosis Screening

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mr. Ewing, the following resolution was adopted unanimously:

<u>Resolved</u>, That the Board of Education support HB 1198 - Scoliosis Screening.

Re: A Motion by Miss Williams on SB 774 - Public School Students' Privacy Rights (FAILED)

A motion by Miss Williams that the Board take no position on SB 774 - Public School Students' Privacy Rights failed with Mr. Ewing, Mrs. Peyser, and Mrs. Spencer voting in the affirmative; Mr. Barse and Dr. Greenblatt voting in the negative; Mrs. Wallace and Mrs. Zappone abstaining (Miss Williams affirmative).

Re: A Motion by Dr. Greenblatt on SB 774 - Public School Students' Privacy Rights (FAILED)

A motion by Dr. Greenblatt that the Board oppose SB 774 - Public School Students' Privacy Rights failed with Dr. Greenblatt, Mrs. Spencer, and Mrs. Zappone voting in the affirmative; Mr. Barse, Mr. Ewing, and Mrs. Wallace voting in the negative (Miss Williams affirmative).

> Re: A Motion by Mrs. Spencer on SB 774 - Public School Students' Privacy Rights (FAILED)

A motion by Mrs. Spencer that the Board oppose, as written, SB 774 Public School Students' Privacy Rights failed with Dr. Greenblatt, Mrs. Spencer, and Mrs. Zappone voting the in affirmative; Mr. Barse, Mr. Ewing, and Mrs. Wallace voting in the negative; Mrs. Peyser abstaining (Miss Williams affirmative).

> Re: A Motion by Mr. Barse on SB 774 Public School Students' Privacy Rights (FAILED)

A motion by Mr. Barse that the Board support, with amendments, SB 774 - Public School Students' Privacy Rights failed with Mr. Barse and Mrs. Wallace voting in the affirmative; Mr. Ewing, Dr. Greenblatt, Mrs. Peyser, Mrs. Spencer, and Mrs. Zappone voting in the negative (Miss Williams negative).

Resolution No. 194-81

Re: SB 519/HB 1069 - Fraudulent Distribution of Controlled Dangerous Substances

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mr. Ewing, the following resolution was adopted unanimously:

<u>Resolved</u>, That the Board of Education support SB 519/HB 1069 -Fraudulent Distribution of Controlled Dangerous Substances.

Resolution No. 195-81 Re: Nonrecommended Budget Reductions Required to Reach Two Budget Levels Specified by the Montgomery County Council

On recommendation of the superintendent and on motion of Dr. Greenblatt seconded by Mrs. Peyser, the following resolution was adopted unanimously: WHEREAS, On November 21, 1980, the County Council requested the Board to submit in addition to its recommended Fiscal 1982 Operating Budget (\$336,589,780) alternative budget levels of \$335.4 million and \$329.0 million; and WHEREAS, The Board of Education has the legal responsibility to respond to this request according to the provisions of the Annotated Code of Maryland, Education Article, Section 5-101(f), which state: In addition to all other information required by this section, the Montgomery County Board of Education, on request of the county executive and County Council, shall provide with the annual budget the program implications of recommendations for reductions to or increases in its annual budget, at whatever different levels of funding and accompanied by whatever reasonable supporting detail and analysis, as may be specified by the county executive and County Council..., and

WHEREAS . The Board of Education also, by law, has the responsibility to bargain with its employees, and the Board recommended Operating Budget of \$336,589,780 was developed to contractual agreements reached through collective include bargaining; and

WHEREAS, The Board of Education is obligated by law to respond to the Council's request, the Board has no choice but to submit reductions that will affect the negotiated agreement; now therefore be it

<u>Resolved</u>, That the Board of Education submit the information as directed by the Montgomery County Council with the following stipulations:

- 1. This list is not recommended by the Board of Education.
- 2. The Board's only budget recommendations for FY 82 are those contained in the budget request agreed upon by the Board of Education on February 10, 1981, and totalling \$336,589,780.

and be it further

<u>Resolved</u>, That upon the request of the County Council, the Board has divided the information to be supplied into the following two groups, totalling \$7.6 million, the size of which caused the Board to include items in the negotiated agreements:

- o Group A, reductions totalling \$1.2 million, which would reduce the Board's request to a total of approximately \$335.4 million
- o Group B, reductions totalling \$6.4 million, which together with Group A items, would reduce the Board's request to a total of \$329.0 million

and be it further

<u>Resolved</u>, That the Board's rationale in developing the list is solely to comply with the law and the Board recognizes that it cannot support such a list because of the negotiation requirement with the legally recognized employee organizations. Resolution No. 196-81

On recommendation of the superintendent and on motion of Mrs. Spencer seconded by Mrs. Zappone, the following resolution was adopted with Mr. Ewing, Dr. Greenblatt, Mrs. Peyser, Mrs. Spencer, Mrs. Wallace, and Mrs. Zappone voting in the affirmative; Mr. Barse abstaining (Miss Williams affirmative):

WHEREAS, The Board of Education of Montgomery County is authorized by Article 76A, Section 11(a) of the Annotated Code of Maryland to conduct certain of its meetings in executive closed session; now therefore be it

Resolved, That the Board of Education of Montgomery County hereby conduct its meeting in executive closed session beginning on March 10, 1981, at 9 a.m. to discuss, consider, deliberate, and/or appointment, otherwise decide the employment, assignment, compensation, promotion, demotion, discipline, removal, or resignation of employees, appointees, or officials over whom it has jurisdiction, or any other personnel matter affecting one or more particular individuals, to consult with legal counsel, and to comply with a specific constitutional, statutory or judicially imposed requirement protecting particular proceedings or matters from public disclosure as permitted under Article 76A, Section 11(a) and that such meeting shall continue in executive closed session until the completion of business; and be it further

<u>Resolved</u>, That such meeting continue in executive closed session at noon to discuss the matters listed above as permitted under Article 76A, Section 11(a) and that such meeting shall continue in executive closed session until the completion of business.

Re: New Business

Mr. Ewing moved the following which was seconded by Mrs. Spencer:

1. Adult Education Programs - that the Board request of its own staff, the county executive, and the Board of Montgomery College a thorough analysis of the ways in which fuller cooperation might reduce costs and improvement performance of these programs. Thereafter, when the analysis is available, including an analysis of alternative methods of fuller cooperation ranging from such actions as joint program publications to the creation of a single adult education program, the governing bodies for each of the programs--the Board of Trustees of the College, the Board of Education, and the County Council--should meet to review the options.

2. Sale of undeveloped school property on Maryland Route 355 - that the Board consider this matter, first in executive session, and then in public.

3. Elimination of funds for purchase of liquor by Board members for their own consumption with public funds - that the Board develop a policy which would preclude the use of public funds for the purchase of any alcoholic beverage for consumption by Board members.

4. Cold Spring walkway - that the Board place on its agenda for consideration during this school year the request for a paved walkway, as requested by Cold Spring Elementary School PTA.

5. Brookview Elementary School - that the Board of Education ask the superintendent for an assessment of the Brookview Elementary School PTA request to be closed, and a recommendation as to whether it should be closed this year, as well as a recommendation as to where the students should be assigned, were it to be closed this year.

6. Superintendent's objectives - that the Board review and endorse the superintendent's objectives for 1981-82.

7. Teacher turnover - that an inquiry be made of a sample of teachers who left for government or private industry jobs over the last two to three years to determine if salary was the only factor, a major factor, and what salary increase was obtained.

8. Human Relations Commission - that the Board meet as soon as possible with the Human Relations Commission, as requested in a recent letter from its chairman, for the purposes set forth in that letter.

9. Added steps for excellence in teaching - that the Board discuss this spring the advantages and drawbacks of a system which would reward teachers who are excellent and who wish to remain teachers by allowing them to move to new and higher salary steps.

Resolution No. 197-81 Re: Minutes of January 13, 14, and 29 and February 5, 1981

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

<u>Resolved</u>, That the Board approve the minutes of January 13, 14, and 19 and February 5, 1981.

Re: Items of Information

Board members received the following items of information:

1. Resolution for Approval of Revised Curriculum--Environmental Science and Horticultural Science

2. Resolution for Approval of Revised Curriculum--Fire Service Cadet

3. Resolution for Approval of Revised Curriculum--Speech

Progress Report - Senior High School Policy
 Status Report - Master Plan for School Facilities

6. Takoma Park Magnet School Evaluation

7. Final Report - A Survey of MCPS Withdrawals to Attend Private School

8. Revised Income Guidelines for Free and Reduced Price Meals for Determining Family Eligibility

Re: Adjournment

The president adjourned the meeting at 11:25 p.m.

President

Secretary

EA:ml