

APPROVED
48-1993

Rockville, Maryland
October 25, 1993

The Board of Education of Montgomery County met in regular session at the Carver Educational Services Center, Rockville, Maryland, on Monday, October 25, 1993, at 8:05 p.m.

ROLL CALL Present: Dr. Alan Cheung, President
 in the Chair
 Mr. Stephen Abrams
 Ms. Carrie Baker
 Mrs. Frances Brenneman
 Mr. Blair G. Ewing
 Mrs. Carol Fanconi
 Mrs. Beatrice Gordon
 Ms. Ana Sol Gutierrez

Absent: None

Others Present: Dr. Paul L. Vance, Superintendent
 Mrs. Katheryn W. Gemberling, Deputy
 Dr. H. Philip Rohr, Deputy

Re: ANNOUNCEMENT

Dr. Cheung announced that the Board had been meeting in closed session on appeals.

RESOLUTION NO. 756-93 Re: BOARD AGENDA - OCTOBER 25, 1993

On recommendation of the superintendent and on motion of Ms. Gutierrez seconded by Mrs. Brenneman, the following resolution was adopted with Ms. Baker, Mrs. Brenneman, Dr. Cheung, Mr. Ewing, Mrs. Gordon, and Ms. Gutierrez voting in the affirmative; Mr. Abrams and Mrs. Fanconi being temporarily absent:

Resolved, That the Board of Education approve its agenda for October 25, 1993.

RESOLUTION NO. 757-93 Re: AMERICAN INDIAN HERITAGE MONTH

On recommendation of the superintendent and on motion of Mrs. Gordon seconded by Mrs. Brenneman, the following resolution was adopted with Mr. Abrams, Ms. Baker, Mrs. Brenneman, Dr. Cheung, Mr. Ewing, Mrs. Gordon, and Ms. Gutierrez voting in the affirmative; Mrs. Fanconi being temporarily absent:

WHEREAS, On September 30, 1993, a resolution was introduced in the House of Representatives to designate November of each year as "National American Indian Heritage Month"; and

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

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

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

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

Resolved, That on behalf of the superintendent and staff of the Montgomery County Public Schools, the Board of Education hereby declares the month of November 1993 to be observed in MCPS as "American Indian Heritage Month."

Re: PUBLIC COMMENTS

The following individuals appeared before the Board:

1. Jeffrey Schwartz, Wyngate
2. Michael Calsetta, Family Life and Human Development Committee
3. Barbara Ruppert
4. Jon Zischkau

Re: ANNOUNCEMENT

Dr. Cheung and Dr. Vance welcome scouts from Olney and Burtonsville who were in the audience.

RESOLUTION NO. 758-93 Re: UTILIZATION OF FY 1994 FUTURE
SUPPORTED PROJECT FUNDS FOR
HIV/AIDS PREVENTION EDUCATION

On recommendation of the superintendent and on motion of Mrs. Fanconi 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 1994 Provision for Future Supported Projects a grant award of \$8,000 from the Maryland State Department of Education for an HIV/AIDS Prevention Education program, in the following categories:

	<u>Category</u>	<u>Amount</u>
3	Other Instructional Costs	<u>\$8,000</u>
	TOTAL	<u>\$8,000</u>

and be it further

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

RESOLUTION NO. 759-93 Re: ACCEPTANCE OF THOMAS W. PYLE MIDDLE SCHOOL

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

Resolved, That having been duly inspected on October 15, 1993, the modernization of Thomas W. Pyle Middle School 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 the plans and specifications, and all contract requirements have been met.

Re: INSPECTION DATE FOR BURTONSVILLE
ELEMENTARY SCHOOL

The inspection date for Burtonsville Elementary School was set for Wednesday, November 3, 1993, at 10 a.m. Mrs. Gordon will attend.

RESOLUTION NO. 760-93 Re: RFP NO. 94-01, HEALTH CARE ADMINISTRATION

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

WHEREAS, The Board of Education by Resolution 563-58 established in 1958 an Employee Benefit Plan (EBP) to provide life and health insurance to eligible employees; and

WHEREAS, The Board of Education expanded the EBP by Resolutions 448-72, 457-72, and 43-76 to include dental coverage, vision coverage, a prescription drug plan, and dependent life insurance; and

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

WHEREAS, MCPS has joined Montgomery County Government, Montgomery County Housing Opportunity Commission, and the Maryland-National Capital Park and Planning Commission in a joint Montgomery County agencies effort to solicit proposals to administer their welfare benefit plans effective January 1, 1994; and

WHEREAS, Having been duly advertised under RFP No. 94-01, companies were asked to submit proposals for consideration; and

WHEREAS, A consultant, Alexander & Alexander Consulting Group, Inc., was retained to review and evaluate proposals and make recommendations to the joint agencies that also evaluated proposals and conducted finalist interviews; and

WHEREAS, This proposal will save MCPS \$1.27 million administrative costs in the first year alone; now therefore be it

Resolved, That a contract for continuation of the medical indemnity plan, dental plans, vision benefit, and employee and dependent life insurance be awarded to the Prudential Insurance Company of America; and be it further

Resolved, that a contract for the addition of a medical POS plan be awarded to the Prudential Insurance Company of America; and be it further

Resolved, That a contract to administer the prescription drug card plan and mail order prescription drug plan be awarded to CareMark, Inc.; and be it further

Resolved, That a contract for FSA Administration be awarded to L.P. Baier, Inc.; and be it further

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

Re: JOINT REPORT OF THE ADVISORY
COMMITTEE ON VOCATIONAL-TECHNICAL
EDUCATION AND THE CITIZENS ADVISORY
COMMITTEE ON CAREER AND TECHNOLOGY
EDUCATION

Dr. Joseph Villani, associate superintendent, stated that this was the final report of two committees because last June the Board had appointed all members to one committee, the LAC. Mr. Jack Schoendorfer, director of the Division of Career and Technology Education, introduced Mr. Claggett Jones and Mr. Barry Locke.

Mr. Locke said he would like to take a minute to pay tribute to the efforts of Mr. Schoendorfer; Ms. Susan Gell, instructional dean of Montgomery College; and Dr. Patricia Sweeney, principal of the Edison Career Center. These people supported the LAC and represented the finest degree of public service in Montgomery County.

Mr. Locke indicated that it was the LAC's responsibility to review and monitor career, vocational, and technical programs at the secondary level. The committee had two recommendations. The LAC continued to place high priority on realizing the potential that computers had in education. They felt that computers should be used in all career development programs to teach industrial applications of computers and enhance teaching and learning. They strongly advocated a support and monitoring system and recommended that career development teachers become computer literate and that computers be used in all career development programs. They were suggesting that MCPS begin at the Edison Career Center and then replicate successful efforts at other schools.

Their second recommendation was based on supporting the interagency collaboration between the Division of Career and Technology Education and the Department of Employment and Economic Development Job Service Division. This related to the Automated Labor Exchange System (ALEX) which was a national computer-based job listing in a specialized data base including Maryland, Virginia, Pennsylvania, and the District of Columbia. This should facilitate the school-to-work transition. If the pilot proved to be of value to students, they recommended that the Board support expanding ALEX to all high schools. He introduced Mr. Al Ferraro, chair of the LAC.

Ms. Gutierrez noted that the LAC had begun to look at issues related to participation of ESOL students in the career development program. She asked if they had any preliminary findings. Mr. Ferraro replied that it was too early to come forth with a public statement. Mr. Schoendorfer added that last year the LAC had reviewed enrollment data in career and tech ed programs by different special groupings including ESOL. This year one of the LAC committees was looking into special populations.

Ms. Gutierrez reported that she had attended a National School Boards Association conference that looked at federal legislation. The school-to-work transition program was highly recognized, and it would have an over 30 percent increase in funding. It offered opportunities for a lot of innovative programs for job skills training from high school to community colleges. She recommended that the committee consider actively monitoring this new legislation to make sure that Montgomery County did not lose out on some of these opportunities. She was particularly interested in apprenticeship opportunities. Mr. Ferraro replied that they were all interested in federal dollars and would monitor this for the Board.

In regard to ALEX, Mr. Abrams understood that the pilot had not started. He asked if they had done a recent assessment of current placements of MCPS graduates both quantitatively and

qualitatively. Mr. Schoendorfer replied that this was part of the study of the class of 1992, and when they had these results they would report to the LAC. The ALEX program helped students to identify where there were job openings that meshed with their skills. ALEX would facilitate placement and transition to jobs. The follow-up study was not related to the placement process, but it did include an employer satisfaction component as well as looking to see whether graduates were employed or in school.

Mr. Abrams said this suggested that they already had data on employment of graduates, and he asked if this information could be shared with the Board. Mr. Schoendorfer agreed that the results would be shared when they were compiled.

Mr. Locke commented that ALEX was an important tool because it was a big step from school to the world of real work. Mr. Jones added that ALEX was the input for the students. It showed students where the jobs were, but it did not link with placement. The school system would have to make a record of when the student got the job. ALEX also showed students the requirements for specific jobs.

Mr. Ewing noted that the Board had recently sent the Council a list of unmet priorities including technology education. The Board had also adopted a new technology policy. He did not sense from their report a perception of where MCPS stood at the moment with regard to the use of technology in these programs. Mr. Ferraro replied that the use of computers was very important and must be upgraded. This was expensive, and the public did not realize how expensive this would be. They thought that teachers needed to be computer literate, and teachers needed up-to-date computers. He went around to see if there were computers for ALEX, and they only had computers in a number of places that could handle ALEX. In some cases, people did not know how to use computers, and in other cases the computers did not have the capacity to run ALEX. In addition, teachers had to understand the programs before they could use them. He believed that MCPS staff should be used to train other staff in the use of computers. This should be done immediately.

Mr. Locke commented that in a recent meeting the LAC received an extensive review of the technology education program which was replacing the old industrial arts program. This was placing them on the threshold in technology education within MCPS. He was a consultant for a worldwide organization, and people were not employed unless they were computer literate. In this organization, people were being constantly retrained on computers.

Mrs. Fanconi remarked that the Board had spent time on technology for the whole school system. They were far behind, and they were aware of this. They did need assistance in getting technology

into the schools through public or private partnerships or grants. She suggested to the superintendent that the LAC should be involved in this. She asked the LAC to share any suggestions on how to involve business in partnerships with the school system.

Dr. Cheung stated that the work of the committee was very important. He indicated that the National Performance Review and the Office of Technology Assessment had just prepared a report on how to use technology to improve the efficiency of the federal work force. This would be published very soon. The secretaries of labor and education had worked together on a joint project. President Clinton had been advocating school-to-work programs involving the employer, the community, the mentorship, labor groups, educators, and business people. They were awarding occupational certificates for some programs. For 1994 there were two bills, SB-1361 and HR-2882 which proposed appropriations of \$100 million for 1994, \$300 million for 1995, and \$400 million for 1996. This program provided incentives and programs for students going into the technical, vocational, or career path. This was seed money, and eventually the local programs would be self supporting.

Dr. Vance indicated that the LAC would receive a copy of the Board's tentatively adopted policy on technology for their consideration and input. Dr. Cheung thanked the members of the LAC for their report.

Re: ANNUAL REPORT - FAMILY LIFE AND
HUMAN DEVELOPMENT COMMITTEE

Dr. Vance introduced Mr. Clair Cripe, chair of the family life committee.

Mr. Abrams noted that there were other members of the committee present, and he wondered why they had not been invited to sit at the table. Dr. Villani explained that the presentation was to be made by the chair of the committee, and they had not made plans to have other committee members present the report. It was the prerogative of the Board to invite members to the table. Mr. Cripe stated that he was presenting the report because it was the report of the committee. He had signed the report after the committee had approved it. Historically, the report had always been presented by the chair. In this particular instance, he said it would be most unfair because advance notice of this meeting had not been given to members of the committee.

Mr. Abrams recalled that in every case where they had had an advisory committee before the Board, the protocol had been to introduce committee members and, to the extent possible, include them in the discussions. Mr. Cripe explained that he was not sitting here by his choice. He had been elected chair by the

committee. There was a question at their October meeting as to when the report was to be presented, and a number of committee members would have liked to attend. However, no one knew when the report was to be presented. While it would be great to have the committee present, in all fairness he thought it should only be done if this was the agreed-upon procedure and advance notice provided to the committee. On October 22, he was told the report would be presented on October 25.

Mrs. Fanconi noted that this had been on the agenda for quite a long time, and she asked about the communication. Dr. Villani replied that this was an error by his office in not notifying the committee members.

Mr. Cripe reported that the committee's business was focused on the review of materials for use in schools. They had provided the Board with a list of items including the votes on each piece reviewed. He noted that in most cases there was a diversity of opinion. During the year they had a particularly controversial item which was the dramatic presentation, "Secrets." This was viewed on two occasions by the committee, and in May the committee voted to recommend that it be used in MCPS.

Mr. Cripe said they were somewhat dismayed to learn in the spring that because of lack of funds that virtually no materials approved in the last several years had been purchased. They had since learned that this fiscal year a number of materials had been purchased. He commented that they had noted the committee representation again. For several years, they had recommended there be more diversity particularly handicapped, socioeconomic, religious, and ethnic groups. He thought there had been improvement, but he hoped that continuing efforts would be made to have as much diversity as possible on the committee.

Mr. Cripe remarked that the report concentrated on the past. The committee would be looking at the new high school health education unit. They were also going to review an abstinence unit alternative program. They were recommending that an evaluation component be built into the curriculum from the outset.

Mrs. Brenneman stated that she had sent the superintendent a memo on new acquisitions because she had concerns that materials were not being purchased. The family life report said that none of these had been purchased, but she had received a response from the superintendent that videos were being purchased. Mr. Cripe explained that they had approved their report in June, but since that time materials had been purchased.

Mrs. Brenneman indicated that she had heard from parents about how courses were implemented and what was done for students whose parents opted not to take the courses. She asked whether the

committee had discussed this. Mr. Cripe replied that this concern had been raised in the committee; however, it was not within the jurisdiction of the committee to assess this situation or recommend corrective action. This was for staff to address.

Mrs. Fanconi thought that the superintendent was aware of their concern that all students be treated with sensitivity. She had been assured by staff that those directions were being followed. She stated that this committee was one that the Board was directed to have by state bylaw. The committee was charged with reviewing all materials on these subjects. Because of that, the committee had a critical responsibility when there was a curriculum change because of materials to be reviewed. She encouraged the committee to make whatever efforts were necessary to approve these materials. She said there were some remarks under Public Comments that implied the committee had never seen the report. However, the report had been approved by the committee. Mr. Cripe replied that report and the list of materials reviewed were discussed and approved at their June meeting.

For the record, Mrs. Fanconi made the following statement:

"The kind of membership we have on this committee - I think the Board has taken very seriously the responsibility to be sure that a large cross section of the community is represented. I just want to go down the list: The Knights of Columbus, the MC Health Department, Montgomery Community Ministry, Division of School Health Services, Jewish Community Council of Greater Washington, MC Mental Health Association, the Church of the Latter Day Saints, MCEA, 4-H and Youth Montgomery County, Planned Parenthood of the Metropolitan Washington area; Archdiocese Pastoral Center, Allied Civic Group, MC Medical Society, MCCPTA, AAUW, Right to Life of Montgomery County, and the League of Women Voters. In addition, there are eight members at large, and one of those testified tonight. Since this Board was elected in 1990, we have added two of those organizations, Right to Life and the Church of the Latter Day Saints, in an attempt to broaden the perspective of the group."

Mrs. Fanconi was pleased that the issue of funds was addressed. They had a critical need to be sure that materials are updated at all levels. She asked the superintendent to keep the Board updated as to their ability to purchase those materials, particularly in light of the new health education curriculum. She would like to be aware of the recommendations of the committee in terms of purchase and what MCPS was able to purchase. She asked about the curriculum evaluation the committee was recommending.

Mr. Cripe replied they thought an effort should be made to evaluate whether the objectives of the curriculum were being

accomplished. They were asked that some kind of evaluative effort be made to see whether instructional efforts were achieving objectives. In reference to Mrs. Fanconi's remarks, they understood there was a lot of work to be done during the curriculum transition, but they did not know how much new material would have to be reviewed. They were already behind in their work, and they were meeting half an hour earlier and would be scheduling more meetings. As far as diversity on the committee, Mr. Cripe thought there had been improvements; however, several members believed there was an extremely high representation of religious and health organizations. He would like to see contact made with racial and ethnic organizations to get some diversity or perhaps other civic groups. Although he came from a religious group, he personally believed there was over-representation of religious groups.

Mrs. Fanconi asked if they dealt with special education or non-English speakers. Mr. Cripe did not recall any such discussion in the three years he had been on the committee. Mrs. Fanconi hoped that staff would keep in mind the broad cross-section of students in MCPS and look for materials that would address some of their special populations.

Ms. Gutierrez stated that she was somewhat surprised that the evaluation component was not built in. She thought it was valuable for them to be able to measure learning and whether learning had changed behaviors. She hoped that the evaluation could include some statistics. She suggested that the committee might want to take on a more multicultural perspective. Having members with a multicultural perspective would be enriching. There was a concern some students did not understand the material, and a suggestion that material be made available in other languages. She knew that there were materials in the Hispanic community. The Board had found that the under-representation of ethnic and racial minorities in most committees was a concern. She planned to introduce a motion under new business on this subject. She expressed her appreciation to Mr. Cripe for his efforts.

Mr. Abrams noted that in the report there was a statement that some members of the committee were concerned that the play, "Secrets," was not reviewed by the committee prior to its being presented in schools. He asked whether Mr. Cripe had expressed that concern, and Mr. Cripe replied that he did not. Mr. Abrams asked if any committee members in the audience were among those who expressed that concern. Mr. Cripe replied affirmatively. Mr. Abrams asked if it would be reasonable to identify one of them to come up and speak on this topic at this time. He would leave this at Mr. Cripe's discretion. He had attended the committee meeting when "Secrets" had been presented. He thought it was a well done and entertaining production, but he did not recall seeing any discussion on the message of values in the play

and what the premise was of the production. Another issue was informed consent on the part of parents and students prior to the presentation. Mr. Abrams thought these were relevant considerations for the committee.

Mr. Cripe replied that the report had been drafted with extreme concern for representing the views of the minority on the committee. About one third of the comments in the report were minority views and concerns. The committee had tried to be extremely even handed and representative of minority views. The committee operated under majority rule, and the minority members were very committed and loyal attenders at the meetings. However, they were in the minority, and they would not be happy until they were the majority on the committee. The committee would continue to be fair in listening to views and including those in their report to the Board. While a discussion of values had not been in the spotlight, it was his view that a concern about values was expressed. The minutes of the meeting would indicate that members were concerned about the values reflected in the content of the play. The issue of informed consent was also raised, and this was reflected in the minutes.

Mr. Abrams stated that he did not realize the report had been written in a code fashion and politically correct language to describe minority or majority views. Under politically correctness, "some members" should be construed to mean a minority of the committee versus "the committee" which meant a majority. He would have preferred that the report had been written in plain English, and Mr. Cripe indicated that he would take these concerns back to the committee.

Mr. Abrams explained that he was not asking for individual values. He was talking about the context of values of an overall review of the appropriateness of material, more in terms of a community value issue as to what was the message being conveyed and having that weighed in some fashion so that there would be a rich dialogue between the costs and benefits of that kind of presentation. The issue of informed consent fell into that category in regard to sensitivities to the entire community. His own views about what was best for his children might differ from those of another. For that reason, they had informed consent, but informed consent was meaningless unless it was given sufficient time and was properly communicated. He felt that the committee had been sensitive to this in their report because the decision had been made prior to the safeguards being put in place.

Mr. Ewing noted that in the report there was a statement that the committee understood an alternative total abstinence-based unit would be offered as a option pending approval of the advisory committee. He assumed that if this were proposed and the committee approved it that it would come before the Board for

action. Dr. Vance replied that they would certainly bring this back to the Board for review and consideration. Mr. Cripe commented that staff had worked on the unit over the summer and would probably come to the committee in December.

In regard to the evaluation component, Mr. Ewing said they were suggesting meeting with Curriculum Development to coordinate this. He assumed that the committee would review the evaluation component once it had been developed. Mr. Cripe thought that at some point the committee would be involved or consulted.

In regard to "Secrets," Mr. Ewing stated that it was hard for him to understand the argument that this was a theatrical presentation rather than an instructional material. He assumed this was the view of the committee. Mr. Cripe explained that this was not the original view of the committee. They discussed "Secrets" at three meetings. The initial view was that this was presented at assemblies and not in the classroom as part of health education or family life. In addition, this came to the committee before their involvement in AIDS education. When a challenge was made, the majority of the committee supported the view of staff. Later on, the staff's position changed, and the issue came before the committee again.

Mr. Ewing called attention to the fifth grade parental permission issue. The committee referred to a staff interpretation that state law and MCPS regulation permitted MCPS to provide instruction relating to disease prevention on condom usage and protected sex in Grade 5 without prior written parental permission. Staff explained that the terminology was not accurate, and Mr. Ewing requested a statement from the staff, in writing, as to what the terminology should be.

Mr. Ewing commented that Mr. Cripe had the most exciting job of all the committee chairs. He said that Mr. Cripe and the committee were doing an important job because the issues with which they were dealing were central to the concerns of a great many in the community who had the kinds of family and human values critical in their judgment and his to the well being of students and of society. These were not easy issues to come to grips with. If there were no controversy, Mr. Ewing would be very suspicious. Mr. Cripe remarked that he was thankful for the controversy because it was healthy. Dr. Cheung thanked Mr. Cripe and the committee members for their help because it was not an easy task.

Re: BOARD/SUPERINTENDENT COMMENTS

1. Dr. Vance reported that MCPS had 108 academic finalists in the Maryland Distinguished Scholars Program, which was 30 percent of the finalists in Maryland. In addition, 12 students were named art finalists in the program. He congratulated these

students and their schools for this honor. He noted that they had incorporated the recommendations of the National Safety Council in an effort to promote safety during the Halloween weekend. These suggestions for safety were being made available to all schools and parents. He said that Friday, October 29, was the first annual supporting services personnel recognition day, and he encouraged all employees to celebrate this day. In regard to cost savings, MCPS had saved \$188,000 in utility bills in the first year of a program to cut energy use and turn half the savings back to schools. Thirty schools were in the School Energy Rebate Team (SERT) and received \$94,000 in rebates. Rebates ranged from \$484 to a high of \$14,462 for Gaithersburg High School. They hoped to expand the program next year.

2. In regard to the FY 1995 operating budget, Dr. Vance indicated that Dr. Cheung had testified at a recent public hearing before the Council. The school system's projected enrollment and inflation alone were expected to cost more than \$32 million. Any negotiated cost of living would add approximately \$6.3 million for each increase of one percent for all employees. His proposed operating budget would have to address the spending affordability guideline in January. If his budget proposal exceeded that guideline, he would have to identify options for budget cuts.

3. Ms. Baker said that last Wednesday she had done the first "Student Voices and Views" program which was co-hosted by the president of MCR. This program was on student support programs. Next month the program would be on sexual harassment. Last Wednesday night MCR and MCJC met with the Board of Education. She thanked Mrs. Gordon and Dr. Cheung for attending. They discussed dress codes, backpack bans, Q.I.E., and site-based management. Friday, MCR held a meeting at Einstein HS and Dr. Mary Helen Smith arranged for the Round House Theatre to present a program on sexual harassment.

4. In regard to the spending affordability guideline, Mr. Ewing indicated that he had given the Board a proposed resolution on the impact on the Council guidelines. It seemed to him it was important for the Board to raise this point again and again because he had the sense that the impact of spending affordability as set by the Council had not been fully understood even by those usually well informed about educational issues. The impact of that level of funding would be devastating, and it was important for the public to understand this so that they would not be surprised at budget time. It was critical that the Board continue to be as explicit as it could be about the potential impact on the educational program.

5. Mr. Ewing stated that he had spoken before about expanding the focus of the Education Foundation. He hoped that the Board could discuss this with the Corporate Partnership because it

seemed to him that group could provide the Board with advice and counsel. He thought they needed a clear plan about what ought to be done with the Education Foundation. He hoped that the Board would discuss this in the near future, and Mrs. Gordon had suggested this.

6. In regard to school-based health center pilot projects, Mr. Ewing said there was a great deal of misunderstanding about the application to the Robert Wood Johnson Foundation. The Board had indicated that it favored the concept of health services being provided at school sites, but it had not formally adopted a position endorsing the Robert Wood Johnson Foundation proposal. While it might eventually be the Board's position, it was not their position at the moment. He hoped that any inquiries would be answered fully to make it clear that this particular proposal was one that the Board did not have before it and had not formally adopted it.

7. Mrs. Gordon reported that last week she had had the opportunity to spend seven hours with Dr. Fountain visiting a number of regular and special education schools to see students receiving special education services from being fully included in a regular school setting to level six residential services. She was more convinced that MCPS had very dedicated professionals and that every attempt was being made to meet the needs of all students. She hoped that other Board members would have the opportunity to visit a variety of programs.

8. Ms. Gutierrez indicated that during new business she would be introducing an unfunded federal mandates resolution. NSBA was trying to draw attention to the number of federal mandates imposing an enormous burden on local education agencies. October 27 had been declared Unfunded Federal Mandates Day. Dr. Cheung and Mr. Abrams would be meeting with Representatives Morella and Wynn. She asked that there be a press release if the Board adopted the proposed resolution. She would provide MCCPTA with a copy of the resolution as well because it was important for the general public to understand the burdens brought to education.

RESOLUTION NO. 761-93 Re: CLOSED SESSION - NOVEMBER 9, 1993

On recommendation of the superintendent and on motion of Mrs. Fanconi seconded by Ms. Gutierrez, the following resolution was adopted unanimously:

WHEREAS, The Board of Education of Montgomery County is authorized by the Education Article of the Annotated Code of Maryland and Title 10 of the State Government Article to conduct certain meetings or portions of its meetings in closed session; now therefore be it

Resolved, That the Board of Education of Montgomery County hereby conduct a portion of its meeting on November 9, 1993, at 9 a.m. to discuss personnel matters, matters protected from public disclosure by law, and other issues including consultation with counsel to obtain legal advice; and be it further

Resolved, That this meeting be conducted in Room 120 of the Carver Educational Services Center, Rockville, Maryland, as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and State Government Article 10-501; and be it further

Resolved, That such meeting shall continue in closed session at noon until the completion of business.

RESOLUTION NO. 762-93 Re: MINUTES OF SEPTEMBER 27, 1993

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

Resolved, That the minutes of September 27, 1993, be approved.

Re: REPORT ON CLOSED SESSIONS - OCTOBER
12 AND 18, 1993

On September 27, 1993, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on October 12, 1993, as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and State Government Article 10-501.

The Montgomery County Board of Education met in closed session on Tuesday, October 12, 1993, from 9 a.m. to 10:15 a.m. and from 12:50 to 2:15 p.m. The meetings took place in room 120 of the Carver Educational Services Center, Rockville, Maryland.

The Board of Education met to discuss the personnel monthly report and a principal appointment. The Board voted to accept the personnel report and to defer the appointment for one week.

At noon the Board discussed safety and security issues with Mr. Andrew Sonner. The Board adjudicated student transfer and other appeals, and the Board also received an update on contract negotiations.

In attendance at the closed session were Stephen Abrams, Melissa Bahr, Carrie Baker, Fran Brenneman, Carole Burger, Gene Counihan, Blair Ewing, Carol Fanconi, Thomas Fess, Phinnize Fisher, Hiawatha Fountain, Bea Gordon, Michael Gough, Ana Sol Gutierrez, Marie Heck, Elfreda Massie, Brian Porter, Philip Rohr, Andrew Sonner, Lois Stoner, Roger Titus, Paul Vance, and Mary Lou Wood.

On October 13, 1993, by the unanimous vote of members present, the Board of Education voted to conduct a closed session on October 18, 1993, as permitted under Section 4-106, Education Article of the Annotated Code of Maryland and State Government Article 10-501.

The Montgomery County Board of Education met in closed session on Monday, October 18, 1993, from 7 p.m. to 7:40 p.m. The meeting took place in room 120 of the Carver Educational Services Center, Rockville, Maryland.

The Board of Education discussed and did not adopt the superintendent's recommendation for a principal appointment. The Board also received advice from counsel on the relationship of the Long-range Facilities Planning Policy to the decision on the size of Montgomery Blair High School.

In attendance at the closed session were Stephen Abrams, Melissa Bahr, Carrie Baker, Fran Brenneman, Judy Bresler, Ann Briggs, Blair Ewing, Carol Fanconi, Thomas Fess, Bea Gordon, Ana Sol Gutierrez, Marie Heck, Elfreda Massie, Deena Newman, Brian Porter, Philip Rohr, Maree Sneed, Paul Vance, and Mary Lou Wood.

Re: ELECTION OF STATE BOARD OF
EDUCATION BY DISTRICT

It was the consensus of the Board that Mrs. Lois Stoner, legislative aide, would inform Senator Collins that they would consider endorsing his bill or some version of it on election of the State Board of Education by district.

RESOLUTION NO. 763-94 Re: COMMUNITY LEADERSHIP AWARD PROGRAM

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

Resolved, That the Board of Education endorse the superintendent's proposal for a community leadership award program and request that he bring the Board a fully developed proposal at the earliest opportunity.

RESOLUTION NO. 764-93 Re: COMMUNITY SERVICE

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

Resolved, That the Board of Education discuss the community service graduation requirement and how it is being implemented.

RESOLUTION NO. 765-93 Re: SOUTH AFRICAN LEGISLATION

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

Resolved, That the Board of Education inform the Montgomery County Delegation that it would support the repeal of Annotated Code of Maryland Section 5-110 (c) (3) which permitted Montgomery County to reject products grown, mined, or manufactured in the Republic of South Africa if, and when, the state legislature takes up a package statewide to remove the legislation from the Maryland books relating to sanctions against the Republic of South Africa.

Re: ITEMS OF LEGISLATION

Mrs. Stoner said that last week Delegate Counihan had asked for a Board position on MC 411-94, Election Laws - Restrictions on Lobbyist Fund-raising in Montgomery County; MC 414-94 - Elections Laws - Electronic Records in Montgomery County; and MC 429-94 - Election Laws - Montgomery County - Contributions - Reports. Initially these bills did not apply to the Board, and it was planned to add the county executive and Board members. It was the sense of the subcommittee to go statewide with the lobbyist legislation, and consideration of the local bill will be postponed. She did not share Dr. Vance's recommended position with the Delegation and would bring the statewide bill to the Board for its consideration. Mrs. Fanconi suggested asking Board attorneys to look at the bill.

On MC 414-94, they recommended an unfavorable in order to go with a permissive statewide bill. It was not necessary to take a position now. The final bill would also go statewide. On the procurement bill, Mrs. Stoner reported that the subcommittee recommended an unfavorable. The Delegation would be writing a letter to the agencies indicating how important they believed collaborative procurement efforts were.

Re: PUBLIC SCHOOL STANDARDS AND
 PERFORMANCE-BASED HIGH SCHOOL
 GRADUATION REQUIREMENTS TASK FORCE
 REPORT

The members of the Board reviewed and revised proposed testimony on Public School Standards. Dr. Mary Helen Smith indicated that they would be proposing draft testimony on the high school graduation requirements report, and prior to November 10, the Board could decide whether or not it wanted to endorse the testimony. Mr. Ewing urged the Board to be as specific as possible. For example, the Board should support the notion of focusing on central content so that it could be determined what

it was that students needed to know when they graduated from high school. They should not be surprised by a sudden rush to decision by the state Board, and Montgomery County should have a specific position by November 10.

RESOLUTION NO. 766-93 Re: BOE APPEAL NO. T-1993-25

On motion of Mrs. Fanconi seconded by Mrs. Brenneman, the following resolution was adopted with Mr. Abrams, Ms. Baker, Mrs. Brenneman, Mrs. Fanconi, Mrs. Gordon, and Ms. Gutierrez voting in the affirmative; Dr. Cheung and Mr. Ewing voting in the negative:

Resolved, That the Board of Education adopt its Decision and Order in BOE Appeal No. T-1993-25, a transfer matter.

RESOLUTION NO. 767-93 Re: BOE APPEAL NO. T-1993-27

On motion of Mrs. Fanconi seconded by Mrs. Brenneman, the following resolution was adopted with Mr. Abrams, Mrs. Brenneman, Dr. Cheung, Mr. Ewing, and Mrs. Fanconi voting in the affirmative; Mrs. Gordon and Ms. Gutierrez voting in the negative; Ms. Baker being temporarily absent:

Resolved, That the Board of Education dismiss BOE Appeal No. T-1993-27, a transfer matter, at the request of the appellant.

RESOLUTION NO. 768-93 Re: BOE APPEAL NO. T-1993-28

On motion of Mrs. Fanconi seconded by Mrs. Brenneman, the following resolution was adopted with Mr. Abrams, Mrs. Brenneman, Dr. Cheung, Mr. Ewing, and Mrs. Fanconi voting in the affirmative; Mrs. Gordon and Ms. Gutierrez voting in the negative; Ms. Baker being temporarily absent:

Resolved, That the Board of Education adopt its Decision and Order in BOE Appeal No. T-1993-28.

RESOLUTION NO. 769-93 Re: BOE APPEAL NO. 1993-18

On motion of Mrs. Fanconi seconded by Mrs. Brenneman, the following resolution was adopted with Mr. Abrams, Mrs. Brenneman, Dr. Cheung, Mr. Ewing, Mrs. Gordon, and Ms. Gutierrez voting in the affirmative; Mrs. Fanconi abstaining; Ms. Baker being temporarily absent:

Resolved, That the Board of Education adopt its Decision and Order in BOE Appeal No. 1993-18, a personnel matter.

RESOLUTION NO. 770-93 Re: BOE APPEAL NO. 1993-21

On motion of Mrs. Fanconi seconded by Mrs. Brenneman, the following resolution was adopted with Mr. Abrams, Mrs. Brenneman, Dr. Cheung, Mr. Ewing, Mrs. Fanconi, Mrs. Gordon, and Ms. Gutierrez voting in the affirmative; Ms. Baker being temporarily absent:

Resolved, That the Board of Education adopt its Decision and Order in BOE Appeal No. 1993-21, a personnel matter.

Re: NEW BUSINESS

1. Mr. Ewing moved and Ms. Gutierrez seconded the following:

Resolved, That the Board of Education schedule a meeting with the Montgomery County American Indian community.

2. Mr. Ewing moved and Ms. Gutierrez seconded the following and asked that it be placed on the November 9 agenda:

WHEREAS, The Montgomery County Council has established a spending affordability guideline for the Fiscal Year 1995 operating budget and has set the spending allocation for the Montgomery County Public Schools at \$748.7 million; and

WHEREAS, This action did not achieve the full amount available to the County under the charter limitation, Question F, which would have increased the tax rate without extraordinary votes by the Council, and would have provided \$30 million in increased MCPS funding; and

WHEREAS, The amount approved, \$748.7 million, is approximately \$20 million more than last year, but is only about 2.5 percent high than last year; and

WHEREAS, Preliminary indications make clear that FY 1995 enrollment increases, estimated at 3,400 additional students, and inflation increases for those items purchased will require, in combination, an expenditure of \$32 million beyond the FY 1994 budget; and

WHEREAS, Previous budget reductions have caused a reduction in the adjusted cost per pupil (after inflation) to a lower level than in the past six years, through elimination of any programs that have in the past been available to support student and teachers; and

WHEREAS, There will be no funds available at this level of funding to support salary or cost of living improvements, given that each increase of one percent in salary for all employees

would add approximately \$6.3 million, and an increase of 3 percent would cost approximately \$19 million; and

WHEREAS, There will be no funds available at this level of funding for improvements in technology, improvements in early childhood education, or for those administrative improvements that require new funds recommended by the Corporate Partnership for Excellence; and

WHEREAS, These improvements in salary for employees, in technology, in early childhood education, and in administrative functions are critical to the maintenance of an excellent school system, as the system faces ever more demanding challenges in providing effective education for a growing number of students who bring to MCPS far greater needs than ever before; now therefore be it

Resolved, That the Board of Education of Montgomery County strongly protest the level of funding that the new spending affordability guideline would provide, on the grounds that it will be inadequate to maintain an excellent school system that meets all students' needs; and be it further

Resolved, That the Board of Education urge all citizens to call on the Council to recognize by its action on both the spending affordability guideline and its actions on the FY 1995 budget that the quality of the school system is a critical factor for the future well being of the County, and that its quality must not be compromised by a failure to sustain the investment at a level that is required for excellence; and be it further

Resolved, That copies of this resolution be provided to the County Council, county executive, the legislative delegation, the MCCPTA Executive Committee, and to each PTA president, and to other parent and civic groups and organizations.

Re: UNFUNDED FEDERAL MANDATES

Ms. Gutierrez moved and Mrs. Fanconi seconded the following:

WHEREAS, The Montgomery County Board of Education is directly accountable to the taxpayers and, unlike the federal government, must balance our budget every year; and

WHEREAS, The federal government is increasingly requiring school boards to perform services and implement programs without providing any money to pay for the services; and

WHEREAS, Shifting the cost of mandates to school boards is hurting our students academically because millions of dollars that could be spent on books, computers and science equipment are

instead being spent to comply with the burdensome federal requirements; and

WHEREAS, Parents and taxpayers are unaware of the impact on the schools of unfunded federal mandates; and

WHEREAS, We agree that many of the required services are worthwhile and improve education, but if the federal government is going to require a program, it must provide us with the money to carry it out; now therefore be it

Resolved, That the Montgomery County Board of Education urge Congress and the Administration to include full federal funding for any new mandate arising from federal law, regulation or policy; and be it further

Resolved, That federal departments and agencies be required to provide scientific proof of any health, safety or environmental risks before imposing a new mandate on the schools; and be it further

Resolved, That the Montgomery County Board of Education support "National Unfunded Mandates Day" on October 27, which marks the beginning of our efforts to inform parents of children in our schools and taxpayers about unfunded federal requirements and their impact on the schools and their need for new funds.

Re: A MOTION BY MR. ABRAMS TO AMEND THE
PROPOSED RESOLUTION ON UNFUNDED
FEDERAL MANDATES (FAILED)

A motion by Mr. Abrams to amend the proposed resolution on unfunded federal mandates in the last Resolved by adding after "impact on the schools" "and the necessity for the federal government to either fund the mandates or remove the mandates" failed for lack of a second.

RESOLUTION NO. 771-93 Re: UNFUNDED FEDERAL MANDATES

On motion of Ms. Gutierrez seconded by Mrs. Fanconi, the following resolution was adopted with Ms. Baker, Mrs. Brenneman, Dr. Cheung, Mr. Ewing, Mrs. Fanconi, Mrs. Gordon, and Ms. Gutierrez voting in the affirmative; Mr. Abrams voting in the negative:

WHEREAS, The Montgomery County Board of Education is directly accountable to the taxpayers and, unlike the federal government, must balance our budget every year; and

WHEREAS, The federal government is increasingly requiring school boards to perform services and implement programs without providing any money to pay for the services; and

WHEREAS, Shifting the cost of mandates to school boards is hurting our students academically because millions of dollars that could be spent on books, computers and science equipment are instead being spent to comply with the burdensome federal requirements; and

WHEREAS, Parents and taxpayers are unaware of the impact on the schools of unfunded federal mandates; and

WHEREAS, We agree that many of the required services are worthwhile and improve education, but if the federal government is going to require a program, it must provide us with the money to carry it out; now therefore be it

Resolved, That the Montgomery County Board of Education urge Congress and the Administration to include full federal funding for any new mandate arising from federal law, regulation or policy; and be it further

Resolved, That federal departments and agencies be required to provide scientific proof of any health, safety or environmental risks before imposing a new mandate on the schools; and be it further

Resolved, That the Montgomery County Board of Education support "National Unfunded Mandates Day" on October 27, which marks the beginning of our efforts to inform parents of children in our schools and taxpayers about unfunded federal requirements and their impact on the schools and their need for new funds.

Re: NEW BUSINESS (CONTINUED)

3. Ms. Gutierrez moved and Mr. Ewing seconded the following:

Resolved, That the Board of Education request the superintendent to work with Board staff and Board members to review and enhance the process for identifying, recruiting, and maintaining a source of interested candidates to our advisory committees in order to ensure broader multi-cultural, multi-racial, and multi-ethnic representation of the many diverse cultures of our students and our parents.

RESOLUTION NO. 772-93 Re: ADJOURNMENT

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

Resolved, That the Board of Education adjourn its meeting at 11:25 p.m.

PRESIDENT

SECRETARY

PLV:mlw