



**Karen B. Salmon, Ph.D.**  
State Superintendent of Schools

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**TO:** Members of the State Board of Education

**FROM:** Karen B. Salmon, Ph.D.

**DATE:** September 25, 2018

**SUBJECT:** School Calendar Waiver Application

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**PURPOSE:**

The purpose of this agenda item is to request approval of the application to waive the post-Labor Day school start date for two schools in Montgomery County for the 2019-2020 school year.

**BACKGROUND/HISTORICAL PERSPECTIVE:**

On August 31, 2016, Governor Larry Hogan issued Executive Order 01.01.2016.09 which requires all Maryland kindergarten through grade 12 public schools to open for pupil attendance no earlier than the Tuesday immediately following the nationally observed Labor Day holiday. The school year for every public school in Maryland shall adjourn no later than June 15. Local boards of education have the option to apply for a waiver of the requirements set forth in the Executive Order.

On October 12, 2016, Governor Hogan amended the original Executive Order to establish parameters for school boards to apply for waivers. To be eligible for a waiver, the local board must demonstrate that the school system has met all requirements for at least one compelling justification and has conducted at least one public meeting at which the waiver application was considered and approved. Compelling justification includes:

1. The adoption of an innovative school schedule for low-performing, at-risk, or charter schools. Any waiver granted by the State Board of Education for an innovative school schedule shall *only* apply to those schools where innovative school schedules are offered.
2. The school system has closed ten days per year during any two of the last five years because of natural disasters, civil disasters, or severe weather conditions.

Pursuant to the amended Executive Order 01.01.2016.13, the State Board of Education was charged with establishing a timeline for waiver applications; identifying additional information needed from local school boards to comply with the requirements of the Executive Order; and rendering decisions on submitted waiver applications. On December 5, 2016, the State Board of Education approved the application and process for local boards of education to submit a waiver request for the requirements in Executive Order 01.01.2016.13.

## **EXECUTIVE SUMMARY:**

The Maryland State Department of Education received an application from Montgomery County Public Schools (MCPS) to waive the post-Labor Day school start date for two schools. Montgomery County Public Schools is requesting a waiver using the compelling justification of adoption of an innovative school schedule. In order to be eligible for a waiver, a school must adopt an innovative schedule that will not allow for prolonged lapses in instructional time. Qualifying schools are those designated as low-performing, at-risk, or charter.

Montgomery County Public Schools has proposed the implementation of an innovative school year calendar that would extend the school year by 30 days for a total of 210 school days for Arcola Elementary School and Roscoe R. Nix Elementary School. The proposed innovative schedule will increase learning time and will foster a climate that encourages students to engage in the following learning behaviors: problem solving, curiosity, and persistence. While all students may benefit from additional learning time, the impact on students from low-income families and English learners is likely to be greater. The two schools were selected based upon an overall review of performance data for Title I schools, the stability of the Title I status of the schools, principal tenure, levels of participation in existing summer programs, and community engagement. Even though these two schools were not identified as Maryland Priority or Focus Schools for the 2017-2018 school year, they still provide compelling justification for the following reasons:

- Performance for both schools is below the district's performance in literacy and mathematics according to the Evidence of Learning (EOL) Framework, an achievement monitoring system that includes multiple measures to determine whether students are learning and learning enough.
- Performance on the PARCC assessment demonstrates that slightly more than 50 percent of students are performing at levels 1 and 2 in literacy and mathematics.
- Performance on multiple measures is improving, but there is concern that it may not be enough to meet Every Student Succeeds Act (ESSA) accountability.
- Both schools have attendance areas that exceed the 75 percent poverty threshold for identification as a Title I school.
- Both schools have principals with stable tenure.
- Summer academic programming is available to students who attend both schools.
- Both schools engage their families and communities through various parent events, including parent coffees, Parent Teacher Association meetings, and family learning nights.

Local boards of education are required to conduct at least one public meeting to consider and approve the waiver application. The Montgomery County Board of Education conducted public meetings on July 19 and 30, 2018 to consider and approve the waiver application. Written minutes for board meetings are not produced. The video is the official recording of the meetings. Informational summaries are prepared following each meeting and are included in the attached waiver application. The video minutes from the meetings can be accessed through the following links:

<http://mcpsmd.swagit.com/play/07192018-1024/#7>

<https://www.youtube.com/watch?v=LKIQE3VRI08&feature=youtu.be>

Members of the Maryland State Board of Education

September 25, 2018

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**ACTION:**

It is requested that the Maryland State Board of Education approve the application to waive the post-Labor Day school start date for Arcola Elementary School and Roscoe R. Nix Elementary School for the 2019-2020 school year.

Attachment: Waiver Application from Montgomery County Public Schools



August 28, 2018



Karen B. Salmon, Ph.D.  
State Superintendent of Schools  
Maryland State Department of Education  
200 West Baltimore Street  
Baltimore, Maryland 21201

Dear Dr. Salmon:

The purpose of this waiver application is to request the adoption of an innovative school calendar that has a school start date prior to Labor Day in the 2019–2020 school year. The proposed innovative school calendar extends the school year by 30 days for a total of 210 school days at 2 elementary schools. Directly tied to Montgomery County Public Schools' (MCPS) strategic priorities to improve teaching and learning, the innovative calendar will increase learning time and will foster a climate that encourages students to engage in the following learning behaviors: problem solving, curiosity, and persistence.

Research included in the application compels MCPS to contemplate ways to best serve our most impacted communities and to consider innovative methods for reducing gaps in performance. A proposed innovative school year calendar has been under consideration for selected Title I schools in MCPS. During the past year, MCPS has explored and drafted a proposal to create additional learning time for students, especially those who are enrolled in schools with high poverty rates and live in communities that may be better served. MCPS has 23 Title I elementary schools, which hold the largest percentage of students receiving Free and Reduced-price Meals System services. Percentages range from 68.18 percent to 89.82 percent.

Additionally, Title I schools have the largest percentage of students who receive English for Speakers of Other Languages (ESOL) services. In a recent data review, approximately 48 percent of students in Title I schools received ESOL services during the 2017–2018 school year. The same report revealed that nearly 17 percent of students in non-Title I schools received ESOL services in the 2017–2018 school year, a difference of 30 percentage points. While all students may benefit from additional learning time, the impact on students from low-income families and English learners is likely to be greater. After reviewing data and school conditions, an innovative school year calendar is being proposed for implementation at Arcola and Roscoe R. Nix elementary schools. The two schools were selected based on an overall review of performance data for Title I schools, the stability of the Title I status of the schools, principal tenure, levels of participation in existing summer programs, and community engagement.

**Office of the Superintendent of Schools**

On July 19, 2018, the Board of Education Policy Management Committee met to discuss the proposed innovative school year calendar framework; video minutes for this meeting are available online at the below link.

<http://mcpsmd.swagit.com/play/07192018-1024/#75>.

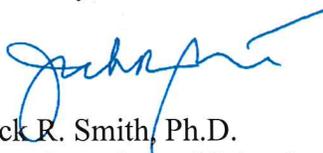
On July 30, 2018, the Montgomery County Board of Education considered and approved a calendar framework for extending the school year for the 2019–2020 school year; video minutes for this meeting are available online at the link, <https://youtu.be/LKIQE3VRI08>.

As a note, written minutes for Board meetings are not produced. The video is the official recording of meetings. Informational summaries are prepared following each meeting.

To have the greatest impact, schools will need time to plan and organize for the 2019–2020 school year. MCPS is submitting a waiver request at this time to allow ample time to plan for operational and programmatic implementation of the innovative school calendar beginning in July 2019.

Thank you for considering this request. Enclosed you will find the waiver application, agendas from both Board meetings, links to video minutes of both Board meetings, draft informational summary for both Board meetings, and a proposed innovative school calendar.

Sincerely,



Jack R. Smith, Ph.D.  
Superintendent of Schools

JRS:MVN:dmc

Enclosures

Copy to:

Dr. Statham	Ms. Diamond
Dr. Navarro	Mr. Turner
Dr. Zuckerman	Dr. Collins
Mr. Civin	Mrs. Hazel
Dr. Johnson	Mrs. Owens-Jones

### Overview:

Executive Order 01.01.2016.13 requires all kindergarten through grade 12 public schools in Maryland to be open for pupil attendance no earlier than the Tuesday immediately following the nationally observed Labor Day holiday. The school year for each public school in Maryland shall adjourn no later than June 15. Local boards of education retain the full responsibility for establishing annual academic calendars within the parameters of the Executive Order. The Executive Order does not apply to the operation of year-round schools. The entire Executive Order may be found on the following webpage: <https://governor.maryland.gov/wp-content/uploads/2016/10/EO.01.01.2016.13.pdf>

### Waiver Applications:

Local boards of education may apply for waivers of the requirements set forth in the Executive Order. To be eligible for a waiver, the local board must demonstrate that it has met all requirements for at least one compelling justification and has conducted at least one public meeting at which the waiver application was considered and approved. Compelling justification includes:

1. The adoption of an innovative school schedule for low-performing, at-risk, or charter schools. Any waiver granted by the State Board of Education for an innovative school schedule shall *only* apply to those schools where innovative school schedules are offered.
2. The school system has closed ten days per year during any two of the last five years because of natural disasters, civil disasters, or severe weather conditions.

Any waiver granted by the State Board of Education using this waiver application shall be for the 2018-2019 school year only. Local boards of education may apply annually for a waiver of the requirements in Executive Order 01.01.2016.13.

### Timeline for Submission of Waiver Application:

Waiver applications will be accepted on a rolling basis. Decisions regarding waiver requests will be made at the State Board Meeting immediately following receipt of the application. For example, if a waiver application is received on January 31, 2018 then the State Board will render a decision at the February 27, 2018 meeting. A list of State Board meeting dates may be found on the following webpage: <http://marylandpublicschools.org/stateboard/Pages/Meetings-2018.aspx>. The local Superintendent or Chief Executive Officer and Board President will be notified in writing of the State Board's decision. The final date to submit an application for a waiver of requirements in Executive Order 01.01.2016.13 for the 2018-2019 school year is **March 31, 2018**.

Waiver applications and supporting documents may be emailed to Charlene Necessary at [charlene.necessary@maryland.gov](mailto:charlene.necessary@maryland.gov) or mailed to:

Maryland State Board of Education  
Attention: Charlene Necessary  
200 West Baltimore Street  
Baltimore, Maryland 21201

**Directions:** There are five sections to the waiver application. All sections of the application must be complete for waiver requests to be considered by the State Board of Education. Include any required supporting documentation when submitting this application.

**1. Select the name of the school system represented in the waiver request.**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Allegany       | <input type="checkbox"/> Charles               | <input type="checkbox"/> Prince George’s |
| <input type="checkbox"/> Anne Arundel   | <input type="checkbox"/> Dorchester            | <input type="checkbox"/> Queen Anne’s    |
| <input type="checkbox"/> Baltimore City | <input type="checkbox"/> Frederick             | <input type="checkbox"/> St. Mary’s      |
| <input type="checkbox"/> Baltimore      | <input type="checkbox"/> Garrett               | <input type="checkbox"/> Somerset        |
| <input type="checkbox"/> Calvert        | <input type="checkbox"/> Harford               | <input type="checkbox"/> Talbot          |
| <input type="checkbox"/> Caroline       | <input type="checkbox"/> Howard                | <input type="checkbox"/> Washington      |
| <input type="checkbox"/> Carroll        | <input type="checkbox"/> Kent                  | <input type="checkbox"/> Wicomico        |
| <input type="checkbox"/> Cecil          | <input checked="" type="checkbox"/> Montgomery | <input type="checkbox"/> Worcester       |

**2. Select the type of waiver being requested by the local school board.**

- Request to waive the post-Labor Day school start date.
- Request to waive the June 15 school end date.
- Request to waive both the post-Labor Day school start date and June 15 school end date.

**3. Select the compelling justification for the waiver request.**

Compelling justification includes adoption of an innovative school schedule (3a) or emergency school closing (3b). At least one compelling justification category must be selected.

**3a. Compelling Justification: Adoption of an Innovative School Schedule.**

Any waiver granted by the State Board of Education for an innovative school schedule shall *only* apply to those schools where the innovative school schedules are offered. Education Article §7.103.1 defines innovative school schedules to include, “...*extended year, year-round schooling, or other school scheduling models that do not allow for prolonged lapses in instructional time...*” Qualifying schools are those designated as low-performing, at-risk, or charter. A summary of the innovative school schedule must be attached to application.

Identify the low-performing, at-risk, and/or charter schools for a waiver request on the next page.

**Adoption of an Innovative School Schedule for Low-Performing Schools**

Low-performing schools, or Maryland’s Priority Schools, are the 5% of all Title I schools that are the lowest achieving on state assessments; and/or have graduation rates below 67%; or receive Title I school improvement funds under Section 1003g. A list of qualifying schools can be found on the following webpage:

<http://marylandpublicschools.org/about/Documents/DSFSS/TitleI/PriorityFocusSchools20162017.pdf>

Identify the names of qualifying schools to be considered for a waiver below.

**Attach a summary of the innovative school schedule to this application.**

**Adoption of an Innovative School Schedule for At-Risk Public Schools**

At-risk public schools, or Maryland’s Focus Schools, are those in the top 10% of Title I schools that have the largest within-school gaps between the highest-achieving subgroup and the lowest-achieving subgroup; and Title I high schools with less than 60% graduation rates over a number of years. A list of qualifying schools can be found on the following webpage:

<http://marylandpublicschools.org/about/Documents/DSFSS/TitleI/PriorityFocusSchools20162017.pdf>

Identify the names of qualifying schools to be considered for a waiver below.

**Attach a summary of the innovative school schedule to this application.**

The purpose of this waiver application is to request the adoption of an innovative school calendar that has a calendar start date prior to Labor Day. The proposed innovative school calendar extends the school year by 30 days for a total of 210 school days at Arcola and Roscoe R. Nix elementary schools. Research from the National Center on Time and Learning identifies increased/expanded learning time as an equity strategy that benefits all children, especially children whose families are identified as low income. Children from low-income families “tend to enter school trailing behind their more affluent peers academically, continue to lag as they proceed through each grade level and have fewer opportunities outside of school for learning.” Dr. David Farbman, former senior researcher for the National Center on Time and Learning, identified three distinct, though interdependent, benefits to students and teachers when more learning time is expanded—

- More time in academic content classes
- Greater time for teacher collaboration
- More time for students to access enriched content

Both the Center for American Progress and the Center on Education Policy at The George Washington University have conducted research demonstrating that schools serving large concentrations of children from low-income families have seen improved student achievement through the expansion of instructional time. This research compelled MCPS to consider ways to best serve our most impacted communities and to consider innovative methods for reducing gaps in performance.

## Waiver Application for Post-Labor Day School Start Date and/or June 15 School End Date

Based on this research, the traditional 180-day school calendar may not meet the needs of all students. In alignment with the research from the National Center on Time and Learning, a report from the Center for American Progress recommends the addition of 300 hours of instructional time in order for students to have more time for learning and greater access to enrichment. The National Summer Learning Association (NSLA) defines the summer slide as “what often happens to disadvantaged children during the summer months. They tread water at best or even fall behind, while higher-income children build their skills steadily over the summer months.” NSLA goes on to highlight the cumulative impact of the summer slide: “Summer learning loss during elementary school accounts for two-thirds of the achievement gap in reading between low-income children and their middle income peers by ninth grade.”

Both the Center for American Progress and the Center on Education Policy at The George Washington University have conducted research demonstrating that schools serving large concentrations of children from low-income families have seen improved student achievement through the expansion of instructional time.

This research compels Montgomery County Public Schools (MCPS) to contemplate ways to best serve our most impacted communities and to consider innovative methods for reducing gaps in performance. A proposed innovative school year calendar has been under consideration for selected Title I schools in MCPS. Over the past year, MCPS has explored and drafted a proposal to create additional learning time for students, especially those who are enrolled in schools with high poverty rates and live in communities that may be better served. After gathering input from various stakeholders, the work group proposed an Innovative School Calendar that extends the school year by 30 days for a total of 210 school days. The proposal incorporates the following basic principles for an innovative school calendar:

- Expand learning and reduce learning loss by addressing gaps in instructional time, especially in the early years before gaps are created.
- Include a means by which staff members commit to working in the school implementing the innovative school calendar.
- Ensure that the model is sustainable and can be replicated in other school settings.

The proposed Innovative School Calendar is directly tied to all of MCPS’ strategic priorities to “improve teaching and learning” and will be especially impactful when considering “Learning Accountability and Results.” While the innovative calendar will address increased learning time, it will also foster a climate that encourages children to engage in some of the following learning behaviors: problem solving, curiosity, and persistence. Innovation in schools will make learning more engaging and help children produce new pathways for thinking.

MCPS has 23 Title I elementary schools, which hold the largest percentage of students receiving Free and Reduced-price Meals System (FARMS) services. Percentages range from 68.18 percent to 89.82 percent. Additionally, Title I schools have the largest percentage of students who receive English for Speakers of Other Languages (ESOL) services. In a recent data review, approximately 48 percent of students in Title I schools received ESOL services during the 2017–2018 school year. The same report revealed that nearly 17 percent of students in non-Title I schools received ESOL services in the 2017–2018 school year. That is a difference of roughly 30 percentage points.

## Waiver Application for Post-Labor Day School Start Date and/or June 15 School End Date

While all students can benefit from additional learning time, the impact on students from low-income families and English Learners is likely to be greater.

After reviewing data and school conditions, an innovative school year calendar is being proposed for implementation at two Title I schools—Arcola and Roscoe R. Nix elementary schools. Arcola Elementary School (ES) is a pre-K–5 school located in Silver Spring. The school serves approximately 690 students. Nearly half of the students receive ESOL services and its FARMS rate is at 77.07 percent, which is an increase of one percentage point from the year before. Roscoe R. Nix ES is a pre-K–2 school located in Silver Spring. Roscoe R. Nix ES serves nearly 500 students. Fifty-seven percent of the students receive ESOL services and its FARMS rate is at 75.75 percent, which is an increase of two percentage points from the year before.

The two schools were selected based on an overall review of performance data for Title I schools, the stability of the Title I status of the schools, principal tenure, levels of participation in existing summer programs, and community engagement. Even though these two schools were not identified as Maryland Priority or Focus Schools for the 2017–2018 school year, they still provide compelling justification for the following reasons:

### **Performance Data**

#### Evidence of Learning Framework

- Performance for both schools is below the district’s performance in literacy and mathematics according to the Evidence of Learning (EOL) Framework, an achievement monitoring system that includes multiple measures to determine whether students are learning and are learning enough. Students show EOL attainment by demonstrating success on at least two of the measurement types—classroom, district, and external.
- Grade 2 Evidence of Learning Data:
  - In the district, 76.1 percent of Grade 2 students demonstrated success on at least two of the literacy measures and 65.2 percent demonstrated success on at least two of the mathematics measures during the 2017–2018 school year.
  - In 2017–2018, 64.3 percent of Grade 2 students at Arcola ES demonstrated success on at least two of the measurement types in literacy and 56.3 percent of Grade 2 students met two of the three measurement topics in mathematics.
  - In 2017–2018, 71.5 percent of Grade 2 students at Roscoe R. Nix ES demonstrated success on at least two of the measurement types in literacy and 48.1 percent of Grade 2 students met two of the three measurement topics in mathematics.
  - Both schools are performing below the district average.
- Grade 5 Evidence of Learning Data:
  - In the district, 79 percent of Grade 5 students demonstrated success on at least two of the literacy measures and 63 percent demonstrated success on at least two of the mathematics measures during the 2017–2018 school year.
  - In 2017–2018, 70.3 percent of Grade 5 students at Arcola ES demonstrated success on at least two of the measurement types in literacy and 30.6 percent of Grade 5 students met two of the three measurement topics in mathematics.
  - Performance at Arcola ES is below the district level performance.
  - Roscoe R. Nix ES is a pre-K–2 school; therefore, it does not have any Grade 5 data.

2017 Partnership for Assessment of Readiness for College and Careers (PARCC)

- Performance on the PARCC assessment demonstrates that a little over 50 percent of students are performing at levels 1 and 2 in literacy and mathematics.
  - 2017 PARCC performance accessed from the Maryland State Department of Education (MSDE) downloads shows that in English Language Arts, Arcola ES ranked as follows in its percentage of students performing at levels 4 and 5 on PARCC:
    - Grade 3—122<sup>nd</sup> out of 129 schools
    - Grade 4—129<sup>th</sup> out of 129 schools
    - Grade 5—123<sup>rd</sup> out of 129 schools
  - 2017 PARCC performance accessed from MSDE downloads shows that in Mathematics, Arcola ES ranked as follows in its percentage of students performing at levels 4 and 5 on PARCC:
    - Grade 3—115<sup>th</sup> out of 129 schools
    - Grade 4—129<sup>th</sup> out of 129 schools
    - Grade 5—127<sup>th</sup> out of 129 schools
  - 2017 PARCC performance accessed from MSDE downloads shows that in English Language Arts, Grade 3 students at Cresthaven ES, which is an intermediate school paired with Roscoe R. Nix ES, ranked as follows in its percentage of students performing at levels 4 and 5 on PARCC:
    - Grade 3—128<sup>th</sup> out of 129 schools
  - 2017 PARCC performance accessed from MSDE downloads shows that in Mathematics, Grade 3 students at Cresthaven ES ranked as follows in its percentage of students performing at levels 4 and 5 on PARCC:
    - Grade 3—125<sup>th</sup> out of 129 schools
- Performance on multiple measures is improving, but there is concern that it may not be enough to meet Every Student Succeeds Act (ESSA) accountability. MCPS' robust data analysis process and system demonstrates these two schools are low performing and/or at risk, and are ready for the value added innovation that an extended school year model would bring to the school to boost student achievement.

2017 Absences and Tardies

- Absences
  - Arcola ES is ranked 62<sup>nd</sup> out of 133 elementary schools.
  - Roscoe R. Nix ES is ranked 78<sup>th</sup> out of 133 elementary schools.
- Tardies
  - Arcola ES is ranked 45<sup>th</sup> out of 133 elementary schools.
  - Roscoe R. Nix ES is ranked 71<sup>st</sup> out of 133 elementary schools.

Stability of Title I Status

Based on data collected October 31, 2017, 77.07 percent of students at Arcola ES qualify for FARMS. Roscoe R. Nix ES has 75.75 percent of its students qualifying for FARMS. Both schools have attendance areas that exceed the 75 percent poverty threshold for identification as a Title I school.

### Principal Tenure

The principal of Roscoe R. Nix ES is the school's founding principal and has been assigned to the school since July 1, 2006. The principal of Arcola ES has been assigned to the school since July 1, 2013.

### Levels of Participation in Summer Programs

Summer academic programming is available to students who attend both schools. The summer programming consists of a well-rounded five-week, 6.5 hour day program that emphasizes literacy and mathematics in the morning and enrichment activities in the afternoon. Approximately 55 percent of students from each school register for and attend the summer programs. Attendance rates at both schools exceeds 80 percent.

### Community Engagement

Both schools engage their families and communities through various parent events, including parent coffees, Parent Teacher Association meetings, and family learning nights.

During the 2017–2018 school year, MCPS leaders engaged selected communities in discussions about the impact that this proposed school calendar will have on students, teachers, and families.

- Beginning in August 2017 and throughout the early fall, a work group of representatives from central services and the employee associations met to discuss possible innovative school calendar approaches.
- Discussions with employee association leadership continued throughout the fall and winter.
- Beginning in November 2017, meetings expanded to include leadership and staff from Arcola and Roscoe R. Nix elementary schools.
- Meetings with parents/guardians from both schools were held early in 2018. Overall feedback from parents/guardians is that they believe the additional time for their children will enhance their achievement and view the extra learning time as a means for students to access supplemental learning and enrichment experiences.

Based on feedback and these discussions, MCPS is seeking a waiver of the post-Labor Day start date. In order to align the innovative calendar with the traditional calendar, a full calendar will be provided when MCPS submits calendars for the rest of the schools. The proposed innovative calendar framework includes a 210-day school calendar.

MCPS held two public meetings to consider and approve the waiver. On July 19, 2018, the Board of Education Policy Management Committee met to discuss the proposed innovative school year calendar framework for Arcola and Roscoe R. Nix elementary schools. Video minutes of the meeting can be accessed online at

<http://www.boarddocs.com/mabe/mcpsmd/Board.nsf/goto?open&id=AYMJUJ4DDD95>.

On July 30, 2018, the Board of Education met to discuss and approve a calendar framework for extending the school year. As part of the meeting, the administration requested that our Board of Education provide permission for MCPS to seek a waiver from Governor Larry Hogan's executive order that defines a start and end date for the school year. All Board members present voted to allow MCPS to take this step. Video minutes of the July 30, 2018, meeting can be accessed online at

<https://www.boarddocs.com/mabe/mcpsmd/Board.nsf/goto?open&id=AUVB67453A>.

Extended learning time and innovative programming are intended to improve teaching and learning; to provide a strong academic program; and to provide greater access and opportunities for students in our most impacted communities to reduce gaps in performance. To have the greatest impact, schools will need time to plan and organize for the 2019-2020 school year. MCPS is submitting this request at this time to allow ample time to plan for operational and programmatic implementation of the innovative school calendar beginning in July 2019. Time is needed to

- develop innovative programming and select materials aligned to the programming;
- determine the implication on special education programs at the schools;
- develop communication structures to keep parents and community members informed, given that the school community consists of families who speak languages other than English and communities that have higher than average mobility rates;
- provide time for families to coordinate and plan their summers differently than they are currently used to;
- negotiate union/association agreements based on the extended school year;
- coordinate transportation routes;
- plan for extended use and maintenance of facilities;
- consider ways to provide professional learning through partnerships with local institutions of higher education; and
- plan for possible adjustments to the assessment calendar and report card schedules.

MCPS leaders are engaged in ongoing collaboration to coordinate efforts in support of an innovative school calendar for Arcola and Roscoe R. Nix elementary schools.

**Adoption of an Innovative School Schedule for Charter Schools**

Guidance regarding charter schools may be found on the following webpage:  
<http://www.marylandpublicschools.org/programs/Pages/Charter-Schools/index.aspx>

Identify the names of qualifying schools to be considered for a waiver below.

**Attach a summary of the innovative school schedule to this application.**

**3b. Compelling Justification: Emergency School Closing.**

Eligible local school systems are those that have closed ten days per year during any two of the last five years because of natural disasters, civil disasters, or severe weather conditions. Select the qualifying school system below.

Allegany County

Garrett County

Caroline County

Harford County

Carroll County

Talbot County

Dorchester County

Waiver Application for Post-Labor Day School Start Date and/or June 15 School End Date



4. Local school boards are required to conduct *at least one public meeting* to consider and approve the waiver application. In the table below, identify all public meeting dates, times, and locations where the waiver application was considered and approved. **Attach the meeting minutes for each date identified.**

Date of Public Meeting	Time of Public Meeting	Location of Public Meeting
July 19, 2018 – <a href="#">Link</a>	3:00 p.m.	Montgomery County Public Schools Carver Educational Services Center 850 Hungerford Drive Rockville, MD 20850
July 30, 2018 – <a href="#">Link</a>	6:50 p.m.	Montgomery County Public Schools Carver Educational Services Center 850 Hungerford Drive Rockville, MD 20850

5. **Signatures of Superintendent or Chief Executive Officer and Board President.**

Signing below indicates that the local board of education has reviewed and approved all sections in this waiver application.

  
 Signature of Superintendent or  
 Chief Executive Officer

8/17/18  
 Date

  
 Signature of School Board President

8-16-18  
 Date

**Montgomery County Public Schools  
2019–2020 Calendar Comparison Chart**

<b>Regular Instructional School Year Calendar Parameters<sup>1</sup></b>		<b>Conceptualized Innovative School Year Calendar Parameters</b>	
Minimum required total days of instruction	180	Total days of instruction	210 (approx. 52 days/quarter)
Tuesday, September 3, 2019	First possible day of instruction	Monday, July 8, 2019	First day of instruction
Monday, June 15, 2020	Last possible day of instruction	Tuesday, June 9, 2020	Last day of instruction
Tuesday, June 16– Monday, June 22, 2020	Five possible emergency make-up days at end of school year*		

<sup>1</sup>COMAR 13A.02.01.04, *Length of School Year*

\*Local school systems may schedule up to five emergency make-up days past June 15 without State Board approval.

**2019–2020 School Year  
State Mandated Closures**

<b>State Mandated Closures</b>	
Monday, September 2, 2019	Labor Day
Thursday, November 28, 2019	Thanksgiving Day
Friday, November 29, 2019	Day after Thanksgiving
Tuesday, December 24, 2019	Christmas Eve
Wednesday, December 25, 2019	Christmas Day
Thursday, December 26–December 31, 2019	Winter Break
Wednesday, January 1, 2020	New Year's Day
Monday, January 20, 2020	Martin Luther King, Jr. Day
Monday, February 17, 2020	Presidents' Day
Friday, April 10, 2020	Friday before Easter
Monday, April 13, 2020	Monday after Easter
Tuesday, April 28, 2020	Primary Election Day
Monday, May 25, 2020	Memorial Day



**Thursday, July 19, 2018**  
**Policy Management Committee Meeting**

**3:00 p.m.**

**Carver Educational Services Center, Room 114**  
**850 Hungerford Drive, Rockville, Maryland 20850**

**BOE@mcpsmd.org**

**Committee Members:**

**Patricia O'Neill, chair**

**Judith Docca**

**Jill Ortman-Fouse**

**Ananya Tadikonda**

**1. Call to Order - 3:00 p.m.**

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**2. Informational Summary**

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2.1 Informational Summary for the May 15, 2018, Meeting

**3. Discussion of Policy IDA, School Year Calendar**

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3.1 Discussion of survey results

**4. Discussion of Waiver of School Year Calendar for Extended Year Schools (Arcola and Roscoe R. Nix elementary schools)**

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4.1 Discussion

**5. Discussion of Policy IGK, Career and Technology Education**

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5.1 Framework Discussion

**6. Discussion of Policy JED, Residency, Tuition, and Enrollment**

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6.1 Review of Public Comments

**7. Discussion of Policy KEA, Political Campaigns and Political Materials**

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7.1 Review of the draft policy regarding adding civic engagement as a basis for an excused absence.

**8. Discussion of Policy BLB, Rules of Procedure in Appeals and Hearings**

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8.1 Discussion regarding draft policy based on new legislation regarding employee access to arbitration

**9. Adjournment - 5:00 p.m.**

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Times listed are intended for guidance only; unless changed by the Board, the order in which items appear will be followed.

This agenda is available in an alternative format upon request, under the Americans with Disabilities Act, by contacting the Public Information Office at 240-740-2837 or 1-800-734-2258 (Maryland Relay). Individuals who need special accommodations in communicating with the Board should call the Board of Education Office at 240-740-3030.

Office of the Chief Academic Officer  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

July 19, 2018

MEMORANDUM

To: Members of the Policy Management Committee

From: Maria V. Navarro, Chief Academic Officer 

Subject: 2019–2020 Innovative School Year Calendar

A proposed innovative school year calendar has been under consideration for implementation at two Title I schools, Arcola and Roscoe R. Nix Elementary Schools. Based on research shared with the Board in December 2017, the traditional 180-day school calendar may not meet the needs of all students. Research compelled Montgomery County Public Schools (MCPS) leaders to consider ways to best serve our most impacted communities and to consider innovative methods for reducing gaps in performance. This memorandum provides a general outline of a proposed innovative school year calendar for the 2019–2020 school year and the required next steps to move forward development of an innovative school year calendar for these two schools.

Board of Education Policy IDA, *School Year Calendar*, calls for the Policy Management Committee to review the draft school year calendar prior to its presentation to the full Board for adoption. To continue discussions and work regarding an extended school year for Arcola and Roscoe R. Nix Elementary Schools in the 2019-2020 school year, the Board of Education will need to request a waiver from the State Board of Education to allow for an extended year calendar.

**Background**

During the 2017–2018 school year, MCPS leaders engaged selected communities in discussions about the impact that this proposed school calendar will have on students, teachers, and families.

- Beginning in August 2017, and throughout the early fall, a work group of representatives from central services and from employee associations met to discuss possible innovative school calendar approaches.
- Discussions with employee association leadership continued throughout the fall and winter.
- Beginning in November 2017, meetings expanded to include leadership and staff from Arcola and Roscoe R. Nix Elementary Schools.

Meetings with parents from both schools were held early in 2018. The overall feedback from parents indicated that they believe that the additional time would provide an opportunity for their children to enhance their achievement through access to additional learning and enrichment experiences. Based on feedback and these discussions, a framework for a proposed innovative 210-day school calendar has been developed. The proposed 210-day school calendar:

- extends beyond the 180-day requirement specified in Code of Maryland Regulation (COMAR) 13A.02.01.04;
- does not require any additional days be scheduled for make-up in case of emergency school closings;
- extends the school year by 30 days, with a proposed first day of school of Monday, July 8, 2019; and
- includes a last day of school no later than Monday, June 15, 2020, with the last day of school possibly as early as Tuesday, June 9, 2020.

### **Waiver of Calendar Parameters**

Governor Larry Hogan's Executive Order 01.01.2016.13 requires all kindergarten through Grade 12 public schools in Maryland to be open for pupil attendance no earlier than the Tuesday immediately following the nationally observed Labor Day holiday. The order also requires that the school year for each public school in Maryland shall adjourn no later than June 15 of each school year.

The Executive Order states that local Boards of Education may apply for waivers of the requirements set forth in the Executive Order regarding the beginning and/or end dates of the school calendar. To be eligible for a waiver, the local board must demonstrate that it has met all requirements for at least one compelling justification and has conducted at least one public meeting at which the waiver application was considered and approved.

Compelling justification includes the adoption of an innovative school schedule for low-performing or at-risk public schools as encouraged by Section 7-103.1 of the Education Article of the Annotated Code of Maryland, which specifically requires the State Board of Education to "explore the use of innovative school scheduling models, including extended year, year-round schooling, or other school scheduling models that do not allow for prolonged lapses in instructional time, in low-performing or at-risk public schools" and to "encourage county boards to use the school scheduling models that are determined to be most effective in enhancing student achievement in low-performing or at-risk public schools." Pursuant to the Executive Order, any waiver granted by the State Board of Education for an innovative school schedule shall *only* apply to those schools where innovative school schedules are offered.

MCPS is prepared to present compelling justification to implement an innovative school year calendar at Arcola and Roscoe R. Nix Elementary Schools. The two schools were selected based on an overall review of performance data for Title I schools; the stability of the Title I status of the schools; principal tenure; levels of participation in existing summer programs; and, community engagement. Even though these two schools were not identified as Maryland Priority or Focus Schools for the 2017-2018 school year, they still provide compelling justification for the following reasons:

- Performance for both schools is below the district's performance in literacy and mathematics according to the Evidence of Learning Framework.

- Performance on multiple measures is improving, but there is concern that it may not be enough to meet Every Student Succeeds Act (ESSA) accountability.
- Also, performance on the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment demonstrates that a little over 50 percent of students are performing at levels 1 and 2 in literacy and mathematics.

The Maryland State Department of Education has stated that they will not identify Comprehensive Support and Improvement (CSI) & Targeted Support & Improvement (TSI) schools until the fall. However, our district's robust data analysis process and system demonstrates these two schools are low-performing and/or at-risk, and are ready for the value added innovation that an extended school year model would bring to the school to boost student achievement.

### **Days of Instruction**

The overall time frame of the traditional school year calendar established by Governor Larry Hogan's Executive Order of August 31, 2016 (amended October 11, 2016), remains in place for the 2019–2020 school year. The general parameters of the calendar based on the Executive Order and the school closings that are mandated by state law are as follows:

- First day of school: Tuesday, September 3, 2019
- Last permissible day of instruction: Monday, June 15, 2020

Closings required by state law:

- Tuesday, November 5, 2019: Election Day
- Thursday, November 28 and Friday, November 29, 2019: Thanksgiving and the day after
- Tuesday, December 24, 2019 through Wednesday, January 1, 2020: Christmas Eve through January 1, 2020
- Monday, January 20, 2020: Martin Luther King, Jr. Day
- Monday, February 17, 2020: Presidents' Day
- Friday, April 10, 2020: Friday before Easter
- Monday, April 13, 2020: Monday after Easter
- Tuesday, April 28, 2020: Primary Election Day\*
- Monday, May 25, 2020: Memorial Day

\*Tentative date

Below is an outline of the proposed framework of the innovative school calendar:

- The first day of school would be Monday, July 8, 2019.
- The last permissible day of instruction would be Monday, June 15, 2020. However, the last day of school could be earlier, possibly as early as Tuesday, June 9, 2020.
- The innovative calendar will have 210 instructional days, with quarters approximately 52 days in length. As a result, it will not need to include additional days for possible make-up due to emergency closures.
- Following instruction in July and early August, the innovative calendar will include an extended break within the last two weeks of August.

- Between the September 3, 2019, and June 15, 2020, timeframe, the innovative school year calendar will follow the same structure as the traditional school year calendar, once adopted by the Board of Education. This will include all State mandated closures, as well as any other days identified for closure by the Board of Education for the traditional school year calendar.
- During this September 3, 2019, to June 15, 2020, timeframe, the innovative school year calendar may differ in the placement of early release days, parent conferences, and other instructional features. In addition, the innovative school year calendar may have a last day of school that is earlier than the traditional calendar.

### **Next Steps**

The State Board of Education has developed an application for a waiver of calendar parameters. Following the Policy Management Committee's discussion, on July 30, 2018, the full Board of Education will consider whether to submit a waiver application to the State for an innovative school year calendar to start earlier than the Tuesday after Labor Day. Applying for this waiver will allow staff to continue working with stakeholders to develop the implementation of the innovative extended year school model at Arcola and Roscoe R. Nix Elementary Schools.

At the same time, staff will be developing the instructional framework for the traditional school year calendar for 2019-2020 in accordance with Policy IDA. The instructional and operational details for both calendars will be finalized through this process, and ultimately both the traditional and innovative school year calendars will be adopted by the Board of Education later this year.

MVN:cly

Copy to:

Executive Staff  
Dr. D. Collins

## **Policy Management Committee Meeting Informational Summary**

July 19, 2018

The Policy Management Committee (Committee) held a meeting on Thursday, July 19, 2018, at 3:00 p.m. at the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland. The following were present:

**Board Committee Members and Board Staff Present:** Patricia O’Neill (chair), Judith Docca, Jill Ortman-Fouse, Ananya Tadikonda, Suzann King (staff assistant, policy and communications), and Victoria Van Dyke (administrative legal secretary/recorder).

**Other Staff Present:** Joshua I. Civin, general counsel, Office of the General Counsel; Arronza M. LaBatt, executive director, Office of School Support and Improvement; Essie McGuire, executive director, Office of the Chief Operating Officer; Maureen Q. McNamara, policy and forms specialist, Office of the General Counsel; Lori-Christina Webb, executive director, Office of the Chief Academic Officer; Stephanie P. Williams, associate general counsel, Office of the General Counsel; Michael Lewis, operations manager, Office of the Chief Operating Officer; Deann M. Collins, director, Department of Elementary Curriculum and Districtwide Programs; Scott W. Murphy, director, Department of Secondary Curriculum and Districtwide Programs; Jonathan Brice, associate superintendent, Office of Student and Family Support and Engagement; Shella B. Cherry, coordinator, Student Leadership Office; and Sherwin A. Collette, associate superintendent, Office of Employee Engagement and Labor Relations.

The video/audio recordings of the Board of Education committee meetings are the official record of the meetings and can be viewed at <http://mcpsmd.swagit.com/play/07192018-1024>.

The following summary is for informational purposes only. If there is any discrepancy between the video and this summary, the video, which constitutes the minutes of the meeting, shall control. All matters addressed by or discussed with the Committee are available in the video/audio recordings.

### **Call to Order**

The meeting was called to order at 3:00 p.m.

### **Informational Summary**

The Informational Summary for the May 15, 2018, meeting was provided to the Committee members for informational purposes.

### **Discussion of Policy IDA, School Year Calendar**

Staff members and invited guests provided an overview of the results from the comprehensive survey that was conducted and how it will impact the work by staff on the framework for the 2019-2020 school year calendar.

It is anticipated that proposed calendar scenarios will be brought before the Board of Education (Board) in the fall of 2018.

Read the [memorandum](#), [Hanover Research survey summary](#), Policy [IDA](#), and the [PowerPoint](#). The webcast for this item can be viewed at <http://mcpsmd.swagit.com/play/07192018-1024/#5>.

### **Discussion of Waiver of School Year Calendar for Extended Year Schools (Arcola and Roscoe R. Nix elementary schools)**

Staff members provided an overview of the process to seek a waiver from the Maryland State Department of Education for the extended school year project under development for Arcola and Roscoe R. Nix elementary schools, that was followed by a discussion of the key issues to be considered in extending the school year at the aforementioned elementary schools.

On motion of Mrs. O'Neill, and seconded by Ms. Ortman-Fouse, the Committee unanimously voted to recommend to the full Board that it approve the request for a waiver for an extended school year to begin on July 8, 2019, at Arcola and Roscoe R. Nix elementary schools.

Read the [memorandum](#) and the [PowerPoint](#). The webcast for this item can be viewed at <http://mcpsmd.swagit.com/play/07192018-1024/#7>.

### **Discussion of Policy IGK, Career and Technology Education**

Staff members provided an overview of the components of the framework for potential policy revisions to Policy IGK, *Career and Technology Education*. The presentation and discussion of key issues to consider in potential revisions to Policy IGK included the renaming of the policy, review of the timeline for revising Policy IGK, and the period of time for public comment and community input. It is anticipated that a first draft of the revised policy will be brought before the Committee in the fall of 2018.

Read the proposed [framework for revisions](#) and Policy [IGK](#). The webcast for this item can be viewed at <http://mcpsmd.swagit.com/play/07192018-1024/#9>.

### **Discussion of Policy JED, Residency, Tuition, and Enrollment**

Staff members provided an overview of the processes that are underway to review and update Policy JED, *Residency, Tuition, and Enrollment*. The Committee reviewed the revised policy and public comment that was received from April 12, 2018, to July 6, 2018.

Staff members noted that additional proposed language changes were made to Policy JED as follows:

- On lines 77-78 on page 3, language was added in response to the Dr. Smith's June 6, 2018, memorandum to the Board.
- On lines 239-242, language regarding residency documentation, while not highlighted, was revised.

By consensus, Committee members agreed that the revised draft of Policy JED, *Residency, Tuition, and Enrollment*, should be forwarded to the full Board for final action at an upcoming Board meeting, including changing the classification of the policy index name to Policy JEA.

Read the recommended [draft policy](#), the [public comments](#), and [Dr. Smith's June 6, 2018, memorandum](#). The webcast for this item can be viewed at <http://mcpsmd.swagit.com/play/07192018-1024/#11>.

### **Discussion of Policy KEA, Political Campaigns and Political Materials**

Staff members provided an overview of the processes that are underway to review and update Policy KEA, *Political Campaigns and Political Materials*. The Committee reviewed the proposed changes to the policy that would add civic engagement as a basis for an excused absence. Staff will seek input from all stakeholders (students, staff, and families) after the school year has commenced.

Ms. Ortman-Fouse recommended the following revision: Line 23, page 1: The policy language should be changed to read “to be an active participant in our democratic process.”

By consensus, Committee members agreed that the revised draft of Policy KEA, *Political Campaigns and Political Materials* should be forwarded to the full Board for tentative action at an upcoming Board meeting.

Read the [memorandum](#) and [Dr. Statham’s March 13, 2018, memorandum](#). The webcast for this item can be viewed at <http://mcpsmd.swagit.com/play/07192018-1024/#13>.

### **Discussion of Policy BLB, Rules of Procedure in Appeals and Hearings**

Staff members provided an overview of key revisions required to Policy BLB, *Rules of Procedure in Appeals and Hearings*, in response to new legislation regarding employee access to arbitration.

After a robust Committee discussion, by consensus, the Committee members agreed to recommend to the full Board that it approve the technical amendments proposed in Policy BLB in order to comply with state law.

Read the [draft policy](#) and Maryland Senate Bill [SB639](#). The webcast for this item can be viewed at <http://mcpsmd.swagit.com/play/07192018-1024/#18>.

### **Adjournment**

The meeting was adjourned at 4:58 p.m.



**Monday, July 30, 2018**  
**REVISED Evening Business Meeting Agenda**

**MONTGOMERY COUNTY BOARD OF EDUCATION**  
**850 Hungerford Drive, Rockville, Maryland 20850**  
**BOE@mcpsmd.org**

**1. Closed Session Approval - 3:30 p.m.**

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- 1.1 Acknowledgement of a Quorum
- 1.2 REVISED Resolution for Today's Closed Session

**2. Opening of Meeting - 5:30 p.m.**

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- 2.1 Pledge of Allegiance
- 2.2 Approval of the Agenda

**3. Recognition - 5:35 p.m.**

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- 3.1 Recognition of the Montgomery County Public Schools Educational Foundation, Inc. Scholarship Award Recipients

**4. Public Comments - 5:40 p.m.**

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- 4.1 Teresa D. Combs
- 4.2 Biankah Choute
- 4.3 Rebecca Morley
- 4.4 Margarita Pena
- 4.5 Blanca Mendez
- 4.6 Luis Ramirez
- 4.7 Maria Luisa Hernandez
- 4.8 Viridiana Penalzoa

**5. Board/Superintendent Comments - 6:10 p.m.**

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- 5.1 Board/Superintendent Comments
- 5.2 Board Committee Updates

**6. Consent Items - 6:40 p.m.**

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- 6.1 Procurement Contracts of \$25,000 or More

6.2 Contract Approval for Bid No. 7141.4, Telecommunications and Network Wiring Installation and Integration, and Broadband Cable Network, and Installation of Internal, External IP Surveillance Cameras

6.3 Contract Approval for Bid No. 9102.10, A La Carte Offerings

6.4 Contract Approval for Bid No. 9103.11, Groceries and Staples - Extension

6.5 Award of Contracts - Luxmanor Elementary School Revitalization/Expansion Project

6.6 Award of Contract - Potomac Elementary School Revitalization/Expansion Project

6.7 Award of Contracts - Tilden Middle School and Rock Terrace School Revitalization/Expansion Project

6.8 Award of Contracts - Tilden Middle School and Rock Terrace School/Maryvale Elementary School and Carl Sandburg Learning Center Revitalization/Expansion Projects

6.9 Change Order Over \$100,000 - Bethesda-Chevy Chase High School Addition Project

6.10 Bethesda-Chevy Chase High School - Request to Fund Artificial Turf Installation - Policy CNE, Facility Improvements That Are Not Funded with Montgomery County Revenues

6.11 Fiscal Year 2018 Operating Budget End-of-Year Categorical Summary and Transfer

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**7. Montgomery County Public Schools Strategic Plan: Fiscal Year 2018 - 6:50 p.m.**

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7.1 A Year in Review: Montgomery County Public Schools Strategic Plan: Fiscal Year 2018 (Discussion)

7.2 Innovative School Programming (Discussion/Action)

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**8. Board of Education Items - 8:10 p.m.**

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8.1 Future Closed Session Resolution

8.2 Report of Previous Closed Session

8.3 New Business

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**9. Informational Summaries - 8:13 p.m.**

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9.1 Informational Summary for July 9, 2018, Meeting

9.2 Informational Summary for July 17, 2018, Meeting

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**10. Adjournment - 8:15 p.m.**

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Times listed are intended for guidance only; unless changed by the Board, the order in which items appear will be followed.

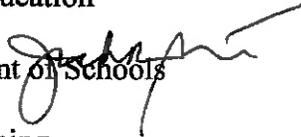
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Office of the Superintendent of Schools  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

July 30, 2018

MEMORANDUM

To: Members of the Board of Education

From: Jack R. Smith, Superintendent of Schools 

Subject: Innovative School Programming

A proposed innovative school year calendar has been under consideration for implementation at two Title I schools, Arcola and Roscoe R. Nix elementary schools. Based on research shared with the Board in a memorandum dated December 13, 2017, the traditional 180-day school calendar may not meet the needs of all students. Research compelled Montgomery County Public Schools (MCPS) leaders to consider innovative methods to best serve our most impacted communities to reduce gaps in performance.

To continue discussions and work around an extended school year for these two elementary schools in the 2019–2020 school year, the Board will need to request a waiver from the Maryland State Board of Education (State Board) to allow for an extended year calendar. Montgomery County Board of Education Policy IDA, *School Year Calendar*, calls for the Policy Management Committee to review the draft school year calendar prior to its presentation to the full Board for adoption.

On July 19, 2018, the Policy Management Committee reviewed the framework and general outline of a proposed innovative school year calendar for the 2019–2020 school year and the required next steps to move forward development of an innovative school year calendar for these two schools.

**Background**

During the 2017–2018 school year, MCPS leaders engaged selected communities in discussions about the impact that this proposed school calendar will have on students, teachers, and families.

- Beginning in August 2017 and throughout the early fall, a work group of representatives from central services offices and the employee associations met to discuss possible innovative school calendar approaches.
- Discussions with employee association leadership continued throughout the fall and winter.
- Beginning in November 2017, meetings expanded to include leadership and staff from Arcola and Roscoe R. Nix elementary schools.

- Meetings with parents/guardians from both schools were held early in 2018. Overall feedback from parents/guardians is that they believe the additional time for their children will enhance their achievement and view the extra learning time as a means for students to access supplemental learning and enrichment experiences.

Based on feedback and these discussions, a framework for a proposed innovative 210-day school calendar has been developed. The proposed 210-day school calendar:

- Exceeds the required 180-day school year requirement specified in Code of Maryland Regulation 13A.02.01.04;
- Does not require any additional days be scheduled for make-up in case of emergency school closings;
- Extends the school year by 30 days, with a proposed first day of school of Monday, July 8, 2019; and
- Includes a last day of school no later than Monday, June 15, 2020, with the last day of school possibly as early as Tuesday, June 9, 2020.

### **Waiver of Calendar Parameters**

Governor Larry Hogan's Executive Order 01.01.2016.13 of August 31, 2016 (amended October 11, 2016), requires all kindergarten through Grade 12 public schools in Maryland to be open for pupil attendance no earlier than the Tuesday immediately following the nationally observed Labor Day holiday. The order also requires that the school year for each public school in Maryland shall adjourn no later than June 15.

The executive order states that local boards of education may apply for waivers of the requirements set forth in the executive order regarding the beginning and/or end dates of the school calendar. To be eligible for a waiver, the local board must demonstrate that it has met all requirements for at least one compelling justification and has conducted at least one public meeting at which the waiver application was considered and approved.

Compelling justification includes the adoption of an innovative school schedule for low-performing or at-risk schools as encouraged by Section 7-103.1 of the Education Article of the Annotated Code of Maryland, which specifically requires the State Board to "explore the use of innovative school scheduling models, including extended year, year-round schooling, or other school scheduling models that do not allow for prolonged lapses in instructional time, in low-performing or at-risk public schools" and to "encourage county boards to use the school scheduling models that are determined to be most effective in enhancing student achievement in low-performing or at-risk public schools." Pursuant to the executive order, any waiver granted by the State Board for an innovative school schedule shall *only* apply to those schools where innovative school schedules are offered.

MCPS is prepared to present compelling justification to implement an innovative school year calendar at Arcola and Roscoe R. Nix elementary schools. The two schools were selected based on an overall review of performance data for Title I schools; the stability of the Title I status

of the schools; principal tenure; levels of participation in existing summer programs; and community engagement. Even though these two schools were not identified as Maryland Priority or Focus Schools for the 2017–2018 school year, they still provide compelling justification for the following reasons:

- Performance for both schools is below the district's performance in literacy and mathematics according to the Evidence of Learning Framework.
- Performance on multiple measures is improving, but there is concern that it may not be adequate to meet *Every Student Succeeds Act* accountability.
- In addition, performance on the Partnership for Assessment of Readiness for College and Careers assessment demonstrates that just more than 50 percent of students are performing at levels 1 and 2 in literacy and mathematics.

The Maryland State Department of Education has stated that it will not identify Comprehensive Support and Improvement and Targeted Support and Improvement schools until the fall. However, our district's robust data analysis process demonstrates that these two schools are low performing and/or at risk, and are ready for the value added innovation that an extended school year model would bring to increase student achievement.

The State Board has developed an application for a waiver of calendar parameters. If the Board approves, a waiver application will be submitted to the State Board for permission to begin the school year earlier than the Tuesday after Labor Day for the identified schools.

### **Days of Instruction**

The overall time frame of the traditional school year calendar established by Executive Order 01.01.2016.13 remains in place for the 2019–2020 school year. The general parameters of the calendar based on the executive order and the school closings that are mandated by state law are as follows:

- First day of school: Tuesday, September 3, 2019
- Last permissible day of instruction: Monday, June 15, 2020

### **Closings required by state law:**

- Thursday, November 28 and Friday, November 29, 2019: Thanksgiving and the day after
- Tuesday, December 24, 2019 through Wednesday, January 1, 2020: Christmas Eve through January 1, 2020
- Monday, January 20, 2020: Dr. Martin Luther King, Jr. Day
- Monday, February 17, 2020: Presidents' Day
- Friday, April 10, 2020: Friday before Easter
- Monday, April 13, 2020: Monday after Easter
- Tuesday, April 28, 2020: Primary Election Day
- Monday, May 25, 2020: Memorial Day

An outline of the proposed framework of the innovative school calendar follows.

- The first day of school would be Monday, July 8, 2019.
- The last permissible day of instruction would be Monday, June 15, 2020. However, the last day of school could be earlier, possibly as early as Tuesday, June 9, 2020.
- The innovative calendar will have 210 instructional days, with quarters approximately 52 days in length. As a result, it will not need to include additional days for possible make-up due to emergency closures.
- Following instruction in July and early August, the innovative calendar will include an extended break within the last two weeks of August.
- Between the September 3, 2019, and June 15, 2020, time frame, the innovative school year calendar will follow the same structure as the traditional school year calendar adopted by the Board. This will include all state-mandated closures, as well as any other days identified for closure by the Board for the traditional school year calendar.
- During this September 3, 2019, to June 15, 2020, time frame, the innovative school year calendar may differ in the placement of early release days, parent conferences, and other instructional features. In addition, the innovative school year calendar may have a last day of school that is earlier than the traditional school year calendar.

### **Next Steps**

The immediate next step is for the Board to submit a waiver application to the State Board for an innovative school year calendar to start earlier than the Tuesday after Labor Day. Applying for this waiver will allow staff to continue working with stakeholders to develop the implementation of the innovative extended year school model at Arcola and Roscoe R. Nix elementary schools.

At the same time, staff will be developing the instructional framework for the traditional school year calendar for 2019–2020 in accordance with Board Policy IDA. The instructional and operational details for both calendars will be finalized through this process, and ultimately the Board will adopt both the traditional and innovative school year calendars later this year.

I recommend approval of the following resolution.

WHEREAS, The establishment of school terms by the Board of Education is required by Maryland State law; and

WHEREAS, Montgomery County Public Schools parents/guardians, community members, students, and staff members should be informed of the Board of Education adopted modifications to the school year calendar each year; and

WHEREAS, Montgomery County Public Schools conducted an inclusive feedback process that convened multiple stakeholder groups to develop the innovative school calendar and identify Arcola and Roscoe R. Nix elementary schools as schools with a compelling justification to implement an innovative school year calendar; and

WHEREAS, The framework and general outline of an innovative school calendar to implement an extended school year for Arcola and Roscoe R. Nix elementary schools in school year 2019-2020 was reviewed by the Board of Education Policy Management Committee on July 19, 2018; and

WHEREAS, Executive Order 01.01.2016.13 requires all public schools in Maryland to begin no earlier than the Tuesday after Labor Day and end no later than June 15; and

WHEREAS, Executive Order 01.01.2016.13 explicitly permits school systems to request a waiver from the calendar requirements set forth within the order to implement an innovative school calendar that accelerates learning in qualifying schools; now therefore be it

Resolved, That the Board of Education find that there is compelling justification to implement an innovative school year calendar for Arcola and Roscoe R. Nix elementary schools based on multiple factors, including performance on multiple measures in literacy and mathematics, stability of the Title I status for both schools, principal tenure, levels of participation in existing summer programs, and community engagement; and be it further

Resolved, That Montgomery County Public Schools seek a waiver as permitted under Executive Order 01.01.2016.13 to begin the 2019–2020 school year earlier than the Tuesday after Labor Day, on July 8, 2019, for Arcola and Roscoe R. Nix elementary schools.

JRS:MVN:DMC:mec

**Montgomery County Board of Education**  
**Informational Summary**  
Monday, July 30, 2018

The Board of Education of Montgomery County held a regularly scheduled meeting on Monday, July 30, 2018, at 5:30 p.m. at the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland. The following were present:

Michael A. Durso, Shebra L. Evans, Jeanette E. Dixon, Judith Docca, Patricia O’Neill, Jill Ortman-Fouse, Ananya Tadikonda, and Jack R. Smith (secretary/treasurer). (Mrs. Smondrowski participated via conference call for closed session but was not present for the open session of the July 30, 2018, Board meeting.)

The video/audio recordings of the Board of Education meetings are the official record of the meetings and can be viewed at <http://mcpsmd.swagit.com/play/07302018-575>.

The following is a summary of the motions made and the votes taken at the meeting and are for informational purposes only. If there is any discrepancy between the video and this summary, the video, which constitutes the minutes of the meeting, shall control. Other matters addressed by or discussed with the Board are available in the video/audio recordings.

**RESOLUTION NO. 370-18: Revised Resolution for Today’s Closed Session**

**ACTION:** On motion of Mrs. O’Neill, seconded by Ms. Dixon, the Board of Education unanimously approved, among those present, the following revised resolution: (Dr. Docca and Mrs. Smondrowski were not present for the vote but were present for the closed session meeting.)

WHEREAS, The Board of Education of Montgomery County is authorized by the *Education Article*, Section 4-107(d), and *General Provisions Article*, Section 3-305(b) et seq., 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 conduct a closed session on July 30, 2018, in Room 120 of the Carver Education Services Center, 850 Hungerford Drive, Rockville, Maryland, from 3:30 p.m. to approximately 5:30 p.m., and as personnel matters arising under Section 6-202 of the *Education Article* are to be discussed, that the Board of Education invite the Student Board Member to attend as provided by the *Education Article* in Section 3-901(e)(5), in order to discuss and consider:

- a. Various quasi-judicial matters outside the purview of the *Open Meetings Act*, which shall be summarized in the Report of Previous Closed Session;
- b. Various administrative matters outside the purview of the *Open Meetings Act*, which shall be summarized in the Report of Previous Closed Session;

- c. The Equal Employment Opportunity Report and the Sexual Harassment Quarterly Report from the superintendent of schools, which are administrative functions and outside the purview of the *Open Meetings Act*, and to the extent any individual employee is discussed, as permitted under Section 3-305(b)(1) of the *General Provisions Article*;
- d. Various matters regarding procurement issues related to the award of construction contracts, including receiving legal advice and discussing with staff pending and potential litigation, which must be shared in closed session to prevent disclosure of the Board's legal position or strategy in a potential and pending litigation; to prevent disclosures that may negatively impact the Board's position with regard to a pending or possible future litigation; to maintain confidentiality with regard to the current status of ongoing litigation; to discuss the contents of a bid proposal, because a public discussion would adversely impact the ability of the Board to participate in the competitive bidding or proposal process; and to preserve attorney-client privilege and is permissible pursuant to *General Provisions Article*, Sections 3-305(b)(7), 3-305(b)(8) and 3-305(b)(14); and be it further

Resolved, That the meeting continue in closed session until the completion of the business described above.

#### **Call to Order**

The Board of Education met in closed session from 3:31 p.m. to 5:25 p.m. and convened in open session at 5:33 p.m. in Room 114 of the Carver Educational Services Center.

#### **Acknowledgement of Quorum**

#### **Pledge of Allegiance**

#### **RESOLUTION NO. 371-18: Approval of the Revised Agenda**

ACTION: On motion of Mrs. O'Neill, seconded by Mrs. Evans, the Board of Education unanimously voted, among those present, to approve the revised agenda for the July 30, 2018, meeting.

#### **Recognition**

#### **RESOLUTION NO. 372-18: Recognition of the Montgomery County Public Schools Educational Foundation, Inc. Scholarship Award Recipients**

ACTION: On recommendation of the superintendent of schools, and on motion of Mrs. O'Neill, seconded by Dr. Docca, the Board of Education unanimously voted, among those present, to approve the resolution recognizing the Montgomery County Public Schools Educational Foundation, Inc. Scholarship Award Recipients.

## **Public Comments**

The following individuals made comments during the meeting:

1. Teresa D. Combs
2. Rebecca Morley
3. Margarita Pena
4. Luis Ramirez
5. Viridiana Penaloza

## **Board/Superintendent Comments**

Board of Education members and the superintendent offered remarks concerning various issues and notable events.

## **Board Committee Updates**

Board members provided updates concerning the Policy Management, Strategic Planning, and Fiscal Management committees.

## **CONSENT ITEMS**

**ACTION:** On recommendation of the superintendent of schools and on motion of Mrs. O'Neill, seconded by Dr. Docca, the following consent items were unanimously approved, among those present, except as noted for Resolution No. 381-18:

**RESOLUTION NO. 373-18:** Procurement Contracts of \$25,000 or More

**RESOLUTION NO. 374-18:** Contract Approval for Bid No. 7141.4, Telecommunications and Network Wiring Installation and Integration, and Broadband Cable Network, and Installation of Internal, External IP Surveillance Cameras

**RESOLUTION NO. 375-18:** Contract Approval for Bid No. 9102.10, A La Carte Offerings

**RESOLUTION NO. 376-18:** Contract Approval for Bid No. 9103.11, Groceries and Staples - Extension

**RESOLUTION NO. 377-18:** Award of Contracts – Luxmanor Elementary School Revitalization/Expansion Project

**RESOLUTION NO. 378-18:** Award of Contract – Potomac Elementary School Revitalization/Expansion Project

**RESOLUTION NO. 379-18:** Award of Contracts - Tilden Middle School and Rock Terrace School Revitalization/Expansion Project

**RESOLUTION NO. 380-18:** Award of Contracts - Tilden Middle School and Rock Terrace School/Maryvale Elementary School and Carl Sandburg Learning Center Revitalization/Expansion Projects

**RESOLUTION NO. 381-18:** Bethesda-Chevy Chase High School - Request to Fund Artificial Turf Installation - Policy CNE, Facility Improvements That Are Not Funded with Montgomery County Revenues. (Ms. Ortman-Fouse subsequently noted she was abstaining from the vote on this item.)

**RESOLUTION NO. 382-18:** Fiscal Year 2018 Operating Budget End-of-Year Categorical Summary and Transfer

**ADDITIONAL CONSENT ITEM**

**ACTION:** On recommendation of the superintendent of schools and on motion of Mrs. O’Neill, seconded by Ms. Dixon, the Board of Education approved the following consent item with Mr. Durso, Mrs. Evans, Ms. Dixon, Dr. Docca, and Mrs. O’Neill voting to approve. Ms. Ortman-Fouse and Ms. Tadikonda abstained.

**RESOLUTION NO. 383-18:** Change Order Over \$100,000 - Bethesda-Chevy Chase High School Addition Project

**Montgomery County Public Schools Strategic Plan: Fiscal Year 2018**

The Board received a year in review update from the superintendent of schools and staff on the Montgomery County Public Schools (MCPS) Strategic Plan: Fiscal Year 2018, including a discussion on the different ways in which MCPS worked toward maintaining its core values in a variety of content areas.

Read the [memorandum](#) and the [PowerPoint](#).

**Montgomery County Public Schools Innovative School Programming**

The Board received an overview from the superintendent of schools and staff on the Montgomery County Public Schools Innovative School Programming proposal to implement an innovative school calendar for two Title I schools, Arcola and Roscoe R. Nix elementary schools.

**RESOLUTION NO. 384-18: Innovative School Programming Proposal**

**ACTION:** On recommendation of the superintendent of schools and on motion of Mrs. O’Neill, seconded by Dr. Docca, the Board of Education unanimously approved, among those present, the following:

Resolved, That the Board of Education find that there is compelling justification to implement an innovative school year calendar for Arcola and Roscoe R. Nix elementary schools based on multiple factors, including performance on multiple measures in literacy and mathematics, stability of the Title I status for both schools, principal tenure, levels of participation in existing summer programs, and community engagement; and be it further

Resolved, That Montgomery County Public Schools seek a waiver as permitted under Executive Order 01.01.2016.13 to begin the 2019–2020 school year earlier than the Tuesday after Labor Day, on July 8, 2019, for Arcola and Roscoe R. Nix elementary schools.

Read the [memorandum](#).

## **Board of Education Items**

### **RESOLUTION NO. 385-18: Future Closed Session Resolution**

ACTION: On recommendation of the superintendent of schools and on motion of Mrs. O'Neill, seconded by Mrs. Evans, the Board of Education unanimously voted, among those present, to adopt the Future Closed Session Resolution.

### **RESOLUTION NO. 386-18: Report of Previous Closed Session**

ACTION: On recommendation of the superintendent of schools and on motion of Mrs. O'Neill, seconded by Mrs. Evans, the Board of Education unanimously voted, among those present, to approve the following Report of Previous Closed Session:

On July 17, 2018, the Board of Education voted unanimously, among those present, to conduct a closed session, as permitted under the *Education Article* Section 4-107(d) and the *General Provisions Article* Section 3-305(b) et seq., of the *Annotated Code of Maryland*.

The Board of Education of Montgomery County met in closed session on July 17, 2018, from 12:01 p.m. to 2:33 p.m. in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, and:

1. Approved Decisions and Orders regarding a student transfer and a personnel matter, in Board Appeal T-2018-34 and Board Matter 2017-66, as permitted in its quasi-judicial capacity outside the purview of the *Open Meetings Act*. (Ms. Tadikonda did not participate in the approval of the Decision and Order for Board Matter 2017-66.)
2. Considered appeals regarding student transfers, a placement, program appeals, early entrance to kindergarten, an *Administrative Complaint*, and a personnel matter, in its quasi-judicial capacity outside the purview of the *Open Meetings Act*. The Board of Education decided the matters as follows:

**Board Appeal No. T-2018-37:** On motion of Ms. Ortman-Fouse and seconded by Mrs. O'Neill, the Board of Education voted to affirm the decision of the superintendent's designee to deny the transfer request with Mr. Durso, Mrs. Evans, Ms. Dixon, Dr. Docca, Mrs. O'Neill, Ms. Ortman-Fouse, and Ms. Tadikonda voting to affirm and with Mrs. Smondrowski voting not to affirm the decision.

**Board Appeal No. T-2018-38:** On motion of Ms. Ortman-Fouse and seconded by Mrs. Smondrowski, the Board of Education unanimously voted to affirm the decision of the superintendent's designee to deny the transfer request.

**Board Appeal No. T-2018-39:** On motion of Mrs. O'Neill and seconded by Mrs. Evans, the Board of Education voted to affirm the decision of the superintendent's designee to deny the transfer request with Mr. Durso, Mrs. Evans, Dr. Docca, Mrs. O'Neill, Ms. Ortman-Fouse, and Ms. Tadikonda voting to affirm and with Ms. Dixon and Mrs. Smondrowski voting not to affirm the decision.

**Board Appeal No. T-2018-41:** On motion of Mrs. O'Neill and seconded by Ms. Dixon, the Board of Education unanimously voted to reverse the decision of the superintendent's designee to deny the transfer request.

**Board Appeal No. DCC-2018-42:** Ms. Ortman-Fouse moved, and Mrs. Evans seconded, to affirm the decision of the superintendent's designee to deny the placement request. Mr. Durso, Mrs. Evans, Dr. Docca, and Mrs. O'Neill voted to affirm the decision, and Ms. Dixon, Ms. Ortman-Fouse, Mrs. Smondrowski, and Ms. Tadikonda voted not to affirm the decision. The Board of Education was unable to attain the five votes necessary to affirm or reverse the decision of the superintendent's designee; accordingly, the decision of the superintendent's designee stands.

**Board Appeal No. 2018-15:** On motion of Mrs. O'Neill and seconded by Mrs. Smondrowski, the Board of Education unanimously voted to adjudicate Board Appeal No. 2018-15 on the written record. On motion of Mrs. O'Neill and seconded by Ms. Dixon, the Board of Education unanimously voted to affirm the decision of the superintendent's designee to deny the student's admission to the requested programs.

**Board Appeal No. 2018-17:** On motion of Mrs. O'Neill and seconded by Ms. Dixon, the Board of Education voted to adjudicate Board Appeal No. 2018-17 on the written record, with Ms. Dixon, Dr. Docca, Mrs. O'Neill, and Ms. Ortman-Fouse voting to adjudicate on the written record, and with Mrs. Evans and Mrs. Smondrowski voting to grant the request for oral argument. Mr. Durso and Ms. Tadikonda did not participate in the adjudication of this appeal.

On motion of Mrs. O'Neill and seconded by Ms. Dixon, the Board of Education voted unanimously, among those voting, to uphold the education-related decisions that have been made (regarding the transcript reviews and denial of requested leave) and defer consideration of those parts of her administrative complaints alleging workplace harassment until a Level III decision is made and that issue is ready for review by the Board.

**Board Appeal No. 2018-18:** On motion of Mrs. O'Neill and seconded by Ms. Ortman-Fouse, the Board of Education unanimously voted to adjudicate Board Appeal No. 2018-18 on the written record. On motion of Mrs. O'Neill and seconded by Ms. Dixon, the Board of Education unanimously voted to affirm the decision of the superintendent's designee to deny the student's admission to the requested programs.

**Board Appeal No. 2018-19:** On motion of Mrs. O'Neill and seconded by Mrs. Smondrowski, the Board of Education unanimously voted to adjudicate Board Appeal No. 2018-19 on the written record. On motion of Mrs. O'Neill and seconded by Dr. Docca, the Board of Education unanimously voted to affirm the decision of the superintendent's designee to deny the student's admission to the requested program.

**Board Appeal No. 2018-20:** On motion of Mrs. O’Neill and seconded by Ms. Dixon, the Board of Education unanimously voted to adjudicate Board Appeal No. 2018-20 on the written record. On motion of Mrs. O’Neill and seconded by Ms. Dixon, the Board of Education voted to affirm the decision of the superintendent’s designee to deny the student’s admission to the requested program with Mr. Durso, Mrs. Evans, Ms. Dixon, Dr. Docca, Mrs. O’Neill, Ms. Ortman-Fouse, and Ms. Tadikonda voting to affirm, and with Mrs. Smondrowski voting not to affirm the decision.

**Board Appeal No. 2018-21:** On motion of Ms. Ortman-Fouse and seconded by Mrs. Smondrowski, the Board of Education unanimously voted to adjudicate Board Appeal No. 2018-21 on the written record. On motion of Mrs. O’Neill and seconded by Ms. Dixon, the Board of Education unanimously voted to affirm the decision of the superintendent’s designee to deny the student’s admission to the requested program.

**Board Matter No. 2018-23:** On motion of Mrs. O’Neill and seconded by Ms. Ortman-Fouse, the Board of Education voted to adopt the superintendent’s recommendation to suspend the employee without pay for ten duty days for misconduct in office and insubordination, with Mr. Durso, Mrs. Evans, Ms. Dixon, Mrs. O’Neill, Ms. Ortman-Fouse, and Mrs. Smondrowski voting to adopt the superintendent’s recommendation. Dr. Docca voted not to accept the superintendent’s recommendation. Ms. Tadikonda did not participate in the adjudication of this matter.

**Board Appeal No. 2018-25:** On motion of Ms. Ortman-Fouse and seconded by Dr. Docca, the Board of Education unanimously voted to adjudicate Board Appeal No. 2018-25 on the written record. On motion of Mrs. O’Neill and seconded by Ms. Ortman-Fouse, the Board of Education unanimously voted to affirm the decision of the superintendent’s designee to deny the student’s early entrance into kindergarten.

**Board Appeal No. 2018-26:** On motion of Ms. Ortman-Fouse and seconded by Ms. Dixon, the Board of Education unanimously voted to adjudicate Board Appeal No. 2018-26 on the written record. On motion of Mrs. O’Neill and seconded by Dr. Docca, the Board of Education unanimously voted to affirm the decision of the superintendent’s designee to deny the student’s early entrance into kindergarten.

**Board Appeal No. 2018-27:** On motion of Mrs. O’Neill and seconded by Ms. Ortman-Fouse, the Board of Education unanimously voted to adjudicate Board Appeal No. 2018-27 on the written record. On motion of Mrs. O’Neill and seconded by Ms. Tadikonda, the Board of Education unanimously voted to affirm the decision of the superintendent’s designee to deny the student’s early entrance into kindergarten.

3. Received a briefing from the superintendent of schools on the Monthly Human

Resources and Development Report, with a subsequent vote in open session, which is an administrative function outside the purview of the *Open Meetings Act*, and to the extent an individual employee was discussed, as permitted under Section 3-305(b)(1) of the *General Provisions Article*.

4. Received a briefing by the superintendent of schools on the following Human Resources and Development appointment, as permitted under Section 3-305(b)(1) of the *General Provisions Article*: staff assistant, Governmental Affairs and Community Outreach.
5. Discussed with the superintendent of schools the Board's strategy, positions, and parameters regarding the impact of the Innovative School Year Program on collective bargaining agreements, as permitted by *General Provisions Article*, Section 3-305(b)(9), and received legal advice in connection therewith, as permitted by *General Provisions Article*, Section 3-305(b)(7), which discussions must remain confidential to protect the negotiation strategy of the Board and to protect and maintain attorney-client privilege; moreover, to the extent that these matters were discussed in the context of Fiscal Year 2020 Operating Budget Strategy, and how such matters may impact the formulation of the budget, they are administrative matters outside of the purview of the *Open Meetings Act*.
6. Received from the superintendent of schools information about the administration of the school system, including a report of the following: a newspaper article regarding the educational pedagogy behind magnet school programs; an update on safety and security; and information regarding the status of Central Office facility improvements, which are administrative functions outside the purview of the *Open Meetings Act*.
7. Received legal advice concerning a recent U.S. Supreme Court decision regarding labor relations and ongoing litigation, and received information from staff about this litigation to prevent disclosure of the Board's legal position or strategy in ongoing litigation; to prevent disclosures that may negatively impact the Board's position with regard to a pending or possible future litigation, which advice must be shared in closed session to preserve attorney-client privilege and is permissible pursuant to *General Provisions Article*, Sections 3-305(b)(7) and 3-305(b)(8).
8. Received legal advice regarding the employee investigation process and recent employee matters, as well as received legal advice concerning litigation and information from staff about this litigation to prevent disclosure of the Board's legal position or strategy in ongoing litigation; to prevent disclosures that may negatively impact the Board's position with regard to a pending or possible future litigation; to maintain confidentiality with regard to the current status of ongoing litigation, which advice must be shared in closed session to preserve attorney-client privilege and is permissible pursuant to *General Provisions Article*, Sections 3-305(b)(7) and 3-305(b)(8).

In attendance at the closed session were Michael A. Durso, Shebra L. Evans, Jeanette E. Dixon, Judith Docca, Patricia B. O'Neill, Jill Ortman-Fouse, Ananya Tadikonda, Ikhide Roland Ikheloa,

Suzann M. King, Heather L. Mitchell, and Victoria Van Dyke (recorder). At 12:15 p.m., Rebecca Smondrowski joined the meeting via telephone. At 1:22 pm, Heather Mitchell left the meeting. At 1:23 p.m., the following staff joined the meeting: Jack R. Smith, Andrew M. Zuckerman, Kimberly A. Statham, Maria V. Navarro, Henry R. Johnson, Derek G. Turner, Joshua I. Civin, Essie McGuire, Linda E. Ferrell, Darlene M. Harris, Sherwin Collette, and Deann Collins. (Please note: There were brief absences during the closed session: Mr. Ikhide Roland Ikheloa – 1:08-1:12 p.m.; Ms. Suzann M. King – 2:07-2:11 p.m.; Dr. Henry R. Johnson – 2:15-2:22 p.m.) At 1:45 p.m., Dr. Deann Collins left the meeting. At 2:10 p.m., Essie McGuire left the meeting. Closed session adjourned at 2:33 p.m.

### **New Business**

There was no new business.

### **Informational Summaries**

The Informational Summaries for the following meetings were provided to the Board of Education for informational purposes:

- July 9, 2018, Swearing-in of the Student Member of the Board meeting
- July 17, 2018, Board meeting

### **Adjournment**

#### **RESOLUTION NO. 387-18: Adjournment**

ACTION: On recommendation of the superintendent of schools and on motion of Mrs. O'Neill, seconded by Ms. Dixon, the following resolution was unanimously approved among those present:

Resolved, That the Board of Education adjourn its meeting of July 30, 2018, at 7:45 p.m.