

**Minutes MCCPTA Delegates Assembly**  
**January 26, 2010**  
**Carver Educational Service Center**

The meeting was preceded by a program, "Men in PTA" from 6:30 to 7:30 pm, led by Jaimie Jacobson, MCCPTA Treasurer.

**Call to Order:**

President Kay Romero called the meeting to order at 7:38 pm.

**Mission Statement:**

Andrea Bernardo, MCCPTA Bylaws Committee Chair, read the PTA Mission Statement.

**Approval of Agenda and November 24, 2009 Minutes:**

The agenda was amended to remove the Proposed Motion from Wootton HS PTSA and approved as amended by a voice vote.

The minutes from November 2009 were reviewed and approved as submitted by a voice vote.

**Treasurer's Report:**

MCCPTA Treasurer, Jaimie Jacobson, reviewed the treasurer's report. Some items highlighted were our goal of 51,000 members, and he noted that we are getting closer. He asked the Delegates to remind their PTAs to send in their dues.

We are also still working on raising more money for the Principals and Presidents dinner.

He noted the reduced cost for the Blue Book, reducing the \$4,100 budgeted, to only \$2,500 spent by making some changes in the number printed and other adjustments. This was done as a cost saving measure.

He addressed the issue of PTAs contributing to other charitable organizations, since it had been discussed on the Treasurers listserv recently. PTAs can make contributions, but he noted that National PTA had recommended that any donations be made directly to the charitable organization and not via the PTA accounts. Juan Johnson, AVP Northwest, Poolesville, Quince Orchard, Seneca Valley clusters, noted that if the money were to go through the PTA accounts, it would count as income for the PTA, and that is to be avoided.

Kay Romero stated that the treasurer's report would be filed.

**Reports:**

## **Officer Reports:**

Kay stated that local PTAs would be receiving a letter from MCCPTA regarding their good standing status. This is being sent at the request of Maryland PTA, who has been reviewing the requirements for good standing and has noted what is required. Maryland PTA holds the charters of all local PTAs and MCCPTA, and we all need to be in compliance. If your PTA is not in compliance, Maryland PTA could revoke your charter and you could lose your non-profit status. The IRS is putting more pressure on Maryland PTA to have all PTA units under their charter in good standing.

Kay attended a recent Policy Committee meeting and noted the following:

Policy JHF, Bullying, Harassment, or Intimidation, will go before the BOE on March 9, with recommended changes based in part on comments submitted by parents and community members.

Policy FAB, Modernizations and Renovations, has been recommended to be rescinded, and a draft of how to incorporate the provisions elsewhere will be worked on this summer. Kay will put out information on this.

Policy JNA, Curricular Expenses, MCPS reported that everything is fine. One school requested and received approval for an adjustment in a fee for a book for a pilot program. Kay will put out more information on this.

Kristin Tribble, VP for Educational Issues had nothing to report.

Rebecca Smondrowski, VP for Legislation stated that she would report after the Committee reports since they were relevant to her work.

Carol Salsbury, VP for Programs, reported that the February program preceding the Delegates Assembly on February 23, 2010 would be on the status of the Learning Centers. She also stated that we need Champions for Children nominations. The award includes a cash award for a PTA, and the nomination forms are on the MCCPTA website and have been sent out via the listserv. Last year, Arcola ES PTA won.

## **Committee Reports:**

### **CIP Committee:**

Juan Johnson, the newly appointed VP for Administration, was introduced by Kay to the Assembly, and she explained the process for his being voted into office over the next month.

He reported that the CIP testimony before the County Council would be Feb. 9 and 10, and he still needed to hear from a couple of clusters as to their preference of nights. He

will then send out the results to the Cluster Coordinators. At the County Council, our testimony is interspersed with community groups and individuals.

### **Operating Budget Committee:**

Pam Moomau, Operating Budget Committee Chair, provided the delegates with an update on the status of the Operating Budget. She reviewed the Maintenance of Effort controversy currently in the news. Last year, the state aid was lower than expected, the economy was bad, and both MCPS and Montgomery County Government tightened their budgets. It was then discovered that we did not receive the amount of State aid we were entitled to, so when that extra money arrived, the County had to put less into funding the schools.

The County applied for a waiver on the Maintenance of Effort rule, since there is a provision in the law for unusual circumstances, but it was denied. The County Council then decided to instead include some MCPS debt service funding in the MCPS operating budget in order to bring the total amount of the operating budget up to required MOE levels. The State Attorney General ruled that this did not meet the Maintenance of Effort requirement in November of 2009.

The State of Maryland has asked Montgomery County to return \$46 million, and the County Council wants that money to come from funding for MCPS.

There has been a Bill introduced at the Maryland General Assembly to waive this year's MOE requirement for Montgomery County. Pam was seeking input from the Delegates as to whether or not we should support this bill. She reminded the Delegates that as a general rule, our organization supports the MOE law, but in this case, there was a very unusual set of circumstances that resulted in this situation.

Laurie Halverson, Churchill Cluster Coordinator, asked if the other two counties that did not meet MOE were also introducing legislation? Pam said that to her knowledge they were not.

Paul Morrison, Quince Orchard Cluster Coordinator, spoke in support of producing a resolution in support of the bill since this is a special set of circumstances.

Kay Romero reminded the Delegates that this bill was just for one funding year.

Rich Edelman, Wootton Cluster Coordinator, also spoke in support of a resolution, but wanted to make sure that we reference the fact this is an unusual circumstance to provide an explanation for future years if asked why we supported it.

Paul Scott, Richard Montgomery HS Delegate, asked what level of funding would be used for the base year to prove future MOE funding if the law passes? Would it be 2008?

Pam replied that it was not clear, and that if a resolution were produced, it would need to specify FY2009.

Merry Eisner, Churchill Cluster Coordinator and MDPTA VP Legislation, stated that the section of the Bill provided to Delegates tonight just addresses the waiver, and that other sections of the Bill do address the issue of the MOE indexing.

At this point, Pam and Andrea Bernardo excused themselves to work on the wording of a resolution to be before the Delegates so as to not hold up the business meeting.

### **Legislative Committee:**

Rebecca Smondrowski, VP for Legislation, reported to the Delegates about her work. She is putting together regular legislative updates with our elected officials, but it is important to be careful since it is an election year and we must protect our non-profit status. These updates will be strictly for us to get information, and will likely be held in informal settings such as at Starbucks, or other locations. Some clusters are already doing this.

She is also working on scheduling trips to Annapolis again this year, and has put together a list by cluster spread out over about a month. She is working to coordinate with MD PTA and as soon as the information has been properly vetted, it will be sent out via the listserv and put on the Legislative Committee webpage on the MCCPTA website.

MD PTA is also working on a letter writing campaign, and we will be asked to participate in that as well.

There is an Indoor Air Quality Bill that she has been watching since this is an issue that is of interest to MCCPTA.

Kay then asked Merry Eisner, Churchill Cluster Coordinator and MDPTA VP Legislation, if she would like to add anything to Rebecca's report.

Merry reiterated the caution to everyone that this is an election year, and we must be mindful that any meetings that are arranged must be inclusive of others. There are constraints on both legislators and on non-profits. This is not to say that individuals cannot advocate, they most certainly can! And, she added that everything is in play this year. She is working to coordinate the efforts of all Counties in Maryland. The letter writing campaign is good if you are unable to participate in person. And, they are trying to get kids involved also since that seems to have a big impact on politicians.

Regarding the IAQ bill, Craig Rice is working on it and there is a senator involved so there is cross house work involved. There is also a Helmet Law bill, a Universal Design for Living bill, in fact, there are about 1,500 bills being monitored. The MD PTA Legislative Committee works to help the MD PTA take positions on bills of interest to the members, and sometimes local issues are raised about which there is already an existing law.

Paul Scott, Richard Montgomery HS Delegate, asked about the MOE issue, specifically how other Counties felt about it? Merry replied that she had a table that showed that Montgomery County is actually one of the best in the state on this issue, and that legislators and other Counties are championing MOE.

Greg Williams, Rock Creek Valley ES Delegate, expressed concern that if we try to waive MOE, it would be inconsistent with our past stance. Pam Moomau replied that we are currently advocating for MOE in our FY11 testimony. 2010 was an unusual circumstance, in that the State made a mistake in funding, which resulted in them allocating to little money to us, and we received that money, after the correction was made, late in the year.

Andrea Bernardo, AVP Churchill, Richard Montgomery, Rockville, Wootton Clusters, asked why Montgomery County should pay for the State's mistake?

Kevin David, Seneca Valley Cluster Coordinator, stated that he was totally opposed to the proposed Bill. His concern is that the County Council has not learned the lesson from this, and is not trying to figure out how to abide by the law but is looking for a way out.

### **New Business:**

#### **MC 14-10 – Montgomery County – Maintenance of Effort Waiver:**

Pam Moomau and Andrea Bernardo brought the Resolution forward that they had been writing. Pam introduced the motion, and Andrea seconded it.

*Whereas, Montgomery County is seeking a waiver of Maintenance of Effort provisions for FY2010; and*

*Whereas, the Maryland General Assembly is considering legislation to authorize the MOE waiver for FY2010; and*

*Whereas, the need for a waiver was derived from a funding shortage from FY2009 and paid in FY2010; therefore, be it*

*Resolved that MCCPTA supports MC 14-10, Montgomery County Maintenance of Effort for FY2010 only; and be it further*

*Resolved that this support is based on the unique circumstances for FY 2010's funding arrangement, caused by the previous year's shortfall in state funding; and be it further*

*Resolved that MCCPTA supports a stringent MOE policy for school funding.*

Pam reiterated that she shared the concerns about supporting the waiver, and that Dr. Weast, and the BOE made a deal with the County Council to support a one time only waiver. That was turned down in June, at which point the County Council moved some of the CIP budget into the Operating Budget, which the BOE protested.

Jen Pories, Wootton Cluster Coordinator, asked if anyone went back to the state to request a reversal of the entire transaction? Kay replied the Nancy Grasmick, the State Superintendent of Schools, deferred it to the State BOE. Pam replied that no one had asked because the County council tried other alternatives.

Trish Powell, Bells Mill ES Delegate, asked if the dollars spent per student could be calculated by using the money spent by the state and Montgomery County together? Pam replied she was unable to answer that question.

Lara Wibeto, Darnestown ES Delegate, commented that we needed to make sure that there are not future ramifications to our County if we support this bill. She would not like to see our County punished for this in future years. She would like to see something in writing from the Governor's office.

Sally Taber, AVP Blair, Einstein, Kennedy, Northwood Clusters, asked if this legislation was the only way to not have the fine imposed on us?

Merry Eisner, Churchill Cluster Coordinator and MDPTA VP Legislation, stated that once the bill comes out of our Delegation, it next goes to the Ways and Means Committee and then to the House and Senate at the State House. And, this is the only way for Montgomery County to avoid the fine. Pam added that a specific section of the bill deals with the fine.

Hajira Shariff, Oakland Terrace ES Delegate, asked for a clarification as to why we were voting on this resolution tonight, and that she wanted to bring it back to her PTA for comment. Merry stated that this was an emergency, that the bill was being voted on this coming Friday, and if we did not add our voice now, we would lose an opportunity.

Paul Scott, Richard Montgomery HS Delegate, spoke in favor of the bill, stating that our purpose is advocating for proper resources for our schools, but he wanted to make sure that we were not further penalized next year because of this waiver. He offered a friendly amendment to the Resolution, to add at the bottom:

*based on FY2009 funding levels.*

It was seconded, and passed on a voice vote.

Lynn Hemphill, Parkland MS Delegate, made a motion to amend the second resolved to read:

*erroneous shortfall*

The motion was seconded and passed on voice vote.

Jen Pories, Wootton Cluster Coordinator, asked if this situation, of the County Council being asked to fund a \$79 million shortfall, or paying a \$46 million fine, that perhaps the second alternative seemed more attractive? Andrea Bernardo, stated that there is a lot that goes into this and the County Council will likely not take that risk. Jen replied that we are not likely to get MOE funding from the County Council this year.

Greg Williams, Rock Creek Valley ES Delegate, asked if there was any chance of this bill actually passing the legislature? Merry replied that she thought it had a 50/50 chance. There are a lot of people supporting it. Greg replied that he was concerned we are on a slippery slope of asking for this just for one year, because it sets a precedent. Also, that the BOE felt this bill might not pass, since they are already preparing for more cuts.

Sheryl Friedlander, Garrett Park ES Delegate, spoke in favor of the resolution, and stated that yes, she is aware of the slippery slope, but a cut of \$46 million to this year's budget would have severe impacts on our schools.

Merry Eisner, Churchill Cluster Coordinator and MDPTA VP Legislation, spoke in favor of the resolution, stating that as important as MOE is, there are still flaws in the process. The County Council and the BOE agreed that they could make the budget work last year. She feels that supporting MOE and working for a waiver process are not necessarily opposite positions, because in touch economic times, we need to protect our children, and want to fund to the maximum effect. Pam asked what waiver process might be amended? Merry responded that there is a law now that states that a fine goes against the school system, and the law can be changed so that the fine does not have to be levied against the school system.

Lori Goodwin, Sherwood ES Delegate, stated that \$79 million will not have to be paid back, but if the \$46 million has to be paid, what if we get to April and the fine is being levied, can it be moved to the next FY? Pam replied that sometimes it could be moved into the next fiscal year. MOE for FY11 is in danger also.

Daria Daniel, Forest Knolls ES Delegate, asked what would happen if the Bill does not pass? Pam replied that we would need to pay the \$46 million. Daria asked when that would happen? Pam responded that she was unsure. Daria further asked if we did not support this tonight, we would not have another opportunity? Kay replied that the vote was being taken on Friday, and at a later time, there would be other issues to deal with.

Laura Siegel, Churchill Cluster Coordinator, asked if the BOE is being fined, and the County council made the mistake, who pays? Pam replied that the BOE is pushing back, but according to the County Council, the money is coming from MCPS.

Paul Scott, Richard Montgomery HS Delegate, spoke in favor of the resolution, saying that one way or another there will be cuts. He suggested that we look at the strategy of this resolution, and perhaps use it to force a certain level of funding to get what we need.

Donna Shelly, Rockville HS Delegate, stated that she had heard that Dr. Weast had already told the schools they would be cut \$22 million before June. Kay replied that this fine is in addition to that.

Rich Edelman, Wootton Cluster Coordinator, spoke in favor of the resolution, pointing out that this was a very weird situation in that we got the money late, and so it is not unreasonable that we spent less.

Jim Roberts, Takoma Park MS Delegate, called the question. His motion was seconded and passed on a voice vote.

Pam reread the resolution. It passed on a voice vote.

Kay asked the Delegates to consider extending the time for the end of the meeting to 10 pm. It was so moved, seconded, and passed on a voice vote.

### **Proposed MCCPTA Bylaws Amendment – BOD Restructure – General Membership Voting Body:**

Andrea Bernardo, Bylaws Committee Chair, introduced a proposed bylaws amendment to be voted on in February 2010:

#### *MCCPTA Bylaws Proposed Conforming Amendment*

##### **ARTICLE XII: GENERAL MEMBERSHIP(VOTING BODY)**

*Section 1. The general membership (voting body) of MCCPTA shall consist of the board of directors, executive committee, area vice-presidents, cluster coordinators, standing and non-standing committee chairs, subcommittee chairs and committee points of contact, the presidents of each local PTA or their alternates, and delegates from each local PTA or their alternates as specified in Section 2 of this article.*

*Section 2. In addition to the local PTA president, each local PTA shall be entitled to be represented by 2 delegates or their alternates, selected by the local PTA according to its own by-laws.*

*Section 3. Individuals are entitled to one vote, even though they may be serving in more than one position.*

She explained the purpose of this amendment was to define the general membership voting body to include people that are no longer members of the BOD after recent restructuring changes in our BOD.

Beth Kennington, Northwest Cluster Coordinator, pointed out that this amendment was for Article 11, not article 12. Andrea noted the error and will fix it.

Kay noted that we had accidentally skipped over the item of Old Business.

### **Old Business:**

### **Proposed Motion from the Sherwood Cluster:**

Lee Ann Doerflinger, Blake Cluster Coordinator, brought forward a motion from the Sherwood Cluster schools that was introduced last month.

The schools of the Sherwood Cluster request the elimination of the *Sherwood Area Vice President* position and their administrative consolidation into a unified four cluster Area with the Blake, Paint Branch and Springbrook Clusters. This change includes the position currently named *Northeast Consortium Area Vice President* to be renamed **Northeast Consortium (Blake/Paint Branch/Springbrook) and Sherwood Clusters Area Vice President.**

The purpose of this motion was to bring the Sherwood Cluster PTAs under the Area Vice President for the other three clusters within the same Area.

Abimbola Adebawale-Eyo, Sherwood HS Delegate, spoke in opposition to the motion, stating that her PTSA felt it would endanger their special programs and identity.

Laura Siegel, Churchill Cluster Coordinator, stated that all other AVPs for MCCPTA have the 4 or 5 clusters in their Area under them, and it was illogical to have a single cluster with its own AVP.

The question was called, and the motion was approved on a voice vote.

### **New Business:**

### **Proposed Resolution Health/Safety Committee – Reporting Safety & Security at a Glance Data:**

Laurie Halverson, Health/Safety Committee Chair, brought forward a resolution on Safety and Security at a Glance, to be voted on at the February 2010 meeting:

#### **Proposed Resolution to Propose Changes to the definition of “Serious Incidents” in Regulation COB-RA**

*WHEREAS* on November 13, 2007, the Board of Education adopted Resolution #548-07 to support the district’s goal of improving school safety and security. This resolution provided for useful data on “serious incidents,” suspensions, and other pertinent school data.

*WHEREAS* MCPS Regulation COB-RA defines “serious incidents” for purposes of reporting to an appropriate MCPS office. A compilation of “serious incidents” is the data that is provided for each school in the *School Safety and Security at a Glance* publication.

*WHEREAS* the *Safe Schools Reporting Act of 2005* requires MCPS to report to the Maryland State Department of Education incidents of harassment and bullying as defined by a new state mandated policy.

*WHEREAS* most incidents of harassment and bullying are not shown in the *School Safety and Security at a Glance* report unless an incident qualifies as a “serious incident” under Regulation COB-RA. This does not reflect an accurate picture of bullying and harassment incidents in a school, nor does it indicate the bullying and harassment incidents that are reported to the Maryland State Department of Education.

*BE IT RESOLVED* that MCCPTA requests that MCPS reevaluate it’s definition of “serious incident” under COB-RA and modify the *School Safety and Security at a Glance* Report to include all incidents of bullying and harassment as defined by Policy JHF.

*BE IT ALSO RESOLVED* that MCCPTA requests that data on the following statement be added to the *School Safety and Security at a Glance* Report: “In this school, students bullying other students is a problem.” This statement is currently reflected in the *Student Survey of the School Environment* but is not shown with the other two safety related questions in the *School Safety and Security at a Glance* Report.

Laurie stated that there are no bullying incidents reported in the Schools Safety and Security at a Glance Report at many schools because of the definition of a “serious incident.” Principals need to inform parents about incidents, but may be pressured to under-report incidents because of MCPS goals to reduce "out of school suspensions." Kay added that when this proposed resolution gets posted out, they would add background information for the Delegates.

Laurie then further stated that NCLB has requirements for states to report schools that are considered "persistently dangerous." Each state is allowed under NCLB to define the criteria for these schools and Maryland defines "persistently dangerous schools" by the number of out of school suspensions. Kay added that the police department provided the definition used by the school system for a serious incident.

Jim Roberts, Takoma Park MS Delegate, asked if bullying was defined sufficiently? Laurie replied that the state requires each school system to define bullying, and MCPS does have a definition.

Vivian Scretchen, Northwood HS Delegate, asked if in school suspension would be included? Laurie stated that she would be in discussion of several issues with Kay.

Beth Kennington, Northwest Cluster Coordinator, who also happens to be the Chair of the Northwest HS PTSA Safety Committee, stated that her committee had evaluated the report in question and found that serious incidents that occur are not reported. Kay stated that the criteria used for definition of serious incidents include that if the fight is between consenting parties, it is not considered serious.

#### **MCPS Foreign Language Workgroup Update:**

Jen Pories, Wootton Cluster Coordinator, reported on her participation in the MCPS Foreign Language Workgroup beginning in March 2009. She briefly reviewed the history of the workgroup, its formation, and meetings. The meetings were supposed to end in July, at which point there was supposed to be a draft report issued. As it turned out, the meetings ran into the fall. Then MCPS decided to take the work product from the Workgroup to groups they considered to be representative, and gather comments, then write a report, and include MCCPTA's representative's names on that report. Since we did not participate in the latter part of this, we expressed concern.

Kay stated that whenever she places someone on a workgroup to represent MCCPTA, she informs MCPS and other groups that we take exceptions to not being able to share information with our members and will not abide by any restrictions that say information cannot be brought back to our membership to seek input. She plans to send a letter to MCPS taking exception to having our names used when we did not fully participate.

#### **Workgroup Policy CND Update:**

Laura Siegel, Churchill Cluster Coordinator, reported on her participation on this workgroup. This workgroup is still meeting, and cover fundraising in schools. She had posted on Bulletin asking for feedback to a survey regarding fundraising by different groups. She said that fundraising in the schools has changed over the years. The policy is our opportunity to have input, anything that goes into Regulation is not governed by parental input. It is not the place of MCPS to dictate to PTAs, or Booster Clubs, or any other groups, what kinds of fundraising they do outside of the school day. The IRS and State of Maryland regulate us. We do not want a policy that hinders what we can do. Kay

reminded everyone that anything during the school day MCPS does dictate, but outside of school, it is not in their purview.

Laura is still looking for comments on this policy. Please submit any comments to her.

Kay has made comments on Regulations not having parent input. The Policy committee discussed this today. She is working with them on how to best get parents involved. BOE Policy is a global statement, whereas Regulations are the meat – the specifics of implementation of the policy.

Paul Scott, Richard Montgomery HS Delegate, stated that we needed to put some pressure behind the resolution we passed tonight on the MOE Bill. He wanted us to publicize what we have done as a way to exert pressure. Kay introduced Lee Ann Doerflinger, MCCPTA Public Relations Committee Chair, and she said that she would work with Kay and Pam on drafting a press release. Kay reminded the Delegates that once the info goes out, they need to send it to their communities and encourage them to contact their elected officials.

There being no further business, the meeting was adjourned at 9:45 pm.

Respectfully submitted, Patti Twigg, MCCPTA secretary for DA.