

TENTATIVE MINUTES

BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

Tuesday, September 9, 2003

The Board of Education of Baltimore County, Maryland, met in open session at 4:04 p.m. at Greenwood. President James R. Sasiadek and the following Board members were present: Mr. Donald L. Arnold, Ms. Francesca Cirincione, Mr. John A. Hayden, III, Dr. Warren C. Hayman, Ms. Jean M. H. Jung, Mr. Michael P. Kennedy, Ms. Janese Murray, Ms. Joy Shillman and Mr. James E. Walker. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

The Board entertained oral argument in Hearing Examiner's Case #02-19. The matter was heard in closed session.

In addition to the above listed Board members, also in attendance were the Appellant; the Appellant's Lawyer, David Love, Esq.; Ms. Christine Johns, Deputy Superintendent of Curriculum and Instruction; Ms. Merle Audette, Chief of Staff; Dr. Kim Whitehead, Executive Director of Schools, Central Area; Mr. William Lawrence, Executive Director of Schools, Northeast Area; Dr. Scott Gehring, Executive Director of Schools, Northwest Area; Mr. Robert Kemmerly, Executive Director of Schools, Southeast Area; Dr. Richard Milbourne, Executive Director of Schools, Southwest Area; Ms. Rita Fromm, Executive Director of Planning and Support Operations; Margaret-Ann F. Howie, Esq., Legal Counsel to the Superintendent; Carol Saffran-Brinks, Esq., Assistant County Attorney; and Ms. Brenda Stiffler, Administrative Assistant to the Board of Education.

The proceedings of the hearing were recorded by a court reporter.

Mr. Walker entered the room at 4:12 p.m.

The hearing was concluded at 4:52 p.m.

Board members deliberated on the case.

At 5:23 p.m., Mr. Walker moved the Board go into closed session to discuss personnel matters and to consult with counsel to obtain legal advice pursuant to the Annotated Code of Maryland, State Government Article, §10-508(a)(1), (a)(7), (a)(8), and (a)(9). The motion was seconded by Mr. Kennedy and unanimously approved by the Board.

CLOSED SESSION MINUTES

Mr. Grimsley reviewed with Board members appointments to be considered this evening.

Mr. Grimsley and Mr. Capozzi updated the Board members on the negotiation process.

CLOSED SESSION MINUTES (cont)

Ms. Saffran-Brinks updated the Board on potential litigation with a contractor.

Ms. Saffran-Brinks provided advice to the Board regarding Policy 7520, New Construction: Occupying.

At 6:57 p.m., Mr. Arnold moved that the Board adjourn the closed session for a brief dinner recess. The motion was seconded by Dr. Hayman and approved by the Board.

OPEN SESSION MINUTES

The Board of Education of Baltimore County, Maryland, met in open session at 7:45 p.m. at Greenwood. President James R. Sasiadek and the following Board members were present: Mr. Donald L. Arnold, Francesca Cirincione, Ms. Phyllis E. Ettinger, Mr. John A. Hayden, III, Dr. Warren C. Hayman, Ms. Jean M. H. Jung, Mr. Michael P. Kennedy, Ms. Janese Murray, Ms. Joy Shillman and Mr. James E. Walker. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present as was the media.

Dr. Hairston advised Board members of one adjustment to tonight's agenda – the addition of Exhibit E-1, Budget Appropriation Transfer, under New Business.

PLEDGE OF ALLEGIANCE

The open session commenced with the Pledge of Allegiance to the Flag, which was led by Christine Snyder, Towson University Student, and a period of silent meditation for those who have served education in the Baltimore County Public Schools.

MINUTES

Hearing no additions or corrections to the open and closed session minutes of July 8, 2003 and the closed session minutes of August 26, 2003, Mr. Sasiadek declared the minutes approved as presented on the website.

Mr. Sasiadek informed the audience of the previous sessions in which Board members had participated earlier in the afternoon.

SUPERINTENDENT'S REPORT

Dr. Hairston commented on the dedication and ribbon cutting ceremony for New Town High School. In attendance were the Governor, State Superintendent, County Executive, Former

SUPERINTENDENT'S REPORT (cont)

County Executive Dutch Ruppensberger, Congressman Benjamin Cardin, and a host of delegates. Dr. Hairston shared with the Board and public that New Town High is one of the selected sights for a visitation by a delegation from South Africa.

RECOGNITION OF ADMINISTRATIVE APPOINTMENTS

Mr. Grimsley recognized the administrative appointments approved at the August 12, 2003 meeting.

OLD BUSINESS

Ms. Phyllis Bailey highlighted to the public the Gifted and Talented Education policy.

On motion of Mr. Walker, seconded by Ms. Ettinger, the Board approved Policy 6135, The Gifted and Talented Education Program.

Ms. Ettinger expressed her appreciation to the Superintendent, staff, and Advisory Committee for Gifted Education for their hard work and dedication to get the policy in writing.

REPORTS

The Board received the following reports:

- A. Report on Opening Day – Ms. Audette presented a PowerPoint presentation (Exhibit C) and shared some highlights on the opening day, which included Enrollment; Personnel and Personnel vacancies; Residency; Title I Funding; residency report; Transportation, Food and Nutrition Services; Facilities; Instructional Readiness; and Back-to-School Nights.

Executive Directors shared school opening day highlights for the following areas:

- Dr. Milbourne Southwest Area
- Dr. Gehring Northwest Area
- Dr. Whitehead Central Area
- Mr. Lawrence Northeast Area
- Mr. Kemmery Southeast Area

Dr. Hairston offered thanks to employees and parents for providing a very smooth opening day throughout the county.

REPORTS (cont)

Mr. Sasiadek appreciated the report and the format in which the report was given providing specific data for each area and following the *No Child Left Behind* strategy.

Regarding page 4 under Instructional Readiness, Mr. Kennedy asked if the newly appointed technology teachers are being used as technology teachers.

Ms. Audette responded that they will all be used as technology teachers and that staff is monitoring this closely.

Mr. Kennedy was pleased that we are closing loopholes and implementing the policies and rules on how gifted and talented education is handled within the county. Mr. Kennedy was delighted that the presentations showed the area Executive Directors working with the gifted and talented office.

Dr. Hayman commended Ms. Audette and staff for such a comprehensive report and was by far the best school opening report. He believes it would be helpful to have a comparison of enrollment from last year to this year. Dr. Hayman expressed his concern that 25 of the conditional teachers are in the Southeast and Southwest areas and none in the Central area. Dr. Hayman requested information regarding the number of conditionally certified teachers within the school system.

Dr. Hayman commended Powhatan Elementary, Dr. Milbourne and his staff for having Powhatan removed from the list.

Dr. Hayman inquired as to who will offer the supplemental services for Woodlawn Middle and Winfield Elementary. He will recommend to TABCO to get involved in the supplemental services program. He will share any information with TABCO and leadership regarding this process.

Ms. Ettinger expressed her compliments for a very comprehensive report. She also shared Dr. Hayman's concerns regarding the inequity of distribution of conditionally certified personnel.

Regarding page 13, Personnel, in the Northeast area, Ms. Ettinger inquired as to how we would handle this type of situation until we are able to hire personnel. Mr. Lawrence responded we would bring in long-term substitutes for those positions.

Ms. Ettinger inquired about statements within the presentation that indicated enrollment expectation was incorrect. Ms. Audette replied it is a little early to tell since there are shifts with some schools going down and some going up.

REPORTS (cont)

She stated that by September 30th we should be stabilized and on projection for all schools. Ms. Ettinger requested enrollment data after 9/30/03.

Mr. Walker commended Dr. Hairston and staff on format and content of information for school opening day that was exceptionally well done. Mr. Walker asked if the opening of New Town High School relieves the overcrowding in other nearby high schools. Dr. Gehring responded Randallstown High School is under capacity for the first time in many years. Owings Mills High School is currently at 150 over capacity.

In response to Mr. Walker's question on relocatables at Featherbed Lane Primary, Dr. Gehring stated there are none at the school.

Mr. Walker inquired as to whether "conditional teacher" was part of the language in *No Child Left Behind* with Ms. Audette responding yes. Mr. Walker asked if there were conditional teachers only in the Title I schools. Mr. Grimsley responded that our goal was to fill positions with just certificated employees. He added that many of the conditional teachers are close to being certified.

Dr. Hayman asked whether there were conditional teachers in non-Title I schools. Mr. Grimsley responded yes. The majority have completed programs and are waiting certification requirement. Regarding Mr. Walker's question on certification time, Mr. Grimsley responded that a conditional certificate from the state is up to three years for those in certification programs.

To follow up on Mr. Walker's question, Ms. Ettinger stated it would be helpful for the Board to have the distribution data regarding number of conditionally certified teachers in non-Title I schools.

Mr. Kennedy pointed out that out-of- state scores, in many cases, are lower than those Maryland accepts. He added that under *No Child Left Behind* one could be certified under Maryland state certification requirements but not qualified because of the lack of hours in a specific content area.

Mr. Sasiadek added that he would be interested throughout the year watching the number of instructional assistance who become highly qualified.

- B. Data Trax – Data-driven Decision Making – Mr. Greg Barlow introduced Dr. Jerry Dalton and Ms. Vickie Sappee, who provided a PowerPoint presentation on Data Trax Data-Driven Decision Making. Mr. Barlow highlighted how we arrived to this point including infrastructure, security, data warehouse, and reporting strategies. Ms. Sappee described the data elements available in Data

REPORTS (cont)

Trax. Dr. Dalton presented a brief overview of Data Trax. He stated the system is comprehensive, drilling down flexibility and classification variables. Dr. Dalton provided a demonstration of a report using assorted variables.

Regarding page 13 of the presentation, Mr. Walker inquired if Data Trax would be utilized schoolwide or countywide. Dr. Dalton responded a report could be generated by school or by county. He remarked the report is based on whatever variable is chosen. This data could assist in setting up prevention programs and would be extremely valuable to the Superintendent and staff.

Mr. Arnold mentioned that our vision was to put together systems and data. He complimented Dr. Hairston and staff for making this vision a reality.

Mr. Kennedy commented on how this data would be helpful for classroom teachers and excited about the program. He expressed his concern regarding the tremendous amount of work and strain this could put on staff.

Ms. Jung asked if there would be additional training and increased professional development for teachers. Mr. Barlow responded that his group would work closely with Ms. Arlene Fleischmann's team to assist in the profession development material.

Ms. Ettinger commented that this tool is essential for the present and future. In regards to training, Ms. Ettinger asked what assurance could be provided regarding the confidentiality of student data. Mr. Barlow feels confident with the firewalls and methodologies currently in place. Ms. Ettinger suggested that as the program is rolled out, it would be worthwhile to put together information to share at various school and parent-teacher events. The community may want reassurance regarding to the sensitivity of the information. She looks forward to seeing the reports brought to the Board reflecting this enhanced ability to gain more meaning from the data.

Dr. Hairston noted there are security levels of access, and that the Superintendent is the only person who authorizes individuals various access to the data.

Ms. Murray echoed her colleague's sentiments and commended the team for its presentation, and looks forward to seeing how this system can help the organization in achieving its goals.

Mr. Hayden noted that teachers would not have access to the data without specific approvals. He perceives that this system may reduce teacher workload.

REPORTS (cont)

Dr. Hayman applauded the Technology staff for the excellent report. He suggested it would be helpful to have a glossary of terms to better understand the presentation. He noted that the target audience for this information should include the parents and communities. Dr. Hayman expressed concern of who would be responsible for instructional decision-making.

Dr. Hairston stated on September 15th the Curriculum and Instruction staff would give a presentation on *No Child Left Behind*, Data Trax, and the use of data for instruction decision-making. Dr. Hairston noted we have a very methodical process in place to roll out the instrument that will be used to access the data, and at the same time, begin working with teachers to understanding the relationship with the data and curriculum and instruction. He added that as Superintendent, his mission is to use the data and make critical decisions that affect the organization.

Mr. Walker asked Dr. Hairston as to whether this system would allow parents to access the information on their own child. Dr. Hairston responded that this system would not allow parents to access the information.

- C. Report on Proposed Policy 4157 (First Reading) - Mr. Grimsley presented the revised policy stating that this policy has not been updated for some time. The goal is to provide the clearest words possible to describe the subject, specifically in terms of who is affected (i.e., exempt employees).

In response to Ms. Shillman's questions on dates and days, Mr. Grimsley responded that the proposed policy spells out how many vacation days will be pro-rated for them through the accrument process. Ms. Shillman asked if August 1 through September 1 is a one-month period or a one-year period. Mr. Grimsley responded it would be one month in which someone would be appointed.

BUDGET APPROPRIATION TRANSFER

Ms. Burnopp briefly explained the Budget Appropriation Transfer and the moving of the monies to the correct fund as a result of negotiated agreement.

On motion of Mr. Kennedy, seconded by Dr. Hayman, the Board approved the Budget Appropriation Transfer (BAT) as presented on Exhibit E-1. (Copies of the exhibits are attached to the formal minutes.)

PERSONNEL MATTERS

On motion of Mr. Kennedy, seconded by Mr. Walker, the Board approved the personnel matters as presented on Exhibits F, G, H, I, J and K. (Copies of the exhibits are attached to the formal minutes.)

CONTRACT AWARDS

On motion of Mr. Kennedy, seconded by Mr. Arnold, the Board approved items 3 and 4. Mr. Kennedy pulled item 1, and Ms. Ettinger pulled item 2.

3. Equipment Contract: Window Air Conditioners
4. FS: Dishwashing and Cleaning Agents

Item #1

Mr. Kennedy asked what magazines were available under this software. Mr. Gay responded that this is a contract extension and has been in the schools for some time.

On motion of Mr. Kennedy, seconded by Mr. Arnold, the Board approved items 1.

1. Contracted Services: Internet access to Media Sources

Item #2

Ms. Ettinger inquired about the impact on student achievement with these services. Dr. Milbourne responded that Sylvan Learning conducted an evaluation using the California Achievement Test as their assessment instrument. A report is available for Riverview showing growth along with the same information for Woodlawn Middle School. Ms. Ettinger requested an evaluation/report on the cost benefit analysis as it relates in terms of improvement to student achievement. Regarding Ms. Ettinger's question, Dr. Milbourne stated this program has been in place at Woodlawn for 3 years and at Riverview for 2 years. Ms. Ettinger inquired as to whether this program has been at Grange with Dr. Milbourne responding yes. Ms. Ettinger asked if we have continued this program at Grange. Dr. Milbourne replied that this contract only covers Woodlawn and Riverview schools. Ms. Ettinger would like more information generated by our system, not Sylvan Learning Services, to understanding the value.

Ms. Shillman and Mr. Kennedy echoed the same sentiments as Ms. Ettinger. Mr. Kennedy expressed his concern of the data not being available to make a sound decision.

Mr. Walker added that the program should come with a performance guarantee.

Item #2 (cont)

Dr. Hayman recommended future contract awards exhibits have performance data to justify continuing a particular contract.

On motion of Mr. Hayden, seconded by Mr. Walker, the Board approved item 2. Ms. Shillman abstained from voting on item #2.

2. Contracted Services: Sylvan Learning Extension

BUILDING COMMITTEE

The Building Committee, represented by Mr. Kennedy, recommended approval of items 1-8 (Exhibits M through T). The Board approved these recommendations. Mr. Arnold abstained from voting on all items.

1. Award of Contract - Design/Build Networking and Electrical Upgrades: Arbutus Elementary, Colgate Elementary, Pleasant Plains Elementary, and Riverview Elementary Schools
2. Fee Acceptance - Design Services and Construction Administration for Reroofing Project: Berkshire Elementary School
3. Fee Acceptance – Design Services and Construction Administration for Reroofing Project: Sparrows Point Middle and High School
4. Change Order – Architectural and Engineering Design Services for Subdivision of Open Spaces and Science Laboratory Renovations: Chesapeake High School
5. Change Order – Architectural and Engineering Design Services for Science Room for Science Room Renovations: Eastern Technical High School
6. Change Order – Cleaning Package: New Town High School
7. Easement for New Water Meter Vault: Deer Park Elementary School
8. Utility Easement at Carver Center for Arts and Technology

INFORMATION

The Board received the following as information:

- A. Revised Rule 4141 – Compensation and Related Employee Benefits
- B. Revised Rule 4157 – Absences, Leaves, Vacations and Holidays
- C. New Rule 6135 – The Gifted and Talented Education Program

ANNOUNCEMENTS

Mr. Sasiadek made the following announcement:

On Wednesday, September 10, 2003, the Baltimore County Board of Education will meet for a public hearing to seek the public's input about capital facilities needs in Baltimore County Public Schools. The meeting will take place at the ESS Building located on the Greenwood campus at 7:00 p.m. Sign-up for the public to comment will begin at 6:00 p.m. on the day of the meeting.

On Sunday, September 14, 2003, the Board will hold a retreat at the Marshy Point Nature Center in Chase, Maryland, beginning at approximately 10:00 a.m. The retreat is open to the public. The complete address and driving directions to the facility can be obtained on the web-site.

Immediately following the retreat, the Baltimore County Board of Education will adjourn to a closed session to discuss the Superintendent's contract, a personnel matter. In accordance with Section 10-508 of the Open Meetings law, the meeting to discuss this item is closed to the public.

The next regularly scheduled meeting of the Board of Education of Baltimore County will be held on Tuesday, September 23, 2003, at Greenwood. The meeting will begin with an open session at 5:00 p.m. The Board will adjourn to meet in closed session, followed by a brief dinner recess. The open meeting will reconvene at approximately 7:30 p.m. The public is welcome at all open sessions.

Mr. Sasiadek reminded speakers to refrain from discussing any matter that might come before the Board in the form of an appeal, as well as any personnel matters.

STAKEHOLDER GROUPS

Cheryl Bost, President of TABCO, thanked the Board for voting in favor of the proposed Budget Appropriation Transfer (BAT). Ms. Bost provided highlights of her opening day visits and back-to-school report.

Mr. Gevin Appal, newly appointed Chair for the Advisory Committee For Alternative Programs, spoke of his holding this position 15 years ago. Mr. Appal updated the Board on the evening high school and Saturday program.

Ms. Karen Yarn, Advisory Committee for Gifted/Talented Education Chair, thanked Board members for approving the gifted and talented policy.

STAKEHOLDER GROUPS (cont)

Ms. Kelli Nelson, Advisory Committee For Special Education Chair, introduced herself to the new Board members. The committee met last night with the highlight of the meeting being a presentation by Dr. Lou Barber, Educational Consultant, followed up with a question and answer session. Ms. Nelson stated the committee will take the experience from the gifted and talented group and compose a Special Education policy. Lastly, she spoke briefly on the MSA results.

Ms. Meg O'Hare, Northeast Area Advisory Council Chair, thought the presentation and data on opening schools was wonderful. She was pleased to see the Strategic Planning office was back in place. Ms. O'Hare commended IT and the work they are doing on the Data Trax. She suggested putting the age of the buildings and date of renovations in the data.

Ms. Abbe Beytin introduced herself as the new Northwest Area Advisory Council Chair. She has been speaking at back-to-school nights at various schools to receive additional community input.

Mr. Stephen Crum, Southeast Area Advisory Council Chair, had the opportunity to tour New Town High School and applauds facilities personnel. Regarding Data Trax, Mr. Crum wants all to remember data does not always equal information. He stated the need to ensure queries are meaningful as possible and take individuals into account as well as the data.

Ms. Elaine Berry re-introduced herself as President of CASE. She requested that the Board continue to provide the same support as in the past.

Mr. Michael Franklin, PTA Council President, stated the priorities for the PTA council for the upcoming year. Mr. Franklin stated they would work with TABCO to see that teachers are represented and requests are met.

Mr. Michael Behrens, PSNA President, thanked the Board for its support of the proposed BAT. He believes the Board understands the necessity to work together to ensure combined goals are met.

PUBLIC COMMENT

Dr. Andrew Joyce, Local Representative for American Health Organization out of Minneapolis, would like the opportunity to go into the schools and talk with the children on how they can prevent their spines from decaying.

At 10:20 p.m., Mr. Walker moved to adjourn the open session. The motion was seconded by Ms. Jung and approved by the Board.

Respectfully submitted,

Joe A. Hairston
Secretary-Treasurer

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