

TENTATIVE MINUTES

BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

Tuesday, December 16, 2003

The Board of Education of Baltimore County, Maryland, met in open session at 5:39 p.m. at Greenwood. Vice President Janese Murray and the following Board members were present: Mr. Donald L. Arnold, Ms. Francesca Cirincione, Mrs. Phyllis E. Ettinger, Mr. Thomas G. Grzymiski, Mr. John A. Hayden, III, Dr. Warren C. Hayman, Ms. Jean M. H. Jung, Mr. Michael P. Kennedy, Ms. Joy Shillman, and Mr. James Walker. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

Ms. Murray reviewed the following housekeeping items:

- ⌚ Unveiling of the SUPER STEM education project on Wednesday, December 17, 2003.
- ⌚ Board members were reminded of upcoming functions in December and January, 2004.

At 5:41 p.m., Mr. Arnold moved the Board go into closed session to discuss personnel matters and to conduct matters related to the negotiations pursuant to the Annotated Code of Maryland, State Government Article, §10-508(a)(1), (a)(7), and (a)(9). The motion was seconded by Dr. Hayman and unanimously approved by the Board.

CLOSED SESSION MINUTES

Mr. Randy Grimsley, Executive Director of Human Resources, reviewed with Board members personnel matters to be considered this evening.

Mr. Nevett Steele, Jr., Assistant County Attorney, provided legal advice regarding a confidentiality provision in a settlement agreement with a specific contractor.

Mr. Grimsley and Mr. Dan Capozzi, Manager of Human Resources, reviewed with Board members matters relating to upcoming negotiations with the bargaining units.

At 6:40 p.m., Mr. Walker moved to adjourn the closed session for a brief dinner recess. The motion was seconded by Mr. Hayden and approved by the Board.

OPEN SESSION MINUTES

The Board of Education of Baltimore County, Maryland, met in open session at 7:35 p.m. at Greenwood. Vice President Janese Murray and the following Board members were present: Mr. Donald L. Arnold, Francesca Cirincione, Ms. Phyllis E. Ettinger, Mr. Thomas G. Grzymiski, Mr. John A. Hayden, III, Dr. Warren C. Hayman, Ms. Jean M. H. Jung, Mr. Michael P. Kennedy, Ms. Joy Shillman, and Mr. James Walker. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

PLEDGE OF ALLEGIANCE

The open session commenced with the Pledge of Allegiance to the Flag, which was led by Kara Mead, Towson High School 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 November 20, 2003, Ms. Murray declared the minutes approved as presented on the website.

Ms. Murray informed the audience of the previous sessions in which Board members had participated earlier in the afternoon.

SUPERINTENDENT'S REPORT

Dr. Hairston shared some forthcoming events upon our return from winter break. In January 2004, Baltimore County Public Schools will introduce COGNOS, the student-reporting software and a role out of STARLAB. Dr. Hairston stated that he received a call today from NASA to coordinate a date of the STARLAB role out with Astronauts, Col. Robert Curbeam and Tom Jones, former Kenwood High School students. The two astronauts will make a presentation before BCPS on that date. Dr. Hairston stated he spoke with State Superintendent, Dr. Nancy Grasmick, regarding the State Board of Education's position on high school assessments and graduation requirements.

RECOGNITION OF ADVISORY COUNCIL APPOINTMENTS

Mr. Grimsley recognized the advisory council appointment approved at the December 2, 2003 meeting.

REPORTS

The Board received the following reports:

- A. **Recognition of Student Artwork in the Comprehensive Annual Financial Report** – Ms. Murray announced that the BCPS Comprehensive Annual Financial Report (CAFR) is published annually after completion of the annual audit of the Board's Financial Statements. This year artwork of three Parkville Middle School students was included in the CAFR. Ms. Murray recognized and thanked the students by presenting each student with a \$100 U.S. Savings Bond. The students were: Della Isaac, Johanna Wernick, and Chelsea Schnitzker. The Board thanked Parkville Middle School art teacher, Ms. Linda McConaughy, for providing her student's work.

REPORTS (cont)

- B. **Update on Retired/Rehired Employees** – Mr. Randy Grimsley, Executive Director in Human Resources, stated this report is to inform the Board regarding the hiring of highly qualified teachers. Mr. Grimsley noted the Board approved the Waiver for Conditionally Certified Teachers in October, which included a number of activities that will assist in achieving the goal of placing highly qualified teachers in all classrooms. In the last month, BCPS Human Resources has been on 10 college campuses and met with 100 student teachers that are already in our schools. As of today, BCPS has hired 1,200 teachers. Mr. Grimsley introduced Ms. Margaret-Ann Howie, Legal Counsel to the Superintendent, who explained the law as it relates to retired/rehired teachers and mentors.

Ms. Howie provided a briefing on the requirements of Maryland law on retired/rehired teachers.

1. The State Personnel and Pension Articles were amended in 1999. Section 22 deals with State Teachers' Retirement System, and Section 23 deals with the State Pension System.
2. Sections 22-406 and Section 23-407 both indicate that a retired/rehired employee must be certified; must be able to verify a satisfactory or better teaching performance in their last assignment prior to retirement; and must be appointed by the County Board of Education on behalf of the Superintendent.
3. The statute indicates that these individuals must be employed as a substitute classroom teacher, substitute teacher mentor, teacher mentor, or classroom teacher in a reconstituted school or in a school that has been recommended for reconstitution.

Ms. Howie noted that shortly after the passage of Senate Bill 15, the State Board of Education found that every county in the state had a shortage of teachers.

Mr. David Evans, Position Administrator of Human Resources, provided a broader look at recruitment. BCPS recruited in 13 states with more than 100 recruiters. There are currently more than 8,000 teachers in BCPS schools. This year, BCPS hired 165 retired teachers for 23 different subject areas. This represents approximately 13.8% of our newly hired teachers and approximately 2.1% of the overall teaching staff.

Mr. Evans stated Human Resources is gearing up for the coming hiring season. The primary focus is to aggressively recruit to find as many highly qualified candidates as possible and to consider retirees after the new legislation has been clarified and after we have exhausted our pools of highly qualified applicants. Mr. Evans noted there are challenges ahead for the system:

REPORTS (cont)

- Attempting to build a large pool of “highly qualified” candidates in all subject areas while recognizing that there are several areas in which limited prospects are available.
- Building our candidate pool in anticipation of the FY05 hiring season while addressing vacancies that occur throughout the current school year.

Ms. Howie provided a briefing on the requirements of Maryland’s law concerning retired/rehired principals. A retiree of the Teachers’ Retirement System who:

1. was employed as a principal within 5 years of retirement; or
2. was employed as a principal not more than 10 years before retirement and was employed in a position supervising principals;
3. has verification of better than satisfactory performance for each year as a principal and, if applicable, in a position supervising principals prior to retirement;
4. Based on the retiree’s qualifications, has been hired as a principal.

Mr. Grimsley pointed out that all 10 rehired principals meet the statutory requirements.

Mr. Hayden asked if BCPS has communicated with the State Department to ensure both the State and County have the same understanding of the law. Ms. Howie responded she has spoken with representatives from the Attorney General’s office.

Mr. Kennedy asked if the intent of the law was to ensure we have qualified educators in every classroom. Ms. Howie stated BCPS is not required to follow the intent because that is not the statutory language. There is nothing in the statute that indicates the selection of particular schools other than reconstituted schools or those places where there is a geographic shortage.

Mr. Kennedy commented we should want highly qualified individuals in every position. Ms. Howie stated that any lawyer would advise his client to follow the statute and not what someone thought. She noted that since the State Board of Education declared that the entire state was a geographic shortage area, then the State by its action permitted all subject areas in all schools to be opened and filled by retired/rehired retirees.

Mr. Kennedy was pleased with what Dr. Hairston has been doing to address the needs of the school system.

Mrs. Ettinger thanked the presenters for clarification of the subject. She inquired as to how many teachers and principals would be eligible to retire or declare their intent to retire in the coming year. Mr. Grimsley responded he would get that information back to the Board.

REPORTS (cont)

Mr. Grzyski asked for clarification of the cost of a retired/rehired individual. Mr. Grimsley stated specific pension dollars related to any employee is not available to BCPS. Human Resources does look at people with 30 years experience leaving at the top of the scale and about one-third of the teachers come in at step one because BCPS is seeking teachers with experience to come into the system. Mr. Grzyski commented that BCPS would get some of the finest crop of future principals from teachers who work under the guidance of the retired/rehired principals.

Ms. Jung asked if every rehired/retiree is employed in accordance with the statute and MSDE's interpretation of the statute. Ms. Howie responded that the information received to Human Resources as of this time is that all of the retired/rehired individuals currently working have been employed consistent with the statute and MSDE's interpretation of the statute.

Ms. Jung commented this program has helped to stabilize and improve the quality of education provided in the county.

Mr. Walker asked if it is the letter of the law or the intent of the law that individuals be placed in the most challenging situations. Ms. Howie responded that the statute states that the individuals have to be placed as classroom teachers, substitute classroom teachers, teacher mentors, or substitute teacher mentors in either geographic areas of shortage or subject areas of need.

Mr. Grimsley clarified there are currently 165 retired/rehired individuals presently in our schools. There is one individual requiring clarification and that is a personnel issue. Mr. Grimsley noted, to the best of his knowledge, people have been placed where the principals believe they need an assignment filled by a quality, experienced retired/rehiree.

Dr. Hayman asked whether the State Board has defined critical subject areas. Ms. Howie responded that the State Board has declared the entire state is a geographic area need and has also declared, as they do on an annual basis, what subject area needs exist. Dr. Hayman commented that hopefully BCPS has clarified this for legislators questioning our practices, as well as the media.

With regards to recruiting, Dr. Hayman asked what the system is doing in its recruitment efforts to improve the recruitment of African-American minorities. Mr. Grimsley responded that BCPS has full-page advertisements in magazines that are received by predominantly black colleges and universities in the country. He also stated that BCPS continues to visit job fairs at colleges and universities from Pennsylvania to South Carolina.

REPORTS (cont)

Dr. Hayman inquired about a minority recruitment plan. Mr. Evans responded we have a plan and are in need of continually updating that plan. In terms of the low performing schools and recruitment effort, Dr. Hayman asked if the system was placing a priority on staffing those schools as opposed to the high performing schools. Mr. Evans responded absolutely.

Mrs. Ettinger commented that there would be no need for such legislation if we had a readily available supply of highly qualified educators coming into the profession. Mrs. Ettinger asked if the retired/rehired individuals are rehired on a one-year contract. Mr. Evans responded every year these individuals have to reapply with no guarantee of continuing employment. Mrs. Ettinger asked whether the concentration has been to place retired/rehires in challenging schools. Mr. Evans responded BCPS would want a balance of new teachers that could be mentored by rehired retirees and highly qualified teachers.

Dr. Hairston stated it was important to share this information with the Board and hire as many new teachers as possible that meet the highly qualified teachers requirement.

- B. FY2003 Comprehensive Annual Financial Report & Single Audit Report –**
Mr. Grzymiski presented the FY03 financial and single audit report, and the management letter to the Budget and Audit Committee. He noted that the auditing firm of KPMG reviewed all the reports and findings in detail with the Budget and Audit Committee members and staff. Mr. Grzymiski introduced Mr. Patrick Boyce, Partner with KPMG. He also recognized the efforts of the Department of Fiscal Services and the auditors for their work throughout the year.

With regards to the single audit report, there were three major areas of concentration: Special Education, Child Nutrition Cluster, and the National Science Foundation Grant. Mr. Grzymiski noted that staff has already begun developing and implementing corrective action to address various findings. He has asked KPMG to come back at the end of the school year to provide an update on the BCPS corrective action plan.

Mr. Hayden asked Mr. Boyce if KPMG was satisfied that BCPS is addressing the findings. Mr. Boyce stated he believes BCPS will be responsive. He also noted the Board needs to prepare and issue a corrective action plan along with the single audit report to MSDE.

With regards to the finding in the area of Special Education, Ms. Shillman asked if a sample of 30 students was a good test sample. Mr. Boyce responded affirmatively.

REPORTS (cont)

- C. **Report on Proposed FY 2005-2010 County Capital Budget Request** – Ms. Barbara Burnopp, Executive Director for Fiscal Services, presented for the first reading the proposed county capital budget request. Ms. Burnopp noted that the county requires BCPS to submit a list of items in January 2004 for the fiscal years 2005 through 2010. This is our opportunity to look ahead as to future needs.

Mr. Hayden noted that FY2005 was not included in the five-year plan. He asked if there were any changes to fiscal year 2005. Ms. Burnopp responded there are no changes to FY2005.

Ms. Shillman inquired as to whether there is money for middle schools in the northwest area during this time period. Ms. Burnopp responded no.

Mr. Walker was pleased to see the Milford Mill cafeteria expansion in the budget.

Mrs. Ettinger asked if a date has been set for the Board of Public Works hearing. Dr. Krempel stated he would obtain that information for the Board.

Mr. Grzyski asked why the budget request does not show any of the additional recommendations as reported in the DeJong Study. As we go through the process, Mr. Grzyski hoped to see additional information as to why we are not putting the recommendations as presented by DeJong and Associates in the county budget plan.

PERSONNEL MATTERS

On motion of Mr. Kennedy, seconded by Dr. Hayman, the Board approved the personnel matters as presented on Exhibits E, F, G, and H. (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 1-4 (Exhibit I).

1. Contracted Services: Enzyme Treatment Services
2. Family and Student Assistance Program
3. New Relocatable Module Classrooms
4. School Bus Tire Recapping

BUILDING COMMITTEE

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

1. Award of Contract – Mechanical/Electrical Renovations at Logan Elementary, Red House Run Elementary, and Seneca Elementary Schools
2. Fee Acceptance – Design Services for Fire Control Tanks and Pumps at Carroll Manor Elementary, Fifth District Elementary, Prettyboy Elementary, and Seventh District Elementary Schools
3. Change Order – Design/Build Networking and Electrical Upgrades at Arbutus Elementary School
4. Change Order – Design Services for Major Maintenance Renovation Project at Chase Elementary School
5. Change Order – Design Services for Systemic Renovations at Stemmers Run Middle School
6. Change Order – Reroofing Project at General John Stricker Middle School
7. Close-Out of Construction Management Services for Systemic Renovation Projects at Phase II Elementary Schools
8. Re-alignment of Approved Funds for Inspection Services for Systemic Renovation Projects at Phase II Elementary Schools

Ms. Jung noted the building committee process has been improved substantially with regards to few change orders and schools opening on time. Ms. Jung commended Dr. Hairston, Mr. Haines, Dr. Krempel and staff for an excellent job they have done this year.

INFORMATION

The Board received the following as information:

- A. Central Area Educational Advisory Council Pre-Budget Minutes of October 20, 2003
- B. Southeast Area Educational Advisory Council Minutes of September 16, 2003
- C. Southwest Area Educational Advisory Council Minutes of October 15, 2003

ANNOUNCEMENTS

Ms. Murray made the following announcements:

- ⌚ Schools will be closed for Winter Break from December 24, 2003, through January 2, 2004. Schools will reopen for students and teachers on Monday, January 5, 2004.
- ⌚ The next regularly scheduled meeting of the Board of Education of Baltimore County will be held on Tuesday, January 13, 2004, at Greenwood. The meeting will begin with an open session at 5:00 p.m. After the Board adjourns 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.

Ms. Murray reminded speakers to refrain from discussing any matters that might come before the board in the form of an appeal, as well as any personnel matters.

STAKEHOLDER GROUPS

Ms. Kara Mead, Maryland Association Student Council Representative, noted BCSC had their general assembly with Dr. Poff speaking about his work in Annapolis. BCSC held their first ever high school leadership conference, which was a great success.

Ms. Karen Yarn, Advisory Committee for Gifted and Talented Education Chairperson, announced its next meeting on Wednesday, January 14, 2004 at 7:30 PM in the ESS Building. Ms. Paynter will be presenting a report on the middle school task force.

Ms. Jasmine Shriver, Advisory Committee for Special Education and Minority Achievement Advisory Group representative, attended a work group focusing on non-public placement. She firmly believes no problem can be solved unless everyone is working to solve the problem and acknowledges the problem exists.

Ms. Meg O'Hare, Northeast Area Advisory Council Chairperson, announced the upcoming BCPS science engineering and technology (SET) fair on May 21-22, 2004 at New Town High School. She hopes schools take advantage of the opportunity of the fair and invites the Board to attend. Regarding the retired/rehired teacher situation, Ms. O'Hare took issue with naming individuals in the newspaper. She believes people are "making a mountain out of a molehill," and that the system needs to stay focused on priorities.

Ms. Vicki Schultz-Unger, Area Advisory Council Coordinator, appreciated the retired/rehired presentation and clarification. She believes the law was meant to address teacher shortage and not necessarily the areas of the neediest schools. She remarked that the federal law requires all classrooms to be staffed with highly qualified teachers and that should be our focus. She believes that Dr. Hairston has used this opportunity to address some of the areas of critical need. She announced all area councils have been meeting with the legislators in November and December. Additionally, all councils will launch into legislative advocacy, including working

STAKEHOLDER GROUPS (cont)

towards full funding of Thornton. Ms. Schultz-Unger announced a joint meeting of the educational advisory council on January 14, 2004 at New Town High School with a short presentation by staff on the proposed budget.

Mr. Michael Franklin, PTA Council of Baltimore County President, highlighted work being performed at the PTA local level. The following schools were winners of a Parent/Family Involvement Grant: Harford Hills Elementary, Lock Raven Academy, Perry Hall Middle, and Powhatan Elementary. The following schools received Certificates of Distinction: Powhatan Elementary, Dundalk Middle, Chapel Hill Elementary, and Norwood Elementary. The following schools received Certificate of Excellence awards: Ridge Ruxton PTA, Perry Hall Middle School, and PTSA. The unit with the largest increase in membership was Perry Hall High School. The unit with the largest percentage increase in membership was McCormick Elementary. Mr. Franklin announced that the PTA Council of Baltimore County for the 21st year in a row received the Council of Excellence Award.

Ms. Cheryl Bost, TABCO President, commented that everyone wants to work together to retain highly qualified teachers in all schools. She stated that TABCO supports the retired/rehired program and encourages its continuation. Ms. Bost advocated for an increase in teachers' salaries and noted that Maryland's pension system is the worst in the United States. Ms. Bost announced that TABCO was initiating a pension bill in the House and Senate for this upcoming legislative session. She highly recommends the Board attend the Thornton rally on January 26, 2004.

PUBLIC COMMENT

Ms. Jody Shaefer commented on the redistricting and new high school recommendations presented in the DeJong study. She stated that Perry Hall High School's population will continue to increase and a new high school needs to be built. Ms. Shaefer expressed her concerns regarding the overcrowding issue in the Northeast area and is willing to work with the Board and legislators to see that all parties involved reach a viable solution.

ADJOURNMENT

At 9:10 p.m., Mrs. Ettinger moved to adjourn the open session. The motion was seconded by Mr. Walker and approved by the Board.

Respectfully submitted,

Joe A. Hairston
Secretary-Treasurer