

APPROVED MINUTES

BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

Tuesday, February 8, 2005

The Board of Education of Baltimore County, Maryland, met in open session at 5:22 p.m. at Greenwood. President James R. Sasiadek and the following Board members were present: Mr. Donald L. Arnold, Mr. Nicholas P. Camp, Mr. Thomas G. Grzymiski, Ms. Frances A.S. Harris, Dr. Warren Hayman, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Mr. Michael P. Kennedy, and Ms. Joy Shillman. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

President Sasiadek reminded Board members of upcoming functions for February and March 2005 and Board of Education events.

Mr. Sasiadek provided copies of Senate Bill 195 to Board members.

Ms. Harris moved that the student member be permitted to participate in collective bargaining discussions. The motion was seconded by Mr. Janssen and unanimously approved by the Board.

At 5:49 p.m., Mr. Kennedy moved the Board go into closed session to discuss personnel matters and consider matters relating to negotiations pursuant to the Annotated Code of Maryland, State Government Article, §10-508(a)(1) and (a)(9). The motion was seconded by Mr. Janssen and unanimously approved by the Board.

CLOSED SESSION MINUTES

Dr. Donald Peccia, Executive Director of Human Resources, reviewed appointments to be considered this evening with Board members.

Mr. Dan Capozzi, Manager of Staff Relations-Human Resources, provided the Board with a status report with regard to negotiations with employee groups.

At 6:15 p.m., Mr. Kennedy moved the Board adjourn for a brief dinner recess. The motion was seconded by Mr. Arnold and approved by the Board.

OPEN SESSION MINUTES

The Board of Education of Baltimore County, Maryland, reconvened in open session at 7:40 p.m. at Greenwood. President James R. Sasiadek and the following Board members were present: Mr. Donald L. Arnold, Mr. Nicholas P. Camp, Mr. Thomas G. Grzymiski, Ms. Frances A.S. Harris, Mr. John Hayden, III, Dr. Warren Hayman, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Mr. Michael P. Kennedy, and Ms. Joy Shillman. 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 Ali Hasan and Anne Unger, followed by a period of silent meditation for those who have served education in the Baltimore County Public Schools.

Dr. Hairston noted one adjustment to the agenda for this evening's meeting – adding School Legislation – Senate Bill 195 as item D under XI, New Business.

MINUTES

Hearing no additions or corrections to the Board of Education Open and Closed Minutes of January 11, 2005 and the Public Hearing on the FY2006 Proposed Operating Budget of January 26, 2005, 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.

SPECIAL ORDER OF BUSINESS

On motion of Mr. Kennedy, seconded by Dr. Hayman the Board adopted a resolution requesting the Governor, Senate, and House of Delegates of the State of Maryland make available capital funds in the amount of \$250,000,000 for use in capital improvement projects identified by local educational authorities as critical in their efforts to maintain and construct public school facilities for the use and benefit of public school students throughout the State of Maryland.

ADVISORY AND STAKEHOLDER COMMENTS

Mr. Mike German, Baltimore County Student Council President, reported that the executive board met to discuss upcoming events. This coming week BCSC will be visiting a high school in Anne Arundel County and be actively involved with the Maryland Association of Student Council's legislative session and student related bills.

Ms. Vicki Schultz-Unger, Coordinator of the Area Educational Advisory Councils, shared with the Board members highlights from the all-Council meeting held on January 18. She also noted that Council members traveled to Annapolis to support Baltimore County's state school construction request. She shared with the Board a letter the Council submitted that day to the Board of Public Works in support of the capital budget request.

Mr. Walter Hayes, Chair of the Northeast Area Educational Advisory Council, announced the next meeting of the area council would be on Thursday, February 17 at Perry Hall Middle School beginning at 7:00 p.m.

ADVISORY AND STAKEHOLDER COMMENTS (cont)

Mr. Stephen Crum, a Southeast Area Educational Advisory Council representative, announced the area council's next meeting would be on Tuesday, February 15 at Patapsco High School.

Ms. Maggie Kennedy, Chair of the Baltimore County Education Coalition, noted the recent activities attended and participated in by the coalition. She announced the coalition would be meeting with the County Executive to discuss the proposed operating budget. Ms. Kennedy asked the Board to consider whether the capital and proposed operating budgets meet the needs of the school system.

Mr. Maurice Bowden, Co-Chair of the Career & Technology Education Advisory Council, recognized Baltimore County Public School students who continue to succeed in an exemplary fashion. Mr. Bowden announced that February 14-18 is Career and Technology Education Week.

Ms. Karen Yarn, Chair of the Citizens Advisory Committee for Gifted and Talented Education, announced the committee's next meeting would be on February 9 at 7:30 p.m. in the ESS building. She also announced Gifted and Talented College Night on February 23 at Pikesville High School beginning at approximately 6:30 p.m.

Dr. Ella White-Campbell, Chair of the Minority Achievement Advisory Group, thanked the Board for dinner this evening. She noted the amount of progress made in closing the achievement gap. Dr. White-Campbell announced the advisory group would be visiting Annapolis to testify on legislative bills that impact minorities.

Mr. Jan Thomas, Operating Budget Chairperson of the PTA Council of Baltimore County, stated she was disturbed by a trend of business conducted outside of committee meetings and work sessions. She noted the few questions asked by Board members at the budget work session earlier this month.

Ms. Jasmine Shriver, Chair of the Special Education Citizens Advisory Committee, announced the next meeting of the advisory committee would be on Monday, February 14 at 7:00 p.m. in the ESS building.

Ms. Cheryl Bost, President of the Teachers Association of Baltimore County, commended the Board on its capital project proclamation. She updated the Board on TABCO's position on several legislative bills. Ms. Bost expressed thanks to staff for the updates to proposed Policy 5550.

SUPERINTENDENT'S REPORT

Dr. Hairston reported that he visited Patapsco High, Sandalwood Elementary, and Ridgely Middle Schools. He noted the appropriate levels of resources are in place and that staff is committed to working with children.

RECOGNITION OF ADMINISTRATIVE APPOINTMENTS

Dr. Donald Peccia, Executive Director of Human Resources, recognized the administrative appointments approved at the January 25, 2005 Board meeting as follows:

- Ms. Jeanne K. North Supervisor, Professional Development
- Ms. Shannon K. Parker Assistant Principal, Deer Park Middle Magnet School
- Dr. Beverly G. Pish Director, Office of Accountability, Research, and Testing
- Mr. Russell Pratt, Jr. Assistant Principal, Halethorpe Elementary School

OLD BUSINESS

Proposed Changes to Policy 5540

Mr. Rauenzahn explained to the Board this is a straight language change to the policy inserting the phrase “assigned to an alternative program or” as an option for the designee.

Mr. Kennedy asked for examples of a student who would be expelled versus a student who would go to an alternative program.

Mr. Grzynski commended Mr. Rauenzahn and staff for the updating of these policies and is a strong supporter of these changes.

Under the definition “other intoxicants,” Ms. Harris inquired about adding the words “but not be limited to.” Mr. Rauenzahn responded this is covered under the introduction to the whole policy.

Ms. Shillman asked for clarification on distribution, attempt to distribute, or possession with intent to distribute a non-controlled substance.

On page 2 of the policy, Dr. Hayman asked whether all the offenses are listed in any one place. Mr. Rauenzahn responded this is the most comprehensive list that exists. Dr. Hayman asked who determines the additional offenses. Mr. Rauenzahn responded every possibility could not be listed in a policy. Dr. Hayman expressed concern that this may seem inequitable.

Dr. Hayman raised concerns over disruptive behavior at bus stops and recent problems at school athletic events.

Mr. Hayden asked the Board to think about cell phone usage in schools. Mr. Rauenzahn stated there is a policy that states cell phones are to be turned off and stored. It could be an implementation issue.

Ms. Johnson asked what is being done to ensure students understand the seriousness of these offenses. Mr. Rauenzahn responded this is an ongoing process year-round to students and staff.

Proposed Changes to Policy 5540 (cont)

Mr. Camp shared his appreciation of a policy that focuses less on straight punitive measures and more on providing flexibility for administrators and students.

Mr. Steele recommended that references to legal citation Article 27 be removed.

On motion of Mr. Kennedy, seconded by Dr. Hayman, the Board approved the proposed changes to Policy 5540 – STUDENTS: Conduct-Alcoholic Beverages and Drugs (Exhibit B).

Proposed Changes to Policy 5550

Under the category Weapons, Ms. Shillman asked for clarification on “one-year expulsion.” Mr. Rauenzahn responded that according to federal law, if a student brings or possess a fire arm on school property, the student would be expelled for one year.

On motion of Mr. Kennedy, seconded by Dr. Hayman, the Board approved the proposed changes to Policy 5550 – STUDENTS: Conduct-Disruptive Behavior (Exhibit C).

REPORTS

The Board received the following reports:

- A. The Board adopted a resolution proclaiming February 14, 2005 as National African-American Parent Involvement Day. The resolution was presented to Dr. Ella White-Campbell, Chair of the Minority Achievement Advisory Group.
- B. **Report on Proposed Policy 7330 – NEW CONSTRUCTION: Financing-Capital Projects that are Funded by Private Donations** – Dr. H. Scott Gehring, Executive Director of Schools, Northwest Area, provided an overview to the Board noting this policy was developed for capital projects that are funded by private donations. Superintendent’s Rule 7330 outlines the administrative process related to the proposed policy.
- C. **Report on Proposed Policy 7530 – NEW CONSTRUCTION: Occupying-Naming of a Capital Project or Area of a School** – Dr. Gehring noted this policy was developed for naming of a capital project or area within a school and Superintendent’s Rule 7530 outlines the administrative process related to the policy.
- D. **Report on Proposed Changes to Policy 7520 – NEW CONSTRUCTION: Occupying-Naming of the Building and Dedication** – Dr. Gehring stated this policy was last updated in 1969 and merely addresses naming of school facilities. This policy is being updated to specifically state that the Board of Education of Baltimore County has the sole control and authority over the naming of any building.

REPORT (cont)

Mr. Hayden objects that a person be deceased before a building can be named after them. He stated that the policy also does not suggest naming a building after a prominent foundation. Mr. Hayden questioned why two separate policies are needed for naming a building versus naming a capital project as cited in proposed Policy 7530. Mr. Hayden proposed reviewing Policy 7520 and Policy 7530 as a single, continuous policy.

Mr. Kennedy inquired about the rationale in terms of being deceased in this policy and not being deceased in proposed Policy 7520. Dr. Gehring responded a capital project or area of a school can be named after a foundation as well as a deceased individual.

Ms. Shillman asked whether the name of a building could change after ten years. Dr. Gehring responded that Policy 7530 suggests that naming a scoreboard, playground or something of that nature would last for ten years. After the ten years, staff would come back to the Board to go beyond that period of time.

Dr. Hayman stated BCPS should utilize any person or organization when naming a building or capital project or area. He expressed concern that changing a name after ten years would be problematic.

With regards to Superintendent's Rule 7330, Dr. Hayman was troubled that the rule restricts student fund-raising activities on a capital project. He requested this item go back to the committee for possible modification. Mr. Hayden echoed Dr. Hayman's concerns regarding fund-raising activities.

Ms. Shillman inquired about the minimum contribution to a school. Dr. Gehring responded that the Office of Fiscal Services and Physical Facilities would be part of the decision regarding contribution amounts.

Regarding Policy 7530, Mr. Hayden was troubled by the ten year guideline. Dr. Gehring stated the purpose of the policies is to provide the Board sole control and authority over naming any building at any point in time.

PERSONNEL MATTERS

On motion of Mr. Kennedy, seconded by Dr. Hayman, the Board approved the personnel matters as presented on Exhibits F-1, G, H, I, J, and K. (Copies of the exhibits are attached to the formal minutes.) Mr. Camp did not vote on Exhibit F-1.

CONTRACT AWARDS

The Building and Contracts Committee, represented by Mr. Kennedy, recommended approval of items 1 through 3 (Exhibit L). The Board approved these recommendations.

1. Tree Pruning and Associated Services
2. Contract Modification – Dundalk Middle School Systemic Renovations
3. Contract Modification – Franklin Middle School Systemic Renovations

CLEAN BUSES FOR KIDS DIESEL RETROFIT PROGRAM

Mr. Don Dent, Executive Director of Planning and Support Operations, stated this resolution is a result of a settlement between EPA and Toyota Motor Company to fund retrofitting of filters on diesel buses.

On motion of Mr. Hayden, seconded by Mr. Arnold, the Board approved the resolution for Clean Buses for Kids Diesel Retrofit Program (Exhibit M).

SCHOOL LEGISLATION

Mr. Sasiadek provided a synopsis of Senate Bill 195. This bill would require the Governor to appoint the members of the Baltimore County Board of Education with the advice and consent of the Senate of Maryland. Mr. Sasiadek opened the item for discussion.

Ms. Harris considered about the Board supporting this bill. She stated this is just another layer of State bureaucracy.

Ms. Shillman stated the bill would provide a level of check and balance. However, she does not like the idea of Senators outside of Baltimore County appointing Board members.

Mr. Janssen opposed the bill because senatorial approval of a gubernatorial appointment is not getting the community involved in the process. He stated, if community input is necessary, consideration should be given to the previous process of the School Board Nominating Convention. Mr. Sasiadek asked Mr. Janssen to explain the SBNC process, which no longer exists. Mr. Janssen explained the SBNC process.

Mr. Hayden stated he is not in favor of the Board taking a position or making a recommendation on how appointments are made. In regards to Ms. Shillman's concern, Mr. Hayden noted that Senators' voting from other districts as a practical matter defer to the wishes of the Senators from the local jurisdiction.

Mr. Kennedy stated this bill further politicizes the process. He recommends the Board take no position on this bill.

SCHOOL LEGISLATION (cont)

Mr. Arnold stated this bill involves politics in education. He agrees the process of having greater community involvement in selecting Board members is extremely important. Mr. Arnold stated he is in favor of the bill because it provides a basis for a community-type process. However, he is only in favor of it because it does address some concerns under the present process, but only as a band-aid approach. He would like to go back to the School Board Nominating Convention process.

Mr. Grzyski stated the current process allows diversity on the Board. He noted there are other ways to address the issue and has trouble supporting this bill.

Ms. Johnson stated that no supporters have approached her to discuss the positive aspects of the bill. She added that as a new school Board member, she is honored and committed to the students of Baltimore County. Ms. Johnson stated that while she has no information, she cannot support the bill.

Mr. Kennedy moved that the Board take no position on Senate Bill 195 at this time. Mr. Hayden seconded the motion.

Dr. Hayman stated the recommendation of the Senator is one in support of what she believes is important for education in Baltimore County, and that he would support this bill. Dr. Hayman noted this is an opportunity to have another layer to get further involvement. He expressed concern that the legislature is not in session when it is time to appoint Board members.

Mr. Kennedy withdrew his motion that the Board not take a position on Senate Bill 195. Mr. Kennedy recommended that the Board take a vote to support or not support the bill. Dr. Hayman stated no position is taking a position.

After further discussion, Mr. Kennedy stated he would continue with his motion that the Board not take a position on the bill. Mr. Sasiadek clarified for Board members that the motion before the floor is that the Board takes no position on Senate Bill 195.

The following Board members were in favor of the Board taking no position on this bill: Mr. Camp, Mr. Grzyski, Mr. Hayden, Ms. Johnson, Mr. Kennedy, and Ms. Shillman. The following Board members were opposed to not taking a position on this bill: Mr. Arnold, Ms. Harris, Dr. Hayman, and Mr. Janssen. Mr. Sasiadek went with no comment at this time.

Mr. Kennedy commented that the Board can always revisit this position before the end of the legislative session. Mr. Grzyski suggested monitoring the bill as it goes through legislation.

Dr. Hayman requested information on the bills critical to education in Baltimore County. Dr. Hairston responded that staff is in the process of collating all the information and that staff will furnish such information to the Board regarding legislation.

INFORMATION

The Board received the following as information:

- A. Financial Report – For the Months Ending December 31, 2003 and 2004
- B. Revised Rule 7520 – NEW CONSTRUCTION: Occupying – Naming of the Building and Dedication
- C. New Rule 7330 – NEW CONSTRUCTION: Financing - Capital Projects that are Funded by Private Donations
- D. New Rule 7530 - NEW CONSTRUCTION: Occupying – Naming of a Capital Project or Area of a School

ANNOUNCEMENTS

Mr. Sasiadek made the following announcements:

- Schools and offices will be closed on Monday, February 21, 2005 in observance of President's Day. Schools will reopen for students and teachers on Tuesday, February 22, 2005.
- The Central Area Educational Advisory Council will meet on Wednesday, February 9 at Dumbarton Middle School beginning at 7:30 p.m.
- The Board of Education of Baltimore County will host the Baltimore City Board of School Commissioners for dinner on Tuesday, February 15, 2005 at 7:00 p.m.
- The Southeast Area Educational Advisory Council will meet on Tuesday, February 15, 2005 at Patapsco High School beginning at 7:30 p.m.
- The Southwest Area Educational Advisory Council will meet on Wednesday, February 16, 2005 at Woodbridge Elementary School beginning at 7:00 p.m.
- The Northeast Area Educational Advisory Council will meet on Thursday, February 17, 2005 at Perry Hall Middle School beginning at 7:00 p.m.
- The next regularly scheduled meeting of the Board of Education of Baltimore County will be held on Tuesday, February 22, 2005, at Greenwood. The meeting will begin with an open session at approximately 4:45 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. The Board will host the Baltimore County Commission on Disabilities for dinner on February 22, 2005 from 6:00 p.m. to 7:30 p.m.

Mr. Sasiadek 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.

PUBLIC COMMENT

Mr. David Testa informed the Board on his invention, Vehicle Safety Speed Protection, which would eliminate motor vehicle speeding.

Mr. Muhammad Jameel asked that Muslim holidays be recognized on the school calendar.

Mr. John Roberts noted his support for the request to have Muslim holidays added to the school calendar.

Mr. Ali Hasan requested the two Muslim holidays be added to the school calendar.

Dr. Bash Pharoan encouraged the Board to include the Muslim holidays on the school calendar.

ADJOURNMENT

At 9:59 p.m., Mr. Kennedy moved to adjourn the open session. The motion was seconded by Mr. Arnold and approved by the Board.

Respectfully submitted,

Joe A. Hairston
Secretary-Treasurer

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