

APPROVED MINUTES

BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

Tuesday, May 22, 2007

The Board of Education of Baltimore County, Maryland, met in open session at 3:00 p.m. at Greenwood. President Donald L. Arnold and the following Board members were present: Ms. Frances A. S. Harris, Dr. Warren C. Hayman, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Ms. JoAnn C. Murphy, Ms. Mary-Margaret O'Hare, Mr. Joseph J. Pallozzi, and Mr. Peter Bacon. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

Mr. Arnold reminded Board members of community functions and Board of Education events scheduled in May and June.

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

Pursuant to the Annotated Code of Maryland, State Government Article, §10-508(a)(1), (a)(7), and (a)(9) and upon motion of Mr. Janssen, seconded by Mr. Pallozzi, the Board commenced its closed session at 3:07 p.m.

CLOSED SESSION MINUTES

The Board of Education of Baltimore County, Maryland, met in closed session at 3:07 p.m. at Greenwood. President Donald L. Arnold and the following Board members were present: Ms. Frances A. S. Harris, Dr. Warren C. Hayman, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Ms. JoAnn C. Murphy, Ms. Mary-Margaret O'Hare, Mr. Joseph J. Pallozzi, and Mr. Peter Bacon. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and the following staff members were present: J. Robert Haines, Esq., Deputy Superintendent; Dr. Sonia Diaz, Chief Academic Officer, Mr. William Lawrence, Assistant Superintendent, Northeast Area; Dr. Manuel Rodriguez, Assistant Superintendent, Southwest Area; Ms. Jean Satterfield, Assistant Superintendent, Southeast Area; Dr. Kim X. Whitehead, Assistant Superintendent, Central Area; J. Stephen Cowles, Esq., Staff Attorney; Anjanette L. Dixon, Esq., Staff Attorney; Dr. Donald Peccia, Assistant Superintendent, Human Resources and Governmental Relations; Dr. Alpheus Arrington, Director, Personnel Staffing; Mr. Daniel Capozzi, Staff Relations Manager; P. Tyson Bennett, Esq., Counsel to the Board of Education; and Ms. Brenda Stiffler, Administrative Assistant to the Board.

Dr. Peccia reviewed with Board members personnel matters to be considered on the evening's agenda.

Mr. Hayden entered the room at 3:12 p.m.

Mr. Capozzi updated Board members on collective bargaining discussions for each bargaining unit.

P. Tyson Bennett, Esq., provided legal advice to the Board regarding an AFSCME Request for Appeal to be considered on the evening's agenda.

The Board entertained oral argument in Hearing Examiner's Case #07-09. The matter was heard in closed session.

In addition to the above listed Board members, the following persons were present for oral argument: the appellant; Dr. Joe A. Hairston, Superintendent; Dr. Sonia Diaz, Chief Academic Officer; Ms. Phyllis Bailey, Executive Director, Special Programs, PreK-12; Dr. Carol Batoff, Superintendent's Designee; J. Stephen Cowles, Esq., Staff Attorney; Anjanette L. Dixon, Esq., Staff Attorney; P. Tyson Bennett, Esquire, Legal Counsel to the Board of Education; and Ms. Brenda Stiffler, Administrative Assistant to the Board of Education.

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

The hearing was concluded at 4:45 p.m.

Ms. Dixon, the appellant, Mr. Cowles, and staff exited the room during deliberations.

Board members deliberated on the case.

At 4:55 p.m., Mr. Janssen moved the Board adjourn for a brief dinner recess. The motion was seconded by Mr. Pallozzi and approved by the Board.

OPEN SESSION MINUTES

The Board of Education of Baltimore County, Maryland, reconvened in open session at 7:30 p.m. at Greenwood. President Donald L. Arnold and the following Board members were present: Ms. Frances A. S. Harris, Mr. John A. Hayden, III, Dr. Warren C. Hayman, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Ms. JoAnn C. Murphy, Ms. Mary-Margaret O'Hare, Mr. Joseph J. Pallozzi, and Mr. Peter Bacon. 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 Wil Cowan, a student at Dulaney High School, followed by a period of silent meditation for those who have served education in the Baltimore County Public Schools.

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

SELECTION OF SPEAKERS

After collecting completed sign-up cards, Mr. Arnold announced the names of persons who would be speaking during the public comment portion of the meeting as well as the order in which the persons would be called.

ADVISORY AND STAKEHOLDER COMMENTS

Ms. Jennifer Oswald, Baltimore County Student Council President and Superintendent's Student Council Advisory Group, reported on the annual BCSC Bull Roast held May 18.

Ms. Denise Frances, a representative of the Advisory Committee for Alternative Programs, and Mr. Kenny Braxton, a student, talked about the quality of Milford Mill Academy's learning center program.

Ms. Jasmine Shriver, a representative of the Baltimore County Education Coalition, reported on the coalition's operating budget work session with the County Council.

Ms. Gloria Collins, President of the Baltimore County Instructional Assistants & Clerical Employees (BACE), stated that BACE is counting on the Board's support for salary increases and health care package.

Dr. Ella White-Campbell, Chair of the Minority Achievement Advisory Group, reported on the group's last meeting, which discussed the African-American Male Achievement Task Force report presented by Mr. Dunbar Brooks. Dr. Campbell also expressed concerns that the Board had approved a cellular tower at Randallstown High School.

Ms. Susan Katz, President of the PTA Council of Baltimore County, and Ms. Tobie Pulley, shared with Board members partnerships with the Offices of Alternative Education and Special Education regarding fundraising.

Ms. Cheryl Bost, President of the Teachers Association of Baltimore County, asked the Board to adopt the negotiated packages that are on the evening's agenda.

SUPERINTENDENT'S REPORT

Dr. Hairston announced that ten Baltimore County public high schools had been named among the nation's top 5% by *Newsweek* magazine. Those high schools are: Catonsville, Dulaney, Eastern Technical, Franklin, George Washington Carver Center for Arts and Technology, Hereford, Loch Raven, Parkville, Pikesville, and Towson.

SPECIAL ORDER OF BUSINESS

On a motion of Mr. Janssen, seconded by Ms. Murphy, the Board approved the following resolution for Mr. Daniel Scroggs:

WHEREAS, *Daniel "Dan" Scroggs introduced the "Paperless Board" concept to the Board of Education of Baltimore County; and*

WHEREAS, *He provided leadership and promoted the use of technology to become one of the first paperless school boards in the country; and*

SPECIAL ORDER OF BUSINESS (cont)

- WHEREAS, *Dan promoted technology literacy among board members through evening classes and individual instruction; and*
- WHEREAS, *He provided processes for the board to receive and submit information electronically; and*
- WHEREAS, *Dan provided continual electronic access to school board members at board meetings; and*
- WHEREAS, *He provided a system of at-home electronic access for school board members to assure constant uninterrupted communication; and*
- WHEREAS, *Dan provided leadership in the implementation of BCPS technology standards to the Board of Education of Baltimore County; and*
- WHEREAS, *He continues to promote current information technologies and best practices as they relate to the Board of Education; and*
- WHEREAS, *Dan continues to measure and test new technologies, techniques, strategies, tools, and processes as they relate to the Board's goals; and*
- WHEREAS, *Board meetings are more concise, board members are better informed, and the overall school district is more effective because of the paperless operation; now therefore, be it*
- RESOLVED *That the Board herewith extends its best wishes for his good health, happiness, and continued success.*

RECOGNITION OF ADMINISTRATIVE APPOINTMENTS

Dr. Donald Peccia recognized the administrative appointments made at the May 8, 2007 Board meeting:

<u>NAME</u>	<u>FROM</u>	<u>TO</u>
<u>FRANCESCA O. BROWN</u> (Effective July 1, 2007)	Teacher/Classroom Powhatan Elementary School	Assistant Principal Rodgers Forge Elementary School
<u>CATHY C. GANTZ</u> (Effective July 1, 2007)	Assistant to the Area Assistant Superintendent, Northeast Office of the Superintendent	Principal Hernwood Elementary School
<u>DARLENE R. MORRISON</u> (Effective July 1, 2007)	Assistant Principal Cromwell Valley Elementary Regional Magnet School	Principal Cromwell Valley Elementary Regional Magnet School

OLD BUSINESS (cont)

Proposed Re-adoption of Policy 8131

On a motion of Mr. Pallozzi, seconded by Mr. Hayden, the Board approved the proposed re-adoption of Policy 8131 – INTERNAL BOARD POLICIES – Administration in Policy Absence, as presented in Exhibit B.

Proposed Changes to Policy 8210

On a motion of Mr. Pallozzi, seconded by Mr. Hayden, the Board approved the proposed changes to Policy 8210 – INTERNAL BOARD POLICIES – Officers, Election, as presented in Exhibit C.

Proposed Changes to Policy 8222

On a motion of Mr. Pallozzi, seconded by Mr. Hayden, the Board approved the proposed changes to Policy 8222 – INTERNAL BOARD POLICIES – Secretary-Treasurer, Assistant Secretary-Treasurer, as presented in Exhibit D.

Proposed Changes to Policy 8230

On a motion of Mr. Pallozzi, seconded by Mr. Hayden, the Board approved the proposed changes to Policy 8230 – INTERNAL BOARD POLICIES – Orientation of New Board Members, as presented in Exhibit E.

Proposed Deletion of Policy 8240

On a motion of Mr. Pallozzi, seconded by Mr. Hayden, the Board approved the proposed deletion of Policy 8240 – INTERNAL BOARD POLICIES – Conflict of Interest, as presented in Exhibit F.

Proposed Re-adoption of Policy 8250

On a motion of Mr. Pallozzi, seconded by Mr. Hayden, the Board approved the proposed re-adoption of Policy 8250 – INTERNAL BOARD POLICIES – Attendance of Board Members at Board Meetings, as presented in Exhibit G.

Proposed Re-adoption of Policy 8260

Mr. Pallozzi moved approval of the proposed re-adoption of Policy 8260. Mr. Hayden seconded the motion.

Ms. Johnson asked whether the Board has issued press releases. Mr. Hayden stated that the Board has never issued a public relations release. He commented that it might be appropriate that the Superintendent issue releases.

OLD BUSINESS (cont)

Ms. Harris moved to amend paragraph three from “The Board will...” to “The Board may...” Ms. Murphy seconded the motion. The Board approved the amendments to Policy 8260 – INTERNAL BOARD POLICIES – Public Statements of Individual Board Members.

Proposed Changes to Policy 8270

On a motion of Mr. Pallozzi, seconded by Mr. Hayden, the Board approved the proposed changes to Policy 8270 – INTERNAL BOARD POLICIES – Standing and Special Committees, as presented in Exhibit I.

Proposed Re-adoption of Policy 8280

On a motion of Mr. Pallozzi, seconded by Mr. Hayden, the Board approved the proposed re-adoption of Policy 8280 – INTERNAL BOARD POLICIES – Membership in School Board Associations, as presented in Exhibit J.

Proposed Deletion of Policy 8290

On a motion of Mr. Pallozzi, seconded by Mr. Hayden, the Board approved the proposed deletion of Policy 8290 – INTERNAL BOARD POLICIES – Retirement from the Board, as presented in Exhibit K.

REPORTS

The Board received the following reports:

- A. **Report on Proposed Changes to Policy 3520 – NON-INSTRUCTIONAL SERVICES: Maintenance** – Mr. Michael Sines, Executive Director of Physical Facilities, commented that the proposed revisions will change the threshold amount from \$5,000 to \$25,000. These revisions are consistent with the requirements of the Annotated Code of Maryland §5-112. This is the first reading.
- B. **Report on Proposed Changes to Policy 3530.1 – NON-INSTRUCTIONAL SERVICES: Reward Program/School-Related Crimes** – Mr. Sines stated that the text was amended to include “Superintendent” in lieu of “Superintendent’s Staff” and that the policy number will also change. This is the first reading.
- C. **Report on Proposed Changes to Policy 3530.2 – NON-INSTRUCTIONAL SERVICES: Obtaining Restitution for Vandalism** – Mr. Sines stated that the policy has been updated for clarification purposes and that the policy number will change. This is the first reading.

Ms. Johnson asked how this policy has been implemented in the past. Mr. Sines responded it is in collaboration with the county authorities.

REPORTS (cont)

- D. **Report on Proposed Changes to Policy 8311 – INTERNAL BOARD POLICIES: Meetings: Types** – Mr. Arnold, chair of the Ad Hoc Committee, stated that minor changes to this policy will reflect current practice. The Committee recommended the deletion of the references to “special” and “executive” meetings and has included the amended language reference to *Robert’s Rules of Order*. This is the first reading.
- E. **Report on Proposed Re-adoption of Policy 8312 – INTERNAL BOARD POLICIES: Meetings: Times and Place** – Mr. Arnold stated the Committee is recommending re-adoption of this policy. This is the first reading.
- F. **Report on Proposed Re-adoption of Policy 8313 – INTERNAL BOARD POLICIES: Meetings: Notice** – Mr. Arnold noted that the Committee is also recommending re-adoption of this policy. This is the first reading of this policy.

Ms. O’Hare asked if a “special” meeting was different from other policies that relate to meetings. Mr. Bacon suggested using the term “all” meetings.

As a point of information, Mr. Janssen stated that the Committee opted to amend so that as the law changes, the Board would not have to continue to make changes to its policy.

- G. **Report on Proposed Changes to Policy 8314 – INTERNAL BOARD POLICIES: Meetings: Agenda** – Mr. Arnold stated this policy addresses the manner in which the agenda-related materials are provided to the Board members prior to Board meetings. The Committee is recommending amendments to clarify current practice, including updating reference to the Superintendent and elimination of the number of days stated for mailing of materials. This is the first reading.

Mr. Hayden stated that this policy needs to be further addressed and discussed among Board members. He stated that the agenda needs to be available as soon as practical, when adopted.

In the third paragraph, Ms. Harris suggested changing the word “Superintendent” to “Secretary-Treasurer” and changing the words from “be mailed” to “make available.”

After further discussion, the Board requested that this policy be returned to the Ad Hoc Committee for further review.

- H. **Report on Proposed Re-adoption of Policy 8320 – INTERNAL BOARD POLICIES: Operations: Final Action by the Board** – Mr. Arnold noted that the Committee is recommending re-adoption of this policy because it accurately reflects current practice. This is the first reading.

REPORTS (cont)

- I. **Report on Proposed Changes to Policy 8330 – INTERNAL BOARD POLICIES: Operations: Minutes** – Mr. Arnold stated the amendments eliminate outmoded references to “special” and “executive” meetings that have been removed from other policies in this series. The Committee is also recommending the deletion of number “10” as the language appears to refer to an outmoded practice. This is the first reading.

PERSONNEL MATTERS

On motion of Mr. Janssen, seconded by Mr. Pallozzi, the Board approved the personnel matters as presented on Exhibits V, W, X, Y, and Z (Copies of the exhibits are attached to the formal minutes.).

AFSCME REQUEST FOR APPEAL

On motion of Mr. Hayden, seconded by Mr. Janssen, the Board approved the motion to dismiss a request for Administrative Appeal (Favor – 9; Opposed – 0). Mr. Bacon did not vote on this item.

NEGOTIATIONS

Ms. Murphy moved to strike the domestic partner clause from the AFSCME benefit package. On motion of Dr. Hayman, seconded by Ms. Harris, the Board approved the amended Master Agreement with American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME).

Ms. Murphy moved to strike the domestic partner clause from the BACE benefit package. On motion of Mr. Janssen, seconded by Ms. Harris, the Board approved the amended Master Agreement with Baltimore (County Instructional) Assistants and Clerical Employees, Inc. (BACE).

Ms. Murphy moved to strike the domestic partner clause from the CASE benefit package. On motion of Mr. Janssen, seconded by Ms. Harris, the Board approved the amended Master Agreement with Council of Administrative and Supervisory Employees (CASE).

Ms. Murphy moved to strike the domestic partner clause from the PSNA/SEUI benefit package. On motion of Mr. Janssen, seconded by Ms. Harris, the Board approved the amended Master Agreement with Professional Staff Nurses’ Association (PSNA/SEUI).

NEGOTIATIONS (cont)

Ms. Murphy moved to strike the domestic partner clause from the TABCO benefit package. On motion of Mr. Janssen, seconded by Ms. Harris, the Board approved the amended Master Agreement with Teachers Association of Baltimore County (TABCO).

BUILDING AND CONTRACT AWARDS

The Building and Contracts Committee, represented by Ms. Shillman, recommended approval of items 1-22 (Exhibit GG). Mr. Janssen abstained from voting on all items.

The Board approved these recommendations.

1. JMI-613-06 Contract Modification: Direct Digital Control Preventative Maintenance Program
2. 3-341-02 Contract Modification: Document Management Systems Software and System Support
3. RGA-165-06 Contract Modification: Pulaski Business Park Lease
4. PCR-278-07 Intensity V
5. PCR-280-07 Natural Gas Acquiring Agent
6. MBU-550-07 Preventative Maintenance and Repair of Refrigeration Equipment
7. MBU-549-07 Repair of Food Services Mechanical Equipment
8. PCR-279-07 Social Workers/Personal Assistants
9. JNI-781-07 Student Typing Program Software
10. RHA-315-07 Contract Modification: Modular Classroom – Chesapeake High School
11. JMI-631-04 Contract Modification: Design Services Contract – Kenwood High School Addition and Technology Wing Renovation
12. MWE-843-07 Contract Modification: Site Work (2-A) Contract – Vincent Farm Elementary School
13. MWE-825-06A Contract Modification: Construction Management Services – Vincent Farm Elementary School
14. MWE-869-07 Parking Lot Expansion and Drop Loop Modification – Carney Elementary School
15. MBU-539-07 Installation of an Emergency Generator at the Food Service Warehouse
16. MWE-864-07 Parking Lot Expansion and Drop Loop Modification – Mars Estates Elementary School
17. MWE-867-07 Parking Lot Expansion and Drop Loop Modification – Norwood Elementary School
18. JMI-645-07 Main Electrical Feeder Replacement – Parkville High School
19. MWE-863-07 Parking Lot Expansion and Drop Loop Modification – Sandy Plains Elementary School

BUILDING AND CONTRACT AWARDS (cont)

20. MWE-865-07 Parking Lot Expansion and Drop Loop Modification – Scotts Branch Elementary
21. MWE-868-07 Parking Lot Expansion and Drop Loop Modification – Winand Elementary School
22. MWE-866-07 Parking Lot Expansion – Woodbridge Elementary School

CHARTER SCHOOL APPLICATION

Ms. Phyllis Bailey, Executive Director of Special Programs, PreK through 12, presented the recommendation of the Superintendent that the application Imagine Schools, Inc., *Discovery Public Charter School* be rejected. Ms. Bailey reviewed the application process; technical, liability, and standards reviews; and cited specific sections of the application that were deficient.

On motion of Mr. Pallozzi, seconded by Dr. Hayman, the Board denied the Imagine Schools, Inc., *Discovery Public Charter School* application, as presented in Exhibit HH.

INFORMATION

The Board received the following as information:

- A. MBE/SBE Annual Report

ANNOUNCEMENTS

Mr. Arnold made the following announcements:

- The Baltimore County Board of Education will convene a hearing to seek public input about FY2009 capital budget needs in Baltimore County Public Schools on Wednesday, May 23, 2007, at 7:00 p.m. on the Greenwood campus in the ESS Building. Public sign-up begins at 6:00 p.m. Those individuals who are unable to address the Board during the public hearing are invited to write to the Board of Education.
- The Board of Education of Baltimore County will hold its next regularly scheduled meeting on Tuesday, June 12, 2007, at Greenwood. The meeting will begin with an open session at approximately 5:00 p.m. The Board will then adjourn to meet in closed session, which will be followed by a brief dinner recess. The open session will reconvene at approximately 7:30 p.m. The public is welcome to all open sessions. The Board of Education will host the Community College of Baltimore County's Board of Directors for dinner on Tuesday, May 22, 2007, from 6:00 p.m. – 7:30 p.m.

ANNOUNCEMENTS (cont)

- The Board of Education of Baltimore County will meet to conduct a work session on Tuesday, June 19, 2007, beginning at 7:00 p.m., at Greenwood. The meeting is open to the public.

Mr. Arnold stated that public comment is one of the opportunities provided to hear the views and receive the advice of community members. The members of the Board appreciate hearing from interested citizens and will take their comments into consideration, even though it is not the Board's practice to take action at this time on issues which are raised. When appropriate, the Board will refer concerns to the Superintendent for follow-up by his staff.

While the Board encourages public input on policy, programs, and practices within the purview of this Board and this school system, this is not the proper avenue to address specific student or employee matters, or to comment on matters that do not relate to public education in Baltimore County. The Board encourages everyone to utilize existing avenues of redress for complaints. Inappropriate personal remarks or other behavior that disrupts or interferes with the conduct of this meeting are out of order.

Mr. Arnold also asked speakers to observe the light system, which lets the speaker know when time is up. He asked speakers to conclude their remarks when they see the red light.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 3150

No one from the public signed up to speak on this policy.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 3220

No one from the public signed up to speak on this policy.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 5140

No one from the public signed up to speak on this policy.

PUBLIC COMMENT ON PROPOSED SPECIAL EDUCATION STAFFING PLAN

No one from the public signed up to speak on the proposed staffing plan.

PUBLIC COMMENT ON PROPOSED EDUCATIONAL FACILITIES MASTER PLAN AND
THE COMPREHENSIVE MAINTENANCE PLAN

No one from the public signed up to speak on the proposed staffing plan.

PUBLIC COMMENT ON PROPOSED 2008-2009 SCHOOL CALENDAR

Mr. Mohammad Jameel asked the Board to include the two Muslim holidays on the 2008-2009 school calendar.

Dr. Bash Pharoan proposed three amendments to the 2008-2009 school calendar: add one Islamic holiday; schedule school closings for professional development on the Islamic holidays; add two “floating” holidays.

GENERAL PUBLIC COMMENT

Mr. Dennis King expressed his frustration that schools would remain open on June 18 and 19. He stated that there is no reason for students to attend school past June 15.

Ms. Nancy Ostrow stated that she is confident that Rules 5140 and 5150 are closely followed when students are registered at a Baltimore County public school. She commented that the school system needs addition funding for pupil personnel workers.

Ms. Hadear Abdou asked the Board to add the two Muslim holidays to the school calendar.

Dr. Bash Pharoan asked for equality by adding the two Muslim holidays to the school calendar.

Mr. Mohammad Jameel asked the Board to approve adding one Muslim holiday to the school calendar.

ADJOURNMENT

At 9:03 p.m., Mr. Bacon moved to adjourn the open session. The motion was seconded by Ms. Harris and approved by the Board.

Respectfully submitted,

Joe A. Hairston
Secretary-Treasurer

bls