

APPROVED MINUTES (11/5/08)

BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

Tuesday, October 7, 2008

The Board of Education of Baltimore County met in open session at 6:06 p.m. at Greenwood. President JoAnn C. Murphy and the following Board members were present: Mr. James E. Coleman, Ms. Frances A. S. Harris, Mr. Earnest E. Hines, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Ms. Mary-Margaret O'Hare, Mr. Joseph J. Pallozzi, Mr. H. Edward Parker, Ms. Valerie A. Roddy, Mr. David Uhlfelder, and Miss Annette Karanja. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

Ms. Murphy reminded Board members of community functions and Board of Education events scheduled in October and November.

Pursuant to the Annotated Code of Maryland, State Government Articles, §§10-508(a)(1) and (a)(7) and upon motion of Mr. Pallozzi, seconded by Ms. O'Hare, the Board commenced its closed session at 6:11 p.m.

CLOSED SESSION MINUTES

The Board of Education of Baltimore County, Maryland, met in closed session at 6:11 p.m. at Greenwood. President JoAnn C. Murphy and the following Board members were present: Mr. James E. Coleman, Ms. Frances A. S. Harris, Mr. Earnest E. Hines, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Ms. Mary-Margaret O'Hare, Mr. Joseph J. Pallozzi, Mr. H. Edward Parker, Jr., Ms. Valerie A. Roddy, Mr. David Uhlfelder, and Miss Annette Karanja. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and the following staff members were present: J. Robert Haines, Esq., Deputy Superintendent; Ms. Rita Fromm, Chief of Staff; Mr. William Lawrence, Assistant Superintendent, Northwest Area; Dr. Robert Tomback, Assistant Superintendent, Northeast Area; Ms. Lisa Samson, Assistant to the Assistant Superintendent, Southwest Area; Ms. Jean Satterfield, Assistant Superintendent, Southeast Area; Mr. Lyle Patzkowsky, Assistant Superintendent, Central Area; Dr. Donald Peccia, Assistant Superintendent, Human Resources; Dr. Alpheus Arrington, Director, Human Resources; Mr. Daniel Capozzi, Staff Relations Manager; J. Stephen Cowles, Esq., Associate General Counsel; 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.

Dr. Patricia Abernethy, Chief Academic Officer, entered the room at 6:16 p.m.

Dr. Peccia and Dr. Arrington exited the room at 6:20 p.m.

Mr. Bennett provided legal advice to the Board regarding hearing officers' opinions in three cases to be considered that evening.

At 6:31 p.m., Ms. Harris moved the Board adjourn closed session. The motion was seconded by Mr. Pallozzi and approved by the Board.

ADMINISTRATIVE FUNCTION

Board members discussed an Ethics Review Panel opinion.

At 6:42 p.m., the Board adjourned for a brief dinner recess.

OPEN SESSION MINUTES

The Board of Education of Baltimore County, Maryland, reconvened in open session at 7:30 p.m. at Greenwood. President JoAnn C. Murphy and the following Board members were present: Mr. James E. Coleman, Ms. Frances A. S. Harris, Mr. Earnest E. Hines, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Ms. Mary-Margaret O'Hare, Mr. Joseph J. Pallozzi, Mr. H. Edward Parker, Jr., Ms. Valerie A. Roddy, Mr. David Uhlfelder, and Miss Annette Karanja. 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 Mr. Daniel Smith, a student at Stemmers Run Middle School, followed by a period of silent meditation for those who have served education in the Baltimore County Public Schools.

Hearing no additions or corrections to the Open and Closed Minutes of September 9, 2008; and the Report on the Board of Education Work Session of September 16, 2008, Ms. Murphy declared the minutes approved as presented on the Web site.

Ms. Murphy 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, Ms. Murphy 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

Mr. Daniel Smith, a representative of the Baltimore County Student Council President and Superintendent's Student Council Advisory Group, reported on the council's workshop held at Camp Ramblewood. He stated there were 12-hour training days filled with workshops, games, and seminars. Mr. Smith noted the council's first general session meeting would be held later in the month.

Ms. Jasmine Shriver, Coordinator of the Area Educational Advisory Councils, reported on its joint meeting held on September 18. She stated the council had excellent dialogue with Dr. Abernethy and her staff on the curriculum management plan update. Ms. Shriver thanked the Board for placing air conditioning in its focus areas for this school year.

Ms. Jan Thomas, Chair of the Central Area Educational Advisory Council, reported on its meeting of September 25. She stated that the Ruxton Ridge community feels it has been disenfranchised and asked the Board to have an open dialogue with this community. Ms. Thomas introduced the newly elected chair of the central area council, Ms. Laura Mullen. Ms. Mullen announced that the central area will be holding its operating pre-budget meeting on Thursday, October 16, 2008 at Dumbarton Middle School beginning at 7:00 p.m.

Mr. Ron Zimmerman, a representative of the Northeast Area Educational Advisory Council, reported on the council's operating pre-budget hearing of September 24. Operating budget requests from the public included: CTE equipment and software upgrades, increase in teacher pay and school maintenance, and a new high school in the northeast area with the acquisition of land.

Ms. Carmela Veit, Chair of the Baltimore County Education Coalition, reported on its most recent meeting. Items discussed were air conditioning and renovating the remaining 40 schools, substance abuse in high schools, eLearning, and progression of instructional programs.

Ms. Gloria Collins, President of the Baltimore County Instructional Assistants & Clerical Employees (BACE), asked the Board to give office staff and all employees a choice with their 403(b) plans.

Mr. John Desmone, Executive Director of the Council of Administrative and Supervisory Employees, stated that CASE is disappointed with the recommendation to go to a single vendor for the 403(b) program. He urged the Board to reconsider the recommendation scheduled for a vote this evening.

Ms. Nancy Ostrow, President of the PTA Council of Baltimore County, expressed the need for technical support in schools without teachers performing double duty, support of sound enhancement in the classrooms, and lobbying appropriate funding authorities to establish salaries commensurate with the professional preparation necessary for effective teaching. Ms. Ostrow announced the PTA Fall Reception and Workshop to be held on October 23, 2008, at New Town High School.

ADVISORY AND STAKEHOLDER COMMENTS (cont)

Ms. Cheryl Bost, President of the Teachers Association of Baltimore County, stated that 1) TABCO was disappointed that the recommendations of the impasse panel was not on the Board's agenda for September 23; 2) the Board should oppose the 403(b) single provider as recommended and consider multiple vendors; and 3) employees are wearing black because TABCO believes that no collaboration exists between the Board and the workforce.

SPECIAL ORDER OF BUSINESS

Ms. Murphy presented to Mr. Coleman, Ms. Roddy, Mr. Uhlfelder, and Miss Karanja their Commissions from Governor Martin O'Malley.

SUPERINTENDENT'S REPORT

There was no Superintendent's report for this evening.

RECOGNITION OF ADMINISTRATIVE APPOINTMENTS

Dr. Donald Peccia, Assistant Superintendent of Human Resources, recognized the administrative appointments made at the September 9, 2008 and September 23, 2008 Board meetings:

<u>NAME</u>	<u>FROM</u>	<u>TO</u>
<u>JONATHAN D. BROWN</u> (Effective September 10, 2008)	Associate Superintendent, Curriculum and Instruction Dayton, Ohio Public Schools	Associate Superintendent, Curriculum and Instruction
<u>LYNNE M. PALMER</u> (Effective September 10, 2008)	Teacher/Special Education Early Childhood – Inclusion Owings Mills Elementary School	Assistant Principal Johnnycake Elementary School
<u>MARK A. ANELLI</u> (Effective September 24, 2008)	Teacher/Guidance Golden Ring Middle School	Guidance (.4) Golden Ring Middle School Pupil Personnel Worker (.6)
<u>MELISSA A. BUSH BENFORD</u> (Effective September 24, 2008)	Teacher/Guidance Kingsville Elementary School	Assistant Principal Pot Spring Elementary School
<u>CAROL M. FERRIS</u> (Effective September 24, 2008)	Teacher/Special Education–Inclusion Chase Elementary School	Assistant Principal Westowne Elementary School

RECOGNITION OF ADMINISTRATIVE APPOINTMENTS (cont)

<u>NAME</u>	<u>FROM</u>	<u>TO</u>
<u>CHARLES L. LANDON, III</u> (Effective September 24, 2008)	Teacher/Resource Department of Research, Accountability, and Assessment	Statistical Data Specialist Department of Research, Accountability, and Assessment
<u>JANE D. MARTIN</u> (Effective September 24, 2008)	Assistant Principal Pot Spring Elementary School	Principal Pot Spring Elementary School
<u>ANTHONY J. POPOWITZ</u> (Effective September 24, 2008)	Lead Teacher Antietam Academy Washington County Public Schools	Assistant Principal Lansdowne High School
<u>NANCY E. WENZL</u> (Effective September 24, 2008)	Teacher/Classroom Woodholme Elementary School	Assistant Principal Seneca Elementary School

RECOGNITION OF ADVISORY COUNCIL APPOINTMENTS

Dr. Donald Peccia, Assistant Superintendent of Human Resources, recognized the advisory council appointments made at the September 9, 2008 Board meeting:

- Dr. Laurie Taylor-Mitchell Central Area – new member
- Mr. Noel Green Northwest Area – new member

OLD BUSINESS

The Board Policy Committee, represented by Ms. Harris, recommended approval of ten policies. This is the third reading.

On motion of Mr. Pallozzi, seconded by Ms. O'Hare, the Board approved the following proposed policies:

- Proposed Changes to Policy 8314 – INTERNAL BOARD POLICIES: Meetings:
Agendas
- Proposed Changes to Policy 8315 – INTERNAL BOARD POLICIES: Meetings:
Participation by the Public
- Proposed Changes to Policy 8366 – ETHICS CODE: Ethics Review Panel

PERSONNEL MATTERS

On motion of Mr. Janssen, seconded by Mr. Pallozzi, the Board approved the personnel matters as presented on exhibits E, F, G, H, and I (Copies of the exhibits are attached to the formal minutes).

HEARING EXAMINERS' RECOMMENDATIONS

On a motion of Mr. Janssen, seconded by Mr. Parker, the Board approved that the hearing examiner's opinion in case #08-16 be affirmed (favor-11; opposed-0). Student Board member, Miss Karanja, did not vote.

On a motion of Mr. Parker, seconded by Mr. Pallozzi, the Board approved that the hearing examiner's opinion in case #08-30 be affirmed (favor-10; opposed-1). Mr. Janssen opposed this item. Student Board member, Miss Karanja, did not vote.

On a motion of Mr. Janssen, seconded by Mr. Pallozzi, the Board approved that the hearing examiner's opinion in case #08-33 be affirmed (favor-11; opposed-0). Student Board member, Miss Karanja, did not vote.

BUILDING AND CONTRACT AWARDS

The Building and Contracts Committee, represented by Mr. Pallozzi, recommended approval of items 1-18 (exhibit J). Mr. Pallozzi separated item 1 for further discussion. Ms. Johnson separated item 2, and Mr. Janssen separated item 16 for further discussion.

The Board approved items 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, and 18.

3. JMI-603-09 School Attendance Monitoring System
4. PCR-228-09 Telephone Equipment Repair and Maintenance
5. RGA-117-09 Memorandum of Understanding – School Resource Officer Program
6. PCR-209-08 Boiler Replacement – Catonsville High School
7. MWE-801-09 Window, Blind, and Door Replacement – Eastwood Center
8. MWE-807-09 Construction Contract – Elevator Addition – Greenwood Human Resources Building
9. PCR-221-08 Replacement of Windows, Blinds, and Doors – Hernwood Elementary School
10. JNI-731-08 Replacement of Windows, Blinds, and Doors – Middleborough Elementary School

BUILDING AND CONTRACT AWARDS (cont)

11. PCR-220-08 Replacement of Windows, Blinds, and Doors – Pinewood Elementary School
12. PCR-292-08 Fee Acceptance: Design Services – Transportation Building Renovations at the Arbutus Bus Lot
13. JMI-631-08 Fee Acceptance: Architecture/Engineering (A/E) Services – George Washington Carver Center for Arts and Technology School Replacement
14. JMI-645-08 Fee Acceptance: Construction Management (CM) Services – George Washington Carver Center for Arts and Technology School Replacement
15. PCR-292-08 Fee Acceptance: Design Services – Steam Canopy Feasibility Study – Kenwood Bus lot
17. PCR-292-08 Fee Acceptance: Design Services – Wabash Bus Maintenance Facility Addition
18. MBU-503-09 Request to Negotiate: On-call Weatherization Design Services

Item 1

Mr. Pallozzi stated that he would have to vote against this item and recommends multiple vendors. Ms. Roddy noted that she would abstain from voting.

Mr. Janssen asked whether Bolton Partners Investment Consulting Group, Inc., would benefit, directly or indirectly, from the recommendation. Mr. Gay responded that BCPS has a contract with Bolton as a consultant and that staff provides all recommendations to the Board. Mr. Gay also noted that there are ethical requirements within the terms and conditions of the contract.

Ms. Johnson and Ms. O'Hare agreed that the school system should look into the possibility of having more than one vendor.

Mr. Janssen asked for clarification on Mr. Pallozzi's proposal. Mr. Pallozzi stated that he opposes a single vendor and believes that the school system should support multiple vendors.

Ms. O'Hare moved to oppose this contract. Mr. Pallozzi seconded the motion. The Board opposed this item (opposed-11; abstained-1). Ms. Roddy abstained from voting on this item.

1. PCR-212-08 403(b) Retirement Plan Providers

BUILDING AND CONTRACT AWARDS (cont)

Ms. Murphy stated that she does not want this vote to be construed as a lack of confidence in the vendor. This issue is broader than any single vendor. The Board would like to see possible scenarios of multiple vendors but not go beyond the five vendors that responded to the request for proposal (RFP). Ms. Murphy also stated that the Board would also like to see a recommendation for a third-party administrator to handle the compliance and liability issues.

Mr. Uhlfelder asked whether additional technical questions could be asked of staff. Ms. Murphy responded that questions need to be given to the Superintendent, who will forward the questions to staff so that answers can be provided to the Board in a timely manner.

Item 2

Ms. Johnson asked how the tutors are chosen to participate and what the 26 schools are. Dr. Jessie Douglas, AVID Coordinator, responded that tutors are chosen by Civic Works. Tutors are required to have 16 hours of training using the AVID methodology. Ms. Johnson asked whether tutors rotate throughout the 26 schools. Dr. Douglas responded that tutors remain at their assigned school for that year and many come back the next year. Ms. Johnson asked where most of the tutors are assigned. Dr. Douglas responded there are tutors from Civic Works in schools in outlying areas, such as Sparrows Point and Milford Mill. Sparrows Point has five tutors but most schools have two tutors, either internally, externally, or a combination. Dr. Douglas noted that for this contract, BCPS has approximately 75% of the schools with Civic Works tutors. Ms. Johnson asked how the school system will measure the success of this program. Dr. Douglas responded that success would be measured by the continuity of the tutor's performance with the students.

On motion of Mr. Janssen, seconded by Mr. Pallozzi, the Board approved item 2.

2. JN1-725-09 AVID-based Schools' Tutoring Program

Item 16

On motion of Mr. Pallozzi, seconded by Mr. Parker, the Board approved item 16 (favor-9; opposed-1; abstained-2). Mr. Janssen opposed this item. Mr. Uhlfelder and Miss Karanja abstained from voting on this item.

16. JMI-645-08 Fee Acceptance: Construction Management (CM) Services – New Construction-Towson West Elementary School

ANNOUNCEMENTS

Ms. Murphy made the following announcements:

- The Northwest Area Education Advisory Council will hold its hearing on the operating budget on Tuesday, October 14, 2008, at Randallstown Elementary School beginning at 7:00 p.m.
- The Southwest Area Education Advisory Council will hold its hearing on the operating budget on Wednesday, October 15, 2008, at Baltimore Highlands Elementary School beginning at 7:00 p.m.
- The Central Area Education Advisory Council will hold its hearing on the operating budget on Thursday, October 16, 2008, at Dumbarton Middle School beginning at 7:00 p.m.
- The Board of Education of Baltimore County will hold its next meeting on Tuesday, October 21, 2008, at Greenwood. The meeting will begin with an open session at approximately 5:30 p.m. The Board will then adjourn to meet in closed session. The open session will reconvene at approximately 6:30 p.m. The public is welcome to all open sessions.

Ms. Murphy 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.

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

GENERAL PUBLIC COMMENT

Ms. Nancy Ostrow stated that while she liked the changes to the interim report for students in high school; however, she did not like the separation of the date by date, grade by grade information on the second page. She asked that all information somehow be incorporated into a one-page interim report.

GENERAL PUBLIC COMMENT (cont)

Mr. Mohammad Jameel asked the Board to uphold students' rights and approve religious holidays other than Christian and Jewish.

Mr. Robert Lever asked the Board to continue to consult with the collective bargaining units with regards to the 403(b) program and consider selecting multiple vendors.

Dr. Bash Pharoan believes that the Board is granting exception to one minority by closing schools on its religious holidays. He asked the Board to place the issue on an agenda to discuss why Muslim students and other minorities are treated as second-class residents.

ADJOURNMENT

Since there was no further business, the Board adjourned its meeting at 8:45 p.m.

Respectfully submitted,

Joe A. Hairston
Secretary-Treasurer

/bls