

APPROVED MINUTES – 12/2/08

BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

Wednesday, November 5, 2008

The Board of Education of Baltimore County met in open session at 4:07 p.m. at Greenwood. President JoAnn C. Murphy and the following Board members were present: Ms. Frances A. S. Harris, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Ms. Mary-Margaret O'Hare, Mr. H. Edward Parker, Jr., and Mr. David Uhlfelder. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

The Board entertained oral argument in Hearing Examiner's Case #08-36. The matter was heard in closed session.

In addition to the above listed Board members, the following persons were present for oral argument: J. Robert Haines, Esquire, Deputy Superintendent; Dr. Patricia Abernethy, Chief Academic Officer; Ms. Rita Fromm, Chief of Staff; Dr. Carol R. Batoff, Superintendent's Designee; Margaret-Ann F. Howie, Esquire, General Counsel; Anjanette Dixon, Esquire, Associate General Counsel; Edward Novak, Esquire, Associate General Counsel; P. Tyson Bennett, Esquire, Legal Counsel to the Board of Education; and Ms. Brenda Stiffler, Administrative Assistant to the Board of Education.

The Appellant did not appear; Ms. Dixon requested the matter be dismissed.

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

Board members deliberated on the case.

The deliberations concluded at 4:49 p.m.

OPEN SESSION

The Board of Education of Baltimore County met in open session at 5:46 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. 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 November and December.

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

Pursuant to the Annotated Code of Maryland, State Government Articles, §§10-508(a)(1), (a)(7), and (a)(9) and upon motion of Mr. Janssen, seconded by Ms. Harris, the Board commenced its closed session at 5:51 p.m.

CLOSED SESSION MINUTES

The Board of Education of Baltimore County, Maryland, met in closed session at 5:51 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. 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; Dr. Patricia Abernethy, Chief Academic Officer; Ms. Rita Fromm, Chief of Staff; Dr. Jonathan Brown, Associate Superintendent, Curriculum and Instruction; Mr. William Lawrence, Assistant Superintendent, Northwest Area; Dr. Robert Tomback, Assistant Superintendent, Northeast Area; Dr. Manuel Rodriguez, 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; Margaret-Ann Howie, Esq., General Counsel; P. Tyson Bennett, Esq., Counsel to the Board of Education; and Ms. Brenda Stiffler, Administrative Assistant to the Board.

Mr. Capozzi updated Board members on negotiations with collective bargaining units.

Mr. Capozzi exited the room at 5:55 p.m.

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

Mr. Bennett provided legal advice on an administrative appeal and the legal requirements under the McKinney-Vento Homeless Act.

On motion of Mr. Parker, seconded by Ms. Harris, the Board adjourned at 6:12 p.m. for a brief dinner recess.

OPEN SESSION MINUTES

The Board of Education of Baltimore County, Maryland, reconvened in open session at 7:29 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. 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 Justin and Ryan Zelinski, 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 Report on the Board of Education Work Session of September 23, 2008, and the Open and Closed Minutes of October 7, 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 Breidenbaugh, Baltimore County Student Council President and member of the Superintendent's Student Council Advisory Group, reported on the Council's first general assembly. Mr. Breidenbaugh announced that the second general assembly will be held on November 13, 2008 and the BCPS Middle School Leadership Conference will be held on November 22, 2008.

Ms. Jasmine Shriver, Coordinator of the Area Education Advisory Councils, commended staff for its tremendous efforts to place highly qualified teachers in core academic subjects. She also thanked the administration and principals for their progress to ensure that the school system is in compliance with the *No Child Left Behind Act*.

Ms. Laura Mullen, Chair of the Central Area Education Advisory Council, reported on the council's operating pre-budget meeting held on October 16. Some of the testimony received included, but was not limited to, sound enhancement in all classrooms, full-time technical integration teacher for each elementary school, regular maintenance plan for Rodgers Forge and Dumbarton schools, and overcrowding issues in Towson.

Mr. Clifford Collins, Chair of the Northwest Area Education Advisory Council, reported on the Council's operating pre-budget meeting held on October 14. Testimonies from twenty-two individuals were received, which focused on technology, local school staffing issues, and salary increases. Copies of each school's requests were provided to Board members.

ADVISORY AND STAKEHOLDER COMMENTS (cont)

Mr. David Asler, a representative of the American Federation of State, County, and Municipal Employees (AFSCME) asked the Board to review Policy 4265.2 and to consider including particular positions in the policy.

Mr. John Desmone, Executive Director of the Council of Administrative and Supervisory Employees (CASE), thanked the Board for hearing employee groups' concerns regarding the 403(b) program. Mr. Desmone stated that CASE is seeking legislation to return to two bargaining units, one comprised of certificated employees, and another composed of non-certificated employees.

Ms. Nancy Ostrow, President of the PTA Council of Baltimore County, reported on the success of the PTA's Fall Reception and Workshop held on October 23, 2008. Ms. Ostrow announced that on October 27, 2008, the Image Discovery Charter School officially established its PTA.

Ms. Cheryl Bost, President of the Teachers Association of Baltimore County, thanked the Board for listening to employees' concerns regarding the 403(b) program.

SUPERINTENDENT'S REPORT

Dr. Hairston provided Board members with background information on the Diversity Achievement Steering Committee (DASC), formerly known as the Minority Achievement Advisory Group (MAAG). Dr. Hairston stated that this diverse group reflects all Baltimore County citizens including racial and ethnic groups.

RECOGNITION OF ADMINISTRATIVE APPOINTMENTS

Dr. Donald Peccia, Assistant Superintendent of Human Resources, recognized the administrative appointments made at the October 7, 2008 Board meeting:

<u>NAME</u>	<u>FROM</u>	<u>TO</u>
<u>RANDY C. ALESHEVICH</u> (Effective October 8, 2008)	Teacher/Resource Department of Research, Accountability and Assessment	Data Specialist Department of Research, Accountability and Assessment

RECOGNITION OF ADVISORY COUNCIL APPOINTMENTS

Dr. Donald Peccia, Assistant Superintendent of Human Resources, recognized the advisory council appointments made at the October 7, 2008 Board meeting:

- Aaron Moore Northeast Area – new student member

OLD BUSINESS

FY10 Revised State Capital Budget

Ms. Barbara Burnopp, Chief Financial Officer, noted the following proposed changes to the state capital request:

- Recommending Sollers Point Technical and Dundalk High Schools be listed as “renovation/replacement” projects and requesting planning funds only.
- Adding roof replacements for six schools.
- Adding chiller replacement for one school.
- Adding boiler replacements for four schools.
- Changing the state capital budget request amount to \$86,418,000.

Ms. Burnopp noted that the county capital request will be presented to the Board at its December work session.

Ms. Harris asked what would happen if the money for state-funded projects “runs out.” Ms. Burnopp responded that the State commits to finishing projects.

Mr. Hines asked whether air conditioning projects can be included. Ms. Burnopp responded that the state has specific requirements of which projects can be funded. Air conditioning could be added depending on how the project is structured. Ms. Burnopp stated that air conditioning, which would be eligible for state funding, has been taken into account for the projects listed.

Mr. Janssen asked whether the state is asking BCPS to provide cash flow to the project through completion or for the immediate year ahead. Ms. Burnopp responded that the state is asking for the cash flow for the whole life of the project.

Mr. Parker moved to adopt the revised FY10 State Capital budget, as presented in Exhibit B. Ms. O’Hare seconded the motion. The Board approved the budget (favor – 11; opposed – 0; abstain – 0). Miss Karanja, student Board member, did not vote.

PERSONNEL MATTERS

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

NEGOTIATION TEAMS FOR 2008-2009

On motion of Mr. Janssen, seconded by Mr. Parker, the Board approved the membership of proposed negotiating teams as presented on exhibit G-1.

BUILDING AND CONTRACT AWARDS

The Building and Contracts Committee, represented by Ms. Harris, recommended approval of items 1-11 (exhibit H). Ms. Johnson separated items 2 and 3 for further discussion. Mr. Janssen noted his opposition to item 5.

With respect to item #4, Mr. Richard Gay, Purchasing Manager, noted that the description should read "...by **federal** law, are entitled to transportation" instead of "...by **state** law, are entitled to transportation."

The Board approved items 1, 4, 6, 7, 8, 9, 10, and 11.

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| 1. | MBU-552-08 | Contract Modification: Vehicle Parts and Materials |
| 4. | JNI-713-09 | Transportation for Selected Students |
| 6. | JMI-651-05 | Contract Modification: Design Services for Systemic Renovation – Woodlawn Middle School |
| 7. | MBU-513-09 | Roof Repairs/Warranty – Arbutus Middle School |
| 8. | MWE-808-09 | Elevator Modernization – Perry Hall High School and Golden Ring Middle School |
| 9. | MWE-628-08 | Fee Acceptance: Consultant Services – Architectural/Engineering (A/E) Services for Milford Mill Academy |
| 10. | JMI-628-08 | Fee Acceptance: Consultant Services – Architectural/Engineering (A/E) Services for Parkville High School |
| 11. | PCR-292-08 | Fee Acceptance: Design Services – Providence Road Bus Maintenance Facility Feasibility Study |

BUILDING AND CONTRACT AWARDS (cont)

Item #2

Ms. Johnson asked how the tutoring system works. Ms. Patricia Baltzley, Director of Mathematics, responded that the online tutoring program will be used for after-school programs or in-school programs. Ms. Johnson asked how the success of the tutoring system will be measured. Ms. Baltzley responded that students' progress will be measured in three ways: 1) review technical reports received from the online tutoring company, 2) review pre- and post-evaluation tools that BCPS will administer, and 3) evaluate short-cycle assessments, benchmark performance, and MSA data.

Ms. O'Hare asked if any data was collected at Woodlawn Middle School. Ms. Baltzley responded in the affirmative. The program was used at Woodlawn Middle School from January 2008 through June 2008. BCPS utilized the company's pre- and post-test, and students showed progress.

On motion of Mr. Parker, seconded by Ms. O'Hare, the Board approved item 2.

2. JN1-728-09 Apangea Learning, Inc.

Item #3

Ms. Johnson asked how students will be selected for this online tutoring system. Ms. Baltzley responded that this is a one-to-one voice tutor and that students will establish a relationship with the same tutor. Ms. Baltzley stated that, if the program is approved, Woodlawn High School would revisit the algebra and data analysis courses to determine which students need support, organize an after-school program with HSA interventions, and potentially establish a Saturday program.

Ms. O'Hare asked how many students would use the online system. Ms. Baltzley responded 50 students the first year and 50 students the second year for a total of 100 students. Ms. Baltzley noted that the cost is approximately \$800 per student per year.

Ms. O'Hare expressed concern that the Board is approving items with no data and no pilot study. Dr. Hairston stated that the accountability in place today is reflective of the students in the classrooms now. By the time pilot programs are tested, those students have moved onward. Dr. Hairston commented that when items are brought before the Board, it is because staff believes that the program will work for students.

On motion of Mr. Parker, seconded by Mr. Hines, the Board approved item 3.

3. JN1-726-09 Elevate Math

BUILDING AND CONTRACT AWARDS (cont)

Item #5

On motion of Mr. Harris, seconded by Mr. Parker, the Board approved item #5. Mr. Janssen opposed this item (favor-10; opposed-1; abstain-0).

5. JMI-630-08 Contract Modification: Consultant Services – Architectural/Engineering (A/E) Services for Towson West Elementary School

ANNOUNCEMENTS

Ms. Murphy made the following announcements:

- The Southeast Area Education Advisory Council will hold its next meeting on Monday, November 10, 2008, at Sparrows Point Middle/High School beginning at 7:00 p.m.
- The High School Honors Music Concert will be held at the Joseph A. Meyerhoff Symphony Hall on Monday, November 10, 2008, at 7:30 p.m.
- On Wednesday, November 12, 2008, the Board of Education's Fall Recognition Ceremony will be held at New Town High School beginning at 7:00 p.m.
- The Northwest Area Education Advisory Council will hold its next meeting on Wednesday, November 12, 2008, at Milford Mill Academy beginning at 7:00 p.m.
- The Board of Education of Baltimore County will hold its next meeting on Wednesday, November 19, 2008, at Greenwood. Please note that the meeting was originally scheduled for Tuesday, November 18. 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.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8360

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

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8364

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

GENERAL PUBLIC COMMENT

Ms. Frances Zimmerman asked that a policy be put in place specifically for heat issues, especially in non-air conditioned schools. She stated that while Superintendent's Rule 6303 does include a paragraph about closing selected schools, the rule is too subjective to be fully effective.

ADJOURNMENT

Since there was no further business, the Board adjourned its meeting at 8:49 p.m.

Respectfully submitted,

Joe A. Hairston
Secretary-Treasurer

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