

APPROVED MINUTES – 02/10/09

BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

Tuesday, January 13, 2009

The Board of Education of Baltimore County met in closed session at 6:00 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 January and February.

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 Mr. Parker, the Board commenced its closed session at 6:02 p.m.

Miss Karanja exited the room at 6:02 p.m.

CLOSED SESSION MINUTES

The Board of Education of Baltimore County, Maryland, met in closed session at 6:02 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, and Mr. David Uhlfelder. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and the following staff members were present: Dr. Patricia E. Abernethy, Chief Academic Officer; Dr. Jonathan D. Brown, Associate Superintendent, Curriculum and Instruction; Dr. Robert M. Tomback, Assistant Superintendent, Northeast Area; Dr. Manuel B. Rodriguez, Assistant Superintendent, Southwest Area; Mr. Stephen B. Bender, Assistant to the Assistant Superintendent, Southeast Area; Mr. Lyle R. Patzkowsky, Assistant Superintendent, Central Area; Dr. Donald A. Peccia, Assistant Superintendent, Human Resources; Dr. Alpheus Arrington, Director, Human Resources; Mr. Daniel J. Capozzi, Staff Relations Manager; Edward J. Novak, Esquire, Associate General Counsel; Andrew W. Nussbaum, Esquire, 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 6:09 p.m. Miss Karanja re-entered the room at 6:09 p.m.

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

Ms. Rita Fromm, Chief of Staff, entered the room at 6:10 p.m.

On motion of Mr. Janssen, seconded by Mr. Parker, the Board adjourned its closed session at 6:14 p.m.

ADMINISTRATIVE FUNCTION

Board members discussed a potential change to the meeting schedule. Board members were also formally introduced to Mr. Andrew W. Nussbaum, legal counsel for 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 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.

PLEDGE OF ALLEGIANCE

The open session commenced with the Pledge of Allegiance to the Flag, which was led by Burt Catzen and Chris Schiefer, followed by a period of silent meditation for those who have served education in the Baltimore County Public Schools.

Under item XII, New Business, Dr. Hairston removed "Consideration of the Mathematics, Science, and World Language Curriculum Programs," from tonight's agenda.

Hearing no additions or corrections to the Report on the Board of Education Work Session of November 19, 2008; and the Open and Closed Minutes of December 2, 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, stated that the advisory group has met three times this year. Topics discussed during these meetings were advanced placement (AP) courses, extracurricular activities, systematic approach to magnet program policy, boundary lines for transportation, and additional programs for "standard" students.

Ms. Jasmine Shriver, Coordinator of the Area Educational Advisory Councils, announced that the joint area education advisory council meeting will be held on Thursday, January 22, 2009, with the discussion to center around the proposed operating budget.

Mr. Stephen Crum, Chair of the Career & Technology Education Advisory Council, reported on its January 12 meeting with guest speaker Ms. Kathy Oliver from the Maryland State Department of Education (MSDE). The presentation focused on "educating tomorrow's work force today."

Mr. Carl Bailey, Chair of the Diversity and Achievement Steering Committee, reported on its January 8 meeting, when staff presented on the style-to-content learning preferences survey and the Articulated Instruction Module (A.I.M.).

Ms. Nancy Ostrow, President of the PTA Council of Baltimore County, shared with the Board recent and upcoming PTA Council activities. She announced that the next general meeting would be held on January 29, 2009, at Loch Raven High School beginning at 7:30 p.m.

Ms. Mary Baskar, Chair of the Special Education Citizens Advisory Committee, reported on its January 12 meeting. She requested that the high schools assessments (HSA) report be added to the Baltimore County Public Schools' (BCPS) Web site (<http://hsaexam.org>). Ms. Baskar asked that the Board readjust its calendar for next year when scheduling the operating budget public hearing.

Ms. Christine Beard, Vice-President of the Teachers Association of Baltimore County, thanked Board members for attending the TABCO/BACE Legislative breakfast on January 10. She stated that TABCO has two initiatives: improving technology, specifically replacing computers across the system, and securing additional technical support staff; and funding for significant salary increases for all BCPS employees.

SUPERINTENDENT'S REPORT

There was no report by the Superintendent.

SPECIAL ORDER OF BUSINESS

The Board presented a resolution recognizing Meryl D. Burgin, Esquire, for her work on the Board of Education's Ethics Review Panel.

WHEREAS, *Meryl D. Burgin, Esquire, has served as a member of the Baltimore County Public Schools Ethics Review Panel with distinction and honor from May 2002 through December 2008; and*

WHEREAS, *She served in exemplary fashion as Vice Chairman of the Panel for calendar year 2003, and as Chairman of the Panel for calendar years 2004, 2005, and 2008, being the first panel member to serve two consecutive years as the Panel Chairman; and*

WHEREAS, *Ms. Burgin wrote seven advisory opinions for year 2004, six advisory opinions for 2005, and seven advisory opinions (one of which combined seven applications) for 2008, thus, she has written more opinions than any single Panel Chairman to date; and*

WHEREAS, *She has always given thoughtful consideration to every issue that has come before the Ethics Review Panel and has always displayed common sense in approaching those issues; and*

WHEREAS, *Ms. Burgin has shared her experience and knowledge in serving with dedication the Baltimore County Public Schools; now, therefore, be it*

RESOLVED, *That the Board of Education of Baltimore County, herewith assembled in regular session on the thirteenth day of January, in the year two thousand nine, recognizes the outstanding contributions of Meryl D. Burgin, Esquire; and be it further*

RESOLVED, *That the Board does herewith extend its deepest appreciation and gratitude for her dedication, loyalty, and service and further extends its best wishes for her good health, happiness, and continued success in her future endeavors.*

RECOGNITION OF ADVISORY COUNCIL APPOINTMENTS

Dr. Donald Peccia, Assistant Superintendent of Human Resources, recognized Ms. Lorrie A. E. Erdman, who was appointed to the Northeast Area Education Advisory Council at the December 2, 2008, Board meeting.

OLD BUSINESS

Board of Education Policies

The Board Policy Committee, represented by Ms. Harris, recommended approval of twenty (20) policies. This is the third reading.

OLD BUSINESS (cont)

On motion of Mr. Parker, seconded by Mr. Pallozzi, the Board approved the following proposed policies:

- Proposed Changes to Policy 2000 – ADMINISTRATION: Administrative and Supervisory Personnel
- Proposed Changes to Policy 2111 – ADMINISTRATION: Superintendent of Schools
- Proposed Deletion of Policy 2112 – ADMINISTRATION: Deputy Superintendent
- Proposed Deletion of Policy 2113 – ADMINISTRATION: Associate Superintendent
- Proposed Deletion of Policy 2114 – ADMINISTRATION: Assistant Superintendent
- Proposed Deletion of Policy 2120 – ADMINISTRATION: Directors, Coordinators, and Supervisors
- Proposed Deletion of Policy 2131 – ADMINISTRATION: Assistant to Superintendent
- Proposed Changes to Policy 2132 – ADMINISTRATION: Consultant
- Proposed Deletion of Policy 2134 – ADMINISTRATION: Office of Research
- Proposed Deletion of Policy 2211 – ADMINISTRATION: Principal
- Proposed Deletion of Policy 2212 – ADMINISTRATION: Assistant Principal
- Proposed Deletion of Policy 2221 – ADMINISTRATION: Elementary School Administrative Assistant
- Proposed Deletion of Policy 2222 – ADMINISTRATION: Principal's Administrative Staff: Department Chair
- Proposed Deletion of Policy 2230 – ADMINISTRATION: Helping Teacher
- Proposed Deletion of Policy 4157 – PERSONNEL: Professional-Vacations
- Proposed Changes to Policy 5110 – STUDENTS: Enrollment and Attendance-Admission
- Proposed Changes to Policy 5120 – STUDENTS: Enrollment and Attendance-Attendance and Excuses
- Proposed Deletion of Policy 5160 – STUDENTS: Enrollment and Attendance-Transfers

OLD BUSINESS (cont)

- Proposed Changes to Policy 5450 – STUDENTS: Services to Students-Accident Insurance (renumber to 3151)
- Proposed Changes to Policy 8360 – ETHICS CODE: Definitions

Proposed FY2010 State and County Capital Budget

On motion of Mr. Pallozzi, seconded by Mr. Parker, the Board approved the FY2010 State and County Capital Budget request of \$165,494,000 as presented in exhibit V (favor-10; opposed-0; abstained-1). Mr. Janssen abstained from voting on this item. Miss Karanja did not vote on this item.

REPORTS

The Board received the following reports:

- A. **Superintendent's Proposed Operating Budget, Fiscal Year 2010** – Dr. Hairston presented to the Board, for its consideration, the Proposed Operating Budget for Fiscal Year 2010. He noted that for the first time since the state of Maryland enacted its *Bridge to Excellence Plan*, also known as Thornton, revenues to local governments to support public education have been cut. Dr. Hairston stated that the proposed budget represents what BCPS needs to educate children and provide quality service for all of Baltimore County. Dr. Hairston reiterated the budget request for FY2010 continues to focus on the *Blueprint for Progress, Master Plan, and Bridge to Excellence*.

Dr. Hairston has proposed an operating budget with a projected 6.6 percent increase in operating costs, which contains:

- Approximately \$23.5 million for salary restructuring for all staff and an additional \$11.6 million in funding to ensure that all eligible employees receive longevity and step increases and \$12.7 million for ongoing support of the employee benefit program.
- Reallocate three teaching positions to maintain the AVID program.
- Reallocate two teaching positions to support growth in the Chinese language program.
- Reallocate one teaching position to implement a Homeland Security program and an Air Traffic Controller program at Dundalk High School.
- Reallocate one teaching position to support a diesel mechanics completer program at Sollers Point Technical High School.
- Reallocate six positions to continue to implement school restructuring in the system's underperforming schools.

REPORTS (cont)

- The addition of 42.1 teaching positions to support increases enrollment.
- The addition of 44 teaching positions to staff the Imagine Discovery Public Chart School.
- Support for opening of the new Towson area elementary school, scheduled for August 2010.
- Sustaining staffing for the music program.

Dr. Hairston shared with Board members the operating budget recommendations as they relate to Performance Goals 1 through 8.

Dr. Hairston announced that on Wednesday, January 14, 2009, there will be a public hearing on the proposed operating budget at Ridge Ruxton School beginning at 7:00 p.m.

Ms. Murphy noted that the Board will conduct a work session on the proposed operating budget on Tuesday, January 27, 2009, at Greenwood beginning at 6:30 p.m. A work session to examine the budget proposal originally had been scheduled for Tuesday, January 20, but that work session will be incorporated into the January 27 meeting.

PERSONNEL MATTERS

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

BUILDING AND CONTRACT AWARDS

The Building and Contracts Committee, represented by Mr. Pallozzi, recommended approval of items 1-14 (exhibit DD).

The Board approved these recommendations.

1. PCR-227-09 Contract Modification: Flexible Benefits Administrator
2. PCR-229-09 Centrex and Plain Old Telephone Service (POTS)
3. RGA-112-09 On-line Catalog Platform
4. JMI-611-09 School Buses
5. MBU-520-09 Uniform Shirts – Food and Nutrition Services
6. JMI-624-09 Uniforms, Utility

BUILDING AND CONTRACT AWARDS (cont)

7. PCR-292-08 Contract Modification: Renovations – Arbutus Transportation Building
8. RGA-199-07 Contract Modification: Feasibility and Design Services for High School Renovations – Catonsville High School
9. RGA-122-09 Contract Modification: Memorandum of Understanding – Hereford High School
10. MWE-811-09 Limited Renovations – Catonsville High School
11. PCR-232-09 Replacement of Windows, Blinds, Doors – Dumbarton Middle School
12. MBU-519-09 Consultant Prequalification: Architectural Consultants
13. JNI-738-09 Consultant Prequalification: Civil/Structural Engineering Consultants
14. JMI-622-09 Consultant Prequalification: Mechanical/ Electrical Engineering Design Consultants

FY 2009 BUDGET APPROPRIATION TRANSFER

On motion of Mr. Janssen, seconded by Ms. Harris, the Board approved the FY 2009 Budget Appropriation Transfer (BAT) for a total transfer amount of \$526,060 (exhibit FF). Funds from the renovation budgets of Arbutus Middle School, Southwest Academy, Loch Raven Academy, and General John Stricker Middle School will be transferred to the renovation project budgets at Sudbrook Magnet Middle School and Cockeysville Middle School.

INFORMATION

The Board received the following as information:

- A. Deletion of Superintendent's Rule 2112 – ADMINISTRATION: Deputy Superintendent
- B. Deletion of Superintendent's Rule 2113 – ADMINISTRATION: Associate Superintendent
- C. Deletion of Superintendent's Rule 2114 – ADMINISTRATION: Assistant Superintendent
- D. Deletion of Superintendent's Rule 2120 – ADMINISTRATION: Directors, Coordinators, and Supervisors
- E. Deletion of Superintendent's Rule 2134 – ADMINISTRATION: Office of Research

INFORMATION (cont)

- F. Deletion of Superintendent's Rule 2211 – ADMINISTRATION: Principal
- G. Deletion of Superintendent's Rule 2212 – ADMINISTRATION: Assistant Principal
- H. Deletion of Superintendent's Rule 2221 – ADMINISTRATION: Elementary School Administrative Assistant
- I. Deletion of Superintendent's Rule 2222 – ADMINISTRATION: Principal's Administrative Staff: Department Chair
- J. Deletion of Superintendent's Rule 2230 – ADMINISTRATION: Helping Teacher
- K. Deletion of Superintendent's Rule 4157 – PERSONNEL: Professional-Vacations
- L. Revised Superintendent's Rule 5110 – STUDENTS: Enrollment and Attendance-Admission
- M. Revised Superintendent's Rule 5120 – STUDENTS: Enrollment and Attendance-Attendance and Excuses
- N. Deletion of Superintendent's Rule 5160 – STUDENTS: Enrollment and Attendance-Transfers

ANNOUNCEMENTS

Ms. Murphy made the following announcements:

- On Wednesday, January 14, 2009, the Board of Education of Baltimore County will meet for a public hearing to seek the community's input on the operating budget for FY2010. The meeting will take place at the Ridge Ruxton School at 7:00 p.m. Sign-up for the public to comment will begin at 6:00 p.m. at Ridge Ruxton School on the day of the hearing. The snow date for the public hearing is Thursday, January 15, 2009.
- The Joint Area Education Advisory Council will meet on Thursday, January 22, 2009, at 7:00 p.m. in the ESS Building room 114.
- The Board of Education of Baltimore County will hold its next meeting on Tuesday, January 27, 2009, 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. During this work session, the Board will also be discussing the FY2010 proposed operating budget. The public is welcome to attend all open sessions.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 1200

Dr. Bash Pharoan expressed concern about the use of elastic words being proposed such as “encouraged” and “establish mechanisms.” He asked the Board to change the policy to allow the public to sign up to speak two weeks prior to a Board meeting by means of e-mail, facsimile, or telephone.

Mr. Muhammad Jameel stated that the word “periodically” in the first paragraph does not stress a timeframe. Regarding the fourth paragraph, Mr. Jameel commented that what constitutes a “regular meeting” is unclear.

Ms. Margaret Ward stated that the policy uses the word “shall” three times. She noted that one community organization made seven requests to BCPS and the Board and two responses were received. This community organization made requests to be added on the agenda twice; there was no response from BCPS or the Board. Ms. Ward believes that the Board is not following the policy concerning community involvement, and to delete this policy would be a grave error.

Mr. Foster Nichols urged the Board to err on the side of more emphasis on community involvement.

PUBLIC COMMENT ON PROPOSED DELETION OF POLICY 7130

Ms. Margaret Ward stated that the Board addressed deletion of this policy in June 2008, and the policy was removed without any reason. She asked the Board to reject the request to delete this policy. She stated that no opportunity was provided to the public to discuss the new west Towson Elementary School during a public hearing because there was no concept of building a new school during the capital budget public hearings.

Ms. Chris Cult asked the Board not to delete Policy and Rule 7130. The Board must continue to make itself available for community involvement and input in construction programs. She stated that it would signal to taxpayers that the Board does not value public input.

Mr. Foster Nichols stated that there are comparable policies in other LEAs. He noted that Montgomery County Public Schools has a policy that covers this process including its annual budget process. He asked the Board to consider not deleting this policy.

PUBLIC COMMENT ON PROPOSED DELETION OF POLICY 7140

Mr. Foster Nichols asked the Board to articulate who are the responsible agencies and what analysis needs to be done and at what stage of the process to review capital projects and where the opportunities for the public to engage, comment, and respond to the analysis and documentation.

PUBLIC COMMENT ON PROPOSED DELETION OF POLICY 7320

Dr. Bash Pharoan asked the Board to reconsider the changes recommended in this policy.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8132

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

GENERAL PUBLIC COMMENT

Mr. Muhammad Jameel stated that equal treatment of Muslim students and their holidays has not been achieved. He asked the Board to close schools on Muslim holy days, and asked that the Superintendent advise the Calendar Committee to include them on the school calendar.

Ms. Margaret Ward noted her opposition to the proposal to construct a new school on the Ridge Ruxton school property. She stated that the new school would be built on three acres and not 25 acres as is BCPS practice for an elementary school.

Dr. Bash Pharoan asked the Board to grant Islamic holidays the same status as Jewish holidays.

ADJOURNMENT

Since there was no further business, the Board adjourned its meeting at 9:02 p.m.

Respectfully submitted,

Joe A. Hairston
Secretary-Treasurer