

APPROVED MINUTES (05/19/09)

BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

Tuesday, April 21, 2009

The Board of Education of Baltimore County met in closed session at 4:01 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. Rodger C. Janssen, Ms. Ramona N. Johnson, Ms. Mary-Margaret O'Hare, Mr. Joseph J. Pallozzi, Mr. H. Edward Parker, and Mr. David Uhlfelder. In addition, J. Robert Haines, Esquire, Deputy Superintendent, and staff members were present.

The Board entertained oral argument in Hearing Examiner's Case #08-12. The matter was heard in closed session.

In addition to the above listed Board members, the following persons were present for oral argument: Anjanette Dixon, Esquire, Associate General Counsel; Margaret-Ann F. Howie, Esquire, General Counsel; Andrew W. Nussbaum, 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.

Board members deliberated on the case.

On motion of Mr. Pallozzi, seconded by Mr. Parker, the Board adjourned at 4:06 p.m.

OPEN SESSION MINUTES

The Board of Education of Baltimore County met in open session at 5:00 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. Rodger C. Janssen, Ms. Ramona N. Johnson, Mr. Joseph J. Pallozzi, Mr. H. Edward Parker, and Mr. David Uhlfelder. In addition, Dr. Joe A. Hairston, Superintendent of School, and staff members were present.

Ms. Murphy reminded Board members of community functions and Board of Education events scheduled in April, May, and June.

Board member, Mr. Earnest Hines, entered the room at 5:07 p.m.

Mr. Janssen announced the Baltimore County Music Educators Wind Symphony & Chorus on Sunday, May 17, 2009, at Parkville High School beginning at 7:30 p.m. to benefit Kids Helping Hopkins.

Pursuant to the Annotated Code of Maryland, State Government Articles, §§10-508(a)(1) and (a)(9) and upon motion of Mr. Janssen, seconded by Mr. Pallozzi, the Board commenced its closed session at 5:08 p.m.

CLOSED SESSION MINUTES

The Board of Education of Baltimore County, Maryland, met in closed session at 5:08 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: J. Robert Haines, Esq., Deputy Superintendent; 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; Mr. Stephen Bender, Assistant to the Assistant Superintendent, Southeast Area; Mr. Lyle Patzkowsky, Assistant Superintendent, Central Area; Dr. Donald Peccia, Assistant Superintendent, Human Resources; Ms. Barbara Burnopp, Chief Financial Officer; Dr. Alpheus Arrington, Director, Human Resources; Mr. Daniel Capozzi, Staff Relations Manager; Margaret-Ann F. Howie, Esquire, General Counsel; 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 and Ms. Burnopp exited the room at 5:18 p.m.

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

On motion of Mr. Janssen, seconded by Mr. Pallozzi, the Board adjourned its closed session at 5:41 p.m.

ADMINISTRATIVE FUNCTION

At 5:41 p.m., Board members discussed the following items:

- Possible change to tonight's agenda.
- Board's Role in the Appeal Process.

Mr. Haines and Ms. Fromm exited the room at 6:47 p.m.

ADMINISTRATIVE FUNCTION (cont)

- Board's annual evaluation.
- Superintendent's evaluation.

The Board adjourned for a brief dinner recess at 7:00 p.m.

OPEN SESSION MINUTES

The Board of Education of Baltimore County, Maryland, reconvened in open session at 7:37 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 Kirsten, Kyne, a student at Loch Raven High School, followed by a period of silent meditation for those who have served education in the Baltimore County Public Schools.

Under item X, New Business, Dr. Hairston added item E, Acceptance of Construction Funding. The addition to the agenda was unanimously approved by the Board (favor-12).

Hearing no additions or corrections to the Open and Closed Minutes of March 10, 2009; the Report on the Board of Education Work Session of March 24, 2009, 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, reported on the council's convention in Ocean City where students participated in idea exchanges and workshops. Mr. Breidenbaugh announced that the annual BCSC Bull Roast would be held on May 15, 2009, at Oregon Ridge Park. Miss Kirsten Kyne, a member of the Superintendent's Student Council Advisory Group, stated that there should be some college-readiness courses to prepare students for college. Miss Kyne also encouraged more gifted and talented (G/T) course work in middle schools.

Ms. Jasmine Shriver, Coordinator of the Area Educational Advisory Councils, stated that the County Executive provided COLA's in his proposed budget for all school system employees. She also noted that the County Executive did not seek a Maintenance of Effort (MOE) waiver like other counties in the state.

Ms. Laura Mullen, Chair of the Central Area Educational Advisory Council, reported on the council's March 26, 2009 meeting. Dr. Jane Barringer, principal of Towson High School, provided a presentation on Towson's success in implementing honors and G/T courses. Ms. Karen Srylo, Chairperson of the Citizens Advisory Committee on Gifted and Talented Education, provided a brief overview of the events that have occurred regarding the possibility of Grade 10 G/T social studies being removed. Ms. Mullen announced the council's next meeting would be held on April 23, 2009, at Padonia Elementary School.

Ms. Nancy Ostrow, President of the PTA Council of Baltimore County, reported on the general meeting that was held on March 26, 2009. The featured program was "PTA/PTSA Survival Guide." Ms. Ostrow announced that the PTSA Council Awards Ceremony would be held on April 30, 2009, at Loch Raven High School.

Ms. Cheryl Bost, President of the Teachers Association of Baltimore County, announced that the TABCO/BACE Recognition Awards ceremony would be held on May 7, 2009, at Martin's East. Ms. Bost distributed TABCO's bulletin, focusing on the lead article regarding "desirable" and "less than desirable" schools.

SUPERINTENDENT'S REPORT

Dr. Hairston noted that on April 1, Secretary of Education Arne Duncan announced that the Recovery Act provides state stabilization funds to help boost the economy and includes more than \$100 billion for education from prekindergarten through college. With this investment, four core focus areas were identified. One of these is improving teacher effectiveness and ensuring that all schools have highly qualified teachers. Dr. Hairston commented that Baltimore County Public Schools (BCPS) is well on its way to meeting that goal. He stated that, in Goal 3 of BCPS' *Blueprint for Progress*, approximately 96% of BCPS core academic teachers are highly qualified, including more than 99.4% of core academic teachers at the elementary level.

OLD BUSINESS

Board of Education Policies

The Board Policy Committee, represented by Ms. Harris, recommended approval of five (5) policies. This is the third reading.

On motion of Mr. Janssen, seconded by Mr. Parker, the Board approved the following proposed policies (favor-12):

- Proposed Changes to Policy 2361 – ADMINISTRATION: Administrative Operations-Student Carriers
- Proposed Deletion of 3141 – NON-INSTRUCTIONAL SERVICES: Fiscal Services-Pensions
- Proposed Changes to Policy 3142 (renumbered to 4009) – NON-INSTRUCTIONAL SERVICES: Fiscal Services-Employee Insurance
- Proposed Changes to Policy 4100 – PERSONNEL: Professional
- Proposed Deletion of Policy 4113 – PERSONNEL: Certification

Proposed Naming of the New Towson Elementary School

Mr. Parker motioned that the Board approve the name “West Towson Elementary School” for the new elementary school in the Towson area. The motion was seconded by Mr. Coleman and approved by the Board (favor-12).

REPORTS

The Board received the following reports:

- A. **Board of Education Policies** – Ms. Frances Harris stated that the Board of Education’s Policy Committee met to consider the policies presented this evening, and that the committee is recommending approval of these policies. This is the first reading.
- Proposed Deletion of Policy 4122 – Student Teachers
 - Proposed Changes to Policy 4123 – Summer School Teachers
 - Proposed Changes to Policy 4125 – Summer Curriculum Development Workshop Participants
 - Proposed Changes to Policy 4133 – PERSONNEL: Professional-Tutoring

REPORTS (cont)

- Proposed Deletion of Policy 4162 – Grievance Procedure – Title IX and Section 504
- Proposed Deletion of Policy 4216 – Grievance Procedure-Title IX

With regards to Policies 4162 and 4216, Ms. Johnson asked whether staff would be adding an additional policy or rule in the future. Dr. Donald Peccia, Assistant Superintendent of Human Resources, responded that there is no grievance procedure under the EEO, and that the school system was considering changes; however, those changes will not be implemented at this time.

- B. Report on the Proposed School Calendar for 2010-2011** – Ms. Kara Calder, Chief Communications Officer, stated the school calendar’s objective is to advance student achievement and align activities to support teaching and learning. This is the first reading of the proposed calendar.

Mr. Janssen expressed concern that elementary schools are closed on Monday, November 22, 2010, with schools also being closed for Thanksgiving, November 25, and 26. Ms. Calder stated that the closure of elementary schools is to accommodate parents for conferences with teachers.

- C. Report on Proposed Special Education Staffing Plan for 2009-2010** – Ms. Pat Lawton, Director of Special Education, and Mr. Renard Adams, Coordinator of Compliance and School Support, provided an overview of the proposed plan. Ms. Lawton noted the approved staffing plan is due to the Maryland State Department of Education on or before July 1, 2009. The review process included two community input sessions and a public comment session. The following program and staffing recommendations were discussed:

- The professional development (PD) plan will consider the roles of school leaders who will supervise the implementation of instruction and appropriate accommodations. PD will model the use of resources for differentiation of core, supplemental, and intervention programs.
- A steady increase in the percentage of students instructed in LRE (inside general education 80 percent or more of the school day) for the last four years.
- MSA and ALT-MSA show a trend of continuous improvement in both reading and mathematics.
- The proposed Board of Education budget for FY10 identifies funds allocated to the special education program that exceed the amount of funds allocated to the program in FY09. The federal pass-through grant for FY10 will continue to fund special education positions and related services.

REPORTS (cont)

Mr. Adams reviewed Appendix D, Professional Development Year-at-a-Glance, and the leadership development series.

This is the first reading of the special education staffing plan.

Mr. Janssen commented that at the March 9 public hearing, there were a number of parents in the northeast area who expressed concern about the service their students were receiving. Mr. Janssen thanked Ms. Lawton for quickly following up on the issues.

Ms. O'Hare asked whether the Office of Special Education would track professional development and would training be available. Ms. Lawton responded that staff has been trained on the documents. The Office of Special Education will track professional development and use the information in special education to create phase planning and develop actions plans.

- D. **Legislation Summary** – Edward Novak, Esquire, Associate General Counsel, Legislative and Policy Matters, reviewed key pieces of legislation and the status of house and senate bills that affect Baltimore County Public Schools.

PERSONNEL MATTERS

On motion of Ms. O'Hare, seconded by Mr. Pallozzi, the Board approved the personnel matters as presented on exhibits Q, R, S, T, and U (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 1-37 (exhibit V). Mr. Pallozzi noted that item 38 is being pulled from tonight's agenda.

The Board approved these recommendations. Mr. Janssen abstained from voting on items 36 and 37.

1. eCatalog Contracts (a through x)
 - a. PCR-243-09 Art Photography Supplies
 - b. PCR-242-09 Art Supplies
 - c. PCR-241-09 Audio/Visual Equipment

BUILDING AND CONTRACT AWARDS (cont)

- d. PCR-240-09 Audio/Visual Supplies
 - e. MWE-815-09 Family and Consumer Sciences Materials
 - f. JNI-732-09 First Aid Supplies
 - g. MWE-819-09 Handwriting Material
 - h. MBU-518-09 Instructional Materials for Technology Education
 - i. MBU-516-09 Instrumental Music Supplies
 - j. JNI-734-09 Interscholastic Athletic Supplies and Equipment
 - k. JNI-735-09 Interscholastic Football Supplies and Equipment
 - l. PCR-245-09 Math Supplies
 - m. MWE-816-09 Media: Elementary
 - n. MWE-817-09 Media: Secondary
 - o. MWE – 818-09 Media; Special Education
 - p. JNI-733-09 Medications
 - q. JNI-736-09 Physical Education Supplies and Equipment
 - r. PCR-244-09 Science Supplies
 - s. JMI-616-09 Textbooks – Elementary School
 - t. JMI-618-09 Textbooks – High School
 - u. JMI-617-09 Textbooks – Middle School
 - v. JMI-619-09 Textbooks – Special Education
 - w. MBU-515-09 Unique Office Supplies
 - x. MBU-517-09 Vocal Music Supplies
2. RGA-134-05 Contract Modification: Amendment to #8 to the BCPS Timonium Lease
 3. JNI-734-06 Contract Modification: Teaching American History
 4. RGA-970-09 Certificate in Management for Baltimore County Public Schools
 5. JNI-742-09 Computer Graphic Studio System
 6. RGA-960-09 Earth-Space Science Graduate Certificate
 7. RGA-966-09 Elementary Mathematics Cohort III
 8. JMI-625-09 Environmental Remediation, Restoration, and Repair Services
 9. JMI-634-09 Lamps and Bulbs
 10. RGA-123-09 Lease Extension – Commerce Centre, Office of World Languages
 11. RGA-961-09 Mind, Brain, and Teaching Certificate
 12. MWE-827-09 Motor Vehicles
 13. JMI-640-09 Networking Services and Equipment
 14. RGA-962-09 Ph.D. in Instructional Leadership for Changing Populations

BUILDING AND CONTRACT AWARDS (cont)

15. RGA-967-09 Resident Teacher Certification – Cohort 7
16. RGA-963-09 School Improvement Leadership – Cohort A
17. RGA-964-09 School Improvement Leadership – Cohort B
18. RGA-128-09 Science Curriculum Textbooks and Support Materials – Grade 6, 7, and 8
19. RGA-968-09 Second Language Learners in the Regular Classroom
20. RGA-969-09 Special Education Cohort
21. RGA-965-09 STEM Master Teacher Development Program
22. RGA-126-09 Transportation Services for Textbooks
23. JMI-632-09 Financing of Vehicles
24. MBU-556-08 Contract Modification: Additions and Renovations – Food Services Warehouse
25. JMI-712-06 Contract Modification: Renovations – Old Court Middle School
26. JMI-607-08 Contract Modification: On-Call Construction Monitoring Services at Various Schools
27. MWE-814-09 Roof Replacement – Colgate Elementary School
28. JMI-741-09 Replacement of Windows, Blinds, and Doors – Deer Park Elementary School
29. MWE-823-09 Exterior Lighting Upgrade – Hernwood Elementary School
30. MBU-525-09 Roof Replacement – Loch Raven Academy
31. MWE-820-09 Replacement of Windows, Blinds, and Doors – McCormick Elementary School
32. JMI-626-09 Replacement of Windows, Blinds, and Doors – Oliver Beach Elementary School
33. MWE-822-09 Roof Replacement – Perry Hall Middle School
34. MWE-821-09 Cooling Tower Replacement – Pine Grove Elementary School
35. JMI-746-09 Rosedale Bus Maintenance Facility
36. MBU-522-09 1A Testing and Inspection Contract for the new West Towson Elementary School
37. MBU-522-09 2A Sitework Contract for the new West Towson Elementary School

PROPOSED BOARD MEETING SCHEDULE

Ms. Murphy reviewed the proposed Board meeting dates for the upcoming year with Board members.

Mr. Pallozzi moved that the Board approve the Proposed Board Meeting Schedule for 2009-2010 (exhibit W). The motion was seconded by Mr. Parker and approved by the Board (favor-12).

BUDGET APPROPRIATION TRANSFER

Ms. Barbara Burnopp, Chief Financial Officer, shared with Board members that this budget appropriation transfer (BAT) is a request to the county to realign funds by category with planned and projected year-end expenses. Funds are available due to savings in Instructional Salaries expenditures.

Ms. O'Hare asked what is included under "other instructional costs." Ms. Burnopp responded that this category is for everything in schools except for text books and supplies. Ms. O'Hare asked whether there is any money in this BAT for typing of curriculum guides. Ms. Burnopp responded that the proposed BAT aligns the budget for all of BCPS' current initiatives. Ms. O'Hare expressed concern that not all of the curriculum guides are available in the Articulated Instruction Module (AIM). Dr. Hairston stated that there is no expenditure to pay a contractor to do what staff is paid to do. Dr. Hairston noted that this BAT does not address AIM.

On motion of Mr. Parker, seconded by Ms. Harris, the Board approved the operating budget appropriation transfer of \$5,339,123 as presented in exhibit X (favor-11). Student representative, Miss Karanja, did not vote on this item.

ACCEPTANCE OF CONSTRUCTION FUNDING

Mr. Parker moved that the Board accept the County Executive's funding availability to construct new buildings to house Dundalk High School and Sollers Point Technical High School, on the grounds of Dundalk High School, and authorize the Superintendent to proceed with seeking the necessary architectural and engineering support to begin this project. Mr. Janssen seconded the motion.

Mr. Haines provided background information on the Perks-Reutter program that the school system entered into approximately ten years ago. After feasibility studies and capital budget program reviews, the financial equation worked in favor of replacing the two schools instead of renovating Dundalk High and Sollers Point Technical High Schools. BCPS will work with county government to build both schools on the property of the current Dundalk High School; one unified campus with two separate schools.

ACCEPTANCE OF CONSTRUCTION FUNDING (cont)

Board members applauded the work of staff stating that this is good news for the school system and the Dundalk area.

The Board approved this item (favor-11). Student representative, Miss Karanja, did not vote.

INFORMATION

The Board received the following as information:

- A. New Superintendent's Rule 2361 – ADMINISTRATION: Administrative Operations-Student Carriers
- B. Deletion of Superintendent's Rule 4113 – PERSONNEL: Certification
- C. Revised Superintendent's Rule 5140 – STUDENTS: Enrollment and Attendance
- D. Revised Superintendent's Rule 5150 – STUDENTS: Enrollment and Attendance
- E. 2008 Maryland Performance Report Card
- F. Financial Report for months ending February 29, 2008 and February 28, 2009
- G. Revision to 2008-2009 School Calendar

ANNOUNCEMENTS

Ms. Murphy made the following announcements:

- The Northeast Area Education Advisory Council will hold its capital pre-budget hearing on Wednesday, April 22, 2009, at Vincent Farm Elementary School beginning at 7:00 p.m.
- The Central Area Education Advisory Council will hold its capital pre-budget hearing on Thursday, April 23, 2009, at Padonia Elementary School beginning at 7:00 p.m.
- The Board of Education of Baltimore County will hold its next meeting on Tuesday, May 5, 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 7:30 p.m. The public is welcome to all open sessions.

GENERAL PUBLIC COMMENT

Dr. Bash Pharoan asked the Board to apply the doctrine of fairness and add the Muslim holidays to the school calendar.

Mr. Muhammad Jameel stated that the proposed 2010-2011 does not reflect the sentiment of the minutes of the calendar committee. Mr. Jameel asked the Board to review the calendar before it decides whether it is fair and that Muslim students have equal rights.

Ms. Kay Hardisky stated that after the recent \$15 million renovation at Ridgely Middle School, classrooms have become unbearably hot and dangerous on warm days. She stated that the original renovation plan in 2005 called for chillers but these were never installed. Ms. Hardisky asked the Board to help address the heat problem at Ridgely Middle School.

ADJOURNMENT

Since there was no further business, the Board adjourned its meeting at 8:50 p.m.

Respectfully submitted,

Joe A. Hairston
Secretary-Treasurer

/bls