

Baltimore County Board of Education
MINUTES OF CLOSED SESSION
AND
EDUCATION TRANSPARENCY ACT DESCRIPTION
Tuesday, October 13, 2020

OPEN SESSION MINUTES

The Board of Education of Baltimore County virtually held a regularly scheduled meeting on Tuesday, October 13, 2020, at 5:08 p.m. Chair Kathleen S. Causey, and the following Board members were present: Vice Chair Julie C. Henn, Dr. Erin R. Hager, Ms. Moalie S. Jose, Mr. Russell T. Kuehn, Ms. Lisa A. Mack, Mr. Rodney R. McMillion, Mr. John H. Offerman, Jr., Ms. Cheryl E. Pasteur, Ms. Lily P. Rowe, Student Member Joshua Muhumuza, and Superintendent Dr. Darryl L. Williams.

CLOSED SESSION MINUTES

Pursuant to the Annotated Code of Maryland, General Provisions Article, §3-305 (b)(1), (b)(7), and (b)(8) upon motion of Ms. Henn, seconded by Mr. Kuehn, and approved (favor - 11), the Board commenced its closed session at 5:11 p.m. Chair Kathleen S. Causey, and the following Board members were present: Vice Chair Julie C. Henn, Dr. Erin R. Hager, Ms. Moalie S. Jose, Mr. Russell T. Kuehn, Ms. Lisa A. Mack, Mr. Rodney R. McMillion, Mr. John H. Offerman, Jr., Ms. Cheryl E. Pasteur, Ms. Lily P. Rowe, and Student Member Joshua Muhumuza. In addition, Superintendent, Dr. Darryl L. Williams, and the following staff members were present: Mr. D. Mychael Dickerson, Chief of Staff; Ms. Maria Lowry, Acting Chief Human Resources Officer; Margaret-Ann F. Howie, Esquire, General Counsel; Eric Brousaides, Esquire, Counsel for the Board of Education; and Ms. Tracy Gover, Senior Executive Assistant to the Board.

Ms. Makeda Scott entered the meeting at 5:13 p.m.

Ms. Lowry presented personnel matters to be considered at tonight's meeting including retirements, resignations, leaves, recognition of service, certificated appointments, Southeast Area Education Advisory Council appointments, and administrative appointments.

Ms. Causey presented the Board's closed session minutes of Tuesday, September 29, 2020, for review and consideration. The minutes were approved as presented.

Ms. Lowry left the meeting at 5:29 p.m.

Ms. Howie provided an update on pending or potential litigation related to an investigation related to a confidential personnel matter and two class action suits.

Mr. Dickerson and Ms. Howie left the meeting at 5:53 p.m.

Ms. Mack provided an update on the Superintendent's evaluation.

ADMINISTRATIVE FUNCTION SESSION MINUTES

On the motion of Ms. Mack, seconded by Ms. Henn, and approved unanimously, the Board commenced its administrative function session at 5:58 p.m. to discuss the Board of Education non-salary expenditure audit report and a proposed amended resolution.

Ms. Barr entered the meeting at 5:59 p.m. to present the audit report.

Ms. Jose left the meeting at 6:57 p.m.

On the motion of Mr. Offerman, seconded by Ms. Mack, the Board adjourned its administrative function session at 7:10 p.m. (favor – 11) Ms. Jose was not in the meeting.

EDUCATION TRANSPARENCY ACT DESCRIPTION

In accordance with the Education Transparency Act, Md. Ed. Code Ann., §3-2B-09(b)(3) (effective July 1, 2018), the following represents a full and accurate description of the final actions of the Board of Education taken at its public meeting of Tuesday, October 13, 2020. If there is a discrepancy between the video and this description, the video, which constitutes the official minutes of the meeting, shall control. The official minutes can be found online at <https://vimeo.com/468206622>.

Ms. Jose and Mr. Offerman entered the meeting at 7:14 p.m.

CONSIDERATION OF THE AGENDA

On the motion of Mr. McMillion, seconded by Ms. Henn, consideration of the Board's proposed Amended Resolution on COVID-19 was added to the agenda as Exhibit O-2. (favor – 10)

Board Member	Favor	Opposed	Did Not Vote/ Abstention	Absent
E. Hager	X			
R. Kuehn	X			
C. Pasteur	X			
J. Offerman	X			
J. Muhumuza				X*
J. Henn	X			
K. Causey	X			
M. Jose				X*
R. McMillion	X			
L. Mack	X			
M. Scott	X			

Board Member	Favor	Opposed	Did Not Vote/ Abstention	Absent
L. Rowe	X			
Total	10	0	0	2

*Was present in the meeting, but due to technical difficulties was unable to vote.

On the motion of Ms. Scott, seconded by Ms. Jose, Agenda Setting was added at the end of the meeting, before announcements, to allow Board members to discuss agenda items for future Board meetings. (favor – 10)

Board Member	Favor	Opposed	Did Not Vote/ Abstention	Absent
E. Hager	X			
R. Kuehn	X			
C. Pasteur	X			
J. Offerman	X			
J. Muhumuza				X*
J. Henn		X		
K. Causey		X		
M. Jose	X			
R. McMillion	X			
L. Mack		X		
M. Scott	X			
L. Rowe		X		
Total	7	4	0	1

*Was present in the meeting, but due to technical difficulties was unable to vote.

The agenda was adopted as amended.

NEW BUSINESS

Personnel Matters

On the motion of Mr. Offerman, seconded by Ms. Mack, the Board approved the personnel matters listed in Exhibit D-1 and D-3 through D-6. (favor – 11) Mr. Muhumuza was on the meeting but unable to answer to vote.

On the motion of Ms. Mack, seconded by Mr. Offerman, the Board approved the personnel matters listed in Exhibit D-2. (favor – 10) Ms. Causey asked that the record reflect her recusal from voting on this; Mr. Muhumuza was present in the meeting but technical difficulties prevented him from voting.

On the motion of Ms. Mack, seconded by Mr. Offerman, the Board unanimously approved the administrative appointments listed in Exhibit E-1.

Ms. Jose left the meeting at 7:55 p.m. and returned at 8:05 p.m.

Ms. Rowe left the meeting at 8:11 p.m. and returned at 8:19 p.m.

Report on Equity

On the motion of Ms. Scott, seconded by Ms. Jose, the board instructed the Superintendent to provide a plan, with an equity lens, to demonstrate how the system plans to address the higher suspension rates of black students with IEPs for the November 10, 2020, Board meeting. (favor – 11) Mr. McMillion was present in the meeting, but due to technical difficulties was unable to vote.

Ms. Jose left the meeting at 10:17 p.m.

Ms. Scott left the meeting at 10:18 p.m.

Ms. Pasteur left the meeting at 10:19 p.m.

Contract Awards

On the motion of Ms. Rowe, the Board unanimously approved the contracts as presented in Exhibit L-2 through L-7. (favor – 7)

Exhibit Number	Contract Number and Name
2.	CWA-100-21 Provide and Install Dance Flooring
3.	LKO-400-21 Nursing and First Aid Supplies
4.	JMI-619-16 Modification: Local Telecommunications Service
5.	ASI-803-20 Cleaning of Student Laptop Bags
6.	JME-507-21 Operation of Hereford High School Wastewater Treatment Facility
7.	ARA-204-21 Westowne Elementary School Right-of-Way Agreement

Ms. Henn dropped off the meeting at 10:21 p.m. and returned at 10:23 p.m.

Board Member	Favor	Opposed	Did Not Vote/ Abstention	Absent
E. Hager	X			
R. Kuehn	X			
C. Pasteur				X
J. Offerman	X			
J. Muhumuza	X			
J. Henn				X
K. Causey	X			
M. Jose				X
R. McMillion				X
L. Mack	X			
M. Scott				X
L. Rowe	X			
Total	7	0	0	5

On the motion of Ms. Mack, the Board approved the contract as presented in Exhibit L-1. (favor – 8)

Exhibit Number	Contract Number and Name
1.	MWE-833-15 Modification: Musical Instrument Rental and Repair Services

Board Member	Favor	Opposed	Did Not Vote/ Abstention	Absent
E. Hager	X			
R. Kuehn	X			
C. Pasteur				X
J. Offerman	X			
J. Muhumuza	X			
J. Henn	X			
K. Causey	X			
M. Jose				X
R. McMillion				X
L. Mack	X			
M. Scott				X
L. Rowe	X			
Total	8	0	0	4

Ms. Scott and Ms. Pasteur returned to the meeting at 10:25 p.m.

Mr. Offerman left the meeting at 10:34 p.m. and returned at 10:45 p.m.

Ms. Jose returned to the meeting at 11:21 p.m.

On the motion of Ms. Causey, seconded by Ms. Mack, the Board moved agenda items N – Report on School Climate and Safety and Q – Board Member Comments to the October 27, 2020, Board meeting. (favor – 11) Mr. McMillion was present in the meeting, but due to technical difficulties was unable to vote.

School Opening Discussion

On the motion of Ms. Henn, seconded by Ms. Rowe, the board unanimously approved a motion to direct the superintendent to restore each school's funding allocation for extra duty activities for the 2020-2021 school year to the school's prior year's allocated amount or greater.

On the motion of Mr. McMillion, seconded by Dr. Hager, the board approved the amended Resolution on COVID-19 as stated below:

AMENDED RESOLUTION ON COVID-19

WHEREAS, Lawrence J. Hogan, Jr., Governor of the state of Maryland, issued a Declaration of State Emergency and Existence of Catastrophic Health Emergency – COVID-19 on March 5, 2020, regarding the outbreak of disease caused by the novel coronavirus; and

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) has issued guidance to all states and local governments, and all citizens, recommending preparedness to prevent community spread and guard against the potential of a COVID-19 pandemic; and

WHEREAS, the Board of Education of Baltimore County (Board) deems it essential to prepare for the possibility that, due to medical or health emergencies related to COVID-19, individual Board members may not be able to attend Board meetings or Board committee meetings, or the possibility that it may be necessary for the entire Board or a Board committee to meet remotely or “virtually” in order to protect the health of the public or Board members; and

WHEREAS, the business of the Board must continue even if medical or health emergencies related to COVID-19 arise; and

WHEREAS, the Board recognizes that the Maryland Open Meetings Act requires that the Board hold its meetings in public, unless otherwise permitted under the Act.

BE IT THEREFORE RESOLVED, that notwithstanding any other Policy of the Board, in the event of a medical or health emergency related to COVID-19, and until Board policy can be amended to provide more specific guidelines, an individual Board member is hereby authorized to

participate in Board meetings or Board committee meetings remotely, and without being physically present at the meeting, as long as the member is able to listen to and communicate fully with the other members at the meeting; and

IT IS FURTHER RESOLVED, that notwithstanding any other Policy of the Board, and until Board policy can be amended to provide more specific guidelines, in the event of a medical or health emergency related to COVID-19, the Board chair, in consultation with the vice chair and the superintendent, may declare that a Board meeting or a Board committee meeting be held remotely in its entirety, without the physical presence of Board members, or in a hybrid manner with only some individual Board members participating remotely, subject to the establishment of a mechanism that would allow each Board member the opportunity to fully participate in the meeting despite not being physically present and that would allow the public to also remotely attend those portions of the meeting that are open pursuant to the Maryland Open Meetings Act, by being able to listen and/or view those portions of the meeting; and

IT IS FURTHER RESOLVED, that the superintendent is authorized to establish an appropriate technological mechanism that would allow Board members, individually or as a whole, to fully participate in meetings remotely, without being physically present; and which would allow the public to attend the meeting by being able to fully listen to those portions of the meeting that are open pursuant to the Maryland Open Meetings Act.

Ms. Jose moved to postpone agenda item P – Board Committee Updates to the October 27, 2020, Board meeting. It was seconded by Ms. Mack.

Ms. Causey moved to amend Ms. Jose’s motion to include postponing item P-1 – Board Member Comments while keeping item P-2 – Consideration of a Budget Committee (Ms. Henn) on the agenda. Ms. Henn seconded the motion. The motion failed.

Board Member	Favor	Opposed	Did Not Vote/ Abstention	Absent
E. Hager		X		
R. Kuehn	X			
C. Pasteur		X		
J. Offerman		X		
J. Muhumuza		X		
J. Henn	X			
K. Causey	X			
M. Jose		X		
R. McMillion		X		
L. Mack	X			
M. Scott		X		
L. Rowe				X*
Total	4	7	0	1

*Was present in the meeting, but due to technical difficulties was unable to vote.

The original motion passed. (favor – 10)

Board Member	Favor	Opposed	Did Not Vote/ Abstention	Absent
E. Hager	X			
R. Kuehn	X			
C. Pasteur	X			
J. Offerman	X			
J. Muhumuza	X			
J. Henn	X			
K. Causey		X		
M. Jose	X			
R. McMillion	X			
L. Mack	X			
M. Scott	X			
L. Rowe				X*
Total	10	1	0	1

*Was present in the meeting, but due to technical difficulties was unable to vote.

Agenda Setting

The following items were provided by Board members to address in future Board meetings:

- Purchasing of Physical Textbooks (Mr. Kuehn)
- Sustainability in BCPS (Mr. Kuehn)
- Alternative Ways to Handle Board Matters (Mr. Offerman)
- Climate and School Safety, including mental health (Mr. Muhumuza)
- Reopening Update/Discussion (Ms. Henn)
- National School COVID Dashboard (Ms. Henn)
- Office of Internal Audit - Report on the Role of Internal Audit (Ms. Jose and Ms. Pasteur)
- Overview of the Students Count Process (including timeline, changes in data due to post 9/30 registrations, BCPS constraints, BCPS and County interactions by process and by exception, and any planned improvements in the process) (Ms. Mack)
- Report on the Plan to Address High Rates of Suspension/Expulsion of Black Students with Disabilities/IEPS (Ms. Scott)
- Additional Monthly Board Meetings (Ms. Rowe)

The Board adjourned its meeting at 1:30 a.m. on October 14, 2020.

Submitted for posting on the Web site on October 15, 2020.