

**TENTATIVE MINUTES****BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND**

Thursday, October 9, 2003

The Board of Education of Baltimore County, Maryland, met in open session at 5:03 p.m. at Greenwood. President James R. Sasiadek and the following Board members were present: Mr. Donald L. Arnold, Francesca Cirincione, Ms. Phyllis E. Ettinger, Mr. Thomas G. Grzymiski, Mr. John A. Hayden, III, Dr. Warren C. Hayman, Ms. Jean M. H. Jung, Mr. Michael P. Kennedy, Ms. Janese Murray, and Ms. Joy Shillman. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

At 5:20 p.m., Mr. Arnold moved the Board go into closed session to discuss personnel matters and to consult with counsel to obtain legal advice pursuant to the Annotated Code of Maryland, State Government Article, §10-508(a)(1) and (a)(8). The motion was seconded by Mr. Kennedy and unanimously approved by the Board.

**CLOSED SESSION MINUTES**

Mr. Grimsley reviewed with board members appointments to be considered this evening.

Ms. Saffran-Brinks provided information to Board members on a matter dealing with potential litigation.

At 6:44 p.m., Mr. Kennedy moved to adjourn the closed session for a brief dinner recess. The motion was seconded by Ms. Shillman and approved by the Board.

**OPEN SESSION MINUTES**

The Board of Education of Baltimore County, Maryland, met in open session at 7:37 p.m. at Greenwood. President James R. Sasiadek and the following Board members were present: Mr. Donald L. Arnold, Francesca Cirincione, Ms. Phyllis E. Ettinger, Mr. Thomas G. Grzymiski, Mr. John A. Hayden, III, Dr. Warren C. Hayman, Ms. Jean M. H. Jung, Mr. Michael P. Kennedy, Ms. Janese Murray, and Ms. Joy Shillman. 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. John Snyder, Owings Mills High School student, and a period of silent meditation for those who have served education in the Baltimore County Public Schools.

Hearing no additions or corrections to the Public Hearing Minutes on Proposed FY05 Capital State/County Budget of September 10, 2003, Mr. Sasiadek declared the minutes approved as presented on the website.

### PLEDGE OF ALLEGIANCE

Mr. Sasiadek informed the audience of the previous sessions in which Board members had participated earlier in the afternoon.

### SUPERINTENDENT'S REPORT

Dr. Hairston shared with the Board that the Smaller Learning Communities Planning Grant has been awarded to Baltimore County Public Schools in the amount of \$250,000 from the United States Department of Education. Dr. Hairston noted we are fortunate that a significant amount of money has been allocated to us for the planning stage with possibilities of a larger portion of the grant.

### RECOGNITION OF ADMINISTRATIVE APPOINTMENTS AND ADVISORY COUNCIL APPOINTMENTS FROM SEPTEMBER 23, 2003

Mr. Grimsley recognized the administrative appointments and advisory council appointments approved at the September 23, 2003 meeting.

### OLD BUSINESS

Before voting on the FY05 Capital State/County Budget, Ms. Murray summarized the discussion from the September 25, 2003 work session. In addition to the projects being presented tonight for approval, the following issues were discussed:

- Budget requests are based on items that were previously State, County and Board priorities with the concern being enrollment needs.
- Systemic renovations (105 schools) using Perks-Reutter requirements
- HVAC Feasibility Study completed
- Overcrowding and demographic shifts within the communities

Ms. Burnopp presented revised budget changes. Changes were the Woodholme Elementary School project utilizing the Baltimore County Recreation and Parks funding. This enables us to increase the eligible monies request to the State.

Mr. Hayden asked what physical conditions make up the \$2M. Ms. Burnopp responded we take into account the formula with County participation to cover the cost of the project.

On motion of Mr. Grzymiski, seconded by Mr. Arnold, the Board approved the FY05 Capital State/County Budget. Ms. Cirincione, student Board member, did not vote.

OLD BUSINESS (cont)

On motion of Mr. Hayden, seconded by Dr. Hayman, the Board approved proposed Policy 4157, Vacations.

REPORTS

The Board received the following reports:

- A. Report on Proposed Policy 1600, Public Charter Schools – Mr. Sasiadek explained that each State Board of Education must comply with the law concerning Public Charter Schools. Ms. Phyllis Bailey provided background on the charter school policy. Dr. George Poff provided highlights and parameters of the law. Dr. Poff walked the Board through a schematic and the application process to help them understand the requirements of the law. He noted that MABE, who played an important role in the process, maintained that the local school boards would be the chartering authority in the public charter schools. Dr. Poff commented that the county public charter school policy must be submitted to the State Board by November 1, 2003.

Mr. Hayden inquired as to whether the funding issue was addressed. Dr. Poff responded the point has been raised and no decision has been made regarding funding. He informed the Board that the amount of money for a charter school is not the same as per pupil cost amount in public school.

Mr. Kennedy asked about administrative cost to the county and if it will be deducted from the per pupil amount. Dr. Poff responded administrative cost would be a non-funded cost.

In Section 5 of the policy, Mr. Kennedy asked if “certified” would be added to any of our recommendations. Dr. Poff replied that the term “highly qualified” would be used. Mr. Kennedy inquired as to whether charter schools are required to receive special need students. Dr. Poff responded that charter schools would be obligated to follow current Baltimore County Public Schools policy regarding special need students.

Mr. Kennedy inquired as to how closely the State will work in concert with local school boards. Dr. Poff stated the charter is a contract and the specific performances in that contract are what the State would review to determine.

Regarding Mr. Kennedy’s questions about specific funding and grants for charter schools, Ms. Burnopp remarked we have been invited to participate in a work group to review the funding process and decision-making with MABE and other financial officers beginning October 10<sup>th</sup>.

Mr. Kennedy was impressed with the wording of the proposed policy.

### REPORTS (cont)

Dr. Hayman inquired about the first paragraph under “Administration” in the policy regarding diversity. Ms. Bailey responded the wording is very similar to the magnet policy and is a philosophical statement. Dr. Hayman asked if we have defined a diversity policy. Ms. Bailey stated this exact wording is in the magnet policy and the recently approved gifted and talented education policy. Mr. Grzymiski interprets the statement that diversity, as a whole within the charter school is the same as the public school system.

Dr. Hayman inquired about the deadline for submitting a charter school application. Dr. Poff replied that Rule 1600 outlines the timeframe or window submitting an application.

Under paragraph 3, Administration, Dr. Hayman asked whether “other” criteria have been defined. Ms. Bailey responded that other criteria would be defined in the contract and be negotiated between the Board of Education and the group applying. Dr. Hayman inquired as to whether academic programs would be evaluated in a charter school. Ms. Bailey responded that student achievement evaluations would include academic results. Mr. Hayden clarified the statements in the policy for Dr. Hayman. Dr. Hayman’s concern is that paragraphs 2 and 3 need to be consistent regarding charter school evaluations and results.

Ms. Ettinger commented that the key element is the careful crafting of the charter agreement and ensuring all elements are in place for meaningful evaluations.

Mr. Sasiadek announced a Board work session on Tuesday, October 14, 2003 where the Board will be accepting public comment, at the beginning of the work session, on the charter school policy with a final vote at the next Board meeting on Tuesday, October 21, 2003.

Mr. Grzymiski asked for a brief description of the process to ensure Baltimore County Public Schools is meeting the requirements of the law. Ms. Bailey stated many hours have been spent analyzing the law, reviewing state guidelines, and ensuring key components are addressed. She also noted the language of the law is visible within the proposed policy.

### PERSONNEL MATTERS

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

### CONTRACT AWARDS

Mr. Kennedy pulled item 1 for further discussion. Ms. Jung pulled items 2 and 3 for further discussion.

#### Item #1

Mr. Kennedy inquired about the printing process. Mr. Gay responded this would enhance the ability of the print shop to print large jobs internally at a reduced cost rather than farm the work out to other vendors and give us better control of quality and quantity. Mr. Kennedy commented this should reduce teacher workload by less duplication by teachers in the school building and more at this central site.

Regarding Mr. Kennedy's question of buying or leasing, Mr. Gay replied technology in this area continues to change and the follow-on leasing terms are more favorable in cost versus buying the equipment. Mr. Kennedy requested a report of what work the print shop is providing to the system.

Mr. Kennedy inquired about physical facilities in the print shop. Mr. Don Dent responded that should we continue with the current plan, we would be out of space by next year.

On motion of Mr. Kennedy, seconded by Mr. Arnold, the Board approved item 1.

1. Document Printing System

#### Item #2

Ms. Jung asked whether the late date of September for receiving the science manuals affected instruction. Mr. Gay responded if a vendor cannot meet the contract, Purchasing quickly obtains a second vendor to complete the contract. To his knowledge, instruction was not impacted.

Ms. Jung inquired as to whether this sort of thing happens often. Mr. Gay replied this type of issue is not easily foreseen. However, Purchasing reacts as quickly as possible to contact a secondary vendor in hopes they will honor the bid pricing.

Ms. Jung asked what the original delivery date was with the first vendor and the delivery date for the second contract. Mr. Gay will follow-up with Mr. Newberry and get the delivery date as requested.

On motion of Mr. Kennedy, seconded by Dr. Hayman, the Board approved item 2.

2. Printing: Science Lab Manuals, Reassignment of Contract

CONTRACT AWARDS (cont)

Item #3

Ms. Jung inquired about the total award cost. Mr. Gay replied the annual value multiplied by the contract ending date equals the total award value.

On motion of Ms. Jung, seconded by Mr. Kennedy, the Board approved item 3.

3. Supplies Contract: Tennis Court and Running Track Repair Materials

BUILDING COMMITTEE

The Building Committee, represented by Mr. Kennedy, recommended approval of items 1-2 (Exhibits L and M). The Board approved these recommendations. Mr. Arnold abstained from voting on items 1 and 2.

1. Award of Contract – Reroofing Project at Arbutus Middle School
2. Change order – Design Services for Systemic Renovations at Stemmers Run Middle School

INFORMATION

The Board received the following as information:

- A. Revised Rule 4157 - Vacations
- B. Waiver Report for Conditionally Certified Teachers
- C. Revised Policy 5450 – Services to Students: Accident Insurance (Second Reading)

Mr. Kennedy inquired as to whether any adjustments were made since the first reading of this policy. Ms. Fromm showed the Board in the first paragraph and the beginning of the second paragraph where the word “voluntary” was removed.

- D. New Rule 1600 – Public Charter Schools

ANNOUNCEMENTS

Mr. Sasiadek made the following announcements:

- ⌚ On Tuesday, October 14, 2003, the Baltimore County Board of Education will meet for a public hearing from 7:00 to 7:30 p.m. to seek the public’s input about the public charter school policy regarding Baltimore County Public Schools. Sign-up for the public comment on the school charter policy will begin at 6:00 p.m. the day of the meeting. Speakers must sign-up by 7:00 p.m.

### ANNOUNCEMENTS (cont)

- ⌚ Immediately following the public hearing, the Baltimore County Board of Education will have a work session on the Maryland State Assessment (MSA) Report and Cognose Introduction - Data Decision-Making Tool. The meeting will take place in room 114 of the ESS Building located on the Greenwood campus, 6901 Charles Street, Towson, MD, at 7:00 p.m. The meeting is open to the public.
- ⌚ On Tuesday, October 14, 2003, the Southeast Area Advisory Council will conduct their Pre-Budget meeting beginning at 7:00 p.m. The meeting will take place at Sollers Point Technical High.
- ⌚ On Wednesday, October 15, 2003, the Southwest Area Advisory Council will conduct their Pre-Budget meeting beginning at 7:00 p.m. The meeting will take place at Arbutus Middle School.
- ⌚ On Thursday, October 16, 2003, the Northeast Area Advisory Council will conduct their pre-budget meeting beginning at 7:00 p.m. The meeting will take place at Eastern Technical High School.
- ⌚ On Thursday, October 16, 2003, the Central Area Advisory Council will conduct their pre-budget meeting beginning at 7:30 p.m. The meeting will take place at Dumbarton Middle School.
- ⌚ The next regularly scheduled meeting of the Board of Education of Baltimore County will be held on Tuesday, October 21, 2003, at Greenwood. The meeting will begin with an open session at 5:00 p.m. After the Board adjourns to meet in closed session, followed by a brief dinner recess, the open meeting will reconvene at approximately 7:30 p.m. The public is welcome at all open sessions.

Mr. Sasiadek reminded speakers to refrain from discussing any matters that might come before the board in the form of an appeal, as well as any personnel matters.

### STAKEHOLDER GROUPS

Ms. Kelli Nelson, Advisory Committee for Special Education Chair, commented on the proposed charter school policy and reminded the Board that this is a very debated topic in Annapolis. She stated that Senator Hollinger would be holding a MSA forum at New Town High School on October 14, 2003. Ms. Nelson also announced the Special Education Community Forum at three locations on Monday, October 27, 2003.

Ms. Abbe Beytin, Northwest Advisory Council Chair, introduced the new advisory council members appointed this evening.

STAKEHOLDER GROUPS (cont)

Mr. Steve Crum, Southeast Advisory Council Chair, reminded the Board and public of their upcoming pre-budget meeting on October 14, 2003.

Mr. Clifford Collins, representing the Minority Achievement Advisory Group, acknowledged their support as they navigate through the budget cycle. Mr. Collins stated the group is reviewing the gifted and talented education program as it relates to minorities. He announced the next meeting later this month would be a dialogue with Dr. Hairston.

Ms. Marilyn Ryan, representing PTA council, distributed the PTA directory for the 2003-04 school year. Ms. Ryan announced the upcoming PTA Fall Workshop to be held on October 23, 2003 at New Town High School.

Ms. Cheryl Bost, TABCO President, advocates that all classes be instructed by qualified, certified educators. Ms. Bost expressed her alarm over revised exhibit O, Waiver Report for Conditionally Certified Teachers, regarding Human Resources' role, job fairs, retention and teacher transfers. She would like to see TABCO at the table and be part of the change process.

PUBLIC COMMENT ON WAIVER REPORT FOR CONDITIONALLY  
CERTIFIED TEACHERS

Ms. Jasmine Shriver, Central Advisory Council and Ridge Ruxton PTA Council representative, praised the aggressiveness of the waiver. However, Ms. Shriver believes TABCO should be at the table and have a voice regarding the waiver report. Ms. Shriver stated differentiated pay and merit pay needs to be addressed. Ms. Shriver's position is the school system is requesting permission to break the law. She commented that the school system and teachers' union must work together to address the issues at hand.

PUBLIC COMMENT

There were no speakers signed up to speak this evening.

At 8:54 p.m., Ms. Ettinger moved to adjourn the open session. The motion was seconded by Mr. Arnold and approved by the Board.

Respectfully submitted,

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Joe A. Hairston  
Secretary-Treasurer



REPORT OF THE PUBLIC HEARING ON CHARTER SCHOOLS  
AND WORK SESSION ON THE  
MARYLAND STATE ASSESSMENT (MSA) REPORT

Tuesday, October 14, 2003  
Greenwood

The Board of Education of Baltimore County, Maryland met in open session at Greenwood. President Mr. James R. Sasiadek called the work session to order at 7:01 p.m. In addition to President Sasiadek, the following Board members were present: Mr. Donald Arnold, Ms. Francesca Cirincione, Ms. Phyllis E. Ettinger, Mr. John A. Hayden, III, Mr. Michael P. Kennedy, Ms. Joy Shillman and Mr. James E. Walker. In addition, representing Dr. Hairston was Ms. Christine Johns, Deputy Superintendent of Curriculum and Instruction, staff members; as well as the media were present.

Mr. Sasiadek noted that one individual, Ms. Judy Miller, representing the League of Women Voters of Baltimore County, signed up to speak this evening on public charter schools.

Ms. Miller gave a brief overview of the organization. She stated the association developed a list of criteria they felt would be essential in charter schools. They are:

1. Public charter schools must be non-dictarian, non-religious, non-profit and non-home base.
2. Applications can be summated by a variety of groups.
3. Local Boards of Education will determine which groups or organizations will be granted contracts
4. No waivers may be granted governing fiscal accountability nor as specified by federal regulations, civil rights or safety standards
5. Quarterly financial reports should be made to the local school Board
6. Academic standards, including testing required by other public school students, must be met
7. Admission must be non-discriminatory
8. Must be funded at the same per pupil level as students in other public schools

Ms. Miller requested this criteria be considered for the public charter school policy.

At 7:06 p.m. Mr. Sasiadek moved to the work session to discuss the Maryland State Assessment (MSA) and Adequate Yearly Progress (AYP) report.

Ms. Johns, on behalf of Dr. Hairston, noted the purpose for this evening was to provide the Board of Education an understanding of the MSA as it relates to the AYP. Ms. Johns introduce Dr. Jerry Dalton, Director, Accountability, Research and Testing. Ms. Johns remarked that Dr. Hairston was at New Town High School with Dr. Nancy Grasmick, State Superintendent of Schools, and Senator Hollinger.

Mr. Sasiadek commented that some Board members were attending the Southeast Advisory Council pre-budget hearing at Sollers Point Technical High School this evening.

Through a PowerPoint™ presentation, Dr. Dalton provided a summary of the MSA and AYP results. He summarized that the *No Child Left Behind* (NCLB) law was enacted by Congress on January 8, 2002 and defines success in terms of the individual child. He also noted that NCLB requires schools to close the achievement gap in ethnic/racial minorities and other subgroups.

Dr. Dalton reviewed the four cornerstones or principles of NCLB:

- Strong accountability for results
- Local control and flexibility for states
- Expanded parental choice for children from disadvantage backgrounds
- Effective and successful programs that focus on teaching methods that work

Dr. Dalton commented on the basic principles of accountability required by NCLB, which include:

- All schools are held accountable
- All schools are measured by the same criteria
- All students are evaluated
- All states must report results of school system performance
- Subgroup accountability
- AYP is based primarily on academic measures
- Separate decision for reading and math
- Participation rate: 95%

Dr. Dalton noted that the common goal of all state plans was 100% proficiency of students in reading and mathematics by 2014. He reviewed Maryland's starting points for AYP showing the reading and mathematics points. Dr. Dalton remarked that MSA is a statewide test given each year in reading and math. In 2003-2004 school year, the MSA will be given in reading to grades 3, 4, 5, 6, 7, 8, and 10 and math to be given in grades 3, 4, 5, 6, 7, 8, and Geometry.

Next, Dr. Dalton looked at Baltimore County's MSA 2002-2003 results. He noted that one elementary school, two middle schools, and one high school did not make AYP for all students. Dr. Dalton remarked that most of Baltimore County schools are above proficiency standards.

Mr. Hayden asked for an explanation of the concept of the AYP scoring. Dr. Dalton responded there is a data point that marks all students for reading and all students for math. If a student fails either one of those, AYP is not met.

Dr. Dalton reviewed each individual chart for reading and mathematics by grades regarding proficiency and advancement. He noted that Baltimore County is well above the starting point of 40% proficient and exceeded the state average for both reading and mathematics. He also presented the MSDE reading and math benchmarks for 2003-2005 by grades. Dr. Dalton noted the Baltimore County school system is ahead of the 2005 intermediate goals.

Next, Dr. Dalton reviewed the number of schools not meeting AYP by subgroup. He commented the charts reflect a need to focus our energies on special education. Dr. Dalton also noted that Baltimore County's special education performance is consistent compared to the State's special education performance.

Finally, Dr. Dalton reviewed racial/ethnic subgroups in reading for grades 3, 5, 8 and 10 and for mathematics grades 3, 5, and 8. He noted the charts show a gap in achievements within various subgroups.

For the purpose of our own analysis, Ms. Ettinger asked if there was a breakdown in the special education subgroup by disability. Dr. Dalton responded the data is not currently available, however, he was confident he could provide the data.

Ms. Ettinger commented the system could do a disservice to staff and students by combining special education and disabilities into one subgroup. It would be helpful to the school system to see if a pattern exists between special education and disability. Dr. Dalton was confident he could provide the data breakdown. Ms. Ettinger noted that as school systems move forward to implement the law, concerns need to be substantiated and data available to be ahead of the game.

Mr. Hayden inquired as to whether students in special education and racial/ethnic groups were counted twice. He expressed concern of over-identifying students (e.g., special education and African American students).

Mr. Arnold inquired about the measurement of adequate yearly progress on special education students. Mr. Ronald Boone responded that the state is working on an alternative assessment. He commented additional information would be provided as it becomes available.

Mr. Arnold asked what provisions are there for students without disabilities but who are not good test takers. Mr. Boone responded that IEPs have certain directions for test taking and that under the NCLB law, there is a 1% waiver for severely handicapped children. Mr. Arnold asked if the federal or state governments were looking into this issue. Mr. Boone responded the U.S. Department of Education is looking at expanding the waiver, but at best it may go to 1-1/2%

Ms. Ettinger asked where special advocacy groups stand with the issue of special education. Mr. Boone stated he would look into the issue and provide information to Ms. Ettinger.

Ms. Sasiadek commented it is the norm to count an individual child frequently in the 37 categories. Mr. Boone stated that eight schools did not meet AYP in other areas as well as special education. He remarked that the system might want to focus on the eight schools that did not meet AYP. Mr. Boone also reviewed the data for elementary, middle, and high schools for not meeting AYP within the special education subgroup. Mr. Boone suggested the system look at teacher certification data and cluster school patterns, involving area offices, to get to the root cause of the problem.

Mr. Kennedy commented receiving calls from parents since the test scores have been published. Mr. Boone noted it is the school system's responsibility that every student meets AYP.

Ms. Ettinger remarked that the data shows what parents have been expressing over the years, especially with IEP youngsters. Communities could become concerned should their school be marked as a failing school.

Mr. Sasiadek expressed concern over identifying a specific child or children. He commented with the State number being a low number of five and the possibility of students being members of multiple groups, there is a risk of easily identifying a particular child.

Mr. Arnold expressed concern of scores dropping if students from a low-performing school move (i.e., special transfers) to a high performing school. Mr. Arnold reemphasized the need to provide the best opportunity for all children to succeed. Dr. Dalton noted that under the law we must educate all children, and we need to communicate this message to parents and communities. Dr. Dalton noted that staff should have data on special transfer students.

Ms. Ettinger commented the best way to capture concerns is to demonstrate that students who are somewhat disadvantage could perform very well. Ms. Ettinger recommended the system publish the information presented to communicate our commitment to the children.

Ms. Johns thanked Dr. Dalton and staff for their support this evening.

The work session was concluded at 8:09 p.m.

Respectfully submitted,

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Joe A. Hairston  
Secretary-Treasurer