

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

Tuesday, December 7, 2010

The Board of Education of Baltimore County met in closed session at 5:30 p.m. at Greenwood. President Earnest E. Hines and the following Board members were present: Mr. James E. Coleman, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Mr. George J. Moniodis, Ms. Mary-Margaret O'Hare, Mr. H. Edward Parker, Ms. Valerie A. Roddy, Lawrence E. Schmidt, Esquire, and Mr. David Uhlfelder. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

Mr. Hines reminded Board members of community functions and Board of Education events scheduled in December 2010 and January 2011.

Pursuant to the Annotated Code of Maryland, State Government Articles, §§10-508(a)(1), (a)(7), and (a)(9) and upon motion of Ms. O'Hare, seconded by Mr. Parker, the Board commenced its closed session at 5:32 p.m.

CLOSED SESSION MINUTES

The Board of Education of Baltimore County, Maryland, met in closed session at 5:32 p.m. at Greenwood. President Earnest E. Hines and the following Board members were present: Mr. James E. Coleman, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Mr. George J. Moniodis, Ms. Mary-Margaret O'Hare, Mr. H. Edward Parker, Ms. Valerie A. Roddy, Lawrence E. Schmidt, Esquire, and Mr. David Uhlfelder. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and the following staff members were present: Dr. John Quinn, Acting Associate Superintendent, Curriculum and Instruction; Mr. Robert J. Barrett, Executive Director, Community Outreach; Ms. Karen Blannard, Assistant Superintendent, Elementary Schools; Ms. Patricia Lawton, Assistant Superintendent, Elementary Schools; Ms. Verletta White, Assistant Superintendent, Elementary Schools; Dr. Manuel Rodriguez, Assistant Superintendent, Middle Schools; Ms. Barbara Walker, Assistant Superintendent, High Schools; Dr. Roger Plunkett, Assistant Superintendent, Accountability and Supervision; Dr. Donald Peccia, Assistant Superintendent, Human Resources; Dr. Alpheus Arrington, Director, Human Resources; Mr. George Duque, Staff Relations Manager; Anjanette L. Dixon, Esquire, Associate General Counsel; Andrew W. Nussbaum, Esquire, Counsel to the Board of Education; and Ms. Brenda Stiffler, Administrative Assistant to the Board.

Mr. Duque provided Board members with an update on negotiations with various collective bargaining units.

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

CLOSED SESSION MINUTES (cont)

Mr. Nussbaum provided legal advice to the Board regarding the hearing officer's opinion to be considered that evening.

On motion of Mr. Parker, seconded by Ms. Roddy, the Board adjourned its closed session at 5:40 p.m.

OPEN SESSION MINUTES

The Board of Education of Baltimore County, Maryland, reconvened in open session at 7:00 p.m. at Greenwood. President Earnest E. Hines and the following Board members were present: Mr. James E. Coleman, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Mr. George J. Moniodis, Ms. Mary-Margaret O'Hare, Mr. H. Edward Parker, Ms. Valerie A. Roddy, Lawrence E. Schmidt, Esquire, and Mr. David Uhlfelder. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and the media were present.

PLEDGE OF ALLEGIANCE

The open session commenced with the Pledge of Allegiance to the Flag, which was led by three members of the Boy Scout Troop 26 in Parkville, 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 Open and Closed Minutes of November 9, 2010, Mr. Hines declared the minutes approved as presented on the Web site.

Mr. Hines 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, Mr. Hines 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

Ms. Cheryl Bost, President of the Teachers Association of Baltimore County, distributed an outline of the proposed Maryland State Education Association Teacher Effectiveness Evaluation Model to Board members for their review. She stated that the teacher evaluation system could be considered in the fall of 2011.

ADVISORY AND STAKEHOLDER COMMENTS (cont)

Ms. Nancy Ostrow, President of the PTA Council of Baltimore County, reported on the following activities: filmed a brief “Join the PTA!” segment with The Education Channel; attended the Maryland PTA Conversation on November 12 and 13, 2010; and participated in a meeting to re-establish the Baltimore County School Health Council.

Mr. Edward Veit, a representative of the Diversity and Achievement Steering Committee, reported on its meeting where committee members review the Master Agreement between the Board of Education and TABCO. He asked whether there has been any discussion on the “extended school day” and if so, what the outcome was.

Ms. Vanessa Braddy, Vice-Chair of the Citizens Advisory Committee for Gifted and Talented (G/T) Education, provided a summary of parents’ concerns, which included: lack of consistency in the identification of students and the delivery of the G/T program; large percentage of school staff not having specialized training in g/t techniques; some elementary and middle school classes are not sufficiently challenging our highest ability students; and Advanced Placement (AP) courses are not an adequate replacement for a G/T program.

Mr. Kunal Gangopadhyay, Chair of the Career & Technology Education (CTE) Advisory Council, reported on the success of CTE programs and the numerous scholarships awarded to students.

Ms. Jasmine Shriver, Coordinator of the Area Education Advisory Councils, reported on the October 27 joint council meeting where the future of the advisory councils was discussed. She stated that the council’s role does not include policy making; however, the council may provide recommendations to the Board. Ms. Shriver stated that the chairpersons were in favor of keeping the five geographical areas for the area education advisory council.

Ms. Jacqueline Brewster, Chair of the Southeast Area Education Advisory Council, reported on the council’s October 11 pre-operating budget meeting. The majority of the requests involved maintenance of buildings and equipment. She reported on the November 8 meeting where each principal in the southeast area provided an overview of his/her school. Ms. Brewster announced that its next meeting would be held on Monday, January 10, 2011, at Chesapeake High School.

SPECIAL ORDER OF BUSINESS

Dr. Hairston introduced Ms. Anne Gold, principal of Vincent Farm Elementary School, who was honored earlier in the year as one of 63 National Distinguished Principals. This prestigious award is sponsored by the National Association of Elementary School Principals and the U.S. Department of Education. Ms. Jackie Fabitore-Matheny of VALIC presented the 2010 National Distinguished Principals award to Ms. Gold.

SPECIAL ORDER OF BUSINESS

The Board adopted a resolution honoring the Office of Budget and Reporting for receiving the Meritorious Budget Award for the current fiscal year from the Association of School Business Officials (ASBO) International.

WHEREAS, Inspired by an abiding commitment to students and staff, as described in the Blueprint for Progress, Baltimore County Public Schools endeavors to establish and maintain the efficient and effective use of resources and delivery of business services; and

WHEREAS, This year, the school system's Department of Fiscal Services has received the Meritorious Budget Award from the Association of School Business Officials International for the sixth year in a row; and

WHEREAS, This award, presented to Baltimore County Public Schools for the preparation and issuance of the fiscal year 2011 budget book, represents a significant achievement and reflects the system's commitment to achieving the highest standards of school budgeting; and

WHEREAS, In addition, for the thirteenth consecutive year, the school system's Department of Fiscal Services has been awarded both the Certificate of Excellence in Financial Reporting Award from the Association of School Business Officials International, and the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association; and

WHEREAS, These awards, presented to Baltimore County Public Schools for the preparation and issuance of the fiscal year 2009 school system Comprehensive Annual Financial Report, is only conferred to school systems that have met or exceeded high standards of financial reporting; and

WHEREAS, These recurring recognitions bring attention to the strength and quality of the school system's Department of Fiscal Services; now, therefore, be it further

RESOLVED, That the Board of Education, herewith assembled in regular session on the seventh day of December, in the year two thousand ten, expresses gratitude and sincere appreciation to the Department of Fiscal Services for its vision and extraordinary efforts.

OLD BUSINESS

Board of Education Policies

The Board Policy Committee, represented by Mr. Coleman recommended approval of nine policies. This is the third reading.

On motion of Mr. Parker, seconded by Ms. O'Hare, the Board approved the following proposed policies:

- Proposed Changes to Policy 3000 – NON-INSTRUCTIONAL SERVICES
- Proposed Changes to Policy 3126 – NON-INSTRUCTIONAL SERVICES: Fiscal Services-Expense Reimbursement
- Proposed Changes to Policy 3127 – NON-INSTRUCTIONAL SERVICES: Travel
- Proposed Deletion of Policy 4280 – PERSONNEL: Leaves, Holidays, Vacations
- Proposed Changes to Policy 5230 – STUDENTS: Elementary and Secondary-Student Records
- Proposed Changes to Policy 5250 – STUDENTS: Graduation Requirements-Graduation Requirement
- Proposed Deletion of Policy 5340 – STUDENTS: Activities-Management of Funds
- Proposed Changes to Policy 7520 – NEW CONSTRUCTION: Occupying-Naming of the Building and Dedication
- Proposed Changes to Policy 8400 – INTERNAL BOARD OPERATIONS: Office of Internal Audit-General

PERSONNEL MATTERS

On motion of Mr. Uhlfelder, seconded by Mr. Schmidt, the Board approved the personnel matters as presented on exhibits K, L, M, and N (Copies of the exhibits are attached to the formal minutes).

BUILDING AND CONTRACT AWARDS

The Building and Contracts Committee, represented by Mr. Schmidt, recommended approval of items 1-2, and 4-13 (exhibit O). Mr. Schmidt noted that item 3 was pulled from the evening's agenda.

BUILDING AND CONTRACT AWARDS (cont)

The Board approved these recommendations.

1. MBU-541-09 Contract Modification: Food Service Equipment
2. RGA-133-11 Contract Modification: Supplemental Education Services
4. RGA-919-11 Cohort- Masters in Special Education for All Educators
5. JMI-613-11 Land Mobile Radio Systems and Associated Equipment
6. MBU-511-11 Library Supplies
7. MBU-509-11 Periodicals
8. JMI-614-11 Plumbing Supplies and Associated Materials
9. JMI-618-11 Signs, Traffic, Prefabricated
10. MBU-522-09 Contract Modification: Construction of a New School (Construction Package 2A Site Work) Phase I – West Towson Elementary School
11. JMI-603-11 Construction of a New School – construction Package 1A (Testing and Inspection) – Dundalk and Sollers Point High Schools
12. PCR-203-11 Chiller Plant Installation – Loch Raven Technical Academy
13. JNI-724-11 Air Conditioning System – Randallstown Elementary School

CONSIDERATION OF CURRICULUM

The Curriculum Committee, represented by Ms. Johnson, recommended approval of the following curriculum:

- Spring Board, College Board's Pre-AP Curricula
- Library Media Curriculum, Grades 1-5
- World Languages – Chinese IV Honors Pilot and Chinese V AP Pilot

On motion of Mr. Uhlfelder, seconded by Mr. Coleman, the Board approved the Spring Board, College Board's Pre-AP Curricula as presented in exhibit P (favor-10).

On motion of Mr. Uhlfelder, seconded by Mr. Coleman, the Board approved the Library media Curriculum, Grades 1-5, as presented in exhibit P-1 (favor-10).

On motion of Mr. Parker, seconded by Mr. Coleman, the Board approved the Chinese IV Honors and Chinese V Advanced Placement (AP) Pilots as presented in exhibit P-2 (favor-10).

HEARING EXAMINER'S RECOMMENDATION

On a motion of Mr. Janssen, seconded by Mr. Parker, the Board approved the Superintendent's Motion for Summary Affirmance and adopted the hearing examiner's opinion in case #09-38 (favor-10).

REPORTS

The Board received the following reports:

- A. **Summary Status on the Articulated Instruction Module (A.I.M.)** – Andrew Nussbaum, Esquire, Counsel to the Board of Education, reviewed several aspects of AIM and provided a summary report to the Board. The report contained the following key points:
- Pursuant to state law and school system policies and procedures, the Superintendent had authority to enter into an agreement with Dr. Barbara Dezmon.
 - The agreement provided for a perpetual, royalty free, non-exclusive right and license to use the AIM. Dr. Dezmon owned any intellectual property in the project, since she developed AIM in conjunction with her graduate school studies.
 - There are no policies or rules that would have prohibited the Superintendent from entering into an agreement on behalf of BCPS, where no money was to be paid by the school system.
 - The issue of ownership was fully addressed in the Intellectual Property Agreement signed by the Superintendent and Dr. Dezmon.
 - In the agreement, Dr. Dezmon grants the school system a perpetual, royalty-free right and license to use AIM and further provides that Dr. Dezmon will be required to provide updates and upgrades of the program without charge to BCPS.
 - Any school system curriculum content that would be inserted into AIM would continue to be the property of BCPS.
 - The Superintendent entered into this agreement as a means to obtain a benefit for BCPS at the lowest possible cost to BCPS.

Mr. Nussbaum stated that the agreement was a quid-pro-quo, because the school system would be able to use Dr. Dezmon's program at no cost and that BCPS would be provided any upgrades at no cost, in exchange for the school system providing the resources to computerize AIM and allowing Dr. Dezmon to retain the intellectual property rights that she already had in the paper and pencil version.

REPORTS (cont)

Ms. Roddy asked whether Dr. Dezmon has ownership of the source code, with Mr. Nussbaum responding in the affirmative. Ms. Roddy asked whether the school system gave up something of value when it allowed Dr. Dezmon to retain ownership of the source code. Mr. Nussbaum responded that he was not in a position to place value on the software; however, the agreement was that whatever the value was in the program the school system would use the program and not pay any money.

Mr. Schmidt asked whether the law provides the authority for the superintendent to enter into such an agreement. Mr. Nussbaum responded that by not having a prohibition, the law would allow it. Mr. Schmidt asked whether AIM could be considered a program of instruction or curriculum guide. Mr. Nussbaum responded that AIM is not a program or a curriculum guide.

Mr. Coleman asked whether any employee, past or present, received any time of financial gain from this project. Mr. Nussbaum responded that it is his understanding that no employee has received financial gain from AIM. Dr. Hairston stated that AIM is a tool. The value is in the quality of the curriculum and how effectively teachers are able to deliver the curriculum.

Mr. Parker asked the Superintendent to clarify whether Dr. Dezmon is under contract with the school system. Dr. Hairston responded that Dr. Dezmon is under no contract or agreement with BCPS.

INFORMATION

The Board received the following as information:

- A. Southwest Area Education Advisory Council Operating Pre-budget hearing Minutes of October 20, 2010
- B. Revised Superintendent's Rule 3126 – NON-INSTRUCTIONAL SERVICES: Fiscal Services-Expense Reimbursement
- C. Revised Superintendent's Rule 3127 – NON-INSTRUCTIONAL SERVICES: Travel
- D. Deletion of Superintendent's Rule 4280 – PERSONNEL: Leaves, Holidays, Vacations
- E. Revised Superintendent's Rule 5230 – STUDENTS: Elementary and Secondary-Student Records

INFORMATION (cont)

- F. Revised Superintendent's Rule 5250 – STUDENTS: Graduation Requirements-Graduation
- G. Deletion of Superintendent's Rule 5340 – STUDENTS: Activities-Management of Funds
- H. Revised Superintendent's Rule 7520 – NEW CONSTRUCTION: Occupying-Naming of the Building and Dedication

ANNOUNCEMENTS

Mr. Hines made the following announcements:

- The Board of Education of Baltimore County will hold its next meeting on Tuesday, December 21, 2010, 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. The public is welcome to all open sessions.

Mr. Hines stated that public comment is one of the opportunities provided to hear the views and receive the advice from community members. The members of the Board appreciate hearing from interested citizens and will take their comments into consideration, even though it is not the Board's practice to take action at this time on issues which are raised. When appropriate, the Board will refer concerns to the superintendent for follow-up by his staff.

While the Board encourages public input on policy, programs, and practices within the purview of this Board and this school system, this is not the proper avenue to address specific student or employee matters, or to comment on matters that do not relate to public education in Baltimore County. The Board encourages everyone to utilize existing avenues of redress for complaints. Inappropriate personal remarks or other behavior that disrupts or interferes with the conduct of this meeting are out of order.

Mr. Hines also asked speakers to observe the light system, which lets the speaker know when time is up. He asked speakers to conclude their remarks when they see the red light.

PUBLIC COMMENT ON THE PROPOSED CHANGES TO POLICY 1230

Ms. Jackie Brewster expressed concern with removing the “area” assistant superintendents from the policy without replacing an alternate staff member to perform that duty. She stated that the assistant superintendents are the advisory councils’ link to the school system. Ms. Brewster stated she understands that the Chief of Staff can arrange presenters for the meetings; however, the Chief of Staff cannot attend every meeting.

PUBLIC COMMENT ON THE PROPOSED DELETION OF POLICY 4158

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

PUBLIC COMMENT ON THE PROPOSED DELETION OF POLICY 4234

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

PUBLIC COMMENT ON THE PROPOSED DELETION OF POLICY 4234.1

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

PUBLIC COMMENT ON THE PROPOSED DELETION OF POLICY 4265

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

PUBLIC COMMENT ON THE PROPOSED CHANGES TO POLICY 7110

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

PUBLIC COMMENT ON THE PROPOSED CHANGES TO POLICY 7330

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

PUBLIC COMMENT ON THE PROPOSED CHANGES TO POLICY 7530

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

GENERAL PUBLIC COMMENT

Dr. Bash Pharoan requested that he be appointed to the Diversity and Achievement Steering Committee but has received no response. He also stated that the calendar approved last year does not show all Muslim holidays.

Ms. Katherine Elliot-Azzam expressed her concerns about Hampton Elementary School, which included: children standing in the rain while going to relocatables; sewage smell in the building, and increased class sizes.

Ms. Nancy Ostrow stated that time should be built in the work sessions for public comment since the work sessions are only lasting one hour. She asked the Board to consider returning to two business meetings a month or creating a format that will provide stakeholders and public comment at both the business meeting and the work session.

Ms. Mary asked the Board to make Randallstown High School a safe, healthy, and comfortable learning environment by replacing the HVAC, security alarm system, and upgrade the cafeteria.

Mr. Dennis King asked the Board to address the overcrowding issues at Hampton Elementary School.

Ms. Cathi Forbes asked the Board to make the Hampton Elementary School addition a priority in its capital budget

Mr. Todd Hufnagel asked the Board to address the overcrowding issues at Hampton Elementary School. He stated that when the gymnasium becomes overcrowded, there is no opportunity for his daughter to receive physical education.

Dr. Laurie Taylor-Mitchell stated that the Board must begin a dialogue with elected officials and publicly hold them accountable for school funding. She asked the Board to work with school advocacy groups and families to seek assistance in securing school funding.

Ms. Angela Mellerson asked the Board for a security system at Randallstown High School. She stated that the school received funding for this project last spring; however, the security system has not been replaced. Ms. Mellerson also asked for upgrades to the cafeteria.

Ms. Maureen Zingo asked the Board to make the Hampton Elementary School addition a priority. She stated that annexing students to another school is not the answer. Ms. Zingo asked that two additional trailers be placed at the school during construction.

ADJOURNMENT

Since there was no further business, the Board adjourned its meeting at 8:47 p.m.

Respectfully submitted,

Joe A. Hairston
Secretary-Treasurer

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