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BOARD OF EDUCATION

BALTIMORE COUNTY

SPECIAL PUBLIC BOARD MEETING

TOWSON, MARYLAND

DECEMBER 5, 2019

Transcribed by:

Paul A. Gasparotti

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1 BOARD MEMBERS:

2

3 Kathleen S. Causey

4 Julie C. Henn

5 Moalie S. Jose

6 Russell T. Kuehn

7 Lisa A. Mack

8 Rodney R. McMillion

9 John H. Offerman, Jr.

10 Cheryl E. Pasteur

11 Lily P. Rowe

12 Makeda Scott

13 Omer Reshid, Student Member

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1 PROCEEDINGS

2 DR. WILLIAMS: I now call to order the

3 meeting of the Board of Education of Baltimore

4 County for Thursday, December 5th, 2019. This

5 meeting is being held for the election of board

6 chair and vice chair.

7 I invite you to rise and recite the

8 Pledge of Allegiance to the Flag. We will then

9 remain standing for a moment of silence in

10 recognition of those who have served education in

11 Baltimore County.

12 (Pledge of Allegiance.)

13 (Moment of silence.)

14 DR. WILLIAMS: Thank you. As the

15 Board's presiding officer in the absence of an

16 elected chair for the 19-20 years, nominations

17 are now open for the office of board chair. Are

18 there any nominations? I recognize Mr. Offerman.

19 MR. OFFERMAN: I nominate Cheryl Pasteur

20 as president of the board.

21 DR. WILLIAMS: Thank you, Mr. Offerman.

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2 Call to Order. 4

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4 Nominations for Office of Chairman 4

5 Voting for Office of Chairman. 5

6 Nominations for Office of Vice Chairman. . . .10

7 Voting for Office of Vice Chairman11

8 Adjournment.15

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1 No second is required. Ms. Cheryl Pasteur is

2 nominated.

3 Are there further nominations for the

4 office of board chair? Ms. Mack?

5 MS. MACK: I nominate Kathleen Causey

6 for chair of the board.

7 DR. WILLIAMS: Thank you, Ms. Mack. No

8 second is required.

9 Are there any further nominations for

10 the office of board chair? Hearing none, as

11 presiding officer, I declare the nominations are

12 now closed.

13 The Education Transparency Act requires

14 that any action of the Baltimore County Board be

15 recorded by a voice vote or roll call vote.

16 Ms. Gover, please call the vote for those voting

17 for Ms. Pasteur for the office of board chair.

18 MS. GOVER: Mr. Offerman.

19 MR. OFFERMAN: Yes.

20 MS. GOVER: Mr. Kuehn.

21 MR. KUEHN: No.

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1 MS. GOVER: Ms. Pasteur.
 2 MS. PASTEUR: Yes.
 3 MS. GOVER: Mr. Reshid.
 4 MR. RESHID: Yes.
 5 MS. GOVER: Ms. Henn.
 6 MS. HENN: No.
 7 MS. GOVER: Ms. Causey.
 8 MS. CAUSEY: No.
 9 MS. GOVER: Ms. Jose.
 10 MS. JOSE: Yes.
 11 MS. GOVER: Mr. McMillion.
 12 MR. MCMILLION: Yes.
 13 MS. GOVER: Ms. Mack.
 14 MS. MACK: No.
 15 MS. GOVER: Ms. Scott.
 16 MS. SCOTT: Yes.
 17 MS. GOVER: Ms. Rowe.
 18 MS. ROWE: No.
 19 DR. WILLIAMS: Ms. Gover, would you
 20 please give me the number for the votes for
 21 Ms. Pasteur?

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1 MS. GOVER: Six votes.
 2 DR. WILLIAMS: Thank you. Ms. Pasteur
 3 has not received sufficient votes to be elected
 4 as board chair.
 5 Ms. Gover, please call the roll for
 6 those voting for Ms. Causey for the office of
 7 board chair.
 8 MS. GOVER: Mr. Offerman.
 9 MR. OFFERMAN: No.
 10 MS. GOVER: Mr. Kuehn.
 11 MR. KUEHN: Yes.
 12 MS. GOVER: Ms. Pasteur.
 13 MS. PASTEUR: No.
 14 MS. GOVER: Mr. Reshid.
 15 MR. RESHID: No.
 16 MS. GOVER: Ms. Henn.
 17 MS. HENN: Yes.
 18 MS. GOVER: Ms. Causey.
 19 MS. CAUSEY: Yes.
 20 MS. GOVER: Ms. Jose.
 21 MS. JOSE: No.

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1 MS. GOVER: Mr. McMillion.
 2 MR. MCMILLION: No.
 3 MS. GOVER: Ms. Mack.
 4 MS. MACK: Yes.
 5 MS. GOVER: Ms. Scott.
 6 MS. SCOTT: No.
 7 MS. GOVER: Ms. Rowe.
 8 MS. ROWE: Yes.
 9 DR. WILLIAMS: Ms. Gover, would you
 10 please give me the number please?
 11 MS. GOVER: Five votes.
 12 DR. WILLIAMS: Neither of the nominees
 13 have received a majority. Therefore, no chair
 14 has been elected as required by Section 3-2.B-09
 15 of the Education Article of Annotated Code of
 16 Maryland and Board Policy 8210.
 17 The Board has failed to reach a majority
 18 at this time. Although the Board has failed to
 19 reach a majority, I am confident that they will.
 20 Every member of this Board since my arrival has
 21 provided their support and encouragement to me

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1 and my family, and I thank you for that. I would
 2 like to ask Board Counsel Mr. Nussbaum to explain
 3 for the permanent record the effect of an
 4 unsuccessful board chair election on operations
 5 of this Board and School System. Mr. Nussbaum.
 6 MR. NUSSBAUM: Thank you, Dr. Williams.
 7 As you know, Maryland law pursuant to
 8 the Code of Maryland Regulations requires that
 9 any action taken by any county board of education
 10 in the state must have the concurrence of the
 11 majority of the whole board. In Baltimore
 12 County, that's 12 members of the Board so a
 13 majority of the whole board would be seven, even
 14 though there's currently obviously a vacancy on
 15 the Board, so it would have taken seven votes to
 16 elect the chair and to elect the vice chair later
 17 on this evening.
 18 Furthermore, under Maryland Common Law,
 19 because no individual received seven votes, the
 20 incumbent chair may remain in office after the
 21 expiration of her term and is entitled to

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1 exercise the powers of that office until her
 2 successor is elected by seven members of the
 3 Board, again as required by COMAR.
 4 Therefore the current chair, Ms. Causey,
 5 is considered a holdover office holder and will
 6 remain in her position as board chair until such
 7 time, if ever, a majority of seven members of the
 8 Board either vote to reelect Ms. Causey to a full
 9 term or to elect some other individual as chair
 10 of the Board. Elections will take place again
 11 next December as the statute requires with
 12 respect to chair at that time. Thank you.
 13 DR. WILLIAMS: Based on Mr. Nussbaum's
 14 comments, I am turning the gavel over to
 15 Ms. Causey to preside over the election of vice
 16 chair.
 17 MS. CAUSEY: Thank you, Dr. Williams.
 18 Nominations are now open for the office
 19 of the board vice chair. Are there any
 20 nominations? Ms. Jose?
 21 MS. JOSE: Thank you. I would like to

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1 nominate Mr. Rod McMillion for the position of
 2 vice chair for the Baltimore County School Board.
 3 MS. CAUSEY: Mr. Rod McMillion is
 4 nominated. Are there further nominations for the
 5 office of board vice chair? Ms. Mack.
 6 MS. MACK: I would like to nominate
 7 Julie Henn for the office of vice chair.
 8 MS. CAUSEY: Ms. Henn is nominated. Are
 9 there further nominations for the office of board
 10 vice chair? Hearing no further nominations, the
 11 chair declares the nominations as closed.
 12 All those who vote for Mr. Rod McMillion
 13 as vice chair, please signify by saying yes when
 14 the roll is called.
 15 MS. GOVER: Mr. Offerman.
 16 MR. OFFERMAN: Yes.
 17 MS. GOVER: Mr. Kuehn.
 18 MR. KUEHN: No.
 19 MS. GOVER: Ms. Pasteur.
 20 MS. PASTEUR: Yes.
 21 MS. GOVER: Mr. Reshid.

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1 MR. RESHID: Yes.
 2 MS. GOVER: Ms. Henn.
 3 MS. HENN: No.
 4 MS. GOVER: Ms. Causey.
 5 MS. CAUSEY: No.
 6 MS. GOVER: Ms. Jose.
 7 MS. JOSE: Yes.
 8 MS. GOVER: Mr. McMillion.
 9 MR. MCMILLION: Yes.
 10 MS. GOVER: Ms. Mack.
 11 MS. MACK: No.
 12 MS. GOVER: Ms. Scott.
 13 MS. SCOTT: Yes.
 14 MS. GOVER: Ms. Rowe.
 15 MS. ROWE: No.
 16 MS. CAUSEY: Would Ms. Gover please give
 17 me the total number?
 18 MS. GOVER: Six votes.
 19 MS. CAUSEY: Thank you all those who
 20 vote for Ms. Henn as vice chair, please signify
 21 by saying yes as the roll is called.

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1 MS. GOVER: Mr. Offerman.
 2 MR. OFFERMAN: No.
 3 MS. GOVER: Mr. Kuehn.
 4 MR. KUEHN: Yes.
 5 MS. GOVER: Ms. Pasteur.
 6 MS. PASTEUR: No.
 7 MS. GOVER: Mr. Reshid.
 8 MR. RESHID: No.
 9 MS. GOVER: Ms. Henn.
 10 MS. HENN: Yes.
 11 MS. GOVER: Ms. Causey.
 12 MS. CAUSEY: Yes.
 13 MS. GOVER: Ms. Jose.
 14 MS. JOSE: No.
 15 MS. GOVER: Mr. McMillion.
 16 MR. MCMILLION: No.
 17 MS. GOVER: Ms. Mack.
 18 MS. MACK: Yes.
 19 MS. GOVER: Ms. Scott.
 20 MS. SCOTT: No.
 21 MS. GOVER: Ms. Rowe.

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1 MS. ROWE: Yes.

2 MS. CAUSEY: Ms. Gover, would you please

3 give me the total number for Ms. Henn?

4 MS. GOVER: Five votes.

5 MS. CAUSEY: Five votes. Given that

6 neither nominee has received a majority of the

7 votes, therefore, Mr. Nussbaum will come forward

8 and explain how the board will proceed.

9 MR. NUSSBAUM: So the same comments I

10 made previously about Maryland law with respect

11 to the chair apply also to the vice chair. Seven

12 votes were needed because seven is a majority of

13 the whole Board. No individual received seven

14 votes, and therefore as was the case with

15 Ms. Causey as far as the incumbent chair, so is

16 the case with Ms. Henn as the incumbent vice

17 chair, which is that under Maryland Common Law,

18 the vice chair, the office holder for vice chair,

19 Ms. Henn, would remain in office after the

20 expiration of her term and is entitled to

21 exercise the powers of the office of vice chair

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1 until her successor is elected by seven members

2 of the Board, as was the case with Ms. Causey.

3 MS. CAUSEY: Thank you, Mr. Nussbaum.

4 Having completed the agenda item of

5 special elections, which was the only item on the

6 agenda of our reconvening of this meeting, I now

7 call the meeting adjourned. Thank you all very

8 much.

9 (Meeting adjourned.)

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1 STATE OF MARYLAND.

2 BALTIMORE COUNTY: SS

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4 I, Paul A. Gasparotti, a Notary Public in and

5 for the State of Maryland, Baltimore County, do

6 hereby certify that the foregoing is a true and

7 accurate transcription of the recording to the

8 best of my ability.

9 I further certify that I am not of counsel to

10 any of the parties nor in any way interested in

11 the outcome of these proceedings.

12 As witness, my hand and notarial seal this

13 11th day of December, 2019.

14

15 _____

16 Paul A. Gasparotti

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