

**Baltimore County Board of Education**  
MINUTES OF CLOSED SESSION  
AND  
EDUCATION TRANSPARENCY ACT DESCRIPTION  
Thursday, December 5, 2019

**ADMINISTRATIVE FUNCTION SESSION**

Upon motion of Ms. Mack, seconded by Ms. Rowe, and approved (favor – 10) the Board reconvened its administrative function session from December 3, 2019, at 6:13 p.m. to discuss the election of Board officers, breach of confidentiality and consequences, and hold-over positions. As the Board’s presiding officer and in the absence of an elected chair for the 2019-2020 year, Superintendent Dr. Darryl L. Williams presided over the meeting. The following Board members were present: Ms. Kathleen S. Causey, Ms. Julie C. Henn, Ms. Moalie S. Jose, Mr. Russell T. Kuehn, Ms. Lisa A. Mack, Mr. Rodney R. McMillion, Mr. John H. Offerman, Jr., Ms. Lily P. Rowe, Ms. Makeda Scott, and Student Member Omer Reshid. In addition, the following staff members were present: Andrew Nussbaum, Esquire, Counsel to the Board of Education; Ms. Manisha Kavadi, Esquire (Carney, Kelehan, Bresler, Bennett & Scherr); and Ms. Tracy Gover, Senior Executive Assistant to the Board.

Ms. Cheryl E. Pasteur entered the room at 6:19 p.m.

On the motion of Mr. Offerman, seconded by Mr. Kuehn, the Board adjourned its administrative function session at 7:04 p.m. (favor – 11)

**OPEN SESSION MINUTES**

The Board of Education of Baltimore County held a special meeting on Thursday, December 5, 2019, at 7:14 p.m., Building E, 6901 Charles Street, Towson, Maryland. Presiding Officer Superintendent Dr. Darryl L. Williams and the following Board members were present: Ms. Kathleen S. Causey, Ms. Julie C. Henn, 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, Ms. Makeda Scott, and Student Member Omer Reshid.

**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 Thursday, December 5, 2019. 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/377779651>.

**SPECIAL ORDER OF BUSINESS**

**Election of Board Officers – December 5, 2019, through December 2020**

Dr. Williams opened the floor for nominations for the Office of the Chair of the Board of Education. Mr. Offerman nominated Ms. Pasteur; Ms. Mack nominated Ms. Causey.

A roll-call vote was taken for votes for Cheryl Pasteur. (favor – 6)

<b>Board Member</b>	<b>Favor</b>	<b>Opposed</b>	<b>Did Not Vote/ Abstention</b>	<b>Absent</b>
J. Offerman	X			
R. Kuehn		X		
C. Pasteur	X			
O. Reshid	X			
J. Henn		X		
K. Causey		X		
M. Jose	X			
R. McMillion	X			
L. Mack		X		
M. Scott	X			
L. Rowe		X		
<b>Total</b>	<b>6</b>	<b>5</b>	<b>0</b>	<b>0</b>

A roll-call vote was taken for votes for Kathleen Causey. (favor – 5)

<b>Board Member</b>	<b>Favor</b>	<b>Opposed</b>	<b>Did Not Vote/ Abstention</b>	<b>Absent</b>
J. Offerman		X		
R. Kuehn	X			
C. Pasteur		X		
O. Reshid		X		
J. Henn	X			
K. Causey	X			
M. Jose		X		
R. McMillion		X		
L. Mack	X			
M. Scott		X		
L. Rowe	X			
<b>Total</b>	<b>5</b>	<b>6</b>	<b>0</b>	<b>0</b>

The board failed to reach of majority for either nominee. Mr. Nussbaum, counsel to the Board of Education, explained that Maryland law, pursuant to the Code of Maryland Regulations (COMAR), requires that any action taken by any county board of education must have the concurrence of the majority of the whole board. In Baltimore County, the “whole board” is 12 members of the Board; a majority of the whole Board would be 7, even though there is currently a vacancy. To elect a chair, it would have taken 7 votes. Furthermore, under Maryland common law, because no individual received 7 votes, the incumbent chair may remain in office after the expiration of her term and is entitled to exercise the powers of that office until her successor is elected by 7 members of the Board as required by COMAR. Therefore, the current chair, Ms. Causey, is considered a “hold-over” office holder and would remain in her position as Board chair until such time a majority of 7 members of the Board either vote to re-elect Ms. Causey to a full term or to elect another board member as chair of the Board.

Ms. Causey opened the floor for nominations for the Office of the Vice Chair of the Board of Education. Ms. Jose nominated Mr. McMillion; Ms. Mack nominated Ms. Henn.

A roll-call vote was taken for votes for Rod McMillion. (favor – 6)

<b>Board Member</b>	<b>Favor</b>	<b>Opposed</b>	<b>Did Not Vote/ Abstention</b>	<b>Absent</b>
J. Offerman	X			
R. Kuehn		X		
C. Pasteur	X			
O. Reshid	X			
J. Henn		X		
K. Causey		X		
M. Jose	X			
R. McMillion	X			
L. Mack		X		
M. Scott	X			
L. Rowe		X		
<b>Total</b>	<b>6</b>	<b>5</b>	<b>0</b>	<b>0</b>

A roll-call vote was taken for votes for Ms. Henn. (favor – 6)

<b>Board Member</b>	<b>Favor</b>	<b>Opposed</b>	<b>Did Not Vote/ Abstention</b>	<b>Absent</b>
J. Offerman		X		
R. Kuehn	X			
C. Pasteur		X		
O. Reshid		X		
J. Henn	X			
K. Causey	X			
M. Jose		X		
R. McMillion		X		
L. Mack	X			
M. Scott		X		
L. Rowe	X			
<b>Total</b>	<b>5</b>	<b>6</b>	<b>0</b>	<b>0</b>

Mr. Nussbaum explained that the same advice provided earlier regarding the chair will apply to the vice chair. The majority of the whole board, 7 votes, are needed, and neither nominee received 7 votes. Therefore, the incumbent vice chair may remain in office after the expiration of her term and is entitled to exercise the powers of that office until her successor is elected by 7 members of the Board as required by COMAR.

The Board adjourned its meeting at 7:24 p.m.

*Submitted for posting on the Web site on December 9, 2019.*