

Baltimore County Board of Education
MINUTES OF CLOSED SESSION
AND
EDUCATION TRANSPARENCY ACT DESCRIPTION
Tuesday, July 14, 2020

OPEN SESSION MINUTES

The Board of Education of Baltimore County held a regularly scheduled meeting on Tuesday, July 14, 2020, at 5:20 p.m., which was held virtually. 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. Lily P. Rowe, Ms. Makeda Scott, 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 Mr. Offerman, seconded by Ms. Henn, and approved (favor – 11), the Board commenced its closed session at 5:22 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. Lily P. Rowe, Ms. Makeda Scott, 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; Andrew Nussbaum, Esquire, Counsel to the Board of Education; and Ms. Tracy Gover, Senior Executive Assistant to the Board.

Ms. Lowry presented personnel matters to be considered at tonight's meeting including retirements, resignations, leaves, and administrative appointments.

Dr. Williams discussed an amendment to his contract that indicated he would forego receiving a 1% COLA as per his agreement for the 2020-2021 school year only. The vote will take place during open session.

Mr. Nussbaum left the meeting at 5:41 p.m.

Ms. Causey reviewed Board counsel services for the 2020-2021 school year. Judy Bresler, Esq., Carney, Kelehan, Bresler, Bennett & Scherr, LLP, was present to answer questions about back-up board counsel services.

Ms. Howie discussed potential litigation related to a class action lawsuit for the Board's approval.

On the motion of Ms. Causey, seconded by Mr. Muhumuza, the board recessed their closed session at 6:46 p.m. to reconvene after open session. (Favor – 11)

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, July 14, 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/438688461>.

CONSIDERATION OF THE AGENDA

On the motion of Mr. Muhumuza, seconded by Mr. Offerman, the board approved the addition of an agenda item to discuss titling the resolution passed by the Board at its June 9, 2020, meeting; Mr. Muhumuza asked that the item be added to the agenda immediately following his report. (favor – 11)

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	11	0	1	0

On the motion of Mr. McMillion, seconded by Mr. Muhumuza, the board approved the addition of an agenda item to discuss holding an in-person Board meeting at Greenwood or at a Baltimore County high school auditorium. This item was added after Item L – Recovery Plan. (favor – 11)

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	11	1	0	0

On the motion of Ms. Rowe, seconded by Mr. Kuehn, the board approved to limit debate on the Board meeting discussion to five minutes. (favor – 9)

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	9	3	0	0

The agenda was adopted as amended.

NEW BUSINESS

Personnel Matters

On the motion of Mr. Offerman, seconded by Mr. Kuehn, the Board approved the personnel matters listed in Exhibit D-1 through D-3. (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	2	0	0

On the motion of Ms. Rowe, seconded by Mr. Kuehn, the Board unanimously approved an amendment to the Superintendent’s accepting Dr. Williams’ request to decline a 1% COLA for the 2020-2021 school year only.

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

Report on Board Policies (First Reading)

On the motion of Ms. Causey, seconded by Ms. Henn, the Board reinstated the deleted Item in Policy 1230 – I.C. *The Board has the authority to appoint additional citizen advisory councils or committees as needed.* (favor – 11)

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	11	1	0	0

On the motion of Ms. Mack, the Board unanimously approved the recommendations of the Board’s Policy Review Committee on the proposed changes to the following Board Policy as amended:

1. Policy 0100 – Basic Board Commitments: Equity
2. Policy 1230 – Community Relations: Community Involvement – Area Education Advisory Councils (AEAC)
3. Policy 3410 – Non-Instructional Services: Transportation Services – Responsibilities and Duties (Renamed to Transportation Services)
4. Policy 3420 – Non-Instructional Services: Transportation Services – Routes and Services (Renamed to Transportation Services – Routes and Bus Stops)
5. Policy 4101 – Personnel: Conduct – Drug-Free Workplace

Student Member of the Board Resolution Name

Mr. Muhumuza moved to name the Student Member of the Board’s resolution approved at the Board’s June 9, 2020, meeting to the *Black Lives Matter Resolution*. This was seconded by Ms. Pasteur.

After discussion, Mr. Offerman moved the previous question, which was seconded by Mr. Muhumuza. The 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	2	0	0

The original motion made by Mr. Muhumuza, seconded by Ms. Pasteur, 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	1	0

On the motion of Mr. Muhumuza, seconded by Ms. Mack, the board unanimously directed the superintendent to investigate the potential board prohibition of hateful speech and symbols which include, but are not limited to, Confederate flags, swastikas, and other symbols that the superintendent determines to be inappropriate in schools; and further requested that the superintendent provide a report to the board no later than January 19, 2021.

Action Taken in Closed Session

On the motion of Ms. Mack, seconded by Ms. Henn, the Board approved the action taken in closed session. (favor – 7)

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	2	3	0

Ms. Jose left the meeting at 9:30 p.m.

Discussion of Future Live Board Meeting

Mr. McMillion moved to hold the next Board meeting in-person and not virtually; if it cannot be held at Greenwood, then the meeting could be held in the auditorium of one of the system’s 24 high schools contingent upon the state superintendent’s opening of schools. This was seconded by Mr. Offerman. 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	3	6	2	1

UNFINISHED BUSINESS

The Compass: Our Pathway to Success – Strategic Plan

On the motion of Ms. Mack, seconded by Mr. Muhumuza, the Board approved the Superintendent’s strategic plan for Baltimore County Public Schools – *The Compass: Our Pathway to Success*. (favor – 11)

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	11	0	0	1

With the consensus of the Board, the agenda item Report – Updated on the Multiyear Improvement Plan for All Schools was moved to the August 11, 2020, Board meeting.

NEW BUSINESS (Continued)

Community Eligibility Provision Program (CEP)

Dr. Hager moved that BCPS fully implement the CEP program in all schools eligible for CEP as of June 30, 2020, in order to meet the August 31, 2020, filing deadline. The motion was seconded by Ms. Mack.

After discussion, Ms. Henn moved the previous question. It was seconded by Mr. Muhumuza. The motion passed. (favor – 11)

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	11	0	0	1

The original motion made by Dr. Hager, seconded by Ms. Mack, passed. (favor – 11)

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	11	0	0	1

Contract Awards

Ms. Henn presented items P-1 through P-7 and P-9 through P-16 to the full Board for approval. Item P-8 was brought forward to the full board without a recommendation from the committee.

On the motion of Mr. Offerman, the Board approved the contracts as presented in Exhibit P-1 through P-7 and P-9 through P-16. (favor – 11)

Exhibit Number	Contract Number	Contract Name
1.	LKO-403-18	Modification: Learning Management Software System
2.	JNI-740-16	Modification: Officiating Services for Interscholastic Sports
3.	MWE-822-20	Instructional Materials
4.	JNI-736-15	Modification: Private Duty and Substitute Nurses
5.	JMI-618-17	Modification: Specialty Paper and Envelopes
6.	JMI-618-18	Modification Information Technology Staffing Services
7.	JME-502-20	Automatic Vehicle Location (AVL)
9.	GDA-307-20	New Food Items
10.	JMI-636-17	Modification: Corrugated Cardboard Boxes
11.	JMI-611-17	Modification: School Locker Repairs, Installations, and Parts
12.	JMI-616-17	Modification: Stone, Mulch, Topsoil & Associated Materials
13.	JMI-610-18	Modification: Wood Floor Finishing, Replacement, Repairs, and Relining
14.	JMI-601-19	Modification: Replacement of Berkshire Elementary School, Package 9E - Painting
15.	JME-501-20	Fullerton Elementary School Chiller Replacement
16.	MOU-904-21	MOU-904-21 Colgate Elementary School Memorandum of Understanding between Baltimore County Public Schools and Baltimore County Government

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	11	0	1	1

Mr. McMillion moved to approve Item P-8. The motion failed for lack of a second.

8.	JME-503-20	Automatic School Bus Stop Arm and Bus Safety Video Monitoring System
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Special Project Request – Franklin Elementary School

On the motion of Ms. Mack, seconded by Mr. Offerman, the Board approved a special project request for the installation of audio visual equipment in the gymnasium of Franklin Elementary School. (favor – 11)

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	11	0	0	1

UNFINISHED BUSINESS

Board of Education Policies (Second Reading)

On the motion of Mr. Offerman, the Board approved (favor – 11) the recommendation of the Board’s Policy Review Committee to amend the following Board policies:

1. Policy 1270 – Community Relations: Community Involvement – Parent and Family Engagement
2. Policy 3111 – Non-Instructional Services: Non-Instructional Services – Budget Planning and Preparation
3. Policy 4003 – Personnel: General – Recruitment and Selection

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	11	0	0	1

With the consensus of the Board, the agenda item, Board Comments, will be moved to the August 11, 2020, Board meeting.

Ms. Pasteur left the meeting at 11:38 p.m.

The Board adjourned its meeting at 11:39 p.m.

The Board reconvened its closed session at 11:43 p.m.

CLOSED SESSION MINUTES (Continued)

Chair Kathleen S. Causey, and the following Board members were present: Vice Chair Julie C. Henn, Dr. Erin R. Hager, Mr. Russell T. Kuehn, Ms. Lisa A. Mack, Ms. Lily P. Rowe, Ms. Makeda Scott, 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; Margaret-Ann F. Howie, Esquire, General Counsel; Andrew Nussbaum, Esquire, Counsel to the Board of Education; and Ms. Tracy Gover, Senior Executive Assistant to the Board.

Ms. Causey presented the Board's closed session minutes of Tuesday, June, 9, 2020, and Tuesday, June 23, 2020, and the closed session minutes of the July 7, 2020, MABE Equity Lens training session for review and consideration. All minutes were approved as presented.

Mr. Nussbaum provided legal advice concerning the dispositions of the hearing officer's opinion in case H.E. 20-40 where no oral argument was requested. He also discussed a property dispute appeal, as well as an exception to a student appeal that was untimely filed.

On the motion of Ms. Mack, seconded by Ms. Rowe, the Board adjourned its closed session at 11:59 p.m. (favor – 8)

Submitted for posting on the Web site on July 16, 2020.