

ANNE ARUNDEL COUNTY BOARD OF EDUCATION
REVISED MINUTES, JANUARY 18, 2006
APPROVED, FEBRUARY 15, 2006

The Board of Education met in regular session on the above date at 7:00 p.m. in the Board Room of the Parham Administration Building. Members present were Mr. Wayson, Ms. Johnson, Messrs. Carey Leahy, Melendez, Peterson, Rudolph and Ms. Snider. Also present was Interim Superintendent Nancy Mann. Mr. Wayson opened the meeting with the Invocation and Pledge of Allegiance.

EXECUTIVE SESSION: The Board met in executive session on January 4, 2006 at 8:30 a.m. in the Caucus Room of the Parham Administration Building. Ms. Johnson moved that the Board go into closed session to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees or officials, or any other personnel matter that affects one or more specific individuals; to consult with counsel to obtain legal advice on a legal matter, and to conduct collective bargaining negotiations or consider matters that relate to the negotiations, as authorized by sections 10-508(a) (1), (7) and (9) of the Open Meetings Act. Mr. Carey seconded and the Board approved (5-0). Members present were Mr. Wayson, Ms. Johnson, Messrs. Carey, Melendez and Rudolph. Mr. Leahy arrived at 8:50 a.m. Mr. Peterson was absent. Also present were Interim Superintendent Nancy Mann, Mr. Bennett, Board Counsel and Ms. Connolly, Board Assistant.

APPROVAL OF MINUTES: Ms. Johnson moved to approve the minutes of January 4, 2006. Mr. Carey seconded and the Board approved (7-0), Mr. Rudolph not present for the vote.

RECOGNITIONS: Mrs. JoAnne Chiles, music teacher at Shipley's Choice Elementary School was recognized for her dedicated work as a teacher and for being named the Maryland PTA Teacher of the Year.

Mr. Rudolph praised the talents of those students today in the Side-By-Side concert at the Meyerhoff performing with the Baltimore Symphony Orchestra. He would like the students that participated to be recognized at a future Board meeting.

Mr. Peterson is pleased that arts in education continue to be recognized in the school system.

CRASC REPORT: Brittany Walker, 2nd Vice President, informed the Board of the current planning and fund raising for the CRASC convention in April and provided details on the service project Heifer International. The next event is the February 8 General Assembly at which time nominations will be made for CRASC committees and the Student Member on the Board of Education.

CAC REPORT: No report.

PTA REPORT: Debbie Ritchie, AACCPA President announced that the council will hold its 89th Founder's Day Dinner on February 25, 2006. A general membership meeting will also be held on January 31. Ms. Ritchie addressed the matter of a potential magnet school in the county and the need for a policy and regulation to be established. Ms. Ritchie and her organization's goal is to increase parent involvement at all levels of the county school system. She expressed her thoughts on the role that she believes the Board of Education should play in this regard.

PUBLIC PARTICIPATION: The following citizens spoke in public participation: Leslie Cowing, Anna Walker, Robert Schmidt, Mary Alice Gehrdes, Dylan Gould, Dan Prout, Daniel Hubscher, Bob Gicquelais, Rachel Gicquelais, Ashley Mullen, Liam Penn, Julie Romanosky, Andrew Dykman, Cori Dykman, Andy Penn, and Steven J. Ostrega.

Mr. Peterson asked Mr. Wayson and Mrs. Mann to think about scheduling some time to look at what is being done now regarding changes in the curriculum for middle school and the possibility of instituting the Middle Years Plan. Immediate long term changes need to be considered in order to address the matter. Mr. Melendez believes that the middle schools have been ignored and he concurs with Mr. Peterson. The issue of not only what needs to be done, but how it will be done is important. He is very concerned about Bates and Annapolis Middle Schools and he believes that the Middle Years Plan would improve the situation in these schools.

ADMINISTRATIVE PERSONNEL APPOINTMENTS: Mrs. Mann recommended Ms. Gayle Cicero, **from** PPW at Central Office **to** Coordinator of Guidance, Central Office, effective January 19, 2006.

Mr. Rudolph moved to approve the Superintendent's recommendation. Mr. Carey seconded and the Board approved (8-0).

SCHOOL UTILIZATION CHART: On October 20, 2003 the Anne Arundel County Council adopted Bill No. 43-03, AN ORDINANCE concerning: Subdivisions-Adequacy of Public Facilities for Schools. The legislation requires that the Board of Education adopt a School Utilization Chart that indicates which schools are "Open" for development and which schools are "Closed" for development, based on the Official September 30th Enrollments. This School Utilization Chart is based on Official September 30, 2005 Enrollments. Upon adoption by the Board of Education, the School Utilization Chart will then be forwarded to the Anne Arundel County Council for adoption by resolution.

Chuck Yocum, Student Demographic Specialist reported to the Board on schools that have had either a decrease or an increase in enrollment and/or capacity. Regarding the county legal opinion on the chart, the opinion came about because questions have arisen about using the capacity of the new Seven Oaks school in the calculations. Some folks are curious as to why the system has not brought forth more redistricting. The reason for

this is that the Board last fall commissioned the Strategic Facilities Utilization Study, which will come back in April 2006 and will make recommendations on capacities and spaces and how the system is using them. Rather than bring forth a lot of countywide redistricting, staff decided it would be best to let the study come forth, make recommendations, and bring it before the Board to decide what to be done in the future.

Public Participation: Attorney David Plott expressed his desire to have Seven Oaks Elementary School included in the chart. Other citizens who addressed the Board on the agenda item were Thurman Reynolds, Bruce Shapiro and John Pantelides.

Mr. Leahy said that the Board needs to come up with some sort of rationale to move forward on issues regarding boundaries of Seven Oaks. Since the boundaries have not been set, the school cannot be counted on the school utilization chart. Mr. Leahy suggests getting the Board counsel, the county counsel and the Superintendent together to find a solution.

Mrs. Johnson noted that the Seven Oaks building exists but there are no set boundaries. Therefore it is not considered "a school" because there are no boundaries, so how can the school be counted in the capacity. Mr. Szachnowicz, Acting Director of Facilities said that the Board would have to go through the redistricting process to set the boundaries so that Seven Oaks could be counted in the utilization chart.

Mr. Peterson believes that this is the kind of dilemma that comes from bad public policy and that the county needs to get involved and fix the problem.

The Superintendent recommends approval of the School Utilization Chart.

Mr. Rudolph moved that the Board approve the Superintendent's recommendation. Mr. Peterson seconded and the Board approved (6-0), Mr. Carey and Ms. Snider not present for the vote.

AACPS SCHOOL START AND CLOSING TIMES: Winship Wheatley, Supervisor of Transportation provided the Board with several options regarding school start times and end times, including a universal shift, assign high school at "end of shift" and expand transport capacity. The concept behind each option and the impact the option would have on the system was included in the presentation.

Mr. Rudolph requested more information on the CAT-N/CAT-S transportation. Mr. Rudolph would like Mr. Wheatley to come back to the Board with a plan to remove shuttle services.

Mr. Melendez asked if buses could run on combination schedules serving different grade levels in the same geographic area. Mr. Wheatley said this practice is common in rural areas, but in urban districts the practice has limited application. Noting the complexity of the issue, Mr. Melendez would like to see the start time for high schools at 8:00 a.m.

However, since the answer is not before the Board for a way to change the time, he is therefore in favor of delaying high school start times 15 minutes for now.

Public Participation: The following citizens spoke in public participation on the agenda item: James Doyle, Pam Bukowski, Pamela Spearman, Judith Billage, Marine Vallet, Meg Cold, and Debbie Ritchie.

Mr. Carey asked Mr. Wheatley to come back to the Board with a plan to fix the four middle school schedules that have later openings than the other middle schools in the county.

Mr. Leahy made a motion that the Board adopt option #2 "Assign High School at 'End of Shift.'" This option is revenue neutral, addresses the sleep science issues, has a minimal impact on the hours of elementary and middle schools, and presents transportation safety advantages. In addition, this would fix the middle school problem. The implementation and timing considerations are good. The concept is to start high schools after 9:30 a.m. and close at 4:10 p.m. Mr. Peterson seconded.

Mr. Bennett reminded the Board that state law requires the Superintendent to have the right to advise on every issue that comes before a vote. Hence the reason the Superintendent's recommendation is usually presented first before motions are made. However, even if a motion has been made, the Superintendent still has that right to advise on an issue that comes before a vote.

The Superintendent recommends delaying the start time for all schools by 13 minutes.

On a motion duly made and seconded, the Board voted (1-7) on Mr. Leahy's motion. The motion fails.

Mr. Rudolph supports the Superintendent's recommendation because he sees it as all that can be done right now. In February, he will make a motion to put \$900,000 into the budget to fix the middle school problem. If the Board gets the money it will still take a year to go into effect. The same goes in moving the high school start times to 8:00 a.m. The Board could request the money in the budget. If the Board receives the money it would be obtained July 1, which still is not enough time for the change to be made in September. Therefore, this is a band-aid but it can be done now, and then the Board can work on the other start times during budget discussions in February with the understanding that it would not begin until the following year.

Mr. Rudolph made a motion to approve the Superintendent's recommendation. Mr. Carey seconded.

Mr. Melendez addressed the matter of the four middle schools that currently start later than the others. If the schedule were pushed 13 or 15 minutes, it would make the dismissal times of these schools even later, which would worsen the situation. He

therefore would like to request for the record that the administration look at those four schools and what could be done about it.

Ms. Snider offered an amendment to Mr. Rudolph's motion that the elementary schools that start at 8:05 and 8:15 start at 9:10 and take the four middle schools that currently start at 9:10 and put them in the 8:05 and 8:15 slot. Both of them use exactly 69 buses so the system would not have to purchase more buses and the 4 middle school late openings would be fixed. Mr. Leahy seconded the motion.

Mr. Rudolph accepts it as a friendly amendment, with the understanding that Mr. Wheatley will come back to the Board with an concurrence that the 69 buses could all be at the right place at the right time.

Mr. Wheatley said that he evaluated the options. He found that two of the four middle schools were in an 8:00 am position. This created however, a 4:00 pm position for several elementary schools. He can undo that so that he is only dealing with two schools, Old Mill South and one of the twin rivers schools. But to hope that 69 buses that could be freed up from a number of different locations to be in the right place at the right time is not probable.

Ms. Johnson noted that Mr. Wheatley has been charged by the Board to bring a proposal forward so that the Board can request the money in the budget. It is not the position of the Board to pick out bus routes for him and tell him which ones to switch. Ms. Johnson is therefore against the amendment.

Mr. Leahy does not want the Board to micromanage, however he believes that the Board has not looked at the possibility of exchanging other school times, and although this may not be the model, he asks that Mr. Wheatley to look a revenue neutral solution that by moving certain facilities, he could find a way to start the middle schools at a significantly earlier time more in line with other middle school times, that is the goal. Given that there are a significant number of elementary schools that end after 3:00 p.m., that is a smaller price to pay to make the middle school system work and his request in this is that even if the motion fails, he would appreciate it if Mr. Wheatley would look at the possibility of changing some of the bus routes in a revenue neutral model.

Ms. Snider withdraws her motion, with the understanding that staff look at models for switching elementary schools and the four middle schools that have later start times. She also noted that middle schools have a longer day than elementary schools. So if there is a 13-minute shift it should put the elementary schools at the end of the day so that there aren't any students that get out really late.

Mrs. Mann amended her recommendation to delay high school start times by 15 minutes.

On a motion duly made and seconded on the Superintendent's amended recommendation to delay high school start times by 15 minutes, the Board voted (4-4), Messrs. Melendez,

Leahy, Rudolph and Ms. Snider in favor, Messrs. Wayson, Carey, Peterson and Ms. Johnson opposed. The motion does not carry.

SABBATICALS: Florrie Bozzella, Director of Human Resources presented. Article 6 of the Unit I Negotiated Agreement provides that Sabbatical Leave requests for a maximum of eight Unit I members with a minimum of six full continuous school years of service in AACPS may be approved. For the 2006-2007 school year, one request is being referred to the Board for Consideration. Catherine Lee, Guidance Counselor at Central Middle School requests a sabbatical to complete her dissertation for her Doctorate Degree in Counseling.

Ms. Johnson moved to take the item from information to action. Mr. Peterson seconded and the Board approved (8-0).

The Superintendent recommends approval of the sabbatical.

Ms. Johnson moved to approve the Superintendent's recommendation. Mr. Peterson seconded and the Board approved (8-0). The motion passes.

AWARD OF CONTRACT: MANAGEMENT OF GREEN STREET PARKING LOT: Greg Nourse, Assistant Superintendent, Alex Szachnowicz, Acting Director of Facilities, and Debbie Groat, Supervisor of Purchasing, reviewed with the Board the terms of the proposed contract, the procurement method, and details of the technical submissions for the management of the Green Street Parking lot.

Mr. Melendez addressed the forecast of potential revenue and would like more information. This is a property management opportunity with revenue generation. He would expect more definitive figures on how much revenue is expected, what is the minimum guarantee the school system gets, and if the forecast is exceeded what percentage would the system receive after that.

Ms. Groat, Supervisor of Purchasing said that the system accepted fixed revenue, so as not to put the revenue at risk. The fixed rate revenue is \$30,000 the first year and \$40,000 every other year, regardless of the additional revenue that they receive. That is a guarantee that is not going to change as a result of any expenses that Laz has on lost revenue. Laz has also agreed to participation of 5 interns per year. The school still retains exclusive of the property. Laz will make some cosmetic upgrades. The PTA continues to have exclusive use for the fundraisers that they have identified.

Mr. Melendez still wants to know how much Laz will provide the county at a guarantee and if the company exceeds that forecast of the number of vehicles parked in the lot, what will the county get as a percentage of gross sales.

Alex Szachnowicz, Acting Director of Facilities advised the Board on the 2 options offered – the flat guaranteed revenue option (Year 1 flat fee of \$30,000 and Years 2 – 5 a guarantee of \$40,000,) and the other option of revenue sharing (Year 1 – AACPS would

receive 16% of gross revenue net of taxes. Years 2-5 – AACPS would receive 25% of gross revenue after taxes). He provided the Board with a rationale of why the first option was chosen by the review committee.

Mr. Rudolph referred to the exhibit item “Award of Contract #05SC-17 Management of Green Street Parking Lot to LAZ Parking Mid-Atlantic.” He does not have a copy of that contract. He cannot vote something he does not have a copy of. He hasn’t seen terms and conditions. This is not a contract for buying books for example. This is something that the Board has not done before. If he had the contract he would give it to Board Counsel Tyson Bennett to read over and determine if it is legal for the school system to be in this type of business.

Ms. Groat said that she met with Tyson Bennett and staff attorney Laurie Pritchard who determined that according to how the property was deeded, it could be done. Regarding the terms and the conditions, they are part of the solicitation. Ms. Groat understands that Mr. Rudolph does not have the contract before him, however, the documentation he has does have includes the terms and conditions of what the contract will be once it is drawn up. She noted that staff has received direction from the Board in the past not to take any action that were “award like” such as a letter of intent, prior to the Board taking action.

Mr. Carey asked what the projections are based on and what does the county get from the lot today? Ms. Groat said the committee compromised on nothing that the school system currently uses the lot for, such as boat show parking. Lengthy discussion ensued on the structure of the deal with Laz parking. In response to questions by Mr. Carey, Ms. Groat advised the Board that Laz would institute a revenue control system, which was described in detail.

Mr. Peterson would be interested in learning more about the history of the vendor, such as through Dunn and Bradstreet. He would like information on trend data and the history of company’s business practices. He knows staff has checked current references, but he would like more than that before he can make a decision.

Mr. Carey suggested that the item is tabled until at least the next meeting.

Mr. Melendez addressed the issue of potential revenue and requested a pro forma on the proposal. What is the revenue today and what does it cost for the county to run the lot today? If the first option were chosen (fixed revenue), what would be the revenue per day and what would be the cost per day? If the second option were chosen (revenue sharing) what would be the revenue per day and the cost to run the lot per day. Once he has that information he will be better able to make a decision. Mr. Nourse said he would provide that information to the Board.

Dr. Hirsch, Director of Finance and Budget advised that the contract would have an \$80,000 - \$90,000 positive impact on the budget because of the cost avoidance of a parking attendant and the additional revenue.

LEGISLATIVE UPDATE: Robert Leib, Director of Business and Government Services asked the Board that due to the late hour, he would like to defer the report until the next meeting. Mr. Rudolph asked for a copy of HB 24 – Anne Arundel County Board of Education – Appointment Process. Mr. Leib will provide copies of the bill.

Ms. Finlayson: Good evening. I just wanted to remind those of you who don't already know that Monday, January 23 is TAAAC/Anne Arundel County night at the legislature. We are asking all teachers to come with letters in hand. Each school will have a green shopping bag filled with letters for their delegates and senators. They will go to MSTA for a briefing and then go up to the House and Senate Buildings to deliver our thousands of letters in support of our push for pensions. MABE has taken a position in support of the legislation. So has the association of superintendents. They've encouraged us to come up with some sort of a joint effort and I thought this might be a step. So I invite you all to join us at 6:30 on the 23.

Mr. Peterson: Ms. Finlayson, would it be useful if we had a letter? We have language that we can reference in our positions that we have taken but I would like to see us go on record as a Board of Education supporting equity for teacher pensions in the state of Maryland. I would hope that we could do that. What I would like to ask of Mrs. Mann, since we are already on record of supporting it....

Mr. Rudolph: We are not on record as supporting it, Mr. Peterson.

Mr. Peterson: We are on record as supporting it. If you read your Legislative Positions, Mr. Rudolph, we are on record as supporting no change in the pension fund that leaves a reduction in payouts for teachers. So we ought to be able to state that directly as our position. We ought to have a letter in support of this effort.

Mr. Leib: In order to ensure that the Board is clear on what the Board's position is, Mr. Peterson is very close. In one of our statements: "as envisioned through the passage of the Bridge to Excellence Act, the teacher retirement program should continue to be maintained as a state-funded categorical program and enhancements to the program should be considered." So the Board is on record supporting that enhancements should be considered.

Mrs. Johnson: I think you just read the statement then, correct? We already have that statement.

Mr. Leib: With Mrs. Mann's direction I will work with Mrs. Finlayson ...we talked about that earlier tonight.... and see what we can do to have available for Monday.

Mr. Rudolph: Ms. Finlayson, either yesterday or today *USA Today* has a whole page on public pensions vs. private pension and comparison data. And if you read that fine print, you will find out that you are really making out right now – because the very fact is that the example they give of somebody with 30 years in industry vs. 30 years as a teacher and they use the 55 years as probably happening earlier, the teacher gets a full pension,

while the private person has a 40% discount because he is not yet 65. I know that Mr. Peterson is 100% in favor of enhancing the teachers' fund, I would favor it also if it was made up out of a contribution out of the teacher's paycheck to make it work.

Mrs. Finlayson: Although I did not see the article I suspect that the article spoke universally of teacher pensions across the country. I suspect that you may also have seen the rankings that list Maryland last in teacher pensions across the country. If you look at the history of teacher pension in Maryland....and I started teaching in '74.....we did have an excellent pension. In 1982 or 1984 when the pension was changed to a non-contributory pension, we were all encouraged to change and take that small amount of money that may have been there. And for years teachers coming into our system could not contribute to the system even if they had wanted to. It wasn't until 1998 that we did get a change in the pension and began to contribute 2%. We are not opposed to contributing to our pension. We are opposed to paying the full freight, because the state does owe education employees that benefit. We are proposing a 60% benefit at retirement of 30 years, retroactive for everyone who is in the system. If we contributed 8% of our salaries we would pay for it in total. Right now we are contributing 2%. We do not have an aversion to increasing that contribution. 8%? No, but we are willing to go above 2%.

Ms. Johnson suggested that due to the late hour the Board move to item 5.04, Public Charter Schools Update, so that individuals in the audience could participate. There was concurrence among the Board.

PUBLIC CHARTER SCHOOL UPDATE: Kathy Lane, Director of Alternative Education, provided the Board with an update on the status of charter schools in the Anne Arundel County Public school system. With two charter schools currently operating in the system, two additional charter schools have submitted applications and two other potential applicants have submitted Letters of Intent to submit public charter school applications to AACPS.

Ms. Lane informed the Board of the outstanding issues related to the implementation of the two public charter schools currently operating in the system. She also reviewed relevant issues related to the timelines of the two current applicants.

Mr. Peterson asked for clarification from Ms. Lane that although there are technical problems in some cases, they are not insurmountable, and that the school system is making every attempt to ensure success of the charter schools. Ms. Lane confirmed.

Mr. Rudolph asked that when the new application comes to the Board for approval, he would appreciate it if the Board could be provided a "walk-through" of the application or a workshop on the new application.

Public Participation: Ed Samarik, KIPP Harbor Academy Board member expressed his concern over the content of the report. He believes that it contains inaccuracies. However, of more concern is the process in which he received a copy of the report, from

a newspaper reporter. He respectfully requested that in the future the administrators of the KIPP Academy be advised of any updates provided to the Board.

ADVANCEMENT VIA INDIVIDUAL DETERMINATION (AVID) UPDATE:

AVID is an accelerated academic program for “middle to upper middle” academic students who may need additional academic support. The AVID program combines rigor with support that includes the students’ own individual determination and the support of teachers, other AVID students and their families, the AVID teacher, and tutors. AVID was implemented district wide in Anne Arundel County Public Schools in the 2003-2004 school year. Currently the AVID program is offered in all 19 middle schools and 12 high schools. The first class of AVID seniors will graduate in 2007.

Carol Ann McCurdy, Coordinator of Academic Support provided an update on the AVID program, including student enrollment figures, student course information and student GPA data.

Mr. Rudolph asked how many students stay in the AVID program once they enter. Ms. McCurdy will get the numbers of students who started in 6th grade and are still in the program in 8th grade and those students who started in 9th grade and are in the program in 11th grade.

Mr. Rudolph and Mr. Peterson commended Ms. McCurdy for her dedication to the program. Mr. Carey commented that at the recent budget hearings it was the AVID students who came to speak to the Board.

TEACHER RECRUITMENT AND RETENTION UPDATE: Florie Bozzella, Director of Human Resources provided the Board with a review of teacher recruitment and retention efforts. While student enrollments are rising rapidly, a large turnover is taking place in the teaching profession. In order to deal with this situation, schools must look beyond previously established methods of recruitment. Ms. Bozzella presented the implementation of recruitment programs that will broaden the candidate pool in all areas and presented teacher recruitment initiatives being put into effect.

Public Participation: Bill Jones, TAAAC addressed matters relating to charter schools and the need to have a member of the Board present for negotiations.

INELIGIBILITY REPORT UPDATE: Judy Jenkins, Assistant Superintendent for Instruction, Patty Orndoff, Acting Director of Curriculum, and Arlen Liverman, Director of High Schools, provided the Board with an update on the Ineligible Students Report for school years 2002-03 through school years 2005-2006. Data was provided in the female and male categories by race, specifically, Asian, African American, American Indian, Hispanic, and White. Mr. Liverman provided the Board with information on strategies currently in place to reduce the numbers of ineligible students.

Mr. Peterson commented that since he came to the Board in 2002 the Board has not had a presentation on the ineligibility report and the strategies being used in schools to keep the

percentages down on the report. Mr. Wayson suggested that the item be placed on the agenda following the publication of the report after each marking period.

Mr. Melendez would like to see a measurement of success by using a performance matrix and by salvaging the thresholds in schools that have been successful. What is being done to fix poor performance in middle schools, for example, that have not passed AYP?

Public Participation: Tom Frank concurs with Mr. Peterson. He's never seen the item on the agenda. In addition, he would like to see the material presented in a different manner. The material is too general and he made some suggestions as how the data should be presented. Mr. Frank arranged the data by high school instead of by race. He asks that this item come back in two weeks. Mr. Carey commented that Mr. Frank's version is more readable. Mr. Peterson would still like to see the chart by race, as well as by high school.

Ms. Orndorff informed the Board about strategies that are put in place and about staff development being utilized with the goal of decreasing the number of students who are ineligible.

Mr. Peterson commented that the parents and guardians are the key ingredient and spoke to the value of parental involvement.

The Board adjourned at 1:10 a.m., January 19, 2006.