

MINUTES OF THE BOARD OF EDUCATION OF HOWARD COUNTY

January 10, 2008

The Board of Education of Howard County held a regularly scheduled meeting on January 10, 2008, at 4:00 p.m. in the Board Room of the Department of Education, located at 10910 Route 108, Ellicott City, Maryland. The following were present:

Frank J. Aquino, Chairman
Ellen Flynn Giles, Vice Chairman
Lawrence H. Cohen
Sandra H. French
Patricia S. Gordon
Diane B. Mikulis
Janet Siddiqui, M.D.
Andrew Gavelek, Student Member (left at 7:50 p.m.)

Sydney L. Cousin, Superintendent, Secretary/Treasurer
Sandra Erickson, Deputy Superintendent
Patti Caplan, Director, Public Relations
Florence Jackson, Recording Secretary

Chairman Frank Aquino called the meeting to order at 4:04 p.m. and Min Pho, Marriotts Ridge HS student, led the group in the Pledge of Allegiance.

Public Forum

Mrs. Colleen Morris addressed the Board with her concern about the Board funding Central Office initiatives as a top priority. She asked the Board to make the budget more transparent and to show HCPSS employees and county taxpayers that the classroom is the first priority.

Approval of Agenda

The following changes were made to the agenda:

- Delete: Item VII.C. – Minutes – Closed Meetings.
- Add: Item IX.F. – Board Member Cluster Assignments (ACTION).

Action: Mrs. Giles moved approval of the agenda as amended. The motion was seconded by Mr. Cohen and approved by the members of the Board (8/0).

Student Representative's Report

Mr. Minh Pho and Ms. Sarah Hamilton, Marriotts Ridge HS, reported on school events and accomplishments, including academic achievement, extracurricular activities, staff awards, and the school's first commencement activities to be held this spring. Both students highly praised the staff at Marriotts Ridge HS and indicated that school spirit and community outreach are very important to the students.

Superintendent's Report

Dr. Cousin reported that in response to a finding by the FY 2007 Audit Report prepared by Clifton Gunderson, LLP, a formal bid procurement policy is being developed, and procedures are in place to ensure that a purchase order is issued for each approved contract. He stated that HCPSS will contract with Clifton Gunderson to conduct an independent examination of all school construction contracts since 1999. Information from this examination will be presented to the Board members at a future Board meeting.

Dr. Cousin congratulated St. John's Lane ES, Talbott Springs ES, and Ellicott Mills MS for receiving the 2007 Governor's Citation for Superior Maintenance. Mr. Kierzkowski, Director of School Facilities, accepted the awards on behalf of the HCPSS Maintenance Department.

Mrs. Perkins, Chief of Staff, congratulated and introduced the following new National Board Certified Teachers: Ms. Kelli Byle, Ms. Kim Butler, Ms. Kat Crawford, Ms. Lisa Deremigis, Ms. Janice Doherty, Ms. Kimberley Feldman, Ms. Ann Hager, Mr. Doug Lee, Ms. Jocelyn Martin, Ms. Kym Nwosu, Ms. Nancy Rowe, Ms. Elisabeth Shaffer, Mr. Louis West, and Ms. Paige Zimmer.

Board Member's Reports

No reports were presented.

Consent Agenda – Restricted*

Staff Personnel and Bids and Contracts.

Action: Mrs. Mikulis moved approval of the Restricted Consent Agenda. The motion was seconded by Mr. Cohen and approved by the members of the Board (7/0*).

Staff Personnel – Approved by the Board.

Resignations-Violation of Contract:

Name	School	Grade or Subject	Reason	Years in Howard County	Effective Date
Griffith, Jackie	ELMS	Spec. Ed.	Personal	3.4	12/20/07
Topielec, Elizabeth	WLHS	Math	Other Emplmt.	5 mos.	01/18/08

Resignations:

Name	School	Grade or Subject	Reason	Years in Howard County	Effective Date
Cardwell, Jooyoun	RHHS	ESOL	Family Obligations	1.3	12/13/07
Nensala, Charlene	MHMS	Reading	Relocation	4 mos.	12/21/07
Taylor, Tandra	LRHS	Counselor	Relocation	6.4	01/03/08

Contracts:

Name	Grade or Effective School	Subject	Place of Last Teaching Assignment	Grade/Step	Effective Date
Folks, Shateya	VES	ELE	HCPSS – IA	A-03	12/17/07
Hopkins, Kimberly	PMS	RDG	Queen Anne's Co.	C-03	01/18/08
Keller, Hope	FRES	ELE	--	A-01	12/17/07
Kemp, Margaret	WVES	ELE	--	C-01	01/02/08
Newman, Teresa	SFES	ELE	--	C-01	12/17/07
Sandhu, Simarjeet	VES	ESOL	Private Industry	C-05	12/10/07
Stading, Jennifer	BSES	ESOL	Beaufort, SC	B-08	12/10/07
Walsh, Gregory	HaES	ELE	--	A-01	01/02/08

Leaves of Absence:

Name	School	Grade or Subject	Years in Howard County	Effective Date
Varaly, Lorayne	WVES	Elem. Ed.	7.3	11/15/07
Wagner, Eric	HOME	Phys. Ed.	4.3	12/06/07

Retirements:

Name	School	Grade or Subject	Years in Howard County	Effective Date
Conarton, Jacqueline	C.O.	Director, PDS	31.5	01/01/08
Gibbons, Nancy	HAES	Elem. Ed.	14.4	01/01/08
Haggard, Carol	OMHS	Counselor	24.3	01/01/08
Kammerman, Mary	LRHS	Counselor	28.4	01/01/08

Bids and Contracts – Approved by the Board.

<u>Exhibit</u>	<u>Description</u>	<u>Amount</u>
P-1	EVALUATION SERVICES RMC Research Corporation	\$ 41,835
P-2	PAPER BID Ris Xpedx TOTAL	\$ 16,920 <u>\$589,800</u> \$606,720
P-3	PURCHASE OF A SCHOOL BUS Rejection of single bid	
P-4	PURCHASE OF VEHICLES Russel Toyota Bob Bell Pontiac GMC American Truck and Bus TOTAL	\$ 21,947 \$ 51,669 <u>\$196,320</u> \$269,936

Consent Agenda – General

Donations; Minutes of December 13 and December 20, 2007 (Regular Meetings); Operating Budget Monthly Report; and School Construction Monthly Report.

Action: Mrs. Mikulis moved approval of the General Consent Agenda. The motion was seconded by Mrs. French and approved by the members of the Board (8/0).

Donations – Approved by the Board.

Centennial Lane ES: Jian Wei Zou/Maximus Technology LLC, in the amount of \$1000, designated for staff development.

Mayfield Woods MS: PTA, in the amount of \$1,092, designated to assist teachers with websites that provide parental access of class work and homework information.

Centennial HS: Boosters, in the amount of \$12,225, designated for various athletic teams.

Howard HS: Walmart, in the amount of \$1,000, designated for PBIS Awards and incentives.

Marriotts Ridge HS: Mr. and Mrs. Lee Wehland, books for the media center valued at \$2,586.75.

Boosters, in the amount of \$7,162.62, designated for the following: (\$500) for Pug soccer goals, (\$699.50) for Madrigal's garment bags, (\$2,061) for bleachers, (\$2,500) for Madrigal costumes, and (\$1,402.12) proceeds from POMS camp.

Oakland Mills HS: Side Effects, two scoreboards for the gym valued at \$22,500.00.

River Hill HS: Ravens ACT Foundation, in the amount of \$2,000.00, designated for the football program.

Wilde Lake HS: Ravens ACT Foundation, in the amount of \$500.00, designated for the track program.

Minutes of December 13 and December 20, 2007 (Regular Meetings) - Approved by the Board.

Operating Budget Monthly Report – Accepted by the Board.

School Construction Monthly Report – Accepted by the Board.

Proclamation: Employee Appreciation Week

HONORING THE OUTSTANDING EMPLOYEES
OF THE
HOWARD COUNTY PUBLIC SCHOOL SYSTEM

WHEREAS, it is the mission of The Howard County Public School System to ensure excellence in teaching and learning so that each student will participate responsibly in a diverse and changing world; and

WHEREAS, the Board of Education recognizes this goal can only be achieved when all employees acknowledge and accept this mission as their own; and

WHEREAS, the Board wishes to thank the employees of the Howard County Public School System for their individual and collective commitment to the realization of this shared vision for education in Howard County; and

WHEREAS, the Board also wishes to acknowledge each teacher, administrator and support staff member for their personal contribution in maintaining a public education system that is not only a source of local pride, but is also recognized as one of the best in the nation; and

WHEREAS, the Board wishes to express sincere appreciation to all school system employees for their devotion to children, their dedication to excellence in teaching and learning, and their commitment to continuous improvement; and

WHEREAS, it is the expressed request of the Board of Education that this proclamation serve to launch meaningful recognition activities in all schools and for each employee group as a way to celebrate our successes, acknowledge our achievements and encourage ongoing recognition of the valuable contributions of all employees;

THEREFORE, BE IT PROCLAIMED that the Board of Education of Howard County designates the week of February 4 through February 8, 2008 as Employee Appreciation Week; and

BE IT FURTHER PROCLAIMED that a copy of this proclamation be displayed in each school facility as a token of appreciation from the Board of Education to the 7,630 employees of the Howard County Public School System.

Frank J. Aquino, Chairman
Board of Education of
Howard County

Sydney L. Cousin, Superintendent
Howard County Public School
System

Action: Mr. Gavelek moved approval of the proclamation. The motion was seconded by Ms. Gordon and approved by the members of the Board (8/0).

Proclamation: African American History Month**PROCLAMATION**

DESIGNATING FEBRUARY
AS
AFRICAN AMERICAN HISTORY MONTH

WHEREAS, the theme for National African American History Month 2008 is: "Carter G. Woodson and the Origins of Multiculturalism;" and

WHEREAS, we find in the lives and voices of Frederick Douglass, Sojourner Truth, Booker T. Washington, Benjamin Banneker, and others who, rising above slavery, brutality and bigotry, became great American champions of liberty, equality and dignity; and

WHEREAS, the power, beauty, and unflinching words of poets and writers like Maya Angelou, Gwendolyn Brooks, Paul Laurence Dunbar, Langston Hughes, Toni Morrison, and Lucille Clifton challenge every American to live up to the ideals of freedom, equality and justice; and

WHEREAS, visionary leaders like Frederick Douglass, Thurgood Marshall, and Martin Luther King Jr. possessed a clarity of purpose and were instrumental in exposing and addressing the issues that threatened this country's founding principles; and

WHEREAS, we recognize that, despite our progress, racial prejudice still exists in America and that we must be vigilant in responding to discrimination wherever we find it; and

WHEREAS, the Howard County Public School System is committed to promoting understanding and opportunity, and efforts to build a society where every person of every race and ethnicity can realize their potential; and

WHEREAS, the Howard County Public School System recognizes the importance of educating students about the struggles for equality that are part of America's history so that this generation, and those that follow, will not take our hard-earned freedoms for granted;

THEREFORE BE IT PROCLAIMED that the Board of Education hereby designates February 2008 as African American History Month in the Howard County Public School System; and

BE IT FURTHER PROCLAIMED that this document serves to reinforce our commitment to recognizing the significant contributions of African Americans and to ensuring that all children see themselves in the Howard County curriculum.

Frank J. Aquino, Chairman
Board of Education of
Howard County

Sydney L. Cousin, Superintendent
Howard County Public School
System

Action: Mr. Cohen moved approval of the proclamation. The motion was seconded by Dr. Siddiqui and approved by the members of the Board (8/0).

Proclamation: National School Counseling Week

PROCLAMATION

DESIGNATING FEBRUARY 4-8, 2008

AS

NATIONAL SCHOOL COUNSELING WEEK

WHEREAS school counselors are employed in public and private schools to help students reach their full potential; and

WHEREAS school counselors are actively committed to helping students explore their abilities, strengths, interests and talents as they relate to career awareness and development; and

WHEREAS school counselors help parents focus on ways to further the educational, personal and social growth of their children; and

WHEREAS school counselors work with teachers and other educators to help students explore their potential and set realistic goals for themselves; and

WHEREAS school counselors seek to identify and use community resources that can enhance and complement comprehensive school counseling programs and help students become productive members of society; and

WHEREAS comprehensive developmental school counseling programs are considered an integral part of the educational process that enables all students to achieve success in school:

THEREFORE BE IT PROCLAIMED that the Board of Education designates February 4 - 8, 2008 as National School Counseling Week in the Howard County Public School System; and

BE IT FURTHER PROCLAIMED that school counselors accept our sincerest gratitude for the essential services they provide in support of children and their education.

Frank J. Aquino, Chairman
Board of Education of
Howard County

Sydney L. Cousin, Superintendent
Howard County Public School
System

Action: Mrs. Mikulis moved approval of the proclamation. The motion was seconded by Ms. Gordon and approved by the members of the Board (8/0).

Legislative Report/2008 General Assembly

Presenter: Mr. Roger Plunkett, Business, Community, and Government Relations Officer.

Mr. Plunkett highlighted the priorities for the 2008 Maryland General Assembly Session, which began on Wednesday, January 9, 2008.

Discussion:

Mrs. French suggested that the Board members vote positively on the FY 2009 Operating Funding and urge the General Assembly and the Governor to adopt a state budget package that includes:

- Full funding of state aid to public education at the levels mandated by the Bridge to Excellence in Public Schools Act.
- Full funding of the Geographic Cost of Education Index (GCEI).
- No cuts in the direct state aid to local school systems mandated under current law, including reduction or elimination of the inflation factor in the statute.
- No shift of state responsibility for teacher retirement costs onto local governments.

Action: Mrs. French moved that the Board endorse the four FY 2009 Operating Funding Budget Priorities. The motion was seconded by Mrs. Giles and approved by the members of the Board (8/0).

Board of Education Member Cluster Assignments – 2007/2008 - Revised

Presenter: Mr. Frank Aquino, Chairman, Board of Education.

Mr. Aquino requested that his former cluster school assignments be reassigned to Mrs. Mikulis due to the many responsibilities and demands on the Chairman's time and in keeping with the current practice of the Chairman.

Action: Mrs. French moved that Mr. Aquino's cluster school assignments be reassigned to Mrs. Mikulis. The motion was seconded by Mr. Gavelek and approved by the members of the Board (8/0).

Policy 6000 – School Site Selection and Acquisition

Presenter: Mr. Joel Gallihue, Manager of School Planning, and Ms. Ellen Miller, Policy/Charter Schools Specialist.

Mr. Gallihue explained that the policy has been broadened to include school and non-school sites, which requires a change in title. The revised policy provides the definition of a Phase I Environmental Site Assessment and modifies the standard on Determination of Need to include keeping pace with program or system requirements.

Revisions to Policy 6000 also reflect current practice by referring to feeder patterns as desirable rather than needed and removes a reference to the high school service area as the planning unit. Acreage guidelines have been moved to procedures. The policy now specifically permits consideration of school sites in mixed-use communities. The revised policy removes a prohibition against partial site acquisition and also removes a specific standard pertaining to roads, wetlands, and stormwater management.

Discussion:

Mrs. Mikulis suggested that the policy committee consider including language to the policy referring to Sequencing Batch Reactors (SBRs) for water and sewage when evaluating a proposed site because of the expense and additional cost resulting from SBRs.

Mrs. French agreed and added that the policy standard should include wording referring to sufficient and appropriate acreage that is

needed to provide the full anticipated instructional program, including parking, playfields, and any accommodations needed for community use.

Mr. Brown stated that the committee will work with Mr. Mark Blom, General Counsel, for general legal services to structure the appropriate language to prevent future interpretation problems. Dr. Cousin added that careful consideration must be given to the language used in the policy.

Mrs. French asked Ms. Miller about the possibility of removing some of the language under Item IV. Standards - C. Location (Item No. 2) due to the transportation walking policy already in place. She also asked that wording in the policy statement reflect the Boards' concern about the health and well-being of staff and students located in every HCPSS site.

Mrs. Mikulis suggested that language be included to indicate that a school built in an urban setting may have to be accommodated on acreage that is below the minimum amount stated in the policy.

Dr. Siddiqui stated that she would like to see health and safety issues addressed in the policy statement and asked for more detail regarding the Phase 1 Environmental Site Assessment. Mr. Gallihue explained that assessment is used to help understand a property that is being considered for purchase without getting involved in major chemical analyses or digging. A consultant is hired to gather information about the history of the use of the property, its context, and any potential concerns. Further interest in the property would lead to Phase 2, which includes soil sampling.

Mr. Aquino announced that a public hearing on Policy 6000 is scheduled for February 7, 2008, at 7:30 p.m. Anyone interested in testifying may sign up through the Board's office.

Policy 7020 – Nepotism

Presenter: Mr. Kirk Thompson, Director, Human Resources, and Ms. Ellen Miller, Policy/Charter Schools Specialist.

As a result of feedback, staff revised the proposed policy to add a definition of "conflict of interest" and to address issues related to absenting oneself from discussions.

Action: Mr. Cohen moved that the Board accept Policy 7020 as amended. The motion was seconded by Ms. Gordon and approved by the members of the Board (8/0).

Proposed Revisions to Policy 9100 – Educational Programs for Pregnant Students

Presenter: Ms. Ellen Miller, Policy/Charter Schools Specialist, and Mr. Mark Blom, General Counsel.

Mr. Blom, along with various staff members, provided information on a variety of issues that have been raised concerning Policy 9100.

Highlights:

Public Testimony Summary:

- Universally commended the position on educational programs for pregnant and parenting students.
- Divided over procedures requiring that pregnancy be divulged under Policy 9050 – Confidentiality.

Requirement to Disclose (from Policy 9050):

“When there is a risk to the student or others, information shared in confidence by students to staff will be divulged to principals, to others who by their training or licensure are able to provide immediate appropriate assistance, and to parents except as outlined in Policy 1030 – Child Abuse and Neglect.”

Current Practice (Presented by Ms. Pamela Blackwell, Director of Student Services):

Three Misconceptions:

- Students would no longer confide:
 - ◊ Five years of experience.
 - ◊ Students continue to share information.
 - ◊ Counselors and nurses report positive results.
 - ◊ Students are informed of community resources.
- Students are not informed of disclosure requirements.
 - ◊ Confidentiality parameters are clearly posted.
 - ◊ Staff has received professional development.
- Information would be shared inappropriately.
 - ◊ Shared information is limited to what is necessary to modify the educational program.

Court opinion quoted in National School Boards Association's (NSBA) Council of School Attorneys:

"It is not educators, but parents who have primary rights in the upbringing of children . . . school officials have only a secondary responsibility and must respect these rights."

Ms. Claire Pacifico, Cluster Nurse, and Ms. Pauline Phillips, School Counselor, shared their own perspectives on information regarding the processes used when dealing with pregnant students.

State Guidance (Presented by Ms. Donna Heller, Health Services Coordinator):

MSDE (Maryland State Department of Education):

- Supported local perspective decisions.
- Recommended legal consult.

Maryland Board of Nursing:

- Nurses could implement.
- Procedure must be visible/easily known.

Specific Risks for Pregnancy:

- Tubal Pregnancy
- Gestational Diabetes
- Preeclampsia/Hypertension
- Bleeding/Miscarriage
- Placenta Previa or Abruption
- Delayed/Absent Prenatal Care
- Emotional Factors

Legal Considerations (Presented by Mr. Mark Blom, General Counsel):

- Duty to Warn/Duty to Protect:
 - ◊ Duty to use reasonable means to prevent harm to self or others.
 - ◊ School stands in loco parentis – has a special duty to protect student.
 - ◊ Physical/emotional health risks present here.
 - ◊ Informing parent is one method of meeting duty.
- Parental Right Under FERPA (Family Educational Rights and Privacy Act).

- Minor Consent Law:
 - ◊ Physicians may inform parents.
 - ◊ No absolute privilege.
 - ◊ Gives physician civil immunity.
 - ◊ Applies in a clinical setting.
 - ◊ "Informed" person's ability to safeguard against harm vs. counselor's.

Revisions to Policy 9100 Proposal (Presented by Ms. Ellen Miller, Policy/Charter Schools Specialist):

CLARIFICATIONS:

- Employees learning of pregnancy contact counselor or nurse to follow procedures.
- Information is shared with staff only as needed to modify the educational program.
- A protocol exists for confirming pregnancies and ensuring parents are informed.
- Students do not need to confirm pregnancy to receive information.

Discussion:

Mr. Aquino commented on misunderstandings regarding Policy 9100 and clarified that the Board is essentially formalizing in writing policies that have been in practice for the last five years, which do require parental notification. He stressed that the primary objective and genesis of Policy 9100 is to help ensure that students stay in school.

Mr. Cohen thanked the public for providing testimony and stated that the parents he has spoken with, even those who opposed notification, said that they would want to know if their daughter was pregnant. He noted that when the child abuse laws went into effect, people were also opposed to notification for fear of retaliation on children. The reality was that Social Services and other agencies became involved and helped those situations. Mr. Cohen expressed approval for the process and protocol that has been developed for notification under Policy 9100.

Ms. Gordon expressed agreement with Mr. Cohen and stated that she has also heard from parents who have said that they would be very much aggrieved if the school was aware that their child was pregnant and did not notify the parents. They were also in favor of the notification process.

Ms. Gordon spoke about the support that is needed for a mother when a child is born. The situation should involve families, including a provision for counseling to help in understanding that support is necessary for the pregnant student, regardless of their feelings about an unexpected and possibly unwanted pregnancy. Ms. Gordon also commented on the risks of pregnancy, which further indicates the need for proper medical care for the mother to ensure that their child is born healthy and in a loving and accepting atmosphere.

Dr. Siddiqui pointed out that the minor consent law also covers psychologists. Mrs. Blackwell noted that psychological services are available at all middle and high schools and that the minor consent law pertains to psychologists who are under the direction of and employed by a physician.

Dr. Siddiqui also thanked the public for sending emails and providing testimony and noted that both sides of the issue were heard and considered. She indicated her empathy for parents in their desire to know what their children are involved in, but as a medical professional, she also respects state laws in regards to a pregnant teen having the right as an adult to seek out medical advice regarding her pregnancy. Dr. Siddiqui stated that the most important thing to keep in mind is the safety of the student and expressed agreement with the desire for parental involvement in decision-making. She also indicated her confidence in and respect for school health counselors in their handling of these situations but expressed concern that there is still that small percentage of students who may be at risk for possible emotional and/or physical abuse as a result of disclosure of their pregnancy.

Dr. Siddiqui also commented on medical research that demonstrates that disclosure without consent endangers vulnerable young women. She expressed full support for the educational program for pregnant and parenting students but expressed concern with public opinion being divided, especially from the medical profession. She asked that consideration be given to taking out the confidentiality and disclosure part of the policy and forming a committee to review Policy 9050 – Confidentiality to further define “risk” and “disclosure.”

In response to Mrs. Mikulis, Mrs. Blackwell stated that confirmation of a pregnancy must come directly from the student. If another student reports that a girl might be pregnant, a nurse or counselor

would seek out that student, and if the student confirms that information, then the policy is followed accordingly. If a student does not confirm the information, the matter is closed. The parameters of confidentiality are explained and posted, and students over the last five years have known that parents will be notified. Mrs. Blackwell emphasized that students are still sharing this information and soliciting help. She also noted that some pregnancies are being confirmed by middle school students.

Mrs. Mikulis asked about steps taken when a child expresses concern about a negative reaction from their parent(s). Ms. Phillips explained that there is a joint effort on communication, and if a child states that abuse may result, then Child Protective Services is notified. If parents are called in, a counselor will encourage the parent to support the student. She stated that she has never had a situation where a student was abused by a parent because of notification. When a child expresses a concern, counselors work through those concerns with both the child and the parent.

As requested by Mrs. Mikulis, Ms. Miller explained the Board's role with respect to policy and to implementation procedures. She noted that changes to implementation procedures do not require the Board's approval.

Mrs. French expressed appreciation that the Superintendent listened to Board members and the community and revised the language to clarify the counselor notification procedures.

Ms. Gordon expressed concern with removing disclosure from the policy because it would result in others substituting their own judgment to make the best decisions for a child rather than the parent.

Mr. Gavelek indicated his agreement with Dr. Siddiqui and her suggestion to remove the disclosure part of the policy. This could be reviewed at a different time to determine whether it should be included in the policy. He also expressed concern that no female students were on the policy advisory committee.

Mr. Gavelek asked about FERPA as it relates to emancipated students. Mr. Blom explained that FERPA is a federal statute that gives parents the right to information up to the student's age of 18. He cautioned against addressing emancipation in the policy because it is very difficult to establish according to Maryland law.

Mr. Gavelek pointed out that he was torn on this issue from the position of a student, having to take in the feelings and opinions of the entire student body, and also considering health risks. He stated that all the female students he was able to discuss this matter with had the general consensus that they would not want the school to inform their parents. They would either keep the information to themselves or tell their parents on their own.

In response to Mr. Gavelek's concern about possible abuse, Mrs. Blackwell stated that if a student indicates that abuse may occur if a parent is notified, staff must make decisions based on conversations with the student. Proper authorities would be notified in cases where abuse is suspected or confirmed. Every situation is unique and is explored based on the circumstances. Understanding and support will be provided to the student in telling their parent.

Mr. Gavelek asked if items that must be disclosed are established in Policy 9050 – Confidentiality. Ms. Miller stated that the policy includes a list of policies that reference procedures to follow. There is not a list of risk behaviors due to the extreme difficulty in compiling such a list.

Mr. Gavelek expressed concern that not all students understand the full weight of the confidentiality parameter, and posting information about disclosure does not sufficiently inform students. Mrs. Blackwell indicated that it may be necessary to increase efforts in getting this information to students, possibly through specific classes, to let them know about confidentiality. She stated that when students do come into the counseling office, they are informed of the parameters of confidentiality, but outside of that, they may not know. Mr. Gavelek pointed out that he has been in the student services room at his school almost every day and cannot say that he has actually seen a poster that discusses confidentiality.

Ms. Miller expressed concern with the determination of risk being more up to the individual judgment of whomever the child chooses to confide in than it is to make it very clear that there are limitations on confidentiality. She also expressed concern regarding liability issues and noted that the health article specifically protects physicians and those working under physicians from criminal as well as civil liability. No such protection exists for staff within the school system. Ms. Miller indicated the need to include information regarding disclosure in Policy 9020 – Students' Rights and Responsibilities, the Student Handbook, and as information in the school calendar. She also

indicated the need to reveal disclosure requirements to students prior to them confiding information without knowledge of procedures.

Mrs. Blackwell emphasized that in an educational setting, the right to information belongs to parents. In a clinical setting, the right to information belongs to the patient.

Mr. Cohen stated that there is an obligation to protect children. Teachers also need protection and should not be accused of withholding information that may result in harm to a student.

Mr. Gavelek stated his agreement that a parent has the right to know information about their child, but the issue is whether or not the school is the proper source of notification to parents. Mrs. Blackwell stated that the school system has the responsibility to inform parents of their rights under FERPA.

Dr. Siddiqui noted that a pregnant teenager has the right to seek professional medical advice regarding her pregnancy without the consent of a parent. She expressed concern with that right being violated by the school system disclosing information to the parent. She asked if students are informed of their medical rights in terms of seeking medical treatment without the consent of their parent.

Mrs. Blackwell responded that students have access to resources within the school guidance office and the school health suite, and those resources include the health department and other health-related resources.

Mrs. French expressed her concern with the word "may" be pregnant in requiring any employee to notify the school counselor, causing speculation or rumors with no facts. Mr. Blom suggested changing Section I.B. to read "an employee who has reason to believe... May be pregnant". Mrs. French stated that was better. Mrs. Giles amended the statement to replace "may" with "is". Mrs. French thanked Mrs. Giles.

With the suggested changes, the language would read as follows:

"An employee who has reason to believe that a student is pregnant should notify the school counselor and/or nurse, who, following confirmation, will notify the principal as needed to modify the educational program. Employees should immediately also consider

whether child abuse is an issue. If so, Policy 1030, Child Abuse and Neglect, must be followed, including all reporting requirements.”

In response to Mr. Aquino, Mrs. Blackwell provided the following statistics for HCPSS regarding the number of pregnancies reported to Health Services staff:

- 2003/2004 – 14 students
- 2004/2005 – 23 students
- 2005/2006 – 22 students

Ms. Miller provided information on regulations and procedures followed in Montgomery and Carroll counties.

Mr. Aquino commented that the testimony received by the public in person, by email, and by phone was split between parents who wanted to be notified and medical providers and social service agencies who were concerned about student privacy and its impact on the ability of students to secure the health care required in these situations. Mr. Aquino noted that there was no real middle ground (information is either reported or not) but wanted to ensure to the extent possible that concerns of the groups opposing notification be addressed.

Mrs. Blackwell responded that since Policy 9050 was imposed, professional development has been provided to staff about risks, disclosure, how to inform parents, best practices, etc. She indicated that improvement could be made in ensuring that students are continually informed about resources in the community.

Mrs. Mikulis pointed out that the school system has no way of knowing the number of students who do not report their pregnancy to school staff and seek medical care on their own, with or without their parent's knowledge.

Motion: Ms. Gordon moved that the Board approve Policy 9100 as revised, including the change in title, effective July 1, 2008. The motion was seconded by Mr. Cohen.

Discussion:

Dr. Siddiqui stated that while she supports Policy 9100 with regards to the educational program, as a medical professional, she disagrees with the disclosure and confidentiality aspect of the Implementation Procedures.

Action: The motion was approved by the members of the Board (7/1), with Mr. Gavelek voting no.

Board members thanked staff for their work on this policy.

Policy 4090 – Debt Management (New) and Policy 4100 – Investment (New)

Presenter: Ms. Beverly Davis, Director of Finance.

Ms. Davis introduced two new financial policies. Policy 4090 (Debt Management) sets forth the parameters and process for issuing debt, as well as managing outstanding debt. The scope of this policy is limited to lease obligations of the Board. The policy does not include or envision debt incurred on the Board's behalf by the State of Maryland or the Howard County Government to fund any planned capital improvements of the Board.

Policy 4100 (Investment) establishes the investment scope, objectives, and delegation of authority from the Howard County Board of Education to the Superintendent/designee to invest school system funds and identifies the standards of prudence to be applied to such investments.

Discussion:

Ms. Davis explained that the school system's current energy leases are examples of self-liquidating debt. By investing in improved school infrastructure (heating and other systems) energy bills will be lowered. A cost analysis is performed to determine savings, which is presented to staff prior to decision-making. Savings will eventually pay for services.

Ms. Davis also explained that the school system has considerably less ability to invest the way private enterprise might. Investments must be fully insured or fully collateralized. Most of the HCPSS operating cash earns a 90-day Treasury Bill rate. The workers' compensation fund is held with a Maryland local government investment pool and earns a 30-day Treasury Bill rate. Ms. Davis noted that the school system's priority is for secure and liquid investments.

Ms. Davis further explained that the policies were crafted to meet the obligation as a Board in each area and to document appropriate

procedures that are prudent, fiscally sound, and that incorporate best practices. The new policies formalize reporting to the Board and include debt limits.

Mrs. Giles commented that the recommendations will codify practices and contribute to increased transparency, clearer understanding, and better controls across the system.

The Board will hold public hearings on these policies on February 7, 2008, with action scheduled for March 13, 2008.

Recess: The meeting was recessed at 7:07 p.m. by the Chairman and reconvened at 7:50 p.m.

Public Forum

Mrs. Jean Daniello, parent, requested that the Board improve the manner in which it responds to students with disabilities who have been victims of abuse.

Presentation: "State of the Budget" (Revenue)

Presenter: Mr. Ray Wacks, Howard County Budget Administrator.

Mr. Wacks provided the Board with a report on the status of the county's economy. While transfer tax and recordation tax revenues are running slightly behind projections, Howard County is looking at a net surplus of approximately \$11 million this fiscal year between property tax and income tax revenues. Mr. Wacks projects that Howard County will still experience fairly strong growth for FY 2009 and FY 2010 at approximately 5 to 6 percent a year.

Discussion:

Regarding BRAC (Base Realignment and Closure), Mr. Wacks stated his sense that the county will not be increasing its housing allocation units in response to BRAC. The long-term sense is that housing prices will remain relatively high in the county and not experience a dramatic fall.

Mr. Wacks explained that the projected surplus of \$11 million is relatively small and represents less than 1 percent of the budget. He also explained that the county expects to see at least a 5 percent growth in property taxes over the next three or four years. Although

many homes have had 40- to 80-percent increases in assessments, the county has a cap that limits the amount that can be assessed at 5 percent per year.

Dr. Cousin noted that the county's General Plan allocates the number of housing units that can be built every year. Regardless of the impact of BRAC, no more housing can be built than permitted by the General Plan unless the plan is modified. Mrs. Giles noted the importance of paying attention to areas of the county where resale of homes may increase which may in turn affect certain school districts.

Appointment – PTA Council of Howard County (PTACHC)

Presenter: Ms. Mary Jane Grauso, PTACHC President.

On behalf of PTACHC, Ms. Grauso suggested that the Board hold public hearings between each work session during the operating budget process to give the public ample opportunity to comment.

Public Hearing – Policy 1010 – Discrimination

No testimony was presented.

Public Hearing – Policy 1020 – Sexual Harassment

No testimony was presented.

Public Hearing – Policy 7010 – Confidentiality of Personnel Records

No testimony was presented.

Public Hearing – Policy 8030 – Graduation Requirements

No testimony was presented.

Mrs. French encouraged policy committee representatives to provide feedback on policy work, including support for revisions. Mrs. Giles noted that comments may also be made directly on the HCPSS website and will be forwarded to the Board.

Public Hearing – Proposed 2008/2009 Instructional Calendar

Ms. Arvinder Goomer, Representing the Kaur Foundation

- Asked that three Sikh holidays be listed in the school calendar -- Vaisakhi, Guru Nanak Sahib ji, and Guru Gobind Singh ji.

Ms. Caplan explained that over the years HCPSS has developed a practice of including on the school calendar only dates for holidays that impact the school schedule. Additional dates of interest are noted at the top of each monthly calendar page and include many major holidays from various religions.

Mr. Cohen asked about the impact of extending winter break to two weeks by closing on December 22, 2008, and reopening on January 5, 2009. Ms. Caplan stated that it would be necessary to review the negotiated agreements to ensure that there would be no impact on any represented employee groups. Extending winter break would also result in extending the school year later in June.

Mrs. Erickson noted that in a meeting with teachers and the Superintendent, teachers indicated their belief that there would be many absences on December 22 and 23 if winter break does not begin until December 24, 2008, due to families traveling. She stated that she would keep the Board informed if this matter continues to be of concern.

Scheduling - The Board set dates for upcoming meetings/events.

Adjournment

Action: Mr. Cohen moved to adjourn the meeting at 8:40 p.m. The motion was seconded by Ms. Gordon and approved by the members of the Board (7/0).

Information

- A. Food and Nutrition Services Financial Report
- B. BOE Audit Committee Quarterly Meeting Report

*Under Section 3-701 of the Education Article of the *Annotated Code of Maryland*, the Student Member may not vote on these matters. Passage of a motion by the Board on these matters requires the affirmative vote of four (4) Board members.