

MINUTES OF THE BOARD OF EDUCATION OF HOWARD COUNTY

December 13, 2007

The Board of Education of Howard County held a regularly scheduled meeting on December 13, 2007, 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:

Diane B. Mikulis, Chairman
Frank J. Aquino, Vice Chairman
Lawrence H. Cohen
Sandra H. French
Ellen Flynn Giles
Patricia S. Gordon
Janet Siddiqui, M.D.
Andrew Gavelek, Student Member

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

Chairman Diane Mikulis called the meeting to order at 4:03 p.m., and Ms. Sarah Singer, Reservoir HS student, led the group in the Pledge of Allegiance.

Election of Board Chairman and Vice Chairman

Dr. Cousin announced that according to Maryland State Law, a new Chairman and Vice Chairman must be elected at the first meeting in December of each year.

Mrs. Mikulis nominated Mr. Aquino for Chairman. There were no other nominations. Dr. Cousin cast a single ballot for the Board and declared Mr. Aquino as Chairman.

Mr. Aquino nominated Mrs. Giles for Vice Chairman. There were no other nominations. Dr. Cousin cast a single ballot for the Board and declared Mrs. Giles as Vice Chairman.

Mr. Aquino expressed appreciation to the Board, Superintendent, and staff for their dedication and patience in dealing with countless

requests for information and in helping to ensure the success of all students. He also thanked Mrs. Mikulis for stepping up to the challenge of leading the new seven-member Board during the past year. In addition, Mr. Aquino recognized his wife and youngest daughter and thanked them for their support.

Public Forum

There was no one present to address the Board.

Approval of Agenda

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

Superintendent's Report

Dr. Cousin reported that the HCPSS 2007 Bridge to Excellence (BTE) Master Plan Update was approved by MSDE (Maryland State Department of Education), and the plan received four commendations from MSDE. Dr. Cousin thanked all persons involved with the development of the Comprehensive BTE Master Plan.

Dr. Cousin also reported that the school system's appeal to the Interagency Committee (IAC) yielded an additional \$2 million in state funding for the FY 2009 capital budget, for a total of \$14 million.

Dr. Cousin commended Michelle Leader, Assistant Principal, Phelps Luck ES, for her selection by the Maryland Association of Elementary School Principals as the 2008 Assistant Principal of the Year. Mr. Cohen noted that Ms. Leader was a former HCPSS student and expressed appreciation for her hard work.

Dr. Cousin also congratulated Buyer Cece Clements for earning designation as a Certified Professional Public Buyer and Glenwood MS science teacher Amanda Richardson for her selection as an Amgen-National Science Teacher Association Associate Fellow.

Dr. Cousin recognized the school system's Student Services Teams for their work and stated that representatives from MSDE have met with the teams to review and validate their involvement in many positive activities.

Student Representative Report

Sarah Singer, Reservoir HS, reported on recent events, including academic intervention programs, extracurricular activities, and SGA (Student Government Association) activities.

Ms. Singer also expressed appreciation to Board member Larry Cohen for his support, visits to the school, and motivational talks to students.

Board Members' Reports

Mrs. Giles expanded on Dr. Cousin's report regarding the Student Services review by MSDE and noted that HCPSS was commended specifically for collaborative teaming and intentional alignment of academic and student service objectives for student success. She expressed congratulations to everyone involved.

Consent Agenda – Restricted*

Bids and Contracts; Staff Personnel; State School Improvement Grant; and Minutes of Closed Meeting of November 29, 2007 (Official and Confidential).

Action: Mr. Cohen moved approval of the Restricted Consent Agenda, with a minor change to the Closed Minutes. The motion was seconded by Ms. Gordon and approved by the members of the Board (7/0*).

Bids and Contracts – Approved by the Board.

<u>Exhibit</u>	<u>Description</u>	<u>Amount</u>
P-1	Comprehensive Employees Wellness and Health Study Aon Consulting – Baltimore	\$95,300
P-2	Auditorium Sound System at Centennial, Hammond and Oakland Mills high schools Design & Integration	\$97,397

Staff Personnel – Approved by the Board.

Resignations-Violation of Contract

Name	School	Grade or Subject	Reason	Years in Howard County	Effective Date
Walck, Jason	PVMS	Phys. Ed.	Other Employment	4 mo.	12/21/07

Resignations

Name	School	Grade or Subject	Reason	Years in Howard County	Effective Date
Bound, Heidi	Fr. Leave	Spec. Ed.	Leave Expired	7.0	06/30/07
McCarthy, Katie	PLES	Elem. Ed.	Relocation	6.3	11/14/07
Walters, Constance	PMS	FCS	Relocation	1.0	01/18/08

Contracts

Name	Grade or Effective School	Subject	Place of Last Teaching Assignment	Grade/ Step	Effective Date
Crivelli, Steven	CES*	ELE	Private School	A-02	09/19/07
Dantzler, Erin	GHS	ENG	HCPSS	C-15	11/05/07
Henry, Joy	MVMS	SPE	Private School	C-17	11/02/07
Jones, Lisa	DOES	SPE	HCPSS	C-09	11/01/07
Kinnee, Elisa	FRC	SPE	Private School	C-09	11/16/07
Tanious, Dani	SFES	MUS	--	A-01	11/15/07
Thorpe III, Marvin	HoHS	TECH ED	HCPSS – Sub	A-08	08/21/07
Tokar, Sarah	OMMS	SST	Petersburg, VA	C-06	11/26/07
Wickstrom, Stephanie	DRES	SPE – RECC	Kansas City, KS	E-05	10/26/07

*(School assignment corrected from 11/08/07 Board Report)

Leaves of Absence

Name	School	Grade or Subject	Years in Howard County	Effective Date
Cooke, Brian	CMS	Phys. Ed.	4.4	12/10/07
Freer, Penny	BBES	Rdg. Spec.	5.4	12/03/07
Johnson-Budziak, Kristen	EES	Occ. Therapist	5.3	11/15/07
Larrick, Kimberly	LOES	Elem. Ed.	7.4	12/20/07
Nunley, Tiffanie	HAHS	Spec. Ed.	4.5	01-07/08
Powell, Sheree	VES	Elem. Ed.	4.3	11/14/07

Retirements

Name	School	Grade or Subject	Years in Howard County	Effective Date
Drown, Deborah	On Loan	Instructional Facilitator	30.4	01/01/08
Dugan, Linda	LKMS	Math	30.1	01/01/08
Peterson, Marshall	C.O.	Specialist, Human Resources	35.8	01/01/08
Peterson, Naomi	HOHS	Spec. Ed.	37.4	01/01/08

State School Improvement Grant – Approved by the Board.

Minutes of November 29, 2007, Closed Meeting (Official and Confidential) – Approved by the Board.

Consent Agenda – General

Financial Reports – School Construction Report and Operating Budget Monthly Report, and Donations.

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

School Construction Reports – Accepted by the Board.

Operating Budget Monthly Report – Accepted by the Board.

Donations: Approved by the Board.

Hollifield Station ES: PTA, in the amount of \$693.80, designated for the purchase of Character Ed banners for the school.

Swansfield ES: PTA, in the amount of \$2000, designated for student incentives and to supplement field trips for students who qualify for free and reduced lunch.

Folly Quarter MS: Mr. James Miles Reidy, in the amount of \$750.00, designated for the after-school Robotics Club.

Hammond HS: Hammond Kickoff Club, in the amount of \$700, designated for equipment for the football team.

Reservoir HS: The Outer Office, in the amount of \$2500, designated for the Drama Program.

Board of Education Student Member Voting Procedures

Presenter: Mr. Mark Blom, General Counsel.

Mr. Aquino explained that the Student Member to the Board was granted limited voting rights in July of 2007. Voting procedures were developed to clarify items for which the Student Member can and cannot cast a vote.

Mr. Blom presented the following procedures to implement the requirements of the Student Board Member voting law and recommended Board approval:

STUDENT BOARD MEMBER VOTING PROCEDURES

In accordance with Section 3-701(e) of the Education Article of the Annotated Code of Maryland, the Student Member of the Howard County Board of Education shall vote on all matters except the following:

- 1) Geographical attendance areas under section 4-109;
- 2) Acquisition and disposition of real property and matters pertaining to school construction under section 4-115;
- 3) Employment of architects under section 4-117;
- 4) Donations of school land or school sites under section 4-118;
- 5) Condemnation of real property under section 4-119;
- 6) Consolidation of schools and transportation of students under section 4-120;
- 7) Appointment and salary of a county superintendent under sections 4-201 and 4-202;
- 8) Employee discipline and other appeals under section 4-205(c);
- 9) Budgetary matters under Title 5;
- 10) Appointment and promotion of staff under section 6-201;
- 11) Discipline of certificated staff under section 6-202;
- 12) Collective Bargaining for certificated employees under Title 6, Subtitle 4;
- 13) Collective Bargaining for noncertificated employees under Title 6, Subtitle 5; and
- 14) Student suspension and expulsion under section 7-305.

Note: Sections referred to in this list are from the Education Article of the Annotated Code of Maryland.

Each Board of Education agenda will be prepared in a format which clearly indicates for each agenda item whether the student member may vote on that item. Where a Board agenda includes a "consent agenda", the consent agenda will clearly indicate whether the student member may vote on that item. Where a Board agenda includes consent agenda items which the student member may vote on as well as consent agenda items on which the student member cannot vote, two consent agendas will be included in the Board meeting agenda. The designation of items on a Board agenda as voting or non-voting topics for the student member will be done by the Board's administrative staff, in consultation with the General Counsel, subject to the Board's approval.

Action: Mrs. French moved approval of the Student Member Voting Procedures. The motion was seconded by Mr. Gavelek and approved by the members of the Board (8/0).

FY 2007 Audit Report*

Presenter: Ms. Beverly Davis, Director of Finance.

Ms. Davis reported that HCPSS received an unqualified opinion from Clifton Gunderson, LLP, who performed the external audit of the financial statements of the Board of Education of Howard County for the year ending June 30, 2007. Ms. Davis reported that the auditor noted two deficiencies in school bus contracts and school construction reimbursements. She indicated that she would provide the Board with a status report on those items in April.

Ms. Davis also discussed issues related to GASB 45 (Governmental Accounting Standards Board Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*). The statement generally requires that state and local governmental employers account for and report the annual cost of OPEB (Other Postemployment Benefits) and the outstanding obligations and commitments related to OPEB in the same manner as is currently done for pensions. She stated that beginning in FY 2008, the standards in accounting require that the school system report that liability and any funding for that liability.

Staff is currently working with the county to determine the best approach for taxpayers and citizens in establishing trust funds needed to fund the OPEB liability.

Discussion:

Discussion by Board Members, the Superintendent, and staff centered on various options of determining funding and responsibility for the OPEB liability. Dr. Cousin noted that the school system's liability is currently approximately \$36 million. Further discussion will take place as part of the operating budget process. This year the county made contributions on behalf of the school system to fund a portion of the liability.

In response to Mr. Aquino, Ms. Davis commented on the extent that continued implementation of the IFAS rollout has had on issues raised in the audit. She indicated that the school system continues to improve each year in the areas of software integration and financial reporting.

Action: Dr. Siddiqui moved acceptance of the FY 2007 Audit and Management Letter. The motion was seconded by Mrs. Giles and approved by the members of the Board (7/0*).

Superintendent's Certification of Reporting Requirements Under Senate Bill 894*

Presenter: Ms. Beverly Davis, Director of Finance.

Ms. Davis explained that the Board is required to submit a biannual financial report to MSDE, which requires Board and Superintendent certification. Staff recommended that the Board authorize the Board Chairman, Superintendent, and Chief Operating Officer to sign the certification and attest the accuracy of the biannual report.

Action: Mrs. Mikulis moved that the Board accept the Superintendent's Certification of Reporting Requirements required under Senate Bill 894, with the signatories as listed. The motion was seconded by Mr. Cohen and approved by the members of the Board (7/0*).

Attendance Area Adjustments

Presenter: Mr. Joel Gallihue, Manager of School Planning.

No elementary, middle, or high school redistricting has been recommended for 2008. Staff has also recommended that the Board retain the Greenbridge exception for open enrollment at Glenelg HS

until comprehensive high school redistricting adjustments are made in 2010.

Discussion:

Mr. Gallihue explained that staff reviewed Board meeting minutes dating back to 1998 to determine if a promise was made to the Greenbridge community to redistrict the area back to Glenelg HS upon completion of the school's addition. Mr. Gallihue stated that the records show that no promise was made, and the Board is not bound by any commitments made in the past. The commitment to the Greenbridge community has been that they would be districted to River Hill HS, with the option of open enrollment at Glenelg HS, until any attendance area adjustments are made.

Mrs. Mikulis noted that although no specific timeframe was given, parents have made decisions on where to send their children to school based on the expectation that the Greenbridge area would be redistricted back to Glenelg HS once the school was able to accommodate additional students. Unfortunately, Glenelg's addition was delayed multiple times, and the Greenbridge exception has been in effect for nine years. She asked staff if the future recommendation would still be to redistrict Greenbridge to Glenelg HS in 2010.

Mr. Gallihue responded that based on the feasibility study, the long-range plan would be to redistrict from River Hill to Glenelg and then to phase out attendance at River Hill, as part of comprehensive high school redistricting. He noted that it is possible that a different approach may be recommended through the attendance area review process, but that is not the plan at this time.

Mrs. Mikulis noted that requests have been received to redistrict Greenbridge back to Glenelg in 2008, with the understanding that transportation costs could increase. If transportation is provided to Glenelg for the Greenbridge families now, three additional buses would be required at a cost of approximately \$60,000 per bus.

Mrs. Giles indicated that next year's feasibility study and citizen review process may reveal issues that are not evident this year, and there may be some advantages with regards to busing during the comprehensive redistricting in 2010.

Mrs. French stated that if the Board made a decision now to redistrict Greenbridge and/or provide busing for 2008, there is still a

very strong likelihood that there will be a need for additional busing at an additional cost in 2010. She indicated that more than the four Greenbridge polygons may be redistricted to Glenelg in 2010. Mr. Gallihue commented that Mrs. French's statement supports the staff recommendation of including Greenbridge in the comprehensive high school redistricting because one aspect of that recommendation will allow a review of the permutations of busing in terms of all the high school redistricting that will occur.

Mr. Aquino noted that no promises can be made now about how the phasing will be accomplished in 2010. Mrs. Giles added that also no promises can be made regarding redistricting.

Dr. Cousin stated that at least three alternatives can be considered for the Greenbridge area:

1. Accept staff recommendation to wait until 2010 to redistrict.
2. Provide transportation for students to attend Glenelg HS at an estimated cost of \$180,000.
3. Redistrict the area back to Glenelg HS in 2008.

In response to Ms. Gordon, Mr. Gallihue stated that the recommendation in 2010 would most likely include rising tenth-grade students in grandfathering the phase-in of redistricting Greenbridge. This would mean that a current eighth-grade student who attends River Hill HS in ninth grade would be allowed to remain at the school until graduation.

Dr. Siddiqui commented on the difficulty of this situation. She indicated the need to accommodate families in the Greenbridge area, even if that would involve providing busing to Glenelg HS next year.

Mrs. French noted that many problems have existed with the completion of the addition for Glenelg and cautioned against making premature decisions, because the septic system is not scheduled for completion until March of 2008. She also indicated the need for fiscal responsibility and stated that she could not justify providing transportation to open-enrolled students given the current fiscal situation.

Mrs. Giles also expressed concern with making decisions to redistrict students back to Glenelg prior to full completion of the addition and renovations to the school.

In response to Dr. Siddiqui, Mr. Gallihue stated that an additional bus would be needed if all the high school students in the Greenbridge area attended River Hill HS.

Mrs. Erickson indicated the need to inform the public at this time whether or not transportation would be provided for the Greenbridge area because parents are now making decisions on where to send their children to high school. She also noted that any transportation needs that must be included in the budget should be known now as staff prepares for the operating budget process. Mr. Brown stated that other initiatives would have to be reduced in order to free up funds for additional transportation costs.

Action: Mrs. French moved that no elementary, middle, or high school redistricting be taken for 2008 and that the Greenbridge exception be retained (open enrollment) until comprehensive high school redistricting adjustments are made in 2010. The motion was seconded by Mr. Cohen and approved by the members of the Board (7/0*).

Motion: Mrs. Mikulis moved that the Board ask staff to include busing for the Greenbridge exception neighborhoods (current students enrolling at Glenelg HS) until the Greenbridge exception is phased out. The motion was seconded by Mr. Cohen.

Discussion:

Mrs. French pointed out that the cost of providing transportation equates to the funding of at least three professional staff, counting salary and fringe benefits. She indicated her preference to support the educational needs of students first.

Mr. Gavelek stated that although he does not have an official vote on the issue, he would vote against the motion.

Ms. Gordon noted the uncertainty of the budget at this time and stated her reluctance to vote in favor of an additional charge on the budget. She expressed concern about making a commitment when the Board may be faced with reductions in the budget and not being able to fund justified initiatives in the instructional program.

Mrs. Mikulis pointed out that double busing is currently being provided to two polygons for a different open enrollment situation. She noted the need for equity and consistency and stated that the school system has been saving thousands of dollars over the last nine

years by not providing transportation to open-enrolled students at Glenelg HS. She urged staff to review the situation and determine if bus stops can be arranged to reduce the number of buses needed. She noted that the need for three buses is based on geography and stated that the Board could waive its policy on walking distances to bus stops, for example, in an effort to reduce the number of buses needed.

Action: The motion failed by a vote of 3/4*, with Mrs. Giles, Mr. Aquino, Ms. Gordon, and Mrs. French voting no.

Quarterly Agenda, January - March 2008

In reviewing the tentative Quarterly Agenda for January through March 2008, the Board scheduled a second public hearing on the 2008-09 proposed school calendar for January 10, 2008, and moved the approval of the calendar to February 14, 2008. The Television Services Task Force Report was rescheduled for March 13, 2008.

Scheduling

The Board set dates for upcoming meetings/events.

Policy 9220 – Corporal Punishment Policy 9200 – Discipline

Presenter: Ms. Ellen Miller, Policy and Charter School Specialist.

Ms. Miller explained that the purpose of the revision to this policy is to incorporate the issue of corporal punishment into the policy on discipline.

Motion: Mrs. Mikulis moved that the Board amend Policy 9200 – Discipline as recommended and rescind Policy 9220 – Corporal Punishment, with an effective date of July 1, 2008. The motion was seconded by Ms. Giles.

Mrs. French asked that the motion be amended to include approval of the edits for Policy 9020 – Student Rights and Responsibilities, and Policy 1030 – Child Abuse and Neglect, for consistency.

Amended Motion: Mrs. Mikulis moved approval of the amended motion. The motion was seconded by Mrs. Giles.

Mrs. French provided a history of the steps taken by Howard County to ban corporal punishment in schools statewide, which is a major accomplishment and reason to celebrate.

Action: The original and amended motions were approved by the members of the Board (8/0).

Policy 9040 – High School Grievance Committee

Presenter: Ms. Ellen Miller, Policy and Charter School Specialist.

Ms. Miller explained that staff recommendation is to rescind Policy 9040 because many other venues have been adopted to hear student voices.

Mrs. Giles noted that the HCASC (Howard County Association of Student Councils) expressed strong support for this recommendation, recognizing the role of student government and opportunities for student participation that are much better addressed in other existing vehicles.

Action: Mr. Gavelek moved that the Board rescind Policy 9040 – High School Grievance Committee, effectively immediately, and edit Policy 9020 – Student rights and Responsibilities to remove references to Policy 9040. The motion was seconded by Mrs. French and approved by the members of the Board (8/0).

Policy 8030 – Graduation Requirements

Presenter: Dr. Clarissa Evans, Executive Director, Secondary Curricular Programs.

Dr. Evans explained that revisions to this policy are needed in response to the drafting of new COMAR regulations. A school system public hearing is scheduled for January 10, 2008, and MSDE is scheduled to take action on proposed COMAR regulations at the end of January. Staff will request Board approval of the revised policy in February of 2008.

Dr. Evans stated that there will be opportunities for further revisions if necessary for consistency with final COMAR changes.

Recess: The meeting was recessed by the Chairman at 5:55 p.m. and reconvened at 7:30 p.m.

Public Forum

There was no one present to address the Board.

Appointment – PTA Council of Howard County Monthly Report

Ms. Mary Jane Grauso, PTA Council of Howard County President, thanked Young-Chan Han for her service to the international community of Howard County and wished her well in her new position with MSDE. She also asked the Board about construction contracts that were approved as part of the consent agenda and asked for the Board's response as to how members of the public would know about these contracts.

Public Hearing – Proposed School Calendar – 2008/2009

There was no one present to provide testimony.

Public Hearing Policy 7020 – Nepotism

There was no one present to provide testimony.

Public Hearing – Policy 9100 – Educational Programs for Pregnant Students

Dr. Maura Rossman, Howard County Health Department, Chair of Committee on School Health, and Howard County Parent

- Applauded the Board for revising the policy to include parenting teens.
- Expressed concern about the unintended consequences of the requirement to divulge confidences regarding pregnancy because it may discourage teens from seeking assistance in the school setting when most needed.
- Asked that the policy be amended or that voting be delayed pending future discussion so that a process that meets the needs of all involved, especially the pregnant teen, is developed.

Ms. Carolyn Hunt, Grandparent and Former Parent of Howard County Students

- Commended the Board for their continuation of the policy and the inclusion of "parenting students" in the title.

- Spoke in support of staff's position on the confidentiality section of the policy and the decision to consider pregnancy as information that must be shared with parents.

Ms. Ellicia Chau, Parent and Former HCPSS Student

- Provided statistics on the birthrate for teens aged 15-19.
- Stated that children generally lack the life experience needed to make proper choices under difficult circumstances.
- Indicated that written disclosure of the "limits of confidentiality" should be mandated countywide.
- Provided examples of what can happen when parents are not informed.
- Stated that inclusion of a parent's "right to know" in Policy 9100 is a concrete way for HCPSS to demonstrate its willingness to work in concert with parents, ensuring their ability to provide for the health, well-being, and safety of children.

Dr. Tina Cheng, Chief of General Pediatrics and Adolescent Medicine at Johns Hopkins University and Howard County Parent

- Expressed the following concerns:
 - Lack of confidentiality means many teens will not share their health concerns.
 - Pregnancy is a family privacy concern, and requiring disclosure can be very traumatic and sometimes stigmatizing.
 - Mandating disclosure dissuades students from bringing their concerns to trusted adults in the school system and is not in the best interest of adolescent health.

Ms. Stephanie Foster, Howard County Parent

- Commended the Board for making it clear to the public and school staff that the Board recognizes its responsibility to provide appropriate programs for pregnant students and that the Board has a responsibility to support parenting students while encouraging them to continue their education.
- Stated that not disclosing the pregnancy of a minor could result in babies born with medical defects and other problems due to improper medical attention and stress on the pregnant teen.
- Spoke about potential liability issues if parents are not notified of a child's medical condition and harm occurs.
- Highly recommended that information regarding pregnancy must be shared with parents and supported the Board's decision to keep this element in the policy.

Ms. Maura Smith (for Daughter Julia Ramirez, Long Reach HS Student)

- Presented the following testimony on behalf of her daughter:
 - Expressed strong opposition for the requirement that school staff must call a parent if they find out a girl is pregnant.
 - Teen girls who are pregnant should be able to choose whether or not their parents are contacted.
 - If this policy is passed, students will not have anyone to go to in the school system for guidance or help and will only talk to their peers for information and resources.
 - More information must be provided for students to prevent pregnancy instead of not talking about students having sex at all, and then calling the parents once a girl is pregnant.

Dr. Evelyn Simpkins, Adolescent Medicine Physician, Johns Hopkins

- Spoke about her experiences as an adolescent medicine physician in a clinic that serves young people (ages 12-22).
- Stated that she polled five of her patients regarding the disclosure of pregnancy to parents, and all said they would not want their schools involved.
- Provided statistics on the importance of confidentiality to teenagers and the need to establish sensitive support services in order to provide optimal care to adolescents.

Mr. Chris Wertman, Chairman, Community Advisory Council (CAC)

- Commended the Board and school system for the development and implementation of an effective educational program for pregnant and parenting students.
- Stated that the CAC feels it is appropriate for schools to be open with students about both the limits on confidentiality within the educational system and the availability of resources within the community.
- Recommended that the school system take the following steps to ensure clear communication with both middle and high school students:
 - Students should be made aware that information disclosed to a staff member, including school counselors, will be divulged to parents/guardians, unless there are concerns of child abuse and neglect.
 - Students should be made aware of resources available outside the school system where they can obtain information and receive assistance, including medical and counseling services.
 - Information regarding school system policies on confidentiality should be clearly displayed in health rooms and counseling centers, with information on outside resources easily available.

- This same information should be distributed annually to students.
- Encouraged the Board and staff to ensure that the selection of organizations listed on the student “survival card” is not construed as being made at the exclusion of others, yet recognize that it is paramount that resources are available and provided for students.
- Encouraged the Board to maintain this policy of shared responsibility with parents in the community.

Pastor David Piligian, Parent (for Reverend George Lippitt)

- Provided the following testimony on behalf of Reverend George Lippitt:
 - Expressed appreciation to the Board for continuing Policy 9100 and keeping parents in their proper role as parents of their children.
 - Expressed the belief that pregnancy information is not a burden that teachers, staff, and administrators should carry because it weakens the bonds of trust established with parents and adds stress to staff.
 - Expressed support for the Board in considering pregnancy as information that must be shared with parents.
 - Noted liability issues associated with withholding information from parents.

Ms. Deborah Chilcoat, Education and Training Specialist, Planned Parenthood; Co-Chair of the Howard County Coalition for Healthy Youth; and Member of the Howard County School Health Council

- Expressed appreciation to Delegate Bobo, Assistant Attorney General Kathryn Rowe, and Wendy Royalty for their guidance throughout this process.
- Asked that the Board consider the following with regard to the legality of Policy 9100:
 - The Maryland Minor Consent Law permits minors to receive contraceptive services on a confidential basis, which includes pregnancy testing, birth control, exams and testing, and treatment of sexually transmitted infections.
 - Maryland’s Parental Notification for Abortion Law requires that one parent or guardian be notified by the medical provider (not the school) before a minor has an abortion.
 - Maryland’s parental notification law states specifically that no notification is required if, in the judgment of the doctor performing the abortion, the minor is mature and capable of giving her informed consent to the procedure, or notification would not be in the minor’s best interest, or notice may lead to

- physical or emotional abuse of the minor, or the minor patient does not live with her parent or guardian, or a reasonable effort to give notice has been unsuccessful.
- Stated that HCPSS cannot deviate from state law.
 - Expressed concern that personal objections of HCPSS staff to adolescent sexual behavior and access to reproductive health care or abortion may negatively interfere with their professional responsibility to provide support to a pregnant student.
 - Indicated that disclosure of pregnancy to principals and others is too broad and could be a violation of the minor student's privacy.
 - Stated that changes to a minor's educational program should only be instituted when necessary.

Ms. Mary Kay Sigaty, County Council Member and Former Howard County School Board Member

- Spoke about her work as a former Board member in developing policy and noted that pregnancy was never considered when defining risky behaviors in the school system's policy on discipline.
- Spoke about the need to define "risk."
- Indicated that this policy articulates pregnancy as a special category, which is not something that should be done in policy.
- Agreed with the need for student confidentiality and the need for students to have trusted adults in their lives.
- Stated that mandating something where there is no discretion puts children more at risk than what is trying to be solved in stating that pregnancy is something that needs to be divulged.

Ms. Rosemary Mortimer, Registered Nurse, Clinician, and Consultant in Maternity Nursing; and Columbia Resident

- Stated that this policy demands that pregnancy be considered a risk, which is not akin to bringing a weapon to school or a suicide attempt.
- Expressed the need to clearly define "risk."
- Stated that the requirement in the policy that teachers and other school employees are required to break confidentiality is a serious problem.
- Indicated that this policy appears to negatively impact female students and does not address the role of the male involved.
- Stated that if this policy passes without major revisions, there must be signs in large letters as one enters HCPSS schools stating, "Caution: Students - anything you say can and will be reported to your parents."

- Suggested that, if the policy stands as written, that both male and female students announce to a school employee that they might be pregnant.
- Expressed the need to rework both Policy 9100 and Policy 9050 before being adopted and to rewrite the implementation procedures with health professionals from outside the school system.

Ms. Deborah Matherly, Howard County Parent

- Indicated that this policy gives a 16-year-old child less rights to determine her own future than a 14-year-old boy who was recently allowed by a judge in Seattle, WA, to effectively terminate his life by refusing a blood transfusion.

Mr. Aquino announced that this policy is scheduled for action on January 10, 2008. Board members agreed that all testimony presented should be considered by the policy committee at their next meeting.

Policy 1010 – Discrimination

Presenters: Mrs. Sue Mascaro, Director of Staff Relations, and Mrs. Min Kim, Equity Assurance Coordinator.

Changes to Policy 1010 - Discrimination include a revised policy statement, removal of references to hate/bias, a revised definition of discrimination, and the inclusion of a standard regarding notification. The policy outlines how students, employees, and third parties may file complaints and clarifies which complaints must be reported to the Equity Assurance Coordinator. School counselors have been added to the list of those to whom students may file complaints.

A public hearing is scheduled for January 10, 2008, with action expected on February 7, 2008.

Policy 1020 – Sexual Harassment

Revisions to Policy 1020 - Sexual Harassment are similar to those of Policy 1010 and include a rewrite of notification procedures to ensure consistency with similar policies. The proposed changes emphasize the need for consideration of Policy 1030 - Child Abuse and Neglect in the review of reported incidents. The policy clarifies the process through which students, employees, and third parties may file complaints and identifies which complaints are to be handled by school

administrators and which must be referred to the Equity Assurance Coordinator.

A public hearing is scheduled for January 10, 2008, with action to be taken on February 7, 2008.

Discussion:

In response to Board members, staff agreed to review the issue of reporting information by school staff to determine its proper place in the policy.

Mrs. French indicated the need to ensure that provisions and procedures for Policy 1020 are posted in commonly used areas for both students and staff.

Mrs. Kim explained that allegations involving an adult, whether it is an employee or third party, must be forwarded to the Equity Assurance office. It was the recommendation from school administration that allegations involving a student to student should be handled by the school-based administrator. She stated that most administrators will call the Equity Assurance office for guidance, but that is not mandated as a step in the process.

Policy 7010 – Confidentiality of Personnel Records

Presenter: Mr. Kirk Thompson, Director of Human Resources, and Mrs. Ellen Miller, Policy and Charter School Specialist.

Revisions to the policy focus on personnel files and remove an overly broad statement regarding employee information. The revised policy also includes an updated definition of school officials and references an employee's right to review files and receive copies as stated in the negotiated agreements. The policy clarifies that records of grievances and §4-205 appeals will not be kept in personnel files and adds a standard regarding confidentiality of personnel files and records.

Discussion:

In response to Mrs. Mikulis, Mr. Thompson explained that the Superintendent/Designee (usually the Director of Human Resources) has the ability to determine the legitimacy of a job-related interest.

Mrs. French expressed concern with the new definition of school official and indicated the need for clarification. Ms. Miller explained that the purpose of the definition is to extend the title of school officials. The previous definition limited school officials to certificated personnel and members of the Board, but there are people who do not hold a certificate in the Office of Human Resources who need access to files. The purpose of changing the definition was to extend the number of people who could be considered, and the purpose of the policy statement was to limit those who access information to those with a legitimate job-related interest.

Mrs. French stated that the word school official is commonly used as someone who has the ability to represent an organization and give public pronouncements. She indicated that careful consideration must be given to how school official is defined.

Mr. Thompson agreed to review the issue and present other alternatives to better clarify this subject.

A public hearing is scheduled for January 20, 2008, with action proposed for February 7, 2008.

Adjournment:

Action: Mrs. Giles moved that the meeting be adjourned at 9:00 p.m. The motion was seconded by Mr. Aquino and approved by the members of the Board (8/0).

Information Items:

- A. Food and Nutrition Service Financial Report
- B. Proposed Instructional Materials and Review
- C. IFAS Update
- D. Policy 9020 – Student Rights and Responsibilities
- E. Class Size Report
- F. Committee Membership – FY 2009 Operating Budget Review Committee

*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.