

BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY
POLICY COMMITTEE MEETING
ADMINISTRATIVE MINUTES
APRIL 30, 2024
(APPROVED)

The Board of Education Policy Committee met at 3:00 p.m. on the above date virtually. Board members present were Melissa Ellis, Joanna Tobin, Dana Schallheim, and Eric Lin. Staff members present were Grace Wilson, Legislative and Policy Specialist; Maggie Gosewisch, Specialist Support: Legislation & Policy; Dan Reagan, Director of Internal Audits; and Diane Howell, Executive Assistant to the Board. Laticia Hicks was present on behalf of the CAC.

Review and Approval of Minutes: Mrs. Ellis opened the meeting with the approval of the minutes from the April 2, 2024, Committee meeting. The meeting minutes were approved by consensus.

Policies

EAA – Eligible Riders: Ms. Wilson explained that Policy EAA – Eligible Riders was discussed at the Policy Committee meeting earlier this month. The Committee decided to hold the policy to allow discussion with staff regarding providing additional flexibility in the policy for the transportation of students to community or Title I schools. After the last meeting, Ms. Wilson worked with the Instructional Data Division and the Office of Transportation to pull data regarding transportation and chronic absenteeism. Staff did not find that chronic absenteeism improved significantly when transportation was provided to students in the walk zones at either Title I or Community Schools. Ms. Wilson also explained that staff met with Dr. Tobin to discuss her proposed amendment and concerns.

Dr. Tobin stated that the policy was requested for review by the Annapolis community because of their particular concerns regarding walking radii. During the meeting with staff, Dr. Tobin discussed how the issues raised by the CAC report are addressed in the proposed changes to the regulation, not the policy. Dr. Tobin also proposed adding the phrase “equitable student transportation” to the issue statement of the policy and deferred to Ms. Wilson to explain staff feedback on this suggestion.

Ms. Wilson explained that Mr. Burns, the Board attorney, and Ms. Pritchard, Director of Legal Services, recommended against the inclusion of Dr. Tobin’s amendment because of the difficulties in defining what equity in transportation looks like as it is open to interpretation, and that the amendment could create difficulties during the appeal process. However, staff proposed adding language to the regulation to capture the current authority of the Supervisor of Transportation to grant exceptions to the policy and regulation for the safe and equitable transportation of students. Furthermore, Dr. Tobin noted that she discussed with staff the opportunity to revamp the AACPS website to enhance the way that transportation information is shared with the community and ensure that students and families know who to contact when they have difficulties.

The Committee approved by consensus to move the policy to the full Board for consideration at the May 15, 2024, Board meeting.

IL – Education and Services for Students with Disabilities: Ms. Wilson explained to the Committee that the policy is being recommended for rescission by staff because it is duplicative of Policy IFF and Regulation IFF-RA – Special Education Programs for Students with Disabilities, which were revised in September 2023.

Mrs. Schallheim asked about the process for rescission. Ms. Wilson explained that the policy would need to go before the full Board, but they could waive the third reading of the policy if they so desired. The Committee approved by consensus to move the policy to the full Board for consideration for rescission at the May 15, 2024, Board meeting.

NEW – Requests for Displays in Classrooms: Ms. Wilson introduced new Policy JU – Requests for Displays in Classrooms, which was developed at the request of a Board member. The purpose of this policy is to create a process for students or parents/guardians to request displays in classrooms where the student spends a part of their day with the goal of ensuring all points of view are represented and respected. The policy would establish a process for a student or parent/guardian to request in writing the display of a flag, poster, or pennant to the teacher or staff member who oversees the classroom. The student or parent/guardian making the request is required to provide the object to be displayed if approved. An item may only be requested to be displayed if a teacher or staff member has invited an exchange of ideas or represented a single point of view on a multifaceted topic via a display. An item may not exceed three feet by five feet in size or disrupt normal classroom operations. The decision of a teacher or staff member may be appealed to the school principal who may deny the display of a flag, poster, or pennant requested by a student or a student's parent/guardian if the display would violate federal or State law or regulation, Board policy or AACPS administrative regulation, or promote a candidate or particular political party. This decision may be appealed to the Board.

Mrs. Schallheim asked how much of the policy was duplicative of existing rules and regulations, and what would happen if someone disagreed with a display in a classroom. Ms. Wilson answered that there is currently no formal process for requesting displays, and that the appeals process would follow existing Regulation JCH-RA – Student Complaints Related to Policy, Regulation, or Law. Ms. Wilson also stated that the administration did not request the policy and did not think it was necessary.

Ms. Hicks expressed that she thought the policy is overstepping and unnecessary, and that this may be another attempt to revisit the flag policy that was not adopted last year. Ms. Wilson stated that the policy was similar but not the same as the flag policy, and that it came as a request from a Board member who thought it would benefit students, which the Legislative & Policy Office must honor.

Dr. Tobin expressed that she thought the policy was a top-down approach that could be detrimental to teachers, who should be trusted to make decisions for their classrooms and students.

Mrs. Ellis said that she supported moving new Policy JU forward to the full board to determine the merits of the proposed policy. She said that she did not think it was the duty of the Policy Committee to determine the merits of a proposed policy.

Mrs. Schallheim respectfully disagreed with Mrs. Ellis. She believes that the Policy Committee does look at the merits of a policy. She also asked Ms. Wilson about the benefits to students' academic success or outcomes. Ms. Wilson reiterated that this policy was not requested by staff, but rather a Board member who believed this policy would be beneficial to students, and that the goal of the policy is to ensure all viewpoints are represented.

Mr. Lin expressed that he did not currently have thoughts on whether or not he supports new Policy JU, and that he would like an opportunity for students to be able to speak on it. He was inclined to move the policy forward to the full board so that students can have a voice.

Mrs. Ellis expressed her concern with the difference of opinion on the function of the Committee. She provided the example that the Budget Committee does not make budget decisions on behalf of the Board and believes that the Policy Committee should not make policy decisions on behalf of the Board. Mrs. Schallheim countered that during her tenure as Chair of the Budget Committee, the Budget Committee had the final word after consulting with all Board members, until it came to the final vote in front of the full Board, and that she respectfully disagrees with Mrs. Ellis.

Dr. Tobin explained her opinion that this proposed policy covers very similar issues to the flag policy discussed last year. She feels a responsibility as a member of the Committee to make determinations about the appropriate use of the time of the Board and the public. She also has concerns about the content of the policy and its attempt to relitigate something previously discussed. She said that the policy could impede the dialogue and diversity that should happen in the classrooms, and that the Board voted last year to let teachers decide who their kids are and how to best represent them.

Mrs. Ellis indicated that she was not prepared to discuss the merits of the policy today. She believes that this policy is not the same as the flag policy and that it does the opposite, so it would be incorrect to call it a reiteration of the flag policy.

Mrs. Schallheim made a motion to not move this policy forward for the full Board's consideration. Dr. Tobin and Mrs. Schallheim voted favorably, and Mr. Lin and Mrs. Ellis voted unfavorably. The motion failed.

Mr. Lin made a motion to move this policy forward to the full Board for consideration. Ms. Hicks suggested that the CAC could look at the differences and make a recommendation. Mrs. Schallheim stated that the directive to have the CAC get involved would have to come from the Board President, not the Policy Committee. Dr. Tobin and Mrs. Schallheim voted unfavorably, and Mr. Lin and Mrs. Ellis voted favorably. The motion failed.

Mrs. Ellis recommended that the Policy Committee table this policy pending discussion with the Board's attorney and the Board President about the possibility of involving the CAC. Mrs. Schallheim expressed that she does not agree with tabling the policy after two failed motions and that there should be a vote on whether or not to table the policy discussion, as she does not believe that her opinion on this policy will change. Mrs. Ellis asked that Ms. Wilson help her fill in Mr. Burns so that they can receive legal advice and return to the Committee at the next

meeting.

FYI Only – Regulation

EAA-RA – Eligible Riders: Dr. Tobin reiterated that the Committee had already discussed the recommended changes to regulation during the previous discussion on Policy EAA. The regulation was amended to capture current procedures which permits the Supervisor of Transportation to grant an exception to the policy and regulation for student safety and to ensure equity in transportation.

Good of the Order: None.

Adjourn: 3:41 PM