

BOARD OF EDUCATION COMPENSATION COMMISSION
Meeting Minutes – Meeting Eleven
December 16, 2019
Executive Office Building, 101 Monroe Street – 2nd Floor
Rockville, Maryland

Attendance

Members Present:

Jaye Espy, Chair
Ting Chau
Jennifer Sawin
Mark Spradley, Vice Chair
Jason Washington

Staff Present:

Dale Tibbitts, Spec. Asst. to the County
Executive
Beth Gochrach, Office of the County Executive

1. Call to Order

Chair Espy called the meeting to order at 7:12 PM.

2. Roll Call

All five Commissioners were present.

3. Adoption of Minutes

The December 9, 2019, minutes were reviewed and approved with amendments.

Discussion of the student Board member and requesting retroactive payment.

4. New Business

a. Update progress tracker/report inclusion

Chair Espy opened the discussion and stated that everything on the tracker has been matched and completed with the exception of Office of Management and Budget Director Richard Madaleno's interview notes. She asked if they should they be in the report or addendum.

Chair Espy then stated that everything in the outline was completed.

b. Draft report

Chair Espy opened the discussion and review of the final report. Cm Sawin and Cm Washington had each separately updated and revised the report, which Cm Sawin then combined into one draft for review. The Commission discussed various issues related to the report.

Addressing factor (7) in the list of factors to be considered, Chair Espy noted that she had gotten a list from Board President Shebra Evans providing the roles and responsibilities of staff under the supervision of the Board, and distributed that to the Commission. But salaries weren't provided on that list. Cm Washington said that he will add a brief sentence to the report to reference staff, and will note that their responsibilities and salaries will be set forth in the section addressing factor 5, Salaries of subordinate employees under the direct supervision of the county board.

It was noted that Nate Tinbite, the current student Board member, will send a list of the accomplishments of the student members to the Commission for review and possible inclusion in the report.

There was mention again of Office of Management and Budget Director, Richard Madaleno, who had met with the Commission in one of the earlier meetings. He was very helpful in the budget process and laid out different approaches. Director Madaleno was invited to an early Commission meeting in order to pick his brain about possible compensation formulas that would self-adjust and because of his experience in Annapolis. There was discussion of how to acknowledge his contribution and how much of the information he provided should be included in the report because the idea of pegging pay to performance was not recommended. Vice Chair Spradley recommended not to include in the report. Cm Washington suggested adding a few sections regarding Director Madaleno's approach, and drop in a few comments. But they didn't use a formula he provided.

Cm Sawin suggested changing the name of the "public input" section to "public survey." She also noted that creating footnotes was very time consuming because so much is online. You have to go back and get the website. Cm Washington agreed and added that then links to the websites often don't work.

The Commission decide to review the report starting at the beginning and going forward. The group started at the beginning of the report.

Transmittal Letter

Cm Washington confirmed with Chair Espy that it was okay to edit the letter. The Commission will confirm that it held 14 meetings, which would include conference calls.

Cm Sawin suggested changing the language to state that the Commission studied information about budgets, not 'budgets and responsibilities', of similarly situated school systems.

Vice Chair Spradley asked if there was anyone else to be thanked in the acknowledgements. The Commission wanted to add an acknowledgement to County Attorney Edward Lattner. There were some other people from MCPS to add. Richard Madaleno's title was confirmed.

Executive Summary

There was a discussion of the list of responsibilities of the Board. There was a question about whether Board members actually engage in collective bargaining directly with the three unions. CM Washington stated that the Board does enter into agreements directly with the three unions and that they work collaboratively. Cm Chau questioned if that was the same thing. Commissioners discussed examples of advocacy groups such as the NAACP and CASA as opposed to community and neighborhood groups such as the PTA.

Staff Tibbitts noted that all Board members have a quasi-judicial role including the student Board member.

There was discussion of formatting and definition of COLA and the decision to change the language to "indexed to provide a cost of living adjustment." Vice Chair Spradley noted that the cost of living adjustment is indexed according to the consumer price index.

Chapter 1

There was discussion of the original Delegation Bill MC 1-18, which became House Bill 150 which became Maryland Code § 28-1A. Staff Tibbitts explained that the same thing will happen

with MC 13-20, which the Delegation will forward to the General Assembly, which will give it a new number. The footnote at the bottom refers to the legislation.

There was a discussion about how to describe each Commission meeting including the November 16 telephonic meeting and the November 25 meeting. On the November 25 meeting, public survey results were reviewed even though the survey hadn't closed yet.

Chapter 2

Cm Washington asked if an introduction to the Board of Education section was necessary and, if so, was there enough or too much information. Cm Sawin said it was useful to provide the Board structure and introductory information. Vice Chair Spradley suggested adding "Montgomery County Board of Education Defined" to the introduction.

There was discussion of describing the Board as part-time. Vice Chair Spradley and Cm Sawin thought the Commission shouldn't define the Board as full- or part-time.

Chapter 3

Cm Washington stated that the report will likely be 80-85 pages with appendices. There was discussion of the demographics and Cm Sawin said they were correct. She asked Staff Tibbitts about the number of incorporated cities and towns in the County. He thought that there are about 17, but the report could say "a number of cities and towns."

The Commission discussed household profiles and the definition of living wage and median income. Staff Tibbitts cited an MIT study for the County (Livingwage.mit.edu/counties/24031) that stated that the living wage for two adults and two kids was about \$35 per hour if one adult worked and about \$19 per hour if two adults worked. Median income for the County is approximately \$103,000 per year. Cm Chau checked to be sure the figures matched previous calculations, which they did. The Commission will get the appropriate number and drop in the report. They will use two data points. Cm Chau noted that, based on the numbers, the \$60,000 salary being recommended for Board members is close to the living wage/cost of living. So, the recommendation is appropriate. Vice Chair Spradley said that he will get the Census citation.

Commissioners discussed Montgomery County Public Schools and decided to include information about some of the school programs that had been discussed. There was discussion of the Equity Accountability Model (EAM). MCPS has a large number of diverse special education programs, and a large number of combined gifted and special education programs.

Chapter 4

The Commission discussed that they sought public input, from a general survey, both current and past Board members and County officials. Specifics of the survey results and the conversations will be referenced and noted as set for in the minutes in an appendix.

Cm Chau noted that the number of Board members interviewed should be quantified in the report and should include that each member was interviewed for 30 minutes or one hour, for a total of, for example, 20 hours of testimony. The conversation with Nate Tinbite was referenced in the November 18 minute even though the conversation took place on November 16.

Cm Washington said he will add as much of this as possible before December 18 and will circulate to the Commissioners for review.

Cm Washington asked the Commissioners if there was enough information about each of the seven factors required to be considered in the original bill. He asked if the survey was sufficient to capture the public's perception of Board member responsibilities. Cm Chau thought the survey, along with the conversations with Board members, was enough. Commissioners then discussed that based on the survey and conversations they did not want to specifically recommend that Board members have requisite education, skills and abilities. Although some basic level of competency is assumed, such as being able to read, they decided that the Board members can have a diversity of skills, which is a benefit of a board, and can lead to better discussions and outcomes. The voters can decide on the capabilities of the Board members.

Cm Washington discussed the appendices, how to put the charts out, where to put salary information and how to address the various factors required to be considered. There was discussion of combining information on Board members time required and workload. It was decided to keep them separate topics, because there was a constituency for each factor, but keep information about the time very short. The survey shows the breakdown of responses.

There was discussion about factor (7) and other considerations, such as making the recommendations retroactively effective or calculating Board members' salaries based on achievement by the student body. There can be language stating that the next Commission can consider some issues that were too premature or not ripe enough for this Commission to consider. It was noted that by the time this Commission's recommendations are implemented, there will be a new Commission already reviewing all the issues again.

Cm Washington and Cm Sawin discussed various sections of the report and if any charts and appendices were to be added, including emailed information from Commissioners and staff. Cm Washington stated that he will work on the report tonight and email tomorrow morning to circulate to all. He will create links to exhibits and appendices. There will be a final conclusion that will be stated in the Executive Summary. Legislators will focus on the Executive Summary. Others can read the detailed information provided.

Staff Tibbitts asked if the report will mention health care as part of compensation. Cm Washington thought that was too extraneous to consider because only three Board members are accepting those benefits.

The Commission discussed the timeline. Cm Washington will be unavailable on Wednesday from 10-4. On Wednesday night they will meet by teleconference, review the report, exhibit and appendices and check things off.

There was discussion about formatting and if County IT staff will be able to assist. Staff Tibbitts will inquire and indicated that he has software to format PDF files and can combine the various sections of the report.

The meeting was adjourned at 8:58 PM.

Respectfully submitted,

Beth Gochrach