

Transition Diary by Board of Education Candidate Allen Dyer

Wednesday, November 5, 2008

During the campaign I promised myself that I would experiment with just how open a member of the Howard County Board of Education (“BOE”) can be and still be effective. As part of that experiment, I decided that, should I be elected to the BOE, I would keep a daily diary and post it to a public place on the web. If nothing else, a diary would give potential BOE board member candidates a better feel for what they were signing up for. Well, I’m not positively elected yet because I only hold a 1,023 vote lead going into the counting of over 13,000 absentee ballots but I am getting involved with a “contingency transition” process. Thus, I am going to at least give the daily diary a test ride.

Election night was devoted to retrieving campaign signs from the polling places and then watching election returns on the Howard County Board of Elections web site. The full precinct results were not available until sometime around 2 am this morning. The fact that absentee ballots remained to be counted made my 1,023 vote margin look pretty thin.

This morning started pretty early (somewhere around 8 am??) with a phone call from the Howard County Times. I think I would have done better with one of those 3 am phone calls but...I managed to sputter something out. Shortly thereafter, a second phone call from the Howard County Times because Diane Butler had raised my distribution of the candidate responses to a Democracy for Howard County questionnaire as running for election “on a pack of lies.” All of a sudden I felt like I really was an elected official ;-)
I have found that anytime one person makes an allegation about me to a reporter, that reporter promptly phones me and asks my opinion. I suspect that methodology is associated with journalistic ethics.

For the resulting article see: <http://www.explorehoward.com/news/12843/schoolboard/>

As part of my response to the Howard County Times I had to forward some contact information from my computer and my email client was loaded with over 100 messages that had accumulated during election night. As I was going through emails and answering phone calls from friends congratulating me on my “almost election” to the board, the Baltimore Sun left an email asking me to call them since my phone was busy and the same back-and-forth process was repeated with regards to my now controversial literature drop. Not long thereafter, the Baltimore Examiner phoned and the routine was repeated.

Late morning County Executive Ken Ulman phoned and recounted his experience of going into the absentee ballot count with a lead of 40 votes! After that I didn’t waste too

much time worrying about my 1,023 vote lead. What will be; will be.

Most of the day was spent thanking people for their help. Other issues requiring email attention involved anonymous complaints from the County Council regarding my testimony against the Turf Valley zoning text amendment that would allow a truly gigantic grocery store at Turf Valley, and a phone call from daughter Ann Marie in Boston congratulating me before telling me that she was ok after having been “doored” while riding her bicycle past a parked car. ALWAYS wear a bicycle helmet.

Although I do use email a lot, this was a pretty busy day with the total number of emails received or sent (not counting spam) hitting 182. After getting in front of the computer and telephone around 8, it wasn't until about 5:30 that I emerged for food. About 45 minutes was spent on matters that were not BOE related. I think I'm going to earn that \$1,000 a month.

One last phone call as settle-down time approached – a pleasant phone call from BOE chairman Frank Aquino. Frank and I discussed the tentativeness of my 1,023 vote lead and we discussed when, if finally elected, I would be sworn in — December 1, just before a BOE meeting. I asked about online databases such as Lexis/Nexis to which the BOE has access and about the medical plan that the Education Article states is provided to board members. Frank also offered to help me with any further questions and left me his phone number which he noted was also posted to the Howard County Public Schools web page.

At this point, I retired to my computer to log a long day.

Thursday, November 6, 2008

I started the day by moving yesterday's emails into the appropriate folders and then I received a call for help from a computer client that is in P.G. County working on the absentee ballot canvass for the Kratovil v. Harris race and he can't connect through his blackberry to the Internet. While I'm checking the mail server at Network Solutions, I start to wonder if there is something I should be doing with respect to my absentee vote count.

The primary event for the day was to be a leisurely trip with Paul Miller to the Johns Hopkins School for Public Health to attend the last lecture of the Hopkins Fall Health Policy Seminar. The Health Policy Seminar is organized by Dr. Dan Morhaim (who also serves in the General Assembly as a Baltimore County Delegate) and Paul & I have attended several this year. Today's presentation was a panel of lobbyists that talked about

how they came to be lobbyists, explained how lobbyists operate, and then answered questions from the audience. One piece of advice worth repeating — citizens should not hesitate to approach their elected officials and give their perspectives. A suggested format: “Hi. I’m John Smith and I live in your District. I [explain what you do for your job/profession] and” The basic concept is that elected officials NEED KNOWLEDGE in order to make better decisions and, quite often, individual citizens have expert knowledge that the elected officials don’t have.

I met Paul Miller a couple of years ago while doing some legal work for the Falls Road Community Association (FRCA). Paul and I hit it off since we are both service academy grads. Paul is Naval Academy 1946 and I’m USAFA 1968. After serving as a navy test pilot with John Glenn, Paul left the Navy and had a successful business career with Control Data and Commercial Credit so we also talk computers albeit from two extreme ends of the hardware spectrum. At any rate, Paul and I enjoy the lectures that Dan Morhaim organizes (they also offer a light lunch to attendees!) and at the end of today’s lecture Paul gave Dan Morhaim a ride back to the Reisterstown MARC station. Along the way I’m treated to good natured, but sincere, banter between Paul’s “what Maryland needs is another clean, safe nuclear power plant” (Paul once served on the Board of Directors for BG&E) and Dan’s “if we could convert all of our buildings into green buildings we would reduce our energy needs by 50%”. Dan also talked about his continuing efforts to improve the procurement process. Much more fun than the lobbyists’ panel.

When I get back home around 3 pm there is a call from the Baltimore Sun which I return. The Baltimore Sun asks a number of questions about Diane’s complaints regarding my literature drops. I locate a .pdf copy of the literature drop and Ken Stevens’ Rules of the Road for Literature Drops and email them to the Sun. After hanging up, I also remember some public domain literature drop photos that I have on my campaign web page so I also send that URL to the Sun. <http://www.lawlab.com/campaign/photos2008.html>

Next I actually get in two hours of billable time working with Harold Burns on an oral argument that will take place tomorrow morning at the Court of Special Appeals.

To end the day, I have a pleasant phone call with Steve Swanhart who was one of my fellow candidates during my first campaign for the Board of Education way back in 2000.

The total number of emails received or sent (not counting spam) dropped to 85 today.
Friday, November 7, 2008

First item for the day was an oral argument at the Court of Special Appeals in Annapolis. Harold “Howdy” Burns, Jr., is lead counsel and my contribution was legislative history

research and help with drafting portions of the briefs. As a result, my role today was to help listen to the arguments, make short notes for Howdy's consideration between his main argument and his rebuttal, and pass a yellow highlighter when it was needed.

Background: our client, the Appellant, is a highly motivated law student who is also a recently divorced mother of two young children. At the circuit court level the Appellant had requested child care while she attended law school. The circuit court ruled that child care was only available for work related education and law school was not work related. In addition, instead of annualizing \$26,000 that Appellant had earned during the summer working for a prestigious New York City law firm, the court held that Appellant was voluntarily impoverished during the school year because she did not take a part-time job while attending law school full time.

Our argument: law school is intrinsically work related and, regardless, Appellant had planned to use law school as part of her job search. Thus, even if law school is not work related education, it still qualifies Appellant for child care because her law school attendance constituted a portion of her job search. Also, the General Assembly did not delegate authority for the circuit court to divide the calendar year into two unequal segments when making child support calculations and, regardless, it is absurd to hold that a law student that makes \$26,000 a year is voluntarily impoverished.

We had a great three judge panel presided over by Judge Patrick Woodward and including the highly respected Judge Charles Moylan and the recently elevated Judge Kathryn Graeff. Judging from the tone of the questioning, the judges had studied our briefs in detail and Judge Graeff seemed well aware of the difficulties of attending law school while caring for young children. While the Appellant always has an uphill fight (only about 1 in 5 appeals are successful), Howdy's oral went as well as could have been expected so I am cautiously optimistic.

While representing mothers attending law school is completely unrelated to service on the Board of Education, other cases can be more problematic. Shortly after I returned from Annapolis, Judy Bressler, an attorney who occasionally represents the Board of Education, phoned to offer contingent congratulations on my election to the Board and also to inquire about the future of my role as counsel in *Dr. Bruce Venter v. Board of Education for Howard County*. I explained to Ms. Bressler that I had already obtained an ethics opinion on the matter from the MSBA ethics committee and I had previously informed Dr. Venter of his need to meet with and retain new counsel no later than November 30. Also, I have recommended Mr. Harold Burns, Jr., because he is familiar with the issues.

The Howard County Times (Jennifer Broadwater) phoned and asked about my response

to the updated election vote tally and I responded that I still didn't think it proper to claim a victory.

I also had great plans to spend the afternoon going around and taking down my big 4'x4' signs but darkness had already fallen and we had family friends (Russell & Valerie Bateman) coming over for dinner.

The total number of emails received or sent (not counting spam) dropped to 75 today.

Saturday, November 8, 2008

The day starts with taking down and picking up campaign signs (about an hour and a half).

The rest of the day is an escape from Howard County as Tamara and I drive to northern Baltimore County to visit family friend Bob Dunning who lives on a small farm and works for the Baltimore County Public Schools maintenance department.

Bob provides some colorful commentary on the manner in which Baltimore County Schools fails to provide sufficient minimum standards before using the bidding process. Result – lots of low quality parts that are maintenance nightmares. Best example – a 300 pound fire door that is filled with concrete sandwiched between thin strips of wood along the door's edge. Once the door is mounted on hinges, the door pulls away from the strip of wood and nearly squashes a teacher.

The three of us go on a walk along an abandoned railroad right-of-way that follows the Gunpowder River. Beautiful leaves, good stream sounds, and lots of deer ticks.

As escapes go, pretty nice, but every time we visit Bob there are memories never far below the surface of Bob's daughter, Lea, who was killed in an automobile crash when she was driving home from school.

The total number of emails received or sent (not counting spam) dropped to 43 today.

Sunday, November 9, 2008

Sleep in late!!

After going through email, I went out and removed the last of the large (4'x4') campaign

signs. Two hours.

After retrieving signs, I dropped by the Glenwood Branch of the library. I discovered that the documentary DVD collection had been split up and re-shelved with the non-fiction books. I filled out a suggestion form in support of keeping the documentary videos together in order to allow for easier browsing.

For the evening, I attended a Democracy for Howard County (DFH) steering committee meeting to express my gratitude for the DFH's endorsement and volunteer efforts. I also collected addresses from DFH members that were interested in receiving an invitation to the December 1 swearing-in and reception. Three hours.

The total number of emails received or sent (not counting spam) was 58 for the day.

Monday, November 10, 2008

An early morning phone call to the Howard County Board of Elections confirmed that provisional ballots were going to be counted starting at 10:00 am. I arrived at the Board of Elections at 10:15 and the presentation of instructions to the vote counting teams was still underway. Since I was classified as an observer from the public, I was escorted to a small (3 folding chairs) area that was fenced off just to the right of the entrance door. This placed me directly across the room from the members of the Board of Elections.

The Board official that was providing the instructions to the canvassing teams announced that there would be 2,318 provisional ballots of which 1,677 were considered "complete" ballots that are being presented for counting; and, 32 were "partial" ballots that would also be presented for counting.

Initially, there were nine ballot canvassing teams consisting of one Republican and one Democrat except for two team members that were nonaffiliated. Each team was given a packet of ballots (about 20 at a time) which were still sealed inside an envelope which had been signed by the voter. The team first checked the envelope for errors/missing signatures and then opened the envelope and removed the optical sense ballot inside. The ballot was then examined on both sides for errors ("X" marks instead of filled in circles) and placed in a pile. Once the packet of ballots had been separated into envelopes and ballots and checked for error, an election board official gave the ballots and envelopes to board staff for recording and counting by an optical reader.

At first I felt a bit isolated in my fenced in area but I found that I was able to carefully observe the counting team directly in front of me. I couldn't read any of the information

on the envelopes but I was able to make out the marks on the ballots as they were being checked for errors. The front of the ballot is checked first so it is pretty easy to tell by the position of the mark whether the vote was the top circle ("Obama") or the second from the top ("McCain"). The ballot was then turned over and the end of the ballot votes (including the Board of Education candidates) were located. I found the variety and the unusual combinations of votes fascinating and I spent a little over an hour before feeling I had attended enough of the counting process to show my respect for the time and effort being devoted by the canvassing volunteers.

One unpleasant note, shortly before I ended my time observing, one of the canvassing teams erupted into a disturbance when one team member stood up, declared "I'm not going to put up with this anymore" and stormed out. The person standing up and leaving was an African American male and the other team member was a white female. It happened so fast that I couldn't pick up all of the words but I thought I heard "Obama" as part of the departing member's outburst. I won't characterize the incident further since everything happened so fast and my panned in area was too far from the team which had the dispute to hear any of the team member communications which must have occurred prior to the loud outburst. Still, it left a sad impression that Howard County still has a long way to go. Two hours.

After returning from the Board of Elections I was able to spend some time telephoning my computer consulting clients and start calendaring the tasks that I had been postponing during the last days of the election campaign. No billable time but...at least my calendar was looking like I was still in business.

Late afternoon I received a phone call from Di Zou who gave me a contingent congratulations and we talked for some time about how college was going. Turns out that, this May, Di is going to graduate early from the University of Maryland – so early that he will have to wait for three months to legally celebrate with champagne. One half hour.

After speaking with Di, I spoke on the phone with Erica Woodward, a graduate student at the Philip Merrill College of Journalism at the University of Maryland. Erica is writing an article about the Howard County Board of Education election and she was particularly interested in my advocacy of providing financial incentives to experienced, more highly qualified teachers that are willing to transfer to schools that have a higher concentration of lower achieving students. Erica asked good questions including one about how the better qualified teachers would be identified. I responded that it would have to be a multifaceted approach where, among other factors, input from the school principal, the teacher's seniority, and the teacher's post graduate education would be considered. Erica seemed keen on covering the achievement gap effort so I invited her to the first meeting

of community members that had approached me during the campaign season and expressed interest in working on the elimination of the achievement gap. 45 minutes.

Monday evening was devoted to a Howard County Citizens Association (HCCA) board meeting. The HCCA is a non-partisan organization whose stated purpose “is to bring residents together to express views, take joint action, and encourage participation in County affairs.” For more HCCA information, see – <http://www.howard-citizen.org/>

The HCCA board meeting agenda was pretty full and I didn’t help by asking that the board consider whether it would be a conflict of interest for me to serve on the HCCA board and the Howard County Board of Education. I didn’t want to take up board time on the issue prior to knowing whether I had actually been elected to the Board of Education, however, the next HCCA board meeting will be December 2, one day after the newly election Board of Education members will be sworn in on December 1. In response to my request, a discussion ensued in which it was noted that both Courtney Watson and Mary Kay Sigaty had been HCCA members while they served on the Board of Education. The basic interest of the HCCA (land use) was reviewed by the board members and, although land use decisions certainly impact on public schools attendance, there was agreement that my service on the Board of Education would not constitute a conflict of interest from the perspective of the HCCA. I explained that, if elected, I would also want to get an opinion from the HCPSS ethics committee so I would appreciate a written statement that formalized the opinion of the HCCA board. Bridget Mugane, HCCA President, offered to compose an email memorializing the board’s opinion and send it to me.

Another issue that was discussed a great length by the HCCA board was the tendency of some members of the Howard County Council to use confidential communications to the HCCA president in order to disseminate controversial opinions. This matter remains under active consideration but, for my part, it reaffirmed the value of my experiment in just how open an elected official can be and still be effective. The councilmanic confidential communications debate just added another 30 days to the life of my transition journal.

Minutes of all HCCA board meetings are posted to the HCCA web site under the “About HCCA”; “Board of Directors”; “Meeting Minutes” menu that is underneath the photograph of Lake Kittamagundi on the left side of the screen — <http://www.howard-citizen.org/DesktopDefault.aspx?tabname=board%20of%20directors>

HCCA board meeting – 4 hours.

The total number of emails received or sent (not counting spam) was 128 for the day.

Tuesday, November 11, 2008

The day opened with an email from Marcelino Bedolla thoughtfully requesting that I pause a minute and remember those who have given their lives for our freedom. Amen.

After writing my diary entry for the previous day, I went downtown to take care of some FTP & computer problems for one of my computer consulting clients, the Library Company of the Baltimore Bar. Tamara & I also maintain the Bar Library's web page — <http://www.barlib.org/> You can download an interesting history of the Baltimore City Bar Library, written by Judge Jim Schneider, at <http://www.barlib.org/history.shtml>

Today is the first day I have to address the Maryland Association of Boards of Education (MABE) issue. MABE is a self-described PRIVATE organization consisting solely of local boards of education. <http://www.mabe.org/> MABE claims to be outside the reach of the Maryland Open Meetings Act and the Maryland Public Information Act. In addition, MABE claims copyrights on works created by public officials. As you might suspect, I have issues with MABE's claims of being above/outside the law.

Two items forced me to give attention to MABE: 1. a letter from MABE “to welcome and introduce you to the Maryland Association of Boards of Education (MABE), the statewide organization to which all local school boards and the Maryland State Board of Education belong”; and, 2. a “What Counts in Education” community forum scheduled for Tuesday evening and sponsored by the Board of Education of Howard County and MABE. To what extent should I participate in activities organized or sponsored by an organization that I think is violating the law or operating in a manner that I think harms society? Once again, I'm facing the “Tolstoy's bicycle” dilemma.

DIVERSION – While using Google to track down references to the “Tolstoy's bicycle” dilemma (NOT the same as the book “Tolstoy's Bicycle”) I have just discovered that Google Books now has a “View plain text” option that let's you copy and paste!! A great improvement over the previous image only viewing.

Tolstoy's bicycle dilemma deals with the difficulties reformers face when dealing with real life situations. Tolstoy was a devout pacifist and bicycles were, among other things, a tool of war. How could Tolstoy justify purchasing a vehicle knowing that the profit from that purchase would help build the war industry? For example, whenever my wife and I enter into a WalMart to make a purchase there is a severe conflict between our support of labor unions and the need to make do on a modest income. Where does a person draw the line between his/her convictions and the practicalities of life. To what extent, if any, do you compromise between ideas and existing facts?

As a matter of practice, I try to deal with each situation on a case-by-case basis. The idea is that by going through a balancing process on a regular basis I can avoid falling into a habitual compromise of my convictions. Compromise is necessary but you should always recognize when you are compromising.

I decided MABE's co-sponsorship of the evening's "What Counts?" public forum should not prevent me from attending because the event was open to the public and MABE's association with open events should be encouraged.

In retrospect, I'm glad I decided to attend as it offered a great opportunity to have intellectually stimulating discussions with fellow public education enthusiasts. Two items of note: Dr. Cousin highlighted the major impact that Route 1 and Columbia Center development would have on our public schools infrastructure; and, many attendees at the forum were concerned that an over-emphasis on improving test scores would syphon necessary resources from the arts, the performing arts, and technical and vocational education. Two and half hours.

The total number of emails received or sent (not counting spam) was 61 for the day

Wednesday, November 12, 2008

Something different, a day without significant candidate for board of education time commitment! ;-)

After writing up the previous day's activities for my daily diary, I drove to Harford road to take care of computer problems for Fitz Mechanical, a family owned (three brothers) business that does heating, ventilation, air conditioning, and plumbing. I didn't quite make my daily nut but it was close. Plus, Jerry Fitz, Dennis Fitz and I had a great dinner at Jerry D's on Harford Road.

The total number of emails received or sent (not counting spam) was 48 for the day.

Thursday, November 13, 2008

My last full day as a candidate for the board of education passed without any major time commitment but there was some anxiety as the final day of absentee ballot counting approached.

I managed to get a full afternoon of billable time at one of my computer consulting clients

in Towson — the law firm of Francomano, Butler, Melfa & Taylor.

The total number of emails received or sent (not counting spam) was 75 for the day.

Friday, November 14, 2008

Today is the last day for counting absentee ballots and the results must be certified by the local board of elections to the Maryland State Board of Elections. I enter the day with a 771 vote lead over Diane Butler.

Betsy Grater and myself are present for the beginning of the absentee ballot canvassing at 10 am. There 4,450 absentee ballots to be counted along with 65 provisional ballots that have been reviewed and submitted for counting. The Board of Elections officials go through a prepared script to make sure all the steps are properly instructed and the canvassing teams are given 25 ballots at a time to be checked for timeliness (must be dated or postmarked no later than November 7) and signatures.

Betsy & I time how many ballots can be run through the optical sense counting machine in 80 seconds and calculate a ballot count rate of 1,860 per hour. After about 45 minutes of observation, Betsy and I retire to Chick Fillet for a cup of coffee and conversation.

I go home for a quick lunch and then return to the Board of Elections at 2:40 pm. The canvassing teams are finishing with the federal absentee write-in ballots which must be transferred onto a standard mark sense ballot prior to counting. As the last ballots are being counted Diane Butler and her husband and daughter arrive for the final tabulation of the votes. After the votes for the day are tabulated each member of the Board of Elections signs the tabulation tape and the results are taken into another room for final preparation. Diane and I are told that if we are willing to wait 10-15 minutes we could have a printed copy of the final unofficial results.

Diane and I waited for what seemed like an eternity and Betty Nordaas, Director of the Board of Elections, presented us with copies of the unofficial results for Friday's count and for jurisdiction wide, all counties, all races. For the day, Diane picked up 1484 votes compared to my 1402 votes (net gain of 82) but I remained 689 ahead on the final tally.

For a countywide race, the results (Diane Butler 53,459 – Allen Dyer 54,148) are extremely close. Diane and I exchanged a handshake and we also shook the hands of the members of the Board of Elections and their staff.

Immediately after dinner, Tamara, Abe and I went to Mike and Cindy Vaillancourt's

home for an impromptu celebration with campaign staff and volunteers.

There was, as expected, no billable time for the day and the total number of emails received or sent (not counting spam) was 85 for the day.

Saturday, November 15, 2008

Green Schools — Mike Christianson phoned to congratulate me on my election and we talked about green schools. Following up on my green schools discussion with Mike, I phoned Cathy Hudson and asked for help locating information/expertise on green schools.

Transition — Board of Education Chair Frank Aquino phoned to congratulate me and ask me to set aside 1-5pm on Tuesday, November 25, for board orientation.

In response to an oral request I had made at the “What’s Important” forum, Frank also said that due to privacy concerns the Board of Education didn’t want to give me the addresses of previous elected board members but would, instead, send swearing-in ceremony invitations directly to them on my behalf. I said OK and offered to help with determining which previous board members were elected and appointed since there was a long period of overlap. I also noted that it would be fine if some of the appointed members were asked just to make sure all of the previously elected members received an invitation.

I asked Frank when I could get the necessary employee paperwork done and he replied that he would check into what would be a good time. I also asked about getting together with Frank and Dr. Cousin.

Tamara and I continued to build a list of names and addresses for formal invitations to the December 1 swearing-in.

Achievement Gap — During the campaign a number of citizens came up to me and offered to help in the effort to eliminate the achievement gap. As a result, I started a list of email addresses assuming that, regardless of whether I was elected, these people would benefit from having each others email address. We have scheduled an initial get together next Wednesday and today I sent an email to the group reminding them of the meeting and also adding and welcoming Peter Sola to the group.

Conflict of Interest — I researched the process for withdrawing from the *Dr. Bruce Venter v. Board of Education for Howard County* matter and then started drafting the required letter of notice to Dr. Venter as per MARYLAND RULE 2-132.

The total number of emails received or sent (not counting spam) was 60 for the day.

Sunday, November 16, 2008

Today turned into a day of rest & decompression. We were even going to get some blacksmithing in with family friends but the high winds forced a postponement. Relaxing is a good thing.

The total number of emails received or sent (not counting spam) was 41 for the day.

Monday, November 17, 2008

As expected, the first work day after final election results was not a great day for billable time.

Conflict of Interest — My primary board related task for the day was finishing and mailing a notice to Dr. Venter that I would be filing a motion seeking leave to withdraw my appearance in the Dr. Venter v. Board of Education appeal to the Court of Special Appeals. It is exceptionally hard to walk away from over 5 years of guiding a worthy case through a twisted administrative process and subsequent appeal to the state courts. Particularly ironic — if the Court of Special Appeals rules against Dr. Venter then what I consider my statutory authority as a sitting member of the Board of Education (i.e. the sole right of the Board as employer and appointing authority of senior administrator to dismiss those administrators) will be severely diminished.

Transition — Kathy Hanks phoned from the Board of Education office. Kathy explained that there are four staff people (herself, Arlene Conway, Barbara Bowers & Florence Jackson) that provide support for the Board of Education. Other items:

- a. There is a MABE conference on "avoiding legal problems" that will be held at 9-12:30 on December 1 at the Anne Arundel County Board of Education;
- b. There is an Audit Committee meeting on Wednesday at 10am.
- c. Bruce Johnson at the HCPSS T.V. station is trying to coordinate and interview for recently elected board members on Wednesday;
- d. There will be a pre-swearing-in reception at 3:30pm on December 1. The swearing-in will take place at 4pm with a Board meeting immediately following

which must be adjourned by 6pm in order to clear out of the board room to may way for a County Council meeting.

e. My CLC (Collaborative Learning Community) services (email, calendar and ??) won't go into effect until December 1.

Bruce Johnson emailed me regarding the following possible topics for the Wednesday interview for "Parent Teacher Connection" —

In response to the current financial crisis, other Boards of Education in Maryland are talking about possible delays in staff raises, eliminating PSATs, and cuts to arts programs. Will you be proposing any actions along these lines here?

What results do you expect from the commission that Ken Ulman set up to examine possible savings from the combined efforts of the school system and county in certain budget areas?

Will you continue to press for securing land from a developer for a school in the Turf Valley area to support the additional students moving to that area.

A new school calendar calls for eliminating 3 days of Spring break in order to give more support for HSA preparation, etc. How will you determine parent reaction to this idea?

How are we planning for the impact of the BRAC staffing buildup?

Board member Larry Cohen phoned to offer congratulations and to invite me to an Audit Committee meeting this Wednesday morning. I asked Larry if there are any brush fires and he assures me that things are running smoothly and I should have time to get up to speed.

The total number of emails received or sent (not counting spam) was 124 for the day.

Tuesday, November 18, 2008

Today was a day devoted to taking care of my computer consulting clients. I was able to visit three clients (one in Towson and two in the Rotunda).

The total number of emails received or sent (not counting spam) was 79 for the day.

Wednesday, November 19, 2008

Today was a day devoted solely to Board of Education matters.

Audit Committee Meeting — The Audit Committee meeting started with confusion with regard to the location of the meeting. Ray Brown and myself were waiting in Board Room A until we were summoned into the “Planning Room.” The Planning Room is a moderate sized conference room physically situated between the Superintendent’s Office and Board Room A. Board Room A is the front half of the large partitionable space where the rather imperial dais is located. At the beginning of the meeting Larry Cohen checked to make sure the door to the Planning Room was open.

There was a written agenda for the Audit Committee meeting that included columns for “Subject,” “Discussion,” “Action/Status,” and “Follow-up.” Larry started with the “Call to Order” and proceeded through to the “Adjournment.” There were three sitting board members in attendance: Larry Cohen, Ellen Flynn Giles and Diane Mikulis. Staff present were John Connors (Internal Auditor), Ray Brown (Chief Financial Officer), and Beverly Davis (Director of Finance). Matthew Birkelien of Clifton Gunderson passed out a number of documents and then presented the contents.

I remember three items: 1. the procedures for the bidding process needed work (that’s a red flag to me); 2. the software being used for school bus payments was a “FoxPro spreadsheet [sic]” that was unsupported and should be replaced with some unspecified program; and, 3. the requirements for passwords used to access the systemwide Collaborative Learning Environment (CLC) needed to be stiffened to 6 characters of upper and lower case and they must expire every 30-90 days.

The comment about the bidding process struck me as exactly what I want an auditor to identify. The remaining two notes were, in my humble opinion, well outside the expertise of an accounting firm. For at least two decades accounting firms have been trying to annex the information technology operations into their jurisdiction. In my opinion, accountants are especially unqualified to make judgments regarding the operation and design of software. And, as for the stated broad brush reason (“to reduce fraud”) for complicating the login process and making an operational nightmare for every teacher that uses the email system (CLC), pure hogwash. The primary effect of temporary passwords of appropriate “complexity” will be passwords taped to the edge of half of the computer screens in the system; i.e. a total breakdown of security.

I can’t remember anything else (nor can I remember complex 6 character passwords) and I can’t refer to the documents presented because I had to hand them back to staff since they were “embargoed” until the Board accepted the report.

NOTE – I have consciously avoided comments regarding the Education Article, the Open Meetings Act or the Public Information Act implications of the Audit Committee meeting. For now, I need to concentrate on learning the ropes.

Discussion with Board Member Diane Mikulis — After the Audit Committee Meeting, Diane Mikulis, the outgoing Board Member I am replacing, took time to sit down with me and answer nuts and bolts questions relating to the transition to the Board: It is important to fill out the payroll forms promptly because, otherwise, you won't get paid. The person to contact regarding health plans is Jeeni Griffin. On Fridays the staff usually sends out a calendar for the next week. There are lots of invitations received for attendance at school events and the Board members divide them up. Expense reimbursement is, currently, on a quarterly basis. A separate phone line is advised. For example, Frank obtained a cell phone for Board business. There are MacBooks available because they will run both the MAC and Windows operating systems. There is also a file cabinet that you can have at your home but it has to be returned at the end of your term.

Diane also set up a member restricted yahoogroups list (MDLocalBoards) for board of education members on a statewide basis.

Videotaping “Parent Teacher Connection” — Bruce Johnson (HCPSS Producer-Director), Deborah Wessner (PTA host), Ellen Flynn Giles, Janet Siddiqui, and myself gathered around a kitchen table at 1:30 pm. For about half an hour we discussed what issues would be most appropriate for discussions during the videotaping. I found the discussions a refreshing change from the candidate forums as Ellen and Janet were in more of a problem solving mode. Interspersed here-and-there were comments about the proper way for a board to operate but nothing too heavy-handed. After the warm-up we went into the studio, got “miked,” and Deborah plied us with questions. No surprises.

Visit to HCEA — After the videotaping of “Parent Teacher Connection,” I went to the Howard County Education Association (HCEA) office to meet with HCEA President Ann De Lacy and Dan Collins. I thanked Ann and the HCEA for their support at the polling places on election day. Ann zeroed in on the HCEA's desire that the tools and resources necessary to be successful be provided to teachers and para-educators. Examples given included: smaller class size and up-to-date textbooks (turnaround on textbooks in Howard County is 8 years). Ann also mentioned (probably as a nod to my priority of targeting the better qualified teachers at the lower performing students) the possible value of increasing the number of National Board Certified teachers at schools with pockets of lower achieving students. I promise to keep in communication with Ann.

HCEA jargon for the day — “AYP” is an abbreviation for “adequate yearly progress,” a “No Child Left Behind” term of art.

Kathy Chiacchio (x6677) is the Superintendent's Executive Assistant.

Achievement Gap meeting — Ricardo ("Ric") Whitaker, a parent that is actively pursuing achievement gap solutions; Peter Sola, a fellow candidate for the board of education in 2006; and myself met at the Dobbin Panera Bread. We had several hours of discussion and brainstorming. Ric talked about the need to bring about change in the family environment and showed us a notice for a December meeting at Cradlerock School (pre-Kindergarten through Grade 8) that he was organizing. Nice quote from Ric: "We are spending too much time working on a new formula for rocket fuel." Generally, we all agreed that regardless of what was done at the school, it was only going to be part of the solution. The community must be brought into the efforts to deal with an achievement gap. Peter mentioned the progress that Ken Jennings was having with "Saturday Class" and the support that is offered by "Even Start."

We wrapped up the brainstorming session with three goals:

1. Make resources more known;
2. Make a strong link between Social Services and HCPSS; and,
3. Any experiments must be documented and placed in the public domain.

The total number of emails received or sent (not counting spam) was 57 for the day.

Thursday, November 20, 2008

A fair amount of time today was devoted to locating and gathering street addresses for individuals I wanted to invite to the December 1, Swearing-In. I discovered that I have many people I regularly correspond with via email for whom I have no street address.

I downloaded the HCPSS Telephone Directory, looked up Jeeni Griffin, phoned her, and left a message since she was out sick. <http://www.hcpss.org/contact/staffdirectory.pdf>

I did have time to drive to Towson for a meeting with Paul Miller and Mike Mc Cann regarding the Falls Road Community Association's efforts to obtain the right to represent their members in land use matters.

The total number of emails received or sent (not counting spam) was 81 for the day.

Friday, November 21, 2008

In the daily mail, I received a nice letter from Superintendent Cousin congratulating me

on my recent election to serve as a member of the Howard County Board of Education.

Jeeni Griffin, HCPSS employee benefits, returned my phone call and said the benefits information on the HCPSS web page were also applicable to members of the board.

Tamara and I finished the invitation list for the Swearing-In. Tamara formatted the list as a Word mailing label document and I sent it to Kathy Hanks, BOE Support Staff. I phoned Kathy to confirm that the format was correct. Shortly thereafter, Kathy phoned back and said that the BOE couldn't put stamps on the invitations. I asked to speak to Frank and after discussing his earlier miscommunication to me, I had the impression that this was an area where policy was being created/changed on-the-fly. I told Frank I had no problem with paying for postage. Tam drove in and picked up the invitations and, together, we went to the Glenelg Post Office, bought stamps, affixed the stamps, and mailed the invitations.

I found dealing with Frank and the central office to send out invitations was more hassle than it would have been to design my own invitations and send them out. On the positive side, as the result of my request that past elected board members be invited, past elected members of the board are now included in the "dignitaries" that are invited as a matter of course. But...where is that change in protocol written down?? What I need to do, as the only new incoming board member, is ensure that the lessons learned during my transition period are captured in written form so, two years from now, new board members are spared "on-the-fly" policy making and its attendant confusion. Another reason to keep a daily diary.

The total number of emails received or sent (not counting spam) was 111 for the day.

Saturday, November 22, 2008

Peter Sola and I went for a ride out to Mt. Airy via back roads in his 2002 Corvette. When I was in pilot training, I bought a 1968 Corvette (which I had to sell as a law student) so we spent a lot of time talking Corvettes. Peter also teaches a class on "Educational Administration and Governance" at Howard University so a fair amount of time was devoted to discussing the roles a board of education can play, how to make sure good people are willing to serve on committees, evidence based management, etc. I also asked Peter to help me draw up a list of resources (books and databases) that would be of value to a person serving on a board of education.

The total number of emails received or sent (not counting spam) was 64 for the day.

Sunday, November 23, 2008

Early Sunday morning, Tamara and I met Diane Goodridge and Jim Nelson in the Swim Center lobby at the Wilde Lake Village Center. Diane provided bagels and cream cheese.

The ethics of bagels — As I understand the Maryland State Ethics Rules, if you are a Maryland State Delegate or Senator, you cannot accept any meals or food from anyone. Board of Education employees, however, operate under a separate set of ethics rules that are designed to avoid conflict of interest at our local public schools governance level. The BOE Ethics Regulations can be downloaded from the HCPSS web site — <http://www.hcpss.org/board/ethicsregs.pdf>

Since I have yet to be sworn-in, the Ethics Regulations do not yet apply to me (exception: all Board of Education candidates must file a disclosure form when they register as a candidate. Regulation VIII C.) Regardless, it just makes good sense to try and comply with the existing ethics rules as a Board Member-Elect. Reading through the ethics rules the only red flag that I notice is Rule VII C - Reception of Royalties. I have strong convictions when it comes to government documents and the role (or lack thereof) of copyright so Rule VII C gives off a whiff of odor.

But, in the interest of concentrating on learning the ropes, I move on to Rule VII D, where there is a discussion of soliciting or receiving gifts of \$25 or more from a subset of people. This \$25 figure also appears in Rule VIII A 4 regarding disclosure of gifts. Without going into a close review of the entire set of ethics rules (remember I am talking about a bagel with cream cheese) I make an assumption that so long as the value of the food being offered is under \$25 I need not concern myself with accepting and eating the food as a matter of ethics and seldom do I concern myself with medical advice while I'm eating. In addition, I notice that Rule VII D 1 exempts "meals and beverages" from the term "gift" as a matter of definition. Not very good legal draftsmanship but it does make my less than \$25 bagel assumption look pretty safe.

I told Diane that there would need to be at least one other board member interested in swimming in order to generate any board discussion; i.e. I'm one of eight. We discussed how the Department of Recreations and Parks hearing had gone on Wednesday and I opined that I considered a joint effort between the Board of Education and Recs & Parks the best bet. I also recounted my frustrating experience with athletic field maintenance and the lack of coordination between HCPSS and Recs & Parks when I was a recreational league soccer coach. Jim Nelson and I also reminisced about the swimming/drown proofing portion of basic training in the military (Jim was Navy and I was Air Force).

During our discussions, I noticed an "AED" sign so I went over to the person manning

the counter and asked him to show me where the AED (automatic external defibrillator) was kept. Without hesitation he was able to point to the AED sitting on a shelf just behind him. Satisfied, I get back into the discussion and recount my frustration when the River Hill Boosters tried to get the administration to approve purchase of an AED. I added that the only way AED's ever made it into HCPSS was because the General Assembly mandated AED's for interscholastic sports. I reiterated my high priority for keeping young people alive ("Keep'm Alive 'Til Twenty-Five"). Of course, AED's aren't just for kids.

After the meeting broke up, Tam reminded me of my elected official status and cautioned me about using coarse language. Good point but it will surely take some work.

I downloaded and printed the "Benefits Enrollment Guide for Active Employees." http://www.hcpss.org/employees/benefits/2009benefits_enrollment_active.pdf and Tamara spent some time trying to figure it out. After working on my daily diary for too long (I let myself get behind several days), I sat down with Tam and tried to figure out whether any of the medical plans available would let us stay with our existing doctors. I think we will need to talk with the office manager for each of our doctors.

Tam started work on the campaign finance report that is due on Tuesday.

The total number of emails received or sent (not counting spam) was 45 for the day.

Monday, November 24, 2008

Monday starts with high hopes of making some headway on my backlog of computer consulting work. The day turns into a prelude for Tuesday which has turned into a full day of orientation.

I phoned Kathy Chiacchio (first "i" is silent), the Superintendent's Executive Assistant, and arranged an 11 o'clock meeting with Superintendent Cousin. I also phoned Board Chair Frank Aquino and, while Frank might not be able to make the 11 o'clock, I will definitely see him and Ellen at 1 pm for the Board Orientation. Frank and I talk for a while about funding for school construction.

Kathy Hanks, BOE Administrative Specialist, and I have a flurry of emails and phone calls relating to scheduling, computer specifications and configuration, and proof that the Board of Education is exempt from state sales tax.

Becky Solerno phones and sets up an Employee Orientation immediately after my

meeting with Dr. Cousin. This orientation will be about payroll & health benefits. Nancy Scoville, a retirement specialist, and Cindy Harrison, a benefits specialist, will conduct the orientation and it will be in the board planning room.

Becky notes that I will be fingerprinted. I tell her that I was fingerprinted in the military but it looks like they want another set. Surely there should be some intellectual property rights to your own fingerprints. Sarcasm off.

The rest of the day is devoted to drafting and mailing a motion to withdraw from the Venter v. BOE appeal.

No billable time today.

At the end of the day I reflect a little on my emotions during this transition. I am concerned that somehow the change in environment from an average joe to an elected official causes a shift in personality and/or character. So far, I feel confident that my basic character remains unchanged but I'm not so sure about personality. I have caught myself getting deeply wrapped up in the issue of what constitutes the proper role for a local elected board of education. Plus, I am having a tough time whenever computers, computer programs, computer security, etc. arise. I've spent a lot of my life involved with computers and I am constantly appalled at what I consider the shallow approach others take toward computers. Seems some of my strongest emotions are attached to the most logical of devices.

The total number of emails received or sent (not counting spam) was 125 for the day.

Tuesday, November 25, 2008

The day starts with phone calls to various computer consulting clients setting up or revising scheduled visits.

Meet with Superintendent Cousin — 11:00 am. I meet with Dr. Cousin in his office and I thank him for his letter of congratulations. In light of the national buzz about an upcoming federal stimulus package, we talk about the need for funding for rebuilding older schools. I refer to Dr. Cousin's presentation on funding sources from the "What's Important?" forum and, in particular, the minuscule amount of federal funding. I point out that I've going to take some time learning the ropes but, while I'm doing so, I'd be glad to explore whether there might be any federal assistance with the HCPSS capital funding shortfall. Dr. Cousin voices support but agrees this is a long shot. Ken Roy is mentioned as a good source of information on HCPSS capital needs and plans.

HCPSS Employee Orientation — Immediately after the meeting with Dr. Cousin

Incoming Employee & Retirement Benefits — Nancy Scoville provides me with a pack of forms that need to be completed as part of the new employee process. Included are directions for getting fingerprinted, getting a photo ID (some form of government photo ID is required to get an HCPSS photo ID), and designation of beneficiary forms.

Health Benefits — Cindy Harrison reviews the various options for medical plans, dental plans and vision care. The HCPSS employee benefits guide (as well as other employee information) can be downloaded from: <http://www.hcpss.org/employees/>

Some special tricks: the Alternate Medical Plan is a way to access Care First Blue Cross Blue Shield; you want a doctor that “participates” in your medical plan rather than a doctor the “takes” or “accepts” a particular plan; the Alternate Plan has no preventive care; “PPO” means “preferred provider organization;” the HCPSS medical and dental plans go from January to December so an incoming board member has to elect for two different years; the dental plan benefits are calendar year so you have access to a full year’s worth of benefits in December; you may choose one medical or dental plan for December and a different one for the upcoming year; the vision care doesn’t work on the calendar year but, rather, goes for 365 days; “dependent care” is NOT for your spouse; sign-up is online through benelogic.com.

Paychecks — Paychecks are every two weeks. All of your benefit costs, however, are taken from only 20 paychecks (the academic year) in order to simplify calculations regardless of whether you are a 10 month or a 12 month employee.

Benefits v. Salary — It seems to me that the benefits provided to a Board member are roughly equal to the \$12,000 salary and to me, as a sole practitioner, medical benefits are simply not available at anything close to a reasonable cost.

Food & Conversation — The employee orientation finishes with 20 minutes to spare before the Board Orientation so Cindy Harrison shows me the way to the cafeteria. I meet Mark Blum in the cafeteria line and I give him a brief update on the status of *Venter v. BOE*. Mark says he will send me an update on the status of current cases involving BOE.

BOE Orientation — Frank Aquino, BOE Chair, and Ellen Flynn Giles, BOE Vice-Chair, and I meet in the “Board Planning Room” at 1 pm. Note: the Board Planning Room is the location of numerous open meetings of the Board and its new committees so its location needs to be better known to the public.

Frank and Ellen place a fairly massive pile of notebooks and documents in front of me and we start going through them from top to bottom. The first item of business is stationery and I choose to not use my middle initial in order to be consistent with the way my name appeared on the ballot. The second item is my BOE business card and this is more complex because I need to establish a separate phone line and decide what to do about a fax number. Frank and Ellen describe what they did with respect to telephone service and I decide to get a cell phone like Frank. I also decide to get a separate line for a fax machine at home, like Ellen, rather than rely on receiving faxes at the BOE building.

The guiding document for the Board member orientation is a 3-ring binder titled “BOE – New Board Member Orientation.” Inside the binder there the following 10 tabs: Mission Statements; Calendars; Cluster Assignments; Organization Charts; Reference Materials; Capital and Operating Budget Information; Legislation Information; Appeal Information; Links to Websites for Board Members; and Feasibility Study. In the front pocket of the binder is a copy of “Employee Expense Reimbursement Procedures”, “Quick Reference Guide to Email and Calendaring” (CLC), “The Board of Education of Howard County 2007” (a 13 pp. document which is mostly member photos and bios but the last three pages contain information about board meetings, citizen participation, public conduct, & taping meetings), and a copy of the school calendar for 2008–9. There are also two folders (one red and one blue) filled with 54 different HCPSS publications and a large 3-ring binder filled with printouts of the BOE Policies. I decline the policy notebook since I know the policies are online but I take the red and blue folders because I doubt that all of this information is online.

Fortunately, Frank and Ellen move along at my pace and spend time answering any questions that I have.

In addition to simply going over documents, we spend a lot of time talking about the nuts & bolts of a Board member’s typical meeting. Be sure to turn off your cell phone during meetings to prevent interference with microphones; don’t check email during meetings; use “Mr. Smith” instead of “Joe” (I’ll have problems with that one); you can print from your laptop to the laser printer in the Planning Room; there is an NSBA (National School Boards Association) website password; you can plug your laptop into AC voltage in Board Room A; Arlene will handle my expenses for mileage/phone/supplies; you need a place out of the weather where “the pony” can deliver once a week; try to show up 15 minutes to half hour early for meetings; CAC (Chris Wertman) & PTACHC (John Hannay) alternate meetings; if you know questions are going to arise during a meeting phone the Chair or email the group so the presenter can be prepared; the red appointments on the CLC calendar are mandatory; Board members get educators’ rights at the public library; Board members can talk to any employee and ask any question but you shouldn’t use up more than 30 minutes without checking with the Chair.

At the same time that I was receiving orientation information, Frank, Ellen and I were gently probing around for possible problem areas.

While going through the Orientation Notebook we came to an empty “Legislation Information” section and I noted that I had two legislative proposals I wanted to make: 1. An increase in Board member salary up to the poverty level plus \$1; and, 2. Randomized candidate name order for the Board of Education ballot.

As we looked at the quarterly meeting agenda, I ticked off three red flags: 1. Copyright and royalties with regard to Policy 7060; 2. Employee discipline with regard to the roles of the Board and the Superintendent in Policy 7030; and, 3. the use of the Board email group and how it relates to the Public Information Act and the Open Meetings Act. The issue of whether Maryland state documents were public domain and whether the works created by a BOE employee were also public domain seems to be an issue that will need close attention by all Board members. The employee discipline issue is one that we agreed to punt on until *Venter v. BOE* is resolved. On the legal implications of the BOE email list, Frank asked me to be patient and see how it is used before I get too concerned and I agreed that would be a reasonable approach. For his part, Frank slowed down when he mentioned that Board members were expected to respect confidences but the only examples he provided were well within the reasons for closing a meeting so I saw no need to discuss which confidences were acceptable in further detail.

Overall, Frank and Ellen did an excellent job of providing me with orientation and guidance and, at the same time, paving the way for contentious issues to be dealt with in a civil environment.

Meet with Ken Roy — After Frank and Ellen finish answering my orientation, I review my earlier meeting with Dr. Cousin regarding the long shot possibility of federal assistance for the capital budget. Frank checks to see if Ken Roy is available and shortly thereafter Ken drops by and we bounce ideas around.

Kathy Hanks — I touch base with Kathy Hanks regarding the configuration of my computer. I also tell her that, based on the information I picked up during the Board Orientation, I do need one of the printer/scanner/fax machines.

Democracy for Howard County Meeting — 7 pm. Mark Hensman conducts the meeting. I thank those present for helping with literature drops and setting up signs and poll working on election day. Ken Stevens presents a detailed precinct analysis of the General Election results and, for the Board of Education race, he also makes some comparisons between the Primary and the General results. Ken makes special mention of the outstanding job Glenn Amato and family did at the St. Augustine precinct.

Everyone takes turns discussing the different ways they participated in the election process. For my part, I talk about how much this election campaign differed from my previous three campaigns; i.e., for the first time my campaign did literature drops, made and ran a campaign commercial on Comcast, sponsored an HCYP baseball team via purchase and display of a campaign banner at the ball field, hand forged and distributed ten 3/8 inch by 3/8 inch mild steel signposts to the largest polling places, and, finally, designed and used a three yard sign triangular tower at every polling place.

Toward the end of the meeting, I advocate for supporting legislation to require “a different and random ballot name order at each precinct for Board of Education candidates” as a Democracy for Howard County attention area.

Green Schools — Late evening, I finish the day with a phone call to Mike Christianson to get advice on who to contact at Congressman Cumming’s office regarding whether any federal funds might be available for school construction. Mike gives me Amy Stratton’s phone number (410-465-8259) at the 7th District Ellicott City office but notes that, historically, there has been little or no federal support for school building construction.

Tamara and I submit the post general campaign report via the internet.

No billable time for today.

The total number of emails received or sent (not counting spam) was 62 for the day.

Wednesday, November 26, 2008

The only Board related business for the day was a discussion with Tamara about health and dental plan options and a phone call to the 7th District Ellicott City office to leave a message for Amy. Kathy Hanks told me that I could come by and pick up my Board computer but I had already scheduled the entire day for serving my computer consulting clients.

Billable Time — Early morning was spent fighting Windows and adware and the rest of the day was spent in Baltimore City doing network support.

The total number of emails received or sent (not counting spam) was 66 for the day.

Thursday (Thanksgiving), November 27, 2008

I spent a pleasant Thanksgiving with my family (minus Ann Marie who is spending her year after graduation working in Boston).

Board Laptop — There is a series of emails with Dr. Richard Yensen a close, long time friend and mentor dating back to the beginning of the microcomputer revolution (DEC PDP-11, UCSD PASCAL). Rich lives in the Mac world and he recommends using VMWare Fusion on my BOE Mac instead of relying solely on Bootcamp because VMWare allows you to switch from OS X to XP simply by hitting a key. VMWare is a virtual XP machine that runs under OS X while Bootcamp requires a boot into either XP or OS X. Even better, VMWare does not preclude use of Bootcamp for those times when you need something faster than a virtual machine (the virtual machine performance hit is somewhere around 10-20%). I have shied away from Macs because of expense but, considering the computer I will be issued as a BOE member is a Mac, it only makes sense to develop some Mac proficiency as part of the journey.

I send an email to Frank Aquino and Kathy Hanks explaining my preferred Mac configuration.

The total number of emails received or sent (not counting spam) was 75 for the day.

Friday, November 28, 2008

Paperwork — Friday morning is devoted to attempting to get some physical control over the burgeoning piles of paper covering every horizontal surface. Fortunately friends interrupt my paper pushing with requests for help (a monitor problem and a car won't start problem) that get me out of the house for a while.

Educator Library Card — Tamara and I go to the Glenwood Library to return some books and DVD's. I decide to sign-up for the Educator's Library Card that Ellen Giles had told me about. One advantage of the Educator Library Card which interests me is a later return date on some materials. The lady behind the check-out desk is perplexed about whether a BOE member qualifies but, after doing some checking around, she issues me a fancy plastic card. While I'm browsing the library, one of the patrons comes up to me and tells me to keep speaking out while I'm on the Board of Education. I thank her for her encouragement. Later, when Tam and I return to the counter to check out some books and DVD's, I am told that I can only use the "Teacher's Library Card" if I am going to use the books and DVD's "in a classroom." We revert to our regular library cards.

Terminology — The use of "educator" vs. "teacher" is an ongoing awareness issue with the Howard County Education Association. As I understand it, "educator" is a broader,

more inclusive term than “teacher” because it includes those who are employed in the public school instructional environment (para-educators, guidance counselors) regardless of whether they hold a Maryland teacher certification.

Board Communications — Rod Hart, a close, long time friend and mentor dating back to the earliest days of the microcomputer revolution (Altair 8800, S100 bus, CP/M, MBASIC), sends out an email saying he just got a Blackberry Storm so he is willing to do an swap of his Verizon Treo 700p with charging stand, holster, spare battery and tether cable for a monitor. I shoot off a reply saying I sure could use the Treo for Board communications. Rod accepts my offer and, within an hour, Rod and Delores Hart drop by with the Treo and some great family anecdotes. I give Rod a NEC Multisynch for his Treo 700p and Rod, who is always in mentor mode, runs me through the basic Treo 700 features. I used to be a pretty quick study but I discover that, after Rod leaves, I can’t even get the Treo and it’s accessories back into the box. My first cell phone — I’m not looking forward to this.

PLEDGE — I will never use a cell phone while I am operating a vehicle. (SEAL)

The total number of emails received or sent (not counting spam) was 51 for the day.

Saturday, November 29, 2008

Saturday morning finds me once again struggling with piles of paper as I also try to get my daily diary current. This week, especially Tuesday, has been like drinking from a fire hose so getting caught up on my diary is time consuming. I think the effort is worth the time, however, because so much of this week has dealt with trying to interface my sense of what I should be doing as a BOE member and the ongoing practices and etiquette of the sitting Board.

In the afternoon I phone Sandra French and thank her for her note of congratulations. I also phone Frank Aquino to discuss the proper way to get more information on the HCPSS risk management program.

Among the friends Abe has over for a Saturday night visit is Dale Smith, the composer of the music used in my campaign commercial. I label a DVD copy of the “Dancin’ in the Classroom” commercial and give it to Dale.

The total number of emails received or sent (not counting spam) was 27 for the day.

Sunday, November 30, 2008

The morning is a continuation of filing paper and collecting notes to finish the Tuesday entry for my diary. I manage to get my paper files in fair shape and get caught up on my diary.

I track down the location of tomorrow morning's MABE presentation in Annapolis and print out a map.

The total number of emails received or sent (not counting spam) was 67 for the day.

Monday, December 1, 2008

Swearing-in Day — No billable time.

The day started with an early morning drive to Anne Arundel Board of Education Building, 2644 Riva Road, Annapolis. Directions – take the first exit (MD 665, Aris Allen Blvd) after I-97 intersects Route 50; take first exit (Riva Road South) and proceed a little over a quarter mile; the BOE building is a large building on the right with plenty of parking. The purpose of the trip was a MABE workshop on “How to Avoid Legal Problems.” As I walked up to the board building, I couldn't miss noticing a large (4'x3') sign that provided information about three or four native gardens that were distributed around the grounds. Nice touch.

I arrived just after 8:30 am and this gave me sufficient time to get a nice breakfast of eggs, bacon, home fries, and milk (\$5.20) before the MABE workshop started at 9:00 am.

The MABE “How to Avoid Legal Problems” workshop was organized as a series of mock meetings and hearings and run by three education attorneys: John Woolums (MABE's lobbyist), Eric Schwartz (Charles County Board of Education's Staff Attorney), and Steve Bounds (Director of MABE Legal Services). John Woolums served as the workshop moderator, Eric Schwartz served as the board counsel for the mock meetings and hearings, Steve Bounds served as the mock board of education chairman. Assisting in the skits were 4 or 5 experienced board of education members from counties around the state.

The workshop started with an announcement that “no taping or recording was permitted because this was copyrighted material.” The reason given for the claim of copyright was to “generate candor.” In my opinion as an attorney, MABE is an organ of the Maryland State government and, thus, does not have the right to copyright anything. Indeed, I spent

six years petitioning the courts of Maryland for a declaratory ruling on just that issue, but, I was denied a ruling on the merits due to a lack of standing. I continue to believe that MABE does not have authority to copyright anything, however, for the purposes of fulfilling my duties as an elected member of the Howard County Board of Education, I have decided to participate in MABE activities for the foreseeable future.

Although I had some initial doubts about the effectiveness of “mock meetings” I was pleasantly surprised by the presentations. Following are some of the concepts (terse—not properly qualified but easy to read) covered during the mock presentations:

1. No proxy voting is allowed;
2. No action possible without a vote in favor equal to a quorum of the board (COMAR regulation??);
3. No agenda required by Maryland but *Robert’s Rules of Order* requires an agenda. The Board determines how the proposed agenda is drawn and by whom.
4. The State Board of Education uses email to get started on working up an agenda way early;
5. The purpose of an agenda is to: inform the public; and, to provide for an orderly meeting;
6. Hint: read the public comment rules at the start of the public comment section;
7. Public comment shouldn’t mention staff by name but mentioning board members by name is OK;
8. Don’t change the rules for public comment in the middle of the public comment period;
9. You can second anything – might be unnecessary but so what?
10. When you want to make a point that is memorialized — “Here’s my discussion point: I’m going to vote “NO” because and I request my point be included in the minutes.”
11. A single member can remove any item from the consent agenda because it is no longer a CONSENT agenda if one person disagrees;

12. A consent agenda isn't allowed by *Robert's Rules of Order*;
13. Pre-meeting discussion was mentioned – red flag;
14. A motion is not required for discussion if no action is being considered.
15. There is no law prohibiting board members from talking directly to each other during a meeting;
16. The chair should maintain the decorum of the meeting;
17. Do individual board members have any more authority than an individual citizen??
18. To avoid voting: abstain – take the rule – the walk;
19. The Chair can “announce the vote” to end the vote changing;
20. All votes should be individually recorded;
21. “Tabling” a motion should be used sparingly. “Tabling” is not the same as “postponing until later”;
22. “Motion to Reconsider” can only be made by a person that was in the majority originally;
23. John Woolums: “Email discussion among board members are proper and probably necessary.”
24. Steve Bounds: “We did a full blown seminar on email last spring. This is a topic that can't be covered in less than a couple hours.”
25. Tell parents in a disciplinary case that if they tell you the facts you will have to recuse yourself.

Even though I had some disagreements with a few of the legal conclusions, after the workshop I congratulated Eric Schwarz and John Woolums for a job well done (Steve Bounds was busy talking with another participant). John Woolums said he remembers me from some of the lobbying work that I have done in Annapolis on behalf of community association standing.

I drove back home for a quick lunch before the reception/swearing-in ceremony.

I arrived at the Howard County Board of Education Building at 3:30pm for a reception which would be followed by the swearing-in of the board members for the new term. I went through the reception pretty much in a daze (especially after I realized that I had forgotten to bring a camera to take a photo of the “Class of 2000.”) I have since been told by a good friend that someone in the board meeting room had a dog in her purse, but, my friends (especially this one!) are always pulling my leg. Besides, as an avid (not the trademark) student of 1950's science fiction movies, I know there are some things man was not meant to know.

As part of the reception activities attendant to the swearing-in, Mamie Perkins, Chief of Staff; Sandy Erickson, Deputy Superintendent; and, Linda Wise, Chief Academic Officer, said “hello” and congratulations and “looking forward to working with you.” Linda Wise also gave me a “Quick Reference” three-ring notebook that appeared to be the *Reader's Digest* version of the HCPSS Staff Directory.

The half hour went by much too fast and as the BOE meeting was getting called to order, I made my way to the right-most position on the dais. Kathy Hanks had already set my just-issued MacBook computer and powered it up. Also waiting for me at my assigned position on the dais, a manila envelope containing a letter from the Office of Human Resources rubber stamped “[!] CONFIDENTIAL” addressed to a substitute teacher and stapled thereto was a letter in response from the substitute teacher.

Frank called the meeting to order and Howard County Circuit Court Clerk Margaret Rappaport swore Ellen Flynn Giles, Janet Siddiqui, and myself into office.

One background event that occurred prior to the start of the meeting — Frank called me over to the side of the reception gathering and we huddled briefly with Superintendent Cousin. Earlier in the week, I had given Frank a heads-ups that I was concerned about last week's car-surfing incident that involved several HCPSS students and I pointed out that I have long had an interest in teen passenger and driver safety. As a result, Superintendent Cousin offered to get me together with the HCPSS risk management team for a briefing on the joint efforts HCPSS currently has in place with the Howard County Police.

My mantra: Safety = acceptable risk. So...what's acceptable??

After swearing-in, we took our places and participated in what I was assured would be the shortest (51 minutes) BOE meeting of my career. During the meeting, Larry Cohen was sitting to my right to help me with any questions and to give advice. Since I had

previously attended the Audit Committee meeting, I was able to interject one comment during the Audit report regarding my concern over the operational impact on teachers of 6 character, complex passwords that expire every 30-90 days. Meeting #1 accomplished without incident.

After the meeting, Carla Tevelow, Dominic Fisher, Tamara, Abe, and myself retired to Bare Bones on Route 40 for libations, toasts, and a free buffet during happy hour. Tam gracefully accepted the role of designated driver.

The total number of emails received or sent (not counting spam) was 106 for the day.

Tuesday, December 2, 2008

I spent the day working on computer consulting and repair.

At 7:00 pm I attended a Howard County Citizen Association board meeting. Much of the meeting was devoted to whether to continue HCCA support for a referendum petition for CB58. There were at least four non-board members present that were granted leave to advocate for or against the CB58 referendum petition. One of the opponents of the referendum petition was Councilman Greg Fox who raised a previously undisclosed concession from Turf Valley management regarding the offer of a better school site.

Prior to the call for a vote on the CB58 referendum petition, I stated that Councilman Fox's comments regarding school sites and unspecified concessions made by Turf Valley management regarding school sites placed me in what I regarded as a conflict of interest situation. Accordingly, I recused myself from the vote.

The total number of emails received or sent (not counting spam) was 77 for the day.

Wednesday, December 3, 2008

I spent the day working on client machines.

In the evening, after much thought, I phoned Bridget Mugane, Howard County Citizens Association ("HCCA") President, and told her that I was resigning, effective immediately, from the HCCA Board due to a conflict of interests between my duties as a member of the BOE and my duties as an HCCA director. After notifying Bridget, I notified all HCCA board members via email.

The total number of emails received or sent (not counting spam) was 91 for the day.