

## **MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION**

Tuesday, January 25, 2022  
Maryland State Board of Education  
200 W. Baltimore Street  
Baltimore, Maryland 21201

The Maryland State Board of Education met in person on Tuesday, January 25, 2022, at 9:00 a.m. at the Maryland State Department of Education, 200 W. Baltimore Street, Maryland. The following members were present: Mr. Clarence Crawford (President); Mr. Charles R. Dashiell, Jr., Esq. (Vice President); Mr. Shawn Bartley; Ms. Gail Bates; Ms. Chuen-Chin Chang; Dr. Susan Getty; Dr. Vermelle D. Greene; Ms. Jean Halle; Ms. Lori Morrow; Ms. Rachel McCusker; Brigadier General (BG) Warner Sumpter; Dr. Holly Wilcox; Mr. Kevin Bokoum, Student Representative; and State Superintendent Mohammed Choudhury. Dr. Joan Mele-McCarthy was absent.

The following staff members also participated: Elliott L. Schoen, Assistant Attorney General; Dr. Sylvia Lawson, Deputy Superintendent for Organization Effectiveness; Dr. Deann Collins, Deputy Superintendent, Teaching and Learning; Ary Amerikaner, Chief of Staff; Krishnanda Tallur, Deputy Superintendent of Operations; and Justin Dayhoff, Assistant Superintendent, Financial Planning, Operations, and Strategy.

President Crawford called the meeting to order and led the pledge of allegiance.

Mr. Schoen called the roll and declared the presence of a quorum.

President Crawford welcomed speakers and members of the public and provided opening remarks.

### **PUBLIC COMMENT**

- Buzzy Hettleman – K-3 Literacy
- Cheryl Bost – Staff Shortages
- Randy Alton – Workforce Shortage in Education Statewide
- Danielle Wood – COVID Safety and Virtual Learning
- Joanna McFarland – 13A.06.07 Student Transportation
- Monica Rodriguez – Safety During In-person Learning and Virtual Learning
- Marc Cohen – The Challenges of the School Principal Position in the Days of COVID
- Joyce Toal – Mask Mandate
- Christi McCloud – Mask Mandate
- Rahneeka Bowman – Transportation Regulations

## **NEW BUSINESS**

- **Approval of Consent Agenda**
  - Approval of December 1, 2021 and December 7, 2021, Meeting Minutes
  - Personnel Actions
  - Budget Adjustments, December 2021

*ACTION: The State Board granted approval by unanimous consent.*

## **STATE BOARD PRIORITIES**

State Board members heard comments and perspectives from the following panelists:

- **State Board Engagement Session – Public School Superintendents’ Association of Maryland (PSSAM)**  
*(Presenter: Dr. Patricia Saelens, PSSAM President; Dr. Steven Lockard, PSSAM President-Elect)*

Dr. Saelens provided an overview of the Public School Superintendents’ Association of Maryland (PSSAM). The PSSAM is an organization of educational leaders united to advocate for the success of all students. Local school superintendents are the 24 leaders that comprise PSSAM, providing leadership for quality education in the State by addressing issues with a unified voice. Together, the organization serves more than 897,040 students in grades Pre-K through 12th grade. Approximately 12% of students receive Special Education services; over 9% of students receive English Language Learner (ELL) services; and 41% of students receive Free and Reduced Meals, an indicator of poverty. As a unified organization, PSSAM is jointly committed to partnering with local boards of education and governments to sustain excellence in education for all students.

Dr. Saelens stated that the vision of PSSAM is “One Voice, One Vision.” PSSAM meets at least once a month, but last year the group met weekly with then State Superintendent. Dr. Saelens informed the Board members that the pandemic has turned leaders in different ways. PSSAM is very concerned of the turnover rate of superintendents. Eight superintendents will be leaving at the end of the year. Dr. Saelens informed the members that PSSAM needs help with the coordination of the Blueprint with the AIB, and also standing with them during the legislative session.

President Crawford and the State Board members thanked Dr. Saelens’ for her comments and welcomed the opportunity to find ways to work with PSSAM.

*ACTION: None. For information and discussion.*

- **Enrollment and Attendance**

*(Presenters: Ms. Chandra Haislet, Executive Director, Office of Accountability, Data Systems; Ms. Hedy Chang, CEO of Attendance Works in California)*

Ms. Chandra Haislet presented an update to the State Board on the Attendance for the school year 2020-2021 and Enrollment for school year 2021-2022. The presentation included background information and available data on attendance and enrollment. The information that was presented included the following:

1. Enrollment trends by grade and student groups
2. Attendance rate trends
3. Mobility and habitual truant data
4. Chronic absenteeism

Ms. Hedy Chang from Attendance Works presented a national perspective of chronic absenteeism and provided information on essential actions that state and local policy makers can take to ensure that students are engaged in learning.

- **National Perspective:**

- In-person schooling is back this school year, but fewer students than normal are regularly attending class according to emerging data. More students are missing out on instruction after many fell behind last year (Barnum, 2021).
- Disruptions to learning is not over, and student attendance rates lag significantly behind pre-pandemic levels.
- Reports of chronic absenteeism have increased since before the pandemic. Low-income students are 1.6 time more likely to be missing multiple days of school than their high-income peers.
- Based on historical links between chronic absenteeism and graduation, 1.7 million to 3.3 million eighth-12<sup>th</sup> grade students could drop out of school due to the pandemic without coordinated efforts to reengage them in learning (Dorn et. al.; 2021)

*ACTION: None. For information and discussion.*

- **School Logistics and Transmission Rates Related to COVID-19 Update**

*(Presenter: Mary Gable, Assistant State Superintendent, Division of Student Support, Academic Enrichment & Educational Policy)*

Ms. Mary Gable reviewed data recently collected in a survey of the 24 local school systems (LSSs) pertaining to reopening logistics, including: vaccinations, screening, testing and contact tracing, quarantine, and COVID-19 data. The presentation also included data published by the Maryland Department of Health on the most recent positivity rates, as

well as the 7-day moving average case rates per 100K population for each jurisdiction, community transmission levels, and statewide hospitalizations in Maryland. Slides presented data on LSSs instructional modes, the methodologies LSSs are using to determine whether to shift to fully virtual instruction, and information about MDH and federal guidance and testing programs.

Ms. Gable informed the State Board members that data has been updated as recently as January 24, 2022, and that the data was pulled from the MDH and CDC new data on methodology. Updated information as of January 19, 2022, included the following data:

- Vaccinations requirements for staff
- COVID-19 testing for unvaccinated staff
- Percentage of teachers vaccinated by school districts
- COVID-19 testing definitions and the three types of testing
  - Diagnostic Testing
  - Screening Tests
  - Test-to-Stay (TTS)
- MDH COVID-19 testing in Maryland
- CDC COVID-19 Test Distribution Sites
  - The Distribution Sites provided five million POC tests to school systems.
  - Twelve thousand of the POC tests were given out to five school districts (Baltimore City, Baltimore County, Howard County, Prince George's County and Montgomery County).
- MDH K-12 COVID-19 Screening Programs available to LSSs and Non-public schools
  - Since July 2021, the MDH and the MSDE have offered the opportunity for LSSs and non-public schools to participate in a free K-12 COVID-19 Screening Testing Program which operates in conjunction with the Diagnostic Testing Program.
  - The testing program operates in conjunction with the Diagnostic Testing Program.
- Additional Testing Models (Allegany County and Carroll County)
  - Utilize a centralized testing site
  - Testing for students in extracurricular activities

Ms. Gable informed the State Board that an updated guidance document was sent by MSDE and the MDH to all LSSs, non-public schools, and licensed childcare providers on January 7, 2022. Recommendations were based on the latest CDC guidance. Daily Positivity Rate numbers are going down. As of 1/20/21, the statewide number was down by 14.8%.

State Board members inquired about the consistency of quarantine policies across districts

and coordination of efforts with other agencies in different regions of the state. They also asked about the availability of supplies for testing, centralized testing sites and how well they are keeping up with demands for testing and the instruments for testing. A request was made that the percentage of staff quarantines for teachers be added to the next presentation. Ms. Gable informed that State Board that MSDE does ask for information on the teachers but sometimes it is hard to only get that type of information from the school systems.

*ACTION: None. For information and discussion.*

- **Local Education Agency Virtual Programs Update**

*(Presenters: Dr. Deann Collins, Deputy Superintendent, Division of Teaching and Learning; Erin Senior, Interim Director of Instructional Technology, School Library Media, and Mathematics)*

Dr. Deann Collins shared information with the State Board members related to school year 2021-2022 approved virtual learning programs in Maryland LSSs. The presentation provided an update on first marking period attendance and demographics and a comparison of the relationship between fail rates, attendance rates, synchronous instruction time and staffing in local school system virtual programs. Comparisons of fail rates and attendance rates for virtual students compared to all students was presented. Dr. Collins also shared some approaches LSSs are implementing to assist struggling virtual students to ensure success.

Dr. Collins informed the State Board members that 2,192 students have exited virtual programs. She explained some of the reasons for students exiting the virtual programs.

- Availability of COVID vaccine for children aged 5 to 11 years-old
- Students not attending or failing virtual classes
- Mask requirements in schools
- Families and/or students receive vaccinations
- Specific courses not available in virtual program

Dr. Collins talked briefly in regard to the local school systems in their efforts to support students who were failing and the processes they used to assist the students. The fail rate in most of the grades was about the same for virtual and all students and lower overall compared to the state. Dr. Collins also shared staffing practices, student support, and their best practices (virtual class size and schedule and the students are required to attend). Dr. Collins informed the State Board members about the Anne Arundel County Virtual Academy and why students should learn from them. Dr. Collins talked briefly about the next steps.

- Continue to collaborate with LSSs to identify best practices
- Collect and analyze quarterly LSS metrics

- Examine second marking period student data
  - Attendance
  - Grades

State Board members inquired about if there was a way to calculate virtual attendance for testing and the difference between vendor teachers and no vendor provided teachers. Mr. Choudhury explained that MSDE offered a virtual option, but some schools did not come in and you must be logged in at a certain time. Mr. Choudhury thanked Erin Senior and her staff for the research.

Mr. Crawford stated that if you don't have rigorous implementation, it will all unravel. Rigorous design and execution are necessary. "If we don't have it, we spend a lot of time and money." Mr. Crawford informed the members, that as we design and implement programs, we must remember that we are doing it with people.

*ACTION: None. For information and discussion.*

### **Executive Session I**

Pursuant to § 3-305(b)(7) of the General Provisions Article, Annotated Code of Maryland, and upon motion of Senator Bates, seconded by General Sumpter and with unanimous approval, the Maryland State Board of Education met in closed session on Tuesday, January 25, 2022, in Conference Room #6, 8<sup>th</sup> Floor, at the Nancy S. Grasmick State Education Building. All board members were present. Mr. Bartley and Dr. Greene participated by phone. Also in attendance were Superintendent Choudhury and Assistant Attorney General, Elliott Schoen. The Executive Session commenced at 12:42 p.m.

Assistant Attorney General Elliott Schoen gave legal advice regarding 180-day school year under statute and regulation.

The Executive Session ended at 1:20 p.m.

- **Blueprint for Maryland's Future: College and Career Readiness**  
(Presenter: Phil Lasser, Director, Office of Strategic Planning & Continuous Improvement)

Mr. Phil Lasser shared information with the State Board members related to the Blueprint for Maryland's Future which requires that the Maryland State Department of Education research college and career readiness metrics, set a new standard, and implement instructional systems to support all students in meeting the college and career readiness standards. The presentation provides a review of the legislative requirements, implementation timeline, methods to meet the college and career readiness standard, Post-CCR Pathways and Support Pathways, and MSDE's engagement on this topic. The Blueprint for Maryland's Future

includes Early Childhood Education, High-quality and diverse Teachers and Leaders, College and Career Readiness, resources for student success, and Governance and accountability.

Mr. Lasser spoke about how the Blueprint sets a new College and Career Readiness standard that allows graduates to succeed in college courses; and that the goal is for all students to meet the standard by the end of the 10<sup>th</sup> grade; develops post-CCR pathways to advance learning and earn a credential; develops CCR-support pathways for students to achieve the standard; and develops CTE system that is aligned with the industry needs. Mr. Lasser shared that the implementation timeline will start in with 2021 and proceed through 2025. The revised timeline allows for sufficient time for the LSSs to design and implement any new courses; build understandings and enthusiasm about the vision, and alignment between post-CCR and support pathways. Mr. Lasser outlined the guiding design principles in detail and spoke about the two research studies that MSDE commissioned to determine the skills and knowledge necessary to succeed in entry level college courses. Both studies will explore moving beyond only standardized tests, studying alternative methods of proving readiness, such as GPA and course completion.

- Initial Study (Quantitative alignment)
- Long Term Study (Qualitative alignment)

Mr. Lasser further discussed in detail the post-CCR pathway; support pathway; the CCR and finance, engagement, and collaboration. The next steps for the Maryland State Department of Education are to coordinate with Maryland community colleges and universities and to establish CCR assessment advisory groups with relevant stakeholders.

State Board members inquired about the interim measures to identify the kids and to allow for the funding allotment. Board members were informed that MSDE will have to research at higher education and review courses that are required along with what is mandated and what is not mandated. The question was put forth as to why certain programs were not being offered. Mr. Choudhury stated that the statute was set with the goal for Career and College Readiness in the 10<sup>th</sup> grade.

- **Maryland Public Schools Strategic Plan: Engagement & Process**

*(Presenter: Mike Herschenfeld, Senior Executive Director, Office of Strategic Planning & Continuous Improvement)*

Mr. Mike Herschenfeld did an overview of the Maryland Public Schools Strategic Plan – Engagement and Process. He explained that the Maryland State Board of Education and the Maryland State Department of Education are developing a multi-year strategic plan for the future of Maryland’s education system. Public schools will prepare our future workforce and future community leaders and it is critical that we hear from as many people as possible, throughout the process. The work will be the



basis for creating transformational change in Maryland’s education system. Mr. Herschenfeld explained that the guiding objective is to build processes and create space for stakeholder input as the work is being completed to develop a strategic plan. The plan will guide the department’s organizational direction as the implementation for the Blueprint for Maryland’s future.

Mr. Crawford emphasized that the one thing we cannot do is allow COVID to extract the air out of the room and we need to take care of our staff and the children. He asked the question, “how do we want to reimagine from this pandemic?” He stated that the State Board come out with the State of Maryland in a stronger planning than we are. Maryland owns the plan. With elected officials, stakeholders, parents, and the business community she combined to stay focus on executing a plan. Mr. Crawford further stated, “We should continue to discuss a change that makes a difference, organize around a set of goals and objects that make us achieve. Engage Maryland to participate in a plan.”

*ACTION: None. For information and discussion.*

- **Nationally Board Certified and Low Performing Schools**

*(Presenters: Ms. Chandra Haislet, Executive Director, Office of Accountability, Data Systems)*

Ms. Chandra Haislet presented an update to the State Board on the Nationally Certified Teachers and low performing schools for the purposes of a Nationally Certified Teacher (NBCT) staffing initiative. The Maryland State Department of Education has developed, in collaboration with local school systems, a methodology for identifying schools which provides a state definition for NBCT for low performing schools along with local flexibility to provide guided flexibility in scaling strategic staffing initiatives across all local school systems. Information shared on the methodology included the following:

1. Highlights of the framework 1.0
2. State definition
3. Methodology for local flexibility
4. National perspective on strategic staffing initiatives

Ms. Haislet also spoke about the statutory requirements for Nationally Board Certified Teachers and low performing schools.

- § 7-202.1(e)(1) Using the assessments established [in] this section, the Department shall identify low performing schools.
- § 6-1009(a)(1)(ii) An NBC teacher teaching at a low-performing school as identified by the county board will receive \$7,000.



(c)(2) A teacher that receives a salary increase for teaching at low-performing school may not lose that salary increase while teaching at the school even if the school ceases to be low performing.

Ms. Haislet informed the State Board members that MSDE had met with PSSAM, Assistant Superintendents, Blueprint Coordinators, and Local Accountability Coordinators in a series of webinars and face to face meetings to engage their feedback on the methodology that was developed for identifying schools which provide NBCT for low performing schools in Maryland. Ms. Haislet outlined in detail the different areas of Framework 1.0 along with the methodology for local flexibility and the areas in which there are low performing schools.

Ms. Haislet gave detailed information on the national perspective on strategic staffing initiatives.

- Opportunity Culture Initiatives: Districts and schools designed to extend the reach of excellent teachers, principals, and their teams to more students, for more pay, within recurring school budgets.
- Charlotte Mecklenberg: Using measurable standards of performance and financial incentives, the district chose cohorts of schools and implemented a strategic staffing initiative.
- Accelerating Campus Excellence (ACE) at Dallas ISD: The core strategy is recruiting and retaining the best possible educators for student attending chronically underperforming schools.
- Accelerating Campus Excellence (ACE): The ACE initiative is now a statewide school transformation pathway open to all districts in Texas. The state provides a permanent per pupil bump for such schools to sustain the model.

*ACTION: None. For information and discussion.*

## **REPORTS TO THE STATE BOARD FOR DISCUSSION/ACTION**

### **• Calendar Modifications – Granting Authority to the State Superintendent**

Mr. Choudhury informed the State Board members that there was a change to the action. Some of the school systems have run out of days and have requested to use some school holidays as inclement weather make-up days. Mr. Choudhury asked that he be allowed to use any of the upcoming holidays requested in writing from the school systems as make-up days.

*ACTION: Upon motion by Mr. Halle, and seconded by General Sumpter, the State Board granted permission for Mr. Choudhury to have the authority to do calendar modifications. (In Favor: 13; Opposed: 0; Abstained: 0)*

- **2022 Legislative Session**  
(Presenter: Ary Amerikaner, Chief of Staff)

**Curriculum:**

- House Bill 47 – Public Schools – Expanded American History – Development of Content
- House Bill 165 – Education -Sexual Abuse and Assault Awareness and Prevention Program
- House Bill 200 – Education – Public Middle and High Schools – Financial Literacy Curriculum and Graduation Requirement
- Senate Bill 116 – Public Schools – Inclusive and Diverse English Language Arts – Development of Content Standards and Implementation
- Senate Bill 162 – Public Schools – Cyber Safety Guide and Training Course – Development, Implementation, and Reporting
- Senate Bill 237 – Education – Curriculum – Unit of Instruction on September 11, 2001, Terrorist Attacks
- Senate Bill 304 – Education – Public Schools – Asian American History Curriculum Requirement

*ACTION: None. Continue to monitor.*

**Certification:**

- House Bill 37 – Education – Educational Interpreter – Certification Requirements  
(This bill passed last year but died in the Senate.)

*ACTION: None. Keep monitoring.*

**School Health:**

- House Bill 56 – Commission on Student Behavioral Health and Mental Health Treatment
- House Bill 118 – Public Schools – Student Attendance – Excused Absences for Mental Health Needs

(Both of these bills died in the Senate last year.)

*ACTION: None. Keep monitoring.*

**STATE BOARD MEMBER COMMITTEE REPORTS/UPDATES:**

There were no member committee reports or updates.

## **Executive Session II**

Pursuant to § 3-305(b)(7) & (13) of the General Provisions Article, Annotated Code of Maryland, and upon motion of Ms. Halle seconded by Mr. Dashiell and with unanimous approval, the Maryland State Board of Education met in closed session on Tuesday, January 25, 2022, in Conference Room #6, 8<sup>th</sup> Floor, at the Nancy S. Grasmick State Education Building. All board members were present except Dr. Greene and General Sumpter. Mr. Bartley participated by phone. Also in attendance were Superintendent Choudhury, Justin Dayhoff, Assistant State Superintendent, Assistant Attorneys General, Elliott Schoen, Jackie La Fiandra, and Amanda White. The Executive Session commenced at 4:20 p.m.

During the session, the State Board reviewed and approved four Opinions and four Orders.

- *P.B. and M.C. v. Montgomery County Board of Education* – admission to special program – Opin. No. 22-01
- *In the Matter of Request for Removal of Local Board Member David Murray* – removal request – Opin. No. 22-02
- *X.S. v. Montgomery County Board of Education* – student discipline – Opin. No. 22-03
- *L.J. and M.N. v. Howard County Board of Education* – student transfer – Opin. No. 22-04
- *In the Matter of Request for Removal of Local Board Member Edward Burroughs* – mootness – Order No. OR22-01
- *Trina Lee v. Baltimore City Board of School Commissioners* – untimeliness – Order No. OR22-02
- *Charlene Tombs v. Baltimore County Board of Education* – no extraordinary circumstance to reopen appeal – Order No. OR22-03
- *In the Matter of Request for Removal of Local Board Member Juanita Miller* – removal request – Order No.: OR22-04

Superintendent Choudhury and Assistant Superintendent Dayhoff shared information concerning the confidential FY 2023 Budget Allowance Review.

Superintendent Choudhury and President Crawford discussed the January 28<sup>th</sup> board training meeting.

The Executive Session ended at 6:00 p.m.

## **LEGAL OPINIONS AND ORDERS:**

Mr. Schoen announced the following Opinions and Orders:

- *P.B. and M.C. v. Montgomery County Board of Education* — admission to special program — Opin. No. 22-01
- *In the Matter of Request for Removal of Local Board Member David Murray* — local board member removal request — Opin. No. 22-02
- *X.S. v. Montgomery County Board of Education* — student discipline — Opin. No. 22-03
- *L. J. and M. N. v. Howard County Board of Education* — student transfer — Opin. No. 22-04
- *In the Matter of Request for Removal of Edward Burroughs* — mootness — OR22-01
- *Trina Lee v. Baltimore City Board of School Commissioners* — untimeliness — OR22-02
- *Charlene Tombs v. Baltimore County Board of Education* — no extraordinary circumstance to reopen appeal — OR22-03
- *In the Matter of Request for Removal of Juanita Miller* — lack of affidavit — OR22-04

With no further business before the Board, the meeting was adjourned at 6:06 p.m.

Respectfully submitted,



Mohammed Choudhury  
Secretary/Treasurer

Date: February 22, 2022

*The information included here provides a brief summary of the agenda items presented and the actions taken during the meeting of the Maryland State Board of Education. The video recordings of the meetings are the official record and can be located at:*

<https://www.marylandpublicschools.org/stateboard/Pages/Meetings-2022.aspx>

Meeting materials, Opinions, and Orders can be found at:

<https://www.marylandpublicschools.org/stateboard/Pages/Meetings-2022.aspx>

**The next Maryland State Board of Education meeting will be held on Tuesday, February 22, 2022.**

Appropriate accommodations for individuals with disabilities will be provided upon request. Eight business days' notice prior to the event is required. Please contact Charlene Necessary at (410) 767-0467 or TTY at (410) 333-6442 so arrangements can be made.

**MARYLAND STATE BOARD OF EDUCATION**  
**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")**  
**UNDER OPEN MEETINGS ACT (General Provisions Article § 3-305)**

1. Recorded vote to close the meeting.

Date: January 25, 2022

Time: 12:36 pm

Location: 200 W. Baltimore Street, Baltimore, MD 21201

Motion to close meeting made by: Sen. Gail Bates

Seconded by: Gen. Warner Sumpter

Members in favor: 13

Opposed: 0

Abstaining: 0

Absent: 1

2. The meeting was closed under authority of Section 3-305(b) of the General Provisions Article of the Annotated Code of Maryland (check all provisions that apply). This meeting will be closed under General Provision Art. § 3-305(b) only.

1. To discuss: (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or (ii) any other personnel matter that affects one or more specific individuals.
2. To protect the privacy or reputation of individuals concerning a matter not related to public business.
3. To consider the acquisition of real property for a public purpose and matters directly related thereto.
4. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
5. To consider the investment of public funds.
6. To consider the marketing of public securities.
- ✓ 7. To consult with counsel to obtain legal advice.
8. To consult with staff, consultants, or other individuals about pending or potential litigation.
9. To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
10. To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.
11. To prepare, administer, or grade a scholastic, licensing, or qualifying examination.
12. To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
13. To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
14. Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

<b>Citation (insert # from above)</b>	<b>Topic</b>	<b>Reason for closed-session discussion to topic</b>
§3-305(b)(7)	Legal Advice	180 day school year requirement

4. This statement is made by Clarence Crawford, Presiding Officer.

**MARYLAND STATE BOARD OF EDUCATION**  
**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")**  
**UNDER OPEN MEETINGS ACT (General Provisions Article § 3-305)**

1. Recorded vote to close the meeting.  
 Date: January 25, 2022  
 Time: 4:18 pm  
 Location: 200 W. Baltimore Street, Baltimore, MD 21201  
 Motion to close meeting made by: Jean Halle  
 Seconded by: Charles Dashiell  
 Members in favor: 11  
 Opposed: 0  
 Abstaining: 0  
 Absent: 3
  
2. The meeting was closed under authority of Section 3-305(b) of the General Provisions Article of the Annotated Code of Maryland (check all provisions that apply). This meeting will be closed under General Provision Art. § 3-305(b) only.
  1. To discuss: (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or (ii) any other personnel matter that affects one or more specific individuals.
  2. To protect the privacy or reputation of individuals concerning a matter not related to public business.
  3. To consider the acquisition of real property for a public purpose and matters directly related thereto.
  4. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
  5. To consider the investment of public funds.
  6. To consider the marketing of public securities.
  - ✓ 7. To consult with counsel to obtain legal advice.
  8. To consult with staff, consultants, or other individuals about pending or potential litigation.
  9. To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
  10. To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.
  11. To prepare, administer, or grade a scholastic, licensing, or qualifying examination.
  12. To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
  - ✓ 13. To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
  14. Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
  
3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

<b>Citation (insert # from above)</b>	<b>Topic</b>	<b>Reason for closed-session discussion to topic</b>
§3-305(b)(7)	Legal Advice	4 Appeals 4 Draft Orders Legal Advice
§3-305(b)(13)	Statutory Requirement	Receive confidential information of executive agency budget

4. This statement is made by Clarence Crawford, Presiding Officer.