

# MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Friday  
February 12, 2016

Maryland State Board of Education  
200 W. Baltimore Street  
Baltimore, Maryland 21201

The Maryland State Board of Education met in regular session on Friday, February 12, 2016 at 9:00 a.m. at the Nancy S. Grasmick State Education Building. The following members were in attendance: Mr. Guffrie M. Smith, President; Dr. S. James Gates, Jr., Vice-President; Mr. James H. DeGraffenreidt, Jr.; Ms. Linda Eberhart; Dr. Michele Jenkins Guyton; Ms. Stephanie R. Iszard; Mrs. Madhu Sidhu; Ms. Laura Weeldreyer; Dr. Chester Finn, Jr.; Mr. Andrew R. Smarick; Ms. Quinn Wandalowski and Dr. Jack Smith, Interim State Superintendent of Schools. Mr. Larry Giammo was absent.

Elizabeth Kameen, Esq., Assistant Attorney General, and the following staff members were also present: Ms. Kristy Michel, Deputy State Superintendent for Finance and Administration, Dr. Miya Simpson, Executive Director to the State Board, Dr. Henry Johnson, Interim Deputy State Superintendent for Teaching and Learning, and Dr. Karen Salmon, Interim Deputy State Superintendent for School Effectiveness.

Ms. Iszard introduced students from her school, Cornerstone Christian Academy, who are observing the meeting for a school assignment in civics. President Smith welcomed them and said, "We really encourage civic involvement. Thank you for coming."

## **CONSENT AGENDA**

Interim State Superintendent Jack Smith reported that the agenda item on the Student Records Manual will be tabled until the next meeting since not all public comments have been considered.

Upon motion by Ms. Sidhu, seconded by Mr. DeGraffenreidt, and with unanimous agreement, the Board approved the Consent Agenda as follows: (In Favor – 11)

Approval of Minutes of December 8, 2015  
Personnel (copy attached to these minutes)  
Budget Adjustments for December, 2015

## **2015 GRADUATION RATES**

Interim State Superintendent Smith asked Dr. Henry Johnson to provide a report on the 2015 graduation and dropout rates.

Dr. Johnson was accompanied by Dr. Doug Strader, Director of Assessments, who clarified the term “cohort.” He reported that the graduation rates have improved statewide for the Class of 2015 compared with the Class of 2014 noting that the dropout rate is at an all-time low.

Dr. Strader reported that an increasing percentage of students graduate on time each year and that nineteen local education agencies (LEAs) achieved a higher cohort graduation rate in 2015. He discussed a graph depicting the cohort graduation rate improving in all but two racial categories. Dr. Strader discussed a graph depicting cohort graduation rate improvements for special education and free and reduced meal (FARM) students noting that English Language Learners (ELL) declined in 2015.

In response to a question by Mr. DeGraffenreidt, Interim State Superintendent Smith said he can find out what percentage of students who dropout enter into the General Education Diploma (GED) program.

In response to a question by Dr. Finn, Dr. Strader said that if an LEA can’t find out what happened to a student when they leave school, they are considered dropouts.

In response to a question by Dr. Guyton, Dr. Strader said that he can provide the Board with data on the number of students who complete five instead of four years of high school prior to graduation.

Dr. Johnson said that there is an ELL Task Force which meets monthly to address the dropout issue as well as many other issues concerning ELL students. He said, “It is very troubling. We are providing technical assistance for coding to identify students more accurately in LEAs.

In response to a question by Ms. Eberhart, Dr. Johnson said that the Task Force is looking at the issues of what ages and educational levels ELL students are entering the school systems. He noted that the federal government labels them as “unaccompanied minors.”

In response to a request by Ms. Eberhart, Dr. Johnson said he will provide the Board with a chart depicting the five-year graduation and dropout rates by cohort.

In response to a question by Dr. Finn, Dr. Johnson said that the majority of ELL students are Hispanic.

In response to a request by Dr. Gates, Dr. Johnson said he will provide the Board with a final plan for determining College and Career Readiness once the information is received from LEAs.

Ms. Sidhu stressed the importance of teaching the English language to students at all grade levels. Interim State Superintendent Jack Smith said, “We are working on that. It varies so much depending on when a student enters into an ELL program. We would like to come before you in the spring with how we can rethink this issue.” Ms. Sidhu said, “I am glad to hear that.”

Dr. Johnson discussed the technical assistance provided to LEA Accountability staff. He introduced representatives from Prince George’s County Public Schools (PGCPS) to share their approach to support students to graduate from high school.

Dr. Shawn Joseph, Deputy Superintendent for PGCPSS, discussed the various supports and programs offered to increase graduation rates and decrease dropout rates.

Dr. Joseph reported that PGCPSS has put into action a comprehensive plan to address increasing enrollment, improved academic rates and increases in graduation rates. He introduced Dr. Sito Narcisse, Associate Superintendent for High Schools and the following three principals to give an update centered around school culture, data and performance: Robynne Prince, Principal at Potomac High Schools, Torrie S. Walker, Principal at Fairmont Heights High School, and Eddie D. Scott, Principal at Frederick Douglass High School.

Ms. Prince discussed the many challenges she faces as Principal of Potomac High School. She explained that her team provides a clear vision and promotes scholar pride. She noted that her Ninth Grade Academy was recognized by the school district for increases in test scores and graduation rates.

Mr. Scott emphasized the importance of data usage in student success. He noted that Frederick Douglass High School is the only school in Prince George's County with an International Baccalaureate Program. He said their motto is "moving from good to great." He noted that students are classified by colors to depict their changes of promotion. He said they provide dual enrollment opportunities for students through the Prince George's County Community College and have continuous conversations with students about the importance of graduating. He said, "It has been a collective team effort."

Ms. Torrie Walker reported that she stressed with her staff that they are in charge of who graduates and created a team of staff to look at specific students who may not graduate. She noted that all staff were provided with professional development geared toward helping students succeed. She said their school offers after-school and/or online courses for students and that "the major impact is having a small senior class and touching each student individually." She explained that her school increased their graduation rate by 13.4 percent and said, "I will continue to serve as a leader where I am leading students to greatness."

Dr. Gates thanked the entire panel and acknowledged Dr. Maxwell, PGCPSS Superintendent, for his great work. He said, "The real work of education is in the classroom. Thank you. Thank you. Thank you."

Ms. Iszard said, "Tremendous respect -- it takes great leadership. It is so obvious that you believe the kids are scholars."

In response to a question by Dr. Finn about what is being done in middle schools to anticipate students dropping out of school, Dr. Narcisse said, "We are tracking students early to find their challenges even before middle school. We are working to bridge gaps of performance and culture. We are working on educating parents."

Dr. Joseph said that the PGCPSS Superintendent Maxwell urged school staff to focus on early learning noting that there has been an increase in reading specialists targeting second grade. He noted that LEA staff are also looking at kindergarten readiness. He said, "Early awareness starts

in middle school.” He thanked Dr. Johnson and his staff for responsiveness saying they are an “unbelievable partner.”

Dr. Finn asked how they verify credit recovery to assure that it is equivalent to the regular school curriculum. Mr. Narcisse said that there is a credit recovery program for each school and that the curriculum is actually more rigorous than the school provides.

Ms. Sidhu asked how the schools reach parents who are not in the “Parent University.” Dr. Joseph said, “It is a challenge. We are partnering with non-profits and different offices to engage our parents. We are trying to build a Grade Level University.” Ms. Sidhu said, “Please come back and tell us when you do reach your goal.”

President Guffrie Smith said, “We are proud of you. Good to hear support is coming from MSDE.”

### **ASSESSMENT AND ACCOUNTABILITY UPDATE (PARCC MOU)**

Dr. Johnson addressed the question posed by the Board of whether the PARCC assessments should be considered criterion-referenced or norm-referenced tests due to introducing impact data during the performance level setting process. He reported that the method for setting performance levels for the PARCC assessments was primarily criterion-referenced in nature.

Dr. Strader discussed PARCC Phase II which consists of the item-analysis reports and performance level summary reports. He noted that this data is focusing on the 2014-2015 school year. He said these assessments are being provided to the PARCC Consortium.

In response to a question by Dr. Finn, Dr. Strader said that students and educators will be able to see test results within four weeks after taking the test.

Dr. Johnson said that principals will have the data for planning over the summer for the next school year.

In response to a concern expressed by Ms. Eberhart about the need for parents to get this data to help their students prepare for the following year, Dr. Strader said that there have been revisions made to the reporting process and that parents will get more feedback now. Dr. Johnson explained that the issue of getting data for parents to see is a privacy issue that must be addressed in LEAs. Ms. Eberhart suggested that the data could be entered into the parent portal in each school district. Interim State Superintendent Jack Smith said, “We aren’t there this June.” He noted that in a couple of years this data will flow.

Ms. Weeldreyer asked, “Can a district do it now?” Dr. Johnson said, “yes, they just need to make sure it is private.”

Ms. Wandalowski stated that the greatest concern of students is their access to data. She asked what strategies are being implemented to make sure students and teachers are adequately prepared. Dr. Johnson said that everyone is becoming more and more familiar with the

technology and that once a student becomes familiar with the technology they will be able to access the data.

Dr. Strader said that he will delve more deeply into this topic at the next Board meeting.

Dr. Gates said, "This is a standard data problem. It usually doesn't go smoothly. These problems arise because of misalignment of systems. It is very technical detailed work. There are no simple solutions."

Dr. Finn questioned why the category of Gifted and Talented was removed from the State Performance Level Summary for Mathematics Grade 7. Dr. Strader reported that Maryland doesn't collect Gifted and Talented data. Interim State Superintendent Jack Smith said, "It is an issue for Maryland to address. It is a regulatory fix." And he reported that the first job will be to get twenty-four LEAs to agree on a common understanding of Gifted and Talented.

Interim State Superintendent Smith provided the Board with a new PARCC Memorandum of Understanding (MOU) for discussion and approval which would extend Maryland's participation in the Consortium through June 30, 2016. He explained that Maryland would continue to be part of the Governing Board noting that there is an effort underway to move to a more tiered system. He asked the Board to give him the authority to sign the MOU.

Dr. Finn noted that an evaluation of PARCC received very high marks in alignment with Common Core. He said, "On merits, PARCC is justifying itself."

Upon motion by Ms. Sidhu, seconded by Mr. DeGraffenreidt, the Board authorized the Interim Superintendent to sign the MOU. (In Favor – 10; Mr. Smarick abstained)

Ms. Sidhu reiterated her concern about the need to provide paper and pencil testing as well as the online option.

### **STATE SUPERINTENDENT SEARCH UPDATE**

President Guffrie Smith introduced Hazard, Young, Attea and Associates (HYA) Executive Search consultants, Dr. Brad Draeger and Dr. Ronald Butcher to present a summary of the information gathered from public input into the desired leadership characteristics of the next State Superintendent.

Dr. Draeger provided a list of the survey participants who provided input into the desired leadership characteristics of the next State Superintendent. He noted that there was a lot of response from staff, educators and parents. He discussed consistently reported themes for strengths, challenges/concerns/issues, and characteristics. He noted the large number of respondents who characterized the Maryland education system as "amazing." Dr. Draeger said that the survey showed that the MSDE staff are highly qualified and highly valued and that the State Superintendent got great credit for moving Maryland forward.

Dr. Butcher reported that there were four forums held in various locations and thanked State Board members for their attendance and support. He said that a report, in draft form, has been completed and will be posted on the website in its final form. Dr. Butcher said that the survey showed that MSDE needs to be more open with parents and should consistently focus on closing the achievement gap. He said that the Board needs to clearly articulate its Vision and Mission.

Dr. Draeger reported that the majority of respondents noted the importance of a State Superintendent who is a coalition builder who inspires through vision and can communicate a passion for education. He also stated that respondents found that MSDE is struggling with technology due to budget cuts and other issues for which the Department has no control. He also stressed that respondents see a State Superintendent that understands the complexity of sustaining and improving excellence in a State with great diversity. He noted that many respondents preferred a State Superintendent who possesses a doctorate degree, but that this qualification is not an eliminator.

Mr. DeGraffenreidt thanked the presenters for a very comprehensive and well-prepared report and suggested that they change the statement "who can listen" to "who actively listens" in the list of characteristics for the State Superintendent.

Dr. Finn suggested that credentials for the State Superintendent are already in State law and should not be repeated in this report.

Dr. Gates stated that the Vision of this Board involves international benchmarks and that the next State Superintendent should clearly enunciate this. Dr. Draeger said that this item did not come up in the survey results. Dr. DeGraffenreidt asked about references to a "world class education," which the consultants agreed did come up. Dr. Butcher agreed to add the term "world class education" in the report.

Mr. Smarick asked if the Board wants to articulate the following questions: What does this person believe in? What's your vision specifically? Dr. Draeger said that these questions will be asked of applicants in the interview process.

Mr. DeGraffenreidt said, "This is where track record comes in."

Dr. Finn asked, "Is there a way that our application package can articulate our vision?" Dr. Butcher suggested asking applicants, "If you were to present a Strategic Plan to the Board tomorrow, what would it be?" Dr. Draeger said that they can ask applications to include the Board's vision in their presentation as well as their plan to close the achievement gap in Maryland.

President Guffrie Smith said, "A lot of this information can be dealt with during the interview process."

In response to a question by Ms. Eberhart, Dr. Butcher said that the interview is not videotaped but is Skyped.

Dr. Finn suggested separating characteristics from qualities, minimizing credentials, and maximizing track record.

Ms. Eberhart suggested taking out items two, three and five and replacing item two with the language in State law under the desired characteristics (qualifications) of a State Superintendent.

Dr. Draeger said that the Board will receive a revised edition of the Report by Monday so that the advertisement can be distributed next week. He thanked Dr. Simpson and Interim State Superintendent Smith for their help saying, "You have a great staff." He said the advertisement will remain posted until the position is filled and that he expects to present candidates to the Board in mid-April.

Dr. Finn asked that an update be provided to the Board prior to April to which Dr. Butcher agreed.

### **COMAR 13A.01.05 APPEALS TO THE STATE BOARD OF EDUCATION**

Interim State Superintendent Smith asked Ms. Kameen to present changes to COMAR 13A.01.05 Appeals to the State Board of Education, and requested permission to publish the amendments with the proposed tentative timeline.

Ms. Kameen explained that as a result of the Regulatory Review and Evaluation process and based on input from stakeholders, nine amendments to the regulations are proposed. She reported that several technical amendments, amendments to give the Board additional discretion and one revision suggested by stakeholders are included.

In response to a concern expressed by Dr. Guyton about delivery in the Appeals Process, Ms. Kameen said she would discuss the "mailbox rule" with her staff and provide the Board with a recommendation.

Mr. DeGraffenreidt agreed with the change but stressed the importance of not changing the rule during the current Appeals process. Ms. Kameen assured him that the ruling would apply prospectively. Mr. DeGraffenreidt stressed the need for clarity for LEAs. Ms. Kameen said that the Board can move forward with these regulatory amendments or hold them back until they are revised.

The Board agreed to vote on this issue at a future meeting after the complete proposal on the "mailbox rule" is provided.

### **COMAR 13A.06.02 PRE-KINDERGARTEN PROGRAMS**

Interim State Superintendent Smith introduced Dr. Rolf Grafwallner, Assistant State Superintendent, Division of Early Childhood Development, to inform the Board about the amended pre-kindergarten regulations under COMAR 13A.06.02. Interim State Superintendent Smith requested permission to publish the amendments.

Dr. Grafwallner explained that these amendments address the expansion of pre-kindergarten services by the *Preschool Expansion Act of 2014* and cover the requirements for the operation of publicly operated pre-kindergarten in both public schools and by qualified vendors.

In response to a question by Ms. Eberhart, Dr. Grafwallner said there is no change in oversight for grant funded programs, which is currently conducted by the MSDE.

In response to a question by Dr. Finn, Dr. Grafwallner said that qualified vendors must meet established criteria under the Maryland EXCELS Program, a quality and program improvement program which reflects high standards.

In response to a question by Ms. Eberhart, Dr. Grafwallner reported on the number of vendors currently in the pre-kindergarten program and the number that fall under the highest tier of the EXCELS Program. In response to another question by Ms. Eberhart, Dr. Grafwallner explained that the grant has expanded the program and that all children are in an EXCELS 5 program.

In response to a question by Ms. Weeldreyer, Dr. Grafwallner said that public pre-K programs must maintain at least a Level 4. In response to a request by Ms. Weeldreyer, Dr. Grafwallner agreed to provide the Board with a report on how children perform as a result of these programs.

Upon motion by Dr. Gates, seconded by Mr. Smarick, and with unanimous agreement, the Board granted permission to publish amendments to COMAR 13A.06.02 Pre-kindergarten Programs. (In Favor – 11)

### **COMAR 13A.10.01 HOME INSTRUCTION PROGRAMS**

Interim State Superintendent Smith introduced Mary Gable, Assistant State Superintendent, Division of Academic Policy and Innovation, and Dr. Walter Sallee, Director of Student Services and Strategic Services Branch, to discuss amendments to COMAR 13A.10.01 Home Instruction Programs. He requested permission to publish the proposed amendments.

Ms. Gable reported that these amendments are a result of prior publication of these regulations and the large number of comments received. She explained that the proposed amendments allow flexibility in instruction and location of instruction and allow a home instruction program to include enrollment on a part-time or full-time basis in courses offered by accredited or unaccredited colleges. In response to a question by Ms. Eberhart, Ms. Gable said that parents fund these college courses.

Ms. Sidhu said that she has heard comments from home school parents who would like to have dual enrollment with public schools.

Interim State Superintendent Smith said that this regulation provides for that between home schools and colleges but not for regular public high schools. He explained that home school students are not enrolled in public high schools and this speaks to the funding issue. He said he



can look into this issue and bring back information on what changes would be needed to allow for dual enrollment.

Dr. Guyton requested a tutorial on home schooling. President Smith suggested that this could be one of the informational meetings conducted for the Board.

Ms. Eberhart requested that funding, testing and how home schooling is dealt with in other states be included in a presentation on home schooling.

Upon motion by Mr. DeGraffenreidt, seconded by Dr. Finn, and with unanimous agreement, the Board granted permission to publish the amendments to COMAR 13A.10.01 Home Instruction Programs. (In Favor – 11)

### **EXECUTIVE SESSION**

Pursuant to §3-503(b)(1) of the General Provisions Article, Annotated Code of Maryland, and upon motion by Mr. DeGraffenreidt and seconded by Ms. Sidhu, and with unanimous agreement, the Maryland State Board of Education met in closed session on Friday, February 12, 2016, in Conference Room 1, 8<sup>th</sup> floor of the Nancy S. Grasmick State Education Building. All Board members were present except for Larry Giammo. In attendance were Dr. Jack R. Smith, Interim State Superintendent of Schools, Kristy Michel, Chief Operating Officer, Dr. Henry Johnson, Interim Chief Academic Officer, Dr. Karen Salmon, Interim Chief Performance Officer, Dr. Miya Simpson, Executive Director, Office of the State Board. Assistant Attorneys General Elizabeth Kameen, Jackie La Fiandra, and Derek Simonsen were also present. The Executive Session commenced at Noon. (In favor – 11)

The State Board approved three Opinions for publication.

- *Kristina E. v. Charles County Board of Education* — school system's failure to handle bullying complaint — Opin No. 16-01
- *Frank McNeil v. Baltimore City Board of School Commissioners* — bus driver termination — Opin No. 16-02
- *Rachel K v. Anne Arundel County Board of Education* — residency — Opin No. 16-03

The Board deliberated two cases. They will be published at a later date.

- *Baltimore City Board of School Commissioners v. Afya Baltimore, Inc., et al.* — charter school funding
- *James R. v. Calvert County Board of Education* — student suspension

Ms. Kameen provided legal advice on the parameters of the ex parte rule; State Board member impartiality and independence during the appellate review; and the autonomy of the State Board during the legislative process.

The State Board received an administrative update in Juvenile Services Education School personnel and other matters.

The session ended at 1:50 p.m.

### **RECONVENE**

The meeting reconvened at 2 p.m.

### **COMAR 13A.04.13 PROGRAMS IN PHYSICAL EDUCATION**

Interim State Superintendent Smith introduced Heather Lagerman, Director of Curriculum, to discuss amendments to COMAR 13A.04.13 Programs in Physical Education. He requested permission to publish the amendments with the proposed tentative timeline.

Ms. Lagerman explained that the Physical Education Standards have changed to align with the Maryland College and Career-Ready Standards. She also noted that the amendments reflect mandatory legislative requirements for instruction in cardiopulmonary resuscitation (CPR) and the use of external defibrillators (AED).

In response to a request by Dr. Finn, Ms. Lagerman said that the regulation can be adjusted to include all grade levels in the CPR training. In response to a second request by Dr. Finn, Ms. Lagerman said she would amend the regulations to omit the term “physically literate.”

Upon motion by Mr. DeGraffenreidt, seconded by Dr. Finn, and with unanimous agreement, the Board granted permission to publish COMAR 13A.04.13 Programs in Physical Education, as amended. (In Favor – 9; Ms. Iszard and Dr. Guyton were absent)

In response to a question by Ms. Sidhu, Interim State Superintendent Smith reported that there is a requirement in all schools that a certain number of staff be certified in the use of CPR and AED use.

### **COMAR 13A.04.18 PROGRAMS IN COMPREHENSIVE HEALTH EDUCATION**

Interim State Superintendent Smith asked Ms. Lagerman to discuss amendments to COMAR 13A.04.18 Programs in Comprehensive Health Education. He requested permission to publish these amendments with the proposed tentative timeline.

Ms. Lagerman explained that the adoption of these changes will bring COMAR into compliance with the legislation regarding instruction in Hands Free CPR and AED use

Upon motion by Mr. DeGraffenreidt, seconded by Ms. Sidhu, and with unanimous agreement, the Board grant permission to publish these amendments. (In Favor – 9)

## **MARYLAND SCIENCE PROGRAM/EVERY STUDENT SUCCEEDS ACT (ESSA) AMENDMENT**

Dr. Henry Johnson provided information and an update regarding the implementation of the Next Generation Science Standards (NGSS), which have been adopted as the Maryland State Science Standards. He reviewed the various Maryland State Science Standards Events that have occurred and continue to occur throughout the State.

Dr. Johnson introduced James Peters, Supervisor of Secondary Science and Michael Eisenklam, Elementary Supervisor of Science for the Carroll County Public School System (CCPSS) and Brian Raygor, Supervisor of Science and STEM for the Wicomico County Public School System (WCPSS) to discuss LEA implementation.

Mr. Peters discussed a vertical teaming approach which includes digitally collaborating with MSDE staff and other LEA staff to work on different strategies. He said, "Communication is huge." He explained that he and his staff observed Carroll County teachers and included teachers in the curriculum writing process. He said, "We continue to change curriculum throughout the school year."

Mr. Peters introduced Ms. Whitney Warner, Principal of Westminster Elementary School, who reported that her teachers are fully embracing these Standards, which often carries over to the students. She discussed some of the professional development that has occurred for teachers and said, "I have seen breakthrough moments."

In response to a question by Ms. Eberhart, Ms. Whitney reported that teachers need more hands on experiences at the elementary school level. Mr. Peters said that WCPSS collaborates with science experts in the county to help elementary school teachers.

Dr. Gates commended the panel and asked if social media is being used to help teachers in the field of Science. Mr. Eisenklam said, "Yes, that is an area of additional resources."

Mr. Raygor reported that the WCPSS has developed on-line discussions around Science and that they have partnered with Salisbury University to provide professional development for teachers. He noted that students are very positive about the Science Programs and quoted students as saying, "Science is fun – learning is fun." He noted there is a much higher level of student engagement and much greater level of satisfaction for teachers.

Dr. Johnson discussed the Maryland Integrated Assessment Design and reported that it will be field tested in grades five and eight but that a waiver by the USDE is required to provide a no-fault requirement for the field testing. He provided a chart depicting the Maryland State Integrated Science Assessment Progression in elementary, middle and high school.

Ms. Eberhart said that since there won't be a Biology test, she suggested a deeper dive into how to present this to the public. Dr. Johnson said that there are advantages and disadvantages to working with other states noting that it is important to make ideas specific to Maryland and that the assessment will be designed by our Science educators. He suggested that a discussion with the Board could include how Maryland is doing in Science and how it compares to other states.

Mr. DeGraffenreidt said, "Just because we have increased rigor, it can still be enjoyable for students."

Dr. Finn asked, "...how is the performance of Maryland students in Science going to compare to students in the world?" Dr. Johnson said that Maryland will continue to work with other states in the design of the assessments. He said, "We will be able to show comparisons." Dr. Finn said, "We have an interstate comparison from NAPE for English and Math but we don't have that for Science. There is a potential gap."

Interim State Superintendent Smith said, "Those are questions yet to be answered."

Mr. DeGraffenreidt said, "I want to give flexibility to go down this path." They are hearing the consensus of the Board."

Interim State Superintendent Smith said, "We are working toward that over the next three years. It should show up on the Board's agenda two or three times this year. That is the goal."

In response to a question by Dr. Finn, Dr. Johnson said that Maryland has always been in the forefront of this work and has made a strategic decision to identify performance expectations and Science Standards as Maryland's own. He said, "There is that issue of the politics."

Ms. Eberhart said, "I don't want this test to be the reason to learn Science. I want teachers to want to learn and teach Science."

Dr. Gates suggested the use of "Science is Fun" as a powerful strategy.

In response to a question by Ms. Wandalowski, Dr. Johnson said that the passage by a student participating in an Advanced Placement Course would replace the need for that student to take the Science Assessment.

President Guffrie Smith said, "Getting to parents is key to this. Getting the Science Supervisors together is a great strategy."

## **PUBLIC COMMENTS**

President Guffrie Smith explained procedures by which the Board hears public comments. The following person presented public comments:

Cheryl Bost/MSEA – Kindergarten Readiness Assessment

## **STATE SUPERINTENDENT'S UPDATE**

### **Budget Briefing**

Kristy Michel provided a State Budget briefing as it relates to funding for K-12 education and the Maryland State Department of Education. She discussed the Aid to Education Budget, MSDE Headquarters Budget, Funding for Education Organizations, funding for increases in state employee salaries and the FY 2016 Deficiencies.

In response to a question by President Guffrie Smith, Ms. Michel said that an Adequacy Study shows how counties should deal with increasing and decreasing enrollment.

In response to a question by Ms. Sidhu, Ms. Michel said that she will be providing a Report on the Bridge to Excellence Funding at the next Board meeting.

### **Legislative Briefing**

Amanda Conn, Director of Education Policy and Government Affairs, discussed the following legislation:

#### **SB 376/HB 464 Pathways to Technology Early College High (P-Tech) Schools Act of 2016**

She explained that this legislation establishes four state-funded P-TECH schools that are selected by MSDE and have received a certificate of approval from the Maryland Higher Education Commission,

In response to a question by Mr. Smarick, Ms. Conn said the P-TECH model is a partnership between business and colleges with the LEA explaining that business leaders have assigned a mentor to work with the students in that particular school.

Interim State Superintendent Smith said that students go to school for six years and graduate with a high school diploma, an Associates Degree and a job.

Ms. Conn said that other businesses have become partners as well and that there are different businesses assigned to each school.

Dr. Gates reported that IBM and Johns Hopkins University have made substantial commitments to the P-TECH school in Baltimore.

In response to a question by Mr. Smarick, Dr. Salmon said that a Request For Proposal (RFP) has been sent out and that schools will have to compete to be included in the program.

#### **SB 325 Juvenile Services Education – Modifications**

Ms. Conn explained that this bill provides changes to the per pupil funding formula for LEAs.

In response to a question by Mr. DeGraffenreidt, Ms. Michel said that this legislation will most likely result in reallocation of current per pupil funding rather than an increase in funding.

Mr. DeGraffenreidt said, "It a regressive tax on some areas."

Ms. Conn reported that legislators just finished the fiscal note on this legislation and that a suggestion be made to the Committee to establish a study or work group to investigate the ramifications of this legislation. She said, "This is very serious. We need to know all of the impact."

Upon motion by Mr. DeGraffenreidt, seconded by Dr. Finn, and with unanimous agreement, the Board agreed to communicate the need for a study or work group to look at this legislation more fully to find out its fiscal ramifications. (In Favor – 9)

#### **HB 633 Education – Teacher and Principal Evaluations – Revisions to Requirements**

Ms. Conn reported that this legislation deletes the state oversight and default model for teacher and principal evaluation as well as deleting the expectation that student growth data be included as a significant component of teacher and principal evaluations.

Upon motion by Mr. DeGraffenreidt, seconded by Dr. Gates, and with unanimous agreement, the Board voted to oppose this legislation. (In Favor – 9)

Mr. DeGraffenreidt said, "Without a floor, we go from a weak system to a worse system." He urged that the Governor's legislative staff be asked to work on defeating this legislation.

Ms. Conn discussed several other bills and agreed to keep the Board apprised of actions taken which would require action by the Board.

Interim State Superintendent Smith said that relative to the ESEA Reauthorization, the USDE sent a letter of guidance for states to use in the transition. He said he expects minimum requirements of the law for the 2016-2017 school year and explained that the Board will receive an update on the Law at the February 23<sup>rd</sup> meeting.

#### Assessments Updates/Research Capabilities

Interim State Superintendent Smith suggested that a comprehensive discussion be conducted with the Board around research capabilities.

#### The Role of MSDE and the State Board in School Closures

- Interim State Superintendent Smith introduced William Cappe, Education Specialist, to discuss LEA calendar modifications.

Mr. Cappe reported that no requests have been received for waivers of the 180-day school year requirement thus far this year. Mr. Cappe provided the Board with the statutory mandates surrounding the school year found in the Annotate Code of Maryland Education Article and COMAR. He explained that parents have been very vocal in wanting to maintain maximum instructional time for their children.

In response to a question by Ms. Sidhu, Mr. Cappe said that the State of Emergency declared by the Governor January 22, 2016 due to a large snowfall does not provide a week of holidays for schools in Maryland.

Mr. DeGraffenreidt said that other states that receive far more snowfall than Maryland budget for the amount of equipment and manpower needed. He said, "It would be fiscally negligent for a one in five-year snowfall."

In response to a request by Dr. Finn, Mr. Cappe said he would calculate the number of student days lost over the last ten years due to snow storms in Maryland.

In response to a question by Mr. DeGraffenreidt, Mr. Cappe provided the number of days that have been waived by the Department for LEAs over the last several years.

President Guffrie Smith reported that Mr. Cappe does a thorough investigation of LEA calendar requests prior to bringing waiver requests to the Board.

## **STATE BOARD MEMBER UPDATES AND DISCUSSION**

- President Guffrie Smith reported that the Maryland Adult Learning Advisory Council is seeking to fill a board vacancy brought about by the departure of former State Board member Luisa Montero-Diaz. He called for a volunteer and vote on the matter.

Upon motion by Dr. Gates, seconded by Mr. DeGraffenreidt, the Board approved the appointment of Ms. Sidhu to the Maryland Adult Learning Advisory Council. (In Favor – 9)

- Dr. Miya Simpson reported that a majority of Board members surveyed agreed on holding information sessions the Monday before the regularly-scheduled Tuesday Board meetings, when appropriate.

Mr. DeGraffenreidt said that due to the Open Meetings Law, these meetings should be open since there may be a quorum of the Board. He recommended planning an annual agenda in which staff can adequately prepare and hold meetings during one day.

Ms. Eberhart noted that other items were discussed today that Board members felt needed further discussion.

President Guffrie Smith suggested shortening some items on the agenda in the future and re-formatting some future meetings.

Mr. DeGraffenreidt suggested that some items could be consolidated and modules could be created with materials sent in advance.

Ms. Sidhu said, “Everyone needs to get the same information. We need a commitment for everyone to come.”

Mr. DeGraffenreidt said, “We need to be sensitive to the workload on staff.”

Dr. Gates said, “Telecommuting is great. Efficient use of a one-day meeting is my idea. We should become more efficient in our meetings.”

In response to a question by Dr. Simpson, President Smith said that February 23<sup>rd</sup> will be a one-day meeting in which the Board will explore these options.

In response to a suggestion by Mr. DeGraffenreidt, President Smith agreed to consolidate information and store it on *DocuShare* to be used as an online library. Mr. DeGraffenreidt suggested that the Board planning meeting for March could be used to consolidate items for the Board agenda.

President Guffrie Smith stated that there will be an information session held prior to the March Board meeting and urged members to look over agenda items to glean their input. Ms. Kameen cautioned that informational meetings must be posted as public meetings by law.

Ms. Weeldreyer said, “Let’s try it for a few months and look at how to use this meeting more efficiently.”

- Ms. Kameen reported that Interim State Superintendent Smith has been selected as the next Superintendent of Schools for the Montgomery County Public Schools and therefore is disqualified from reviewing credentials for recommended candidates for the position of State Superintendent.

Upon motion by Ms. Weeldreyer, seconded by Mr. DeGraffenreidt, and with unanimous agreement, the Board appointed Dr. Karen Salmon, Interim State Superintendent of Schools. (In Favor – 9)

- Dr. Gates announced that he has been appointed to the Board of ACHIEVE

## OPINIONS

Ms. Kameen announced the following Opinions:

- 16-01 *Kristina E. v. Charles County Board of Education* –school system’s failure to handle bullying complaint (affirmed the local board’s decision)



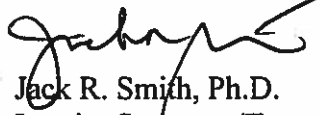
16-02 *Frank McNeil v. Baltimore City Board of School Commissioners* – bus driver termination  
(remanded back to the local board)

16-03 *Rachel K. v. Board of Education of Anne Arundel County* – residency (reversed the local  
board's decision)

**ADJOURNMENT**

With no further business before the Board, the meeting adjourned at 5:50 p.m.

Respectfully submitted,



Jack R. Smith, Ph.D.  
Interim Secretary/Treasurer

Date: 2/28/16

MARYLAND STATE BOARD OF EDUCATION

CLOSED SESSION

On this 12<sup>th</sup> day of February, 2015, at the hour of 12:00 am/pm, the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: James DeGraffenreid

Seconded by: Madhu Sathur

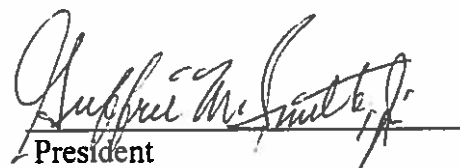
In Favor: 11 Opposed: 0 Member(s) Opposed: \_\_\_\_\_

The meeting was closed under authority of §10-503 (a) (1) (I) and §10-508 (a) of the State Government Article of the Annotated Code of Maryland for the following reason(s): (check all which apply)

- (1) To discuss: (I) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) any other personnel matter that affects one or more specific individuals.
- (2) To protect the privacy or reputation of individuals with respect to a matter that is 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.

The topics to be addressed during this closed session include the following:

1. Discuss 5 Legal Appeals.
2. Receive an Administrative Update.
3. Obtain Legal Advice.
4. Discuss three Internal Board Management matters.

  
\_\_\_\_\_  
President

**MARYLAND STATE DEPARTMENT OF EDUCATION  
PERSONNEL APPROVALS FOR THE January 26, 2016 BOARD MEETING**

**I. Appointments Grade 19 and above:**

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Dusablon, Tracy Ph.D	Program Manager IV-Research, Evaluation and Data Use Coordinator	22	Curriculum, Assessment and Accountability	TBD
Owen, John	Educational Coordinator I- Assistant Branch Chief	19	Library Development and Services	TBD

**II. Appointments Grade 18 and below:**

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Boone, Sequoia	Teacher, Academic-Science	IEPP	Career and College Readiness, Juvenile Services Education	01/06/2016
Hanakas, Kerrie	Vocational Rehabilitation Specialist II Rehabilitation Services	13/3	Rehabilitation Services, Baltimore	01/06/2016
Igwe, Eugene N.	Teacher Supervisor, School Psychologist	IEPP	Career and College Readiness, Juvenile Services Education	01/06/2016
Joyner, Stephanie s.	Teacher, Academic-Science	IEPP	Career and College Readiness, Juvenile Services Education	01/06/2016
Keating, Theresa L.	Teacher, Academic-Resources	IEPP	Career and College Readiness, Juvenile Services Education	01/06/2016
Keys, Erin	Vocational Rehabilitation Specialist II, Disability Determination Services	13/3	Rehabilitation Services, Disability Determination Services	12/06/2015
Lyons, Danielle	Vocational Rehabilitation Technician Specialist, Rehabilitation Services	15/8	Rehabilitation Services, Delaware	11/12/2015

II. Appointments Grade 18 and below (con't):

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
McCallum, Shamia	Vocational Rehabilitation Specialist I, Rehabilitation Services	12/3	Rehabilitation Services, Annapolis	12/09/2015
Miller, Elizabeth A.	Teacher Lead, Academic – Mathematics	IEPP	Career and College Readiness, Juvenile Services Education	12/09/2015
Rentz, Victoria B.	Teacher Supervisor, School Psychologist	IEPP	Career and College Readiness, Juvenile Services Education	01/20/2016
Shelton, Sherrie	Vocational Rehabilitation Specialist II, Disability Determination Services	13/3	Rehabilitation Services, Disability Determination Services	12/09/2015
Washington, Mishawna	Teacher, Special Education	IEPP	Career and College Readiness, Juvenile Services Education	01/06/2016

III. Other Actions:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
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January 26, 2016

BOARD LIST

The following professional appointment is submitted for approval by the State Board of Education:

**Name:** Tracy Dusablon, Ph.D.  
**Position:** Program Manager IV-Research, Evaluation and Data Use Coordinator  
**Division:** Curriculum, Assessment and Accountability  
**Salary Grade:** State Salary Grade: 22  
Annual Salary Range: \$64,608 - \$103,743  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**EDUCATION:**

A Master's Degree or 36 post baccalaureate credit hours of coursework from an accredited college or university is required. A Master's Degree is preferred.

**EXPERIENCE:**

Eight year(s) of experience in statistical analysis and/or research experience in education-related fields

**NOTES:**

1. A Master's Degree or equivalent 36 credit hours of post baccalaureate course work may be substituted for one (1) year of the required experience.
2. Two additional years of experience directly related to the position may be substituted for required Master's Degree.

**DESCRIPTION:**

This is a professional position responsible for providing leadership and coordination of research, evaluation, data use, and accountability program support to local education agencies, research partners, the general public, and to staff at the Department.

**QUALIFICATIONS:**

**Education:** John Hopkins Bloomberg School of Public Health (Baltimore, Maryland) 2009 – Ph.D. in Mental Health; 2002 – Master’s Degree in Health Sciences.

Providence College (Providence, Rhode Island) 1999 – Bachelor’s Degree in Psychology

**Experience:**

Carson Research Consulting, Inc. (Baltimore, Maryland)

2013-Present: Research Associate

MANILA Consulting Group, Inc. (McLean, Maryland)

2007-2012: Senior Research Analyst

Johns Hopkins Bloomberg School of Public Health (Baltimore, Maryland)

2006-2008: Doctoral Studies Research Investigator

2004-2007: Research Fellow

2000-2001: Graduate Research Associate

Johns Hopkins Center for the Prevention of Youth Violence (Baltimore, Maryland)

2001-2004: Research Program Coordinator

National Institute on Drug Abuse, Addiction Research Center (Baltimore, Maryland)

2001: Independent Consultant

Johns Hopkins Center for American Indian Health (Baltimore, Maryland)

2001: Intern

Brown University Center for Alcohol and Addiction Studies (Providence, Rhode Island)

1998–2000: Research Assistant

Rhode Island Substance Abuse Prevention Task Force Association (Providence, Rhode Island)

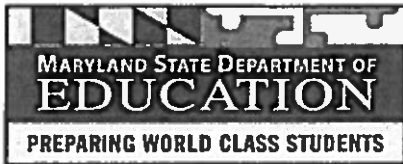
1999: Data Analyst

Providence College, Department of Psychology (Providence, Rhode Island)

1998: Research Assistant

**EMPLOYMENT STATUS:**

New Hire



January 26, 2016

BOARD LIST

The following professional appointment is submitted for approval by the State Board of Education:

**Name:** John Owen  
**Position:** Educational Coordinator I- Assistant Branch Chief  
Library for the Blind & Physically Handicapped  
**Division:** Library Development and Services  
**Salary Grade:** State Salary Grade: 19  
Annual Salary Range: \$53,193 - \$85,401  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**EDUCATION:**

Possession of a Master's Degree or at least 36 hours of equivalent post baccalaureate course work. Degree from an American Library Association ALA accredited program is preferred.

**EXPERIENCE:**

Three years administering education or library programs.

**NOTES:**

1. Two additional years of experience may be substituted for the master's degree or 36 hours of equivalent post-baccalaureate course work.
2. The above requirements are set by the Maryland State Department of Education in accordance with Education Article, Section 2-104.

**DESCRIPTION:**

This is a professional position responsible for assisting the Branch Chief in the planning, organization, supervision, development and administration of all library services, personnel, operation and programs.

**QUALIFICATIONS:**

**Education:**

University of Maryland College Park (College Park, Maryland) 2002 – Master’s Degree in Library Science.

Southern Baptist Theological Seminary (Louisville, Kentucky) 1992 – Master’s Degree in Church Music.

Furman University (Greenville, South Carolina) 1990 – Bachelor’s Degree in Music.

**Experience:**

Community College of Baltimore County (Baltimore, Maryland)

2014 – Present: Adjunct Faculty (Fine Arts)

Baltimore County Public Library (Towson, Maryland)

2001 – 2014: Assistant Library Manager

Lovely Lane United Methodist Church (Baltimore, Maryland)

1999 – 2001: Organist Choir Director

Community College of Baltimore County (Dundalk, Maryland)

1995 – 2000: Adjunct Faculty (Music)

White March Baptist Church (Perry Hall, Maryland)

1996 – 1998: Minister of Music

**EMPLOYMENT STATUS:**

New Hire