

# MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday  
October 25, 2011

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

The Maryland State Board of Education met in regular session on Tuesday, October 25, 2011 at 9 a.m. at the Nancy S. Grasmick State Education Building. The following members were in attendance: Dr. Mary Kay Finan; Dr. James Gates, Jr.; Ms. Nina Marks; Ms. Luisa Montero-Diaz; Mrs. Madhu Sidhu; Mr. Guffrie M. Smith, Jr.; Donna Hill Staton, Esq.; Ms. Kate Walsh and Dr. Bernard Sadusky, Interim Secretary/Treasurer and State Superintendent of Schools. Dr. Charlene M. Dukes, Vice President and Mr. Sayed Naved were absent due to scheduling conflicts. Mr. DeGraffenreidt was not present for the morning session.

Elizabeth Kameen, Esq., Assistant Attorney General, and the following staff members were also present: Dr. John Smeallie, Deputy State Superintendent for Administration; Mr. Steve Brooks, Deputy State Superintendent for Finance and Mr. Anthony South, Executive Director to the State Board.

Dr. Finan reported that Mr. DeGraffenreidt had asked her to convene the meeting in his absence. She called the meeting to order at 9 a.m.

## **CONSENT AGENDA**

Dr. Sadusky asked Mary Cary, Assistant State Superintendent in the Division of Instruction, to answer any questions regarding the proposed gifted and talented (G&T) regulations establishing minimum standards for identifying G&T students, programs and services, and reporting requirements. He called for a motion to approve the Consent Agenda.

Ms. Cary recognized the members of the Maryland State Advisory Council for Gifted and Talented Education who were present in the audience. She referred to them as dedicated educators who "spent many hours working on behalf of these students." Dr. Finan said, "I am personally very excited about this."

Upon motion by Mr. Smith, seconded by Ms. Diaz, and with unanimous agreement, the Board approved the consent agenda as follows: (In Favor – 8; Dr. Walks was not present at this time.)

- Approval of Minutes of September 27, 2011
- Personnel (copy attached to these minutes)
- Budget Adjustments for September, 2011
- Permission to Publish:
  - COMAR 13A.04.07 Gifted and Talented Education (NEW)

## **RACE TO THE TOP (RTTT) UPDATE**

Dr. Sadusky asked Dr. Jim Foran, Assistant State Superintendent, Division of Academic Reform and Innovation, to give an update on the RTTT grant activities.

Dr. Foran distributed a list of Deliverables for Program Evaluation commencing October 2011 through November 2012 and a hard copy of a PowerPoint Presentation illustrating how the fifty-four RTTT Projects were benefitting the local school systems. He reported that the presentation has been very well received across the State.

## **RTTT FOCUS AREA: EDUCATOR INFORMATION SYSTEM**

Dr. Foran explained that the Board heard a presentation at its last meeting on sixteen technology related projects led by the Division of Accountability and Assessment. He introduced Dr. Donnell Josiah, RTTT Program Director, to give an overview of twelve additional technology projects led by the Division for Academic Reform and Innovation.

Dr. Josiah explained that the projects have moved through the planning phase and began progressing into the implementation phase in the Spring of 2011. He provided charts which provided an overview of each project, its major deliverables and its impact on Maryland schools and students.

In response to a question by Dr. Gates about a project to implement a Statewide System to Support Student Instructional Interventions, Dr. Josiah said that teachers will be provided with the necessary professional development and computer technology to support the goals of this project.

Dr. Foran introduced Dr. Joann Ericson, Chief, Certification Branch, Division of Certification & Accreditation, and Chima Obinna, RTTT Project Manager for projects 49 and 56, to brief the Board on these projects.

Dr. Ericson reported that these projects have allowed for the full automation of current and future education certificate holders, eliminating the dependence on paper. She said the technology allows for disciplinary data to be included as well. She explained that the system automatically notifies the candidate when their certificate is issued and noted the most important benefit is that the system allows the Division staff to be in control of the data.

Mr. Obinna explained that there will be continuing expansion of the project to a longitudinal data system. He said that the new system will collect all information relative to educators and enhance the current credentialing system. He noted that there needs to be a unique ID for educators since they are currently identified by their social security numbers. He noted that this system will interface with the new Educator Evaluation System and that all of these programs will comply with federal requirements.

In response to a question by Ms. Walsh, Mr. Obinna said they will not assign a unique ID to teachers who are not currently working and in the system.

In response to another question by Ms. Walsh, Dr. Ericson said that the issue of requirement of a Master's Degree to maintain certification was discussed at length at the last meeting of the Professional Standards and Teacher Education Board (PSTEB) and is on the November Agenda as well. She added that no decision has been reached at this time. She noted that she reported to the PSTEB that the State Board has the authority to make a decision unilaterally.

In response to a question by Dr. Gates, Dr. Josiah assured the Board that every project is required to build in data protection and offered to provide the Board with the name of the newly-hired person who will be working on security control.

In response to a question by Dr. Gates, Dr. Ericson said that teacher scores on certification exams can be disaggregated for students graduating from Maryland Institutions but that those from out-of-state institutions are collected as a composite score.

Ms. Walsh expressed concern about elementary teachers not being proficient in mathematics and that Maryland allows for the use of a composite score to fulfill certification requirements. Dr. Ericson said that the data system can disaggregate scores for candidates who have taken college entrance exams. Several Board members agreed on the importance of having disaggregated scores for all teachers regardless of where the degree was awarded.

Ms. Marks commented on the heavy workload of teachers and urged the need for technological efficiencies for students and teachers. Dr. Josiah said that the systems will increase efficiency for all stakeholders.

In response to a question by Ms. Staton, Dr. Josiah said that since all school systems have varied technology capabilities, these projects will assist local education agencies (LEAs) to review and upgrade their IT systems.

In response to a question by Ms. Diaz, Dr. Josiah said that discussions are underway about the interdependence of the various projects but that finalization has not yet occurred.

In response to a question by Dr. Gates, Dr. Josiah said that there is a stakeholder engagement process where focus groups are conducted to gather input. He said, "We don't just want compliance, we want commitment."

Dr. Gates said, "I would like to hear 'we have teachers working with us'." Dr. Josiah said, "We know that the teacher is a critical part of the success and we are taking steps to mitigate your concerns."

Ms. Walsh asked if staff is working with Data Control Teams and Dr. Josiah responded, "Yes."

## **CAREER READINESS**

Dr. Sadusky introduced Kathy Oliver, Assistant State Superintendent, Division of Career and College Readiness, to respond to the President's comment at the last Board meeting about the definition of career readiness.

Ms. Oliver explained that career readiness has many variables and provided a definition created by the Association of Career and Technology Education (ACTE). She discussed Maryland's graduation credit requirements and provided graphs depicting Maryland's high school completion data. Ms. Oliver explained that the Board approved a Framework for Career Development and provided six standards by grade spans.

Ms. Oliver outlined the future direction as follows:

- Understanding the Pathways to Careers
- Supporting Focused Programs of Study
- Promoting relevant work-based learning
- Fully integrating Maryland Skills for Success into instructional programs

In response to a question by Dr. Gates, Ms. Oliver said that every LEA has an Advisory Committee that brings industry and post-secondary partners in to keep career programs up to the latest industry standards. She also reported that the Department has its own industry advisors. She introduced Patricia Mikos, Program Manager, Career and Technology Program Student and Assessment Services, to elaborate. Ms. Mikos said that the Department has a partnership with The Maryland Center for Construction and Innovation.

In response to a question by Ms. Staton, Ms. Mikos replied that the Department can only track the successful placement of those students who complete the career courses. She noted that the Longitudinal Data System will be helpful in tracking all students when it is fully operational.

Ms. Diaz asked about how the schools engage students to get them involved in career pathways given the importance of the appropriate emotional and social maturity required. Ms. Oliver said the key is reaching out to students beginning in elementary and middle school. In response to another question by Ms. Diaz, Ms. Oliver said that they use High School Assessment scores to measure the impact and success of these programs.

In response to a question by Ms. Staton, Ms. Mikos said that an annual report is compiled which identifies enrollment based on geography and other criteria. Ms. Staton asked for more information on career tracks in LEAs and asked about students who are suspended. Ms. Oliver said that students who are suspended are required to catch up when they return to school.

Ms. Walsh noted the high rate of remediation in mathematics for students entering colleges. Ms. Oliver said that staff is having this conversation in preparation for moving to the Common Core Standards. She said that alignment needs to include four and two-year Institutions of Higher Education since there are different achievement cut scores depending on the program that a student wishes to enroll in. She said, "Good career advisement is important."

Ms. Diaz asked if there are any policy changes needed. Ms. Oliver said the role of partnerships is critical. She said they need to occur at the local level and require continual attention. She said, "We are working with LEAs on guidelines and support to facilitate local advisory councils."

## **2011 HIGH SCHOOL ASSESSMENT REQUIREMENTS AND GRADUATION RESULTS**

The Superintendent reminded the Board that the High School Assessment (HSA) data and graduation data was released to the public in late September following the September meeting of the Board. He introduced Dr. Leslie Wilson, Assistant State Superintendent, Division of Accountability and Assessment, to provide highlights of the results for 2011.

Dr. Wilson discussed how students in the class of 2011 met the high school graduation requirements and noted that no student failed to graduate due to the HSA requirement. She noted a small increase in dropouts from 2010. She provided data on the numbers of students who met the requirements and a breakdown of students who dropped out during their senior year, comparing all students to those receiving special services. Dr. Wilson provided graphs depicting how the requirements were met by the different subgroups and services groups.

Dr. Wilson also provided graphs depicting waiver data. She noted that seventeen LEAs did not use the waiver option and that most waivers were given to students who missed only one test. Dr. Wilson provided graphs showing first time taker pass rates broken down by subgroup and services groups.

She discussed the changes for 2012 which include the elimination of the government test requirement, a new combined score of 1208, and the ruling that students who took the government test previously can use their score to help meet requirements,.

Dr. Wilson provided a chart showing the graduation rate trend for 2007-2011 and outlined the changes for 2011. She provided a definition of the four-year adjusted cohort rate and data by subgroups.

Dr. Wilson also provided information on the dropout-event rate trend, the difference between current and cohort drop out rates and other new features of the cohort drop out rates.

Dr. Wilson provided data on 2011 high school Adequate Yearly Progress (AYP) noting that as the year 2014 approaches the targets get harder to meet. She provided charts depicting school improvement categories and high schools in improvement.

## **REPORT OF THE COMMITTEE ON MINIMUM STANDARDS FOR PARTICIPATION IN INTERSCHOLASTIC SPORTS**

Dr. Sadusky explained that the General Assembly passed legislation during this year's session which directed the State Board to submit a report to the General Assembly by December 31, 2011, which provides the Board's recommendation regarding the curriculum content, minimum

grade point average, and grade progress that public high school students should satisfy to be eligible to participate in athletic competitions sanctioned by the county board.

He reminded Board members that a presentation was made at the August Board meeting on the requirement and at that time plans were shared that a committee would be convened to develop recommendations to present to the Board for consideration. Dr. Sadusky noted that, later in the day, an individual will be providing public comment on a complaint about the adoption of new wrestling weight classes.

He introduced Ned Sparks, Executive Director of Athletics Programs and Executive Director of the Maryland Public Secondary School Athletic Association (MPSSAA); Dr. David Cox, Superintendent of Allegany County Public Schools; and Susan Johnson, Principal of Calvert High School in Prince Frederick, Maryland. He asked these individuals to share the recommendations developed by the committee.

Mr. Sparks said that the committee looked at the current regulations, what other states are doing, and motivational factors for students engaged in interscholastic athletics. He noted that the MPSSAA creates a framework for local school systems to operate under and allows LEAs to create their own programs. He then presented the committee's recommendations for the academic eligibility standards:

1. The curriculum content for high school students participating in interscholastic athletics is in accordance with the minimum Maryland high school state requirements for graduation.
2. High school students participating in interscholastic athletics shall demonstrate a minimum high school grade point average of 2.0 or equivalent according to each local school system's grading criteria.
3. The grade progress of high school students participating in interscholastic athletics reflects satisfactory credits earned towards the fulfillment of the Maryland high school state requirements for graduation.

Dr. Cox stated that LEAs feel that this is a local control issue and that districts have varied requirements. He said that LEAs support the MPSSAA's recommendations.

Ms. Johnson said that students involved in athletic programs are connected to schools early and develop a sense of belonging. She said that eligibility is a key piece and the goal must be attainable.

In response to a question by Ms. Walsh about the need for these requirements, Mr. Sparks said that interscholastic sports are a privilege which require standards. He said, "Students must be on track to graduate."

Ms. Staton asked, "Why is athletics a privilege instead of part of their personal growth? We may need to rethink athletics."

Ms. Walsh said that since participation in sports does not fulfill the physical education graduation requirement, the Board may need to rethink this issue.

Mr. Sparks said that out of 24 LEAs, 16 already have this standard in place. In response to a question by Ms. Walsh, Mr. Sparks said that there is no minimum grade requirement in the other eight LEAs and explained that they require no more than one failure or, in some case, no failures.

Ms. Walsh asked Ms. Johnson if the 2.0 requirement acts as an incentive for students to achieve. Ms. Johnson said that this requirement provides more incentive to get certain students back to sports. She discussed the various reasons why students do not meet the 2.0 requirement.

Dr. Cox said that there are students that stay in school and graduate because of interscholastic athletics.

Dr. Sadusky asked Mr. Sparks to provide background information to the Board on an issue that is coming up during the Public Comment period on the changes in the wrestling weight classes.

Mr. Sparks reported that the rules of wrestling are promulgated by the MPSSAA and that fifty states comply with these rules. He reported that this year the weight classes moved from 103 pounds to 106 pounds in the lowest weight class. He explained that a family was told that Maryland does not have to comply with this change and will be bringing their argument to the Board during the Public Comment period. He said that Maryland does follow the MPSSAA rules since it does not have the expertise to manage sporting requirements. He noted that wrestling weight requirements are very complicated.

Ms. Staton asked Mr. Sparks if there are separate weights for males and females. Mr. Sparks said no, since there is not enough participation in Maryland – 80 females in the State.

### **ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA) FLEXIBILITY**

Dr. Sadusky reported that States now have an opportunity to apply for a different type of accountability system for its schools. He asked Mary Gable, Assistant State Superintendent, Division of Academic Policy, to give an overview of the available options.

Ms. Gable explained that there are waivers in ten areas and that one waiver is operational. She explained that each state may apply and receive flexibility for all ten waivers. She reported that the waivers will include:

- Flexibility regarding the 2013-14 timeline for achieving 100 percent proficiency
- Flexibility regarding district and school improvement and accountability requirements
- Flexibility related to the use of federal education funds

Ms. Gable reported that there are two submission dates and that Maryland has applied to submit its waiver request in mid-February, 2012. She noted that the US Department of Education (USDE) is encouraging all states to apply.

She discussed the following three principles for improving student academic achievement and increasing the quality of instruction in order to meet waiver requirements:

1. Transitioning to college- and career-ready standards and assessments
2. Developing systems of differentiated recognition, accountability, and support

### 3. Evaluating and supporting teacher and principal effectiveness

Ms. Gable said that the Board will receive continuous progress reports and opportunities to provide input.

In response to a question by Ms. Diaz about costs and staffing changes, Ms. Gable said that if the State doesn't receive waivers, there will be more and more schools required for restructuring.

Ms. Gable introduced Tina McKnight, Specialist in Family Involvement and School Improvement, who explained that most of the schools that will need the waiver are Title I schools.

### **EXECUTIVE SESSION**

Pursuant to §10-503(a)(1)(i) & (iii) and §10-508(a)(1) & (7) of the State Government Article, Annotated Code of Maryland, and upon motion by Ms. Montero-Diaz seconded by Mr. Smith, and with unanimous agreement, the Board met in closed session on Tuesday, October 25, 2011, in Conference Room 1, 8<sup>th</sup> floor of the Nancy S. Grasmick State Education Building. All board members were present except Dr. Charlene Dukes and Sayed Naved. In attendance were Dr. Bernard J. Sadusky, Interim State Superintendent; Dr. John Smeallie, Deputy State Superintendent for Administration; Steve Brooks, Deputy State Superintendent for Finance; and Tony South, Executive Director to the State Board. Assistant Attorneys General Elizabeth M. Kameen and Jackie LaFiandra were also present. The Executive Session commenced at 1:00 p.m. (In favor – 9)

The State Board approved five Opinions and one Order for publication.

- *Beverly Beard v. Baltimore County Board of Education* – teacher termination – Opinion No. 11-44
- *Linda Martin, et al. v. Allegany County Board of Education* – “The Little Orleans Case” – Opinion No. 11-45
- *Pamela and Robert M. v. Baltimore County Board of Education* – admission to magnet school – Opinion No. 11-46
- *Marcia A. v. Montgomery County Board of Education* – student transfer – Opinion No. 11-47
- *Philip and Deborah W. v. Prince George's County Board of Education* – student transfer – Opinion No. 11-48
- *Navarro P. Bharat v. Prince George's County Board of Education* – dismiss – teacher evaluation – Order No. OR11-11

President DeGraffenreidt presented three Internal Board management issues. The first related to the search for the new State Superintendent setting forth the dates of the public forum and the interviews of Board Members. The second was an update on the search for Baltimore City School Commissioners candidates. The third was the agenda for the State Board retreat.

The executive session ended at 2:20 p.m.



## **RECONVENE**

The meeting reconvened at 2 p.m.

## **PANEL ON TIMELINE AND PROVISION OF EDUCATIONAL SERVICES RELATED TO STUDENT DISCIPLINARY ACTION**

In its quest for information about the timeline and provision of educational services related to student disciplinary action, President DeGraffenreidt explained that the Board had prepared a set of four questions for panelists to address. He read the questions and introduced Sam Macer, President of the Maryland Foster Parents Association; and Kay Romero, President, Maryland Parent/Teacher Association. He then asked Ms. Marks to introduce the student members of the panel. Ms. Marks introduced Faith Jackson, Student Member of the Prince George's County Board of Education, and Sam Fishman, a student in Baltimore County Public Schools to comment on this matter.

The President asked Ms. Romero to read the background statement on the survey that she had sent to her constituents. Ms. Romero read the statement and the President noted that the State Board did not authorize the survey as the statement stated. He asked Ms. Romero that if the majority of suspensions are due to "respect" issues rather than "safety" issues, does her organization feel that this is an appropriate remedy. She responded, "Our members would have to know what level of respect was conducted."

Mr. Macer reported that only 35 people responded to his inquiry. He provided the following responses to the four questions:

1. There are specific reasons why students should be suspended from schools – safety and bullying. He said that one week should be long enough for a suspension and noted that two weeks is too long.
2. He reminded the Board that his constituents are students in state care who should receive mental health services during their suspension. He noted that the Department of Social Services should be a part of this process and that an alternative plan for educational services should be provided. He said that the school administration should shoulder the burden of collecting the work from students and that the costs should fall on the LEA.
3. Mr. Macer said that a one-time effort to share the school rules and consequences of breaking those rules is not enough. He said that parents generally do not read this material and that distribution of a *Student Handbook* is not adequate. He stated that students are *not* aware of the overlap between school discipline and juvenile justice discipline.
4. Mr. Macer said that his organization does not have the data to answer this question.

Ms. Jackson provided the following comments:

1. Student suspension is warranted and can be punitive as well as a deterrent and should be done on an escalated scale. She said that two weeks is too long for a suspension.

2. She said that suspended students should be given coursework but that the burden should not fall on the teacher. She said that collection of the work should be the responsibility of the school administration.
3. She said that students do not know the scope of disciplinary authority and that notification of such at the beginning of the school year is inadequate.

Mr. Fishman said that the issue of respect is very important and feels that alternative programs should be provided for students in Advanced Placement (AP) classes. He reported that “no kids read the Handbook” and that the enforcement of signing the Handbook is sporadic.

Ms. Walsh noted that schools differ in their class structure and that missing a 90-minute class is more punitive than missing shorter classes. Mr. Jackson stated that in Baltimore County, since they are on an A and B schedule, a student misses half of his/her classes if he/she is suspended for two weeks.

Ms. Marks read a case in which a student was suspended with no due process afforded.

Ms. Staton expressed concern about the lack of due process and the powerlessness afforded the students and their families.

President DeGraffenreidt said, “There is a judgment that needs to be applied here.” He said that the Board will discuss this issue and decide an outcome at its next meeting.

### **MSDE LEGISLATIVE PROPOSALS**

The President introduced Renee Spence, Executive Director of Government Relations, to discuss the legislation that the Department proposes to have introduced in 2012 Session of the General Assembly.

Ms. Spence reported that she attended the special session of the Maryland General Assembly recently and that Dr. Sadusky gave a briefing on education to the group. She noted that Maintenance of Effort will be a key topic to be addressed during the regular session.

Ms. Spence explained that state agencies are required to submit Departmental legislative proposals to the Governor’s Legislative Office and provided four Departmental proposals:

1. Master Plan Update – to delay the master plan submission date to October 2015 to allow LEAs to continue using yearly updates to align with changing federal expectations.
2. Requirements for Criminal Background Checks – to add the requirement that informal child care providers receive criminal background checks to provide stronger protections for children.
3. Family Day Care – to align all of Maryland Statute with SB 925 from the 2011 session.
4. Funding for Education of Children in Out-of-County Living Arrangements – to align language in COMAR with federal special education law.

Ms. Staton expressed concern about the requirement for criminal background checks of informal child care providers such as relatives and family friends. She noted the need for more specifics about what type of crimes would preclude someone from being eligible to provide informal child care. Ms. Kameen reported that local offices of child care look at the criminal act and determine if it is a crime against a child. Ms. Spence said that she will provide the Board with the written policy regarding this issue at the next meeting.

The President said that the Board can approve three of the proposals and hold out the proposed legislation providing a requirement for criminal background checks of informal child care providers for further clarification.

In response to a question by Mr. Smith about the Master Plan legislation, Ms. Spence said that the Department worked with the LEAs on this and that the local systems are very supportive of this legislation.

Upon motion by Mr. Smith, seconded by Ms. Sidhu, and with unanimous agreement, the Board approved proposals #1, #3, and #4 for submission to the Governor's Legislative Office, holding out #2 for further review. (In Favor – 9) (Dr. Walks not present for vote).

### **COMAR 13A.12.03 SPECIALISTS (APPROVAL)**

The Superintendent called on Jean Satterfield, Assistant State Superintendent in the Division of Certification and Accreditation; and Dr. Joann Ericson to answer any questions about an action proposed by the Professional Standards and Teacher Education Board to correct non-substantive changes to COMAR 13A.12.3 Specialist. He said the Board is asked to approve the proposed amendments.

Upon motion by Dr. Gates, seconded by Mr. Smith, and with unanimous agreement, the Board approved the proposed amendments. (In Favor – 9) (Dr. Walks not present for vote).

### **STATE SUPERINTENDENT'S UPDATE**

Dr. Sadusky reported that he has been conducting workshops for various groups around the state and noted that local boards are very supportive of the State Board. He reported on his attendance at the Teacher of the Year Banquet which honored a teacher from Baltimore County. He also noted that he attended the Maryland State Education Association's convention and discussed teacher evaluation. Dr. Sadusky reported that Department personnel are looking at partnerships with the University of Maryland and Adelphi surrounding virtual learning. The Superintendent also said that he and his staff are looking at alternative compensation models and that LEAs have a lot of good programs in place.

In response to a question by Ms. Sidhu, Dr. Sadusky said that virtual learning goes way beyond distance learning.

Dr. Gates said that some states are far ahead of Maryland in providing distance learning and Dr. Sadusky said that his staff is looking at what other states are doing in this regard.

Ms. Walsh suggested that this could work for students who are suspended.

The President said he has asked Ms. Kameen to prepare a summary of the records of the panel discussions on student suspensions and expulsions and to prepare a proposed set of regulations for the Board's December meeting. He said he has asked Ms. Kameen for guidance on what the objectives of disciplinary action are and how they affect the educational process. He said, "Retribution is not relevant. These incidents are intervention opportunities."

### **PUBLIC COMMENT**

Mr. DeGraffenreidt explained procedures by which the Board hears public comments. The following person presented comments: Susan Symington – on the changes in wrestling weight classifications.

### **OPINIONS**

Ms. Kameen announced the following Opinions:

- 11-44 *Beverly Beard v. Baltimore County Board of Education* – teacher termination (affirmed the local board's decision)
- 11-45 *Linda Martin v. Allegany County Board of Education* – Little Orleans Case – (affirmed the local board's decision)
- 11-46 *Pamela and Robert M. v. Baltimore County Board of Education* – transfer case (affirmed the local board's decision)
- 11-47 *Marcia A. v. Montgomery County Board of Education* – transfer case (affirmed the local board's decision)
- 11-48 *Philip and Deborah W. v. Prince George's County Board of Education* – transfer case (affirmed the local board's decision)

Ms. Kameen announced the following Order:

- 11-11 *Navarro P. Bharat v. Prince George's County Board of Education* – (dismissed as untimely)

Ms. Staton asked about what is the authority of the Board to mitigate the issue brought forth by Ms. Symington during the Public Comment period.

Elliott Schoen, Counsel to the MPSSAA, said that there is a Master Agreement between the MPSSAA and the State Board of Education. He explained that an appeal can be brought to the State Superintendent of Schools who would conduct an investigation and make a determination.

Dr. Sadusky asked Mr. Sparks to convene a hearing before three local superintendents in a timely manner prior to the commencement of the wrestling season, and accepted Ms. Symington's letter as an appeal.

## **ADJOURNMENT**

The President announced that the Board will hold its annual Retreat tomorrow at the Maryland Science Center at 9 a.m. With no further business before the Board, the meeting adjourned at 3:50 p.m.

Maryland State Board of Education Retreat  
October 26, 2011  
9:00 a.m.  
Maryland Science Center

President DeGraffenreidt called the annual retreat for the Maryland State Board of Education to order at 9 a.m. and introduced Mr. Van Reiner, President and CEO of the Maryland Academy of Sciences. The following State Board members were absent due to scheduling conflicts: Ms. Kate Walsh; Dr. Ivan Walks and Mr. Sayed Naved. Also in attendance was Dr. Bernard Sadusky, Interim State Superintendent of Schools; Dr. John Smeallie, Deputy State Superintendent for Administration; Mr. Steven Brooks, Deputy State Superintendent for Finance; Elizabeth Kameen, Esq., Assistant Attorney General; and Mr. Anthony South, Executive Director to the State Board.

Mr. Reiner welcomed the group and provided a brief history of the founding and creation of the Maryland Academy of Sciences, more commonly known as "The Maryland Science Center." He said the Science Center gives the public an opportunity to learn what is going on in the field of Science with a focus on preK-12.

Mr. DeGraffenreidt reported that the last two years' of work of the State Board were built around devising a plan for the State Board to follow to meet its priorities. He said that the meeting today is focused on finding out how the Superintendent and State Board are doing in meeting those goals.

The President introduced Brenda Welburn, Executive Director of the National Association of State Boards of Education (NASBE). He indicated that he had asked Ms. Welburn to guide the Board in a discussion the results of the self evaluation which was completed by State Board members in June and to provide information on what is happening, nationally, in the education field.

Ms. Welburn said that there are three items that should guide the discussions today:

1. The self-evaluation that the Board had completed in June.
2. New trends in education such as determining "the return on investment."
3. The Board's Vision and Mission created last year

## **State Board Member Evaluation**

Ms. Welburn provided a summary of the State Board's self-evaluation survey which included a number reflecting the rating of each question. She asked the Board to comment on all ratings of three or less to focus on areas of need.

After brief discussion on several items, the following takeaways were compiled by Ms. Welburn:

- Set of goals for the Board
- Engage senior staff
- Alignment
- 360 engagement of educational constituencies
- Annual Board Report
  - What has the Board accomplished?
  - Where is the Board going?
- Website design
  - Student Competition
- Board modernization
  - Wifi

Ms. Sidhu noted the need to take advantage of the skills and knowledge of the Teachers of the Year (TOY) selected by each local school system. Ms. Welburn reported that a number of states, including North Carolina, have developed an organization for former teachers of the year which is used as a resource for professional development.

The President suggested that, in light of serious budget issues, the Board could look at changing how technology resources are spent to help modernize and update the Department's information technology. Ms. Marks agreed to assist a workgroup on a project which would include students competing to help upgrade the design of the Department's website.

Following a brief discussion of the need to engage the public more widely in the Board's activities, Ms. Welburn summarized as follows:

1. Complete and implement an engagement strategy
  - a. Meetings, forums, or presentations around the state
  - b. Board meeting pod casts
2. Add Board member reports on the Board agenda

Board members discussed the issue of its policy regarding "Public Comment" on the Board's agenda. Ms. Staton expressed her concern that Board members are unable to respond to those giving public comment. Tony South reported that staff members follow up with those who comment to provide support if needed. Ms. Kameen said that a call from a staff member or Board member about a specific issue that may be brought up during public comment would be very helpful.

Dr. Sadusky suggested that the Board could meet occasionally with local superintendents to provide more engagement with that constituency.

Dr. Gates and Mr. Smith requested an update on what activities are provided by the TOYs in the areas of mentoring and professional development.

### **Return on Investment (ROI)**

Ms. Welburn provided the following:

- National Governors' Association Reports
  - Tracking momentum
  - Complete to compete
  - These reports apply mostly to higher education but are being looked at to apply to K-12
- Alliance for Excellent Education -- more focused on K-12
- Education Resources Strategy
  - Karen Hawley Miles
- Straight A's
- Center for American Progress
- Florida Department of Education
  - ROI website

### **Investment Concepts in Education**

1. Post-secondary education
2. School finances
3. Career and technical education (Washington State study)
4. School dropouts (\$337 billion in lost wages)
5. Cost of remediation
6. Early childhood education
7. Health care -- around if we don't ensure that children are healthy
8. Defining value (Research shows that these impact student performance)
  - a. Student enrichment
  - b. Athletics
  - c. The arts

### **Lunch and Reconvene**

#### **NASBE Report**

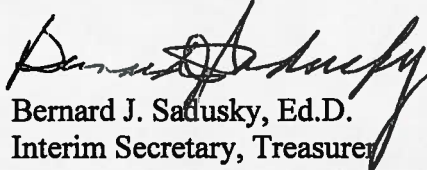
Ms. Welburn reported that most states are waiting for the second round to request a waiver of the NCLB requirements in order to be better prepared. She reported on the progress of reauthorization of the Elementary and Secondary Education Act (ESEA) which is moving toward codifying a growth model for educator evaluation and greater inclusion of early childhood education.

She reported that the Congressional Super Committee working on the national debt ceiling is scheduled to report in November. She also noted that NASBE is in the process of finding a replacement for her given that she will be retiring at the end of this year.

Ms. Welburn discussed the common core standards and responded to Dr. Gates that the science community will be working on the new science standards. She said there is discussion about what organizations own the common core standards and who is responsible for updating them when necessary. She noted the misinformation that is prevalent such as the federal government running education.

With no further discussion, the meeting ended at 1:15 p.m.

Respectfully submitted,



Bernard J. Sadusky, Ed.D.  
Interim Secretary, Treasurer

BS/rms

APPROVED: 12/6/11



# MARYLAND STATE BOARD OF EDUCATION

## CLOSED SESSION

On this **25<sup>th</sup>** day of **October 2011**, at the hour of 12:40 ~~am~~/pm, the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: Ms. Mendez-Diaz

Seconded by: Mr. Smith

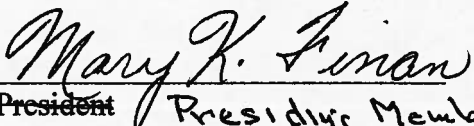
In Favor: AY Opposed: \_\_\_\_\_ Member(s) Opposed: \_\_\_\_\_

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 proposal process.

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

1. Discuss 6 legal appeals.
2. Review 4 draft opinions.
3. Discuss 3 internal Board management matters.

  
~~President~~ Residing Member

**MARYLAND STATE DEPARTMENT OF EDUCATION  
PERSONNEL APPROVALS FOR THE October 26-27, 2011 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>
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None

**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>
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Adesina, Tolulope O.

Staff Specialist III, Contracts Manager

18

Accountability, Assessment and Data Systems

09/21/2011

English, Sr., Michael A.

Teacher, Academic (Language Arts)

IEPP

Career and College Readiness, Juvenile Services Education Program  
Cheltenham Youth Facility

10/05/2011

Martinez, Vanessa D.

Teacher, Academic (Resource)

IEPP

Career and College Readiness, Juvenile Services Education Program  
Cheltenham Youth Facility

10/05/2011

Sweat, Megan A.

Staff Specialist III, Team Nutrition Training Grants Coordinator

18

Business Services, School and Community Nutrition Programs Branch

09/21/2011

**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>
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None

**MARYLAND STATE DEPARTMENT OF EDUCATION  
PERSONNEL APPROVALS FOR THE October 25-26, 2011 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>
Susskind, Danielle M.	Education Program Specialist II, Lead Academic Policy Specialist	22	Division of Academic Policy	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>
None				

**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>
None				



Bernard J. Sadusky, Ed.D.  
Interim State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • MarylandPublicSchools.org

October 25-26, 2011

**BOARD LIST**

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

**Name:** Danielle M. Susskind  
**Position:** Education Program Specialist II, Lead Academic Policy Specialist  
**Division:** Division of Academic Policy  
**Salary Grade:** 22 (\$60,290 - \$88,030)  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**Education:**

A Master's Degree or equivalent 36 credit hours of post-baccalaureate course work in Public Administration, Policy, Education, English, Journalism, or a closely related field.

**Experience:**

Five years of professional work experience in educational policy, educational leadership, or research. This experience in an education setting or promoting/researching instructional programs is preferred.

**DESCRIPTION:**

This position serves as the lead technical specialist responsible for providing technical assistance to local education agencies and the Assistant State Superintendent in developing, implementing and disseminating education policies related to the State and federal education accountability initiatives including Elementary and Secondary Education Act (ESEA) and No Child Left Behind (NCLB).

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[www.MarylandPublicSchools.org](http://www.MarylandPublicSchools.org)

Danielle M. Susskind  
Page two

**Qualifications:**

**Education:**

University of Maryland (College Park, Maryland) 2001 – Master of Arts in Instructional Systems Development; 1999 – Bachelor of Arts in Government and Politics; Completed 87 credits hours toward Ph.D. in Education Policy

**Experience:**

Fund for Intercultural Education (Cumbaya, Ecuador)

2011: Volunteer Teacher

University System of Maryland (Adelphi, Maryland)

2011: P-20 Program Manager and Policy Specialist

2008 – 2011: P-20 Program Specialist

2006 – 2008: Graduate Assistant on P-16 Issues

Montgomery County Public Schools (Rockville, Maryland)

2002: Teacher, Fourth Grade

Anne Arundel County Public Schools (Annapolis, Maryland)

2001 – 2002: Teacher, Fourth Grade

2000 – 2001: Teacher/Intern Student Teacher, Second Grade

Center for International Conflict Mediation (College Park, Maryland)

1998 – 2000: Data Analyst

**Employment Status**

New Hire