

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday
December 6, 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, December 6, 2011 at 9 a.m. at the Nancy S. Grasmick State Education Building. The following members were in attendance: Mr. James H. DeGraffenreidt, Jr., President; Dr. Charlene M. Dukes, Vice President; Dr. Mary Kay Finan; Dr. James Gates, Jr.; Ms. Nina Marks; Ms. Luisa Montero-Diaz; Mr. Sayed Naved; Mrs. Madhu Sidhu; Mr. Guffrie M. Smith, Jr.; Ms. Kate Walsh and Dr. Bernard Sadusky, Interim Secretary/Treasurer and State Superintendent of Schools. Donna Hill Staton, Esq. and Dr. Ivan Walks were absent due to scheduling conflicts.

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.

CONSENT AGENDA

Dr. Sadusky called for a motion to approve the Consent Agenda.

Upon motion by Dr. Gates, seconded by Mr. Smith, and with unanimous agreement, the Board approved the consent agenda as follows: (In Favor – 8; Dr. Dukes and Ms. Sidhu had not yet arrived)

- Approval of Minutes of October 25, 2011
- Personnel (copy attached to these minutes)
- Budget Adjustments for October, 2011
- Permission to Publish:
 - COMAR 13A.01.05.02 Appeal Contents (Amend)

Dr. Sadusky reported that Dr. Leslie Wilson, Assistant State Superintendent, Division of Accountability and Assessment, is retiring and said to Dr. Wilson, “You have done an extraordinary job of explaining difficult concepts.” He said that the Department has identified a replacement, Dr. Carolyn Wood, and gave the Board a brief summary of her credentials. He noted that the Department had to move quickly since Dr. Wilson’s position is so critical to the Department’s RTTT mission. Board members thanked Dr. Wilson for her excellent work and dedication to the Department.

2011-2012 NATIONAL TITLE I DISTINGUISHED SCHOOLS

Dr. Sadusky invited Maria Lamb, Director, Program Improvement and Family Support Branch of the Division of Student, Family and School Support Services, to introduce this topic.

Ms. Lamb reported that Maryland received Title I funds of approximately \$171.2 million which were distributed to schools for students who live in areas of high poverty. She noted that two Title I schools have exceeded expectations in student performance over two or more years and closing the achievement gap between certain cohorts of students. She introduced Christopher Todd Hall, Principal of Pocomoke Elementary School in Worcester County and Phillip Byers, Principal of Sandalwood Elementary School in Baltimore County, to brief the Board on the accomplishments of their students and teachers.

Mr. Hall recognized various members of his district who were in attendance and noted that the following three things made a difference in his school:

1. Collaborative planning efforts among teachers
2. Ongoing professional development for his teachers
3. After school program for students and their parents

Mr. Hall said that he and his staff remain humble and maintain high expectations for all of their students.

Mr. Byers recognized representatives from Baltimore County who were present and thanked the Board for this opportunity to express his appreciation for his staff and his students. He said that several factors helped to make Sandalwood Elementary School a National Title I Distinguished School – the support of his Superintendent, resources, and the support of his staff who all shared a common goal. Mr. Byers said that he is a strong supporter of character education and included parents in the school improvement process.

On behalf of the Board, President DeGraffenreidt congratulated the principals, staff and students at these schools.

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 activities resulting from the RTTT grant.

Dr. Foran reported that ninety-nine amendments to the original RTTT grant application have been submitted to the U.S. Department of Education (USDE) since April 8th. He reported that most of the amendments are to shift timelines. He explained that the local education agency (LEA) Scopes of Work are now included in LEA Master Plans. Dr. Foran reported that there is a Memorandum of Understanding (MOU) has been established with the UTeach Institute at the University of Texas to provide Science, Technology, Engineering and Mathematics (STEM) education. He outlined the various reports and protocols conducted by the USDE to monitor the use of RTTT funds.

RTTT FOCUS AREA: BREAKTHROUGH CENTERS – INSTRUCTIONAL IMPROVEMENT INITIATIVES

Dr. Foran asked Ann Glazer, Director of School Improvement Initiatives, along with two colleagues, to discuss with the State Board the Breakthrough Center's instructional improvement initiative to provide professional development to teachers in English language arts and mathematics.

Ms. Glazer said that the Breakthrough Center provides statewide support for low performing schools to improve teacher knowledge and to build capacity of school leaders to create job-embedded professional development. She said the RTTT grant funds provided 10.5 staff positions and that interviews were conducted throughout the summer. She provided brief information on the persons hired and noted that their progress will be monitored throughout the year. She explained that the RTTT application defines which schools will receive school improvement funding and that the focus is on grades three through eight. Ms. Glazer introduced Joy Donlin, Education Program Specialist, MSDE, and Judie Strawbridge, Principal of Francis Scott Key Elementary School in Prince George's County to discuss the activities provided by the instructors to improve the schools.

Ms. Donlin explained that needs assessments were conducted and an action plan was created to provide needed professional development for school staff. She explained that the model for professional development included the following:

- Collaborative planning and lesson design
- Lesson implementation
- Lesson debriefing/analysis of student work
- Differentiated professional development

Ms. Strawbridge discussed the activities conducted in the school and said, "The road to success was our partnership with the Department." She said, "We are growing together – teachers and leaders." She outlined the increases in student achievement and said the important thing is to promote "understanding" of the work. She thanked the Board for the opportunity to be a part of this instructional improvement program.

In response to a question by Ms. Diaz, Ms. Glazer said that schools are designated to receive this support and that some schools already have initiatives in place to improve their students' success.

In response to a question by Mr. DeGraffenreidt, Dr. Foran said that trainers are training teachers and leaders in the schools so that when RTTT funding ends, the work can continue.

Dr. Dukes suggested that a comparison between schools that used this model and those that didn't could be helpful.

In response to a request by Dr. Gates, Ms. Strawbridge invited him and other Board members to visit the school and watch the professional development model unfold.

In response to a concern by Dr. Finan about teachers lacking content knowledge, Ms. Glazer said that this program is geared to increase content knowledge for of special education, elementary and middle school teachers.

Ms. Donlin said that many middle school teachers have elementary school teacher certification and need more content knowledge.

In response to a question by Ms. Walsh, Ms. Glazer said that the lowest achieving schools in the State are eligible for this program.

Ms. Walsh suggested that weekly collaborative planning should be made mandatory. Ms. Glazer said that in some schools there are novice leadership teams and that her staff is training them on the collaborative planning process. Mr. DeGraffenreidt said, "We want leaders to want it and own it."

MASTER PLAN UPDATES

Dr. Sadusky reported that all twenty-four 2011 Master Plan Updates have been recommended to him for approval. He asked Ann Chafin along with staff members to provide the Board with a overview of the review process and highlights of the findings.

Ms. Chafin said that the Master Planning Process is a very difficult job and she applauded the many people who were involved in the process. She introduced Walter Sallee, Specialist, Bridge to Excellence- Master Plans, and Steve Brooks, Deputy State Superintendent for Finance, to present information on the Master Plan review process and the Updates.

Mr. Sallee described the process and reported that the five *No Child Left Behind* (NCLB) goals were included in four RTTT Assurances. He discussed the addition of Family Engagement and Social Studies in the Plans and enumerated the school systems identified for improvement.

Mr. Brooks discussed the review completed to identify the financial resources used by local school systems to meet the goals outlined in the Master Plan. He said that the RTTT local Scopes of Work are included in the Master Plans and that despite the funding differences, the State will fully fund the formula for local school systems. Mr. Brooks reported that several counties were unable to meet the Maintenance of Effort (MOE) this past year. He provided a graph which reflects the distribution of LEA RTTT year two funds by Assurance Area noting that 55 percent of the funding was used towards Great Teachers and Leaders.

In response to a question by Ms. Diaz, Ms. Chafin said that all 24 LEAs do not expect any special challenges or issues in fulfilling their Master Plans.

On behalf of the Board, the President thanked the presenters and the staff for their hard work.

PANEL ON TIMELINE AND PROVISION OF EDUCATIONAL SERVICES (LONG TERM SUSPENSIONS AND EXPULSIONS)

President DeGraffenreidt explained that the Board has been engaged in gathering information on the due process afforded students who have been placed on long term suspensions and the extent to which education services are provided to those students. He said that Board is considering some minimum of education services to be provided to students on suspension and clear procedural requirements to be followed in placing a student on long term suspension. He reported that today's presentation will focus on the teachers' perspectives and introduced Marietta English, President of the Baltimore Teachers Union (BTU); Melanie Kozlowski of the Maryland State Education Association (MSEA), Geraldine Duvall, MSEA; Joshua Parker, State Teacher of the Year (TOY); and Michelle Shearer, National TOY.

Ms. Shearer explained how a suspension "plays out" in the classroom in which a student who has been suspended comes to the teacher to get caught up with the work missed. She noted that teaching ninety-minute classes can result in a huge gap in the student's learning when a student is placed on long term suspension. She suggested other ways to punish a student other than suspension and said that keeping students in school is a priority. She noted that alternative placement is sometimes required.

Ms. English stressed that consistent leadership and enforcement of policies creates a safer school environment. She stressed the need for a clear discipline code and that suspension should only be used for serious infractions. Ms. English said that the BTU believes that there should be an education program provided to students who are suspended. She expressed the view of the BTU that "zero tolerance" is the first step in the pipeline to prison. Ms. English suggested that each school should have a discipline or student rights group to deal with minor infractions.

Mr. Parker said that in some schools there is a shared vision that is co-created with the students. He stressed that students need an emotional attachment to the school and noted that treatment is not equitable for all students. He said, "We have to look more holistically about what we are doing."

Ms. Duvall stressed the need for high expectations for all students and the embracing of diversity. She noted that schools need to identify effective school practices and that embedded professional development is the key. Ms. Duvall explained that MSEA supports the Positive Behavior Intervention and Support (PBIS) and Anti-bullying Programs.

Ms. Kozlowski said that suspension should not be for minor incidences and that collaboration between stakeholders is crucial. She noted that funding for community-based programs has been cut and urged the reinstatement of these important programs. She said that students who rise to the level of suspension need support and help and that is where community-based assistance is needed.

Ms. Duvall suggested that since education services provided to students on suspension vary among local school systems, data should be gathered on what are the challenges to implementing PBIS in all schools. She stressed the need to work on the reporting mechanism and closing the discipline gap.

The President said, "You have exceeded our expectations." He expressed the Board's appreciation for the serious thought and reflection reflected in the presenters' comments. He said, "Days away from school correlate to poor performance." He also noted the impact on teachers in providing remediation to suspended students.

Ms. Walsh suggested technology approaches to provide students who are suspended with the materials they need to master while on a suspension.

Mr. Parker suggested pre-recorded lessons provided to suspended students in a "suspension room" in the school. Ms. English expressed concern about the need for funding for such a project.

Ms. Duvall said that cultural equity is needed in all schools and that some have it and some do not.

Ms. Shearer mentioned the problem of overcrowding in schools noting that teachers have a difficult time when teaching 35-40 students in a classroom and affording time to work with a student returning from a suspension.

Mr. Naved said that he compared schools with exemplary athletic programs and found that discipline issues are far less when students are involved in school programs. Several presenters agreed that student extra-curricular programs do provide learning strategies and buy-in for students.

Ms. Duvall mentioned the importance of peer counseling.

Mr. Parker said that an emotional attachment to school goes beyond athletics and that teachers must show that the student matters. He said, "We need an infrastructure change and paradigm shift."

Ms. Duvall said that there are best practices across the state using different tactics and urged that suspension data be disaggregated to identify the needs of suspended students.

President DeGraffenreidt thanked the presenters and said the Board will have working draft of proposed actions at the next meeting in January which can then be put out for public comment.

RECOMMENDATIONS ON MINIMUM STANDARDS FOR PARTICIPATION IN INTERSCHOLASTIC SPORTS

The Superintendent explained that the Board was asked by the General Assembly to provide its recommendation on establishing minimum academic requirements for students to be eligible to participate in interscholastic athletics. He noted that the Board heard the recommendations provided by an advisory panel established by the Maryland Public Secondary Schools Athletic Association. He recommended the adoption of the following recommendations as proposed by the Committee:

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.

The Superintendent introduced Mary Cary, Assistant State Superintendent in the Division of Instruction, and Ned Sparks, Executive Director of Athletics Programs and Executive Director of the Maryland Public Secondary Schools Athletic Association, to answer any questions.

In response to a question by Mr. DeGraffenreidt, Mr. Sparks assured the Board that there is flexibility by local school systems regarding the grading criteria.

Upon motion by Mr. Smith, seconded by Mr. DeGraffenreidt, the Board adopted the recommendations as presented. (In Favor – 8; Ms. Walsh and Dr. Dukes opposed)

MSDE PROPOSED LEGISLATION

The President introduced Renee Spence, Executive Director of Government Relations, to discuss Departmental proposed legislation which was discussed by not acted on at the October Board meeting.

Ms. Spence introduced Elizabeth Kelley, Director of the Office of Child Care, MSDE, to answer the Board's questions about proposed legislation to require that informal child care providers receive criminal background checks.

Ms. Kelley explained that the Department would be providing services and support to these providers if the legislation is enacted.

Upon motion by Dr. Dukes, seconded by Dr. Finan, the Board voted to support proposed legislation to require that informal child care providers receive criminal background checks. (In Favor – 9; Ms. Walsh opposed)

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. Sidhu, seconded by Dr. Gates, and with unanimous agreement, the Maryland State Board of Education met in closed session on Tuesday, December 6, 2011, in Conference Room 1, 8th floor of the Nancy S. Grasmick State Education Building. All board members were present except Ivan Walks and Donna Hill Staton. In attendance were Dr. Bernard Sadusky, Interim State Superintendent; Dr. John Smeallie, Deputy

State Superintendent for Administration; Steve Brooks, Deputy State Superintendent for Finance; and Tony South Executive Direction to the State Board. Assistant Attorneys General, Elizabeth M. Kameen and Jackie La Fiandra were also present. The Executive Session commenced at 12:30 p.m. (In favor – 10)

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

- *Maria Barringer-Brent v. Prince George's County Board of Education* – expungement of student record
- *Richard Clark and Kathy Charvat v. Anne Arundel County Board of Education* – complaint
- *Trina Congress v. Prince George's County Board of Education* – student discipline

The State Board approved seven Opinions and five Orders for publication.

- *Nadine R. v. Baltimore City Board of School Commissioners* – student discipline – Opinion No. 11-49
- *Anderson v. Baltimore City Board of School Commissioners* – employee termination – Opinion No. 11-50
- *City Union of Baltimore, Local 800, AFT, AFL-CIO v. Baltimore City Board of School Commissioners* – bargaining issue re: transfer of 500 employees – Opinion No. 11-51
- *Richard J. Leary v. Wicomico County Board of Education* – employee grievance – Opinion No. 11-52
- *Alicia White, et. al. v. Montgomery County Board of Education* – approval of feasibility study – Opinion No. 11-53
- *Joe and Donna M. v. Montgomery County Board of Education* – student transfer – Opinion No. 11-54
- *Desbele S. v. Montgomery County Board of Education* – student transfer – Opinion No. 11-55
- *Krista Kurth, et. al. v. Montgomery County Board of Education* – re: record – Order No. OR11-12
- *Janice P. Spiegel v. Frederick County Board of Education* – charter school policy dispute – Order No. OR11-13
- *Adoracion Yabot v. Prince George's County Board of Education* – teacher termination – Order No. OR11-14
- *Board of Education of Howard County v. Allen R. Dyer* – Motion to Dismiss – Order No. OR11-15
- *Board of Education of Howard County v. Allen R. Dyer* – Motion to Intervene – Order No. OR11-16

Dr. Sadusky updated the Board on the deliberations and his decision in the NFHS Weight Class case.

President DeGraffenreidt and Hank Gmitro, President, HYA and Associates, updated the Board on the State Superintendent search process discussing salary and advertisement issues, specifically.

The meeting ended at 1:30 p.m.

RECONVENE

The meeting reconvened at 2 p.m.

STATE SUPERINTENDENT LEADERSHIP PROFILE: RESULTS OF PUBLIC INPUT

The President introduced Hank Gmitro, President of Hazard, Young, Attea and Associates (HYA), and Dr. Michael Hickey, Associate, HYA, to report on recommendations regarding the Leadership Profile that will be used to recruit the next State Superintendent of Schools.

Mr. Gmitro thanked Tony South and Charlene Necessary for their excellent support in conducting fourteen community forums across the State to receive public input on the characteristics, skills, and abilities to be sought in the next State Superintendent. He reported that he and his staff met with all 24 local superintendents of schools and as well as MSDE staff. In addition to the forums and meetings, a substantial number of individuals completed an online survey. Mr. Gmitro provided the Board with a report which includes a compilation of the input gleaned and a narrative summarizing the comments received.

Mr. Gmitro explained that while most individuals acknowledged the success Maryland has seen, many raised challenges and issues. He said many comments reflect the need to educate the "whole child." He noted that many people emphasized that partnerships should be continued and expanded and that there should be continued effort to close the achievement gap. He reported that responses showed that while the teacher and principal evaluation system is an important step, there was some concern expressed. Mr. Gmitro said that stakeholders feel that Maryland hasn't met the technology needs of the Department and across the districts. He said stakeholders generally characterized the MSDE as a "highly responsive and customer friendly" organization although they said that Departmental Divisions ask for duplicate information. Mr. Gmitro summarized the characteristics desired by the public for the State Superintendent as follows;

- Instructional Leadership
- Maintain the Vision and Mission
- Strong Advocate for Children
- Approach work in a collaborative way
- Effectively manage the MSDE

Ms. Sidhu expressed her belief that character education is very important in the schools.

In response to a question by Ms. Marks, Mr. Gmitro said that no students participated in the forums but that they did participate in the online survey.

Dr. Gates said that the Board is very appreciative of the value of the work conducted thus far. He expressed concern about how to ensure that the candidate understands the need to provide a

“world class education” to Maryland students. Mr. Gmitro said that there is a strategic direction in the State and that candidates should understand that they must implement that strategy.

In response to a question by Mr. DeGraffenreidt about any “red flags” or concerns that the Board should know, Mr. Gmitro said that there is a strong sense of opportunity across the State for new things. The President urged that the characteristics be sharpened to avoid ambiguity and noted the importance of diversity. Mr. Gmitro said that there should be a tight alignment between the vision and the way that the Department works.

Mr. Gmitro summarized the Board’s comments and agreed to provide a second draft of the desired characteristics of the State Superintendent. The President noted that the Board wants the candidate to be certified as a superintendent in the State of Maryland.

Mr. DeGraffenreidt reported that the Board will look at names of potential candidates in January, 2012 and thanked the presenters for their excellent report.

ESEA FLEXIBILITY

Dr. Sadusky introduced Mary Gable, Assistant State Superintendent in the Division of Academic Policy, to provide information on Maryland’s progress in completion of the U.S. Department of Education (USDE) Elementary and Secondary Education Act (ESEA) Flexibility Application. This application is designed to improve academic achievement and increase the quality of instruction for all students in a manner that was not originally contemplated by the *No Child Left Behind Act* of 2001.

Ms. Gable said the Department has been reaching to superintendents, teachers and teacher unions to craft a waiver request that will address the following four principles to increase the quality of instruction:

1. College and career readiness
2. State-developed differentiated recognition, accountability and support
3. Supporting effective instruction and leaders
4. Reducing duplication and unnecessary burden

She reported that the waiver request is due on February 21, 2012 and that a draft should be complete by the winter holiday break. Ms. Gable said that her staff has reviewed the waiver requests from other states that have already submitted applications to glean ideas from them.

In response to a question by Dr. Dukes, Ms. Gable said that eleven states have already applied for waivers and that twenty-nine have indicated that they would apply for the waiver in February.

In response to a question by Ms. Sidhu, Ms. Gable said she would provide the Board with the fifteen assurances with which the State is required to agree.

FEDERAL UPDATE AND PRIORITIES

The President introduced Debra Lichter, National Legislation Liaison, to give a federal update on legislation affecting education, child care, libraries and vocational rehabilitation and to discuss priorities for the second session of the 112th Congress.

Ms. Lichter said that next month she will provide the Board with the list of federal priorities that the Board will be asked to recommend to the Governor. She reported that the federal budget is operating under a Continuing Resolution until December 16th and that it will most likely continue until February, 2012. She reported that there was a one and one-half percent budget cut across-the-board for FY 2012 budget. She reported that by January 13, 2012, the President will sign a bill implementing across-the board cuts and that the percentage of cuts is not known at this time.

Ms. Lichter reported that the Teacher and Principal Evaluation System is now an allowable use of Title II funds and noted that reauthorization of ESEA will not be this year.

In response to a question by Mr. DeGraffenreidt, Ms. Lichter said that Maryland requested that IDEA and ESEA be aligned by changing the expectation of 100 percent proficiency to "continued improvement" and to delete the designation "persistently dangerous schools" from the legislation. She also noted that Maryland asked for strengthened resources for assessments, the inclusion of early childhood education, and school choice.

In response to a question by Ms. Walsh about the authority of school leaders to determine who is hired for their schools, Ms. Lichter said she will bring recommendations back to the Board at its next meeting.

COMAR 13A.03.04.07 SANCTIONS FOR VIOLATIONS (ADOPTION)

The Superintendent called on Leslie Wilson, Assistant State Superintendent, Division of Accountability and Assessment, to provide a brief summary of proposed amendments to regulations that will provide "Whistleblower Protection" for local school system employees who report suspected test security violations. He recommended Board adoption of the proposed amendments.

Upon motion by Mr. Smith, seconded by Dr. Finan, and with unanimous agreement, the Board adopted proposed amendments to COMAR 13A.03.04.07 Sanctions for Violations. (In Favor – 9; Ms. Diaz was absent)

COMAR 13A.08.01.07 SCHOOL USE OF REPORTABLE OFFENSES (ADOPTION)

Dr. Sadusky called on Ann Chafin and her staff to provide a brief summary of proposed amendments to COMAR 13A.08.01.07 School Use of Reportable Offenses.

Chuck Buckler of Ms. Chafin's staff reported that all twenty-four superintendents were asked for feedback on this amendment and their input was incorporated in this proposal.

Upon motion by Dr. Gates, seconded by Mr. Smith, and with unanimous agreement, the Board adopted COMAR 13A.08.01.07 School Use of Reportable Offenses. (In Favor – 9)

COMAR 13A.08.02.01 (AMEND); COMAR 13A.08.01.01 (AMEND); COMAR 13A.02.06.02B(9) (AMEND); STUDENT RECORDS (ADOPTION

The Superintendent asked Ann Chafin to address this topic.

Ms. Chafin said that changes were made to the Maryland Student Records System Manual (MSRSM) as a result of the movement toward electronic data collection and record keeping, the State Assigned Student Identifier, changes to the discipline section, the need for consistency among local school systems in Maryland, and other revisions that will create a more viable document.

Upon motion by Mr. DeGraffenreidt, seconded by Mr. Smith, and with unanimous agreement, the Board adopted COMAR 13A.08.02.01; COMAR 13A.08.01.01; COMAR 13A.02.06.02B(9), Student Records. (In Favor – 9)

AMENDMENTS TO COMAR – ACADEMIC AREAS; TRADES & INDUSTRY; WORLD LANGUAGES (NEW)

Mr. Sadusky called on Jean Satterfield, Assistant State Superintendent, Division of Certification and Accreditation; and Dr. Joann Ericson, Chief, Certification and Accreditation Branch, to brief the Board on amendments to COMAR proposed for publication by the Professional Standards and Teacher Education Board (PSTEB).

Ms. Ericson discussed the proposed changes and reminded Board members that they have the opportunity to convene a Joint Conference Committee to discuss the changes with PSTEB prior to their publication.

In response to a question by Ms. Walsh about the elimination of advanced degrees for certification, Dr. Ericson said that the Board will receive a report on this topic at its next meeting. Ms. Walsh requested that the following two items be included on the next Board agenda: teacher licensure and middle school teachers teaching with elementary school teaching certification.

The Board indicated no need to convene a Joint Conference Committee and thanked the presenters.

INTERIM STATE SUPERINTENDENT'S UPDATE

The Superintendent reported that he met with the Governor and members of his staff to discuss career education, technology, principal academies and the Maryland School Assessments. He said he agreed to identify meaningful data points to help the Governor identify certain areas to which he can lend support.

He reported that the Educators' Effectiveness Council will be meeting next week and will discuss the implementation of the new Teacher and Principal Evaluation System.

Dr. Sadusky said that a banquet was hosted recently for the Teachers of Year Banquet was by Chancellor Kirwan. He also reported that the Milken Award Winner this year is from Montgomery County.

President DeGraffenreidt said that the meeting with the Governor was very positive and a significant step forward.

BOARD MEMBER UPDATES

Ms. Marks reported that she attended the Maryland Association of Student Council's (MASC) Fall Leadership Conference and participated in a class discussing disciplinary policies.

Dr. Dukes discussed her representation on the P-20 Council which included a review of the Maryland Career Framework on K-12 education and reported that the P-20 Council adopted a Mission Statement. She explained that the Council will be developing four work groups to address a perceived disconnect between K-12 and higher education regarding assessments.

In response to a request by Ms. Walsh for a summary of the discipline issue discussed by the Board over the last several meetings, the President said that Ms. Kameen is draft a report that will summarize the record, provide a foundation for what the Board may propose and provide a the basis for a draft proposal. Ms. Kameen said, "I think we are going in the right direction."

OPINIONS

Ms. Kameen announced the following Opinions:

- 11-49 *Nadine R. v. Baltimore City Board of School Commissioners* – student discipline (reversed the local board's decision)
- 11-50 *Anderson v. Baltimore City Board of School Commissioners* – employee termination (affirmed the local board's decision)
- 11-51 *City Union of Baltimore, Local 800, AFT, AFL-CIO v. Baltimore City Board of School Commissioners* – bargaining issue re: transfer of 500 employees (affirmed the local board's decision)

- 11-52 *Richard J. Leary v. Wicomico County Board of Education* – employee grievance (denied local board’s Motion to Dismiss)
- 11-53 *Alicia White, et. al. v. Montgomery County Board of Education* – approval of feasibility study (dismissed the appeals)
- 11-54 *Joe and Donna M. v. Montgomery County Board of Education* – student transfer (affirmed local board’s decision)
- 11-55 *Desbele S. v. Montgomery County Board of Education* – student transfer (affirmed local board’s decision)

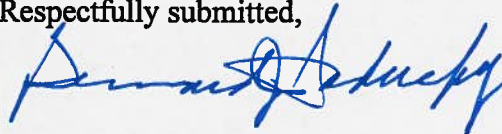
Ms. Kameen announced the following Orders:

- 11-12 *Krista Kurth et. al. v. Montgomery County Board of Education* – re: record (established the record)
- 11-13 *Janice P. Spiegel v. Frederick County Board of Education* – charter school policy dispute (dismissed)
- 11-14 *Adoracion Yabot v. Prince George’s County Board of Education* – teacher termination (dismissed)
- 11-15 *Board of Education of Howard County v. Allen R. Dyer* – exceptions to ALJ decision (dismissed)
- 11-16 *Board of Education of Howard County v. Allen R. Dyer* – Motion to Intervene (adopted ALJ decision as final)

ADJOURNMENT

The Superintendent announced that the Maryland Higher Education Commission moved into two levels of the education building and invited Board members to see the renovations. With no further business before the Board, the meeting adjourned at 4:25 p.m.

Respectfully submitted,



Bernard J. Sadusky
Interim Secretary/Treasurer

Date Approved: 1/24/12

MARYLAND STATE BOARD OF EDUCATION

CLOSED SESSION

On this 6th day of December 2011, at the hour of 12:10 ~~am~~ ^{pm}, the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: S. [Signature]

Seconded by: [Signature]

In Favor: AN 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 or proposal process.

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

1. Discuss 5 legal appeals.
2. Review 6 draft orders.
3. Review 5 draft opinions.
4. Receive legal advice on pending legal case.
5. Discuss an internal Board management/personnel matter.

[Signature]
President

**MARYLAND STATE DEPARTMENT OF EDUCATION
PERSONNEL APPROVALS FOR THE December 6-7, 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>
Connolly, Adele W.	Program Manager II, Field Services (Hagerstown)	21	Rehabilitation Services, Region I	TBD
Dickson, Gail C.	Education Program Specialist II, Title I School Improvement Grants and Title I Part A	22	Student, Family, and School Support	TBD
Lanham Tarason, Felicia E.	Education Program Specialist II, Title I School Improvement Grants and Title I Part A	22	Student, Family, and School Support	TBD
Shevitz, Linda A.	Education Program Manager I, Equity Assurance	23	Office of the Deputy Superintendent for Administration, Equity Assurance and Compliance Office	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>
Ambenge, Reuben O.	Teacher, Academic (Science)	IEPP	Career and College Readiness, Juvenile Services Education Program Cheltenham Youth Facility	11/16/2011
Brooks, Nicholas	Vocational Rehabilitation Specialist I	12	Workforce and Technology Center, Workforce Services	11/30/2011
Brown, Shirley E.	Teacher, School Counselor	IEPP	Career and College Readiness, Juvenile Services Education Program Cheltenham Youth Facility	11/30/2011
Fanella-Sandoval, Dina	Teacher, Special Education	IEPP	Career and College Readiness, Juvenile Services Education Program Hickey Detention Center	11/02/2011

Ferraro, Laura	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Region VI	10/19/2011
Lewitus, Diane W.	Teacher, Special Education	IEPP	Career and College Readiness, Juvenile Services Education Program Cheltenham Youth Facility	11/30/2011
Nobis, Jeffrey A.	Teacher, School Counselor	IEPP	Career and College Readiness, Juvenile Services Education Program Lower Eastern Shore Children's Center	11/30/2011
Tice, Christine	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Disability Determination Services	10/19/2011
Travelpiece, Adam	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Region VI	10/19/2011

III. Other Actions:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Materkowski, Jo Anne P. (Transfer)	Program Manager II, Field Services	21	Rehabilitation Services, Region V	TBD



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Interim State Superintendent of Schools

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December 6-7, 2011

BOARD LIST

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

Name: Adele W. Connolly
Position: Program Manager II (Field Services)
Division: Rehabilitation Services, Region I
Salary Grade: 20 (\$52,950 - \$85,017)
Effective Date: TBD

JOB REQUIREMENTS:

Education: A Bachelor's Degree is required; course work in Management, Supervision, or Administration is desirable. A Master's Degree is preferred.

Experience: Six (6) years of professional experience in rehabilitation or in the adjudication or processing of disability claims. Three (3) years of the required experience must have included direct supervision of other professional employees or specialized experience as the technical lead providing rehabilitation services for clients with disabilities or in developing disability claims and establishing eligibility for Social Security Disability Insurance and Supplemental Security Income.

NOTE: A Master's Degree or equivalent 36 credit hours of post baccalaureate course work in Educational Administration, Rehabilitation Counseling, Special Education, Counseling and Guidance, Vocational Evaluation, Psychology, or in a Social Science related field may be substituted for one year of the required experience in rehabilitation or the adjudication or processing of disability claims.

DESCRIPTION:

This is a professional position responsible for planning, directing and managing and maintaining accountability for the Vocational Rehabilitation Services program within the Office of Field Services in the Allegany, Carroll, Frederick, Garrett, and Washington County areas. This position serves as the primary agent for developing and maintaining cooperative and coordinated service delivery systems within the offices in the Western Maryland area.

Maryland Public Schools: #1 in the Nation Three Years in a Row

www.MarylandPublicSchools.org

Qualifications:

Education:

Towson University (Towson, Maryland) 1982 – Master of Arts in Rehabilitation Counseling

Western Maryland College (Westminster, Maryland) 1978 – Bachelor of Arts in Psychology

Experience:

Maryland State Department of Education (Baltimore, Maryland)

2005 – Present: Staff Specialist III, Rehabilitation Services

1998 – 2005: Vocational Rehabilitation Specialist Supervisor

1982 – 1998: Vocational Rehabilitation Specialist

1979 – 1982: Rehabilitation Center Houseparent

Employment Status

Promotion



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December 6-7, 2011

BOARD LIST

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

Name: Gail C. Dickson
Position: Education Program Specialist II, Title I School Improvement Grants and Title I-Part A
Division: Student, Family, and School Support
Salary Grade: 22 (\$60,290-\$96,808)
Effective Date: TBD

JOB REQUIREMENTS:

Education:

A Master's Degree or equivalent 36 post baccalaureate credit hours of course work in Education, Education Administration/Supervision, Educational Research, Education Policy or a related field.

Experience:

Five (5) years of professional teaching or administrative/supervision experience in or affiliated with, an education program, including two years of experience coordinating or administering an education program directly related to the position; experience coordinating a school improvement program is preferred.

DESCRIPTION:

This is a professional position responsible for providing lead assistance and technical support to Title I schools and systems as they move through the levels of school improvement and assisting in the design, development, implementation and evaluation of federal and State programs to improve the teaching and learning of disadvantaged students in Maryland.

Maryland Public Schools: #1 in the Nation Three Years in a Row

www.MarylandPublicSchools.org

Qualifications:

Education:

University of Kentucky (Lexington, Kentucky) 1981 – Master of Social Work

Western Kentucky University (Bowling Green, Kentucky) 1974 – Bachelor of Arts – with a Major in Sociology

Eastern Kentucky University (Richmond, Kentucky) 1989 – Certification: School Administration/Secondary School Principal

Bowie State University (Bowie, Maryland) – Doctoral Candidate, Educational Leadership (expected 2012)

Experience:

YouthBuild (Somerville, Massachusetts)

2010 – Present: Consultant Coach

Association for Supervision and Curriculum Development (Alexandria, Virginia)

2001 – 2010: Director of Constituent Programs

Mid-Continent Research for Education and Learning (Denver, Colorado)

1997 – 2001: Senior Consultant/School Reform

Kentucky Department of Education (Frankfort, Kentucky)

1994 – 1997: Distinguished Educator/Consultant

Fayette County Public Schools (Lexington, Kentucky)

1990 - 1994: Associate Principal, Tates Creek Middle School

1982 - 1990: Child Guidance Specialist, Clays Mill and Squires Elementary Schools

1980 - 1982: Educational Social Worker, Direct Pupil Services/Title I Programs

1976 - 1980: Educational Social Worker, Alternative Education, Fayette County School District

1974 - 1976: Social Studies Teacher, Tates Creek Senior High

Employment Status

New Hire



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December 6-7, 2011

BOARD LIST

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

Name: Felicia E. Lanham Tarason
Position: Education Program Specialist II, Title I School Improvement Grants and Title I-Part A
Division: Student, Family, and School Support
Salary Grade: 22 (\$60,290-\$96,808)
Effective Date: TBD

JOB REQUIREMENTS:

Education:

A Master's Degree or equivalent 36 post baccalaureate credit hours of course work in Education, Education Administration/Supervision, Educational Research, Education Policy or a related field.

Experience:

Five (5) years of professional teaching or administrative/supervision experience in or affiliated with, an education program, including two years of experience coordinating or administering an education program directly related to the position; experience coordinating a school improvement program is preferred.

DESCRIPTION:

This is a professional position responsible for providing lead assistance and technical support to Title I schools and systems as they move through the levels of school improvement and assisting in the design, development, implementation and evaluation of federal and State programs to improve the teaching and learning of disadvantaged students in Maryland.

Maryland Public Schools: #1 in the Nation Three Years in a Row
www.MarylandPublicSchools.org

Qualifications:

Education:

Nova Southern University (Fort Lauderdale, Florida) 2000 – Doctorate in Education Leadership

Trinity College (Washington, D.C.) 1982 – Master of Arts in Guidance and Counseling

Bowie State College (Bowie, Maryland) 1974 – Bachelor's Degree in Elementary Education

Experience:

Montgomery County Public Schools (Rockville, Maryland)

2007 – Present: Director, Division of Title I Programs

1994 – 2007: Principal, Wheaton Woods Elementary School

1988 – 1989: Assistant Principal, Westover Elementary School

Alexandria City Public Schools (Alexandria, Virginia)

1992 – 1994: Principal, James K. Polk Elementary School

1989 - 1992: Principal, George Mason Elementary School

Employment Status

New Hire



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December 6-7, 2011

BOARD LIST

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

Name: Jo Anne P. Materkowski
Position: Program Manager II (Fields Services)
Division: Rehabilitation Services, Region V
Salary Grade: 20 (\$52,950 - \$85,017)
Effective Date: TBD

JOB REQUIREMENTS:

Education: A Bachelor's Degree is required; course work in Management, Supervision, or Administration is desirable. A Master's Degree is preferred.

Experience: Six (6) years of professional experience in rehabilitation or in the adjudication or processing of disability claims. Three (3) years of the required experience must have included direct supervision of other professional employees or specialized experience as the technical lead providing rehabilitation services for clients with disabilities or in developing disability claims and establishing eligibility Social Security Disability Insurance and Supplemental Security Income.

NOTE: A Master's Degree or equivalent 36 credit hours of post baccalaureate course work in Educational Administration, Rehabilitation Counseling, Special Education, Counseling and Guidance, Vocational Evaluation, Psychology, or in a Social Science related field may be substituted for one year of the required experience in rehabilitation or the adjudication or processing of disability claims.

DESCRIPTION:

This is a professional position responsible for planning, directing and managing and maintaining accountability for the Vocational Rehabilitation Services program within the Office of Field Services in the Baltimore, Harford, and Howard County areas. This position serves as the primary agent for developing and maintaining cooperative and coordinated service delivery systems within the offices in the Central Maryland area.

Maryland Public Schools: **#1 in the Nation Three Years in a Row**
www.MarylandPublicSchools.org

Qualifications:

Education:

Pennsylvania State University (University Park, Pennsylvania) 1975 – Master of Education,
Counselor Education

Wagner College (Staten Island, New York) 1974 – Bachelor of Arts in Psychology

Experience:

Maryland State Department of Education (Baltimore, Maryland)

2006 – Present: Program Manager II, Assistant Director Fields Services

2002 – 2006: Staff Specialist III, Rehabilitation Services

1999 – 2002: Vocational Rehabilitation Supervisor

1993 – 1999: Vocational Rehabilitation Specialist

Intracorp (Towson, Maryland)

1980 – 1993: Rehabilitation Specialist Consultant

Employment Status

Lateral Transfer



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December 6-7, 2011

BOARD LIST

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

Name: Linda A. Shevitz
Position: Education Program Manager I
Division: Office of the Deputy Superintendent for Administration, Equity Assurance and Compliance Office
Salary Grade: 23 (\$65,099-\$104,078)
Effective Date: TBD

JOB REQUIREMENTS:

Education:

A Master's Degree or equivalent 36 post baccalaureate credit hours of course work in Education, Education Administration/Supervision, Educational Research, Education Policy or a related field.

Experience:

Six (6) years of related experience in coordinating or administering education programs or services. One year experience must include supervision professional education program staff.

DESCRIPTION:

This is a professional position serving as the Chief of the Equity Assurance and Compliance Branch, responsible for managing the implementation of programs that address educational and employment equity within the Maryland State Department of Education and the twenty-four Maryland local school systems.

Qualifications:

Education:

University of Maryland (College Park, Maryland) 1970 – Master of Education in Human Development Education; 1965 – Bachelor of Science in Elementary Education - Advanced Graduate Certificate in Human Relations Processes

Experience:

Maryland State Department of Education (Baltimore, Maryland)

2011:	Education Program Manager I, Acting Director of Equity Assurance and Compliance Office
2004 – 2011:	Education Program Specialist II (Senior Educational Equity Specialist)
1982 – 2004:	Educational Equity Specialist

Employment Status

Promotion

**MARYLAND STATE DEPARTMENT OF EDUCATION
PERSONNEL APPROVALS FOR THE December 6-7, 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>
Wood, Carolyn M.	Assistant State Superintendent of Accountability, Assessment, and Data Systems	ES	Accountability, Assessment, and Data Systems	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				

III. Other Actions:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
None				



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December 6-7, 2011

BOARD LIST

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

Name: Carolyn M. Wood
Position: Assistant State Superintendent of Accountability, Assessment, and Data Systems
Division: Accountability, Assessment, and Data Systems
Salary Grade: Executive Salary Scale
Effective Date: TBD

JOB REQUIREMENTS:

Education:

A Master's Degree or 36 hours of post baccalaureate coursework in Education or Education Administration/Supervision.

Experience:

Extensive experience in educational supervision and management in the areas of school accountability, student assessment, program assessment, psychometrics, school performance, and data systems management.

JOB DESCRIPTION:

As the Assistant State Superintendent for the Division of Accountability, Assessment, and Data Systems (DAADS), provides the necessary leadership for key education reform initiatives (not all inclusive):

- Executive oversight of Race to the Top grant efforts to expand educator and student access to top notch resources, especially in the area of data systems and technology.
- Ensuring compliance with the Maryland Longitudinal Data System and the Governor's P-20 Council, ensuring compliance with SB-275.
- Administering the Maryland School Performance Program's Annual Report Card.
- Accountability program development for Maryland School Assessments and the related information management, data analysis and interpretation services.

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Qualifications:

Education:

University of Pittsburgh (Pittsburgh, Pennsylvania) Doctorate in Educational Research; Master's Degree in Education; Bachelor of Arts in English

Experience:

Harford County Public Schools (Bel Air, Maryland)

1978 – Present: Supervisor of Accountability

1973 – 1978: Administrative Assistant in Research

Goucher College (Towson, Maryland)

1994 – Present: Adjunct Assistant Professor of Education (Part-time)

Western Maryland College (Westminster, Maryland)

2000: Adjunct Assistant Professor of Education (Part-time)

Villa Julie College (Stevenson, Maryland)

1995 – 1996: Adjunct Assistant Professor of Education (Part-time)

University of Pittsburgh (Pittsburgh, Pennsylvania)

1966 – 1971: Research Assistant, Learning Research and Development Center

Franklin Area Junior High School (Murrysville, Pennsylvania)

1965 – 1966: Research Assistant, Learning Research and Development Center

Employment Status

New Hire