

# MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday  
June 25, 2013

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

The Maryland State Board of Education met in regular session on Tuesday, June 25, 2013 at 9 a.m. at the Nancy S. Grasmick State Education Building. The following members were in attendance: Dr. Charlene M. Dukes, President; Dr. Mary Kay Finan, Vice President; Mr. James H. DeGraffenreidt; Ms. Luisa Montero-Diaz; Jr.; Ms. Linda Eberhart; Dr. S. James Gates, Jr.; Ms. Ebehireme Inegbenebor; Mr. Sayed Naved; Mrs. Madhu Sidhu; Mr. Guffrie M. Smith; Donna Hill Staton, Esq.; and Dr. Lillian M. Lowery, State Superintendent of Schools.

Elizabeth Kameen, Esq., Assistant Attorney General, and the following staff members were also present: Mr. Steve Brooks, Deputy State Superintendent for Finance; Penelope Thornton Tally, Esq. Chief Performance Officer; and Mr. Anthony South, State Board Executive Director.

## CONSENT AGENDA

Dr. Dukes noted that the Consent Agenda includes approval of a list of candidates for National Board Certification. Dr. Finan said that she was very pleased to see so many teachers “go the extra mile to participate in this certification process given all that teachers must do.”

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

- Approval of Minutes of May 21, 2013
- Personnel (copy attached to these minutes)
- Budget adjustments for May, 2013
- National Board Candidates for 2013-2014

Dr. Lowery brought the Board’s attention to their approval of the appointment of Dr. Jack Smith as Deputy State Superintendent for Teaching and Learning. She introduced Dr. Smith and said, “We could not have found a better person. I am over the moon with joy.”

Dr. Smith said, “I will work tirelessly to contribute. I am over the top too.”

## **COMAR 13A.07.06**

### **PROGRAMS FOR PROFESSIONALLY CERTIFIED PERSONNEL (APPROVAL)**

The Superintendent introduced Jean Satterfield, Assistant State Superintendent, Division of Certification and Accreditation, to speak to amendments to regulations initiated by the Professional Standards and Teacher Education Board (PSTEB). She recommended approval of the proposed amendments.

Dr. Satterfield reported that no comments were received during the publication period and that the amendments involved only technical changes and correction of a citation.

Upon motion by Mr. DeGraffenreidt, seconded by Dr. Gates, and with unanimous agreement, the Board approved COMAR 13A.07.06 Programs for Professionally Certified Personnel. (In Favor – 11)

### **UPDATE ON SCHOOL DISCIPLINE: SCHOOL DISCIPLINE REGULATIONS WORKGROUP REPORT**

Dr. Lowery reported that she and Dr. Dukes attended the first meeting of the School Discipline Regulations Workgroup to outline the charge of the Workgroup and to show the Board's support of this endeavor. She noted that the Open Society Institute (OSI) of Baltimore provided funding for Mr. Jim Freeman to act as Workgroup Facilitator. She introduced the two co-chairs of the Workgroup, Dr. D'Ette Devine, Superintendent of Cecil County Public Schools, and Diana Morris, Esq., Director of the Open Society Institute - Baltimore. Dr. Lowery reported that she received many emails from participants about the Workgroup's excellent process.

Ms. Morris said, "This process has exemplified all of those traits for openness. This issue could not be more important." She noted that the group found much disparity among local education agency (LEA) policies regarding suspension and expulsion. She reported that the group was charged with discussing and recommending amendments to the following:

1. The timelines contained in the section of the regulatory proposal dealing with appeals;
2. The 10 day return to school regulation dealing with when a student would be precluded from returning to school after the 10<sup>th</sup> day;
3. The regulations that address the conduct for which expulsion and extended suspension is appropriate; and
4. The minimum education services regulation to address delivery of minimum education services to students suspended from 1-3 days.

Ms. Morris reported that three meetings were held with 28 members representing a great diversity of groups and that each meeting included many observers as well. She thanked the staff for the great job performed in organizing and supporting the Workgroup.

Ms. Morris discussed **Issue #1 The timelines contained in the section of the regulatory proposal dealing with appeals and the recommended edits to the November 2012 State Board proposed Regulations**. She noted that the timeline was changed from 30 days to 45 days

to hear the appeal and issue a decision and that in the event of extraordinary circumstances that prevents a decision from being made within the time period, the local board may petition the State Superintendent for an extension.

Ms. Morris discussed **Issue #2 The 10-day return to school regulation dealing with when a student would be precluded from returning to school after the 10<sup>th</sup> day**. She said the group focused on the following tenet: "discipline should serve educational purposes." She discussed the items listed in the proposed regulation under B(2)(a)-(c) which outlines the criteria that must be met for an exclusion from school 45 school days or longer. Ms. Morris also discussed the criteria listed under B(3)(a)(i) and (ii) for students excluded from the school program for a period of time between 11 and 45 school days.

Dr. Gates suggested changing the term *alternative* to *equivalent* when referring to the educational services to be provided to these students. Ms. Morris said that the Workgroup would support this change and noted that they were in agreement with the need to provide adequate funding for these services.

Dr. Gates said that, research showed there were many instances in which students have not been provided adequate educational services while suspended.

Mr. DeGraffenreidt suggested that the words *greatest extent* be replaced with *shortest period* in the document.

In response to a question by Ms. Sidhu about the length of time needed to provide services to a student who has been suspended for up to 45 days, Ms. Kameen said that the 45 days only refers to the appeals process and that each LEA is mandated to provide educational and behavioral support services to the students during the suspension period.

In response to a question by Mr. Naved about the criteria listed under B(2) and B(3), Ms. Morris explained the differences between the criteria – one dealing with *imminent threat of serious harm* and the other dealing with *chronic and extreme disruption*.

In response to a question by Ms. Staton, Dr. Devine said there was a lot of discussion about the wide variety of services provided by the 24 LEAs and that when the regulation is adopted, it will compel all LEAs to comply.

Ms. Staton asked if there was a sense that these services can not be provided without additional resources and funding. Mr. DeGraffenreidt asked, "Is there anything in research that shows that these services will free up additional resources on the correctional side?"

Dr. Devine said that it is already occurring in some LEAs. Ms. Morris said that there are expenses in the Juvenile Justice System that will not be expended if students are kept in school and provided more support services. Mr. Freeman said there is research around the cost benefits of keeping students out of the Juvenile Justice System.

Mr. Naved suggested adding *and* to the criteria listed under B(2)(a)(b) and (c) and B(3)(a)(i) and (ii).

**Dr. Devine discussed Issue #3 The regulations that address the conduct for which expulsion and extended suspension is appropriate.**

Ms. Staton asked if there was discussion about whether the extended period should be open ended. Dr. Devine said that the timeline in (C)(3)(d)(i) would be relevant. She said the focus is on sending the child back to school if possible.

**Dr. Devine discussed Issue #4 The minimum education services regulation to address delivery of minimum education services to students suspended from 1-3 days.** She reported that these amendments refer to the established policies or practices in each LEA for makeup work assigned to the student in the event of any other excused absence.

In response to a question by Ms. Staton, Dr. Devine said that the quality of the work provided to these students will be comparable to that provided to any other students that are absent.

Dr. Gates asked if the Co-Chairs received any questions on the proposals and whether there were any discussions about getting more in-depth reports on discipline from the LEAs. Ms. Morris said that this issue has brought more focus on the consequences of suspensions. She said, "it may have dramatic and good results for society."

Dr. Devine said, "We have been very concerned about our drop out rate. We have had rich discussions about the negative effects of suspending students. Superintendents understand this. We have been very focused on this work."

Ms. Morris said, "It was clear in our first meeting that there was a lot of disparity among LEAs. There will be better reports."

Mr. DeGraffenreidt expressed the need to focus on the consequences for the student and the challenges for the people who have to work through the process. He asked if there was discussion on the adverse influence on the other students when a student is suspended or expelled.

Ms. Morris discussed the inefficiency of having to repeat lessons when a student returns to the classroom. Dr. Devine said that school administrators say that some students can make the rest of the class suffer. She reported that the Positive Behavioral Interventions and Supports (PBIS) in the early school years is very effective in reducing student disruption.

Mr. Freeman explained that research shows that exclusion from a classroom has a negative affect on the school as well as the student. He said that school climate has to do with school success.

Ms. Morris noted that there are great disparities that show that more children of color, boys and special education students fall into the suspension and expulsion categories. She also stated that Baltimore City has made some tremendous strides in reducing these inequities.

Ms. Diaz said, "This document reflects harmonizing points of view." In response to a question by Ms. Diaz, Dr. Devine said that F(3) under Issue #4 gives students every opportunity that any

other student would get for being absent. Ms. Morris said, "There was never an explicit policy -- this provides one." Dr. Devine said, "Allow academic achievement to continue -- separate achievement from discipline."

Ms. Eberhart said that she attended a national symposium on black males and that this issue was deemed critical. She said that states are looking at Maryland's efforts since it is the only state taking a critical look at this issue. She said, "What you have done is incredible." In response to a question by Ms. Eberhart, Dr. Devine said that the recommendations under Issue #2 reflected a compromise by the Workgroup members.

Ms. Morris said that the group appreciated the participatory and clear direction provided by the State Board. Dr. Dukes said, "We were very clear about the composition of the Workgroup."

In response to a question by Ms. Eberhart, Dr. Dukes said that Ann Chafin will respond to questions on the collection of data. Ms. Eberhart expressed the importance of teacher preparation and Dr. Dukes explained that the Board will hear a presentation in the fall on that topic. Ms. Morris said that her organization is working with Dr. Lowery to fund a statewide conference and five regional workshops that will allow individual districts to discuss these topics.

Dr. Finan suggested amending Dr. Gates' suggestion by changing the word *equivalent* to *comparable* educational services. Dr. Gates agreed.

Dr. Dukes asked Dr. Lowery to address Mr. Naved's concerns regarding the wording in Issue #2.

Mr. Smith thanked the group and said, "We have driven people to change. PBIS is a plus. We haven't been open about some of these issues. This sets direction and effects change."

In response to a question by Ms. Staton, Dr. Devine said that communicating the message to parents that "we all want what is best for children" must happen at the school level. She said, "The level of trust needs to be built in the schools."

Ms. Morris expressed how important it is that the process be transparent. She noted that in Baltimore City it was important for principals to visit other schools to see what is being done to create a learning environment.

In response to a question by Ms. Inegbemor, Dr. Devine said that principals are required to provide a safe school environment, communicate to parents what is happening and what services their child will get. In response to another question by Ms. Inegbemor, Dr. Devine said that another Workgroup is dealing with the consequences of disruptive behavior.

Dr. Dukes and Dr. Lowery thanked the Co-Chairs and the Open Society Institute for their excellent leadership and support.

## **UPDATE ON SCHOOL DISCIPLINE: AMENDMENTS TO THE PROPOSED SCHOOL DISCIPLINE REGULATIONS**

Dr. Lowery asked Ann Chafin, Assistant State Superintendent in the Division of Student, Family and School Support Services, and Walter Sallee, Acting Executive Director of that Division to discuss the newly proposed regulatory changes that were prepared in response to the Board's direction provided at the January 2013 Board meeting. She reported that Ms. Chafin will be retiring at the end of the week. The audience and Board gave a rousing applause for Ms. Chafin's excellent service to the Department.

Ms. Chafin introduced her family members who were present and said, "This has been a wonderful time for me."

Ms. Chafin reported that another Workgroup is looking at best practices and evidence-based programs dealing with school discipline. She also reported that a third Workgroup is working on a Code of Conduct for students with a "Rights and Responsibilities" piece. She noted that, still further, another group is looking at strategic planning related to PBIS. Ms. Chafin said that a preamble was added to the regulation and changes made to the sections on expulsion and extended suspension, minimum education services and reporting requirements. She reported that the adopted regulations will be given to the Student Records Manual Group and that this document will be presented to the Board for adoption for the 2015-2016 school year.

In response to a concern expressed by Ms. Eberhart, Ms. Kameen said that revisions to the school discipline policy will occur at the local level during the 2014-2015 school year but the data collection will be completed for the 2015-2016 school year. She said that there is much data collection being done now and that the Board will be kept apprised of the results of the data collection.

Dr. Dukes said to Ms. Chafin, "It has been an absolute delight to work with you and for you. You have been so instrumental in educating us. It is a delight to meet your family."

Dr. Lowery said that, as a result of the excellent work of Ms. Chafin and her staff, the most recent School Improvement Grant review/evaluation conducted by the U.S. Department of Education had not one negative finding.

## **NEXT GENERATION SCIENCE STANDARDS (NGSS)**

The Superintendent reminded Board members that, in April, they received a briefing on the Next Generation Science Standards (NGSS). She asked Dr. Henry Johnson, Assistant Superintendent in the Division of Instruction, to provide additional information on the standards including a preliminary timeline for implementation in Maryland.

Dr. Johnson reported that three states have adopted the NGSS and introduced Mary Thurlow, Coordinator, Science Programs, and Dr. Stephen Pruitt, Vice President of Achieve, Inc. to answer any questions from the Board.

Ms. Thurlow reported that Maryland has been a lead state in creating the NGSS and thanked all who have participated in its development. She noted that Dr. Gates and Dr. Finan were part of the group that developed the standards and thanked them for their leadership and support.

Ms. Thurlow said that Maryland's implementation plan is a living document that will change over time. She discussed the goals, strategies and resources needed as well as a draft Vision Statement. Ms. Thurlow discussed a list of Maryland's key messages and provided a preliminary implementation timeline.

Mr. DeGraffenreidt expressed concern that the Vision Statement is too long and suggested that a communications specialist could draft a more concise version.

In response to a question by Mr. DeGraffenreidt, Ms. Thurlow said that a higher education committee is addressing issues related to teacher preparation. Dr. Johnson said he and his staff will be meeting with higher education leaders to discuss the NGSS timeline. In response to another question by Mr. DeGraffenreidt, Dr. Johnson said that the Educator Effectiveness Academies (EEAs) will train teachers of social sciences, literature and technical writing as well as science teachers in the NGSS.

Ms. Eberhart expressed concern about the 2017-2018 full PreK-12 implementation. She said, "I think this is way too long." Dr. Pruitt said that Achieve has advocated that states need to have this conversion in their own time in a thoughtful and deliberate manner. He said, "Because we don't have the assessment looming in science, we have an opportunity for teachers to do it right."

Dr. Pruitt reported an NGSS Network has been launched for all states to use and noted that twenty-six states worked on the standards as a team. He said, "When assessments come, everyone will be prepared."

In response to a question by Ms. Eberhart, Dr. Johnson said that the Science MSA will continue until a new Science assessment is created.

In response to a question by Dr. Dukes, Dr. Johnson said that some of the skills that students will be learning through the common core curriculum are similar to the NGSS.

Dr. Lowery said that the timeline could be reconsidered and that there will be further discussions with the Board about this issue.

In response to a question by Dr. Dukes, Dr. Pruitt said that Maryland's NGSS timeline is consistent with what other states are planning.

In response to a question by Ms. Staton, Dr. Johnson said that there is not a great difference in content in the NGSS but rather a difference in preparation. He said staff is collaborating with higher education representatives to make sure that all teachers have a clear understanding that this is a new instructional shift. Ms. Thurlow said that staff has been working with state science supervisors for two years to get their teachers ready. She said, "They have had input all along the way."

Ms. Staton asked, “Will this make science more accessible to students rather than discouraging them.” Ms. Thurlow said, “This is for all students. If we begin teaching students in Pre-K, we will have them.”

Dr. Pruitt said there is significant research around “how kids learn.” He said there is greater content mastery when kids are engaged in the practice of science. He said, “The intent of the standards is to prepare for advanced learning. The Committee developed all the standards for students – to be accessible for all kids.”

In response to a question by Ms. Inegbenebor, Ms. Thurlow said that the schools will require three high school science credits. In response to another question by Ms. Inegbenebor, Dr. Johnson explained that MSDE staff will be going to schools to see how the standards are being implemented and offering assistance if needed.

Dr. Lowery said the Department will have to re-target funds for teacher training and that Dr. Johnson’s staff will be providing focus groups for teachers who need help.

Mr. DeGraffenreidt asked if the impact of cultural biases on the part of teachers can be mitigated ahead of time. Ms. Thurlow brought the Board’s attention to a list of critical Maryland stakeholders which includes students and parents and expressed the importance of communication to all stakeholders. Dr. Pruitt reported that each state will develop a communication tool and that the Network will also be helpful with communication.

Ms. Diaz suggested that the rubric provided showing the commonalities among the practices in science, mathematics and English language arts is a good communication tool. In response to a question by Ms. Diaz as to whether the NGSS will have an impact on the current teacher shortage in fields of science, technology, engineering and mathematics (STEM), Dr. Pruitt said, “change is hard. If people see there is a plan to manage the change, you can manage the fear. I don’t think this will create more shortage.”

Ms. Eberhart expressed the importance of the assessment piece and suggested that it be added to the timeframe.

Dr. Gates said, “We are in the business of trying to make sure that the maximum number of Americans can live the American dream. The Standards are not stand alone, they are integrated with the common core. This will increase STEM teachers. I think we are on the cusp of re-igniting the American dream.”

Upon motion by Dr. Gates, seconded by Dr. Finan, and with unanimous agreement, the Board adopted the Next Generation Science Standards. (In Favor – 11)



## **PARTNERSHIP FOR ASSESSMENT OF READINESS FOR COLLEGE AND CAREERS (PARCC) UPDATE**

Dr. Johnson reported that the State Chiefs of the PARCC Governing Board will meet to approve the final draft of the Accommodations Manual. He noted that Maryland LEAs will only administer summative assessments in 2014-2015 and that field testing will be in the Spring 2014. He said that students participating in PARCC field testing will not take the MSAs. Dr. Johnson also said that Maryland will submit an amendment to the ESEA flexibility waiver requesting a one-year extension for accountability and that the creation of a Principal and Teacher Task Force, to discuss the administration plan for PARCC, will be completed in September, 2013.

In response to a question by Dr. Gates, Dr. Johnson said that Dr. Lowery has been in discussion with higher education representatives about the need for assessments to align with college readiness. He said he will be meeting with higher education representatives this week to engage in a more robust discussion to determine college and career readiness for students. Dr. Gates said, "It is important to align what is being done at the high school level with that of the college level."

In response to a question by Ms. Staton, Dr. Johnson said that other college administrators from outside the Maryland University System are participating in this effort.

Ms. Eberhart said that, as Maryland is a governing state, why can't we push to provide diagnostic assessments as well as formative assessments in 2014. Dr. Lowery said, "We have to have a formative test. We are prioritizing."

In response to a question by Dr. Dukes about the General Education Diploma (GED) revisions, Dr. Lowery said that the State vendor, Pearson, is not only working on the PARCC project but also revising the GED program so they should align.

## **RECOGNITION OF STUDENT BOARD MEMBER**

Dr. Dukes stated that this is the last meeting for Ms. Inegbenebor, the student Board member. She said, "It gets better and better. Your engagement and your knowledge of the issues are absolutely awesome. We look forward to having you come back here and work with the State Department of Education." Dr. Dukes presented Ms. Inegbenebor with a gift as token of the State Board's thanks for her commitment to Maryland education.

Ms. Inegbenebor said, "This was different than what I expected. I learned a lot. I became passionate about education. I didn't know how much work it would be."

## **EXECUTIVE SESSION**

Pursuant to §10-503(a)(1)(i) & (iii) and §10-508(a)(1),(7), & (8) of the State Government Article, Annotated Code of Maryland, and upon motion by Dr. Gates, seconded by Mr. DeGraffenreidt, and with unanimous agreement, the Board met in closed session on Tuesday,

June 25, 2013, in Conference Room 1, 8<sup>th</sup> floor of the Nancy S. Grasmick State Education Building. All board members were present except Mr. DeGraffenreidt. In attendance were Dr. Lillian Lowery, State Superintendent of Schools; Steve Brooks, Deputy State Superintendent for Finance; Penelope Thornton Talley, Esq., Chief Performance Officer; and Tony South, Executive Director, Office of the State Board. Assistant Attorneys General Elizabeth M. Kameen and Jackie La Fiandra were also present, as well as law clerks, Alexa Murray and Lindsay Bramble. The Executive Session commenced at 12:55 p.m. (In favor – 11)

The State Board approved four Opinions for publication.

- *Diana Bell v. Calvert County Board of Education* – bus driver decertification – Opinion No. 13-33
- *Josephat Mua v. Prince George's County Board of Education* – termination – Opinion No. 13-34
- *Carroll County Board of Education v. Carroll County Education Association* – Petition for Declaratory Ruling – Opinion No. 13-35
- *Frederick Outdoor Discovery Charter School v. Frederick County Board of Education* – motion for reconsideration – Opinion No. 13-36

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

- *Ronald Brown v. Queen Anne's County Board of Education* – employee termination
- *Malinda Kurz, et al. v. Frederick County Board of Education* – appeal of school calendar
- *Amy L. v. Harford County Board of Education* – suspension
- *Parents and Friends of Ex-Gays and Gays v. Montgomery County Board of Education* – violation of local board's non-discrimination policy
- *Vend Natural, Inc. v. Montgomery County Board of Education* – bid protest
- *Howard and Brynna W. v. Howard County Board of Education* – suspension

The Board discussed four internal board management issues: (1) the draft workplan for regulatory review; (2) procedure for placement or removal of items from the consent agenda; (3) the process for the Board self-evaluation; and (4) nominees for President and Vice President of the Board.

The session ended at 1:40 p.m.

### **RECONVENE**

The meeting reconvened at 2 p.m. Mr. DeGraffenreidt was not present.

### **ANNE ARUNDEL COUNTY TEACHER OF THE YEAR**

Dr. Lowery introduced Dr. Kevin Maxwell, Superintendent of Anne Arundel County Public Schools, who was accompanied by the Anne Arundel County Teacher of the Year, Jodie Hogan.

Dr. Lowery explained that during the recognition at the last Board meeting for the local Teachers of the Year, Ms. Hogan was unable to be present.

Dr. Maxwell thanked the Board for accommodating and recognizing a wonderful teacher, Jody Hogan, a Spanish teacher at South River High School.

Ms. Hogan thanked the Board for postponing the recognition. Dr. Dukes presented her with a Certificate of Recognition and photos were taken.

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

Penelope Thornton Talley, Chief Performance Officer, said that her team will provide the Board with a high-level assessment of the current status of the MSDE's 54 RTTT projects. She reported that the USDE completed an onsite visit last month which she said, "went very smoothly. We didn't have any surprises." She said the LEA monitoring visit was completed and the USDE did some onsite visits to LEAs. Ms. Talley said her staff is working on a plan to monitor LEA RTTT activities. She also noted that revisions suggested by Board members at the last meeting have been made to the Monthly Project Report to the Board.

Ms. Talley reported that Project 32/73 dropped from a four to a three and brought the Board's attention to the comments column noting approval of an amendment to properly align budget categories and provide additional training in year four.

Ms. Talley introduced her team: Dr. Henry Johnson; Beth Pearlman, RTTT Project Manager; Dr. Donnell Josiah, RTTT Program Director; and ,Walter Saltee, Acting Executive Director, Division of Student, Family and School Support Services.

Beth Pearlman reported on projects 8/11 Develop Overall Technology Infrastructure and 9/27 Accessing and Using State Data-Dashboards. She explained that staff is still waiting for approval of an amendment to the RTTT Proposal. She reported that pending USDE approval, the resources are on board and scheduled. Ms. Pearlman explained that project 9/27 has been delayed three months until the end of September. She said, "We don't have the environment to roll this out yet."

Dr. Dukes asked if there is a relationship between this project and the Maryland Longitudinal Data System (MLDS). Ms. Pearlman said "yes, data is available to a select group of analysts." Dr. Lowery said that while the Center will be housed at the School of Social Work at the University of Maryland, the MSDE will handle the fiduciary end of the project.

Ms. Pearlman reported on projects 17/32 Implement a Test Item Bank System, 18/33 Implement a Computer-Adaptive Test Delivery System and 19/34 Item Load and Integration Setup for Test Item Bank System. She explained that the software vendor contract has been approved by the Board of Public Works. Regarding projects 17/32 and 18/33, Ms. Pearlman said that amendments are still pending to properly align funding.

Ms. Pearlman said that regarding project 20/35 Adaptive Testing Units for High Schools, LEAs need to select tablets that work in their respective technological environments. She explained that sub-grants will be provided to fit classrooms for the technology.

In response to a question by Dr. Gates about the use of apps instead of platforms, Dr. Lowery said she hired someone to look into this possibility.

Regarding Project 21/42, Implement a Statewide System to Support Student Instruction Intervention, Dr. Josiah reported that a revised amendment document has been submitted to extend the grant through September 2014.

Dr. Johnson reported that regarding project 3/2 Formative Assessments, "We had to start over" He said that professional modules to support formative assessments and align with common core standards are on track and will be procured by the Fall of 2013.

Mr. Sallee reported on project 46/57 Extend Student Learning and Improve School Culture, Climate, and Support. He said that a summer institute will be held and that more than eighty people have registered. He reported that the training will target gathering and analyzing data and participants are expected to go back to their buildings and train others. He noted that bids are out to procure trainers.

Ms. Sidhu said that she is hearing from County Commissioners that school personnel are not ready to receive the assessments and conduct the testing. Dr. Johnson reported that sixty percent of schools are capable of online testing. He noted that the assessments must be administered to all grade levels at the same time. He said, "We have to work around a schedule to allow all grade levels to test at the same time."

Dr. Lowery explained that the state of Maryland does not pay for technology for the schools. Therefore, LEAs are urging Commissioners to provide extra funding for this endeavor. She said, "The Western and Eastern parts of the State are coming on board with broadband."

Ms. Pearlman said, "There are still a lot of unknowns from PARCC. We don't know what the requirements are from a broadband perspective but we will know by October, 2013."

Ms. Pearlman referred to Project 8/11, Develop Overall Technology Infrastructure, and reported that now the Department has the resources on Board. She explained that an amendment was approved to realign funds from equipment to "brain power."

Dr. Gates suggested using a cloud for sustainability of the technological infrastructure. Dr. Dukes suggested a dialogue about this issue at another Board meeting. Dr. Lowery agreed to discuss this topic at a regularly scheduled Board meeting or hold a special Board Workshop. Mr. Brooks said the Department has been working on these things and that many of these items will be addressed in budget discussions with the Board.

In response to a question from Ms. Staton, Ms. Pearlman said there are plenty of areas where we need help in updating technology at the MSDE. She said, "It's an interesting dynamic. There is a little bit of everything here."

Mr. Brooks explained that the State has endured some significant cost containment cuts. Dr. Lowery said that the Department of Budget and Management is trying to work with MSDE and is being as generous as possible. She explained that she is reinventing the Grants Office and that Lisa Bishop is working on procuring support from private partnerships.

Dr. Gates suggested reaching out to the business community. Dr. Lowery said that Ms. Bishop will be interfacing with the business community to bring them on board as well.

Dr. Dukes urged that a strategic plan for technology to be created and presented to potential business partners. Dr. Lowery agreed to look into this matter.

### **SUBMISSION OF REGULATORY REVIEW WORK PLAN**

Dr. Dukes explained that all State agencies are mandated to conduct a review of the regulations under their authority every eight years. She said the MSDE is required to conduct such a review of the first six subtitles of Title 13A, State Board of Education, COMAR. The President said the Department has drafted a Work Plan for conducting this review and asked for authorization by the Board for Dr. Lowery to submit the plan to the Governor and the Administrative, Executive and Legislative Review Committee (AELR) of the State Legislature by July 1, 2013.

Upon motion by Mr. Smith, seconded by Dr. Gates, and with unanimous agreement, the Board authorized the Superintendent to submit the plan as drafted. (In Favor – 10)

### **STATE SUPERINTENDENT'S REPORT**

Dr. Lowery asked David Volrath, Teacher and Principal Evaluation Lead, and Debbie Lichter, Director, Departmental Coordination, and National Legislation Liaison, to provide an update on Secretary Duncan's action related to implementation of the Principal/Teacher Evaluation (PTE) System.

Mr. Volrath explained the USDE had announced that states would be able to apply for a waiver allowing the PTE System to go forward but prohibiting evaluation ratings to be used for personnel decisions. He said, "We don't have a lot of answers. We will continue the process and should not change our direction."

Dr. Lowery said, "Reverting to the old evaluation system is not an option." She said that twenty-one PTE plans have been approved and will be implemented.

In response to a question by Ms. Eberhart as to whether the waiver must be requested, Dr. Lowery said "yes, we must submit an amendment."

Ms. Lichter explained that in order to submit an amendment, stakeholder involvement is required and there will be no double testing waiver.

## **BOARD MEMBER UPDATE**

Ms. Diaz reported on the transition of the General Education Diploma (GED) to an online delivery system. She commended the Department of Labor, Licensing and Regulation (DLLR) for working tirelessly to make sure people are informed about this. She said DLLR staff conducted surveys and webinars and that forty people participated in a pilot program. Ms. Diaz reported that webinars are being conducted for instructors to know what to teach. She also reported that the test will remain at \$45 beginning January 1, 2014 and that there are still a lot of "unknowns."

## **PUBLIC COMMENTS**

Dr. Dukes explained procedures by which the Board hears public comments. There were no individuals signed up for public comment.

## **OPINIONS**

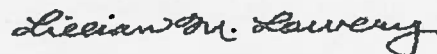
Ms. Kameen announced the following Opinions:

- 13-33 *Diana Bell v. Calvert County Board of Education* – bus driver (affirmed the local board's decision)
- 13-34 *Josephat Mua v. Prince George's County Board of Education* – termination (affirmed the local board's decision)
- 13-35 *Carroll County Board of Education v. Carroll County Education Association* – (dismissed Petition for Declaratory Ruling)
- 13-36 *Frederick Outdoor Discovery Charter School v. Board of Education of Frederick County* (denied report for reconsideration)

## **ADJOURNMENT**

With no further business before the Board, the meeting adjourned at 3 p.m.

Respectfully submitted,



Lillian M. Lowery, Ed.D.  
Secretary/Treasurer

Date: July 23, 2013

# MARYLAND STATE BOARD OF EDUCATION

## CLOSED SESSION

On this **25th** day of **June 2013**, at the hour of 12:15 am/pm the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: Mr. Gates

Seconded by: Mr. DeStefano

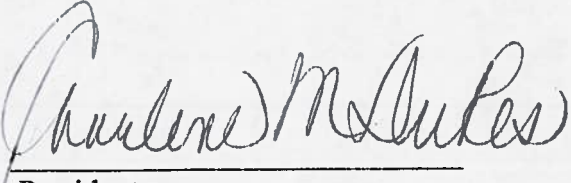
In Favor: 11 Opposed: \_\_\_\_\_ Member(s) Opposed: \_\_\_\_\_

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

  
\_\_\_\_\_  
President

**MARYLAND STATE DEPARTMENT OF EDUCATION  
PERSONNEL APPROVALS FOR THE JUNE 25, 2013 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>
Barkley, Thomas J.	Education Program Specialist I, Transition Specialist	21	Special Education/Early Intervention Services	TBD
Hasselbring, Cindy L.	Education Program Specialist II, Digital/STEM Learning Officer	22	Office of the State Superintendent	TBD
Shumaker, Mary B.	Education Program Specialist I, Educator Certification Specialist	21	Certification and Accreditation	TBD
Vickers, Debra M.	Education Program Specialist I, English Language Arts	21	Curriculum and Assessment	TBD
Volrath, David A.	Education Program Specialist II, Teacher Principal Evaluation	22	Office of the State Superintendent	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>
Aman, Angelique E.	Teacher, Academic – Reading/Language Arts	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Cianelli, Benjamin M.	Teacher, Academic – Mathematics	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Clise, Linda S.	Teacher, Academic – Reading/Language Arts	9990	Career and College Readiness, Juvenile Services Education Program	07/10/2013
Copeland, Jr., Douglas M.	Teacher, Special Education	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Costello, Leo F.	Teacher, Academic – Life Skills/Career Development	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013



DeVore, Jennifer A.	Teacher Supervisor, School Psychologist	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Dunn, Steven D.	Teacher, Special Education	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Farrell, Earle D.	Teacher, Career Technology Education – Construction Core	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Fitzpatrick –Rankin, Lynne	Teacher, Academic – Life Skills/Career Development	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Haberlein, Douglas R.	Teacher, Academic – Life Skills/Career Development	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Harman, Jr., Gerald H.	Teacher, Academic – Mathematics	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Haynes, Gwendolyn J.	Teacher, Academic – Computer Literacy	9990	Career and College Readiness, Juvenile Services Education Program	06/12/2013
Hopwood, Brian T.	Teacher, Career Technology Education – Construction Core	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Judy, Teresa G.	Teacher, Special Education	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Lewis, Lonnie J.	Teacher, Special Education	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
McDonaugh, LouAnn	Teacher, School Guidance Counselor	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
McGann, Scott P.	Teacher, Academic – College Programs	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Metz, Russell G.	Teacher, Career Technology Education	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013
Miltenberger, Barbara A.	Teacher, Academic – Reading/Language Arts	9990	Career and College Readiness, Juvenile Services Education Program	06/26/2013





Lillian M. Lowery, Ed.D.  
State Superintendent of Schools

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June 25, 2013

**BOARD LIST**

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

**Name:** Thomas J. Barkley  
**Position:** Education Program Specialist I, Transition Specialist  
**Division:** Special Education/Early Intervention Services  
**Salary Grade:** 21 (\$57,626 - \$92,521)  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**Education:**

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

**Education:**

Four (4) years of administrative or affiliated experience working with special education programs.

**DESCRIPTION:**

This position is responsible for providing consultative services and technical assistance to Local School Systems and the Division of Special Education/Early Interventions Services in the area of student transition planning and transition service delivery.

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Thomas J. Barkley  
Page two

**Qualifications:**

Salisbury State College (Salisbury, Maryland) 1977 – Master’s Degree in Special Education

Towson University (Towson, Maryland) 1974 – Bachelor’s Degree in Elementary Education

**Experience:**

Cecil County Public Schools (Elkton, Maryland)

2003 – Present: Education Program Specialist I, Transition Specialist (On loan to MSDE)

1985 – 2002: Transition Coordinator

1982 – 1985: Special Education Teacher

Cecil County Training Center (Elkton, Maryland)

1980 – 1982: Director

Developmental Disabilities Administration (Salisbury, Maryland)

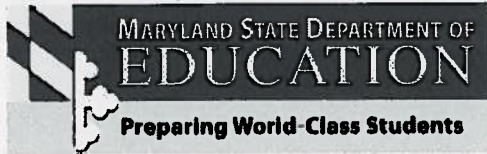
1977 – 1980: Program Coordinator

Kent County Public Schools (Chestertown, Maryland)

1975 – 1977: Special Education Teacher

**EMPLOYMENT STATUS:**

New Hire



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June 25, 2013

BOARD LIST

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

**Name:** Cindy L. Hasselbring  
**Position:** Education Program Specialist II, Digital/STEM Learning Officer  
**Division:** Office of the State Superintendent  
**Salary Grade:** 22 (\$61,496 - \$98,745)  
**Effective Date:** TBD

JOB REQUIREMENTS:

**Education:**

Possession of a Master's Degree or equivalent 36 credit hours of post-baccalaureate course work from an accredited college or university.

**Experience:**

Five (5) years of administrative or teaching experience in or affiliated with Science, Mathematics, and/or Technology education programs.

DESCRIPTION:

Serves as the Digital/STEM Learning Officer responsible for developing a framework aligned with the STEM standards that takes into account state regional job projections, delineates external partnership acquisition, and supports K-12 curriculum offerings. This position will also lead MSDE's digital learning strategy in concert with the Governor's Office to ensure that both educators and students have opportunities to utilize instructional technology as part of the core education experience.

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**Qualifications:**

**Education:**

Eastern Michigan University (Ypsilanti, Michigan) 2001 – Master of Arts, Secondary School Teaching, Emphasis in Mathematics

Cedarville University (Cedarville, Ohio) 1995 - Bachelor of Arts, Mathematics, Specialization in Secondary Education, Minor in Coaching and Bible

**Experience:**

National Science Foundation, Education and Human Resources Directorate, Office of the Assistant Director (Arlington, Virginia)

2012 – Present: Albert Einstein Distinguished Educator Senior Fellow (Research and Development in STEM Education)

2011 – 2012: Albert Einstein Distinguished Educator Senior Fellow (Presidential Awards for Excellence in Mathematics and Science Teaching - PAEMST)

Michigan Department of Education (Milan, Michigan)

2003 – Present: Network of Michigan Educators Leadership Team Member

1995 – 2011: Mathematics Teacher

**Employment Status**

New Hire



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June 25, 2013

**BOARD LIST**

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

**Name:** Mary B. Shumaker  
**Position:** Education Program Specialist I, Educator Certification Specialist  
**Division:** Certification and Accreditation  
**Salary Grade:** 21 (\$57,626 - \$92,521)  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**Education:**

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

**Experience:**

Four years of professional teaching or administrative work in or affiliated with an education program; experience that includes the interpretation and application of policies and regulations and/or certification policies and procedures is desired.

**Note:** Two years of additional experience as defined above may be substituted for the Master's Degree.

**JOB DESCRIPTION:**

This position is responsible for providing technical assistance and expertise in all aspects relating to the application and interpretation of certification regulations and determining certification eligibility for teachers and other professional personnel employed in public and certain non public schools and State professional institutions.

Mary B. Shumaker  
Page two

**Qualifications:**

Hood College (Frederick, Maryland) 1998 – Bachelor of Arts Degree in French/Secondary Education

Frostburg State University (Hagerstown, Maryland) 2004 – Present: 36 Credits in Special Education and Educational Administration

**Experience:**

United States Fellowship, Inc./Oak Hill House (Clear Spring, Maryland)

1999 – Present: Education Director/Teacher

**EMPLOYMENT STATUS:**

New Hire





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State Superintendent of Schools

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June 25, 2013

**BOARD LIST**

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

**Name:** Debra M. Vickers  
**Position:** Education Program Specialist I, English Language Arts  
**Division:** Curriculum and Assessment  
**Salary Grade:** 21 (\$57,626 - \$92,521)  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**Education:**

A Master's Degree or 36 hours of post baccalaureate coursework in Education, Educational Administration/Supervision, Secondary Reading/English Language Arts or a closely related field. Certification in Reading and/or English Language Arts is required.

**Experience:**

Four (4) years of professional administrative, accountability or teaching experience in or affiliated with an education program including two (2) years of experience in coordinating or administering an education program or service directly related to the position. Experience with a Secondary English Language Arts Education program is preferred.

**JOB DESCRIPTION:**

This is a professional position responsible for providing technical assistance to local school systems for developing effective initiatives for improving middle school student performance in English Language Arts (ELA) programs.

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

Debra M. Vickers

Page two

**Qualifications:**

**Education:**

McDaniel College (Westminster, Maryland) 2006 – Master’s Degree in Curriculum and Instruction

Towson University (Towson, Maryland) 1976 – Bachelor’s Degree in English/Secondary Education

Goucher College (Towson, Maryland) 2003 – Certificate in Educational Technology

**Experience:**

Connections Education (Baltimore, Maryland)

2011 – Present: Senior Director of Curriculum Development

McDaniel College (Westminster, Maryland)

2007 – Present: Adjunct Professor (Part-time) – Instructional Methods in English

Maryland Public Television (Owings Mills, Maryland)

2007 – 2011: Director Educational Services

Educational Testing Service (San Antonio, Texas)

2007 – 2009: High School Assessment Item Writer

Baltimore County Public Schools (Towson, Maryland)

2004 – 2007: Supervisor of English Language Arts

1976 – 2001: English Teacher, Department Chair, Team Lead

**Employment Status**

New Hire



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June 25, 2013

**BOARD LIST**

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

**Name:** David A. Volrath  
**Position:** Education Program Specialist II, Teacher Principal Evaluation  
**Division:** Office of the State Superintendent  
**Salary Grade:** 22 (\$61,496 - \$98,745)  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**Education:**

Possession of a Master's Degree or equivalent 36 credit hours of post-baccalaureate course work in Education or Educational Administration/Supervision from an accredited college or university.

**Experience:**

Five (5) years of administrative or teaching experience in or affiliated with an education programs.

**DESCRIPTION:**

This position serves as the Race to the Top (RTTT) Local Specialist for Teacher and Principal Evaluation, responsible for providing leadership to the development for the Teacher/Principal Evaluation System and support to the 24 Local Education Agencies (LEAs) in the 2012-13 field test of the Teacher/Principal evaluations and the full implementation in 2013-14 and beyond.

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**Qualifications:**

**Education:**

Bowling Green University (Bowling Green, Ohio) 1975 – Master’s Degree in Education

McDaniel College - formerly Western Maryland College (Westminster, Maryland) 1974 -  
Bachelor’s Degree in Secondary Education

**Experience:**

Maryland State Department of Education (Baltimore, Maryland)

2011 – Present: Education Program Specialist II – Race to the Top – Principal/Teacher  
Evaluation (Contractual)

Harford County Public Schools Bel Air, Maryland)

2002 – 2011: Executive Director of Secondary Education

1996 - 2002: Principal, Aberdeen High School

1993 – 1996: Assistant Principal, Aberdeen High School

1990 – 1993: Assistant Principal, Bel Air High School

1986 – 1988: Administrative Intern, Fallston High School

1984 – 1987: Athletic Director, Fallston High School

1978 – 1990: Head Varsity Lacrosse Coach, Fallston High School

1978 – 1984: Department Chair, Fallston High School

1978 – 1990: Physical Education Teacher, Fallston High School

1976 – 1977: Head Varsity Lacrosse Coach, Edgewood High School

1976 – 1977: Department Chair, Edgewood Middle School

1975 – 1977: Physical Education Teacher, Edgewood Middle School

**Employment Status**

Contractual Conversion

MARYLAND STATE DEPARTMENT OF EDUCATION  
PERSONNEL APPROVALS FOR THE JUNE 25, 2013 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>
Smith, Ph.D., Jack R.	Deputy State Superintendent for Teaching and Learning (Chief Academic Officer)	ES9	Office of the State Superintendent	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				



Lillian M. Lowery, Ed.D.  
State Superintendent of Schools

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June 25, 2013

**BOARD LIST**

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

**Name:** Jack R. Smith, Ph.D.  
**Position:** Deputy State Superintendent for Teaching and Learning (Chief Academic Officer)  
**Division:** Office of the State Superintendent  
**Salary Grade:** ES9 (\$109,340 - \$146,136)  
**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 administration, school improvement, school performance, program assessment, and teacher/principal/leadership development.

**DESCRIPTION:**

This position reports directly to the State Superintendent and is charged with improving overall academic excellence. This position is responsible for supervising five Assistant Superintendents within the department. The CAO is responsible for department leadership and oversight of the following divisions: 1) Curriculum, Assessment and Accountability, 2) Early Childhood Development, 3) Special Education and Early Intervention Services, 4) Career and College Readiness (which includes Juvenile Services Education Programs), and 5) Library Development Services.

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

**Qualifications:**

**Education:**

Notre Dame (Baltimore, Maryland) 2009 – Doctorate in Education (Instructional Leadership)

Eastern Washington University (Cheney, Washington) 1986 - Master's Degree in Education (School Administration); 1980 – Bachelor of Arts Degree in English Education

Possesses a Maryland Advanced Professional Certificate with endorsements for Administrator II, Superintendent

**Experience:**

Calvert County Public Schools (Prince Frederick, Maryland)

1998 – Present:       Position Held: Superintendent, Deputy Superintendent, Director of Curriculum, and Middle School Principal

Christian Academy in Japan (Toyko, Japan)

1992 – 1997:       Middle and High Principal

Richland School District (Richland, Washington)

1985 – 1992:       Principal and Vice Principal

1980 – 1985:       Teacher

Columbia Basin College (Richland, Washington)

1983 – 1991:       Adjunct Instructor (Part-time)

**Employment Status**

New Hire