

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday-Wednesday
February 26-27, 2008

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

The Maryland State Board of Education met in regular session on Tuesday and Wednesday, February 26-27, 2008, at the Nancy S. Grasmick State Education Building. The following members were in attendance: Mr. Dunbar Brooks, President; Ms. Beverly A. Cooper, Vice-President; Dr. Lelia T. Allen; Dr. Charlene M. Dukes; Mr. Henry Butta; Dr. Mary Kay Finan; Mr. Renford Freemantle; Ms. Rosa M. Garcia; Mr. Richard Goodall; Dr. Karabelle Pizzigati; Mr. David Tufaro and Dr. Nancy S. Grasmick, Secretary/Treasurer and State Superintendent of Schools. Mr. Blair G. Ewing joined the meeting at noon.

Elizabeth Kameen, Esq., Assistant Attorney General, and the following staff members were also present: Dr. Skipp Sanders, Deputy State Superintendent for Administration; Dr. Ronald Peiffer, Deputy State Superintendent for Academic Policy; Ms. JoAnne Carter, Deputy State Superintendent for Instruction and Academic Acceleration and Mr. Anthony South, Executive Director to the State Board.

CONSENT AGENDA

Ms. Cooper requested that a notation be included in the January 2008 State Board Minutes that she asked whether Department staff were included in the discussion of Senate Bill 203, Department of Labor, Licensing, and Regulation (DLLR) – Consolidation of Workforce Development Functions – Transfer of Adult Education and Literacy Services and Education Programs for Correctional Facilities, and that the answer was “no.”

Mr. Tufaro asked that the January minutes reflect his agreement to provide follow-up comments on the MGT Report and his request that those comments be transmitted to the staff of MGT for their response.

Ms. Garcia stated that she is unclear as to what comments from Board Members are included in the minutes of the State Board. Mr. South explained that while the recorder is obligated to capture the specific actions of the Board, the salient points of the discussions are included as well.

Upon motion by Dr. Finan, seconded by Dr. Pizzigati, and with unanimous agreement, the State Board approved the consent agenda items as follows: (In favor – 11)

Approval of Minutes of January 29-30, 2008, as amended

Personnel (**copy attached to these minutes**)

Budget Adjustments for January, 2008

Permission to Publish:

COMAR 13A.04.10 (AMEND)

Programs of Instruction in the World of Work Competencies

ALTERNATIVE GOVERNANCE PROPOSAL FOR ANNAPOLIS SENIOR HIGH SCHOOL

Dr. Grasmick introduced Ms. Ann Chafin, Assistant State Superintendent, Division of Student, Family and School Support, to give the Board a brief overview of the accountability process for schools that fail to meet annual student performance targets as required by the *No Child Left Behind Act* (NCLB). She reported that Dr. Kevin Maxwell, Superintendent of Schools, Anne Arundel County Public Schools, will discuss the Alternative Governance Proposal which has been developed for Annapolis Senior High School. She noted that this is the first of thirty-eight Alternative Governance Proposals that the Board will be asked to review and approve over the course of the next five months. She recommended approval of the Alternative Governance Proposal for Annapolis Senior High School and commended Dr. Maxwell for his proactive approach to this crucial situation.

Ms. Chafin discussed the actions taken through Maryland's Accountability System and provided a description of each level for schools in need of improvement along with the number of schools currently identified at each level. She explained that NCLB requires that schools in corrective action develop a two-year plan that Department staff monitor carefully.

Dr. Grasmick said that NCLB mandates that the State Board work with local school system personnel to develop a viable plan to remove schools from school improvement status.

Ms. Chafin introduced Ms. Teresa Knott, Supervising Coordinator, School Performance, Division of Student, Family and School Support, to discuss this year's process used for schools in corrective action. She also introduced Mr. Don Lilley, Principal of Annapolis Senior High School, to provide additional information about his school.

In response to a question by Dr. Dukes, Dr. Grasmick said that a plan is considered "viable" if school and Department staff acknowledge that the plan is making a difference in the school's progress to meet Adequate Yearly Progress (AYP).

Ms. Knott explained the four options available to a school in restructuring planning and noted that local education agencies (LEAs) have made significant resource commitments to the schools in corrective action. She asked Dr. Maxwell and Mr. Lilley to provide input on the plan for Annapolis Senior High School.

Dr. Grasmick noted that the Department insists that there be local board approval of restructuring plans prior to the State Board's approval.

Dr. Maxwell introduced Ms. Marty Poganowski, School Improvement Director for Anne Arundel County Public Schools, and described the demographics of the student population at Annapolis High School. He discussed the timeline for corrective action and stated that all school personnel were asked to make a three-year, twelve-month commitment to the school. He reported that following zero-basing of the staff, 66 percent of the staff reapplied for their positions. Dr. Maxwell said that signing, AYP and annual commitment bonuses are being offered to staff. He said that a Steering Committee was formed to act as liaison between the LEA and the school and that they are seeing some early successes in increased grade point averages (GPAs), a drop in student referrals and suspensions and an increase in attendance. He said that he believes the entire staff is "on board" and that this is "a work in progress."

In response to a question by Mr. Butta, Mr. Lilley said that he has participated in numerous professional development programs including the Principals' Academy and that all teachers have participated in

professional development programs as well. He listed several other professional development opportunities in which he has participated in through the Anne Arundel County school system.

In response to a question by Ms. Garcia, Mr. Lilley said that the primary demographic of students in the International Baccalaureate and college preparation programs is Caucasian. He said, however, that school counselors have recruited thirty-two more students to participate in the honors program and that students are being monitored closely to see if they are ready to move into higher level classes. He reported that high level classes will be conducted during the summer months to allow more higher level learning opportunities for students.

Dr. Maxwell explained that changes have been made at the central office to provide more school supervision by conducting monthly meetings with school principals.

In response to questions by Ms. Garcia, Mr. Lilley said that thirty percent of the teachers are Latinos and African Americans. He noted that Annapolis High School is an ESOL school which offers support to parents as well as their students. He reported that of 120 teachers, twelve are bilingual. Mr. Lilley explained that cultural proficiency is provided for teachers to help them deal with students and parents with diverse religious beliefs and language barriers.

In response to another question by Ms. Garcia regarding the dropout rate for African-American males, Mr. Lilley explained that the school has developed community ambassadors who go to students' homes to urge them to return to school. Dr. Maxwell said that there are provisions in the School Improvement Plan that address the dropout rate for African-American students.

In response to a question by Mr. Tufaro about the qualifications of the staff, Dr. Maxwell said that school staff are a highly committed group of teachers who are working very hard. Mr. Lilley said that most of the teachers are requesting extra training to further develop their skills.

In response to a question by Dr. Dukes, Dr. Grasmick said that a school remains under alternative governance structuring until yearly assessments show appropriate improvement. Dr. Maxwell said that new LEA goals require that all children be given support to achieve at the same high level and that he expects to see a great improvement in IB and AP participation by students.

In response to a question by Dr. Pizzigati, Dr. Maxwell said that the Steering Committee is gathering information on the pulse of the faculty at the school and that meetings are held monthly with community members to gather their input and concerns as well. He said that school personnel are recruiting local clergy to assist in helping the school succeed. Mr. Lilley said that PTSO and CAC meetings have been held at a local elementary school to hear concerns and suggestions from the community.

In response to a question by Mr. Tufaro about what the State Board can do to help, Dr. Maxwell said that providing funding for an additional twenty percent of salary for teachers on a twelve-month contract is difficult. He also said that maintaining an appropriate teacher pool is a serious concern since the State produces not only too few teachers but those of under-represented ethnic groups.

Mr. Brooks thanked Dr. Maxwell for being pro-active and expressed his concern about sustainability of the program. Dr. Maxwell said that he hopes that building the proper infrastructure in the feeder schools may produce a reduction in the need for costly interventions and remediation. He said that the LEA is looking at programs to better prepare students prior to entering middle and high school.

Upon motion by Mr. Goodall, seconded by Dr. Dukes, and with unanimous agreement, the Board approved the Alternative Governance Proposal for Annapolis Senior High School. (In favor – 11)

In response to a question by Dr. Dukes, Dr. Grasmick said that it would be very appropriate to include a status report on the report on African-American Male Achievement and related actions taken by P-20 Council at an upcoming meeting of the State Board.

STATE OF MARYLAND BRAC ACTION PLAN

Dr. Grasmick explained that the United States Congress made a decision to realign and close certain military bases in the country. She said that Maryland is in an enviable position because 45,000 to 65,000 new jobs will become available at bases in Maryland. She explained that the Governor and Lieutenant Governor formed a Subcabinet, of which she is a member, to ensure that Maryland is prepared for the vast changes needed to accommodate such growth in the State. She introduced Raj Basavaraju, staff to the Subcabinet, and Mary Gable, Director, Instructional Programs, Division of Instruction, to provide a background on the Base Realignment and Closure (BRAC) initiatives.

Ms. Gable recognized the members of the Department who have worked on BRAC issues and said that Maryland will be ready for BRAC upon its completion in 2011. She explained that security clearances for the new career opportunities and transportation are major issues to be addressed for Maryland. She reviewed the organization, Mission Statement and the actions taken by the BRAC Subcabinet. Ms. Gable went over the K-12 education initiatives to deal with the increased numbers of students and the need for more teachers and schools.

In response to a question by Mr. Butta about the cost of preparing for BRAC, Dr. Grasmick said that each Department in the State is responsible for deciding their priority needs and that the Maryland General Assembly has asked for priority items from each Department. She reported that school construction is one of the priorities for the MSDE and that the General Assembly has committed \$333 million to school construction. Dr. Grasmick noted the difficulty in predicting what level of schools will be needed – elementary, middle or high school.

Mr. Butta and Dr. Pizzigati expressed their concerns about capacity building challenges for the State. Dr. Grasmick said the Subcabinet met with the Gates Foundation at the National Security Agency to address systemic needs and that the Subcabinet is aware of the need for very effective partnerships for Maryland.

Mr. Basavaraju explained that the Maryland Department of Transportation is working to improve transportation capacity over the short and long term.

Mr. Tufaro expressed concern about high taxes in Maryland compared to neighboring states and urged that the Subcabinet look at this as a deterrent to people choosing Maryland as the state in which they reside. Dr. Allen said that since Maryland taxes military retirement payments, this could act as a deterrent as well. Mr. Basavaraju said that the Subcabinet is looking at these issues as well.

Mr. Ewing arrived at the meeting.

Mr. Brooks expressed his concern about the high cost of preparing for BRAC and the possibility that the State may not be able to recoup its losses. He urged the need for education on the attainment of security clearances to put Maryland residents in the high paying jobs which are coming. He thanked the presenters for the presentation as well as their hard work on this very important issue.

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 Ms. Rosa Garcia, seconded by Ms. Beverly Cooper, and with unanimous agreement, the Maryland State Board of Education met in closed session on Tuesday, February 26, 2008, in Conference Room 1, 8th Floor, at the Nancy S. Grasmick State Education Building. All board members were present. In attendance were Nancy S. Grasmick, State Superintendent of Schools, Ron Peiffer, Deputy State Superintendent for Academic Policy, Skipp Sanders, Deputy State Superintendent for Administration, JoAnne Carter, Deputy State Superintendent for Instruction and Academic Acceleration, and Tony South, Executive Director to the State Board. Assistant Attorneys General, Elizabeth M. Kameen and Jackie La Fiandra were also present. The Executive Session commenced at 11:55 a.m. (In favor – 12)

The Board considered and deliberated the following appeals. Opinions will be issued at an upcoming meeting.

- *Mohan Gupta v. Montgomery County Board of Education* - early entry
- *Maria and Winston Ireland v. Montgomery County Board of Education* - early entry
- *Lisa Laster v. Prince George's County Board of Education* - student transfer
- *Robert Lawrence v. Calvert County Board of Education* - employee reprimand
- *Tonya Logan v. Montgomery County Board of Education* - early entry
- *Amy Meng v. Montgomery County Board of Education* - early entry

The State Board approved six decisions and two orders for publication.

- *Sonya B. v. Montgomery County Board of Education* - health education curriculum - 08-09
- *Hampshire Greens Community v. Montgomery County Board of Education* - boundary - 08-10
- *Steven M. v. Baltimore County Board of Education* - magnet denial - 08-11
- *Johanna S. v. Howard County Board of Education* - reconsideration of student transfer - 08-12
- *Joan Taylor, et al. v. Montgomery County Board of Education* - reconsideration of school policies - 08-13
- *Thelma W. v. Prince George's County Board of Education* - student transfer - 08-14
- *Borko Kos v. Anne Arundel County Board of Education* - Order No. 08-01
- *Friends of the Bay Arts and Science Public Charter School v. Calvert County Board of Education* - Order No. 08-02

Dr. Leila Allen recused herself in the case of *Friends of the Bay Arts and Science Public Charter School v. Calvert County Board of Education*.

Mr. Brooks and the Board discussed plans for the upcoming retreat on internal board management issues and the dinner meeting with the Maryland Association of Board of Education.

The Executive Session ended at 1:30 p.m.

RECONVENE

The meeting reconvened at 2 p.m.

SIXTH CIRCUIT DECISION: SCHOOL DISTRICT OF PONTIAC V. SECRETARY OF EDUCATION

Dr. Grasmick asked Ms. Liz Kameen to provide the Board with an overview of a decision made by the U.S. Court of Appeals for the Sixth Circuit challenging the NCLB Act.

Ms. Kameen explained that eight school systems in Michigan as well as the National Education Association and ten teacher's associations asked the U.S. Court of Appeals for the Sixth Circuit to declare that a provision of the NCLB Act would excuse school systems from complying with the NCLB Act's requirements if federal funds did not cover the cost of compliance. She reported that the Court ruled in favor of the Plaintiffs-Appellants and noted that this ruling only applied to states in the Sixth Circuit. She said the U.S. Department of Education is going to appeal the case and that it strongly recommends that school systems do not conform to this decision. Ms. Kameen said that states know the consequences of accepting federal dollars but that the Court ruled that there was "ambiguity."

Dr. Pizzigati said that she will provide the Board with a report on any additional information that she obtains on this subject at the upcoming legislative meeting of the National Association of Boards of Education (NASBE).

GROWTH MODELS

The Superintendent said that the Board received a letter from the Montgomery County Board of Education requesting that the State Board submit a proposal to the U.S. Department of Education to shift Maryland's accountability system to a growth model as part of a pilot program authorized by U.S. Department of Education Secretary Margaret Spellings. She introduced Dr. Leslie Wilson, Assistant State Superintendent, Division of Accountability and Assessment and Dr. Ronald Peiffer, Deputy State Superintendent for Academic Policy, to provide an overview of growth models for accountability.

Dr. Wilson explained that the Department uses a status model and explained the differences as well as the advantages and disadvantages of each model. She explained that in eighteen months the Department will have adequate student data to support a growth model. She reported on the research that has been done for Maryland schools and said there are some challenges that school systems must meet prior to using a growth model.

Dr. Grasmick said that the Department is working with local superintendents to meet these challenges but that the U.S. Department of Education has found the yield on pilot states using growth models has not been very effective.

Dr. Peiffer said there it will be approximately six to seven months before the Board has sufficient data on which to base a decision as to which model to use and that staff are looking at the current models to determine which model would provide the best accountability system for the schools in Maryland.

Dr. Pizzigati said that both models provide benefits and challenges and that the Growth Model requires an individual student identifier which is being integrated into the schools next month. In response to a question by Dr. Pizzigati, Dr. Wilson said that there are no states using growth models to measure Adequate Yearly Progress (AYP) at the present time.

Dr. Grasmick said that changing the system would be very costly and that the funding could be used to conduct mid-year evaluations for students to provide needed interventions. She explained that the Department is developing a data record on every child which will provide huge instructional and promotional advantages.

Ms. Garcia urged that anything that addresses access issues across the State is extremely important.

Mr. Brooks expressed the importance of tracking student progress and asked for information on what Delaware and other neighboring states are doing in this area. Dr. Grasmick said that she is committed to tracking student progress and offered to bring this item back to the Board at a future meeting.

ADVANCED PLACEMENT RESULTS FOR 2007 SENIORS

The Superintendent reported that the College Board released its 4th Annual Advanced Placement (AP) Report to the Nation and that Maryland received high marks on the performance of its students on AP tests. She said that Maryland ranked second, nationwide, for the percentage of graduating seniors who have taken and passed at least one AP exam. She introduced Ms. Roni Jolley, Liaison, College Board/Advanced Placement, to give an overview of the results of that Report.

Ms. Jolley introduced Mr. Robert Alig, Regional Vice President for College Board/Middle State Regional Office, who thanked the Board for allowing this partnership to proliferate across the State. Ms. Jolley said that the Report provides results in the examination of three key elements: achievement, growth and equity. She reported that Maryland schools closed the gap for Hispanic students in AP participation. She reported that in a comparison of AP exam populations in the country among Black or African American students, Maryland reflected 17 percent participation as opposed to 7.4 percent for the nation. She said that Asian students in Maryland continue to outpace the populations in the rest of the country in taking AP exams as well.

Ms. Jolley said that Maryland districts are providing funding for the PSAT and noted that building rigor in middle school teaching encourages AP participation in high school. She discussed the challenges and next steps to be taken to further increase participation in college-mastery courses.

In response to a question by Ms. Garcia, Ms. Jolley said that the College Board uses PSAT scores to identify students in schools who have a high probability of success in these programs. Dr. Grasmick explained that the Nexus Program in middle schools, which prepares students for high school, focuses on under-represented students and is used to identify possible AP students.

In response to a question by Mr. Tufaro, Ms. Jolley said that AP standards have been constant and that last year an AP audit was conducted with a very positive outcome.

In response to a question by Mr. Freemantle, Ms. Jolley said that skills learned in AP classes are transferred to other classes and that the majority of students who choose AP classes are successful in passing the tests.

Dr. Grasmick said that AP offerings have expanded and that the goal is for every high school to offer AP classes. She said, “We believe there are eligible students in all high schools.”

On behalf of the Board, Mr. Brooks thanked the presenters.

CERTIFICATION TESTING: BASIC SKILLS

The Superintendent reported that Maryland, like all other states, is facing a declining pool of teachers and teacher candidates. She said that steps are being taken to develop alternative and flexible pathways to facilitate teacher candidates entering the profession. She introduced Dr. John Smeallie, Assistant State Superintendent, Division of Certification and Accreditation (C&A) and Dr. Louise Tanney, Assessment and Recruitment Coordinator, Division of C&A, to discuss the following recommendations:

1. Adoption of the testing option for teacher candidates seeking certification, using the SAT, ACT or GRE to demonstrate basic competency in reading, writing and mathematics; and
2. Affirmation of the following satisfactory performance scores:
 - a. SAT 110
 - b. ACT 24
 - c. GRE 1000

Dr. Smeallie reported that these changes would save money for teacher candidates as well as remove other barriers to teacher certification. He reported that Praxis I would not be eliminated.

Dr. Finan congratulated the Superintendent and Dr. Smeallie on this recommendation saying “It makes so much sense.”

In response to a question by Dr. Dukes about whether there is a statute of limitations on when the SAT was taken, Dr. Smeallie said “no.”

Upon motion by Dr. Finan, seconded by Dr. Allen, and with unanimous agreement, the Board approved the Superintendent’s recommendations. (In favor – 12)

CERTIFICATION TESTING: FOREIGN LANGUAGE

Dr. Grasmick recommended Board approval of the following:

1. Adoption of the American Council on the Teaching of Foreign Languages (ACTFL) Oral Proficiency Interview and Written Proficiency Test in French, German, and Spanish; and
2. Affirmation of “Intermediate high” as the qualifying score on each test.

3. Removal of the requirement that qualifying scores be presented on the Praxis II pedagogy test by foreign language candidates who are graduates of Maryland approved or out-of-state approved programs.

Dr. Grasmick asked Dr. Smeallie to explain the purpose of her recommendations.

Dr. Smeallie explained that this change would provide teacher candidates seeking certification an option for the required Educational Testing Service (ETS) Praxis II French, German and Spanish content tests and no longer require Praxis II pedagogy assessments for foreign language candidates who have completed a state-approved teacher preparation program. He introduced his team and thanked them for their dedicated work stating that “Maryland has a very rigorous accreditation process.”

In response to a question by Dr. Finan, Dr. Smeallie said that the elimination of the pedagogy requirement is restricted to foreign language candidates but that other programs are being considered for pedagogy requirement elimination.

Upon motion by Mr. Butta, seconded by Mr. Tufaro, and with unanimous agreement, the Board approved the Superintendent’s recommendations. (In favor – 12)

STATE LEGISLATIVE UPDATE

Dr. Grasmick introduced Ms. Renee Spence, Executive Director, Governmental Relations, to provide a legislative update and status report of issues relative to education that are currently before the 2008 General Assembly.

Ms. Spence said that more than 2500 bills have been introduced during the 2008 session of the Maryland General Assembly and that, of those, Department staff are tracking approximately 400 education-related bills. She reported that three budget hearings have been held in the State and that the MSDE budget has fared very well.

She reported that Mr. Butta attended the hearing on Senate Bill 203, Department of Labor, Licensing, and Regulation – Consolidation of Workforce Development Functions – Transfer of Adult Education and Literacy Services and Education Programs for Correctional Facilities and that discussions are continuing. She discussed briefly the following bills:

- SB 533 Task Force to Study How to Improve Financial Literacy in the State
- SB 647 Education – Funding Formula for Adult Education and Literacy Grants
- SB 773 State Department of Education – Adult Education and Family Literacy Services
- SB 787/HB520 High School Assessment Requirement
- SB 850 Education – Collective Bargaining – Public School Labor Relations Board
- HB 465 Education – Public Charter Schools – Revisions
- HB 519 Public High Schools – Graduation Requirements – Weighted Numerical Assessment System
- HB 1271 State Board of Education – Development of Curriculum Content – Financial Literacy
- HB 1319 Expanded Early Childhood Education
- HB 192 State Board of Education Members -- Qualifications

Ms. Spence requested that action on SB 447/HB 1421 High School Diploma – GED Options Program and SB 436 Education – Age of Compulsory Attendance -Exemptions take place at a later time following a report on the Task Force on Compulsory Attendance.

Ms. Kathy Oliver, Assistant State Superintendent of the Division of Career Technology and Adult Learning, discussed SB 647 Education – Funding Formula for Adult Education and Literacy Grants, reporting that this is the third year of implementation for this grant which provides a more robust budget for adult education.

Upon motion by Ms. Cooper, seconded by Mr. Ewing, the Board voted to support SB 647 Education – Funding Formula for Adult Education and Literacy Grants. (In favor – 11; Dr. Dukes recused herself based on the fact that Prince George’s Community College receives adult education funding.)

Upon motion by Dr. Pizzigati, seconded by Ms. Cooper, the Board voted to oppose SB 787/HB520 High School Assessment Requirement. (In favor – 9; Ms. Garcia and Mr. Ewing opposed; Dr. Dukes abstained.)

Ms. Kameen explained the implications of SB 850 Education – Collective Bargaining – Public School Labor Relations Board stating that local schools board and the Maryland Association of Counties (MACO) voted to oppose this bill.

Upon motion by Mr. Butta, seconded by Mr. Goodall, the Board voted to oppose SB 850 Education – Collective Bargaining – Public School Labor Relations Board. (In favor – 11; Ms. Garcia opposed)

Ms. Spence explained that HB 465 Education – Public Charter Schools – Revisions would change the funding level for charter schools from 95 percent to 86 percent.

Upon motion by Mr. Tufaro, seconded by Ms. Cooper, the Board voted to oppose HB 465 Education – Public Charter Schools – Revisions. (In favor – 10; Ms. Garcia and Dr. Dukes abstained)

A motion to support HB 519 Public High Schools – Graduation Requirements – Weighted Numerical Assessment System was defeated. Upon motion by Ms. Cooper, seconded by Mr. Tufaro, the Board voted to oppose HB 519 Public High Schools – Graduation Requirements – Weighted Numerical Assessment System. (In favor – 10; Dr. Dukes and Ms. Garcia opposed)

Upon motion by Dr. Finan, seconded by Dr. Pizzigati, and with unanimous agreement, the Board voted to support SB 533 Task Force to Study How to Improve Financial Literacy in the State. (In favor – 12)

Upon motion by Dr. Finan, seconded by Ms. Cooper, and with unanimous agreement, the Board voted to oppose HB 1271 State Board of Education – Development of Curriculum Content – Financial Literacy. (In favor – 12)

Upon motion by Dr. Pizzigati, seconded by Ms. Cooper, and with unanimous agreement, the Board voted to oppose HB 192 State Board of Education Members – Qualifications. (In favor – 12)

In response to a question by Ms. Cooper, Ms. Spence explained that HB 610 Task Force on the Preservation of Heritage Language Skills in Maryland would delve into the enhancement of language skills that students speak at home.

Mr. Brooks requested a copy of HB 1319 Expanded Early Childhood Education and its fiscal note. Ms. Spence explained that this refers to children of military families and assured Mr. Brooks that she will provide him with the requested information. He thanked Ms. Spence for her diligence in monitoring the actions of the Maryland General Assembly.

Dr. Pizzigati announced that she would not be able to attend tomorrow's Board meeting. She said that she had been asked to speak at the Third National Summit on Economic and Financial Literacy being held tomorrow in Washington, D.C.

PUBLIC COMMENTS

Mr. Brooks reported that there was no one signed up for public comments.

ADJOURNMENT

Upon motion by Dr. Finan, seconded by Dr. Dukes, and with unanimous agreement, the Board Meeting adjourned at 4:45 p.m. (In favor – 12)

RECONVENE

The State Board Meeting reconvened at 9:05 a.m. on Wednesday, February 27, 2008. Mr. Brooks announced that Mr. Goodall and Dr. Pizzigati would be absent.

ANNUAL REPORT OF THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM (BCPSS)

Dr. Grasmick explained that State legislation establishing the City/State Partnership requires that the Chief Executive Officer (CEO) of the BCPSS prepare an annual report and share it with the Board. She further explained that the State Board and the Department are required to review the report and provide comments to the Maryland General Assembly on the progress being made by BCPSS in achieving its stated goals. She introduced and welcomed Dr. Andres Alonso, CEO, BCPSS, to discuss the report with the Board.

Dr. Alonso said that many State Board members have been very supportive and praised Dr. Grasmick for her "unbelievable support." He introduced and thanked several key members of his cabinet giving them credit for their excellent work on this presentation. He also said that the members of the Baltimore City Board of School Commissioners have been extremely supportive of his efforts as well.

Dr. Alonso discussed data on performance of students in grades three through eight in mathematics and reading. He reported that the data shows that students moving through K-8 grade schools are performing better than those attending separate elementary and middle schools. He discussed the difficulties of students in middle school math programs urging that students should be tested earlier and more often.

He said that there is a need to change program sequences to allow students to take courses earlier to provide more time for testing readiness. He reported that one of the goals of the school system is to provide more AP courses.

Dr. Alonso said that data shows that students who are held back in the early grades have more incidences of truancy and suspensions in the later grades and stressed the importance of preparation in the early grades. He said the school system is prepared to offer half-day pre-K to all children in Baltimore City.

Dr. Alonso said that graduation rates are expected to increase this year and that the individual student identifier will assist in measuring student choices regarding the dropout rate. He stressed the need for more career and technology courses, explaining that since these courses are extremely expensive, the school system is recruiting partnership assistance to help offset the costs.

Dr. Alonso discussed the high cost of efforts made for schools in Corrective Action and outlined those efforts for the Board. He reported on the fragmentation of school safety policies and discussed the various actions being taken to ensure safety in all schools in Baltimore City. He discussed the importance of leadership and supports being offered for administrators in the schools. Dr. Alonso reported that there are four schools targeted for closure.

He addressed special education being provided in the schools noting that the amount of money being spent in special education in Baltimore City is "off the charts." He discussed the various special education program improvements being implemented.

Dr. Alonso reported that the average age of schools in Baltimore City is 47 years and that his administration has been very aggressive in meeting the facility needs of the schools. He reported that the BCPSS has entered into a partnership with the City of Baltimore to build new public schools. He stated that he has instituted a leaner central office staff and eliminated the backlog of capital projects. Dr. Alonso said that the FY 2007 General Fund reflected a positive Unreserved Balance of \$1,555,000 and that an independent audit provided an "Unqualified Opinion" as of June 30, 2007.

Dr. Alonso said that the percentage of highly qualified teachers has continued to improve with an estimate in 2007 of approximately 65 percent. He discussed the various ways BCPSS is recruiting and retaining highly qualified teachers and the focused improvements being made in the classroom.

Dr. Alonso concluded by saying "The exit of students begins at the end of the first grade."

In response to a question by Ms. Garcia, Dr. Alonso said that he would forward a report on college participation rates for Baltimore City students to the Board and that the overall percent of students graduating and matriculating into two and four-year institutes of higher education has fallen over the last two years. He said that approximately 60 percent of students have graduated and fewer than 50 percent have gone on to higher education. He said there is going to be an emphasis placed on algebra and AP participation as well as the provision of dual programs with the community colleges.

In response to a question by Ms. Cooper, Dr. Alonso said that the number of non-performing middle schools has declined by closing them and that data shows that providing K-8 has improved overall performance among middle school students. He said, however, that this transition is very costly. He stressed the need for collaborative planning time for teachers and curriculum alignment and

interventions. He also said that parental involvement is being addressed as well as partnerships with community-based services.

In response to a question by Ms. Cooper, Dr. Alonso said that one out of every six students is habitually absent. He said the school system is working with parent groups to address this issue. He said that it is important for community engagement with the principal of the school.

Mr. Tufaro congratulated Dr. Alonso and said “You brought a ‘make no excuse mentality’ to the Baltimore City schools.” He discussed his concern with moving ineffective teachers throughout the system rather than dismissing them. He asked Dr. Alonso how he has resolved the issue of more collaborative time for teachers and negating the myth that charters schools are taking funding away from public schools.

Dr. Alonso said that he would look into and inform the Board about those teachers in Cherry Hill Learning Zone who received negative evaluations and were removed and where those teachers were placed. He noted the difficulties in documenting and dismissing tenured teachers. He said that the important issue is to deny teachers tenure if they are not performing up to standards. He stated his full support of charter schools saying “I consider them allies in the process.” In regard to the question about collaborative time, Dr. Alonso said that it is currently in arbitration. He said, “regardless of the outcome, I am going to collaborate with the union. It is so important and we need to get it done.”

Mr. Brooks thanked Dr. Alonso and reported on a situation where a community was allowed to interview principal candidates. This involvement led to an increase in community involvement in that school.

In response to a question by Mr. Brooks, Dr. Alonso said that BCPSS has contracted with a firm to inventory the system’s school buildings. He reported that closing schools has not resulted in saving money for the school system.

In response to a question by Ms. Cooper, Dr. Alonso said that the issue of lead in the water in City schools has long been debated and he has found that providing bottled water is the easiest and most cost-effective avenue of providing healthy water to students.

On behalf of the Board, Mr. Brooks thanked Dr. Alonso for his dedication and excellent leadership.

STATUS REPORT ON EVALUATION OF IMPROVEMENTS IN THE BCPSS SY 2002-2007

Dr. Grasmick said that City/State Partnership legislation requires that every five years an independent evaluation be conducted of the partnership and the reform initiatives of the BCPSS. She introduced Debra Lichter, Director, Departmental Coordination and National Legislation Liaison, to discuss the history of this current effort and to answer any questions from Board members.

Ms. Greenberg reported that, following the issuance of two Requests for Proposals (RFPs), the consulting firm of Bonham and Gorham was awarded a contract to conduct the evaluation. She introduced Dr. Gordon Bonham, Principal Evaluator, Bonham Research and Dr. Linda Gorham, Co-Evaluator, Paraklete Consulting, to brief the Board on the consultant’s Evaluation Plan.

Dr. Gordon reported that the contract began in November 2007 and that the review and evaluation focuses on three areas:

1. Student Achievement
2. Key Master Plan Initiatives
3. Improvement of System Management

He said the firm will be analyzing report card data and focusing on the 2004-2007 school years in which consistent Middle School Assessment (MSA) scores are available. He said they will be reviewing approximately 110 documents and conducting public hearings. Mr. Brooks said that the Board will be informed when the hearing dates have been established.

In response to a question by Mr. Tufaro, Ms. Greenberg reported that a reference to the Baltimore City/State Partnership was included in the legislation. Mr. Tufaro expressed his concern that the State should not specifically be included as a partner in the legislation.

Dr. Grasmick concurred with Mr. Tufaro on this issue, saying that this partnership was established originally as a means to provide additional funding to the BCPSS and that including the State in the legislation promotes a misconception about the day-to-day operations of the BCPSS. The State has no different role in the operation of the Baltimore City Public School Systems than in any of the other twenty-three school systems.

The Board thanked Dr. Bonham and Dr. Gorham for their presentations.

TASK FORCE TO STUDY RAISING THE AGE OF COMPULSORY ATTENDANCE

The Superintendent explained that over the past five years, numerous bills have been submitted in the General Assembly to raise the age of compulsory school attendance. She said that none of the bills were enacted but that interest remains high to take action to stem the number of students who drop out of school when they reach the age of 16. She said that in 2006, the General Assembly passed legislation that created the Task Force to Study Raising the Age of Compulsory Attendance and that the Task Force recently released its report. She introduced Ranjit Dhindsa, Esq., Chair of the Task Force; Ann Chafin, Task Force Member, and Marcia Lathroum, School Counseling Specialist at MSDE and staff to the Task Force to brief the Board on the Task Force's Report. Dr. Grasmick praised Mr. Dhindsa's work on this Task Force as well as his dedication to many issues dealing with students in the State.

Ms. Chafin discussed the charge of the Task Force and reported that four subcommittees were formed to look at the laws of other states, best practices in Maryland, the practical implications of raising the age of compulsory attendance and the impact of changing the age of compulsory attendance on special populations. She said the group determined that there is no single remedy for increasing graduation rates and that it requires a multifaceted approach with interventions. She said the group agreed that the State Board should make the General Education Diploma (GED) more accessible. Ms. Chafin also reported that states that have a higher compulsory attendance age have not had better outcomes than those that did not.

Ms. Lathroum discussed six recommendations made by the Task Force. She noted that students who drop out of school must wait ninety days to take the GED exam and if they pass the exam, they are still considered dropouts rather than graduates in the school's data. She said the Task Force members recommend that, for the purpose of NCLB requirements, this discrepancy should be corrected. She also reported that one of the recommendations speaks to expanding truancy courts which the Task Force found to be a positive step to alleviate this problem.

Mr. Dhindsa said that even if legislation to raise the age of compulsory attendance is not enacted, the Task Force urged that the six recommendations be adopted. He said, "The future of our State depends on every student achieving their potential" and thanked many people who worked on this project.

In response to a question by Dr. Dukes, Ms. Lathroum said that students who are home schooled were not factored in since they are not enrolled in the public schools. She said that when a student drops out of school at age sixteen and then proceeds to a community college, the school systems do not have this data. Dr. Dukes suggested that the student identifier should follow a student through their higher education. Dr. Grasmick said that the University of Maryland and the community colleges have expressed interest in this but that the private colleges generally prohibit the use of an individual student identifier.

Dr. Finan expressed her concern about schools promoting the use of the GED for students who have not completed the coursework and met graduation requirements. Ms. Lathroum explained that there is a period of time when a student is "slipping away" and when there needs to be an alternative pathway for the student. She noted that there is a "fine line" in determining when the GED is an appropriate alternative to graduation. Dr. Finan reiterated her concern and her belief that schools should not provide support for this alternative. Dr. Allen explained that sometimes there are conditions in the home which require a student to drop out of school and take the GED test.

In response to a question by Mr. Brooks, Ms. Lathroum explained that the trigger that sends students to the GED program is reaching the age of twenty-one and not earning the required credits to graduate.

Mr. Brooks thanked the presenters for doing a great job.

Ms. Spence discussed two pieces of legislation regarding compulsory attendance and the GED options programs and the Board voted as follows:

Upon motion by Mr. Ewing, seconded by Mr. Butta, the Board voted to oppose SB 436 Education – Age of Compulsory Attendance – Exemptions. (In favor – 7; Ms. Garcia and Mr. Tufaro were absent and Dr. Dukes abstained)

Upon motion by Mr. Butta, seconded by Dr. Allen, the Board voted to oppose SB447/HB 1421 High School Diploma – GED Options Program. (In favor – 7; Ms. Garcia and Mr. Tufaro were absent and Dr. Dukes opposed)

Dr. Dukes expressed the need for the Board to conduct a more in-depth discussion of these issues. Dr. Allen stated that she feels the GED Options Program should be handled in the community college setting.

Dr. Dukes asked for more background information from staff on the reasons and conditions under which legislation is crafted. Ms. Spencer agreed to provide information on what generates interest on the various topics addressed in legislation proposals.

In response to a question by Dr. Dukes about testimony on various legislation, Ms. Spence said that opposition votes by the Board usually generate a letter of opposition but that testimony by Board members is extremely helpful.

OPINIONS

Ms. Kameen announced the following Opinions:


- 08-09 *Sonya B. v. Montgomery County Board of Education* – health education (affirmed the local board’s decision)
- 08-10 *Hampshire Greens Community v. Montgomery County Board of Education* – boundary (dismissed)
- 08-11 *Steven M. v. Baltimore County Board of Education* – magnet denial (affirmed the local board’s decision)
- 08-12 *Johanna S. v. Howard County Board of education* – reconsideration of student transfer (denied)
- 08-13 *Joan Taylor, et.al. v. Montgomery County Board of Education* – reconsideration of school policies (denied)
- 08-14 *Thelma W. v. Prince George’s County Board of Education* – student transfer (affirmed the local board’s decision)

Ms. Kameen then announced the following Orders:

- 08-01 *Borko Kos v. Anne Arundel County Board of Education* (dismissed)
- 08-02 *Friends of the Bay v. Calvert County Board of Education* (conduct specific discussions)

The President announced that there will be a Board retreat immediately following the Board Meeting to discuss internal board management issues. With no further business before the Board, the meeting adjourned at 12:45 p.m.

Respectfully submitted,


Nancy S. Grasmick
Secretary, Treasurer

NSG/rms

APPROVED: 3/27/08

MARYLAND STATE BOARD OF EDUCATION

CLOSED SESSION

On this **26th** day of **February 2008**, at the hour of 11:55 ^{am}pm, the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: Ms. Garcia

Seconded by: Ms. Cooper

In Favor: 12 Opposed: 0 Member(s) Opposed: _____

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

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

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

1. Discuss seven legal appeals.
2. Review six draft opinions.
3. Update on a legal controversy involving a local school system.
4. Discuss two internal Board management matters.



President

**MARYLAND STATE DEPARTMENT OF EDUCATION
PERSONNEL APPROVALS FOR THE February 26-27, 2008 BOARD MEETING**

I. Appointments Grade 19 and above:

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

II. Appointments Grade 18 and below:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Gardner, Susanne H.	Teacher, Correctional Adult Basic Education	IEPP	Career Technology and Adult Learning, Correctional Education Program	02/27/2008
Ricketts, Valerie L.	Teacher, Correctional Adult Basic Education	IEPP	Career Technology and Adult Learning, Correctional Education Program	02/27/2008
Williams, Nancy G.	Teacher, Special Education	IEPP	Career Technology and Adult Learning, Juvenile Services Education	03/12/2008

III. Other Actions:

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