

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday
September 23, 2014

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

The Maryland State Board of Education met in regular session on Tuesday, September 23, 2014 at 9:10 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, Jr.; Ms. Linda Eberhart; Dr. S. James Gates, Jr.; Ms. Luisa Montero-Diaz; Mr. Steven Priester; Mrs. Madhu Sidhu; Mr. Guffrie M. Smith; Donna Hill Staton, Esq.; and Dr. Lillian M. Lowery, State Superintendent of Schools. Mr. Sayed Naved and Mr. Larry Giammo were absent.

Elizabeth Kameen, Esq., Assistant Attorney General, and the following staff members were also present: Ms. Kristi Michel, Deputy State Superintendent for Finance and Administration; Dr. Jack Smith, Deputy State Superintendent for Teaching and Learning; Mr. Anthony South, Executive Director, Office of the State Board; and Penelope Thornton Talley, Esq., Deputy State Superintendent for School Effectiveness

CONSENT AGENDA

Upon motion by Mr. Smith, seconded by Dr. Gates, the Board approved the Consent Agenda as follows: (In Favor – 10)

- Approval of Minutes of August 26, 2014
- Personnel (copy attached to these minutes)
- Budget adjustments for July & August, 2014

PRINCIPALS AND ASSISTANT PRINCIPALS OF THE YEAR

Dr. Lowery introduced Debbie Drown, Executive Director of the Maryland Association of Elementary School Principals (MAESP) and Scott Pfeifer, Executive Director of the Maryland Association of Secondary School Principals (MASSP) to recognize school leaders.

Ms. Drown thanked the Board for recognizing the excellent work done by school leaders in Maryland and thanked Dr. Lowery for attending the MAESP Executive Board Meeting. She noted MAESP's appreciation for the Department's collaboration with MAESP to have its members represented at conferences and on committees. She said, "We really, truly appreciate that." Ms. Drown also announced that she would be retiring on June 30, 2015.

Ms. Drown introduced the MAESP Principal of the Year, Susan Myers of Walter S. Mills-Parole Elementary School in Anne Arundel County and Assistant Principal of the Year, Ronald Wooden, Jr. from Havre De Grace Elementary School in Harford County. She reported that they will go to Washington, D.C. and participate in an excellent program and meet other principals from across the country.

Ms. Drown shared portions of Ms. Myers' application and noted that Ms. Myers mentored and helped three teachers to become leaders. She said, "Growing leadership among the staff is important. Her knowledge of how to improve a school is second to none."

Ms. Myers said, "I am honored to be here before you...being nominated was extremely gratifying." She recognized her superintendent, Dr. Arlotto, for being so supportive of the principals in Anne Arundel County. She said, "I am so proud to be in a career that I can have an impact on students. Thank you for your recognition."

Ms. Drown reported that Mr. Wooden has been promoted to Principal of Havre De Grace Elementary School noting that he is a person who truly deserves this honor. She said that he believes in the power of words and ignites the passion in his staff and students.

Mr. Wooden said, "This is an honor to sit before you to share my passion. This award is not for Ron Wooden -- it is for our students. Thank you for recognizing the hard work that our teachers do across the state. I truly appreciate it from the bottom of my heart."

The Superintendent read a Proclamation from the Governor declaring October *Month of the Principal* and said, "Congratulations to our visionary leaders."

Mr. Pfeifer said, "Thank you for allowing us to honor these wonderful leaders." He noted that there were a record number of applications received this year and that the selection process is very rigorous. He introduced Larissa Santos, Principal of Edgewood High School in Harford County; Susan Evans, Principal of Ridgely Middle School in Baltimore County; and, Dyan Harrison, Assistant Principal of Gaithersburg High School in Montgomery County who were selected as Principals and Assistant Principal of the Year.

Mr. Pfeifer said that Ms. Santos' leadership has increased the pride of her school and that Ms. Myers took a great school and made it better. He also noted that she has been named as a finalist for the National Principal of the Year. Mr. Pfeifer said that Ms. Harrison exemplifies what an Assistant Principal has to be.

Ms. Santos thanked the Board for this recognition and related her path to becoming an educator, stating, "I recognized the tremendous impact that education makes on students. This award is for my parents, the staff and Harford County. I just had the good sense to get out of the way and let my students succeed."

Ms. Evans introduced her family members in attendance and said, "Our success at Ridgely Middle School is based on relationships. We are a National Blue Ribbon School and we continue to meet high levels of excellence. We had more than forty after-school groups and activities to

form relationship for students.” She said her school has succeeded because she is able to hire people smarter than herself.

Ms. Harrison said, “I am honored to be here this morning representing Gaithersburg High School. I wanted to make sure that all students recognize their dreams through equity and access to be whatever they want to be.”

Dr. Dukes summarized the comments made by the recipients and said, “We have the best of the best here in the State of Maryland. We are very proud of all of you. You represent colleagues across the State of Maryland.”

Dr. Gates said, “I was humbled. Schools have to be child-centric. If we look good, it’s because you folks make us look good.”

Mr. Priester said, “On behalf of students...we can tell when there is an excellent administrator. Your efforts are noticed by every student in your school.”

Ms. Staton said, “How very very lucky we are to have you leading our schools and our children. When you use words like hope and believing...that is key to our success. You inspired me today.”

Dr. Finan said, “The difference a positive leader makes made a positive effect on me. When you give hopes and dreams to students, it makes a difference.”

Ms. Sidhu thanked the group on behalf of their communities and said, “You make the community better.”

Mr. Smith said, “I know where you are coming from. It all goes back to trust and relationships. I have been in the schools. Keep up the good work. It makes us proud.”

Photos were taken and citations were awarded to each honoree.

COMAR 13A.12.01 GENERAL PROVISIONS

Dr. Lowery introduced Jean Satterfield, Assistant State Superintendent, Division of Educator Effectiveness, to discuss additional changes to COMAR 13A.12.01 General Provisions proposed by the Professional Standards and Teacher Education Board (PSTEB). She explained that the Board has the opportunity to convene a Joint Conference Committee with PSTEB, if it so desires, for further study of these proposed amendments.

Ms. Satterfield explained that this Board and the Professional Standards and Teacher Education Board (PSTEB) already reviewed these regulations at an earlier meeting and that there was an error in the publication in which a section was omitted. She explained that the PSTEB made additional proposed changes and voted to republish the regulations. Ms. Satterfield reviewed the additional proposed changes.

Dr. Gates expressed concern about the definition of STEM education on page six. Mr. DeGraffenreidt suggested that the comment period will reflect any concerns from stakeholders.

Ms. Satterfield said, "We have had a lot of time to work with our stakeholders. We have vetted these with our human relations people and they feel very comfortable."

Ms. Eberhart asked if the PSTEB made any major changes to teacher certification. She said, "Certification is somewhat different than teacher preparation. We are going to a dual road to credentialing between professional practice and student growth."

Ms. Satterfield noted that private school teachers are not judged on the same criteria as public school teachers and earn a license rather than a teaching certificate. She added that there are regulations about program approval.

Dr. Lowery said that based on Ms. Eberhart's comments, a simultaneous conversation is needed although she noted that the Board must work through the P-20 Council on teacher preparation. She invited Board members to attend meetings of the P-20 Council to provide divergent thinking to the group.

Dr. Dukes noted that a Joint Conference Committee Meeting with PSTEB can only deal with the wording in the General Provisions.

Ms. Kameen said, "You may need a Joint Conference."

Dr. Lowery urged the need to create a committee with people who think outside the box and said, "When we re-convene a different committee, we can come up with a timeline for your approval."

Mr. DeGraffenreidt urged, "We have to begin with the right questions. What does success look like?"

Dr. Gates said, "I would appeal to the Board to look at the issue of what is in COMAR and the important statement for our State. When you start asking questions, you can ask without constraints. We need to be clear in-house."

Dr. Dukes recommended that the Board request a public meeting with PSTEB to determine where there is some agreement on these issues and then go to the Governor's P-20 Council with recommendations.

Upon motion by Professor Gates, seconded by Mr. DeGraffenreidt, and with unanimous agreement, the Board voted to request a meeting with PSTEB in public session. (In Favor – 10)

COMAR 13A.03.05 ADMINISTRATION OF HOME AND HOSPITAL TEACHING FOR STUDENTS (PERMISSION TO PUBLISH)

Dr. Lowery introduced Kristina Kyles, Assistant State Superintendent, Division of Student, Family and School Support, and Michael Linkins, Counseling Specialist, to present proposed amendments to COMAR 13A.03.05 Administration of Home and Hospital Teaching for Students. She recommended that the Board grant permission to publish the proposed amendments.

Ms. Kyles reported that the proposed amendments:

1. add nurse practitioners as health professionals who may verify the need for home and hospital instruction services;
2. require an annual re-verification for students who receive concurrent delivery of instructional services instead of re-verification every 60 calendar days; and
3. add emotional conditions, such as depression and bipolar disorder, to the provision for concurrent delivery of instructional services.

Mr. Linkins explained the reasoning behind these proposed changes which were delineated by doctors, parents and coordinators to make the administration of home and hospital teaching for students more accessible and efficient.

In response to a question by Ms. Staton, Dr. Lowery said that the term “emotional” is a technical term used to describe a special education condition.

In response to a question by Dr. Finan, Mr. Linkins said that a Nurse Practitioner can operate independently where other health care professionals must work under the supervision of a licensed medical doctor.

In response to a question by Ms. Sidhu, Mr. Linkins said that six hours of instruction per week is a minimum and that some jurisdictions provide as many as four to five hours per day of instruction and noted that the program is moving toward online instruction.

Upon motion by Ms. Diaz, seconded by Mr. DeGraffenreidt, and with unanimous agreement, the Board voted to publish the amended COMAR 13A.03.05 Administration of Home and Hospital Teaching for Students. (In Favor – 10)

COMAR 13A.04.08 PROGRAM IN SOCIAL STUDIES (PERMISSION TO PUBLISH)

The Superintendent introduced Dr. Henry Johnson, Assistant State Superintendent, Division of Curriculum, Assessment, and Accountability,; Graham Long, Social Studies Specialist, MSDE; and Donna Olszewski, Social Studies Specialist, MSDE. She asked them to present proposed amendments to COMAR 13A.04.08 Program in Social Studies. She recommended that the Board grant permission to publish the proposed amended regulations.

Dr. Johnson discussed the objectives and new focus of the Maryland College, Career, and Civic Life State Standards for Social Studies (C3) and how they align with the Common Core State Standards for English Language Arts and Literacy.

Ms. Olszewski reported on the Maryland State Curriculum for Social Studies adopted in 2006 and the College, Career and Civil Life Framework for Social Studies State Standards adopted in 2013 noting the major change will be made to the current Standards 6.0 Skills and Processes which will now incorporate all of the process skills from C3. Connections will be made to the Maryland College and Career Ready ELA/Literacy Standards.

Mr. Long reported that teachers will now be required to:

- craft questions that spark and sustain an inquiry;
- cultivate and nurture collaborative civic space;
- integrate content and skills purposefully;
- promote literacy practices and outcomes; and
- provide tangible opportunities for taking informed action.

Dr. Johnson noted that Mr. Long worked on the high school assessment and will make sure that the standards align with the assessment.

Mr. DeGraffenreidt said, “I like what you are proposing. To what extent is teacher preparation needed to make this change? To what extent are teachers going to be ready for this?”

Ms. Olszewski reported that conferences were held last summer to provide professional development and that the proceedings of those sessions are available online. She also noted that professional development will be provided throughout the year.

In response to questions by Ms. Eberhart, Dr. Johnson explained that publishing these proposed amendments will reach out to stakeholders, including parents. He said, “Now that we have a good plan, we can reach out to stakeholders and make adjustments to this document. We will be addressing a timeline and will provide the Board with one at a future meeting.”

In response to a question by Dr. Gates, Ms. Olszewski said that the C3 Standards were generated by a representative group from twenty-six states.

Mr. Smith reported that he attended one of the summer academies and was quite impressed. He urged that the work being done at the academies be shared with the Board. Dr. Johnson offered to provide the Board with a list of the conference sessions from last summer’s academies.

Ms. Diaz said, “Thank you for this. In today’s complex world, this is heartening. It is relevant. This may save us as human beings.”

Upon motion by Mr. DeGraffenreidt, seconded by Mr. Smith, and with unanimous agreement, the Board granted permission to publish COMAR 13A.04.08 Program in Social Studies. (In Favor – 10)

COMAR 13A.07.09 EVALUATION OF TEACHERS AND PRINCIPALS (ADOPTION)

The Superintendent introduced Dr. Jack Smith, Chief Academic Officer, to review the proposed regulations and discuss the comments received. She recommended Board adoption of COMAR 13A.07.09 Evaluation of Teachers and Principals, as modified.

Dr. Smith reported that comments were received from the Baltimore City Public Schools (BCPS), the Montgomery County Public Schools (MCPS) and the Maryland State Education Association (MSEA) and that there were two overriding issues expressed:

1. Approval versus compliance
2. Deletion of the "highly effective" category in the rating system

He explained that issue #1 has been addressed since MSDE has a long history of using a Technical Assistance model to work collaboratively with local school systems during any approval processes. He also explained that the three-tier rating system currently in place was designed and recommended by the Maryland Council for Educator Effectiveness (MCEE) and is based on the collaborative work of many stakeholders focused on effective practice. He also noted that several concerns were addressed prior to publication.

Several Board members complimented Dr. Smith on his work and that of his staff.

Dr. Lowery noted the importance of having a threshold of rigor.

Mr. DeGraffenreidt said, "We want our students to get a world class education."

In response to a question by Ms. Eberhart, Dr. Smith said that this regulation will not sunset. Ms. Eberhart proposed that the regulation sunset at the end of two years. Mr. DeGraffenreidt asked, "If we went with your proposal, who would benefit?" Ms. Eberhart said, "I believe the students, because we don't have the data to show if this works." Mr. DeGraffenreidt said, "embedded in this is the understanding that data will be used to go forward." Ms. Ebert said, "I want a guarantee that student growth should be a measure. I would feel more comfortable."

Dr. Lowery said, "We have all 24 districts informing our work. We have a legislative mandate to use state data. We have documented what this process will be and how we will use the data we glean. If we say we are going to do something, we will do it."

Dr. Dukes said, "We received comments from two large school systems and MSEA and at no point did any of them mention sunset. That does say something about the collaborative nature of our work."

Ms. Eberhart also noted that she strongly supports a four-tier rating system and the flexibility for LEAs to determine that rating system for themselves.

Dr. Finan, who was a member of the MCEE, explained that there were representatives from across the state and that all agreed on the three-tier system. She said, "That was not a point of contention at all."

Dr. Lowery said, "In order to meet the mandate of the ESEA Waiver, we cannot change this. We are setting the floor. People can add tiers."

Upon motion by Dr. Finan, seconded by Mr. Smith, the Board adopted COMAR 13A.07.09 Evaluation of Teachers and Principals, as modified. (In Favor – 9; Ms. Eberhart opposed)

ANNUAL TEACHER PRINCIPAL EVALUATION REPORT: REAL PROGRESS IN MARYLAND

The Superintendent introduced David Volrath, Teacher Principal Evaluation Planning and Development Officer, and asked him to discuss the annual *Teacher Principal Evaluation (TPE) Report: Real Progress in Maryland*, and recommendations gathered and compiled by the Mid-Atlantic Comprehensive Center@WestEd (MAC@WestEd) in the spring of 2014.

Mr. Volrath thanked his team and introduced William Slotnik, Executive Director, Community Training and Assistance Center, to discuss the evaluation report and recommendations.

Mr. Slotnik said, "You have put in a foundation of real instructional improvement." He noted that he has worked with twenty-five states and found that Maryland is a state that understands what real progress means. He reported that a survey was conducted and that 23 of the 24 school systems responded with consistent findings. He said the overall perceptions were that frontline educators are largely supportive of the TPE System and that where the system was piloted and training was substantive the perceptions were more positive. He also stated that where there is a high level of communication between the LEA and the educator association/union, there is a more positive response to TPE.

Mr. Slotnik also noted that frontline educators are unaware of the support coming from the Department and that while principals have the best sense of what's going on in the school; the key challenge is to improve the instructional dialogue between school leaders and teachers.

He discussed common issues in implementing TPE which highlighted the need for two-way communication. Educators felt that there were unrealistic timelines but blamed the U.S. Department of Education for this problem. He said, "This is unprecedented." He suggested the need for a mechanism to hear from teachers and principals. Mr. Slotnik said that principals reported on the support that they need and that the responses to whether there is a vehicle from which to get support varied greatly among districts and schools. Dr. Dukes urged the need to report these findings to the superintendents.

Mr. Slotnik reported on teacher observations and noted that although teachers and supervisors are positive about using observations in the TPE process, teachers indicate that the observation process varies widely between and within schools.

He reported that teachers liked the idea of measuring student growth and teacher practice since it increases collaboration on behalf of instruction. He said the key issue is many teachers want more input on how student learning objectives (SLOs) are crafted. He said, "They need more help in understanding what a high quality SLO looks like. Quality matters."

Mr. Slotnik said that the areas of recommendation are about strengthening quality and building on what is being done. He said, "All of the districts want to do well."

Mr. DeGraffenreidt said that the report centers on focusing on the local level and the support to the teachers. He asked if the data tells us about the relative success occurring in some districts. He asked, "Are local school boards engaged in keeping superintendents accountable for the allocation of resources?" Mr. Slotnik said that needs to be a high priority in some of the school districts. He said that the districts making progress are putting their instructional muscle with teachers and principals.

In response to a question by Ms. Eberhart, Mr. Slotnik said that the Board will receive the data on evaluations at the next meeting.

Dr. Gates said that he is heartened by the call to develop interactive statewide constituency building and inter-district learning. Mr. Slotnik said that districts want to know that there are protocols being used from district to district. He said one of the recommendations is to develop a statewide site where people can look at SLOs and make the site accessible at the local level.

In response to a question by Mr. Priester, Mr. Slotnik said that district leaders will need to look at the results in this report to work on increasing instructional dialogue among colleagues.

In response to a question by Ms. Diaz, Mr. Volrath said that the report will be disseminated to superintendents and posted online. In response to another question by Ms. Diaz, Mr. Volrath said that teacher and principal training programs are a big part of this and that this report will impact conversations. Dr. Lowery suggested a meeting between the State Board and the Maryland Higher Education Commission (MHEC) to discuss the data. She said she is going to meet with the Commissioners in October and could arrange a meeting with the State Board.

In response to a question by Ms. Staton about disaggregating the data by school districts, Dr. Lowery said that the disaggregated data will be provided to superintendents for discussion at their next meeting.

In response to a question by Dr. Gates, Mr. Slotnik said, "there has been a major change in the State. People want guidance from MSDE except when they don't. They feel you are all going to succeed or fail together. The stakes are very high. They are looking for you to support them."

PUBLIC COMMENTS

Dr. Dukes explained procedures by which the Board hears public comments. The following persons provided public comments: Brian and Karen Vanisko on Home and Hospital Teaching for Students.

STATE SUPERINTENDENT'S REPORT

- The Superintendent reported that today is the last day of Maryland's Race To The Top (RTTT) grant and that a status report was published and broadly distributed. She asked Ms. Thornton-Talley to report on "no-cost" projects that will continue through the next year.

Ms. Thornton-Talley provided a graph depicting the eight projects that will continue for another year and funded with unused RTTT dollars.

In response to a question by Ms. Eberhart about Project 36.75 Great Teachers and Leaders and the UTeach program, Dr. Lowery said she will look into the issue and report back to the Board.

- Dr. Lowery reported that thanks to the efforts of Dr. Johnson, MSDE is getting a Gear Up Grant of \$2.1 million which will focus on college and career readiness.
- Ms. Thornton-Talley expressed a heart-felt thanks to everyone on her team for their great work.
- Dr. Smith distributed a report entitled *The Governor's P-20 Leadership Council Task Force on Arts Education in Maryland Schools* which establishes a threshold for the instruction of all children in arts education.

NASBE ANNUAL CONFERENCE: MARYLAND VOTING DELEGATE

Dr. Dukes reported that the National Association of State Boards of Education (NASBE) will be holding its annual conference in October and requested the Board affirm the designations of Dr. Mary Kay Finan and Mr. Guffrie Smith, respectively, as Maryland's delegate and alternate delegate to the 2014 Delegate Assembly.

Upon motion by Mr. DeGraffenreidt, seconded by Ms. Diaz, and with unanimous agreement, the Board affirmed the designations of Dr. Maryland Kay Finan and Mr. Guffrie Smith, respectively, as Maryland's delegate and alternate delegate to the 2014 NASBE Delegate Assembly. (In Favor 10)

EXECUTIVE SESSION

Pursuant to §10-503(a)(1)(i) & (iii) and §10-508(a)(1) & (7) of the State Government Article, Annotated Code of Maryland, and upon motion by Mr. Smith, seconded by Mr. DeGraffenreidt, and with unanimous agreement, the Maryland State Board of Education met in closed session on Tuesday, September 23, 2014, in Conference Room 1, 8th floor of the Nancy S. Grasmick State Education Building. All board members were present with the exception of Mr. Giammo and Mr. Naved. Professor Gates left at 2:00 p.m. In attendance were Dr. Lillian Lowery, State Superintendent of Schools; Kristy Michel, Chief Operating Officer; Dr. Jack Smith, Chief

Academic Officer; John White, Chief of Staff; and Tony South, Executive Director, Office of the State Board. Assistant Attorneys General Elizabeth M. Kameen, Jackie La Fiandra, Derek Simmons, and Alan Dunklow were also present. The Executive Session commenced at 1:20 p.m. (In favor – 10)

The State Board approved eight Opinions and three Orders for publication.

- *Patricia Sullivan v. Montgomery County Board of Education* – teacher termination – 14-51
- *Princess A. v. Montgomery County Board of Education* – residency – 14-52
- *Brioni B. v. Charles County Board of Education* – student transfer – 14-53
- *Ashley F. v. Montgomery County Board of Education* – change of school assignment – 14-54
- *Lindsay and Edward F. v. Montgomery County Board of Education* – change of school assignment – 14-55
- *Derrick Homesley v. Prince George's County Board of Education* – employee termination – 14-56
- *Debbie Mohabir, et al. and Tanya Spann Roche v. Howard County Board of Education* – redistricting – 14-57
- *Deborah M. v. Anne Arundel County Board of Education* – student transfer – 14-58
- *Thomas Tyler v. Harford County Board of Education* – employee demotion – OR14-08
- *Charles and Christine D. v. Charles County Board of Education* – student transfer – OR14-09
- *William Johnson v. Somerset County Board of Education* – motion for reconsideration – OR14-10

The State Board received a presentation on the FY 2016 State Education Budget Requests and the Capital Library Budget Request from Kristy Michel and Irene Padilla.

The session ended at 3:00 p.m.

RECONVENE

The meeting reconvened at 3:15 p.m.

FISCAL YEAR 2016 BUDGET ESTIMATES AND REQUESTS

Dr. Lowery asked Kristy Michel, Chief Operating Officer, to present the FY 2016 Budget Estimates and Requests and recommended State Board approval.

With no discussion and upon motion by Mr. DeGraffenreidt, seconded by Mr. Smith, and with unanimous agreement, the Board approved the FY 2016 Budget Estimates and Requests. (In Favor – 9; Dr. Gates was absent)

**COUNTY LIBRARY CAPITAL PROJECT GRANTS PROGRAM – PROJECTS
RECOMMENDED FOR FUNDING FY 2016**

The Superintendent introduced Irene Padilla, Assistant State Superintendent, Division of Library Development and Services, to answer any questions of the Board regarding the County Library Capital Project Grants Program – Projects recommended for funding for FY 2016.

With no discussion and upon motion by Mr. DeGraffenreidt, seconded by Mr. Smith, and with unanimous agreement, the Board approved the County Library Capital Project Grants Program – Projects recommended for funding for FY 2016. (In Favor – 9)

OPINIONS

Ms. Kameen announced the following Opinions:

- 14-51 *Patricia Sullivan v. Montgomery County Board of Education* – teacher termination (affirmed the local board’s decision)
- 14-52 *Princess A. v. Montgomery County Board of Education* – residency (affirmed the local board’s decision)
- 14-53 *Brioni B. v. Charles County Board of Education* – student transfer (affirmed the local board’s decision)
- 14-54 *Ashley F. v. Montgomery County Board of Education* – change of school assignment (affirmed the local board’s decision)
- 14-55 *Lindsay and Edward F. v. Montgomery County Board of Education* -- change of school assignment (affirmed the local board’s decision)
- 14-56 *Derrick Homesley v. Board of Education of Prince George’s County* – employee termination (affirmed the local board’s decision)
- 14-57 *Debbie Mohabir, et. al. and Tanya Spann Roche v. Howard County Board of Education* – redistricting – consolidated appeal (affirmed the local board’s decision)
- 14-58 *Deborah Moran v. Anne Arundel County Board of Education* – student transfer (affirmed the local board’s decision)

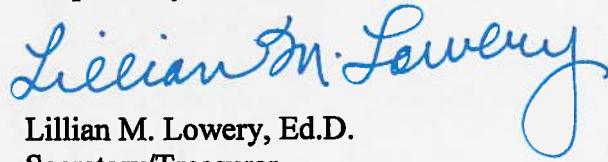
Ms. Kameen announced the following Orders:

- OR 14-08 *Thomas Tyler v. Harford County Board of Education* – employee demotion (remanded to the local board)
- OR 14-09 *Charles and Christine D. v. Charles County Board of Education* – student transfer (dismissed and decided on the merits)
- OR 14-10 *William Johnson v. Somerset County Board of Education* – motion for reconsideration (dismissed)

ADJOURNMENT

With no further business before the Board, the meeting adjourned at 3:20 p.m.

Respectfully submitted,



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

Date: 10/28/2014

MARYLAND STATE BOARD OF EDUCATION

CLOSED SESSION

On this 23rd day of September 2014, at the hour of 1:10 am/pm, the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: Mr. Smith

Seconded by: Mr. D. Ruffenicht

In Favor: 10 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 7 Legal Appeals.
2. Review 1 Draft Opinions.
3. Review 2 Draft Orders.
4. Receive Update on previously issued Opinion.
5. Discuss two items that are subject to Executive Privilege.



President

**MARYLAND STATE DEPARTMENT OF EDUCATION
PERSONNEL APPROVALS FOR THE September 23, 2014 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>
Force, Judson	Physician Program Specialist	35	Rehabilitation Services, Disability Determination Services	TBD

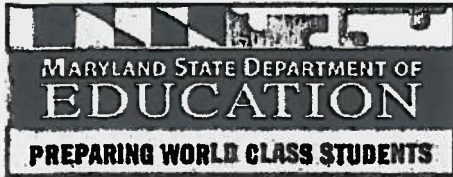
II. Appointments Grade 18 and below:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Adams, Meena A.	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Disability Determination Services	09/17/2014
Branch III, Floyd R.	Teacher, Academic – Resource	IEPP	Career and College Readiness, Juvenile Services Education	10/01/2014
Edwards, Lisa S.	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Disability Determination Services	09/17/2014
Foreman, Beryl A.	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Disability Determination Services	09/17/2014
Goodman, Jill A.	Teacher, School Guidance Counselor	IEPP	Career and College Readiness, Juvenile Services Education	10/1/2014
Hawkins, Ebonie D.	Teacher, School Guidance Counselor	IEPP	Career and College Readiness, Juvenile Services Education	09/03/2014
Henderson, Paul G.	Teacher, Academic – English/Language Arts	IEPP	Career and College Readiness, Juvenile Services Education	08/20/2014

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Holmes, Jakeena	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Disability Determination Services	09/17/2014
Hoyt, William	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Region V, Owings Mills	10/01/2014
Hunt, Carloyn	Child Care Licensing Specialist	15	Early Childhood Development, Office of Child Care, Region IV	09/03/2014
Kline, Michael R.	Teacher, Academic – Mathematics	IEPP	Career and College Readiness, Juvenile Services Education	09/03/2014
Landers, Rochelle M.	Vocational Rehabilitation Specialist I	12	Rehabilitation Services, Region II, Waldorf	10/01/2014
Norton, Lindsay	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Disability Determination Services	09/17/2014
Quino, Joan M.	Teacher, Itinerant Special Education	IEPP	Career and College Readiness, Juvenile Services Education	08/20/2014
Scott, Dominique	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Disability Determination Services	09/17/2014
Wilson, Cecilia G.	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Disability Determination Services	09/17/2014

III. Other Actions:

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



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Suzanne R. Page
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Division of Rehabilitation Services

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SEPTEMBER 23, 2014

BOARD LIST

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

Name: Judson Force, M.D.

Position: Physician Program Specialist (part-time)

Division: Rehabilitation Services,
Disability Determination Services

Salary Grade: 35 (\$111,647 - \$184,078)

Effective Date: October 1, 2014

JOB REQUIREMENTS:

Education:

Possession of a Master's Degree in the field of public health from an accredited college or university. Possession of a license and currently registered with the Maryland State Board of Medical Examiners to practice medicine under the Maryland State Law.

Experience:

A total of four years of experience in the practice of medicine.

JOB DESCRIPTION:

Responsible for providing consultative medical services medical record review as part of the adjudication of disability claims in accordance with regulations of the Social Security Administration.

Judson Force, M.D.
Page two

QUALIFICATIONS:

Education:

Johns Hopkins University (Baltimore, MD) 1967 – Master of Public Health.

Wake Forest University (Winston Salem, N.C.) 1963 – Doctor of Medicine.

Experience:

Social Security Administration (Baltimore, MD)

1981 - Present: Medical Consultant

Kennedy Krieger Institute (Baltimore, MD)

1994 – 1996: Assistant Vice President for Interdisciplinary Training

Department of Health and Mental Hygiene (Baltimore, MD)

1969 - 1994: Director, Children's Medical Services

EMPLOYMENT STATUS:

New Hire (part-time)

**MARYLAND STATE DEPARTMENT OF EDUCATION
PERSONNEL APPROVALS FOR THE September 23, 2014 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>
Austin, Kathryn S.	Education Program Specialist I, Complaint Investigation Specialist	21	Special Education/Early Intervention Services	TBD
Cheney, Kenneth J.	Information Technology Director III, Operations Manager	22	Office of Information Technology	TBD
Floyd, Sharon E.	Education Program Specialist I, Complaint Investigation Specialist	21	Special Education/Early Intervention Services	TBD
James, Efia, S.	Physician Program Specialist	35	Rehabilitation Services, Disability Determination Services	TBD
Moss, Laura A.	Education Program Specialist I, Education Accountability Specialist	21	Curriculum, Assessment, and Accountability	TBD
Torres, Melissa A.	Education Program Specialist I, Project Manager for Online Testing	21	Curriculum, Assessment, and Accountability	TBD
Ward, Debra L.	Education Program Supervisor, Coordinator of Mathematics	22	Curriculum, Assessment, and Accountability	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>
Davis, Xaviera	Staff Specialist III, Nutrition Program Administrator	18	Office of School and Community Nutrition Programs	10/01/2014

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

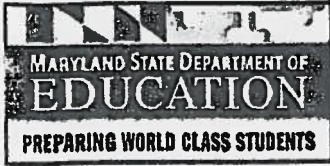
<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Tsigounis, Sherry L.	Child Care Licensing Specialist Supervisor	17	Early Childhood Development, Office of Child Care, Region III	09/17/2014

III. Other Actions:

<u>NAME</u>	<u>POSITION</u>
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None

<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
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September 23, 2014

BOARD LIST

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

Name: Kathryn S. Austin
Position: Education Program Specialist I,
Complaint Investigation Specialist
Division: Special Education/Early Intervention Services
Salary Grade: State Salary Grade 21
Annual Salary Range: \$59,355 - \$86,690
Effective Date: TBD

JOB REQUIREMENTS:

EDUCATION:

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

EXPERIENCE:

Four (4) years of professional experience in evaluation or compliance monitoring, supervision/administration, or a related experience within or affiliated with an organization serving school-aged children with disabilities.

DESCRIPTION:

This position is responsible for ensuring compliance with the State and federal laws for the education of students with disabilities under the Individuals with Disabilities Education Act (IDEA). This includes primary responsibility for investigating complaints and providing technical assistance in order to resolve conflicts between public agencies and parents.

QUALIFICATIONS:

Education:

University of Texas School of Law (Austin, Texas) 1988 – Juris Doctorate Degree.

University of Virginia (Charlottesville, Virginia) 1985 – Bachelor’s Degree in Psychology.

Experience:

Maryland Coalition for Inclusive Education (Hanover, Maryland)

2009 – Present: Staff Attorney

K. Sabrina Austin Law & Consulting, LLC (Silver Spring, Maryland)

2011 – Present: Attorney at Law

Moskowitz & Austin, LLC (Silver Spring, Maryland)

2004 – 2011: Partner

1997 – 2004: Associate

Powell Goldstein Frazer & Murphy (Washington, District of Columbia)

1992 – 1997: Associate, Public Finance Group

Miles & Stockbridge (Baltimore, Maryland)

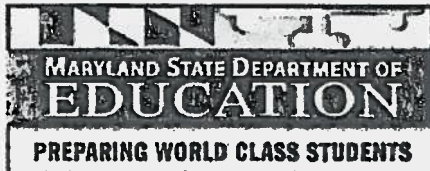
1989 – 1992: Associate, Corporate Department; Public Finance

Melnicove, Kaufman, Weiner & Smouse, P.A. (Baltimore, Maryland)

1988 – 1989: Associate, Estates and Trusts

EMPLOYMENT STATUS:

New Hire



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September 23, 2014

BOARD LIST

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

Name: Kenneth J. Cheney
Position: Information Technology Director III, Operations Manager
Division: Office of Information Technology
Salary Grade: State Salary Grade 22
Annual Salary Range: \$63,341 - \$101,708
Effective Date: TBD

JOB REQUIREMENTS:

EDUCATION: A Master's Degree or 36 post baccalaureate credit hours of coursework from an accredited college or university in Computer Information Technology, Computer Science, Management Information Systems, or other information technology-related field. Additional Certifications such as Information Systems Security Professional (CISSP) preferred.

EXPERIENCE: Five year(s) of experience in information technology projects as a leader for deadline driven visible projects with two (2) years of the required experience including direct supervision of other professional employees. Experience in designing, creating and maintaining systems, policies, procedures and standards. Project management and Oracle experience is desired.

DESCRIPTION: This is professional management position, serving as the Operations Manager, responsible for specialized work to oversee the development, design, maintenance, operation, and support of the technology requirements and components of Race to the Top (RTTT) systems, and other Maryland State Department of Education (MSDE) systems and objectives.

Qualifications:

Education:

University of Maryland (Adelphi, Maryland) 1994 – Bachelor’s of Science in Business (Economics).

Certifications: 2013 – ITIL (Information Technology Infrastructure Library) Foundation Certificate in IT Service Management; 2003 – Microsoft Certified Systems Engineer; 2000 - Microsoft Certified Professional; University of Baltimore (Baltimore, Maryland) 1997 –Management and Communications Information Technology.

Experience:

Sky Line Technology Solutions (Glen Burnie, Maryland)

2014 – Present: Senior Systems Engineer

Sinclair Broadcasting (Hunt Valley, Maryland)

2013 – 2014: Senior Systems Administrator

World Wide technology (Saint Louis, Missouri)

2011 – 2013: Senior Sales Engineer

Saint Mary’s Parish (Annapolis, Maryland)

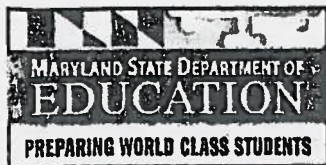
2006 – 2011: Director of Information Systems and Technology

A. Anderson Scott Mortgage Group (Rockville, Maryland)

2004 - 2006: Manager of Information Systems and Technology

Employment Status

New Hire



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September 23, 2014

BOARD LIST

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

Name: Sharon E. Floyd
Position: Education Program Specialist I,
Complaint Investigation Specialist
Division: Special Education/Early Intervention Services
Salary Grade: State Salary Grade 21
Annual Salary Range: \$59,355 - \$86,690
Effective Date: TBD

JOB REQUIREMENTS:

EDUCATION:

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

EXPERIENCE:

Four (4) years of professional experience in evaluation or compliance monitoring, supervision/administration, or a related experience within or affiliated with an organization serving school-aged children with disabilities.

DESCRIPTION:

This position is responsible for ensuring compliance with the State and federal laws for the education of students with disabilities under the Individuals with Disabilities Education Act (IDEA). This includes primary responsibility for investigating complaints and providing technical assistance in order to resolve conflicts between public agencies and parents.

QUALIFICATIONS:

Education:

The Johns Hopkins University (Baltimore, Maryland) 1988 – Master’s Degree in Economics Education Leadership.

High Point College (High Point, North Carolina) 1980 – Bachelor’s Degree in Special Education.

Advanced Professional Certificate – Maryland State Department of Education.

Experience:

Maryland State Department of Education (Baltimore, Maryland)

2014 – Present: Consultant, Family Support and Dispute Resolution Branch

Baltimore County Public Schools (Towson, Maryland)

2005 – 2014: Compliance Supervisor

2004 – 2005: Compliance Specialist

2003 – 2004: Compliance Support Teacher

1996 – 2003: Individualized Education Program Chairperson, Pikesville Middle School

1986 – 2003: Special Education Department Chairperson, Pikesville Middle School

1980 – 1993: Special Education Teacher, Pikesville Middle School

Homeland Security, Alcohol Tobacco Firearms and Explosives, US Department of Justice, Office of Juvenile Justice and Delinquency Prevention (Washington, District of Columbia)

1999 – Present: Educational Consultant

EMPLOYMENT STATUS:

New Hire



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Suzanne R. Page
Assistant State Superintendent

Division of Rehabilitation Services

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SEPTEMBER 23, 2014

BOARD LIST

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

Name: Efia S. James, M.D.
Position: Physician Program Specialist
Division: Rehabilitation Services,
Disability Determination Services
Salary Grade: 35 (\$111,647 - \$184,078)
Effective Date: October 1, 2014

JOB REQUIREMENTS:

Education:

Possession of a Master's Degree in the field of public health from an accredited college or university. Possession of a license and currently registered with the Maryland State Board of Medical Examiners to practice medicine under the Maryland State Law.

Experience:

A total of four years of experience in the practice of medicine.

JOB DESCRIPTION:

Responsible for providing consultative medical services medical record review as part of the adjudication of disability claims in accordance with regulations of the Social Security Administration.

Efia James, M.D.
Page two

QUALIFICATIONS:

Education:

George Washington University (Washington, D.C.) 2013 – Master of Public Health
Epidemiology.

Howard University School of Medicine (Washington, D.C.) 2008 – Doctor of Medicine

Experience:

Maryland Physician Associates (Greenbelt, MD)

2012 – Present: Physician

Optimal Solutions Group (College Park, MD)

2012: Healthcare Consultant (Part-time)

Yale New Haven Hospital (New Haven, Connecticut)

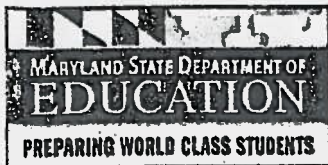
2008 - 2011: Resident Physician

New York City Department of Health and Mental Hygiene (New York, New York)

2010: Visiting Resident Physician

EMPLOYMENT STATUS:

New Hire



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September 23, 2014

BOARD LIST

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

Name: Laura A. Moss
Position: Education Program Specialist I,
Education Accountability Specialist
Division: Curriculum, Assessment, and Accountability
Salary Grade: State Salary Grade 21
Annual Salary Range: \$59,355 - \$86,690
Effective Date: TBD

JOB REQUIREMENTS:

EDUCATION:

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

EXPERIENCE:

Four (4) years of administrative or teaching experience in or affiliated with an education program; this experience to include coordinating or administering an education research program or education research related area. Experience in statistical analysis, applications development and research, or data management preferred; Statistical Analysis Software experience desired.

DESCRIPTION:

This is a professional position responsible for providing program support and technical assistance for conducting research related to the accountability program within the Accountability Branch of the Division of Curriculum, Assessment, and Accountability.

QUALIFICATIONS:

Education:

Johns Hopkins University (Baltimore, Maryland) 2010 – Master’s Degree in Education;
Technology in Special Education – Assistive Technology.

University of Delaware (Newark, Delaware) 2006 – Bachelor’s Degree in Early Childhood
Development and Education; Special Education.

National Board Certification – Exceptional Needs: Early Childhood through Young Adulthood.

Maryland Educator License – Regular and Special Education; PRAXIS I and PRAXIS II.

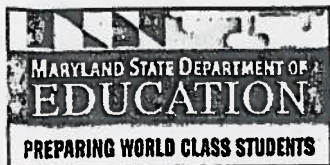
Experience:

Anne Arundel County Public Schools (Annapolis, Maryland)

- 2013 – 2014: Resource Special Education Teacher, Belvedere Elementary School
- 2010 – 2013: Preschool Early Childhood Intervention Educator, Marley Glen School
- 2008 – 2010: Intermediate Special Educator, Marley Glen School
- 2007 – 2008: Elementary Special Educator Multiple Intensive Needs, Shipley’s
Choice Elementary School
- 2006 – 2007: Elementary Special Educator Multiple Intensive Needs, Jones
Elementary School
- 2006 – 2006: Kindergarten Teacher, Thomson Estates Elementary School
- 2006 – 2006: Preschool Special Educator, John G. Leach School

EMPLOYMENT STATUS:

New Hire



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September 23, 2014

BOARD LIST

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

Name: Melissa A. Torres
Position: Education Program Specialist I,
Project Manager for Online Testing
Division: Curriculum, Assessment, and Accountability
Salary Grade: State Salary Grade 21
Annual Salary Range: \$59,355 - \$86,690
Effective Date: TBD

JOB REQUIREMENTS:

EDUCATION:

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

EXPERIENCE:

Four (4) years of professional work experience in or affiliated with an education program; this experience to include two years coordinating or administering an education program or services directly related to the position.

DESCRIPTION:

This is a professional position responsible for providing leadership and technical expertise to support and manage the implementation of online testing for the Partnership for Assessment of Readiness for College and Career (PARCC), ongoing development and implementation of Maryland's online high school and grade 5 and 8 science, and alternate assessment programs.

QUALIFICATIONS:

Education:

Pace University (New York, New York) 2005 – Master’s Degree in Teaching and Learning.

University of Pennsylvania (Philadelphia, Pennsylvania) 2002 – Bachelor’s Degree in Psychology and English.

Advanced Professional Certificate – Maryland State Department of Education, 2017.

Teaching Certificate – New York Department of Education.

Experience:

Patterson Park Public Charter School (Baltimore, Maryland)

2012 – Present: Lead Teacher, Kindergarten

The Trilok School (Brooklyn, New York)

2011 – 2012: Education Director and Assistant Director

Pearson Inc. (Paterson, New Jersey)

2010 – 2011: Digital Media Consultant

Houghton Mifflin Harcourt, Inc. (Boston, Massachusetts)

2007 – 2010: Educational Consultant

Groundwork for Youth (New York, New York)

2007 – 2007: Director of Education

Girls Preparatory Charter School (New York, New York)

2005 - 2007 Founding Teacher, Kindergarten

Teach for America (Harlem, New York)

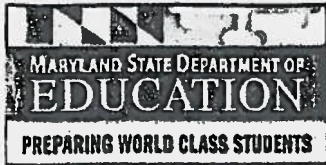
2002 – 2005: Lead Teacher, Second Grade

Marist School (Atlanta, Georgia)

2003 - 2003 Reach for Excellence, Summer Enrichment Program Educator and Curriculum Editor

EMPLOYMENT STATUS:

New Hire



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September 23, 2014

BOARD LIST

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

Name: Debra L. Ward
Position: Education Program Supervisor,
Coordinator of Mathematics
Division: Curriculum, Assessment, and Accountability
Salary Grade: State Salary Grade 22
Annual Salary Range: \$63,341 - \$92,485
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. Degree in Mathematics desired; certification in Mathematics is preferred.

EXPERIENCE:

Five (5) 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 Mathematics. Experience with K-12 Mathematics programs preferred; experience in developing and/or reviewing assessment items desired.

DESCRIPTION:

This is a professional position responsible for the coordination of all activities of the Office of Mathematics for Kindergarten through High School.

QUALIFICATIONS:

Education:

Towson University (Towson, Maryland) 1981 – Master’s Degree in Education; 1975 – Bachelor’s Degree in Mathematics and Education.

Experience:

Howard County Public Schools (Ellicott City, Maryland)

2014 – Present: Math Instructional Support Teacher

University of Maryland Baltimore County (Baltimore, Maryland)

2009 – Present: Adjunct Faculty: Teacher Leadership, Advanced Methods in Teaching Secondary Mathematics, Pre-calculus, Calculus

Maryland State Department of Education (Baltimore, Maryland)

2011 – 2014: Education Specialist, Secondary Mathematics

Anne Arundel Community College (Arnold, Maryland)

2009 – 2010: Adjunct Instructor: College Algebra

Anne Arundel County Public Schools (Annapolis, Maryland)

2005 – 2011: Mathematics Teacher Specialist

1999 – 2005: Professional Development Instructor

1995 – 2005: Mathematics Department Chairman, Old Mill High School

1978 – 1995: Mathematics Teacher, Old Mill High School

1975 – 1978: Mathematics Teacher, Magothy River Middle School

EMPLOYMENT STATUS:

New Hire