

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday
April 24, 2012

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

The Maryland State Board of Education met in regular session on Tuesday, April 24, 2012 at 8:00 a.m. at the Nancy S. Grasmick State Education Building. The following members were in attendance: Mr. James H. DeGraffenreidt, Jr., President; Dr. Charlene M. Dukes, Vice President; Dr. Mary Kay Finan; Dr. James Gates, Jr.; Ms. Nina Marks; Ms. Luisa Montero-Diaz; Mr. Sayed Naved; Mrs. Madhu Sidhu; Mr. Guffrie M. Smith, Jr.; Dr. Ivan Walks; Ms. Kate Walsh and Dr. Bernard Sadusky, Interim Secretary/Treasurer and State Superintendent of Schools. Donna Hill Staton, Esq. was absent due to a family emergency.

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

CONSENT AGENDA

Mr. DeGraffenreidt called for a motion to approve the Consent Agenda.

Upon motion by Mr. Smith, seconded by Mrs. Sidhu, and with unanimous agreement, the Board approved the consent agenda as follows: (In Favor – 9: Mr. Naved and Dr. Dukes had not yet arrived)

- Approval of Minutes of March 27, 2012 and April 9, 2012
- Personnel (no personnel actions this month)
- Budget Adjustments for March, 2012
- Permission to Publish:
 - COMAR 13A.05.09.02 Programs for Homeless Children (REPROPOSAL)

PERSONNEL – CONTRACT RATIFICATION

President DeGraffenreidt reminded Board members that since the retirement of Dr. Grasmick, Dr. Bernard Sadusky has shown great leadership serving as the Interim State Superintendent. On behalf of the Board, he thanked Dr. Sadusky and the staff who have worked so hard to keep the Department on track. He reported that after a series of input meetings with stakeholders, the Board was able to determine what qualities were to be sought in a new Superintendent. He noted that after reviewing a long list of very qualified candidates, the Board is recommending Dr. Lillian Lowery.

Upon motion by Dr. Gates, seconded by Ms. Sidhu, and with unanimous agreement, the Board ratified the contract with Dr. Lillian Lowery appointing her to a four-year term as State Superintendent of Schools commencing on July 1, 2012. (In Favor 10; Mr. Naved had arrived)

Dr. Lowery said, "I am so privileged and honored to be here. I am grateful for the work the staff of this Department has done."

RACE TO THE TOP (RTTT) UPDATE

Superintendent Sadusky introduced Dr. Jim Foran, Assistant State Superintendent, Division of Academic Reform and Innovation, to provide the Board with an update on the Race to the Top (RTTT) initiative.

Dr. Foran said there has been great progress with colleagues on program evaluations. He said that two-hour interviews with staff were conducted and that the evaluation should be complete by the end of September which will include an interim report on each project. He reported that there are reviews being conducted on the transition plan for the Educator Effectiveness Academies, common core standards, and the local education agency (LEA) Scopes of Work as well as a formative assessment of the work of the Breakthrough Center. He noted that a progress report prepared as a result of the visit by staff of the U.S. Department of Education (USDE) is expected this week. He indicated that this report will serve as the basis for a "Stock Taking" meeting by the staff who are implementing Maryland's RTTT grant.

In response to a question by Ms. Walsh, Dr. Foran said that a report from the USDE has not been received yet but that they seem to be very pleased with the turn-around efforts. He said, "Their concerns were very minimal."

Ms. Sidhu noted the need of LEAs for funding for technology. Dr. Foran said that the Department is working to assist LEAs in this area.

In response to a question by Dr. Gates, Dr. Foran said, "By the time this grant is over, we will be the poster child for a Longitudinal Data System."

In response to another question by Dr. Gates, Dr. Foran said that a Change Management Specialist has been hired to reach out to LEAs to determine their needs and concerns.

In response to a question by Ms. Walsh regarding the evaluation of teachers, Dr. Foran said, "We are in the final stage of the pilots. We are where we thought we would be and gearing up for the second year of piloting. We are on schedule." He also reported that a guidance document has been distributed on all of the pieces of the evaluation system. Dr. Finan reported that there was a good update from the pilot school systems at the recent meeting of the Maryland Council on Educator Effectiveness (MCEE).

RACE TO THE TOP FOCUS AREA: STEM STANDARDS OF PRACTICE

The Superintendent introduced Mary Cary, Assistant State Superintendent, Division of Instruction, to open a discussion of STEM education. He recommended Board acceptance of the definition and Standards of Practice so that staff can proceed with the development of curriculum and professional development related to Science, Technology, Engineering and Mathematics (STEM) education.

Ms. Cary reported that the Governor established a STEM Task Force to discuss the state of STEM in Maryland. She noted that the Task Force provided recommendations, the first of which is to create standards for STEM education. Ms. Cary introduced Donna Clem, STEM Coordinator, to discuss the STEM Standards of Practice. She also acknowledged the work of several other staff members who were instrumental in creating the definition and standards for STEM education. Ms. Cary said the Board is being asked to accept, not adopt, the Standards of Practice which will remain in draft form as feedback continues to be gleaned. She noted that the final documents will be presented to the Board for adoption in June of 2013.

Ms. Clem said that STEM education is a different way of instruction which requires clarity and uniformity and is embedded in content areas. She discussed the seven Standards of Practice noting that business and government leaders asked that students improve their communication, teamwork and collaboration skills to be successful business leaders. She reported on the results of an online survey in which 711 participants responded. She said that a framework is being developed to guide instruction as early as pre-kindergarten. Ms. Clem said that guidance and instruction for teachers will begin with the Educator Effectiveness Academies and that eight colleges are looking at these standards for elementary teacher certification.

In response to a question by Dr. Gates, Ms. Clem said that the survey was distributed to colleges and universities. She said, "I am looking forward to building more partnerships to get feedback." Ms. Cary noted that a council may be established which would include members from the higher education community.

Dr. Gates said that there is a level of STEM training which is geared toward manufacturing and not just on the college track. Ms. Clem said, "STEM is for everyone. This is for all students." Kathy Oliver, Assistant State Superintendent for the Division of Career and College Readiness, said, "A STEM capable workforce is where we want to be. It is our push in career and technology education."

In response to a question by Ms. Sidhu, Ms. Cary said that the Educator Effectiveness Academies will provide instruction in STEM to make sure that the whole school faculty understands the standards.

Ms. Marks noted the need for the integration of STEM in all areas.

Dr. Gates asked, "How widely are we engaging the entire education community in understanding that this is preparing students for 21st century jobs that require a different kind of education?" Ms. Clem said that this is clearly the message that is getting out and that this change will take time.

Upon motion by Mr. DeGraffenreidt, seconded by Ms. Diaz, and with unanimous agreement, the Board accepted the definition and Standards of Practice for STEM education. (In favor – 10)

TRANSITION TO THE NEW ASSESSMENT SYSTEM AND COMMON CORE

Dr. Sadusky introduced Mary Gable, Assistant State Superintendent, Division of Academic Policy; Dr. Carolyn Wood, Assistant State Superintendent, Division of Accountability and Assessment; Mary Cary; and Steve Brooks to provide additional information on the transition and options for implementing the transition to the new assessment system and common core standards.

Ms. Gable explained that the Board is asked to consider a timeline for new graduation requirements that are aligned to assessments created by the Partnership for the Assessment of Readiness for College and Careers (PARCC). She discussed the key elements of the Common Core/PARCC assessments and the High School Assessments (HSAs). Ms. Gable provided tables outlining proposed HSA graduation requirements and PARCC graduation requirements.

Mr. Brooks provided the cost implications of the transition decisions for accountability and graduation requirements. He said that the investment in accountability is substantial and that the 2014-2015 school year would be the most costly with a gradual decline from that point forward.

Ms. Walsh said, “You did a great job laying out a very complicated problem.” She suggested that a statement recognizing the principles of fairness for students, teachers and LEAs would eliminate some of the fear associated with new accountability measures.

The President agreed and suggested that a preamble be included such as the one suggested by Ms. Walsh.

MARYLAND’S 2011-2012 MILKEN NATIONAL EDUCATOR

Dr. Sadusky introduced Dr. Darla Strouse, Executive Director of Partnerships, to introduce Maryland’s 2011-2012 Milken National Educator. He provided some history of the Award noting that it carries with it a monetary award of \$25,000 provided to the recipient. He noted that educators cannot apply but rather must be nominated.

Ms. Strouse provided a video of the announcement of the winner, Madeline Hanington, a teacher of seventh grade English at Gaithersburg Middle School in Montgomery County. She reported that Ms. Hanington is the first person in her family to attend college describing her as “an amazing teacher.” She said that all her 82 students were disadvantaged and that all were proficient on the Maryland State Assessments (MSAs).

Ms. Hanington said, “I work at the best school. My role models are my parents. Their support is amazing. We all want our students to be successful. I have just been blessed. Thank you.”

Mr. DeGraffenreidt said, "My colleagues welcome the opportunity to congratulate you on this award. We recognize the importance of what teachers do day in and day out. You represent a group of people who do very special work. Thank you and congratulations."

The Board presented a token of their appreciation and photos were taken.

GOVERNMENT HIGH SCHOOL ASSESSMENT

The Superintendent asked Dr. Carolyn Wood, Mary Gable and Mary Cary to review the options for reintroducing a high school assessment in Government and the implications of each option.

Ms. Gable explained that as a result of two pieces of legislation enacted by the 2012 Maryland General Assembly, the State Board is required to reintroduce the Government HSA. She then asked the Board to approve the graduation requirement starting with the incoming ninth grade class of 2013-2014.

Dr. Walks asked why money would be spent to put the test back in place for one year after which the State would be moving to a new assessment system. Ms. Carey provided some background information on the introduction of the legislation and the funding to implement the assessment was to be included in the Governor's supplemental budget. She added that the legislation also requires the Board to review the PARCC assessment during the 2014-2015 school year to determine its effectiveness in measuring social studies and history content.

Upon motion by Mr. DeGraffenreidt, seconded by Mr. Smith, and with unanimous agreement, the Board approved a Government high school graduation requirement commencing in the 2013-2014 school year, provided that the funding was included in the Governor's supplemental budget. (In favor – 11; Dr. Dukes had arrived)

STATE LEGISLATIVE UPDATE

Dr. Sadusky invited Rene Spence, Executive Director, Government Relations, and Steve Brooks, Deputy State Superintendent for Finance, to provide updates on legislative proposals and the State Education Budget.

Mr. Brooks reported that there were many budget adjustments that could not be implemented through the Budget Bill. He discussed the cuts in the Budget Bill that impact education.

Ms. Spence reported that there were more than 2600 bills introduced during this session of the Maryland General Assembly and that she and her staff tracked fewer bills than ever before. She said they were successful in ensuring that the setting of education policy remained under the Board's purview.

She discussed a compulsory age of public school attendance bill that passed noting that it includes many reasons for granting exceptions and includes a provision granting the State

Superintendent the ability to waive the compulsory age requirement. She discussed the various changes that will be required to fulfill the bill's requirements.

Ms. Spence went over the following education-related bills that passed during the legislative session:

- Regional School of the Arts for Cecil, Kent and Queen Anne's Counties – Feasibility Study
- Epinephrine Availability and Use – Policy Requirements
- Financial Education and Capability Commission
- State Personnel – Collective Bargaining – Applicability
- Task Force to Explore Including Sustainable Agriculture in Executive Curricular Areas
- Home Visiting Accountability Act of 2012
- Maryland Advisory Council for Virtual Learning – Establishment
- Domicile Requirements for Attendance – Exception
- Maryland After-School and Summer Opportunity Fund Program
- Secondary Education – Electronic Reader Pilot Programs – Study
- Public School Construction Program – Maryland School for the Blind
- Comprehensive Master Plans
- Informal Kingship Care – Enrollment Before Submission of Documentation
- Core Content Areas – Accountability Program
- Online Courses and Services – Development or Review and Approval
- Maintenance of Effort
- State Department of Education – Oral Health Education

REMARKS BY GOVERNOR O'MALLEY

Governor O'Malley thanked the members of the Board, the staff and Dr. Sadusky for "keeping us moving forward." He said, "Today is a hope-filled occasion. We have a great leader in Dr. Lowery." The Governor reported on the recently-named Green Ribbon Schools in Maryland and thanked the Board for its adoption of the Environmental and Financial Literacy curricula. He said, "The progress we have made was not inevitable. We made the right choices." Governor O'Malley noted that Maryland has been voted the number one school system for four years in a row during the toughest of economic times. He said, "We have to not rest on our laurels. We have to be world class in a state where the most important job we create is the next one."

The Governor discussed the State's goal of achieving college and career readiness for all students, the winning of the federal RTTT grant, the increase in the number of college graduates in STEM, and STEM AP participation. He stated the need to be able to benchmark students on the national stage. The Governor noted that Maryland started "at the back of the pack" in establishing a longitudinal data system that tracks students from kindergarten through higher education. He said, "We are now at the front of the pack. It's really, really impressive."

Governor O'Malley discussed the need for a better unified strategy to recruit qualified principals asserting that, "Good principals are teacher magnets." He also commented on the need to

graduate more career and technical education (CTE) students and noted that “We have a skill shortage rather than a job shortage in our State.”

The Governor thanked the members of the Board for giving of their time noting they should be very proud of the strides made in closing the achievement gap.

Mr. DeGraffenreidt thanked the Governor and said, “You make it easy with your support in words and actions. We are grateful to you for placing a world class physicist on the Board. We are taking your remarks and turning them into policy.”

Several Board members commented on the support that the Governor has provided and thanked him for appointing them to the Board.

COMAR 13A.01.05.02 APPEAL CONTENTS (AMEND)

Ms. Kameen explained this amendment to regulation adds an additional mode of mailing as a means of transmitting an appeal to the State Board. She reported that no comments were received following publication of the proposed amendment in the *Maryland Register*.

Upon motion by Dr. Dukes, seconded by Mrs. Sidhu, and with unanimous agreement, the Board adopted COMAR 13A.01.05.02 Appeal Contents, as amended. (In Favor – 11)

COMAR 13A.12.02.28 WORLD LANGUAGES (NEW)

The Superintendent invited Jean Satterfield, Assistant State Superintendent, Division of Certification and Accreditation; Dr. Joann Ericson, Chief of the Certification Branch; and Susan Spinnato, Director of Instructional Programs to provide an overview of the this new regulation which was initiated by the Professional Standards and Teacher Education Board (PSTEB).

Ms. Satterfield said that this regulation will delete barriers for students to learn world languages at an early age.

Upon motion by Mr. Smith, seconded by Mrs. Sidhu, and with unanimous agreement, the Board approved COMAR 13A.12.02.28 World Languages. (In Favor – 11)

COMAR 13A.12.02.06 SECONDARY ACADEMIC CONTENT AREAS (AMEND)

COMAR 13A.12.02.15 TRADES & INDUSTRY (AMEND)

COMAR 13A.12.02.17 OTHER ACADEMIC AREAS (AMEND)

Dr. Ericson discussed the changes being recommended in these three regulatory areas. She noted that these changes had been initiated by PSTEB and that there were only positive comments received regarding the changes to the Career and Technical Education regulations.

Upon motion by Dr. Dukes, seconded by Ms. Montero-Diaz, and with unanimous agreement, the Board approved the proposed changes to COMAR 13A.12.06 General Secondary Areas (grades 7-12), COMAR 13A.12.02.15 Trades and Industry (grades 7-12); and COMAR 13A.12.02.17 Other Academic Subjects (grades 7-12). (In favor – 11)

REPORT ON THE JOINT CONFERENCE COMMITTEE MEETING

The President reported that as a result of a Joint Conference Committee Meeting with the PSTEB, the PSTEB agreed to bring a proposal to the May Board meeting that should address the State Board's concerns. He thanked Ms. Satterfield for her stewardship of this issue.

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 Dr. Gates seconded by Dr. Dukes, and with unanimous agreement, the Board met in closed session on Tuesday, April 24, 2012, in Conference Room 1, 8th floor of the Nancy S. Grasmick State Education Building. All board members were present except Donna Hill Staton. In attendance were Dr. Bernard Sadusky, Interim State Superintendent; Steve Brooks, Deputy State Superintendent for Finance; 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 12:00 p.m. (In favor – 11)

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

- *Janis Sartucci, et al. v. Montgomery County Board of Education* – easements
- *Daniel Townsend v. Prince George's County Board of Education* – employment status – resignation or not

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

- *Anne Arundel County Maintenance of Effort* – waiver request – Opinion 12-13
- *Stacy Messick and Stephanie Moses v. Wicomico County Board of Education (I)* – employee discipline case – Opinion 12-14
- *Stacy Messick and Stephanie Moses v. Wicomico County Board of Education (II)* – termination case – Order No. OR12-07

The Board received an update on the outcome of a recent charter school bus case.

Counsel explained the legal issues arising from a recently filed Complaint to the Open Meetings Compliance Board and related Public Information Act request. The Board discussed the deliberative privilege doctrine.

Counsel outlined the two MOE Waiver requests and the several legal issues presented in an "Agreed On" waiver v. "Impeded Ability" waiver.

The President called for volunteers for the 2012 Candidate Review Committee – Baltimore City Board of School Commissioners. Charlene Dukes, Kate Walsh and Ivan Walks will make up the Committee.

The executive session ended at 1:20 p.m.

RECONVENE

The meeting reconvened at 2 p.m. Dr. Dukes was not present.

ORAL ARGUMENTS

The Board heard oral arguments in the case of *Gwin v. Baltimore City Board of School Commissioners*. Appellant Gwin was represented by Keith Zimmerman, Esq. Allison Huey, Esq., argued for Baltimore City Board of School Commissioners.

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. Naved, and with unanimous agreement, the Board met in closed session on Tuesday, April 24, 2012, in the Board Conference Room of the Nancy S. Grasmick State Education Building. All board members were present except Donna Hill Staton and Charlene Dukes. In attendance were Tony South, Executive Director to the State Board and Assistant Attorneys General, Elizabeth M. Kameen and Jackie La Fiandra. The Executive Session commenced at 2:30 p.m. (In favor – 10)

After hearing Oral Argument in public session, the State Board deliberated *Joseph Gwin v. Baltimore City Board of School Commissioners*, a teacher termination case. It will be published at a later date.

The executive session ended at 3:15 p.m.

RECONVENE

The meeting reconvened at 3:10 p.m.

DLLR UPDATE ON DIPLOMAS BY EXAM

Dr. Sadusky introduced Alexander Sanchez, Secretary of the Department of Labor, Licensing and Regulation (DLLR); Paulette Francois, Assistant Secretary, Division of Workforce Development and Adult Learning, DLLR; and Debi Faucette, GED Testing Service, to provide

an update on the administration of the GED Testing Program and the National External Diploma Program.

Mr. Sanchez reported that DLLR will be implementing computer-based GED testing at a number of sites around the state, while continuing to offer the paper and pencil tests at currently approved testing centers.

Ms. Faucette reported that beginning in January 2014, there will no longer be a paper version of the GED test. She reported that a revised assessment will be delivered through a computer-based platform in approved testing centers. She said that the minimum cut score for the new assessment to determine credentialing has not been set yet. In addition to the minimum credentialing score, the new assessment will also have an endorsement score above the minimum credentialing score. The endorsement score reflects college and career readiness. Ms. Faucette explained that registration and scheduling can be done online, by phone or in person at the test center. The cost to administer the computer-based assessment by the GED Testing Service® will be \$24 per content area or \$120 for the entire test battery. She noted that students will be able to schedule tests individually as well as get an immediate score after testing. In addition, test security will be much more effective and efficient with computer-based testing. Ms. Faucette said that test administrators will now only be required to hold a high school diploma and that this will afford more flexibility in scheduling the testing.

Ms. Francois reported on the implementation of the project stating that the first phase includes the identification of computer-based testing sites and IT compatibility. She noted that legislative changes will be required and that during the interim period the paper and pencil version will be provided to those who have already taken a portion of the test or need to retest to earn their diploma. She reported that DLLR will assess candidates \$30 per content area for computer-based testing. This cost will include registration, scheduling, testing, scoring, data transfer, credentialing, and maintenance of candidate data. The total cost to a candidate to complete the test battery via computer will be \$150. She noted that they are working to get subsidies from the federal government, state government or foundations to offset the costs.

In response to a question by Dr. Gates, Ms. Faucette said that the national norm shows that adult learners are not at the level of the common core standards which is why there will be two levels of certification.

In response to a second question by Dr. Gates, Ms. Faucette said that eighty percent of the demographic are thirty-five years old and below and that they prefer computerized testing. She reported that a comparability and usability skills study was conducted and offered to provide the results to the Board. She also noted that they are working with their partners to get computer training into the adult training institutions.

Dr. Gates also questioned the increase in costs to test takers. The President asked if DLLR staff had done a data analysis on what percentage of people would be unable to take the test due to the cost. Ms. Faucette explained that the test can be taken in \$30 increments and that costs could be additionally offset if there are vouchers and discounts made available for those who are in need financially.

In response to a question by Ms. Diaz, Ms. Faucette said that there will be tutorials provided for learners to use to prepare them for taking the computerized test. She noted that taking the computerized tests require minimal technology skills.

Dr. Finan said that all students should be able to take a computerized test noting this as a positive move. She also noted that breaking the test down into separate content areas will ensure better scores and more success for the test takers.

Mr. Naved questioned the significant increase in cost for test takers noting that when computers are incorporated, the costs should decrease.

Ms. Diaz explained that in Maryland a person is required to show a valid driver's license to be eligible to take the test. She noted that there is a waiver process but that it is very cumbersome and asked Mr. Sanchez if they are looking at changing this requirement. He responded, "Yes" and explained that currently an individual can file an appeal to him which is always approved. Ms. Francois said that they will be including this issue in their legislative proposals.

The President thanked the presenters for their report.

ALTERNATIVE GOVERNANCE PROPOSALS

Dr. Sadusky introduced Teresa Knott, Supervising Coordinator, School Performance; Dr. William Hite, Superintendent, Prince George's County Public Schools (PGCPS); Duane Arbogast, Chief Academic Officer, PGCPS; and Sheila Jackson, Supervisor of School Improvement, PGCPS, to discuss Alternative Governance Proposals for the following schools in Prince George's County:

1. Barnaby Manor ES
2. Francis Scott Key ES
3. James Madison MS
4. Thomas S. Stone ES

Ms. Knott reported that this will be the final year for Alternative Governance proposals to be brought to the Board due to the approval of the flexibility waiver granted by the USDE. She reported that all of the schools have selected Option 1 – replace all or most of the school staff responsible for the school not making Annual Yearly Progress (AYP). She said that each school will include time for collaboration and teacher planning in their master schedules. Ms. Knott noted that students, staff, the community and teachers unions are in agreement with the proposals.

In response to a question by Mr. Naved, Ms. Knott said that approximately 24% to 28% of the staff have or will be replaced. He asked that this information be included in all Alternative Governance Proposals.

Dr. Hite reported that Alternative Governance Plans are grounded in the Mission and Theory of Action adopted by PGCPS. He discussed the importance of the use of data to direct

interventions, collaboration between teachers, rigor and high expectations. He reported that the central office of PGCPSS has been reorganized to support principals more fully and is providing differentiated professional development for teachers and principals. He introduced the school principals and thanked Ms. Knott for working with the principals on strategies and answering essential questions that they asked regarding the process. Dr. Hite noted that the Breakthrough Center has provided tremendous support. Dr. Hite discussed the district's infrastructure changes such as monitoring the school improvement plans, providing data to the schools and providing an Alternative Governance Oversight Board to engage the community in the process.

In response to a question by Mr. Naved, Mr. Arbogast said that there is not a significant pool of teachers in Prince George's County and that teachers are given the opportunity to opt out of the school. He noted that even though certain schools do not meet their AYP targets they may still be making significant progress.

Ms. Knott explained that the law does not dictate how many people should be replaced in a school that selects option 1, and that it takes approximately eighteen months to get charter schools to replace the staff through options two and three. She explained that the three options are not what brings about changes in the schools but rather the reforms that are put in place and the leadership in the building.

Dr. Hite said that most high need schools are struggling to find teachers. He reported that eighty percent of the Prince George's County schools showed significant growth while a larger number of schools did not make AYP. Ms. Knott said that the law does not take into account the advancements made in schools. She said, "They have made tremendous growth."

Mr. Naved asked that Option 1 be explained in more clearly in future proposals.

Mr. Arbogast said that the future is in compensation reform and that the school system is at the beginning of changing how teachers will be paid.

Upon motion by Mr. Smith, seconded by Ms. Sidhu, and with unanimous agreement, the Board approved the Alternative Governance Proposals for the four schools identified. (In favor – 9: Dr. Gates and Dr. Dukes were absent)

SUPERINTENDENT'S REPORT

Dr. Sadusky reported on the following items:

- The Maryland Council on Educator Effectiveness met and presenters from the piloting school districts reported that the pilot projects are in different stages of development. He said there are varying degrees of success and that three districts will pilot the state model next year. He noted that a guidebook has been developed and provided copies for the Board. The guidebook provides background on the Maryland Teacher/Principal Evaluation process and guidance for local education agencies selecting the State model or using the State framework to develop their own model. He reported that staff is in the development stage of creating a rating system for teachers.

- He indicated that he was in receipt of requests from Howard, Queen Anne's, Kent and Worcester Counties to waive the final day of school for students since it falls on a Monday. He explained the cost factor involved in opening the school for one day.

Upon motion by Mr. DeGraffenreidt, seconded by Mr. Smith, the Board granted the waivers and authorized the Superintendent to take action on similar requests subsequently submitted by other school systems. (In favor – 8; Opposed – Ms. Walsh)

PUBLIC COMMENT

Mr. DeGraffenreidt reported that no one had signed up for public comment.

OPINIONS

Ms. Kameen announced the following Opinions:

- 12-13 *Anne Arundel County MOE Appeal* – held that Anne Arundel County did not meet MOE for FY 2012)
- 12-14 *Messick and Moses v. Wicomico County Board of Education* (employee case) – dismissed as moot

Ms. Kameen announced the following Order:

- 12-07 *Messick and Moses v. Wicomico County Board of Education* – dismissed appeal as premature

ADJOURNMENT

With no further business before the Board, the meeting adjourned at 4:50 p.m.

Respectfully submitted,



Bernard J. Sadusky
Interim Secretary/Treasurer

Date: *May 22, 2012*

MARYLAND STATE BOARD OF EDUCATION

CLOSED SESSION

On this 24th day of April 2012, at the hour of 11:25 am/pm, the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: Gate

Seconded by: D. Linn

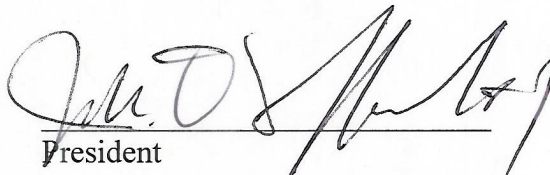
In Favor: All Opposed: _____ Member(s) Opposed: _____

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

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

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

1. Discuss 5 legal appeals.
2. Review 1 draft order.
3. Receive advice of counsel on four issues.
4. Discuss 1 internal Board management matter.



President

MARYLAND STATE BOARD OF EDUCATION
CLOSED SESSION

On this 24th day of April 2012, at the hour of 2:15 pm/pm, the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: Smith

Seconded by: Ward

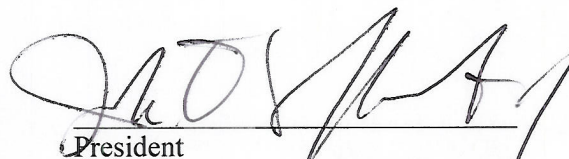
In Favor: All Opposed: None Member(s) Opposed: _____

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:

To deliberate the appeal for which oral argument was provided this afternoon.



President