

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday
April 27, 2010

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 27, 2010, 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. Luisa Montero-Diaz; Mr. David H. Murray; Mr. Sayed Naved; Mrs. Madhu Sidhu; Mr. Guffrie M. Smith, Jr.; Donna Hill Staton, Esq.; Dr. Ivan Walks; Ms. Kate Walsh and Dr. Nancy S. Grasmick, Secretary/Treasurer and State Superintendent of Schools.

Elizabeth Kameen, Esq., Assistant Attorney General, and the following staff members were also present: Dr. John Smeallie, Deputy State Superintendent for Administration; Mr. Steve Brooks, Deputy State Superintendent for Business Services and Mr. Anthony South, Executive Director to the State Board.

President DeGraffenreidt recognized new Board members, Luisa Montero-Diaz and Sayed Naved, and welcomed them to the Board. Both members expressed their eager anticipation to work with the Board in serving all children in the State. Ms. Montero-Diaz and Mr. Naved are residents of Montgomery County and both have children in the Montgomery County Public Schools.

CONSENT AGENDA

Dr. Grasmick reported that she is recommending that Scott Pfeifer, currently a Loaned Educator, join the Department's staff as Director of Instructional Assessment and that Susan Spinnato be promoted to fill the position of Director of Instructional Programs.

Upon motion by Dr. Gates, seconded by Ms. Sidhu, and with unanimous agreement, the Board approved the Consent Agenda as follows: (In Favor – 12)

- Approval of Minutes of March 23, 2010
- Personnel (copy attached to these minutes)
- Budget Adjustments for March, 2010

ALTERNATIVE GOVERNANCE PROPOSALS

Dr. Grasmick introduced Ann Chafin, Assistant State Superintendent, Division of Student, Family and School Support, and Teresa Knott, Supervising Coordinator, School Performance, to

provide a brief overview of the Department's accountability process for schools that fail to meet annual student performance targets as required by the *No Child Left Behind* Act (NCLB). She also reported that Dr. Andres Alonso, CEO of the Baltimore City Public School System (BCPSS), will discuss the plans proposed for changing the governance structures in the following schools:

- Maritime Industries Academy High School
- Steuart Hill Elementary/Middle School
- Waverly Elementary School
- William Pinderhughes PreK-8 School

Dr. Grasmick recommended State Board approval of the Alternative Governance for School Improvement proposals for the four schools.

Ms. Chafin discussed the process used for changing the governance structures in low-performing schools. She reported that approximately fourteen percent of Maryland's public schools are in school improvement.

Ms. Knott reported that thirty-eight Maryland schools may come out of school improvement next year and that the major areas of concern in most of the schools are mathematics and special education. She reported that schools are given four options when they are deemed "needing improvement" and that all four schools selected Option #1, replacing staff. She said that each school system identified significant reform efforts for all four schools and that the Baltimore City Board of School Commissioners approved all of the governance changes.

In response to a question by Ms. Walsh, Ms. Knott reported that, based on statewide data, an average of 25 to 30 percent of the instructional staff are replaced when Option #1 has been selected by schools and school systems.

Dr. Alonso introduced Dr. LaWanda Burwell, Executive Assistant for Strategic Affairs, and the newly-appointed principals of each school. He noted that the replacement of staff, along with the high movement of instructional employees each year in the BCPSS, provides a much higher percentage of new instructional employees in the schools. He said that the school system received a great amount of guidance and support from Dr. Grasmick and Department staff and that the schools will be receiving a lot of community support as well.

In response to Mr. DeGraffenreidt's comment about the importance of the non-instructional staff in the schools, Dr. Alonso said that they are key components but that the school environment and tone is the reflection of the leadership of the school administrators.

In response to questions by Dr. Gates, Dr. Alonso said that school progress is monitored throughout the year through formative assessments and at the end of the year through its outcomes. He reported that parent surveys are examined and that every year the goal of meeting "adequate yearly progress" (AYP) gets more difficult. He also responded that merging of two schools does not necessarily provide a large economic stimulus since schools are funded on a per pupil basis.

In response to a question by Mr. Murray, Dr. Burwell said that school guidance counselors are not required to re-apply for their positions since they are considered non-instructional staff.

In response to Ms. Walsh's questions, Dr. Alonso said that sixty-six percent of the staff at the Maritime Industries Academy High School is new and that all four of the principals were replaced by current school system employees. He agreed to provide the Board with the percentage of staff replaced in the other three schools.

In response to Ms. Walsh's question about the replacement of principals from within the school system, Dr. Alonso explained the procedures used to advertise, interview and subsequently select the principals. He said that the school system has not been very successful in attracting principals from outside the system.

In response to a question by Ms. Sidhu, Dr. Alonso said that several of the principals and teachers who were replaced retired and some were placed in other schools. He said that the school system has been very clear in communicating the standards required by their employees.

In response to Mr. DeGraffenreidt's request for Dr. Alonso to comment on the Race To The Top application (RTTT), a highly-funded federal competitive grant program, Dr. Alonso said that the elements in the application would enable huge improvements over the current education system. He said, "sometimes we confuse boldness with effectiveness ---I am on Board."

Upon motion by Mr. DeGraffenreidt, seconded by Dr. Finan, and with unanimous agreement, the Board approved the Alternative Governance for School Improvement proposals for the four schools. (In Favor – 12)

Dr. Grasmick acknowledged the incredible work done by all parties involved in a twenty-six year lawsuit surrounding the provision of special education services to students in Baltimore City. She said that the lawsuit was recently settled and noted the excellent partnership between the City school system and the Department.

COMAR 13A.07.01 COMPREHENSIVE TEACHER INDUCTION PROGRAM (ADOPTION)

Dr. Grasmick introduced Dr. Colleen Seremet, Assistant State Superintendent, Division of Instruction, and recommended adoption of COMAR 13A.07.01 Comprehensive Teacher Induction Program. She reported that this item is supportive of the effort to secure RTTT funding and will provide greater consistency to the quality of support provided to new teachers throughout the State.

Dr. Seremet reported that comments by the Maryland State Education Association (MSEA), an organization representing teachers in twenty-three jurisdictions in Maryland, were received late yesterday, alleging inconsistencies between the statute and the regulation proposed.

Dr. Grasmick said that the General Assembly adopted language requiring mentoring programs and that this regulation is part of the State's obligation to that statute. She reported that a task force will be appointed to make recommendations on the teacher induction program.

In response to a question by Dr. Gates about postponing this action, Dr. Grasmick said that this regulation gives guidance to local school systems to provide an induction and mentoring program to teachers for the next school year beginning in August. She said that this program will ensure some over-arching level of consistency among school systems.

Dr. Seremet said that she believes the regulation is very specific to the statute and is not inconsistent with the statute adopted by the General Assembly.

In response to a question by Ms. Staton, Dr. Seremet said that all new teachers, including those new to profession as well as those new to the school, receive differentiated programs of induction.

Upon motion by Mr. Smith, seconded by Dr. Finan, and with unanimous agreement, the Board adopted guidelines for a comprehensive induction programs for new teachers, including a mentoring component. (In Favor – 12)

CURETON V. MONTGOMERY COUNTY BOARD OF EDUCATION

Ms. Kameen reported that Ms. Cureton did not appear for oral argument in the case of *Cureton v. Montgomery County Board of Education* and that the State Board would base its decision on the materials provided.

RACE TO THE TOP (RTTT) UPDATE

Dr. Grasmick thanked Mr. DeGraffenreidt for his leadership in co-chairing the Steering Committee that is working on the RTTT application. She also thanked June Streckfus of the Maryland Business Roundtable, Cathy Allen of the Maryland Association of Boards of Education (MABE) and Clara Floyd of the Maryland State Education Association (MSEA) for their assistance and support in this important endeavor.

She reported that sixty-one presentations have been made in and around the State to various groups to provide an understanding of the total reform effort that is being pursued. She noted that Maryland is one of the few states that has posted a draft of its application on its website in advance of presentation to the U.S. Department of Education to elicit public comments. She noted that eighteen school systems have signed a Memorandum of Understanding (MOU) and that four school systems are holding board meetings this week to vote on signing an MOU.

Dr. Grasmick reported that she has received many emails and letters applauding the efforts and proposals in the application. She introduced the following individuals who will provide updates on the various reforms proposed in the application:

- Christine Tell, Director, Achieve State Services, Achieve, Inc.
- Dr. Colleen Seremet, Assistant Director of Instruction
- Ann Chafin, Assistant State Superintendent, Division of Student, Family, and School Support
- Mary Cary, Assistant State Superintendent, Division of Leadership Development
- Dr. Jim Foran, Project Manager, RTTT Application and Executive Director, High School and Postsecondary Initiatives
- Anand Vaishnav, Project Manager and Content Co-Leader for Data and Technology to Improve Instruction, Education First Consulting Team

Ms. Tell discussed the partnership Achieve, Inc. has had with the State of Maryland and the milestones that have been met through the efforts of this partnership. She reported that the Department began developing common assessments many years ago through the development of the high school voluntary state curricula which subsequently became the state curricula. She reported that the MSDE, along with forty-eight other state education agencies, has signed onto the common core standards initiative which is coordinated by the Council of Chief State School Officers (CCSSO) and the National Education Association (NEA). She briefly went over the math, English language, history/social studies and science common core standards. Ms. Tell provided a timeline for the adoption of the standards and noted that a draft of the K-12 standards is posted at www.corestandards.org and that more than 9600 comments have been received thus far. Ms. Tell said that Achieve did an analysis of the English Language Arts and mathematics standards and made recommendations to the RTTT Steering Committee.

Ms. Chafin discussed the State's approach to dealing with low performing schools. She noted that the Department developed an application for the federal School Improvement Grants (SIG) Program which was formally approved by the U.S. Department of Education (USDOE) on March 26, 2010. She said that it is a formula grant to be used to implement one of four rigorous school intervention models with a total of \$47 million in SIG funding to be distributed. She reported that President Obama signed the Consolidated Appropriations Act of 2010 which included critical changes made in the SIG Program and allows state education agencies and local education agencies to use SIG funds to serve certain "newly eligible" schools (certain low-achieving schools that are not Title I) and defined what constitutes a Tier I, Tier II and Tier III school under Title I of the Elementary and Secondary Education Act (ESEA) of 1965.

Ms. Cary discussed a proposed Statewide Evaluation System for principals and distributed a Principal Focus Group Discussion Document. She reported that principal focus groups started last year and the Department has interacted with more than two hundred principals and executive officers representing all twenty-four school systems.

Dr. Seremet discussed the teacher focus groups describing them as an ongoing process of evaluating educator effectiveness. She reported that between 380-400 teachers were involved in the focus groups as well as representatives from the higher education community. She said that the groups were informal and delineated the following common themes expressed in group discussions:

- Importance of teacher evaluations being transparent and clear

- Provision of adequate training
- Understanding of factors beyond the employee's control (i.e., facility issues, lack of technology, etc.)
- Problems involved in teaching out of field
- Definition around student learning and growth
- Levels of accountability (as part of a team and collaborative planning)
- What are conditions for success in a good teacher evaluation system?
- Clear expectations on targets for students

Dr. Seremet said that an Educator Effectiveness Workgroup will be established by Dr. Grasmick after the focus groups complete their work.

Dr. Foran reported that sixteen superintendents, board presidents and the president of the Baltimore Teachers Union (BTU) signed MOUs agreeing to the conditions represented in the RTTT application. He said that the Maryland State Education Association, thus far, has not signed an MOU.

Mr. Vaishnav reported that most states did not release their first draft of the RTTT application for comments. He said that *Education First* will be editing the application based on the comments received and that they will be creating a national review panel to go over Maryland's application.

Dr. Foran said that after revising the first draft and a technical review, the application will be submitted to the U.S.D.E. after the May Board meeting.

Mr. Vaishnav outlined the following guidelines for a successful application:

1. build on Maryland's strengths
2. clear and concise (avoid acronyms)
3. nature of reform plans (bold reform with broad stakeholder support)

He stated that the Department "must be committed to reform whether or not you get the money."

Dr. Grasmick recommended that the Board grant permission to publish proposed amendments to COMAR 13A.07.04.01 Minimum Requirements for the Evaluation of Certificated Personnel. She reported that this regulation would not be in effect until the 2012 school year and noted that it would be included in the RTTT application.

Ms. Kameen went over the components of the regulation as follows which includes stakeholder input and student growth:

- establish a new evaluation system effective 2012
- establish, in law, Maryland's commitment to teacher evaluations
- put in place certain commitments

Ms. Walsh moved, and Dr. Gates, seconded the motion to grant permission to publish the proposed amendments to COMAR 13A.07.04.01 Minimum Requirements for the Evaluation of Certificated Personnel.

In response to Ms. Sidhu's concern that the MSEA affiliates have not signed the MOU, Dr. Foran said that only school system leaders are required to sign the document. Mr. DeGraffenreidt explained that there is a lack of understanding of the details of the application among MSEA affiliates and that a process must be conducted to garner their support.

Ms. Kameen discussed sections (4)(A) and (4)(B) under General Standards and explained that they are not conflicting.

In response to a question by Dr. Gates, Ms. Chafin said that the Department staff read the grant applications completed by local school systems and provided clear feedback to them. She explained that schools must be able to deliver what the grant applications propose in order to be eligible for the grant.

Dr. Gates requested data on the number of students to be served in Tier I and Tier II schools and a copy of the PowerPoint presentation presented by Ms. Tell.

In response to a question by Dr. Dukes, Dr. Grasmick said that five or six school districts will pilot the new evaluation systems prior to implementation in 2012. In response to another question by Dr. Dukes, Ms. Chafin said that the principals' evaluation will include the school's culture and climate which takes into affect the non-instructional staff.

In response to Dr. Gates' question, Dr. Foran said that the RTTT funding is designated for public school reform not higher education reform. He said that higher education leaders will play a role in the application procedure by providing suggestions to be included in the application.

Ms. Walsh expressed her opinions that there should be four tiers of performance instead of three and that 35 percent of the performance evaluation criteria should be based on standardized tests.

Dr. Grasmick said that she will provide the Board with stakeholder comments on a regular basis.

In response to a question by Ms. Walsh, Ms. Cary said that Maryland has an excellent record in working with and training leaders which is reflected in the RTTT application. Dr. Seremet said that Maryland is unique in that the proposed teacher evaluation system is looking at student growth and performance. She also noted that Maryland's collaboration among teachers, co-teachers and teams of educators is unique in the country as well as Maryland's eight year history of providing professional development to teachers and leaders. She said that Maryland's training guide is considered a national model.

Upon a vote on the Walsh/Gates motion to grant Permission to Publish COMAR 13A.07.04.01 Minimum Requirements for the Evaluation of Certificated Personnel, and with unanimous agreement, the Board adopted COMAR 13A.07.04.01. (In Favor – 10; Ms. Staton and Dr. Walks were absent for the vote)

Dr. Grasmick commended the team that crafted the RTTT application.

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. Dukes, seconded by Mr. Smith, and with unanimous agreement, the Maryland State Board of Education met in closed session on Tuesday, April 27, 2010, in Conference Room 1, 8th floor, at the Nancy S. Grasmick State Education Building. All board members were present except Kate Walsh. In attendance were Dr. Grasmick, State Superintendent of Schools; Dr. John Smeallie, Deputy State Superintendent for Administration; Steve Brooks, Deputy State Superintendent for Business Services; 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 12:30 p.m. (In favor –11; Dr. Walks was absent).

The State Board deliberated five cases.

- *Katherine Cureton v. Montgomery County Board of Education* – teacher termination
- *Janelle Duffy v. Howard County Board of Education* – residency
- *Kenneth Fanyo v. Baltimore County Board of Education* – early entry to kindergarten
- *Lyudmila Kalnitskaya and Mikhail Kalnitskiy v. Montgomery County Board of Education* – student discipline
- *Latitia Mouzon v. Baltimore County Board of Education* – student discipline

The State Board approved three decisions and three orders for publication.

- *C.T.L. v. Montgomery County Board of Education* – procurement dispute 10-18
- *Lyudmila K. and Mikhail K. v. Montgomery County Board of Education* – student discipline 10-19
- *Latitia M. v. Baltimore County Board of Education* – student discipline 10-20
- *Romaine & William M. v. Baltimore County Board of Education* – student transfer OR10-04
- *Matthew Henson Elementary School Parent Teacher Association v. Prince George's County Board of Education* – OR 10-05
- *Harriet Tubman Elementary School Parent Teacher Organization v. Baltimore City Board of School Commissioners* – OR10-06

The Board discussed an internal board management issue concerning the Maintenance of Effort Waiver briefing and hearing schedule, as well as, the recruitment of candidates for the Baltimore City Board of School Commissioners. President DeGraffenreidt also explained the progress made in developing the Superintendent's performance evaluation.

The Executive Session ended at 1:15 p.m.

RECONVENE

The meeting reconvened at 2:00 p.m. Ms. Walsh was not present.

INTERIM REPORT ON THE USE OF LONG-TERM SUSPENSIONS AND EXPULSIONS

The Superintendent explained that, in December, the Board authorized that a study of the use of long-term suspensions and expulsions in Maryland schools be undertaken. She introduced Chuck Buckler, Director, Student Services and Alternative Programs, Division of Study, Family and School Support, to provide an interim report of the actions taken place to date. She said the final report will be provided to the Board at its meeting in July.

Mr. Buckler reported that school systems have said they need more choices in dealing with disciplinary issues. He said that surveys were sent to local school systems and that all twenty-four systems responded. He explained that the information is being compiled. He noted that a survey for the general public has been created and is posted on the Department's website. Mr. Buckler said that more than three thousand responses have been collected thus far and that sixty-three percent are from parents. He noted that responses reflect an overwhelmingly favorable view of the need for expulsions and suspensions and the need for alternative education programs. Mr. Buckler said that staff is hoping for more student responses and is working through the Maryland Association of Student Councils (MASC) to encourage more involvement. He said that a survey was sent to other stakeholder groups and responses are due back by May 15. He noted the wealth of information received in the comment area of the surveys and asked Board members if they had any further suggestions for gaining insight into this issue.

In response to a question by Ms. Staton, Mr. Buckler said that most responders are parents of students who have not been suspended and that there is a general feeling that there is more order in the classrooms today.

In response to a question by Mr. DeGraffenreidt, Mr. Buckler said that parents feel that there should be more choices other than suspension and expulsion.

In response to a question by Dr. Gates, Mr. Buckler said that the report to the Board in July could include other suggested choices for school systems in dealing with serious discipline issues.

In response to a question by Ms. Montero, Mr. Buckler said that there is no distinction between a student under or over the age of sixteen regarding long-term suspensions or expulsions but that there are many comments about this issue. He reminded Board members that there is a push to raise the age of compulsory attendance.

In response to a question by Mr. Murray, Mr. Buckler said that the vast majority of school systems have expressed interest in this topic.

In response to a question by Mr. Naved, Mr. Buckler said the final report will provide historical data on this topic.

PANEL ON THE USE OF LONG-TERM SUSPENSIONS AND EXPULSIONS

President DeGraffenreidt explained that in an effort to gather information and data on the use of long-term suspensions and expulsions, stakeholder groups have been asked to share their views on this subject. He introduced representatives from eight stakeholder groups to address the issue and comment on whether educational services should be continued when a student is suspended for more than ten days or expelled from school and what types of services, if any, should be provided. He then called on the first panel of presenters.

Cathy Allen, President, Maryland Association of Boards of Education (MABE) and Vice-President, St. Mary's County Board of Education

Ms. Allen said that MABE believes that students should be given a list of rights and responsibilities and noted that local boards should be able to make their own decisions on provision of educational services to students who are suspended or expelled. She noted that local boards have a responsibility to provide a safe environment in all schools.

Dr. Edward Shirley, President, Public School Superintendents' Association of Maryland (PSSAM) and Superintendent, Caroline County Public Schools

Dr. Shirley encouraged flexibility for local school systems on this issue and urged the Board not to make binding rules on this issue. He said, "We are not only the frontline, but the only line to students. We need to trust administrators to make good informed decisions. Long term suspension without services is a rarity."

C. Anthony Thompson, Maryland Association of Secondary School Principals (MASSP) and Principal, Meadowood School, Baltimore County

Mr. Thompson said that the MASSP believes in the equalization of suspension offenses statewide. He said that all school systems need to identify and mandate certain behaviors.

Mr. Robert Wagner, Past President, Maryland Association of Elementary School Principals (MAESP) and Principal, Solley Elementary School, Anne Arundel County

He said that school systems should have a safety net of alternative programs and that school systems need to connect with community groups to help certain students. He also noted that online learning could be an effective tool for schools.

In response to a question by Dr. Gates, Dr. Shirley said that students who are in the appeals process do receive educational services. Ms. Allen said that students who will be on long-term suspensions and their parents meet with school system staff and are given a choice of educational opportunities and a list of resources. Mr. Thompson reported that prior to an appeals hearing, students are assigned to home school and then an alternative school is provided.

In response to a suggestion by Dr. Gates to create a statewide task force to address these problems, Mr. Thompson said that a form was sent to all school districts and that once the data is collected, suspension and expulsion offenses can be codified. He noted that every jurisdiction has alternative programs in place.

In response to a question by Dr. Walks, Ms. Allen said that there are substantial safety nets in place in St. Mary's County but that students can't be forced to use those services. Mr. Thompson said that there are many agencies involved when dealing with severe expulsion cases.

In response to a question by Mr. Naved about opportunities for students who are permanently expelled, Ms. Allen said that there are appeals processes and that students can be brought back into the school system if the appeal process overturns the school system's decision. Dr. Shirley said that long-term suspension and permanent expulsion is rare. He noted that, in Caroline County, alternative programs are provided for expelled students. Mr. Thompson said that the number of suspensions is dropping and urged that more community resources are needed for students.

Mr. Smith said that these issues are part of a larger reform effort and noted the problem with uniformity and consistency among school systems in Maryland.

President DeGraffenreidt introduced the second group of panelists.

Randal Mickens, Government Relations, Maryland State Education Association (MSEA)

Mr. Mickens said that the goals of school systems should be rehabilitation and that educational services should be provided to students during long-term suspensions and expulsions. He said that alternative education plans should be prepared and that suspension and expulsions should be used very rarely.

Michael Hagan, President-Elect, Maryland Association of Student Councils (MASC)

Mr. Hagan said that the consensus among students is that there should be quality alternative programs for long-term suspensions and suggested in-school suspension could be one alternative.

Dr. Jane Sundius, Director, Education and Youth Development Program, Open Society Institute—Baltimore

Dr. Sundius said that her organization has been working with BCPSS by providing alternative programs for suspended students and is currently helping to redraft a Code of Conduct for students in Baltimore City schools. She reported that Maryland has very inconsistent and inequitable policies of discipline. She said that research does not support the use of suspensions and that her organization supports the provision of educational programs for students who are suspended and/or expelled. She recommended an analysis of the student offenses and the policies of school systems.

Bebe Verdery, Director, Education Reform Project, American Civil Liberties Union of Maryland (ACLU-MD)

Ms. Verdery said that the ACLU is very encouraged that the Board is looking into this issue. She noted that the widespread use of suspension in Maryland is a cause for alarm. She stated that there are thousands of students who are suspended for truancy and that suspensions should be used only for serious infractions. She noted that removal of students from school should be a rare event. Ms. Verdery suggested that school systems should be asked to report the number of short and long-term suspensions and whether educational services are being provided for those students. She stated that four local school systems on the Eastern Shore have suspended more than twenty percent of their students.

Dr. Walks said that he would like to see more measurable efforts to bring other partners to the table to assist in this area.

Board members thanked the panelists for their insight and assistance.

COMAR 13A.08.06.01 & .02 (REVISED) POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORT (ADOPTION)

Dr. Grasmick recommended Board adoption of amendments to COMAR 13A.08.06.01 & .02 Positive Behavioral Interventions and Support (PBIS) related to requirements for the implementation of behavioral intervention programs in schools. She asked Andrea Alexander, Specialist, Student Behavioral Interventions, to review the amendments and answer any questions.

Ms. Alexander reported that PBIS has been in place since 2003 and these amendments bring the regulation into alignment with state law.

Dr. Grasmick explained that this provides teams of people within a school who manage student behavior and noted the vast success of the program.

In response to a question by Ms. Montero, Ms. Alexander said that schools are required to report on how this program effects the school environment.

Upon motion by Mr. Smith, seconded by Dr. Finan, and with unanimous agreement, the Board adopted COMAR 13A.08.06.01 & .02 Positive Behavioral Interventions and Support (PBIS) as amended. (In Favor – 11)

RECOMMENDATIONS OF THE COLLEGE SUCCESS TASK FORCE

The Superintendent acknowledged the critical and dedicated work of Dr. Finan as a member of the College Success Task Force. Dr. Grasmick said that additional work is needed to determine the appropriations and resources needed to accomplish the recommendations of the Task Force. She reported that the recommendations are being submitted to the Maryland Higher Education Commission and the State Board of Regents. Dr. Grasmick noted that the report will be taken back to P-20 Council and the Governor and recommended endorsement by the State Board of the recommendations of the Task Force.

Dr. Grasmick and Dr. Foran explained the following eight recommendations:

1. Change curricula and high school graduation requirements to meet higher standards
2. Identify and adopt college/career-readiness assessments to be used statewide
3. Adopt diploma endorsements for college/career-readiness
4. Rethink how school and college deliver education
5. Develop a statewide system of support to increase college and career success

6. Make changes to teacher preparation and professional development
7. Communicate more effectively about college-readiness and financial assistance for college
8. Make high schools and colleges accountable for college/career-ready graduates

Dr. Foran explained that these recommendations are infused throughout the RTTT application.

Dr. Gates commented on the problem of the large number of students entering colleges and requiring remedial math and reading classes. Dr. Grasmick said that the Task Force members had extensive discussions about this issue and determined that there are differentiated standards in Maryland high schools which would be alleviated by the adoption of common core standards for all schools. Dr. Foran explained that all institutions of higher education (IHEs) have different entrance requirements but agreed that there is a need to reduce the number of remedial classes needed for students.

Ms. Staton expressed her concern with recommendation #3 diploma endorsements, stating her view that this will produce further stratification of students. The Superintendent explained that the endorsement would reflect a student's specific preparation for science, technology, engineering and mathematics (STEM) that is currently not available to IHEs. Dr. Foran explained that it is the assessment of a student's knowledge that would provide the student with the college-ready endorsement.

In response to a question by Ms. Staton about whether endorsing the recommendations constitutes agreement with all eight of them, Dr. Grasmick said no. She explained that endorsing the recommendations simply shows support that there needs to be a better way of defining college and career readiness.

Mr. DeGraffenreidt suggested that this item be placed on the Consent Agenda for the Board's May meeting so that Ms. Staton's concerns can be addressed.

Mr. Murray commented on the vast differences in college placement exams and stressed the need for four years of mathematics for college readiness.

Dr. Walks noted his concern about students who have trouble taking tests and those who are undecided about college until late in their high school career.

In response to Mr. DeGraffenreidt's question, Dr. Grasmick said that most colleges require four years of mathematics.

Dr. Dukes expressed her concern that this puts a lot of pressure on public schools and stressed the need for conformity in what students need to know to be prepared for college. Dr. Grasmick said that much of the responsibility is shared by IHEs as well.

Dr. Foran said, "If a student gets to the eleventh grade, we should have transition courses to deal with these problems."

In response to a question by President DeGraffenreidt, Dr. Gates said that when IHEs raise their standards, it doesn't impact public schools. He noted that students are less capable today than when he began his teaching career twenty-five years ago.

The President said that requested action by the Board will be redrafted for a vote at the Board's May meeting.

STATE LEGISLATIVE UPDATE

The President introduced Steve Brooks, Deputy State Superintendent for Finance, and Renee Spence, Executive Director, Governmental Regulations, to give an update on the 2010 session of the Maryland General Assembly.

Mr. Brooks said that the number of cuts to the State Budget were limited. He said there is strong support for public education among members of the General Assembly and reported that the Bridge to Excellence and the Geographic Cost of Education Index (GCEI) were fully funded. Mr. Brooks noted that there were more than five hundred statewide positions cut in the budget. He enumerated the various cuts in the 2011 State Budget and noted the difficulties Maryland will face in 2012 with the elimination of the federal stimulus funding.

Ms. Spence reported that the Department fared very well during the 2010 General Assembly session due to high priority placed on education by the General Assembly members. She reported that the Governor will have more than eight hundred bills to sign and briefly went over the following pieces of legislation affecting education that were adopted during the session:

- Student Stigma Act
- Task Force to Explore the Incorporation of the Principles of Universal Design for Learning into the Education Systems in Maryland
- Maintenance of Effort-Penalty
- Fairness in Negotiations Act
- Collective Negotiations by Family Child Care Providers
- Governor's P-20 Leadership Council of Maryland
- Public Schools-Law Enforcement Officers—Cultural Competency Model Training Curriculum
- Safe Schools Act of 2010
- Education Reform Act of 2010
- Education—Public Schools—Virtual Schools
- Workers' Compensation—Division of Rehabilitation Services—Unpaid Work-Based Learning Experiences
- Education—Comprehensive Master Plan
- Education—Nonpublic School Employees—Criminal Convictions
- Education—Disruptive Youth—Funding
- Education--Physical Education and Athletic Programs for Students with Disability—Reporting Requirements
- Family Law—Family Day Care Homes and Child Care Centers—Inspections

- Education—Instruction of Blind and Visually Impaired Students—Use of Braille
- Education—Maryland Longitudinal Data System
- Education—Innovative School Scheduling Models—Low-Performing and At-Risk Public Schools
- State Board of Education—Student Member—Full Voting Rights Act
- Child with a Disability—Individualized Education Program
- Education—Alternate Maryland School Assessment—Review
- Education—Early Learning Challenge Fund—Application for Grants
- Base Realignment and Closure—Public Charter Schools Located on a Federal Military Base
- Education—High School Diploma by Examination

The Superintendent congratulated Ms. Spence for a job well done in monitoring the actions of the 2010 Maryland General Assembly.

STATE SUPERINTENDENT’S UPDATE

Dr. Grasmick reported on a statewide teacher recruitment seminar calling it “a roaring success.”

The Superintendent reported that she received a letter from the U.S. Department of Education asking MSDE to partner with the Department in tackling the issue of increasing female participation in career technology education (CTE) programs.

She reported that staff is preparing to disseminate the requirements for the “State of Education Report of 2010” noting that the Department is galvanized on the RTTT application components. Dr. Gates suggested that steps be taken to ensure that the reform efforts inherent in the RTTT application continue.

Dr. Grasmick reported that she was the speaker for the Independent Schools in Maryland organization, which serves non-public special education students. She said there is a sense that all stakeholders are galvanized in support of all students.

PUBLIC COMMENTS

Mr. DeGraffenreidt explained procedures by which the Board hears public comments. The following persons presented comments:

- Matthew Joseph – on the RTTT application
- Robert Harlen -- on the RTTT application
- Jerome Dancis -- on the RTTT application

OPINIONS

Ms. Kameen announced the following Opinions:

- 10-18 *C.T.L. v. Montgomery County Board of Education* – procurement dispute (dismissed as untimely)
- 10-19 *Lyudmila K. v. Montgomery County Board of Education* – student discipline (dismissed as moot)
- 10-20 *Latitia M. v. Baltimore County Board of Education* – student discipline (remanded to local board)


Ms. Kameen announced the following Orders:

- 10-04 *Romaine & William M. v. Baltimore County Board of Education* – student discipline (dismissed because case not ripe for review)
- 10-05 *Matthew Henson Elementary School Parent Teacher Association v. Prince George's County Board of Education* – Request dismissal of ALJ (affirmed)
- 10-06 *Harriet Tubman Elementary PTA v. Baltimore City Board of School Commissioners* – default dismissal of ALJ (affirmed)

ADJOURNMENT

The President invited Board members to attend the Career Technology Education Awards being held at the Sheraton Hotel following the Board meeting. With no further business before the Board, the meeting adjourned at 5:05 p.m.

Respectfully submitted,


Nancy S. Grasmick
Secretary, Treasurer

NSG/rms

APPROVED:

May 26, 2010

MARYLAND STATE BOARD OF EDUCATION

CLOSED SESSION

On this **27th** day of **April 2010**, at the hour of 11:50 ~~am~~ pm, the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: Dukes

Seconded by: Smith

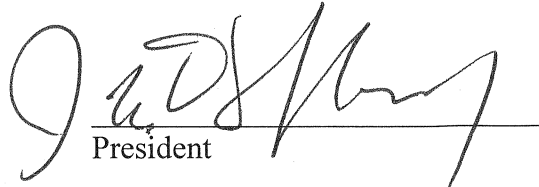
In Favor: All Opposed: — Member(s) Opposed: —

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 opinions.
3. Review 1 Expedited opinion.
4. Discuss 3 internal Board management matter.


President

MARYLAND STATE DEPARTMENT OF EDUCATION
PERSONNEL APPROVALS FOR THE April 27-28, 2010 BOARD MEETING

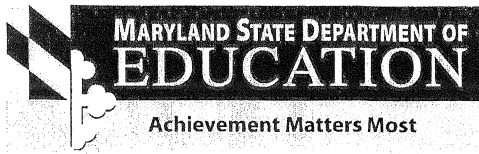
I. Appointments Grade 19 and above:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Peters, Kristi L.	Education Program Specialist II, Coordinator of Research and Evaluation	22	Student, Family, and School Support	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>
Tita, Valentine K.	Teacher, Academic - Science	IEPP	Career and College Readiness, Juvenile Services Education Program	04/07/2010

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



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April 27-28, 2010

BOARD LIST

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

Name: Kristi L. Peters
Position: Education Program Specialist II, Coordinator of Research and Evaluation
Division: Student, Family, and School Support
Salary Grade: 22 (\$58,783-\$85,830)
Effective Date: TBD

JOB REQUIREMENTS:

Education:

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

Experience:

Five (5) years of professional experience in research or data management using professional journals, abstracts and informational databases. Experience with coordinating or managing research protocols is preferred.

DESCRIPTION:

This is a professional position serving as the Research and Evaluation Coordinator within the Program Improvement and Family Support Branch responsible for providing lead technical assistance to local school systems (LSS), and external service providers for acquiring, analyzing, reporting, and utilizing school system data for program improvement.

Qualifications:

Education:

Temple University (Philadelphia, Pennsylvania) – Doctorate of Psychology (ABD) – Completed all but dissertation

Shippensburg University (Shippensburg, Pennsylvania) 1985 – Master’s Degree in Psychology

York College of Pennsylvania (York, Pennsylvania) 1983 – Bachelor’s Degree in Psychology

Experience:

Maryland State Department of Education (Baltimore, Maryland) - Contractual

2006 – Present: Education Program Specialist, Research and Evaluation

Pennsylvania Health Care Cost Containment Council (Harrisburg, Pennsylvania)

2006: Adjunct Professor

2005 – 2006: Research Associate

Harrisburg Area Community College (Harrisburg, Pennsylvania)

2005: Adjunct Professor (Part-time)

York Hospital – Wellspan Health (York, Pennsylvania)

1992 – 2003: Senior Research Assistant

Chesapeake Physicians Professional Association (Baltimore, Maryland)

1989 – 1992: Neuropsychometrician

Employment Status

New Hire

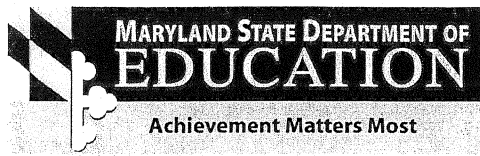
MARYLAND STATE DEPARTMENT OF EDUCATION
 PERSONNEL APPROVALS FOR THE April 27-28, 2010 BOARD MEETING

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>
Pfeifer, R. Scott	Education Program Manager II, Director of Instructional Assessment	24	Instruction	TBD
Spinnato, Susan C.	Education Program Manager II, Director of Instructional Programs	24	Instruction	TBD

II. Appointments Grade 18 and below:

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



April 27-28, 2010

BOARD LIST

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

Name: R. Scott Pfeifer
Position: Education Program Manager II, Director of Instructional Assessment
Division: Instruction
Salary Grade: 24 (\$66,975 - \$97,743)
Effective Date: TBD

JOB REQUIREMENTS:

Education:

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

Experience:

Six (6) years of related experience in coordinating or administering education programs or services. Minimum of one (1) year of supervision of professional education program staff is required. Experience with instructional and assessment programs preferred.

JOB DESCRIPTION:

This is a professional position serving as the Director of Instructional Assessment responsible for providing leadership, management, and oversight of ensuring quality education assessment and scoring for the Maryland School Assessments (MSA) and the High School Assessment Initiatives as it relates to enhanced student achievement.

Qualifications:

Stanford University (Palo Alto, California) 1985 – Doctoral Candidacy Achieved – Education Administration and Policy Analysis

Loyola College (Baltimore, Maryland) 1977 – Master’s Degree in Educational Administration

University of Virginia (Charlottesville, Virginia) 1974 – Bachelor of Arts Degree in Biology

Experience:

Howard County Public Schools (Ellicott City, Maryland)

2008 – Present: Director of Instructional Assessment (On Loan to MSDE)

1988 – 2008: Principal

1986 – 1988: Assistant Principal

1980 – 1983: Assistant Principal

1977 – 1980: Science Department Head

1974 – 1977: Science Teacher

Johns Hopkins University (Baltimore, Maryland) Part-time

1995 – Present: Adjunct Professor

EMPLOYMENT STATUS:

New Hire



Nancy S. Grasmick
State Superintendent of Schools

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April 27-28, 2010

BOARD LIST

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

Name: Susan C. Spinnato
Position: Education Program Manager II, Director of Instructional Programs
Division: Instruction
Salary Grade: 24 (\$66,975 - \$97,743)
Effective Date: TBD

JOB REQUIREMENTS:

Education:

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

Experience:

Six (6) years of professional experience in coordinating or administering education programs or services. Minimum of one year of supervision of professional education program staff is required. Experience with instructional programs preferred.

JOB DESCRIPTION:

This is a professional position serving as the Director of Instructional Programs responsible for providing leadership, management, conceptualization and implementation of education programs and initiatives that reflect current and emerging departmental and divisional priorities.

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Susan C. Spinnato

Page two

Qualifications:

Frostburg State University (Frostburg, Maryland) 1973 – Master’s Degree in Secondary Education

Towson University (Towson, Maryland) 1978 – Bachelor’s Degree in Spanish

Experience:

Maryland State Department of Education (Baltimore, Maryland)

2007 – Present: Education Program Specialist, World Languages

Baltimore County Public Schools (Towson, Maryland)

1997 – 2006: Coordinator, World Languages

1981 – 1997: Supervisor/Instructional Specialist

1973 – 1981: Spanish Teacher/ESOL Teacher

EMPLOYMENT STATUS:

Promotion