

# MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday  
October 26, 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, October 26, 2010, at the Nancy S. Grasmick State Education Building. The following members were in attendance: Mr. James H. DeGraffenreidt, Jr., President; Dr. Mary Kay Finan; Dr. James Gates, Jr.; Mr. Sayed Naved; Mr. Gayon Sampson; 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. Dr. Charlene M. Dukes and Ms. Luisa Montero-Diaz were absent due to scheduling conflicts.

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 Finance and Mr. Anthony South, Executive Director to the State Board.

## CONSENT AGENDA

Dr. Grasmick reminded the Board that Dr. Colleen Seremet, Assistant State Superintendent, Division of Instruction, will be retiring at the end of the month and noted that Dr. Seremet has been an incredible leader for the instructional program and a key member of the core team for Race To The Top (RTTT). She announced that Mary Cary, former Assistant State Superintendent in the Division of Leadership Development, will be replacing Dr. Seremet.

Dr. Seremet said, "I am one pair of hands. Thank you for your support. Thank you Dr. Grasmick. Your leadership has always been my compass." President DeGraffenreidt thanked Dr. Seremet, on behalf of the Board for her distinguished service.

Ms. Cary said, "I am thrilled to be coming back to the Department. Thank you for this opportunity."

Upon motion by Dr. Gates, seconded by Mr. Smith, and with unanimous agreement, the Board approved the consent agenda as follows: (In Favor – 8; Dr. Walks and Mr. Naved had not yet arrived and Dr. Dukes and Ms. Diaz were absent.)

- Approval of Minutes of September 21, 2001
- Personnel (copy attached to these minutes)
- Budget Adjustments for September, 2010
- Permission to Publish:
  - COMAR 13A.04.18 Comprehensive Health Education (Withdraw and Re-propose)

### **FAMILY INVOLVEMENT MONTH**

The Superintendent reported that October has been declared Family Involvement month by Governor O'Malley. She said that in recognition of the Governor's proclamation, Department staff will highlight a few of the Department's family involvement initiatives and introduce Maryland's 2010 Comcast Parent Involvement Matters Award winner, Jeffrey Macris. She introduced Maria Lamb, Director for Program Improvement in the Family Support Branch and Barbara Scherr, Coordinator of Family Involvement, Division of Student, Family and School Support Services, to provide an update.

Ms. Lamb recognized individuals who are important representatives of the partnerships which provide much needed support for schools and introduced Mr. Macris.

Mr. Macris explained how he became involved in turning around two low performing middle schools in Annapolis. He said that a parent group encouraged the school leaders to require uniforms for all students, hire high quality teachers and administrators and introduce a world class academic program for the schools. He suggested to the Board that the following items elements are critical to success of efforts to turn around low performing schools:

- Share the data, especially when the data is negative
- Get high quality teachers in the schools where they are needed
- Expand financial incentives for getting high quality teachers in low performing schools
- Provide more school choices to parents

Mr. DeGraffenreidt said, "Congratulations and thanks for that compelling story. Leadership is everything." He noted that there will be an allocation of funding from the RTTT grant to work on turning around low performing schools.

Dr. Grasmick said she is very proud of the staff who have worked to develop and support the Department's family involvement initiatives and efforts to recognize parents and other citizens for their contributions in support of public education.

### **G & T SUMMER CENTERS SPONSORS**

Dr. Grasmick explained that, due to fiscal constraints, funding for the Maryland Summer Centers Program for Gifted and Talented (G & T) Students was not included in the 2010 State budget. She said that Department staff reached out to corporations and organizations to secure the necessary funding to continue this unique experience for some of the best and brightest students in Maryland. She said that through the success of this appeal, six Maryland Summer Centers were able to offer programs to G & T students.

Dr. Grasmick announced that the Board would provide public recognition to the many organizations, corporations and foundations whose generosity and support made these centers possible. She invited Dr. Colleen Seremet, Assistant State Superintendent, Division of Instruction, and Stephanie Zenker, Specialist, Maryland Summer Centers, Division of Instruction, to introduce the representatives of these organizations.

Dr. Seremet said that the Maryland Summer Centers Program has been in existence for forty-three years and that, "when our students have a need, our community steps up."

Ms. Zenker provided an overview of the six Centers that were provided last summer and introduced sponsor representatives who made this possible.

Dr. Grasmick and President DeGraffenreidt presented certificates of recognition to the sponsor representatives who were present and thanked the sponsors as well as the Department staff for providing an alternate source of funding for a very important cause.

A listing of the sponsoring organizations is included as an attachment to these minutes.

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

Dr. Grasmick said that she sent a monthly report on Maryland's progress to the U.S. Department of Education as mandated by the RTTT grant. She reported on meetings held by the Maryland Council on Educator Effectiveness (MCEE) noting the overwhelming task facing this twenty-one member group. She noted that Dr. Finan is an important member of the group. Dr. Grasmick reported that she and Betty Weller, Vice-President of the Maryland State Education Association (MSEA) are co-chairing the effort. Dr. Grasmick said that the group has gotten a wealth of background information and is

currently working in subcommittees. She said that only ten percent of teachers are in tested areas which makes for a great challenge for this group.

Dr. Finan reported that a pilot program will be conducted during this school year prior to putting the new evaluation program into effect for all schools.

Dr. Grasmick reported that she has joined a group, established by the Council of Chief State School Officers (CCSSO) and including twenty-three other states, to look at topic of assessing teacher effectiveness. This effort will provide the benefit of thinking at the national level on this topic.

The Superintendent provided the Board with a summary of the progress that has been achieved in advertising and filling the fifty-seven contractual positions associated with the RTTT grant.

She noted that the Department provided local school superintendents with a template to create a "local scope of work" plan as required by the RTTT grant. The local scopes of work are due to submitted to the USDE by November 22, 2010.

### **TRANSITION TO THE COMMON CORE STATE CURRICULUM -- GAP ANALYSIS REPORT**

Dr. Grasmick asked Dr. Seremet to provide highlights of the *Common Core State Curriculum -- Gap Analysis Report* and explain the implications of the various charts included in the Report.

Dr. Seremet reported that the gap analysis was conducted in August and September of this year and indicated that 88 percent of the Common Core math standards matched Maryland math standards and 89 percent of the Common Core English/Language Arts (ELA) standards match Maryland's ELA standards. She said that next week teams will be working on anything that didn't have a match or were not categorized as a "good match" since the goal is to have all standards fall under "excellent" as a match. She reported that the teams will also work on grade level shifts and transition plans to make those changes. She explained that of the 495 common core math standards, 55 are "plus" standards that are not required for students to meet the College and Career Readiness standard but represent additional mathematics that student should learn in order to take advanced mathematics courses. She explained that grade level comparisons of the ELA standards were a very close match.

Dr. Seremet said that the teams will be working through the months ahead revising Maryland's curriculum, developing new tools and modifying current tools that educators will use to provide Maryland students with the instructional programs aligned to the



Common Core State Standards. She indicated that the State Board should expect to receive the completed State Curriculum document in June 2011.

In response to a question by the President, Dr. Seremet said that the State Curriculum document will show the changes made and that there will be transition plans to show where the changes will be made.

There was some discussion about the differences in the national and state math standards and Dr. Seremet offered to provide the Board with a breakout of the grades 9 – 12 matches in math and ELA. In response to a question by Mr. Naved, Dr. Seremet offered to provide him with the rubric that explains how a “weak match” is determined.

Dr. Grasmick explained that while the curriculum revisions will be completed by June 2011, the assessments will not be ready until 2014. She noted that this timing gap is a national dilemma which places teachers in a difficult situation. She explained that it is a time consuming process to ensure the reliability and validity of new assessments.

### **BREAKTHROUGH CENTER**

Dr. Grasmick reminded Board members that they requested a more in-depth presentation on each of the areas of assurances included in the RTTT application. She said that this month’s presentation will center on the Breakthrough Center and invited Dr. Robert Glasscock, Executive Director, Breakthrough Center, Division of Leadership Development, to give an update on this exciting program. The Superintendent reported that the Department received a National Governors’ Grant to pilot the Breakthrough Center.

Dr. Glasscock reported that the Breakthrough Center was launched in 2008 as a statewide system of support for turning around low performing schools. He said that the expectations of the Breakthrough Center are to improve teaching, improve school leadership and improve learning. He explained that integrating support services, beyond the district’s capacity, has shown dramatic results. He listed the following five strategies to turning around the lowest achieving schools:

1. Robust school needs assessments
2. Focus on teacher and principal effectiveness
3. Breakthrough networks for persistently lowest-achieving schools and districts
4. Technology as an accelerator to transform Breakthrough Zone school performance; and
5. Improved school culture, climate, and student support

Dr. Grasmick introduced Mr. Henry Wagner, Superintendent, Dorchester County Public Schools, a school district identified as needing additional support.

Mr. Wagner expressed his appreciation for this partnership and noted the following ways in which the Breakthrough Center is assisting schools in his district:

1. Coordinating and consolidating the services from the MSDE
2. Promoting systemic approaches to the district, and
3. Enhancing the quality of instructional conversation

Mr. Wagner noted that the Breakthrough Center staff are very experienced and knowledgeable and reported that Dorchester County's high school made the goal of Adequate Yearly Progress (AYP) and that three other schools were removed from "needs improvement" status. He noted that there is now a system-wide tiered intervention program and said, "this is a tremendously important component for moving forward as a district."

Ms. Walsh reported on the remarkable results being seen in a North Carolina school district where principals are given bonuses to turn around schools and given autonomy in fiscal and personnel matters.

Dr. Glasscock reported on four middle schools in Prince George's County which were given the same type of support and are seeing remarkable results.

In response to a question by Mr. Sampson, Dr. Glasscock said that principals in low performing schools select highly qualified teachers and receive integrated services to turn those schools around. In response to another question by Mr. Sampson, Dr. Glasscock said that improving the culture and climate in a school requires consistent expectations for students, parents and staff. He also said it is important for the community to take ownership of the schools and that there are various mechanisms to make that happen. Mr. Wagner said that schools need to operate in a climate of trust with principled leadership and decision-making.

Mr. DeGraffenreidt strongly encouraged that a documentary trail be created of what we did, what we modified, how it turned out, and what we learned with the use of RTTT funding. Dr. Grasmick assured him that this is being done with the help of a staff member from the USDE assigned to Maryland. She said that the Board should be aware that not only was Maryland's budget submission to the USDE approved but that the submission was deemed exemplary.

Dr. Grasmick told the Board that Brown University did an assessment of the pilot Breakthrough Center which she will provide to them for their perusal. She also reported that she plans to add a student, a representative of the Department of Labor, Licensing,

and Regulation, and representative of the Department of Budget and Management to the RTTT advisory group.

### **CHARTER SCHOOL REVIEW**

President DeGraffenreidt explained that the Board had asked to hold discussions about Maryland charter schools. He reminded Board members of the discussions held at the August and September meetings and said that today's meeting will focus on a national perspective on operation and authorization of charter schools.

Dr. Grasmick introduced Todd Ziebarth, Vice President of the National Alliance of Public Charter Schools (NAPCS); Jeanne Allen, Founder and Executive Director of the Center for Educational Reform, and Katie Kelly, Chief of Staff for the National Association of Charter School Authorizers.

Mr. Ziebarth said that the "end game" for charter schools is student achievement. He said that charter schools have been effective in some cities and not in others and expressed the following as important in providing high quality charter schools:

1. Support of laws and regulations and how they are implemented
2. High quality authorizers
3. Effective charter support organizations
4. Outstanding school leaders and teachers
5. Empower parents to have options

He said that NAPCS released a model charter school law in 2009 which includes the following elements:

1. Should not provide a cap on the number of charter schools
2. Should create fiscally and autonomous school boards
3. Should provide exemptions from state and district rules and collective bargaining
4. Should allow multiple authorizers
5. Should address roles and responsibilities of authorizers
6. Should provide funding to authorizers
7. Should ensure that charter school students receive the same funding as traditional school students

Mr. Ziebarth outlined the following autonomies needed to provide a high quality charter school:

1. Freedom to develop a great team
2. Freedom to manage teachers as professionals and set pay rates

3. Freedom to define a unique school culture
4. Autonomy for scheduling by restructuring school days and hours

He said the biggest challenges that charter schools face are capital funding and facilities. He urged giving access to the use of unused buildings by giving charter schools the first refusal for those buildings. He also suggested the provision of credit enhancements for borrowing funding.

Ms. Kelly said that the National Association of Charter School Authorizers was founded ten years ago and is built around the following three principles:

1. High standards for schools
2. School autonomy
3. Support of students and the public

Ms. Kelly said that autonomy and accountability requires a balancing act and one that is worth preserving. She reported that her organization has received a three-year grant and is working with the Council of Chief State School Officers (CCSSO) to identify the type of state support, including regulations and policies that is most effective in the support of charter schools. She stated the need for commitment and capacity for charter school authorizers. She suggested that RTTT funds and school improvement funds could be used to enhance incentives for charter schools.

Ms. Allen reported that a study was conducted by her organization which found that State Board policy on providing equitable funding for charter schools is often ignored and violated in Maryland. She recommended that an authorizing Board be created and reported on the following five suggestions:

1. Support creation of an independent authorizer board
2. State board micro management is unnecessary with clear lines of accountability
3. State authorizers should not be a local education agency (LEA). Charter schools would become an LEA.
4. Authorizers should ensure clean lines of authority
5. Require equitable paths of funding for any school created through an independent authorizer

She said, "Strong laws make strong schools. Our law is deeply broken."

In response to a question by Dr. Gates, Mr. Ziebarth said that some schools are buying school buildings from the school district.



In response to a question by Ms. Staton about Maryland charter school outcomes for students, Mr. Ziebarth said that there hasn't been a study for Maryland but that anecdotally charter schools are succeeding in spite of the law.

Mr. DeGraffenreidt asked the group "how do you address using public money for private schools?" and "who are these authorizers?" Ms. Kelly said that it begins with a good contract which lays out roles and responsibilities of the schools. She said the contract needs to be enforced and enforceable. Ms. Allen said that in the application stage, the best law describes what is required in the basic application and that charter schools should own the data which shows student improvement.

In response to another question by the President, Ms. Kelly said that in some states, the state oversees the authorizers. The President asked, "what happens to schools that have been authorized if the authorizer is disqualified?" Ms. Kelly said that school would be re-assigned to another authorizer that has been approved.

In response to a question by Ms. Walsh, Ms. Allen said that ten to twelve states have provided flexibility for charter schools to bypass collective bargaining agreements. Mr. DeGraffenreidt asked if Maryland is unique or do other "union states" allow freedom from collective bargaining agreements. Mr. Ziebarth said that there are other "union states" that allow this freedom.

In response to another question by Mr. DeGraffenreidt, Ms. Allen said that they have never seen evidence of a union agreeing to flexibility. Ms. Kelly said that there is currently competition between unions to organize charter school employees.

In response to a question by Ms. Staton, Mr. Ziebarth said that a good charter school law would provide broad waivers such as school hours, school subjects, number of school days, length of school days, etc. Mr. DeGraffenreidt said that in order for a charter school to be eligible for such waivers, it must commit to a different form of regulation and accountability.

With no further discussion, the President thanked the group for a very helpful presentation.

### **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 Ms. Staton, seconded by Mr. Naved, and with unanimous agreement, the Maryland State Board of Education met in closed session on Tuesday, October 26, 2010, in Conference Room 1, 8<sup>th</sup> Floor, at the Nancy S. Grasmick Building. All board members were present except Charlene Dukes

and Luisa Montero-Diaz. In attendance were Dr. Nancy Grasmick, State Superintendent of Schools; Dr. John Smeallie, Deputy State Superintendent for Administration; 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 12:50 p.m. (In favor – 10)

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

- *Nathan A. Blazejak, et al. v. Kent County Board of Education* - redistricting - Opinion 10-41
- *Jon Everhart v. Prince George's County Board of Education* - teacher discipline - Opinion 10-42
- *Humanitarian Outreach Development Group v. Baltimore City Board of School Commissioners* - charter school application - Opinion 10-43
- *Angelique W. v. Howard County Board of Education* - residency - Opinion 10-44
- *Jennifer O. v. Anne Arundel County Board of Education* - student transfer - Opinion 10-45
- *Hil & Teresa R. v. Allegany County Board of Education* - student transfer - Opinion 10-46
- *Jerry and Susan S. v. Howard County Board of Education* - student transfer - Opinion 10-47
- *Academic Enrichment & Training Academy, Inc. v. Montgomery County Board of Education* - charter school application - Opinion 10-48
- *Kim Harkins v. Carroll County Board of Education* - bus stop - Order OR10-08
- *Nonna A. & Dylan C., v. Howard County Board of Education* - early entry into kindergarten - Order OR10-09

The Board deliberated three cases.

- *Baltimore City Board of School Commissioners v. Baltimore Teachers Union* - collective bargaining
- *C.A.S.E. v. Baltimore County Board of Education* - collective bargaining
- *Lyndsay Greenan v. Worcester County Board of Education* - non-renewal of teacher contract/discrimination

Opinions in those cases will be published at a future Board meeting.

The State Board received legal advice concerning the environmental literacy regulations. Counsel also presented legal issues concerning long term suspension and a recent case decided by the North Carolina Supreme Court.

At 1:35 p.m. Rich Pescatore, Director of Human Resources, joined the meeting to report on personnel recruitment and staffing for RTTT. In order to expedite the appointment of RTTT staff, President DeGraffenreidt appointed an Executive Committee to review and approve RTTT personnel recommendations for the State Board. The Executive Committee will provide a report of all actions taken to the State Board at the subsequent Board meeting.

President DeGraffenreidt announced that the State Board Retreat will occur on December 15, 2010.

The Executive Session ended at 1:55 p.m.

### **RECONVENE**

The meeting reconvened at 2 p.m.

### **COMAR 13A.03.02 HIGH SCHOOL GRADUATION REQUIREMENTS – ENVIRONMENTAL LITERACY (PERMISSION TO PUBLISH)**

Dr. Grasmick reminded the Board that they adopted an Environmental Education regulation at their last meeting but was unprepared to grant permission to publish an amendment that would include Environmental Literacy as a graduation requirement. She said that the Board was provided information which she hoped has addressed their concerns and recommended that the Board grant permission to publish the proposed amendment to the High School Graduation Requirements regulation.

In response to a concern expressed by Ms. Staton, Ms. Kameen said that she will work with Division staff to add language which outlines the various means of meeting this requirement.

Upon motion by Mr. DeGraffenreidt, seconded by Mr. Smith, and with unanimous agreement, the Board granted permission to publish COMAR 13A.03.02 High School Graduation Requirements – Environmental Literacy. (In Favor – 10)

### **COMAR 13A.04.13 PHYSICAL EDUCATION (ADOPTION)**

Dr. Grasmick introduced Judy Jenkins, Director of Curriculum, Division of Instruction, and recommended State Board adoption of the proposed new physical education regulations. She reported that no comments were received subsequent to the publication of these amendments.

Upon motion by Mr. DeGraffenreidt, seconded by Mr. Smith, and with unanimous agreement, the Board adopted COMAR 13A.04.13 Physical Education. (In Favor – 10)

### **MARLAND TEACHER STAFFING REPORT 2010-2012**

The Superintendent reported that state law mandates a teacher staffing report and introduced Jean Satterfield, Assistant State Superintendent, and Dr. Louise Tanney, Assessment and Recruitment Coordinator, both in the Division of Certification and Accreditation (C&A) to provide brief comments on the recently completed report.

She recommended that the Board accept all four recommendations contained in the Report and declare all identified areas as areas of critical shortage.

Ms. Satterfield provided trends in staffing for the 2009-2010 school year and provided graphs showing hiring data over fifteen years, out-of-state versus in-state hiring, experienced and beginning teachers, who are the new teachers, Maryland's teacher preparation programs, minority data and the number of conditional certificates granted.

Mr. DeGraffenreidt requested data on the supply and demand for teachers in Maryland schools. Ms. Satterfield agreed to provide that information.

Ms. Satterfield said that Maryland continues to be a State that imports its new teachers. She discussed the recommendations contained in the Report which include declaring critical shortage subject areas, geographic shortage areas, gender and minority shortages and non-classroom professional shortages.

In response to a question by Mr. Sampson, Ms. Satterfield said that a lot of outreach is conducted at the high school and university levels to recruit new teachers and that RTTT funding will provide much needed resources for additional outreach. In response to another question by Mr. Sampson, Ms. Satterfield said that school systems are working on incentives such as loan forgiveness to lure more students into the teaching profession.

In response to a suggestion by Mr. Smith about the hiring of part time employees, Ms. Satterfield said that Title I funding does allow for part time employees to do tutoring, mentoring, and provide after school programs for students in need.

In response to a question by Ms. Walsh about the progress being made in offering alternative pathways for teachers to renew their licenses, Ms. Satterfield said, "yes" and that a certification workgroup is working on this issue and will be providing proposals within the next few months.

Dr. Grasmick said that higher education personnel are very interested in increasing in-state training. Ms. Satterfield said the Department is hoping to be able to develop the necessary higher education data to enable the Department to follow them teacher graduates throughout their teaching careers.



Upon motion by Mr. Smith, seconded by Ms. Staton, and with unanimous agreement, the Board accepted the recommendations contained in the *Maryland Teacher Staffing Report* and declared all identified areas as areas of critical shortage. (In Favor – 9) (Dr. Walks left the meeting prior to the Board's vote on this item.)

### **SCHOOL LIBRARY MEDIA CURRICULUM**

The Superintendent called on Dr. Seremet and Jay Bansbach, the Department's School Library Media Specialist, to provide an overview of the Department's work in developing a School Library Media Curriculum and to answer any questions the Board may have. She recommended the Board's acceptance of the proposed curriculum.

Dr. Seremet reported that Mr. Bansbach serves on the National Board of the American Association of School Librarians and oversees 1352 school libraries in Maryland. She said that a Media Specialist is a very diverse position and that this curriculum will be embedded in the Common Core State Standards.

Mr. Bansbach discussed the five standards included in the curriculum and reported on the process used to create the curriculum. He explained how the curriculum will be connected to the Common Core Standards and said that the next steps will be to develop a tool kit and assist local school systems to provide professional development.

Upon motion by Ms. Staton, seconded by Dr. Finan, and with unanimous agreement, the Board accepted the proposed School Library Media Curriculum. (In Favor – 9)

### **MSDE LEGISLATIVE PROPOSALS**

The State Superintendent asked Renee Spence, Executive Director for Governmental Relations, to provide an overview of the Department's legislative proposals for the 2011 session of the General Assembly. She requested that the Board authorize the Department to submit four legislative proposals to the Governor's Legislative Office.

Ms. Spence reported that the four legislative proposals are not controversial and are corrective in nature. She reported on the following proposals:

1. Funding study – Alignment to Standards -- Proposes an amendment to defer the deadline for re-study of the adequacy of the funding formulas for public elementary and secondary education commonly referred to as the Bridge to Excellence and/or the Thornton Formulas.
2. Graduation Rate – Changes are needed to amend Maryland's definition of the graduation rate cohort to be consistent with the federal definition since that will take precedence over State law. It will also amend this section to reflect the new federal race codes relative to data collection for all students.

3. Youth Suicide Prevention – Would amend the Youth Suicide Prevention School Program statute by eliminating references to out-of-date funding sources, certain funding mandates, grant programs, and reporting requirements.
4. Family Day Care – Amnesty – Removes the Amnesty period for unregistered family providers which included a sunset period of September 30, 1997. This program is no longer in operation.

Ms. Spence reported that the 2011 Session of the Maryland General Assembly may address the following issues:

- Maintenance of Effort
- State Pension System
- Charter Schools
- Concussions in Sports
- Financial literacy
- Diabetes awareness
- Steroid Education
- Health and physical education
- Regulations relative to school personnel
- Teacher and Principal evaluations

Ms. Staton cautioned that it is important to articulate that the Department can't do everything and do it well. She said, "We need to be thoughtful about our priorities." Ms. Spence said that the Department usually opposes legislation that would mandate curriculum since that comes under the purview and authority of the Board.

The President suggested that Ms. Spence help the members of the legislature focus on accountability and student growth and explain that the State Board modifies or adds to curriculum based on data. Ms. Spence said that Dr. Grasmick does have opportunities to reinforce those ideas. Mr. DeGraffenreidt suggested that the Board adopt language that deals with new legislation which meets some threshold.

Upon motion by Ms. Staton, seconded by Mr. DeGraffenreidt, and with unanimous agreement, the Board authorized the Department to submit the four proposals to the Governor. (In Favor – 9)

#### **COMAR 13A.07.02.01 TERMS OF EMPLOYMENT (ADOPTION)**

Dr. Grasmick said that the purpose of this amendment is to align Maryland's teacher contract language related to the period of tenure with the recently enacted Education Reform Act. She asked Ms. Satterfield and Dr. JoAnn Ericson, Chief of the Certification Branch, to answer any questions that Board members may have.

Upon motion by Mr. Smith, seconded by Mr. DeGraffenreidt, and with unanimous agreement, the Board adopted the proposed amendments to Terms of Employment regulations. (In Favor – 9)

#### **COMAR 13A.06.03.04 INTERSCHOLASTIC ATHLETICS: OPERATIONAL GUIDELINES (ADOPTION)**

The Superintendent said that this amendment is to require coaching education for long term emergency coaches in Maryland high school athletic programs and to create the classification of Credentialed Coach that would provide equivalent hiring consideration for continuing in the same coaching assignment to that of a certificated educator. She asked Ned Sparks, Executive Director of the Athletic Programs in the Division of Instruction, to answer any questions. She reported that no comments were received on the proposed amendments and recommended Board adoption of the proposed amendments.

Upon motion by Ms. Staton, seconded by Dr. Finan, and with unanimous agreement, the Board adopted COMAR 13A.06.03.04 Interscholastic Athletics: Operational Guidelines. (In Favor – 9)

#### **STATE SUPERINTENDENT'S UPDATE**

Dr. Grasmick reported on the following items:

- STEM recommendations – she reported that legislation is due to sunset and the Department revisited the issue. She distributed a Report done by the Department and said there is a lot of work to do in this area.
- Explained that she served on an expanded task force which looked at underrepresented minority participation in the STEM Arena. She said she would provide Board Members with a copy of the Report when it is completed.
- Announced that Michelle Meredith Shearer from Frederick County was selected as the Teacher of Year and will be invited to an MVP Summit held in New York City.
- Reported that the Department received more than \$15 million in grant money over the last two months to promote early childhood and career and technology education programs, safe and supportive schools, nutrition education, and summer camps for the arts.

Dr. Smeallie announced that Dr. Grasmick was featured in *Maryland Life* as one of the ten women who have changed the face of Maryland. Board members congratulated her on this honor.

## **NASBE REPORT**

Mr. Smith reported that he attended the Annual Conference of the National Association of State Boards of Education (NASBE) held in Salt Lake City, Utah, along with Dr. Finan. He said that the reports of two study groups, one on school structures and the other on teaching for the 21<sup>st</sup> century, were released at the conference and noted that Dr. Gates served on the first study group and Dr. Dukes on the second.

Mr. Smith said that there was discussion about leadership training in the U.S. Army. He recommended that the Board hear a presentation from someone from the Army on this issue.

He reported that the reauthorization of the Elementary and Secondary Education Act (ESEA) will be before Congress this year, and that there is a *Blueprint for Reform* which ties to the RTTT.

## **2010 GRADUATION DATA**

Dr. Grasmick reminded Board members that they received a report on the graduating class of 2010 which included information on the number of students who met the High School Assessment (HSA) graduation requirements, the graduation and dropout rates, and the performance of Maryland high schools in meeting their AYP targets. She asked Dr. Leslie Wilson, Assistant State Superintendent, Division of Accountability and Assessment, to share additional information on the class of 2010.

Dr. Wilson reported that the class of 2010 had the lowest dropout rate in many years. She provided various charts with data about students who dropped out of school and said that data shows that the HSA is not the key challenge for students who don't graduate.

In response to a question by President DeGraffenreidt, Dr. Wilson said that a student cannot have low scores and meet the combined score option to graduate.

She provided charts depicting how subgroups met the high school requirements. In response to a question by Mr. DeGraffenreidt about whether the data shows a lack of content knowledge or a problem with test taking, Dr. Wilson said that English Language Learners (ELL) can pass tests but need extra support while Special Education students have testing issues.

Dr. Wilson reported on waivers by subgroups noting that fifteen local education agencies (LEAs) did not use the waiver option. She said that most waivers were given to students who failed only one test.

Dr. Wilson provided charts on graduation statistics noting that all groups improved in 2010. She outlined the changes for 2011 which includes implementation of cohort graduation rate for AYP and information on "On-time" graduates.



She provided data that shows the dropouts-event rate decreasing over ten years and said that with dropouts down and graduations up, HSAs continue to have a positive impact on student retention, progress, and graduation.

She provided information on “first time taker” status in English and noted the increase in on-line testing.

Dr. Wilson provided information on AYP results for high schools and noted the challenges faced by school systems since targets become more difficult to achieve each year.

In response to a question by Mr. DeGraffenreidt about the unrealistic goal of having all students meet the 100 percent proficiency level by 2014, Dr. Grasmick said that the NCLB falls under the Elementary and Secondary Education Action (ESEA) which is due to be reauthorized by Congress in the near future. She expects that there will be adjustments made when ESEA is reauthorized.

In response to a question by Ms. Sidhu about what students are getting waivers, Dr. Scott Pfeifer, Director of Instructional Assessment, reported on the following categories:

- Students with language issues
- Testing decisions
- Inadequate intervention opportunities because it has only been two years
- Special circumstances such as students experiencing traumatic issues

Mr. DeGraffenreidt noted the rigorous process to apply for a waiver. He thanked Dr. Wilson for an excellent report.

### **PUBLIC COMMENT**

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

1. Gary Brennan, President of the Frederick County Teachers Association, on the proposed regulations on teacher evaluation.
2. Debbie Pappas, President of the Allegany County Teachers Association, on the Educator Effectiveness Council.

### **ANNOUNCEMENT**

Mr. Sampson reported that the Washington County School System is going to do a work session on student Board member voting rights and invited State Board members to attend.

## OPINIONS

Ms. Kameen announced the following Opinions:

- 10-41 *Nathan A. Blazejak, et. al. v. Kent County Board of education* – redistricting (adopted Administrative Law Judge’s decisions in affirming the local board)
- 10-42 *Jon Everhart v. Prince George’s County Board of Education* – teacher evaluation (affirmed the local board’s decision)
- 10-43 *Humanitarian Outreach Development Group v. Baltimore City Board of School Commissioners* – charter school application (affirmed local board’s decision)
- 10-44 *Angelique W. v. Howard County Board of Education* – residency (affirmed local board’s decision)
- 10-45 *Jennifer O. v. Anne Arundel County Board of Education* – student transfer (affirmed local board’s decision)
- 10-46 *Hil and Teresa R. v. Allegany County Board of Education* – student transfer (affirmed local board’s decision)
- 10-47 *Jerry and Susan S. v. Howard County Board of Education* – student transfer (affirmed local board’s decision)
- 10-48 *Academic Enrichment and Training Academy, Inc. v. Montgomery County Board of Education* – charter school application (dismissed)

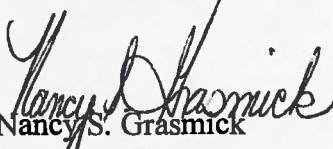
Ms. Kameen announced the following Orders:

- 10-08 *Kim Harkins v. Carroll County Board of Education* – bus stop (untimely filing – dismissed)
- 10-09 *Nonna and Dylan C. v. Howard County Board of Education* – early admission (untimely filing – dismissed)

## ADJOURNMENT

With no further business before the Board, the meeting adjourned at 4:15 p.m.

Respectfully submitted,

  
Nancy S. Grasmick  
Secretary, Treasurer

NSG/rms

APPROVED: 12/14/10

# MARYLAND STATE BOARD OF EDUCATION

## CLOSED SESSION

On this 26th day of October 2010, at the hour of 12:33 am/pm, the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: S. P. [Signature]

Seconded by: W. [Signature]

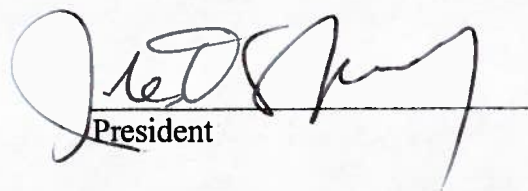
In Favor: A. [Signature] Opposed: \_\_\_\_\_ Member(s) Opposed: \_\_\_\_\_

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 proposal process.

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

1. Discuss 4 legal appeals.
2. Review 5 draft opinions.
3. Consider 4 expedited appeals
4. Receive legal advice on a recent court decision and pending regulatory action
5. Discuss a personnel matter.
6. Discuss one internal Board management matter.

  
President

MARYLAND STATE DEPARTMENT OF EDUCATION  
PERSONNEL APPROVALS FOR THE October 26-27, 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>
Barnett, Rachael A.	Assistant Attorney General V	21	Office of the State Superintendent, Office of the Attorney General	09/22/2010*
Cary, Mary A.	Assistant State Superintendent for Instruction	ESS	Instruction	TBD
Cylus, Kirk D.	Physician Program Specialist	35	Rehabilitation Services, Disability Determination Services	11/03/2010
Haislet, Chandra K.	Education Program Specialist I, Inter-Agency Data Coordinator	21	Accountability and Assessment	TBD

\*Appointed by the Attorney General's Office

**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>
Apicella, Patricia	Vocational Rehabilitation Specialist I	12	Rehabilitation Services, Disability Determination Services	10/20/2010
Crujeiras, Susyn	Vocational Rehabilitation Specialist I	12	Rehabilitation Services, Disability Determination Services	10/20/2010
Dyson, Jarred	Vocational Rehabilitation Specialist I	12	Rehabilitation Services, Disability Determination Services	10/06/2010
Reif, Ryan	Vocational Rehabilitation Specialist I	12	Rehabilitation Services, Disability Determination Services	10/06/2010
Stark, Gregory	Vocational Rehabilitation Specialist I	12	Rehabilitation Services, Disability Determination Services	10/06/2010





Nancy S. Grasmick  
State Superintendent of Schools

200 West Baltimore Street · Baltimore, MD 21201 · 410-767-0100 · 410-333-6442 TTY/TDD

October 26-27, 2010

**BOARD LIST**

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

**Name:** Rachael A. Barnett  
**Position:** Assistant Attorney General V  
**Division:** Office of the State Superintendent, Office of the Attorney General  
**Salary Grade:** 21 (\$55,419 - \$88,976)  
**Effective Date:** 09/22/2010

**JOB REQUIREMENTS:**

**Education and Experience:**

Appointment made by the Office of the Attorney General.

**DESCRIPTION:**

This position serves as an Assistant Attorney General advising and representing the Maryland State Department of Education for Child Care Enforcement.

Maryland Public Schools: #1 in the Nation AGAIN in 2010  
[www.MarylandPublicSchools.org](http://www.MarylandPublicSchools.org)

**Qualifications:**

**Education:**

University of Maryland School of Law (Baltimore, Maryland) 2005 – Juris Doctorate

Bryn Mawr College (Bryn Mawr, Pennsylvania) 2002 – Bachelor's Degree in History

**Experience:**

Department of Health and Mental Hygiene (Baltimore, Maryland)

2007 – Present: Assistant Attorney General (Office of the Attorney General)

2005 – 2007: Employee Relations Officer

2005: Intern, Office of the Attorney General

National Health Law Program (Washington, D.C.)

2004: Intern for Legal Research (Medicaid Law)

Lawrence D. Adashek, P.A. (Towson, Maryland)

2004: Law Clerk

University of Maryland School of Law (Baltimore, Maryland)

2003: Student Attorney (General Practice Clinic)

Disability Advocates, Inc. (Albany, New York)

2000: Intern for Legal Research (Disability Issues and Client Assistance)

Government Law Center, Albany Law School (Albany, New York)

1991: Intern (Research regarding Alzheimer's Care in the United States and abroad)

**Employment Status**

Transfer

October 26-27, 2010

**BOARD LIST**

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

**Name:** Mary A. Cary  
**Position:** Assistant State Superintendent for Instruction  
**Division:** Instruction  
**Salary Grade:** Executive Salary Scale  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**Education:**

A Master's Degree or 36 hours of post baccalaureate coursework in Education or Education Administration/Supervision.

**Experience:**

Extensive experience in educational supervision and management in the areas of school administration, school improvement, school performance, program assessment, and teacher/principal/leadership development.

**JOB DESCRIPTION:**

This is a professional position that serves as the Assistant State Superintendent responsible for the leadership, direction and management of the Division for Instruction to ensure that policies and priorities of the State Board of Education and the State Superintendent are effectively implemented in the areas of curriculum, assessment, and teacher professional development. Also this position manages financial resources and State and federal legislative requirements to ensure clarity and efficient program alignment and collaborates with colleagues and stakeholders regarding issues related to instructional programs and practices.

**Qualifications:**

Morgan State University (Baltimore, Maryland) 1970 – Master of Arts Degree in American Literature

Winthrop University (Rock Hill, South Carolina) 1965 – Bachelor of Arts in English

Johns Hopkins University (Baltimore, Maryland) – Certificate of Advanced Study

MSDE - Advanced Professional Certificate – English, Secondary Principal and Supervisor, and Superintendent

**Experience:**

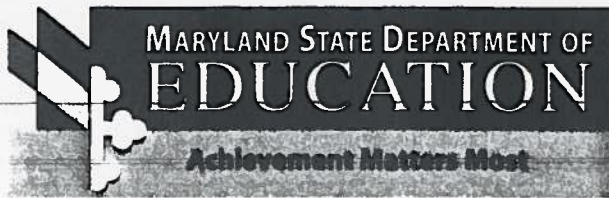
Baltimore County Public Schools (Towson, Maryland)

- 2010: Associate Superintendent of Curriculum and Instruction)
- 2000 – 2010: Assistant State Superintendent for Leadership Development (On Loan to MSDE)
- 1993 – 2000: Founding Principal, Carver Center for the Arts and Technology
- 1992 – 1993: Principal
- 1987 – 1992: Coordinator of English
- 1985 – 1987: Administrative Assistant for the Associate Superintendent
- 1983 – 1984: Curriculum Consultant
- 1981 – 1983: Staff Development Specialist
- 1970 – 1981: English Department Chairperson
- 1965 – 1970: English Teacher

**EMPLOYMENT STATUS:**

New Hire





Nancy S. Grasmick  
State Superintendent of Schools

Suzanne R. Page  
Assistant State Superintendent

**Division of Rehabilitation Services**

2301 Argonne Drive • Baltimore, MD 21218 • 410-554-9385 • Toll Free 888-554-0334 • 410-554-9411 TTY/TDD

OCTOBER 26 - 27, 2010

**BOARD LIST**

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

**Name:** Kirk D. Cylus, M.D.  
**Position:** Physician Program Specialist  
**Division:** Rehabilitation Services,  
Disability Determination Services

**Salary Grade:** 35 (\$104,242 - \$171,868)

**Effective Date:** November 3, 2010

**JOB REQUIREMENTS:**

**Education:**

Possession of a master's degree in the field of public health from an accredited college or university. Must be licensed 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 interpreting medical evidence, prescribe medical evaluation needs, and participate as the medical examiner in the adjudication of disability claims under the Social Security Disability Programs for the Disability Determination Services.

Kirk Cylus, M.D.  
Page two

**QUALIFICATIONS:**

**Education:**

University of Maryland, School of Medicine (Baltimore, Maryland) 1980 – M.D.

Johns Hopkins University (Baltimore, MD) 1973 – 1976 – Bachelor's Degree in Natural Sciences.

**Experience:**

Maryland Disability Determination Services (Timonium, Maryland)

3/2/2010 - Present: Physician Program Specialist (Contractual)

Baltimore County Department of Health (Baltimore, Maryland)

2009 - 2010: Physician I

Kirk D. Cylus, M.D., P.A. (Private Practice), (Owings Mills, Maryland)

1990 – 2009: Physician-Pediatrics

Valley Pediatrics (Owings Mills, Maryland)

1984 – 1990: Physician-Pediatrics

Alan Y. Wolins, M.D., P.A. (Glen Burnie, Maryland)

1983 – 1984: Physician-Pediatrics

**EMPLOYMENT STATUS:**

Contractual Conversion

October 26-27, 2010

**BOARD LIST**

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

**Name:** Chandra K. Haislet  
**Position:** Education Program Specialist I, Inter-Agency Data Coordinator  
**Division:** Accountability and Assessment  
**Salary Grade:** 21 (\$55,419-\$88,976)  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**Education:**

A Master's Degree or equivalent 36 post baccalaureate credit hours of course work in Education, Education Administration, Educational Research, Education Assessment or a related field from an accredited college or university.

**Experience:**

Four (4) years of professional experience in project management, data management or information analysis in an educational program or related area. Experience using SAS (Statistical Analysis Software) & SIF (Schools Interoperability Framework) desirable.

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

**DESCRIPTION:**

This is a professional position responsible for providing coordination and technical assistance to state education leaders and local school systems in the development and implementation of a P-20/Workforce Longitudinal Data System.

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

**Qualifications:**

DePaul University (Chicago, Illinois) 1996 – 56 Credit hours in Secondary Science Education

Northwestern University (Evanston, Illinois) 1993 – Bachelor's Degree in Speech Pathology

**Experience:**

Education Alliance at Brown University (Providence, Rhode Island)

2003 – Present: Research Associate

Citizens Bank (Providence, Rhode Island)

2000 - 2003: Database Administration/Financial Analyst

Westview High School (Portland, Oregon)

1997 – 1999: Science Teacher

Forest Grove Swim Club (Forest Grove, Oregon)

1996 - 1999: Manager and Head Swim Team Coach

**EMPLOYMENT STATUS:**

New Hire