

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday – Wednesday
May 21-22, 2002

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

The Maryland State Board of Education met in regular session on Tuesday, May 21, 2002 and Wednesday, May 22, 2002 at the Maryland State Department of Education building. The following members were in attendance: Ms. Marilyn Maulsby, President; Dr. Philip Benzil; Mr. Dunbar Brooks; Rev. Clarence Hawkins; Mr. Walter Levin; Dr. Karabelle Pizzigati; Dr. Edward Root; Mr. Walter Sondheim, Jr.; Dr. John Wisthoff; and Dr. Nancy S. Grasmick, Secretary/Treasurer and State Superintendent of Schools. Late arrival on Tuesday only: Mr. Reginald Dunn and Ms. Jo Ann T. Bell. Absent both days: Ms. Lauren McAlee. Absent Wednesday only: Dr. Philip Benzil.

Valerie V. Cloutier, Principal Counsel, Assistant Attorney General and the following staff members were present: Dr. A. Skipp Sanders, Deputy State Superintendent for Administration; Mr. Richard Steinke, Deputy State Superintendent for Instruction and Academic Acceleration; and, Mr. Anthony South, Executive Director to the Board.

**CONSENT AGENDA
ITEMS**

Upon motion by Mr. Sondheim, seconded by Rev. Hawkins, and with unanimous approval, the State Board approved the following consent agenda items (In Favor – 9):

Approval of the Minutes of April 23-24, 2002
Personnel (**copy attached as a part of these minutes**)
Budget Adjustments
Permission to Publish: COMAR 13A.11.07 (AMEND)
Programs for Adults with Disabilities

**INTRODUCTION OF
STAFF**

Dr. Grasmick introduced the following staff persons who have been approved for promotion or appointment:

Saul Lilienfeld, Account Manager, Division of Business Services

Irene Padilla, Assistant State Superintendent, Division of Library Services

Colleen Seramet, Director, Curriculum and Instruction,
Division of Instruction

**ANNE ARUNDEL
COUNTY SCHOOL
SYSTEM STATUS
REPORT ON
COMPLIANCE WITH
COMAR
13A.04.13 and
13A.04.16**

Ms. Karen Ganjon, Branch Chief, Division of Instruction, provided the status report on Anne Arundel County's implementation of its plan to be in compliance with these regulations. Ms. Ganjon reported that when the plan is fully implemented, Anne Arundel County Public schools will be in full compliance with COMAR regarding the instructional programs in physical education, health and the fine arts.

Each of the 19 Anne Arundel County Public middle schools was given the opportunity to select either the Seven Period Day scheduling model or the Flexible Block scheduling model. Each scheduling model requires all students to receive instruction in a yearlong physical education/health course and requires all students to select at least one course in the fine arts each year. Of the 19 middle schools, 13 selected the seven-period day with the remaining six schools selecting the flexible block model.

**BALTIMORE CITY
PUBLIC SCHOOLS
TEACHER
RECRUITMENT
REPORT**

Ms. Carmen Russo, CEO, Baltimore City Public Schools, Ms. Sheila Dudley, Director of Human Resources, Baltimore City Public Schools and Dr. Patricia Welsh, President, New Board of School Commissioners for Baltimore City, discussed the recruitment plan submitted by the Baltimore City Public Schools. State regulations require that school systems with a critical mass of schools under local reconstitution submit a recruitment and retention plan by April 15th.

The plan addresses the initiatives the system is undertaking to recruit and retain qualified and competent teachers. These teachers must have content knowledge and expertise in effective instructional strategies.

The plan sets forth initiatives to provide teachers with information about their individual certification obligations, general information about certification incentives and opportunities for reaching certification. The retention initiatives include ongoing mentoring, new teacher orientation and more competitive salaries.

Ms. Dudley reported that the system anticipates that they will need approximately 1,200 new teachers for the 2002-03 school year. During the 2001-2002 school year, the system hired approximately 976 teachers and currently has about 100 vacancies.

**UPDATE ON
MIDDLE SCHOOLS
RECEIVING
STUDENTS FROM
EDISON SCHOOLS**

Ms. Carmen Russo, CEO, Baltimore City Public Schools and Dr. Patricia Welsh, President, New Board of School Commissioners of Baltimore City, provided an update on the middle schools receiving students from the Edison Schools. The system plans to provide comprehensive, rigorous programs for the students graduating from Furman L. Templeton Elementary School, Gilmor Elementary School

**UPDATE ON
MIDDLE SCHOOL
RECEIVING
STUDENTS FROM
EDISON SCHOOLS
(continued)**

and Montebello Elementary School. There are 269 students who will be graduating from these schools. The receiving schools are Booker T. Washington Middle School, Harlem Park Middle School and Hamilton Middle School.

The system is currently focusing on middle school reform. Each middle school will have a reading and math coach. Some of the schools are trying to add a third coach in the area of science. The system has contracted with the Fund for Educational Excellence to implement their Achievement First model in all middle schools.

Ms. Russo reviewed the test results of the three receiving schools. These results indicate that the students in those schools are demonstrating steady and positive academic gains.

The State Board requested that a tour of the schools receiving the Edison students be scheduled.

**UPDATE ON
EDISON
SCHOOLS**

Mr. Richard O'Neill, Senior Vice President of Development, Edison Schools, Inc. and Ms. Cynthia Robbins, Vice President of Development, Edison Schools, Inc., provided an update on the Edison Schools. An examination of the overall performance on high stakes standardized testing reveals that these schools are making meaningful achievement gains.

Currently, there is a request from the parents of the students in the three Edison Schools that the 7th grade be added to the school program. Last year, the parents successfully led an effort to add sixth grade in the three schools. A letter of proposal has been submitted to the city along with three options to accommodate this request. A meeting has been scheduled with the New Baltimore City Board of School Commissioners to further discuss this issue.

ACTIONS ITEMS

**SCHOOL
EXITING LOCAL
RECONSTITUTION**

Dr. Linda Boyd, Director Locally Reconstituted Schools, Division of Professional and Strategic Development, provided information on this request. It is requested that Beacon Heights Elementary School in Prince George's County be permitted to exit local reconstitution. Beacon Heights Elementary School was identified as a school under local reconstitution in 1998. The school has raised its SPI from 23.27 in 1997 to 64.31 for the 2001 MSPAP testing. In March 2002 the school was recognized as a Status II school. A school is recognized as Status II if the school increases its school performance index in each of three consecutive years and achieves 60% of the State average school performance index for that level of school.

**SCHOOL
EXITING LOCAL
RECONSTITUTION
(continued)**

Ms. Mary Walker, Principal, Beacon Heights Elementary School, Prince George’s County, shared her successes and the programs that have been helpful in improving the school’s performance. Ms. Walker requested and the Board approved her request for at least one year of transition before all the additional supports are removed.

Dr. Grasmick read the certificate being presented on behalf of the State Board. Upon motion by Mr. Dunn, seconded by Ms. Bell, and with unanimous approval, the State Board agreed to remove Beacon Heights Elementary School from the list of schools under local reconstitution. (In Favor - 11)

**IMPLEMENTATION
PLAN FOR
VISIONARY PANEL
RECOMMENDATIONS**

Dr. Grasmick reviewed the framework for the Department’s strategic planning which is based on the Visionary Panel for Better School’s report, *Achievement Matters Most*. The Visionary Panel for Better Schools finalized its yearlong examination of the state’s education reform efforts in January and made recommendations for improvements to accelerate student progress in the decade ahead. Simultaneous with the Visionary Panel report was the passage of the federal legislation No Child Left Behind. In addition to these events, the General Assembly passed the Bridge to Excellence Act. All of these undertakings must be integrated to create a total strategic plan that will reflect that integration.

Achievement Matters Most: Strategic Planning Framework is the Department’s initial step in translating the report as the basis for the Department’s strategic plan. Subsequent work will include the appropriate incorporation of existing and emerging Departmental, State and federal initiatives.

The *Achievement Matters Most: Strategic Planning Framework* includes five goals, each of which has its roots in the eight recommendations of the Visionary Panel for Better Schools. Those goals are as follows:

- Goal 1:** To eliminate performance gaps that persist based on students’ race, ethnicity, gender, socioeconomic circumstances, disability, and native language and to promote academic excellence among all students.
- Goal 2:** To create a statewide, seamless preK-12 system of curriculum, instruction, accountability, and assessment that supports student achievement.
- Goal 3:** To ensure that Maryland has the highest quality educators, fully prepared to meet the challenges of today’s classrooms.

**IMPLEMENTATION
PLAN FOR
VISIONARY PANEL
RECOMMENDATIONS
(continued)**

- Goal 4:** To establish an innovative school leadership initiative ensuring high-quality instruction as the centerpiece of every child's education.
- Goal 5:** To ensure clear, consistent, and two-way engagement with education stakeholders, which facilitates an understanding of key education issues.

The next steps will be to (1) identify additional objectives and strategies; (2) identify performance measurements; (3) reexamine the MSDE mission statement; (4) solicit stakeholder feedback; and, (5) develop an implementation plan.

Upon motion by Mr. Dunn, seconded by Dr. Pizzigati, the State Board accepted the report and requested further discussion on the policy issues. (In Favor 11)

**UPDATE ON
ESEA**

Dr. Grasmick provided an update on the Elementary and Secondary Education Act. The Department has issued an RFP (Request for Proposal) for a testing vendor to prepare a test that best aligns with the State's content standards.

A stakeholder group will be put together to select the test that best aligns with the content standards. This group will include persons with expertise in reading and mathematics to review the alignment issues and ascertain how to create the augmentation that is necessary. The company selected will have to do the augmentation modules that will customize the test, and will change it from a norm referenced test where children are measured against other groups of already tested children to a performance assessment measured against the state's standards.

ACTION ITEM

**ESEA
CONSOLIDATED
STATE
APPLICATION**

Ms. Tina Bjarekull, Deputy State Superintendent, Division of Business Services and Dr. Ronn Friend, Director, Comprehensive Planning and School Support, Division of Student and School Services, provided information on Maryland's Consolidated State Application under the Elementary and Secondary Education Act (ESEA), as reauthorized by the No Child Left Behind Act of 2001 (NCLB).

The new No Child Left Behind (NCLB) Act provides States with the option of applying for multiple ESEA program funds through a single consolidated application. MSDE will submit a Consolidated State Application for 15 ESEA programs. This application is intended to help meld the various ESEA programs into a more coherent, well-integrated plan that will result in greater coordination across programs and in improved teaching and learning. The key programmatic and

**ESEA CONSOLIDATED
STATE APPLICATION
(continued)**

fiscal information must be submitted to USDE by June 12, 2002. The descriptive information and assessment data required in the Application will be submitted at different times over a six-year period.

The final draft will be disseminated to major stakeholders and will allow 30 days for comments. Comments received will be reviewed and refinements will be made to the plan accordingly.

Ms. Bjarekull reviewed the ESEA goals and indicators. The State Board is asked to adopt Part I of the application. This provides five ESEA performance goals and corresponding indicators that focus on student achievement. In submitting the Application, Maryland must adopt the five goals, the corresponding indicators, and agree to submit by May 2003 targets and baseline data for the goals and indicators.

Upon motion by Dr. Benzil, seconded by Mr. Brooks, the State Board adopted the draft proposal. (In Favor – 11)

**RECESS AND
EXECUTIVE
SESSION**

Pursuant to §10-503(a)(1)(i) & (iii) and §10-508(a)(1), (7) & (8) of the State Government Article, Annotated Code of Maryland, and upon motion by Mr. Dunn, seconded by Dr. Root and with unanimous agreement, the Maryland State Board of Education met in closed session on Tuesday, May 21, 2002, in room 831 at the Maryland State Department of Education. The executive session commenced at 1:10 p.m.

The following persons were in attendance: Marilyn Maultsby; Reginald Dunn; Jo Ann T. Bell; Philip Benzil; Dunbar Brooks; Walter Levin; Karabelle Pizzigati; Edward Root; Walter Sondheim, Jr.; John Wisthoff; Nancy S. Grasmick; A. Skipp Sanders; Richard Steinke; Valerie V. Cloutier; and Anthony South. Board member Clarence Hawkins was absent until 1:30 p.m.

The State Board deliberated the following appeals and the decisions of these cases will be announced publicly:

- *Phyllis Hammond Black v. Carroll County Board of Education* – student one-day suspension
- *John William Downs v. Baltimore County Board of Education* – employee termination
- *Jonathan Fitzsimmons v. New Board of School Commissioners for Baltimore City* – student suspension

**RECESS AND
EXECUTIVE SESSION
(continued)**

- *Richard Regan v. Harford County Board of Education* – American Indian mascots
- *Richard Regan v. Montgomery County Board of Education* – American Indian mascots

Ms. Cloutier also advised the Board on a request from the parties to the *Metts v. Prince George's County* appeal. The State Board directed Ms. Cloutier to stay the matter at the OAH pending the outcome of settlement discussions by the parties.

Dr. Grasmick and Ms. Cloutier briefed the Board on a motion jointly filed by the New Baltimore City Board and the Bradford Plaintiffs to extend the Consent Decree beyond its termination date of June 30, 2002, until adequacy in education for all students in BCPSS is achieved. After deliberating the matter, the State Board voted 10-1 (Dunn dissenting) to oppose the request to extend the Consent Decree.

Dr. Grasmick and Ms. Cloutier discussed certain issues involving the appointment of the New Prince George's County Board as well as the details of a retreat that is being scheduled by MABE and MSDE for the New Board. The State Board took no action on this matter.

Dr. Grasmick described an MSDE personnel matter. The State Board took no action on this matter.

Dr. Grasmick and Mr. South discussed a current vacancy on the Baltimore City Board as well as upcoming vacancies. The State Board directed Mr. South to advertise for candidates.

The State Board then discussed an internal management matter.

The executive session adjourned at 2:45 p.m.

**LEGAL
ARGUMENT**

The State Board heard oral argument in the following case:

Kay Joyce Kimble v. Montgomery County Board of Education

ACTION ITEMS

**COMAR
13A.08.01.02
(REPEAL & NEW)
GENERAL
REGULATIONS –
AGE OF SCHOOL
ATTENDANCE
(ADOPTION)**

Mr. Rolf Grafwallner, Section Chief and Specialist in Early Learning, Division of Instruction, provided a brief overview of these regulations. This COMAR regulation changes the age requirements for prekindergarten, kindergarten and first grade. The Maryland Kindergarten Committee recommended that the changes in age eligibility for prekindergarten and kindergarten be phased in over a four year period. This will change the cut-off date at a rate of one month per year with full implementation by school year 2006-07.

Upon motion by Dr. Benzil, seconded by Ms. Bell, the State Board adopted the regulation with the caveat that it will be amended within six months to include adjudication under pre-kindergarten. The State Board also requested periodic updates. (In Favor – 11)

**WAIVER
REQUEST FOR
SCHOOL YEAR
CALENDAR**

Dr. Grasmick has received a request from Mr. James Richmond, Superintendent of Schools, Charles County Public Schools, to waive the 180 day requirement as a result of the schools being closed April 29-30, 2002 as result of damage from a tornado that touched down in Charles County.

Upon motion by Mr. Sondheim, seconded by Mr. Dunn, and with unanimous approval, the State Board approved this waiver request. (In Favor – 11)

**POLICIES AND
PROCEDURES FOR
SUBSTITUTE
TEACHERS IN
NONPUBLIC
SCHOOLS APPROVED
TO PROVIDE SPECIAL
EDUCATION SERVICES
UNDER COMAR 13A.09.10**

Dr. Lawrence Leak, Assistant State Superintendent, Division of Certification and Accreditation, and Ms. Virginia Cieslicki, Chief, Nonpublic School Approval Branch, Division of Certification and Accreditation, reviewed the policies and procedures. The current regulations require all teachers in nonpublic schools serving special education students to hold an appropriate certificate issued by MSDE. These regulations did not establish any separate standard for teachers who serve as substitutes. This regulation requires that a nonpublic school approved to provide special education employ teachers who hold certification in special education at the appropriate age and grade level for their assignment.

The credential required of a short-term (30 consecutive school days or fewer) substitute special education teacher is a bachelor's degree from an accredited institution of higher education.

The requirement established for a long-term (more than 30 consecutive school days) substitute special education teacher is that the individual must apply for a provisional teacher certificate before the forty-first day of employment and meet all requirements for a professional special education teacher certificate appropriate for the assignment within a prescribed timeframe.

POLICIES AND PROCEDURES FOR SUBSTITUTE TEACHERS IN NONPUBLIC SCHOOLS APPROVED TO PROVIDE SPECIAL EDUCATION SERVICES UNDER COMAR 13A.09.10 (continued)

Dr. Leak indicated that the State Board is requested to approve these regulations for a one year period during which staff will request documentation of the use and qualifications of these substitutes employed by nonpublic schools providing special education. Staff will evaluate the data that is reported to determine the value of these policies and procedures as it pertains to substitute teachers employed by nonpublic schools.

Upon motion by Dr. Benzil, seconded by Mr. Levin, and with unanimous approval, the State Board approved these policies and procedures with the caveat that if there is a conflict with other regulations related to special education, appropriate action will be taken to reconcile the regulations.

(In Favor – 11).

DECISION ON CONFERENCE COMMITTEE

Dr. Lawrence Leak, Assistant State Superintendent, Division of Certification and Accreditation, provided a review of these new certification regulations. These regulations were proposed by the Professional Standards and Teacher Education Board (PSTEB) and were published in the *Maryland Register*. A hearing was held by PSTEB on May 16, 2002 and testimony was presented by three individuals.

These proposed amendments are designed to address two main issues: enhancing recruitment and retention of educational personnel and streamlining the certification process.

Upon motion by Dr. Root, seconded by Dr. Wisthoff, and with unanimous approval, the State Board agreed to convene a conference committee with members of PSTEB. State Board members on this conference committee are: Ms. Maulsby, Dr. Root, Ms. Bell and Dr. Wisthoff. (In Favor – 11)

PUBLIC COMMENT

The State Board heard public comment from the following individuals:

Carol Pinto
John Kerns
Robert Tansey
Douglas Stiegler
Anthony McCarthy
Matthew Sine
Al Usack
Cedric Davis
Mary Beth Dyer

PRESIDENT'S DISCUSSION

Dr. Pizzigati attended the World Space Week luncheon. She also attended the Governor's bill signing in Annapolis.

**PRESIDENT'S
DISCUSSION
(continued)**

Dr. Wisthoff attended a ceremony honoring the library at Anne Arundel Community College on being selected as National Two-Year College Library.

Mr. Dunn attended the NAACP Award Competition press conference. He attended a dinner at which Ms. Bell was honored.

Dr. Benzil attended the Governor's bill signing in Annapolis and the MABE regional meeting.

Ms. Bell served on the screening committee for the Prince George's County School board members. She attended the ceremony held at the Governor's bill signing. Ms. Bell attended the dedication of the school construction and automobile foundation.

Dr. Root attended Maryland's Bright Stars ceremony. Dr. Root also reported on the MABE regional meeting attended by Boards of Education from Allegany, Garrett and Washington counties.

Rev. Hawkins attended a conference in Ocean City sponsored by the Community Action Agencies and Head Start.

Dr. Grasmick announced that Citigroup donated \$100,000 for the High School Institute that is held during the summer. MSDE has applied for a National Science Foundation grant for training our teachers in math and science.

ADJOURNED

The meeting adjourned at 5:10 p.m.

RECONVENED

The State Board meeting was reconvened on Wednesday, May 22, 2002 at 9:05 a.m.

**DISABILITY
DETERMINATION
SERVICES**

Ms. Kathi Thompson, Director, Disability Determination Services, Division of Rehabilitation Services, provided an overview of the Maryland Disability Determination Services. The Disability Determination Services (DDS) is an agency under the Division of Rehabilitation Services (DORS). The mission of the DDS is to adjudicate Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) claims in an accurate, timely and cost-effective manner.

The operation processes between 57,000 and 60,000 disability determinations each year. It is under the guidance of the Social Security Administration and has very strict benchmarks for performance. The DDS serves the entire state of Maryland. The agency is 100% federally funded.

**DISABILITY
DETERMINATION
SERVICES
(continued)**

The DDS is one of the largest components of the Social Security Administration. The current budget is \$21 million with a staff of 220. DDS works on a regional approach so that if one state in the region is not able to meet its workload another state may either assist that state or take on more within its state so that the national numbers are met.

One examiner can produce between 650 and 700 claims in one year. There is a team of 24 doctors divided into two groups – specialists and psychiatrists. The current regulations require that a doctor review every claim and sign off on that claim.

There are currently three training classes. Persons hired as Claims Examiners must possess a bachelor's degree or master's degree. They must take a 18 week federal training class. With much oversight and supervision, a new examiner may be able to provide 300 claims per year.

The DDS faces the challenge of a high turn-over because many of the staff leave to take jobs at the Social Security Administration. Maryland has been commended for being able to maintain and exceed some goals even under a high-turn over rate.

**GOOD NEWS ITEM –
LEADERSHIP
RECOGNITION:
BRIDGE TO
EXCELLENCE IN
PUBLIC SCHOOLS**

Ms. Maultsby stated that the State Board is recognizing members of the Maryland General Assembly for their efforts to secure support for the work of the Thornton Commission which translated into passage of the Bridge to Excellence in Public Schools legislation. This legislation is bringing national attention to Maryland for making education funding and excellence in education its number one priority.

Dr. Grasmick welcomed and the Board heard comments from the following individuals: Dr. Alvin Thornton, Chair, Commission on Education Finance, Equity, and Excellence; Delegate Carolyn Howard; Delegate Howard "Pete" Rawlings; and, Senator Barbara Hoffman.

The State Board presented awards to:

Dr. Alvin Thornton, Chair
Delegate Norman H. Conway
Delegate Jean B. Cryor
Delegate Carolyn J. B. Howard
Delegate Sheila E. Hixson
Delegate Howard "Pete" Rawlings
Senator Michael J. Collins
Senator Barbara A. Hoffman
Senator Gloria Lawlah
Senator Christopher J. McCabe
Senator Robert R. Neall

**RECRUITMENT OF
CANDIDATES – NEW
BALTIMORE CITY
BOARD OF SCHOOL
COMMISSIONERS**

Ms. Maulsby announced that there is a vacancy on the New Board of School Commissioners of Baltimore City. This vacancy is in the area of special education. Mr. South will advertise for this position in the appropriate newspapers. Ms. Maulsby will appoint a subcommittee to review the resumes and to make recommendations to the Governor and Mayor of Baltimore City. It is anticipated that some additional openings will occur as a result of the expiration of terms ending June 30, 2003 and the Board will probably advertise for those vacancies in January.

ANNOUNCEMENTS

Dr. Grasmick announced that the National NAACP has set the disparity in educational performance of children on their national agenda. All states were asked to respond to an inquiry regarding plans to deal with this issue of disparity in achievement. Maryland's plan in response to this inquiry was selected to serve as the national model to assist other states in preparing their plans.

Dr. Grasmick announced that Paul Reed Smith, who was named as the Small Business Administrator of the Year, made a donation of 208 guitars. One of the guitars will be shipped to every high school in the State of Maryland.

**2002 TEACHERS
OF THE YEAR**

Dr. Grasmick welcomed Maryland's 2002-2003 Teachers of the Year. The Maryland Teacher of the Year Program is affiliated with the National Teacher of the Year Program, the nation's oldest and most distinguished program. The national program is sponsored by the Council of Chief State School Officers in partnership with Scholastic, Inc.

Major sponsors include Maryland New Car and Truck Dealers Association, Northrop Grumman, Lockheed Martin, State Farm Insurance, Allfirst Bank, Comcast Cablevision and media sponsors, The Baltimore Sun and WJZ Channel 13. Bank of America is a new Platinum level sponsor this year.

Dr. Grasmick introduced Lieutenant Governor Kathleen Kennedy Townsend who congratulated the teachers on this accomplishment.

Ms. Darla Strouse, Director of Corporate and Foundation Partnerships, introduced each honoree. Each honoree received a letter of commendation from Lieutenant Governor Townsend, citation from the Maryland State Department of Education and State Board of Education and a Teacher of the Year portfolio.

The honorees are:

Allegany County	Ms. Heather Michele Morgan
Anne Arundel County	Ms. Mattie A. Procaccini
Baltimore City	Ms. Sara Lawlyes
Baltimore County	Ms. Cheryl Bost

**2002 TEACHERS
OF THE YEAR
(continued)**

Calvert County	Mr. James R. Seawell
Caroline County	Ms. Catherine L. Knight
Carroll County	Ms. Susan H. Adami
Cecil County	Ms. Charlotte E. Mehosky
Charles County	Ms. Joan Withers
Dorchester County	Ms. Terri Lyn Wright
Frederick County	Mr. Darren Ray Hornbeck
Garrett County	Ms. Elizabeth Rees Gilbert
Harford County	Mr. Howard E. Eakes
Howard County	Ms. Michele Zurad
Kent County	Ms. Sue Dorsey
Montgomery County	Ms. Arlene Barte-Lowe
Queen Anne's County	Mr. Darryl C. Calloway
St. Mary's County	Mr. Larry Brabec
Somerset County	Mr. Glen N. Ennis
Talbot County	Mr. Thomas M. Callahan
Washington County	Ms. Vicki Follett
Wicomico County	Ms. Beth S. Sheller
Worcester County	Ms. Sandy Coates West

OPINIONS

Ms. Cloutier announced the following appeals:

- 02-18 Baltimore County Board of Education v. American Federation of State, County and Municipal Employees, Council 67, et al --** This involves a dispute regarding the arbitrability of a matter involving reduction of duty days for bus drivers and attendants. The State Board has found that the dispute is not subject to arbitration.
- 02-19 Michele Ditchey v. Anne Arundel County Board of Board of Education –** This appeal involved the enrolling of a study in public school. The State Board has dismissed the appeal based upon the appellant's failure to pursue remedies with the local board.
- 02-20 Nanci Paul v. Allegany County Board of Education –** This appeal dealt with an unsatisfactory evaluation. A nine member majority affirmed the local board's decision. There were two dissentors who would have referred the matter for a hearing.
- 02-21 Richard Regan v. Frederick County Board of Frederick County –** The State Board has dismissed this appeal based on failure to pursue the remedies with the local board.
- 02-22 Richard Regan v. Montgomery County Board of Education --** The State Board has dismissed this appeal for lack of jurisdiction.

**OPINIONS
(continued)**

02-23 In Petition of Dawn E. Rutter – This is a request for An interpretation of a statutory provision regarding signing bonuses. A majority of six members of the State Board have reversed the MSDE staff decision and direct that the bonus be awarded to Ms. Rudder. Five members dissented.

**EXECUTIVE
SESSION AND
ADJOURNMENT**

Pursuant to § 10-503(a)(1)(i) & (iii) and § 10-508(a)(7) of the State Government Article, Annotated Code of Maryland, and upon motion Ms. Bell, seconded by Mr. Dunn, and with unanimous agreement, the Maryland State Board of Education met in closed session on Wednesday, My 22, 2002, in the 7th floor board room of the Maryland State Department of Education. The executive session commenced at 11:45 a.m.

The following members were in attendance: Marilyn Maultsby; Reginald Dunn; Jo Ann T. Bell; Dunbar Brooks; Clarence Hawkins; Walter Levin; Karabelle Pizzigati; Edward Root; Walter Sondheim, Jr.; Jack Wisthoff; Nancy S. Grasmick; A. Skipp Sanders; Richard Steinke; Valerie V. Cloutier; and Anthony South.

The State Board deliberated the appeal of *Kay Kimble v. Montgomery County Board of Education* – tenured teacher dismissal for incompetence. The decision of this case will be announced publicly once it has been issued.

The executive session concluded at 12:05 p.m.

Respectfully submitted,

Nancy S. Grasmick
Secretary/Treasurer

**NSG:sgc
APPROVED:**