

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday – Wednesday
April 23-24, 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, April 23, 2002 and Wednesday, April 24, 2002 at the Maryland State Department of Education building. The following members were in attendance: Ms. Marilyn Maultsby, President; Mr. Reginald Dunn, Vice 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; Ms. Lauren McAlee; and Dr. Nancy S. Grasmick, Secretary/Treasurer and State Superintendent of Schools. Late arrival on Tuesday only: Ms. Jo Ann T. Bell. Late arrival on Wednesday only: Mr. Reginald Dunn. Absent on Wednesday only: Rev. Clarence Hawkins.

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; Mr. Anthony South, Executive Director to the Board.

WELCOME

Ms. Maultsby welcomed Mr. Dunbar Brooks as a new member of the State Board. Mr. Brooks replaces for Board member Mr. Raymond Bartlett.

CONSENT AGENDA ITEMS

Upon motion by Mr. Sondheim, seconded by Mr. Dunn, and with unanimous approval, the State Board approved the following consent agenda items (In Favor - 11):

Approval of the Minutes of March 26-27, 2002
Personnel (**copy attached as a part of these minutes**)
Budget Adjustments
Permission to Publish: COMAR 13A.11.01 & .07 (AMEND)
Programs for Adults with Disabilities

MASC ANNUAL REPORT

Mr. Rourke O'Brien, President, Maryland Association of Student Councils and Ms. Shawn Stelow, Specialist, School and Community Outreach Office, provided this annual report. The Maryland Association of Student Councils (MASC) is an organization comprised of both middle and high school member schools from every jurisdiction in the State of Maryland. Its mission is to promote

**MASC ANNUAL
REPORT
(continued)**

leadership development, communication between students and representation for youth across the State of Maryland. To date, 280 schools from across the State of Maryland have become members of MASC including over 110 middle schools and a few private schools.

Throughout the school year, MASC holds three annual conferences aimed at improving student leadership in all schools throughout the State of Maryland. These conferences are (1) Middle School Leadership Conference; (2) Legislative Session; and, (3) MASC Annual Convention. At their Legislative Session, MASC selects two students to recommend to the governor for the position of Student Member on the State Board of Education.

MASC also recognizes individuals and schools who have exemplified its mission at an awards program where an Advisor of the Year and Principal of the Year are selected.

**STATE
LEGISLATIVE AND
BUDGET SUMMARY**

Ms. Tina Bjarekull, Deputy State Superintendent, Division of Business Services and Ms. Renee Spence, State Legislative Liaison, provided a review of the legislative session. The General Assembly passed the Thornton Commission recommendations in SB 856 – Bridge to Excellence in Public Schools Act. The bill appropriates an additional \$72.6 million for public education, \$4.8 million for the Infants and Toddlers Program, and \$1.1 million for adult education.

The legislation includes the foundation program and the base cost for adequacy as recommended by the Thornton Commission.. The General Assembly elected to have the State pay 50% of the foundation program which added more money for every single school system. The General Assembly also adopted a minimum per pupil state grant for all of the at-risk categorical programs. The legislation also includes an additional \$10 million for Prince George’s County school system contingent upon the approval of a comprehensive master plan that must be approved by the State Board. Ms. Bjarekull also discussed the budget cuts made the General Assembly and their impact upon State agencies and MSDE.

Ms. Spence highlighted some of the key education legislation that passed during this session of the General Assembly.

**FEDERAL
LEGISLATIVE
UPDATE**

Ms. Sharon Nathanson, Federal Legislative Liaison, provided a status report on federal legislation. To date, there has been no final decision on the President’s budget proposal which is to be effective October 1st. Letters have been sent to the Maryland legislative delegation regarding the State Board’s position on the President’s FY 2003 budget proposal and on the reauthorization of the Individuals with Disabilities Education Act (IDEA). Ms. Nathanson reported that Dr. Grasmick is serving on a Presidential commission that is reviewing all of the issues surrounding the reauthorization of IDEA. The report of this commission is expected to be completed by June.

INTRODUCTION

Dr. David Lovewell, Professor, Department of Education, Towson University, introduced seven school principals and assistant principals who were visiting from China. These principals are staying at Towson University for the next three months to study American high school education.

ACTION ITEMS

SYSTEMS PROPOSALS FOR SCHOOLS PLACED UNDER LOCAL RECONSTITUTION IN 2002

Dr. Linda Boyd, Director, Locally Reconstituted Schools, introduced members of the Baltimore City School system who were present to discuss this plan. The representatives from the Baltimore City School system were: Dr. Cassandra Jones, Chief Academic Officer, Baltimore City Public Schools, Mr. Malcolm Dates, Area Executive Officer, Baltimore City Public Schools and Mr. Gary Thrift, Area Executive Officer, Baltimore City Public Schools. They provided a review of the system's proposal for the newly named schools under local reconstitution.

In January 2002, the State Board named nine schools to local reconstitution – four schools in Baltimore City and five schools in Prince George's County. The four schools newly named under local reconstitution in Baltimore City are: Robert Poole Middle School, Harlem Park Community School, Canton Middle School, and Dickey Hill Elementary/Middle School. The three overarching needs of these schools are: (1) uneven implementation of instruction and quality of instruction; (2) uneven planning; and, (3) uneven curriculum implementation. The restructuring process also includes the certification issues of the teachers and the actual instructional programs in these identified schools.

Dr. Jones reported that during the summer, these four schools will have 20 days of professional development for the staff. Also, the teachers in these four schools will be provided planning time and professional development throughout the school year. Each of these four schools will have academic coaches on-site. These academic coaches will work specifically with the teachers not only in the areas of reading and mathematics but in all of the content areas. They will also work directly with the principal and intervention specialists.

Dr. Grasmick indicated that the proposal received from Prince George's County was reviewed by staff and needed some revisions. This plan should be presented to the State Board next month.

Upon motion by Ms. Bell, seconded by Dr. Pizzigati, the State Board preliminarily approved the plan for these four schools pending the submission of the master plan by June 1, 2002 and approval of that plan by the State Board. (In Favor – 12)

**SYSTEMS
PROPOSALS FOR
SCHOOLS
PLACED UNDER
LOCAL
RECONSTITUTION
IN 2002
(continued)**

Dr. Grasmick stated that as a part of the new city/state partnership legislation a Distinguished Principals Fellowship Program will be initiated. This program will seek to attract experienced principals for high risk schools by offering incentives and will require them to make a commitment for a three year period. While providing leadership to the school, they would also work with interns interested in becoming principals. This program will be available to only five persons initially and will begin in September 2002.

Upon motion by Mr. Dunn, seconded by Dr. Wisthoff, the Board agreed to move forward on this Distinguished Principals Fellowship Program so that experienced school leaders can be placed in the Baltimore City Public Schools by September 2002. (In Favor – 12)

**WAIVER REQUEST –
BALTIMORE
COUNTY PUBLIC
SCHOOLS**

Dr. Grasmick has received a request for Dr. Hairston, Superintendent. Baltimore County Public Schools, to waive the requirement of the 1,170 hours required for high schools (the 180 days requirement will be met). This will allow the final day of school to be Friday, June 14, 2002.

Upon motion by Dr. Benzil, seconded by Ms. Bell, and with unanimous approval, the State Board approved this waiver request. (In Favor – 12)

**VISIONARY PANEL/
ESEA UPDATE**

Dr. Grasmick reported that the final public briefing on the Visionary Panel will be held on April 23rd at Eleanor Roosevelt High School in Prince George’s County. One of the significant recommendations of the Visionary Panel which is being taken seriously by local school systems is the use of managers to handle many of the day-to-day building issues in order for principals to be the instructional leaders in their schools. This recommendation has been fully implemented in the Talbot County Public School system.

The full implementation plan of the Visionary Panel will be presented at the May Board meeting. This implementation plan will include assigned responsibilities related to the major recommendations of the Visionary Panel, next steps, and how all of the recommendations will be phased in.

**RECESS AND
EXECUTIVE
SESSION**

Pursuant to §10-503(a)(1)(i) & (iii) and § 10-508(a)(1), (7), (8) & (11) of the State Government Article, Annotated Code of Maryland, and upon motion by Dr. Root, seconded by Ms. Bell, and with unanimous approval, the Maryland State Board of Education met in closed session on Tuesday, April 23, 2002 at the Maryland State Department of Education. The executive session commenced at 12:35 p.m.

**RECESS AND
EXECUTIVE
SESSION
(continued)**

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

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

- *Baltimore County Board of Education v. American Federation of State, County and Municipal Employees, Council 67, et al* - arbitrability of dispute involving school calendar and duty days
- *Michele Ditchey v. Anne Arundel County Board of Education* – denial of student enrollment
- *Nanci Paul v. Allegany County Board of Education* - unsatisfactory teacher evaluation
- *Richard Regan v. Frederick County Board of Education* – use of American Indian mascots
- *Richard Regan v. Montgomery County Board of Education* – use of American Indian mascots
- *In Petition of Dawn E. Rutter* – dispute over teacher signing bonus

The State Board also reviewed certain draft opinions that will be announced publicly.

Dr. Grasmick discussed the budget reduction made by the General Assembly and their impact on personnel. The State Board concurred with the process Dr. Grasmick outlined.

Dr. Grasmick and Ms. Cloutier discussed an issue involving MSPAP administration for spring 2002 as well as issues involving compliance with the assessments required by No Child Left Behind. The State Board took no action on these matters.

Dr. Grasmick and Mr. South discussed the process for soliciting applicants for the new Prince George's County Board of Education as established by House Bill 949. Marilyn Maultsby appointed a screening committee to consist of Reginald Dunn as Chair, Jo Ann T. Bell, Dunbar Brooks, Jack Wisthoff, and Marilyn Maultsby. The screening committee agreed to meet following the conclusion of

**RECESS AND
EXECUTIVE
SESSION
(continued)**

State Board meeting on Wednesday to discuss procedures for the screening process. Marilyn Maulsby indicated that she would announce the members of the screening committee during the public session of the State Board.

Dr. Grasmick briefly discussed certain transition issues involving the Management Oversight Panel and the current Prince George's County Board. The State Board took no action on these matters.

Dr. Grasmick provided a brief update on Master Plan issues and the high school restructuring occurring in the Baltimore City Public School System. The State Board requested that CEO Russo address the Board at an upcoming public meeting regarding the school system's efforts to improve the middle schools to which Edison school students would transfer.

The State Board then discussed two internal management issues.

The executive session adjourned at 2:55 p.m. and the Board reconvened in the 7th floor Board Room at 3:05 p.m. in executive session to hear oral argument on an MSDE employee termination. The oral argument and executive session concluded at 3:40 p.m.

HEARING

The State Board heard testimony from one individual.

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

PUBLIC COMMENT

The Board heard public comment from the following individuals:

Leannette Carlson
Stephen Kay
Larry Jacobs
Susan Comstock
Ryan Logue
Alan Zukerberg
Bret Parsons
Paul Wood, Director, Maryland Public Affairs, Verizon
Chanel Thompson
Genevieve Wilson

**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 by Dr. Root, seconded by Dr. Pizzigai, and with unanimous agreement, the Maryland State Board of Education met in closed session on Tuesday, April 23, 2002, in the 7th floor Board Room of the Maryland State Department of Education. The executive session commenced at 4:00 p.m.

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

The State Board deliberated the employee termination matter and gave counsel direction on a draft opinion that the Board will review at its May, 2002 meeting.

The executive session concluded at 4:20 p.m.

RECONVENED

The State Board meeting reconvened on Wednesday, April 24, 2002 at 9:00 a.m.

GOOD NEW ITEMS

**RECOGNITION
CEREMONY FOR
WINNERS OF THE
NATIONAL COUNCIL
OF TEACHERS OF
ENGLISH
ACHIEVEMENT
AWARDS IN WRITING
IN 2001**

Ms. Trudy Collier, Chief, Language Development, Early Learning Branch, Division of Instruction, and Mr. Frank Horstman, Specialist, Language Development, Division of Instruction, announced the recipients of this recognition. The National Council of Teachers of English sponsors an annual competition for high school juniors from across the county to vie for Achievement Awards in Writing. For the school year that ended in June 2001, sixteen Maryland students were honored for excellence in writing.

In order to participate in the competition, each student is required to send one sample of writing (prose or verse) that the student considers his or her best work, regardless of the amount of revision. In addition, each student is required to write a response to an impromptu theme written under teacher supervision in no more than 75 minutes and submitted in longhand without revision.

Each student received a State Board certificate presented by Ms. Maultsby and a Governor's citation presented by Mr. John Riley, Education Policy Advisor to the Governor. **(A list of the winners is attached as a part of these minutes.)**

**2002 TEEN
JEOPARDY
CHAMPION**

Dr. Grasmick introduced Bernard Halloway a junior at Eleanor Roosevelt High School as the winner of the 2002 Teen Jeopardy national competition. Mr. Halloway competed with other teen students in this difficult academic competition which is the high school version of the well-known television game show *Jeopardy*. Mr. Halloway was accompanied by his father and Mr. Sylvester Conyers, Principal, Eleanor Roosevelt High School, Prince George County Public Schools.

Mr. Halloway was presented a State Board certificate by Ms. Maultsby and Dr. Grasmick.

**COMMISSION ON
INSTRUCTIONALLY
SUPPORTIVE
ASSESSMENTS**

Ms. Pat Foerster, President, Maryland State Teachers Association; Ms. Sue Ann Tabler, Executive Director, Maryland Association of Secondary School Principals; and, Mr. James Dryden, Executive Director, Maryland Association of Elementary School Principals, provided remarks on the work of this commission. This commission was convened at the request of a coalition of administrator and principal organizations to help establish educational policies that will lead to the development of tests supportive of both instruction and accountability.

Ms. Forester introduced Dr. W. James Popham, an emeritus professor at the University of California, Los Angeles, who chaired the Commission. Dr. Popham discussed the findings and recommendations of the Commission on Instructionally Supportive Assessments. The individuals who served on this commission were asked to recommend ways that state-administered achievement tests could not only satisfy public demands for accountability, but also improve the instruction of children. Teachers and administrators agree that state standards can increase academic rigor, strengthen curricula, and encourage student learning .

Dr. Popham discussed the reasons why the standardized tests currently being used are inappropriate which are:

1. The generality of standardized tests descriptions often leads to mismatches between what's tested and what's taught.
2. There is a tendency to eliminate items covering important teacher stressed content from standardized tests.
3. Confounded causality makes it impossible to tell what caused student's scores.

The nine requirements of the Commission for a new generation of statewide achievement tests are:

1. A state's content standards must be prioritized to support effective instruction and assessment.

**COMMISSION ON
INSTRUCTIONALLY
SUPPORTIVE
ASSESSMENTS
(continued)**

2. A state's high-priority content standards must be clearly and thoroughly described so that the knowledge and skills students need to demonstrate competence are evident.
3. The results of a state's assessment of high-priority content standards should be reported standard-by-standard for each student, school, and district.
4. The state must provide educators with optional classroom assessment procedures that can measure students' progress in attaining content standards not assessed by state tests.
5. A state must monitor the breadth of the curriculum to ensure that instructional attention is given to all content standards and subject areas, including those that are not assessed by state tests.
6. A state must ensure that all students have the opportunity to demonstrate their achievement in state standards; consequently, it must provide well-designed assessments appropriate for a broad range of students, with accommodations and alternate methods of assessment available for students who need them.
7. A state must generally allow test developers a minimum of three years to produce statewide tests that satisfy *Standards for Educational and Psychological Testing* and similar test-quality guidelines.
8. A state must ensure that educators receive professional development focused on how to optimize children's learning based on the results of instructionally supportive assessments.
9. A state should secure evidence that supports the ongoing improvement of its state assessments to ensure that assessments are (1) appropriate for the accountability purposes for which they are used, (b) appropriate for determining whether students have attained state standards, (c) appropriate for enhancing instruction, and (d) not the cause of negative consequences.

**BOARD PROCESS
FOR RECRUITING
AND IDENTIFYING
IDENTIFYING
NOMINEES FOR THE
PRINCE GEORGE'S
COUNTY BOARD
OF EDUCATION**

Ms. Maulsby reviewed the State Board role in the selection of members for the New Prince George's County Board of Education. The State Board is required to recommend to the Governor and the County Executive a list of nominees for the New Prince George's County School Board. Ads have been placed in the major newspapers serving Prince George's County beginning on Sunday, April 14th. The deadlines for applications is April 30th. This announcement described the qualifications for New Board members and the categories as stipulated by House Bill 949.

The State Board has selected a screening committee that will review the applications, select a list of candidates and interview each selected candidate. The State Board will convene a special meeting of the Board on May 15 to review the recommendations of the screening committee and forward the recommendations to the Governor and County Executive.

The screening committee will consist of: Reginald Dunn, Chairman; Dunbar Brooks; Jack Wisthoff; Jo Ann T. Bell; and Marilyn Maulsby.

**PRESIDENT'S
DISCUSSION**

Ms. McAlee attended the Annual Convention of the Maryland Association of Student Councils which was held in Ocean City, MD.

Mr. Dunn attended the National School Boards Association Conference in New Orleans.

Ms. Maulsby gave opening remarks at the 5th Annual Conference of Schools and Families.

Dr. Benzil attended the monthly meeting of the Maryland State School Health Council. He is also assisting members of the Healthy Schools Network of NASBE in planning for their meeting in October.

Ms. Bell is serving on a Prince George's County subcommittee which is engaging in public speaking and public advertisement on education issues. She serves on the Maryland Association of Boards of Education Conference Committee and is assisting in the preparation for their annual conference to be held this fall.

Dr. Root has spoken to retired teacher groups about the State Board. He attended an elementary school groundbreaking ceremony for a playground held in Allegany County. Dr. Root attended the Appalachian Laboratories Environmental Educator of the Year Award.

Dr. Grasmick and Doug Becker, Sylvan Learning Center, will be hosting an award winning film on the experiences of a first-year teacher. State Board members will be invited to a viewing of this film. Dr. Grasmick announced MSDE has been working with the University of Maryland Medical Center and their breath mobile which travels throughout the state. This mobile provides information to parents,

PRESIDENT'S

**DISCUSSION
(Continued)**

children and caregivers on how to assist children who suffer from asthma so that they are able to attend school regularly.

OPINIONS

Ms. Cloutier announced the following appeals:

- **02-14 Robert Astrove v. Board of Education of Montgomery County** – This appeal dealt with the format in which the CTBS scores are reported in Montgomery County. The State Board has dismissed this appeal on jurisdictional grounds because it is an attempt to use the appeal process to force a change in policy which is a jurisdictional function.
- **02-15 Adrene Harper v. Board of Education of Frederick County** – The State Board with clarification has adopted the findings and certain conclusions of the Administrative Law Judge affirming the suspension and transfer decision of the local board.
- **02-16 Marie McNamara v. Board of Education of Montgomery County** – The State Board has affirmed the denial of a student transfer request.
- **02-17 Rettakudi Nagarajan v. Board of Education of Montgomery County** – The State Board has adopted the report of the hearings examiner and affirmed the personnel decisions made by the Montgomery County Board.

ADJOURNED

The State Board adjourned at 12:05 p.m.

Respectfully submitted,

Nancy S. Grasmick
Secretary/Treasurer

**NSG:sgc
APPROVED:**