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The Monitor

a summary of the monthly
Maryland State Board of Education Meeting

Dec. 6, 2011

Dr. Leslie Wilson's Retirement Announced
State Superintendent Bernie Sadusky announced the resignation of Dr. Leslie Wilson, MSDE's Assistant State Superintendent for Accountability, Assessment, & Data Systems.

Appeals Procedures Regulations
The State Board granted permission to publish proposed amendments to the regulations governing the procedures for filing appeals of local board decisions to the State Board (COMAR 113A.01.05.02). The tentative timeline for granting final approval includes publication in the Maryland Register on January 27, 2012, followed by a 30-day comment period ending February 27, and adoption by the State Board at its March 27 meeting.
Handout

Distinguished Title I Schools Recognition
Two National Title I Distinguished Schools were recognized, including Worcester County's Pocomoke Elementary School, and Baltimore County's Sandalwood Elementary School. Dr. Sadusky and Board President James DeGraffenreidt praised the schools for their success.
Handout

Race to the Top Update
A Race to the Top (RTTT) grant program update was provided by Dr. Jim Foran, MSDE, who shared the highlight that the department has now completed 99 amendments to the original grant. He noted that the required local school system scope of work reports are now incorporated in the local master plans. In addition, he reported that the department recently signed a memorandum of understanding (MOU) with UTeach regarding STEM instruction. Lastly, he described the protocols the department uses to communicate the status of the RTTT grant program, including uploading all documents to the website, monthly reports to the State Board, onsite U.S. Department of Education (USDE) visits to MSDE and the participating local school systems, and meetings held at USDE.

RTTT Focus Area: The Breakthrough Center
Dr. Foran introduced Ann Glazer, MSDE, Division of Academic Reform and Innovation, who provided an overview of the use of the Breakthrough Center as a key instructional improvement initiative.

The Breakthrough Center is an MSDE initiative that is now integral to implementing the RTTT requirement to focus on the lowest performing 5 percent of schools in the state. The Center

staff provides professional development to principals and teachers in these 16 schools and their 20 feeder schools.

Ms. Glazer highlighted that the core work of the Breakthrough Center is to facilitate improvement in instruction in low performing schools through targeted and intensive principal leadership development and teacher professional development in English Language Arts and Mathematics. She stressed that effective professional development is not an event and must be job embedded. In addition, she emphasized the use of differentiated professional development and the collaborative nature of the assistance provided and school-based improvements facilitated by the Center.

Francis Scott Key Elementary School Principal, Judi Strawbridge, described the enormous improvements in reading and math scores attributable to the assistance provided by the Center and she also emphasized the role of collaborative planning in achieving these results.

Board Vice President Charlene Dukes asked whether schools receiving the Center's assistance were being compared to school receiving these services, and the broader application of what is working. Board member James Gates raised the same question specifically regarding mathematics instruction, noting the widely recognized difficulty in improving instruction and student performance in this area. The panel encouraged deeper inquiry by board members into the work of the Center.
Handouts: Memo and Presentation

Bridge to Excellence Master Plan Update
Dr. Sadusky introduced a panel including Ann Chafin, Walter Sallee, and Steve Brooks, MSDE, who described the process of all 24 school systems submitting annual updates to their comprehensive master plans, and the 22 participating in the Race to the Top (RTTT) grant program including additional scope of work items. Mr. Sallee described the master plan integration of the Bridge to Excellence and the No Child Left Behind Act's student performance goals, and the department's use of panels to review the 24 local plans.

Mr. Sallee emphasized that the 22 school systems participating in the RTTT grant had to incorporate the RTTT scopes of work for the first time, which presented a workload challenge for these systems, and the reviewers. The four assurances required under the RTTT grant include Standards and Assessments, Data Systems to Support Instruction, Great Teachers and Leaders, and Turning Around Lowest Performing Schools. The NCLB goals pertain to student proficiency in reading and math, high quality teaching and professional development, safe schools, and high school graduation.

In addition, he noted that one school system is in corrective action, which requires significantly more work to develop detailed elements of the master plan specific to implementing the system's improvement plan.

Mr. Brooks addressed the alignment of the school system's fiscal and resource allocations and the goals stated in the plans, without which the plans would be nothing more than a wish list. He stressed that one of the principles of the Thornton Commission's recommendations was to provide less prescriptive categorical funding and more flexibility for local school systems to use available resources to improve student achievement. He praised this as an enlightened approach that has served the local school systems and state well. Mr. Brooks presented an

overview of the roles of federal ARRA, EdJobs, and RTTT funding and the manner in which this funding has been reported by local school systems.
Handout: Memo and Presentation

Timeline and Educational Service Provision to Expelled and Long-term Suspended Students

Board President DeGraffenreidt welcomed a panel including two Teachers of the Year and representatives from the Maryland State Education Association and Baltimore Teachers Union. He opened the discussion by reviewing the origins of the State Board's inquiry, arising from a student discipline case in Dorchester County, and the Board's increasing awareness of the lack of educational services being provided to students in long-term discipline cases. He stressed that the data collected by MSDE shows that only a scant minority of student actions resulting in expulsion of long-term suspension are for violent crimes, and the that the vast majority are the result of subjective factors and happenstance.

Michelle Shearer, National Teacher of the Year, spoke to her concerns with maintaining a safe learning environment which does at times require separating students from the school setting, and her firm belief that such disciplinary action is not appropriate in the vast majority of cases because it does not afford the opportunity to teach the student. She described the moral education emphasized in Asian countries she has visited, similar to our character education, and the need to invest in these programs to ensure that students stay in school and continue to learn.

Marietta English, BTU President, stated the need for clear and consistent enforcement of rules, applicable to students and staff, but not enforced through a zero tolerance model. She stressed that students are children who should see school as a safe place to come to learn, and her concerns with using metal detectors and police in schools. She concluded that the objective must be to keep students in school and continue to guide them to becoming productive members of society.

Joshua Parker, Maryland Teacher of the Year, encouraged the State Board to consider the role of not only the cognitive but also the affective needs of students to feel an emotional connection to the school. He stated that schools fail to foster these connections, which results in students feeling disconnected. He reiterated that he sees this as a belief question, referring to what it is the school believes the student needs, which drives what information they are focusing on, and what actions they take.

Geraldine Duval, MSEA, highlighted the role of professional development on the need for rigor, relevance and relationships in the school and classroom. She also cited the need for alternative education settings as alternative places for students to go.

Board President DeGraffenreidt thanked the panel, noting his appreciation of their attention to the broad philosophical issues surrounding this issue. He stressed his focus on the power of vocabulary, the use of the term discipline, and the ultimate policy goal of having student learning occur. Mr. Parker responded that discipline could be replaced with character development initiative, and also emphasized his interest in the role of literacy not only in the way school describe and respond to student actions, but also in the context of approaching the need to educate students about their actions through enhancing their capacity to explain their actions and the needed improvements.

Board Member Kate Walsh asked why schools are not using video cameras in classrooms, especially those with suspended students. Mr. Parker responded that he supports the use of recorded instruction in rooms of suspended students to allow them to stay on pace with their classmates. He did note the rights of students to opt out of being videoed which hampers the proposal to install in classrooms. Ms. English responded that funding and resources are a major challenge whether regarding professional development, cameras, or teachers devoted to alternative education. Ms. Shearer noted the complexity of the challenges confronting teachers in terms of the available time to monitor classrooms, hallways, and obtaining information and understanding of the student's family and community situation.

Board Member Sayed Naved shared his observation, based on school data he reviewed and personal experience, that students participating in sports gain an understanding that their actions relate to the team and that this can have a powerful effect on them correcting their own behavior. Ms. English agreed, noting that she believes the same dynamic exists in choirs, dance troupes, and other student activities. Ms. Shearer shared her experience as AP chemistry teacher and lacrosse coach, and that she challenges students to ask why they are so willing to practice a sports shot 200 times but not do a chemistry problem 200 times. Mr. Parker agreed that sports do provide a character development environment, but that school climate and student recognition has to go beyond sports and include academics. He reiterated his view that schools should be challenged to consider what they believe about their disruptive and lowest performing students and what value they are placing on addressing the needs of these students.

Mr. DeGraffenreidt concluded the discussion by praising the broad perspective shared by the panel, and describing the Board's remaining task to discuss in January its proposed regulations regarding the procedural due process issues and minimum educational services to be provided to students in long-term disciplinary situations.
Handouts: Memo, Mr. Parker's Statement, Ms. Shearer's Statement

Minimum Standards for Participation in Sports
Dr. Sadusky introduced the panel including Mary Carey and Ned Sparks, MSDE, and the described the legislation enacted in 2011 requiring the State Board to make recommendations to the General Assembly regarding the minimum academic performance standards for students to be eligible to participate in interscholastic sports in Maryland's public high schools. The legislation calls for specific recommendations regarding the curriculum content, minimum grade point average, and grade process that public high school students should satisfy. Dr. Sadusky stressed that he knows the vast majority of student athletes are outstanding students, and his interest in dispelling any notion that student athletes have the minimum 2.0 GPA.

The State Board adopted the recommendation, developed by an advisory committee to the Maryland Public Secondary Schools Athletic Association (MPSSAA), that local school systems enact academic eligibility standards that reflect the grading policies, curriculum content and graduation requirements applicable to all students, and that they require a minimum high school grade point average of 2.0. This recommended course of action will be recommended to the General Assembly in the State Board's report to be submitted by December 31 of this year.
Handout: Memo

State Superintendent Search Update
The State Board received a presentation on the State Superintendent Leadership Profile Report developed by the search firm, Hazard, Young, Attea & Associates. The report reflects the findings of the leadership profile assessment conducted through regional forums, online surveys, and individual meetings. Two consultants, Hank Gmitro and Mike Hickey, presented an overview of the process and the issues and superintendent characteristics identified by participants. Mr. Gmitro emphasized the almost universal attention to Maryland maintaining its commitment to excellence, as evidenced by its Number 1 ranking. He shared that input emphasized the roles of the State Superintendent and MSDE in leading and aligning statewide efforts.

The report includes findings on stakeholder priorities regarding the state's strengths, challenges and concerns, and the desired characteristics of the new state superintendent.

The top three priorities identified in the online survey are for the next state superintendent to:

1. Provide every student with highly effective teachers, educational leaders, and all other school personnel necessary to achieve success consistent with measurable goals.
2. Hold a deep understanding of the teaching/learning process and ensure that the Maryland State Department of Education supports quality instruction and student learning.
3. Be innovative in integrating technologies, instructional strategies, and emerging skills that enable all students to reach their full potential in a globally competitive environment.

The consultants emphasized that these survey results are closely aligned with other stakeholder input received, at forums, meetings, and through correspondence. In addition, they noted the close alignment between the issues and priorities identified for the state's education system and the leading characteristics identified for the next superintendent. This alignment was cited as a benefit to the next superintendent in terms of his or her ability to exercise leadership on major issues. Student board member Nina Marks noted the absence of student input at any of the forums, and the consultants responded that while this is true, students did participate in the online survey. Board member Sidhu noted her support for revisions to the report to reflect a greater emphasis on ethics and charterer education as a statewide priority. The consultants summarized the finding that stakeholders want this person to lead the vision that we've created, not to start again with a new plan.

Board President DeGraffenreidt stated his interest in not being ambiguous about the finding that there is a strong desire for greater diversity. He clarified that this should not be interpreted to mean recognition and support for the diversity reflected in the student population, where diversity already exists, but a desire to support and proactively pursue diversity where it doesn't yet exist. He asked the consultants what they needed to take the step to creating the profile of the desired characteristics. They responded that they would add language relating to college and career readiness, international benchmarking, diversity, and the emphasis on the whole child to reflect the board's desire for greater emphasis on character education.

Mr. DeGraffenreidt described the process of the State Board beginning at its January meeting, in closed session, to look at names and qualifications and then proceed to narrow that list down to those who would be interviewed in February and March.
Handouts: Memo and Draft Report

ESEA Flexibility Update
Mary Gable, MSDE, provided a report on numerous stakeholder meetings, including the recent meeting with local superintendents, on the department's proposals relating to submitting its application to the U.S. Department of Education for flexibility under the federal Elementary and Secondary Education Act (ESEA), known for the past none years the No Child Left Behind Act. She noted that 11 states submitted applications in November and should receive responses by February, with another 29 states including Maryland waiting until January to apply, expecting responses in late spring. She also noted the value of having copies of the 11 applications already submitted.

In order to receive waivers from ESEA requirements and sanctions, the application must describe how Maryland will implement four assurances relating to college and career readiness, differentiated accountability and support measures, supporting effective instruction and leadership, and reducing duplication and unnecessary burdens. In addition the state must agree to 15 other assurances. The types of ESEA waivers include the removal of the 100% adequate yearly progress (AYP) by 2014, the removal of certain sanctions such as mandated use of supplemental education service (SES) providers, and the elimination of funding restrictions for systems missing the highly qualified teacher requirements.

Ms. Gable shared that the timeline of the waivers is intended to run through 2013-2014 to provide time for the overdue reauthorization of ESEA, but that there is not much optimism regarding that timeline.
Handout: Memo

Federal Update
Debbie Lichter, MSDE, presented the a update on issues pending on Capitol Hill and the posture of the department's set of federal legislative priorities and budget requests. She emphasized that the department's annual process of developing policy and budget items has been hindered, if not obviated, by the federal budget crisis, elimination of earmarking, and partisan refusal to compromise as the Presidential election approaches.

Ms. Lichter provided a summary of the bill to reauthorize and reform the Elementary and Secondary Education Act (ESEA) introduced by Senator Harkins, Chairman of the Senate Health, Education, Labor and Pensions (HELP) Committee. She described the bill as considered to be bipartisan, based on voted from three Republicans. The bill is referred to as the Harkins-Enzi bill in light of co-sponsorship of Republican Senator Enzi. However, she noted that other bills sponsored by Senate Republicans have been introduced to significantly reduce the role of the federal government in public education.

Ms. Lichter highlighted that four months into the federal fiscal year Congress has only been able to pass continuing resolutions to maintain, and even reduce prior year funding levels. She stated that the next continuing resolution will include a 1.5% across the board reduction including education funding. She stressed that h this is not including the anticipated sequestration action by the President absent any bipartisan accord reached by Congress or the "Super Committee." The sequestration is expected to result in a 7.8 percent across the board cut, but could be as high as 9.3%. Ms. Lichter estimated that the 8% figure would result in a $38 million reduction in federal education funding for Maryland.

The pending Senate bill to reauthorize ESEA was described as including several amendments supported by Maryland, including:

1. Eliminating the mandate to label schools as persistently dangerous and related sanctions, other than providing students who are victims of violent crime the option to transfer;
2. Alignment of IDEA and ESEA in terms of seeking continuous s improvement but not 100% proficiency;
3. In the area of assessment, there is a $400 million federal funding authorization which the bill says must be provided in order to bound states to implement them;
4. Authorization of the promise neighborhoods program but not early learning challenge fund, which Maryland supports as a revenue source for increasing the numbers of children entering school ready to learn

Ms. Lichter noted that objections are being raised by SES providers since there would no longer be a requirement to use Title I funding for educational services provided by these outside businesses. Board President asked whether there were any provisions which Maryland should oppose. Ms. Lichter responded that Maryland is moving forward to implement the requirement to use Title 2 funds for teacher and principal evaluations, which the bill would remove. In conclusion, she noted that any bills relating to ESEA introduced in the House would be less prescriptive than the Senate's version, and so MSDE does not anticipate the need to revamp the accountability system again after having done so for the immediately available ESEA waivers.
Handout

The State Board granted final approval for amendments to COMAR 13A.03.04.07 to provide whistleblower protection for local school system employees who report suspected test security violations. The Board asked whether whistleblower protections are provided elsewhere in the statute or regulations and Dr. Wilson responded that there are not, and that while there issues do arise regarding other data, these regulations pertain specifically to testing.
Handout

The State Board granted final approval for amendments to COMAR 13A.08.01.17 to amend the reportable offense regulations to conform to changes enacted in the Safe Schools Act of 2010. Chuck Buckler, MSDE, explained that these are the most serious of student offenses, which trigger specific school responses.
Handout

The State Board granted final approval for amendments to COMAR 13A.08.02.01, COMAR 13A.08.01.01E, and COMAR 13A.02.06.02B(9) to revise the Maryland Student Records System Manual. Ann Chafin described the regulations as intended to enhance statewide consistency in data collection and reporting of student conduct and disciplinary responses, among other changes.
Handout

The State Board discussed amendments proposed by the Professional Standards and Teacher Education Board (PSTEB) to COMAR 13A.12.02.06 and COMAR 13A.12.02.17 regarding the removal of a reference to the secondary academic areas of classical and modern foreign languages, and the addition of a reference to family and consumer sciences, marketing and technology.
Handout

In addition, PSTEB is recommending repealing COMAR 13A.12.02.07, .9, .10, and .11; amending COMAR 13A.12.02.15; and amending COMAR 13A.12.02.28. The Board briefly discussed the merits of the proposals, on which they do not have to act unless they decide a joint conference committee is needed to resolve any matters in dispute between PSTEB and the Board.
Handouts: CTE-Related Subjects & World Languages

Board Member Updates
Board Vice President Charlene Dukes provided updates on the work of the Governor's P-20 Council to assert a greater role in recommending to the General Assembly on issues relating to aligning higher education and K-12 education goals and objectives; the PARCC consortium's work in developing curriculum and assessment relating to the Common Core Standards and the concern that higher education is not adequately represented; and a recent op-ed in which Secretary Duncan praised Maryland's broad approach to financial literacy as opposed to a stand-alone course and assessment.

Board Member Walsh asked for additional clarification on how the board would proceed before the next meeting's consideration of the long-term student discipline issue, and the extent to which the board is limited by existing statute in proposing new regulations. Liz Kameen, board counsel, noted that the board must be sensitive to its role as regulators and policy makers and how far to delve into the type of school climate issues heard in comments earlier in the day. Mr. DeGraffenreidt referred to the rough draft of regulatory changes that Ms. Kameen has prepared as intended to set policy direction, establish parameters in which all LEAs must operate, but to preserve flexibility based on the superior knowledge at the local level to craft responses that can be implemented successfully.

Opinions:
The State Board issued opinions in the following cases:

- Nadine R. v. Baltimore City Board of School Commissioners, reversing the local board's student expulsion decision
- Daryl K. Anderson v. Baltimore City Board of School Commissioners, affirming the local board's employee termination decision
- City Union of Baltimore, Local 800, AFT, AFL-CIO v. Baltimore City Board of School Commissioners, affirming the local board's redesignation of the bargaining unit
- Alicia White, et al. v. Montgomery County Board of Education, dismissing the appeal as moot Joe and Donna M. v. Montgomery County Board of Education, affirming the local board's student transfer decision
- Desbele S. v. Montgomery County Board of Education, affirming the local board's student transfer decision

The State Board issue orders in the following cases:

- Krista Kurth, et al. v. Montgomery County Board of Education, declaring what items constitute the record of the local proceedings that must be transmitted to the State Board
- Janice P. Spiegel v. Frederick County Board of Education, dismissing the appeal for lack of standing
- Adoracion Yabot v. Prince George's County Board of Education, dismissing the appeal for untimely filing

- In the Matter of Allen R. Dyer, dismissing requested exceptions
- In the Matter of Allen R. Dyer, dismissing the request to intervene by Cynthia Vaillancourt