

January 24, 2017

## [Agenda](#)

Board President Andrew Smarick noted that board members Chester Finn, Barbara Shreve, and Guffrie Smith would not be present; but a quorum was present.

MABE President Joy Schaefer (Frederick), MABE Treasurer Nancy Reynolds (Harford), MABE Secretary Martha James-Hassan (Baltimore City), and MABE Immediate Past President Warner Sumpter (Somerset), were in attendance and recognized at the beginning of the meeting by President Smarick.

## **Consent Agenda**

The State Board unanimously approved the Consent Agenda consisting of the December 5, 2016 State Board Minutes; Personnel Items; Budget Adjustments for December, 2016; and Comprehensive School Teacher Incentives.

## **Career Technical Education (CTE)**

President Smarick read a proclamation recognizing Career and Technology Education (CTE) in Maryland after an expression of support for CTE by State Superintendent Salmon. A contingent of CTE students and supporting staff members, both local and state, were introduced, expressed appreciation and had a picture taken with the State Board.

## **Every Student Succeeds Act (ESSA) State Plan Update**

The State Board next received an Every Student Succeeds Act (ESSA) Plan update by Dr. Mary Gable, who shared both a news video and a PowerPoint presentation about the feedback from the ongoing ESSA Listening Tour being conducted in Washington, Dorchester, Prince George's, Calvert Counties, and Baltimore City. Information was also provided about the 800+ responses to the online survey about the draft plan, along with achievement accountability measures, and the standard setting process. Questions and comments were forthcoming from most State Board members.

ESSA update: [memo and presentation](#)

## **Commission on Assessments Report**

A presentation on the recommendations of the Commission on Assessments Report was given by Dr. Salmon about some of the proposed testing legislation. There was a suggestion that any restrictions on testing needed to separate formative from summative assessments as they are fundamentally different. The need for additional consistent data from locals was stressed and Renee Spence, executive director of the Public School Superintendents Association of Maryland (PSSAM) was encouraged by the State Board to gather more consistent testing data for the purpose of making good recommendations to the legislature. Cheryl Bost, vice president of the Maryland State Education Association (MSEA), was given the opportunity to speak, and she questioned whether the local school systems had responded appropriately to the assessments report.

[Handout](#) & Link to [Commission Report](#)

### **Charter School Funding Report**

A presentation was given by Dr. Jesse Levin and Dr. Drew Atchison of the American Institutes for Research on the Charter School Funding Report. A presentation of the three year study findings was presented, and it found a similar level of spending on charter versus other schools in most jurisdictions. The recommendations of the study report were as follows:

1. Create consistent charter school financial reporting
2. Prepare district financial data systems for uniform school site reporting
3. Establish benchmarks for overhead expenses
4. Model predicted expenses for schools
5. Establish policies and practices for more equitable access to facilities.

Questions and comments were made by several board members.

[Handout: Memo and Funding Study](#)

### **Adequacy Study Report**

Dr. Kristy Michaels presented the Adequacy Study Report. Significant recommendations for changes to state funding formulas include:

- Shift to an increased based funding amount (Foundation formula) and lower weights for the special needs programs (Compensatory Education, Special Education, and Limited English Proficiency)
- Use the greater of current FTE or three year average FTE to calculate the Foundation Program
- Include local wealth using a multiplicative approach rather than the wealth
- Eliminate the State minimum guarantees and include a required local share of the special needs program
- Use a three year average Comparable Wage Index rather than the current Geographic Cost of Education Index
- Increase access to high quality prekindergarten for 4 year-olds

In response to State Board questions and concerns, it was noted that the final findings are not due until December 31, 2017.

Handouts: [Memo & Presentation & Final Report](#)

## State Superintendent Update

Dr. Karen Salmon provided her update on a number of topics including:

- [Cecil County Innovative Practices](#) – Cecil Superintendent, D'ette Divine, shared information about their CTE program and the new School of Technology
- Framework for Support to Low Performing Schools – Dr. Williamson and Tiara Booker-Dwyer shared a brief PowerPoint demonstrating how the new framework has operated in the [Baltimore City Achieves](#) partnership between the Baltimore City Public Schools and MSDE
- [Graduation and Dropout Rate Report](#) – Highlighting that graduation rates are at all-time best levels
- [Kindergarten Readiness Assessment Data](#) – Dr. Williamson and Judy Walker shared a new booklet that demonstrates county-by-county results including subgroup data
- Social Studies Data – Dr. Williamson shared preliminary data about [Middle School Social Studies Assessment](#) and Civics information as requested by the State Board ahead of a full Social Studies report next month
- Equal Opportunity Schools Update – Initiatives to increase minority participation in AP and IB programs and courses

## Regulations

The State Board approved final regulations, [COMAR 13A.03.07](#), governing the recently established Maryland Seal of Biliteracy Program.

The State Board granted permission to publish in the Maryland Register the following proposed regulations:

- [COMAR 13A.02.01.01](#) – Amendments to the regulations relating to meetings of Local Boards of Education.
- [COMAR 13A.03.01.01](#) – Amendments to the Standards for Kindergarten Programs Operated by Public Institutions of Post-Secondary Education
- [COMAR 13A.12.01.03](#) – Amendments to formalize the process for denying certification to individuals who have a disqualifying cause that would result in a suspension or revocation if the individual already held a Maryland certificate.
- [COMAR 13A.12.02.15 and .16](#) – Amendments to Professional and Technical Education and Work-Based Learning Coordinator regulations to expand the pool of potential applicants for local school systems by adding the ability to use teaching experience for the professional and technical education regulations and revising the number of hours of work experience an individual may present for certification for the work-based learning coordinator.
- [COMAR 13A.05.01.08](#) – Amendments to regulations that govern the responsibilities of the IEP team, specifically with regard to blind or visually impaired students.

The State Board voted to repeal the following regulations:

- [COMAR 13A.02.08](#) regarding the recognition of employee organizations due to these matters being within the jurisdiction of the Public School Labor Relations Board.
- [COMAR 13A.04.03](#), the regulations establishing driver education program requirements for local school systems and non-public schools that offered driver's education.

The State Board also withheld action on [COMAR 13A.03.04](#), proposed amendments Test Administration and Data-Reporting Policies and Procedures, until the February meeting.

### **School Calendar Waivers**

The State Board next considered and approved [school calendar waivers from the Allegany and Garrett County Boards of Education](#). The waiver requests qualified under the Governor's 2016 Executive Order establishing a statewide school year which must commence with a post-Labor Day start date and conclude with an end-date of no later than June 15.

### **State Board Policy Considerations**

**Legislative & Budget Update** – Reports were provided by Kristy Michel about the Governor's Budget and the MSDE budget in particular. Tiffany Clark presented on HB 18 – Task Force to Improve PARCC Scores; HB 75 – Graduations Requirements – Fine Arts; and SB 153 – Length of School Year Adjustment – State of Emergency.

[Handout](#)

**Student Discipline Disproportionality Update** – An update on Disproportionality was received from Dr. Lawson with a proposed model for measuring disproportionality as previously set forth in COMAR 13A.08.01.21 – Reducing and Eliminating Disproportionate/Discrepant Impact. A PowerPoint presentation shared and explained the proposed methodology via two measures: Risk Ratio and State Comparison. Phase I of implementation – Initial Data Review takes place now in January of 2017. Phase II includes root analysis, professional development by MSDE, and stakeholder engagement in the 2017-2018 school-year. Full implementation occurs in Phase III and includes public identification of schools, and the required submission of a local school system strategic plan to eliminate disproportionality.

Memo and Report: [Reducing and Eliminating Disproportionality in School Discipline: Maryland's Method for Measuring Disproportionality Using Out-of-School Suspension and Expulsion Data \(January 2017\)](#)

### **Public Comment**

[Public Comments](#) were received by the State Board.

### **State Board Business Items**

The Mental Health Subcommittee Update and the Strategic Planning Committee Update were both deferred until the February State Board meeting. Agenda planning for the February State

Board meetings include an ESSA work session on Monday, February 27<sup>th</sup> and the regular State Board meeting on Tuesday, February 28<sup>th</sup>.

### **Opinions & Orders:**

Opinions and Orders were announced in eight cases acted on by the State Board.

The State Board issued the following opinions:

- A.M. v. Prince George's County Board of Education, remanding the student suspension decision to the local board for consideration of educational services.
- Catherine H. v. Prince George's County Board of Education, remanding the student transfer decision to the local board for consideration of safety issues.
- Gordon and Tamara M. v. Prince George's County Board of Education, affirming the local board's prekindergarten admission decision.
- In re Prince George's County Travel Funds, interpreting the meaning of Section 3-1003(b) of the Education Article regarding the board's travel and expense fund.
- Shanelle I. v. Baltimore City Board of School Commissioners, reversing the local board's decision denying early entry for kindergarten.
- J.B. v. Harford County Board of Education, affirming the local board's employment decision.

The State Board issued the following orders:

- Board of Education of Howard County v. Renee Foose, directing both parties to brief the board on jurisdictional issues, and the superintendent to respond to the Board's Petition for Declaratory Ruling, on February 6, 2017.
- J.B. v. Harford County Board of Education, denying the motion to waive transcription costs.