MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • msde.maryland.gov

TO: Members of the State Board of Education

FROM: Karen B. Salmon, Ph.D.

DATE: January 24, 2017

SUBJECT: School Calendar Waiver Applications

PURPOSE:

The purpose of this agenda item is to request approval for Allegany and Garrett County Public Schools to open for pupil attendance prior to Labor Day for the 2017-2018 school year.

BACKGROUND/HISTORICAL PERSPECTIVE:

On August 31, 2016, Governor Larry Hogan issued Executive Order 01.01.2016.09 which requires all Maryland kindergarten through grade 12 public schools to open for pupil attendance no earlier than the Tuesday immediately following the nationally observed Labor Day holiday. The school year for every public school in Maryland shall adjourn no later than June 15. Local boards of education have the option to apply for a waiver of the requirements set forth in the Executive Order.

On October 12, 2016, Governor Hogan amended the original Executive Order to establish parameters for school boards to apply for waivers. To be eligible for a waiver, the local board must demonstrate that the school system has met all requirements for at least one compelling justification and has conducted at least one public meeting at which the waiver application was considered and approved. Compelling justification includes:

1. The adoption of an innovative school schedule for low-performing, at-risk, or charter schools. Any waiver granted by the State Board of Education for an innovative school schedule shall *only* apply to those schools where innovative school schedules are offered.
2. The school system has closed ten days per year during any two of the last five years because of natural disasters, civil disasters, or severe weather conditions.

Pursuant to the amended Executive Order 01.01.2016.13, the State Board of Education was charged with establishing a timeline for waiver applications; identifying additional information needed from local school boards to comply with the requirements of the Executive Order; and rendering decisions on submitted waiver applications. On December 5, 2016, the State Board of Education approved the application and process for local boards of education to submit a waiver request for the requirements in Executive Order 01.01.2016.13.

EXECUTIVE SUMMARY:

The Maryland State Department of Education received applications from Allegany County and Garrett County Public Schools to waive the post-Labor Day school start date. Both school systems are requesting a waiver using the compelling justification of emergency school closing. In order to be eligible for a waiver, a local school system must have closed ten days per year during any two of the last five years because of natural disasters, civil disasters, or severe weather conditions. Allegany County Public Schools were closed for inclement weather 11 days during the 2014-2015 school year and 16 days during the 2013-2014 school year. Garrett County Public Schools were closed for inclement weather 15 days during the 2014-2015 school year and 20 days during the 2013-2014 school year. As a result, both school systems meet the criteria to request a waiver due to emergency school closings.

Local boards of education are required to conduct at least one public meeting to consider and approve the waiver application. The Board of Education for Allegany County Public Schools conducted a public meeting on November 9, 2016 and the Board of Education for Garrett County Public Schools conducted a public meeting on January 10, 2017. The minutes from each meeting are included in the attached waiver applications.

ACTION:

It is being requested that the board approve the waiver applications for Allegany County and Garrett County Public Schools to open schools for pupil attendance prior to Labor Day for the 2017-2018 school year.

Attachments: Waiver Application for Allegany County Public Schools
Waiver Application for Garrett County Public Schools

Garrett County
Public Schools

40 South Second Street • Oakland, Maryland 21550
Telephone: 301-334-8900 • http://www.garrettcountyschools.org

Members of the Board of Education
Mrs. Monica L. Rinker, President
Mr. Thomas A. Carr, Vice-President
Mr. Matthew A. Paugh, Associate Member
Mrs. Charlotte A. Sebold, Associate Member
Mr. M. Thomas Woods, Associate Member
Sheyenne A. Tichnell, Student Board Member

Interim Superintendent of Schools
Ms. Barbara L. Baker

January 17, 2017

Ms. Charlene Necessary
Maryland State Board of Education
200 West Baltimore Street
Baltimore, MD 21201

Dear Ms. Necessary,

At the January 11, 2017 Garrett County Board of Education meeting, the Board members voted to begin the 2017-18 school year on Monday, August 28, 2017. In accordance with the Governor's Executive Order, as well as the exceptions to that order, Garrett County Public Schools would like to request a waiver to the post-Labor Day school start date. Garrett County Public Schools qualifies under section 3b. Compelling Justification: Emergency School Closing.

Please find attached a completed waiver application for your consideration. Feel free to contact me if you need any further information.

Respectfully submitted,

Barbara L. Baker

Ms. Barbara L. Baker
Interim Superintendent

cc: Garrett County Board of Education

Enclosures: Waiver Application for Post-Labor Day School Start Date
GCBOE Business Minutes from the January 10, 2017 Meeting

Overview:

Executive Order 01.01.2016.13 requires all kindergarten through grade 12 public schools in Maryland to be open for pupil attendance no earlier than the Tuesday immediately following the nationally observed Labor Day holiday. The school year for each public school in Maryland shall adjourn no later than June 15. Local boards of education retain the full responsibility for establishing annual academic calendars within the parameters of the Executive Order. The Executive Order does not apply to the operation of year-round schools. The entire Executive Order may be found on the following webpage: https://governor.maryland.gov/wp-content/uploads/2016/10/EO.01.01.2016.13.pdf

Waiver Applications:

Local boards of education may apply for waivers of the requirements set forth in the Executive Order. To be eligible for a waiver, the local board must demonstrate that it has met all requirements for at least one compelling justification and has conducted at least one public meeting at which the waiver application was considered and approved. Compelling justification includes:

1. The adoption of an innovative school schedule for low-performing, at-risk, or charter schools. Any waiver granted by the State Board of Education for an innovative school schedule shall *only* apply to those schools where innovative school schedules are offered.
2. The school system has closed ten days per year during any two of the last five years because of natural disasters, civil disasters, or severe weather conditions.

Any waiver granted by the State Board of Education using this waiver application shall be for the 2017-2018 school year only. Local boards of education may apply annually for a waiver of the requirements in Executive Order 01.01.2016.13.

Timeline for Submission of Waiver Application:

Waiver applications will be accepted on a rolling basis. Decisions regarding waiver requests will be made at the State Board Meeting immediately following receipt of the application. For example, if a waiver application is received on January 27, 2017 then the State Board will render a decision at the February 28, 2017 meeting. A list of State Board meeting dates may be found on the following webpage: http://www.marylandpublicschools.org/stateboard/Pages/Meetings-2017.aspx. The local Superintendent or Chief Executive Officer and Board President will be notified in writing of the State Board's decision. The final date to submit an application for a waiver of requirements in Executive Order 01.01.2016.13 for the 2017-2018 school year is **March 31, 2017**.

Waiver applications and supporting documents may be emailed to Charlene Necessary at Charlene.necessary@maryland.gov or mailed to:

Maryland State Board of Education
Attention: Charlene Necessary
200 West Baltimore Street
Baltimore, Maryland 21201

Directions: There are five sections to the waiver application. All sections of the application must be complete for waiver requests to be considered by the State Board of Education. Include any required supporting documentation when submitting this application.

1. **Select the name of the school system represented in the waiver request.**

☐Allegany	☐Charles	☐Prince George's
☐Anne Arundel	☐Dorchester	☐Queen Anne's
☐Baltimore City	☐Frederick	☐St. Mary's
☐Baltimore	☒Garrett	☐Somerset
☐Calvert	☐Harford	☐Talbot
☐Caroline	☐Howard	☐Washington
☐Carroll	☐Kent	☐Wicomico
☐Cecil	☐Montgomery	☐Worcester

2. **Select the type of waiver being requested by the local school board.**

   ☒ Request to waive the post-Labor Day school start date.

   ☐ Request to waive the June 15 school end date.

   ☐ Request to waive both the post-Labor Day school start date and June 15 school end date.

3. **Select the compelling justification for the waiver request.**

   Compelling justification includes adoption of an innovative school schedule (3a) or emergency school closing (3b). At least one compelling justification category must be selected.

   ☐ **3a. Compelling Justification: Adoption of an Innovative School Schedule.**
   Any waiver granted by the State Board of Education for an innovative school schedule shall *only* apply to those schools where the innovative school schedules are offered. Education Article §7.103.1 defines innovative school schedules to include, *"....extended year, year-round schooling, or other school scheduling models that do not allow for prolonged lapses in instructional time...."* Qualifying schools are those designated as low-performing, at-risk, or charter. A summary of the innovative school schedule must be attached to application.

   Identify the low-performing, at-risk, and/or charter schools for a waiver request on the next page.

☐ **Adoption of an Innovative School Schedule for Low-Performing Schools**
Low-performing schools, or Maryland's Priority Schools, are the 5% of all Title I schools that are the lowest achieving on state assessments; and/or have graduation rates below 67%; or receive Title I school improvement funds under Section 1003g. A list of qualifying schools can be found on the following webpage:
http://marylandpublicschools.org/about/Documents/DSFSS/TitleI/PriorityFocusSchools20162017.pdf

Identify the names of qualifying schools to be considered for a waiver below.
Attach a summary of the innovative school schedule to this application.

☐ **Adoption of an Innovative School Schedule for At-Risk Public Schools**
At-risk public schools, or Maryland's Focus Schools, are those in the top 10% of Title I schools that have the largest within-school gaps between the highest-achieving subgroup and the lowest-achieving subgroup; and Title I high schools with less than 60% graduation rates over a number of years. A list of qualifying schools can be found on the following webpage:
http://marylandpublicschools.org/about/Documents/DSFSS/TitleI/PriorityFocusSchools20162017.pdf

Identify the names of qualifying schools to be considered for a waiver below.
Attach a summary of the innovative school schedule to this application.

☐ **Adoption of an Innovative School Schedule for Charter Schools**
A list of charter schools may be found on the following webpage:
http://www.marylandpublicschools.org/programs/Pages/Charter-Schools/index.aspx

Identify the names of qualifying schools to be considered for a waiver below.
Attach a summary of the innovative school schedule to this application.

☒ **3b. Compelling Justification: Emergency School Closing.**
Eligible local school systems are those that have closed ten days per year during any two of the last five years because of natural disasters, civil disasters, or severe weather conditions. Select the qualifying school system below.

☐Allegany County	☒Garrett County
☐Caroline County	☐Harford County
☐Carroll County	☐Talbot County
☐Dorchester County	

4. Local school boards are required to conduct *at least one public meeting* to consider and approve the waiver application. In the table below, identify all public meeting dates, times, and locations where the waiver application was considered and approved. **Attach the meeting minutes for each date identified.**

Date of Public Meeting	Time of Public Meeting	Location of Public Meeting
January 10, 2017	4:00 p.m.- 9:00 p.m.	Garrett County Board of Education 40 South Second Street Oakland, MD 21550

5. **Signatures of Superintendent or Chief Executive Officer and Board President.**
Signing below indicates that the local board of education has reviewed and approved all sections in this waiver application.

Barbara L. Baker
Signature of Superintendent or Chief Executive Officer

1-13-17
Date

Monica L Porter
Signature of School Board President

1-13-17
Date

Garrett County Board of Education
40 S Second Street
Oakland, MD 21550

BUSINESS SESSION
Tuesday, January 11, 2017

Board Members present included Mrs. Monica Rinker, President, Mr. Thomas Carr, Vice President; Board Members: Mr. Matthew Paugh, Mrs. Charlotte Sebold, and Mr. Tom Woods. Also present for the meeting were: Ms. Barbara Baker, Secretary -Treasurer / Interim Superintendent of Schools, Dr. Jane Wildesen, Director of Human Resources, Mr. Jim Morris, Supervisor of Supervisor of Research, Evaluation, Information, & Public Information, Mr. Brandon Hoover, Board Attorney, and Ms. Sheyenne Tichnell, Student Member of the Board.

The meeting was held at Central Office in the Board Room.

1. Business Meeting

Opening

Mrs. Monica Rinker, Board President, called the meeting to order at 7:45 p.m.

2. Consent Agenda

A. Approval of Consent Agenda

The consent agenda included the following items: agenda, minutes from the November 10, 2016 Board meeting, field trips, and a certificated staffing recommendation.

The field trip and professional leave request included:

School Group or Class or Staff	Field Trip or Professional Leave Request	Date
SGHS JROTC	Camp Perry Base Competition Field Trip	2/15/17 – 2/18/17
SGHS JROTC Teacher	JROTC School of Cadet Command (JSOCC) Logistics Course Professional Leave	1/23/17 – 1/26/17

A motion was made by Tom Woods to approve the Consent Agenda and seconded by Matthew Paugh. Final Resolution: Motion Carries; Yea: Matthew Paugh, Thomas Carr, Tom Woods, Charlotte Sebold

3. Superintendent's Report

A. Announcements

Ms. Barbara Baker, Interim Superintendent of Garrett County Public Schools, shared with the Board upcoming events and activities around the district.

Dates	Event
January 12, 2017	MABE Boardmanship Academy: The Board President/Chair: Roles and Responsibilities MABE Office in Annapolis, MD 9:00 am – 12:00 pm
January 16, 2017	Martin Luther King Jr. Day Schools Closed
January 18, 2017	End of second grading period
January 19, 2017	Professional Day - Students dismissed 3 hours early
January 26-27, 2017	Mountain Maryland PACE Conference Lowes Hotel, Annapolis, MD
January 27, 2017	Professional Day - Students dismissed 3 hours early
February 9, 2017	MABE Annual Legislative Day Luncheon Miller Senate Building, Conference Room West I & II Annapolis, MD 11:00 - 1:00 p.m.

4. Public Comments

Ms. Brenda McDonald, owner of several local businesses, spoke to the Board regarding the school calendar. She supports the post-Labor Day start.

Ms. Sheyenne Tichnell, Student Member of the Board, spoke for two students that were not able to attend the meeting. Ms. Paige Smith, an 11th grade student at SGHS, and Ms. Victoria Miske, 11th grade student at SGHS, wrote letters to the Board regarding the school calendar. They support the pre-Labor Day start.

Mr. Shane Grady, Chairman of the Chamber of the Commerce, spoke to the Board regarding the school calendar. He supports the post-Labor Day start.

5. Continuing Business

A. 2017-18 School Calendar - Action

Dr. Jane Wildesen, Director of Human Resources, and chairperson of the Calendar Committee, requested the Board take action on the 2017-18 School Calendar. The Calendar Committee proposed two calendars for the 2017-18 school year at last month's Board meeting. One was a Pre-Labor Day start and one was a Post-Labor Day start. The Calendar Committee recommended the Board choose the Pre-Labor Day start calendar and request a waiver for the mandated Post-Labor Day start with the State Board of Education.

Mr. Thomas Carr made a motion to adopt the Pre-Labor Day start calendar. There was no second to the motion, therefore the motion was not considered.

Mrs. Charlotte Sebold made a motion that the Board adopt the Post Labor Day Start calendar. There was no second to the motion, therefore the motion was not considered.

Mr. Matthew Paugh made a motion that the Board adopt the Pre-Labor Day Start Calendar with the following amendments:

> Start Date: Monday, August 28, 2017
> The following days will be instruction days: November 27, 2017, March 29, 2018, and April 3, 2018. NOTE: This vote is contingent upon the State Board approval of the GCPS waiver of a mandated Post Labor Day Start.

Mr. Tom Woods seconded the motion. Final Resolution: Motion Carries in a 3 to 1 vote: Yea: Matthew Paugh, Thomas Carr, Tom Woods and Nay: Charlotte Sebold

Mrs. Charlotte Sebold made a motion for an amendment to the approved calendar. Her recommended amendment states that May 16, 2017 will be a full day of instruction for students. The motion was seconded by Thomas Carr. Motion Carries:
Yea: Matthew Paugh, Thomas Carr, Tom Woods, Charlotte Sebold

6. Board Business

A. Student Board Member Report
Sheyenne Tichnell, student board member, spoke to the Board regarding school activities and student council activities.

B. MABE Report
Mr. Carr provided an update on the recent MABE meetings he attended.

C. GCPS Foundation
Mr. Carr provided an update on the GCPS Foundation.

7. Board Annual Selection

A. Meeting Date, Time, and Place - Action

A motion was made by Matthew Paugh for the Board to continue to meet on the second Tuesday of the month and to begin Executive session at 4:00 p.m. The motion was seconded by Thomas Carr. Final Resolution: Motion Carries; Yea: Matthew Paugh, Thomas Carr, Tom Woods, Charlotte Sebold

B. Legal Counsel - Action

A motion was made by Matthew Paugh to retain Brandon Hoover as the Board's legal counsel. The motion was seconded by Thomas Carr. Final Resolution: Motion Carries; Yea: Matthew Paugh, Thomas Carr, Tom Woods, Charlotte Sebold

C. Audit Firm - Action

A motion was made by Thomas Carr to approve The Rodeheaver Group, P.C. as the audit firm for the Board and Garrett County Public Schools. The motion was seconded by Charlotte Sebold. Final Resolution: Motion Carries; Yea: Matthew Paugh, Thomas Carr, Tom Woods, Charlotte Sebold

D. Committee Assignments

The Board appointed Board members for various school system and MABE committees.

E. Board Meeting Agenda Format - Action

Ms. Charlotte Sebold, Board Member, made a motion to change the Board meeting format to one public session and Matthew Paugh seconded the motion. Final Resolution: Motion Carries; Yea: Matthew Paugh, Thomas Carr, Tom Woods, Charlotte Sebold

8. Informational Items

A. January 2017 Home & School Connection

B. January 2017 School Activities

C. GCPS Annual Report 2015-16

9. Adjournment

A. Adjourn the Meeting

A motion was made by Matthew Paugh to adjourn the meeting and seconded by Tom Woods. Final Resolution: Motion Carries; Yea: Matthew Paugh, Thomas Carr, Tom Woods, Charlotte Sebold

MARYLAND STATE DEPARTMENT OF EDUCATION
PREPARING WORLD CLASS STUDENTS

Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • marylandpublicschools.org

November 17, 2016

RECEIVED
DEC - 5 2016

Dr. David A. Cox
Superintendent
Allegany County Public Schools
108 Washington Street
P.O. Box 1724
Cumberland, Maryland 21501

Dear Dr. Cox:

I have received your letter dated November 15, 2016 requesting a waiver of the requirements set forth in Executive Order 01.01.2016.13. Specifically, Allegany County Board of Education is requesting to waive the post-Labor Day school start date.

I appreciate you proactively applying for a waiver on behalf of the Allegany County Board of Education. On December 5, 2016, members of the State Board of Education will review and approve the application that local boards will use to submit waiver requests for the post-Labor Day school start date. The application will be made available on our website. Please submit your waiver request on the approved application form once it is made available. It should be noted that the Executive Order requires local school boards to conduct at least one public meeting at which the waiver application is considered and approved. Local boards of education will be required to submit minutes of the meeting as part of the waiver application.

As always, I appreciate your efforts on behalf of students in the Allegany County Public School system.

Best Regards,

Karen B. Salmon, Ph.D.

Karen B. Salmon, Ph.D.
State Superintendent of Schools

KBS/TBD

ALLEGANY COUNTY PUBLIC SCHOOLS

108 Washington Street • P.O. Box 1724 • Cumberland, MD 21501-1724
Telephone (301) 759-2000 • www.acpsmd.org

Members of the Board of Education
Edward L. Root, Ed.D., President
Laurie P. Marchini, Vice President
Sara-Beth Bittinger
Wayne T. Foote
Nicholas T. Hadley

Superintendent of Schools
David A. Cox, Ed.D.

November 15, 2016

Dr. Karen Salmon, State Superintendent of Schools
Maryland State Department of Education
200 West Baltimore Street
Baltimore, MD 21201-2595

Dear Dr. Salmon:

At the November 9, 2016 meeting of the Allegany County Board of Education, our Board voted unanimously to request a waiver from Governor Larry Hogan's Executive Order 01.01.2016.13, signed on October 11, 2016. In his second Executive Order, Governor Hogan specifically indicated that Maryland districts that *"have closed 10 days per year during any 2 of the last 5 years because of natural disasters, or severe weather conditions"* could submit a waiver request to the Maryland State Board of Education.

Allegany County Public Schools does, in fact, qualify under this provision. During the 2014-2015 school year, we missed 11 days, and in the 2013-2014 school year, we missed 16 days respectively due to inclement weather. These days reflect closures for the whole system. In addition, there are several more days in which our Mountain Ridge High School feeder system has been closed due to more extreme weather conditions in our Frostburg/Western Allegany County region where the elevations are much higher than the rest of the county.

On behalf of the Allegany County Board of Education, I respectfully request that the State Board of Education grant Allegany County Public Schools a waiver to begin our school year before Labor Day for the 2017-2018 School Year.

Respectfully,

David A. Cox, Ed. D.
Superintendent of Schools

DAC/dmh

Overview:

Executive Order 01.01.2016.13 requires all kindergarten through grade 12 public schools in Maryland to be open for pupil attendance no earlier than the Tuesday immediately following the nationally observed Labor Day holiday. The school year for each public school in Maryland shall adjourn no later than June 15. Local boards of education retain the full responsibility for establishing annual academic calendars within the parameters of the Executive Order. The Executive Order does not apply to the operation of year-round schools. The entire Executive Order may be found on the following webpage: https://governor.maryland.gov/wp-content/uploads/2016/10/EO.01.01.2016.13.pdf

Waiver Applications:

Local boards of education may apply for waivers of the requirements set forth in the Executive Order. To be eligible for a waiver, the local board must demonstrate that it has met all requirements for at least one compelling justification and has conducted at least one public meeting at which the waiver application was considered and approved. Compelling justification includes:

1. The adoption of an innovative school schedule for low-performing, at-risk, or charter schools. Any waiver granted by the State Board of Education for an innovative school schedule shall *only* apply to those schools where innovative school schedules are offered.
2. The school system has closed ten days per year during any two of the last five years because of natural disasters, civil disasters, or severe weather conditions.

Any waiver granted by the State Board of Education using this waiver application shall be for the 2017-2018 school year only. Local boards of education may apply annually for a waiver of the requirements in Executive Order 01.01.2016.13.

Timeline for Submission of Waiver Application:

Waiver applications will be accepted on a rolling basis. Decisions regarding waiver requests will be made at the State Board Meeting immediately following receipt of the application. For example, if a waiver application is received on January 27, 2017 then the State Board will render a decision at the February 28, 2017 meeting. A list of State Board meeting dates may be found on the following webpage: http://www.marylandpublicschools.org/stateboard/Pages/Meetings-2017.aspx. The local Superintendent or Chief Executive Officer and Board President will be notified in writing of the State Board's decision. The final date to submit an application for a waiver of requirements in Executive Order 01.01.2016.13 for the 2017-2018 school year is **March 31, 2017.**

Waiver applications and supporting documents may be emailed to Charlene Necessary at Charlene.necessary@maryland.gov or mailed to:

Maryland State Board of Education
Attention: Charlene Necessary
200 West Baltimore Street
Baltimore, Maryland 21201

Directions: There are five sections to the waiver application. All sections of the application must be complete for waiver requests to be considered by the State Board of Education. Include any required supporting documentation when submitting this application.

1. **Select the name of the school system represented in the waiver request.**

☑ Allegany	☐ Charles	☐ Prince George's
☐ Anne Arundel	☐ Dorchester	☐ Queen Anne's
☐ Baltimore City	☐ Frederick	☐ St. Mary's
☐ Baltimore	☐ Garrett	☐ Somerset
☐ Calvert	☐ Harford	☐ Talbot
☐ Caroline	☐ Howard	☐ Washington
☐ Carroll	☐ Kent	☐ Wicomico
☐ Cecil	☐ Montgomery	☐ Worcester

2. **Select the type of waiver being requested by the local school board.**
   - ☑ Request to waive the post-Labor Day school start date.
   - ☐ Request to waive the June 15 school end date.
   - ☐ Request to waive both the post-Labor Day school start date and June 15 school end date.

3. **Select the compelling justification for the waiver request.**

   Compelling justification includes adoption of an innovative school schedule (3a) or emergency school closing (3b). At least one compelling justification category must be selected.

   ☐ **3a. Compelling Justification: Adoption of an Innovative School Schedule.**
   Any waiver granted by the State Board of Education for an innovative school schedule shall *only* apply to those schools where the innovative school schedules are offered. Education Article §7.103.1 defines innovative school schedules to include, *"....extended year, year-round schooling, or other school scheduling models that do not allow for prolonged lapses in instructional time...."* Qualifying schools are those designated as low-performing, at-risk, or charter. A summary of the innovative school schedule must be attached to application.

   Identify the low-performing, at-risk, and/or charter schools for a waiver request on the next page.

☐ **Adoption of an Innovative School Schedule for Low-Performing Schools**
Low-performing schools, or Maryland's Priority Schools, are the 5% of all Title I schools that are the lowest achieving on state assessments; and/or have graduation rates below 67%; or receive Title I school improvement funds under Section 1003g. A list of qualifying schools can be found on the following webpage:
http://marylandpublicschools.org/about/Documents/DSFSS/TitleI/PriorityFocusSchools20162017.pdf

Identify the names of qualifying schools to be considered for a waiver below. Attach a summary of the innovative school schedule to this application.

☐ **Adoption of an Innovative School Schedule for At-Risk Public Schools**
At-risk public schools, or Maryland's Focus Schools, are those in the top 10% of Title I schools that have the largest within-school gaps between the highest-achieving subgroup and the lowest-achieving subgroup; and Title I high schools with less than 60% graduation rates over a number of years. A list of qualifying schools can be found on the following webpage:
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Identify the names of qualifying schools to be considered for a waiver below. Attach a summary of the innovative school schedule to this application.

☐ **Adoption of an Innovative School Schedule for Charter Schools**
A list of charter schools may be found on the following webpage: http://www.marylandpublicschools.org/programs/Pages/Charter-Schools/index.aspx

Identify the names of qualifying schools to be considered for a waiver below. Attach a summary of the innovative school schedule to this application.

☑ **3b. Compelling Justification: Emergency School Closing.**
Eligible local school systems are those that have closed ten days per year during any two of the last five years because of natural disasters, civil disasters, or severe weather conditions. Select the qualifying school system below.

☑ Allegany County
☐ Caroline County
☐ Carroll County
☐ Dorchester County
☐ Garrett County
☐ Harford County
☐ Talbot County

4. **Local school boards are required to conduct *at least one public meeting* to consider and approve the waiver application. In the table below, identify all public meeting dates, times, and locations where the waiver application was considered and approved. Attach the meeting minutes for each date identified.**

Date of Public Meeting	Time of Public Meeting	Location of Public Meeting
11/9/2016	7:00 PM	108 Washington St Cumberland, MD 21502

5. **Signatures of Superintendent or Chief Executive Officer and Board President.** Signing below indicates that the local board of education has reviewed and approved all sections in this waiver application.

Signature of Superintendent or Chief Executive Officer

1-3-17
Date

Signature of School Board President

1-3-17
Date

ALLEGANY COUNTY BOARD OF EDUCATION
Wednesday, November 9, 2016
7:00 p.m.

Central Office

BUSINESS MEETING
MINUTES

The Board of Education of Allegany County met in a business meeting Wednesday, November 9, 2016, 7:00 p.m. at the Central Office of the Board of Education. Present were Dr. Edward Root, President; Mrs. Laurie Marchini, Vice President; Mrs. Sara-Beth Bittinger; Mr. Wayne Foote, and Mr. Nicholas Hadley, Members; Mr. G. Gary Hanna, Board Attorney; Mr. Zachary Sterne, Student Board Member; and Dr. David A. Cox, Secretary-Treasurer/Superintendent.

Consent Agenda
The Board approved the Consent Agenda items on a motion by Mrs. Bittinger, seconded by Mr. Hadley, and passed unanimously, with the exception of Item 5 and Item 6 moved for discussion under New Business.

Item 1 Approve Minutes for:
October 11, 2016 – Work Session (5:00 p.m.)
October 11, 2016 – Business Meeting (7:00 p.m.)

Item 2 Approve Routine Personnel Actions for the period of October 1 through October 31, 2016.

Item 3 Receive School Construction/Maintenance Report for period of October 1 through October 31, 2016.

Item 4 Receive Information Technology Report for the period of October 1 through October 31, 2016.

Item 5 Receive Monthly Financial Report.

Item 6 Approve Colocation and Access Cooperation 5-Year Agreement between the Allegany County Board of Education and Conxx, Inc.

Item 7 Accept $20,000 Donation from the T. Rowe Program for Charitable Giving to benefit Fort Hill High School Science Programs.

SUPERINTENDENT'S REPORT
Present Proclamation Recognizing November 14-18, 2016, as American Education Week and November 16, 2016, as Education Support Professionals Day
In recognition of American Education Week and Educational Support Professionals Day, the Board presented a proclamation to Mr. John Reuschlein, Allegany County Education Association.

Enrollment Update
Dr. Cox, Superintendent, explained that the school system's funding for the next fiscal year is determined by the September 30th enrollment numbers. He reiterated that pre-k students are not included in the full-time enrollment (FTE) figure used to calculate state funding through the Maryland State Department of Education. With the decline of roughly 100 students enrolled full-time, anticipated funding will decrease by approximately $1.3 million for FY2018. Dr. Cox shared a three-year enrollment comparison (2015-2017) that demonstrated the fluctuation of overall students; pre-k; part-time; non-resident; and paid FTE.

UNFINISHED BUSINESS

Consider second reading of policy for Student Interrogations/Searches/Arrests (File: JIH)
Mr. Gary Hanna, Board Attorney, noted the slight change to how and where publication of searches can take place and new wording to allow search/seizure during field trips. On a motion by Mr. Foote, seconded by Mrs. Marchini, and passed unanimously, the Board approved the second reading of the policy.

HEARING OF CONSTITUENTS
There were no constituents signed up to speak.

NEW BUSINESS
2016-2017 Goals: Board and Superintendent
Dr. Cox provided a brief overview of the goals developed for this academic year. Mr. Hadley motioned to accept the Board and Superintendent Goals for 2016-2017. Mr. Foote seconded and the motion passed unanimously.

Consider first reading of policy for Field Trips (File: IHOA)
Mr. Hanna reiterated the distinction between a sanctioned and unsanctioned field trip and noted a subtle change to cover all students participating in field trips rather than just secondary students. On a motion by Mr. Marchini, seconded by Mrs. Bittinger, and passed unanimously, the Board approved the first reading of the policy.

Consider first reading of policy for Naloxone (File: JLCED)
Mr. Hanna stated that this policy outlines the administration of naloxone for the school district as recommended by the Maryland State Board of Education. On a motion by Mr. Hadley, seconded by Mrs. Marchini, and passed unanimously, the Board approved the first reading of the policy.

Approve Tentative Budget Calendar
On a motion by Mrs. Bittinger, seconded by Mrs. Marchini, and passed unanimously, the Board approved the proposed FY2018 Budget Calendar.

Consider to Request Pre-Labor Day Waiver from the Maryland State Department of Education
Dr. Cox respectfully requested the Board provide authorization to send a letter to the Maryland State Department of Education (MSDE) formally requesting a waiver from Governor Hogan's Executive Order 01.01.2016.13. On a motion by Mrs. Bittinger, seconded by Mrs. Marchini, and passed unanimously, the Board approved the waiver request letter be sent to MSDE.

Receive Monthly Financial Report
Mr. Larry McKenzie, Chief Financial Officer, reviewed the monthly financial report for October 2016. Highlighted on the report were selected unrestricted expenditure variances for that month that could fluctuate substantially throughout the course of the year. A comparison to last year's expenditures was also included to demonstrate trending. Categories and accounts included legal fees, substitute teachers, equipment, tuition for non-public placements, transportation, utitilties, retirement, and healthcare costs.

Approve Colocation and Access Cooperation Five-Year Agreement between BOE and Conxx, Inc.
Mrs. Nil Grove, Chief Information Technology Officer, explained the Colocation Cooperation Agreement between the Board of Education with offices located at 108 Washington Street, and Conxx, Inc., with officers located at 434 N. Centre Street. The Board provides access and space to Conxx, Inc. to house two data racks located at the data center in the basement of the Board's central office. The racks are located on a raised floor in the environmentally controlled room with redundant backup emergency power. On a motion by Mrs. Bittinger, seconded by Mrs. Marchini, and passed unanimously, the Board approved the colocation agreement and access cooperation five-year agreement with Conxx, Inc.

Vote to Meet in Executive Session December 13, 2016
The Board voted to meet in Executive Session on December 13, 2016, as necessary.

REPORTS OF SPECIAL OR ADVISORY COMMITTEES
Mr. Zachary Sterne, Student Member of the Board, congratulated Fort Hill and Allegany on another successful Homecoming event. In addition, Mr. Sterne announced several successful student activities recently held to include a blood drive sponsored by Fort Hill, a clothing drive hosted by Mountain Ridge; ACASC county-wide mock presidential debate; Skills USA competition hosted by the Career Center; and breast cancer awareness fundraisers at all high schools. As for upcoming events, Mr. Sterne announced that a community clean-up is scheduled in cooperation with Bridges to Opportunity and that Mountain Ridge is currently collecting cleaning supplies for the Ronald McDonald House in Morgantown, WV. Mr. Sterne also reported that ACASC students participated in the 2nd Annual Employee Health Fair by providing activities for children. He concluded by stating that planning of the MASC Convention by the Student Advisory Council Members at Allegany High School and Washington Middle School continues.

ADJOURNMENT
Dr. Root adjourned the meeting at 7:38 p.m.

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President

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Secretary-Treasurer

ALLEGANY COUNTY BOARD OF EDUCATION
Wednesday, November 9, 2016
4:30 p.m.

Central Office

WORK SESSION
MINUTES (Unapproved)

The Board of Education of Allegany County met in a work session Wednesday, November 9, 2016, 4:30 p.m. at the Central Office of the Board of Education. Present were Dr. Edward Root, President; Mrs. Laurie Marchini, Vice President; Mrs. Sara-Beth Bittinger, Mr. Wayne Foote, and Mr. Nicholas Hadley, Members; Mr. G. Gary Hanna, Board Attorney; Mr. Zachary Sterne, Student Board Member; and Dr. David A. Cox, Secretary-Treasurer/Superintendent.

Read Closed Session Summary for Executive Session held October 11, 2016.
Dr. David Cox, Superintendent, read the closed session summary for the executive session held October 11, 2016.

Maintenance/Construction Update
Mr. Vince Montana, Director of Facilities, provided an update on the following: **Allegany High School:** Construction of stair tower #4 is complete. Work has begun on stair tower #2 and the elevator shaft along with the exterior walls at the technology labs. The structural steel for section C is scheduled to be completed by the end of the week. Once all of the steel is in place, a standard test will be conducted by our testing company for "true, level and plumb." This verifies that the steel is straight and level before work continues. The remaining mechanical attachments will be installed and torqued and where required, beams will be welded in place. Work will then begin on the placement of the steel deck panels followed by the installation of the under-slab electrical conduits and plumbing before the concrete floor is poured. Work continues on the large retaining wall at section A (music and auditorium) and section B (gymnasium and mechanical rooms). The wall is 20" thick and 16' tall. When completed, the wall at the gymnasium will be 43' tall and 48' at the auditorium. Work is also progressing on the footers and piers in this area. Work will begin next week on two more retaining walls. Wall E is 16' high and is located between the main parking lot and the athletic fields. Wall J is located at the north side of the school between section C and the road at the Lions Center. This wall is 16" thick and tapers from 18' to 4' in height. The footers for the wall are 16' wide and 2'6" thick. Mr. Montana shared some still shots from the live video footage of the construction site. **CIP:** Mr. Montana was joined by Dr. Cox for the review meeting of the FY 2018 Capital Improvements Program with the members of the Interagency on School Construction (IAC) on November 1st. **ASP:** Staff is awaiting the release of the FY 2017 ASP funds to reapply for the Frost Elementary School roof replacement project.

PARCC Update
Mrs. Marsha Miller, Coordinator of Accountability and Assessment, began by sharing data on seniors that scored in levels 4 and 5, which are considered College and Career Ready, with 75 out of 369 students (20.8%) scoring proficiency in English 11 and 135 of 579 students (23.3%) scoring proficiency in Algebra 2. Mrs. Miller explained that not all seniors took the English 11 or the Algebra 2 exams as these students had already met the CCR indicator through SAT scores or previous year's testing in PARCC. By factoring in all indicators for college and career readiness, 238 of 571 seniors (41.68%) are deemed CCR in English/Language Arts and 153 of 571 seniors (26.79%) are deemed CCR in math.

The two subgroups that Mrs. Miller reviewed were FARMS (Free and Reduced Meals) and special education. Mrs. Miller explained that the FARMS percentage is determined on October 31st each year. As of last year, ACPS had a FARMS percentage of 56.42%, an increase from 47.74% in 2003. She stated that the FARMS percentages are as follows: 63.7% elementary; 57% middle; and 47.8% high. Mrs. Miller conveyed that a total of 17 schools in the district have a FARMS percentage greater than 50%, an increase from previous years. Mrs. Miller then shared the subgroup statistics for special education explaining that based on data from 2016, 18.2% of elementary school students, 14.9% of middle school students; and 10.6% of high school students have an Individualized Education Plan (IEP). Mrs. Miller

noted that a large group of elementary students are typically identified for speech services thus explaining the higher percentage at that level. During testing and instruction, accommodations and accessibility features are provided to students based on their IEPs and UDLs.

Mrs. Miller shared the 2016 PARCC ELA and math FARMS results as well as the special education results for ELA and math. Trends for FARMS and special education data on both exams show a higher percentage of FARMS and special education students scoring at levels 1 and 2. The gap between FARMS and special education subgroups and all test takers at level 3 narrows slightly, and then at levels 4 and 5, the higher percentage lie with the total test takers than with either of the two subgroups.

Environmental Science Updates, MISA, & T. Rowe Price Program for Charitable Giving Donation
Mr. Eric VanSlyke, Supervisor of Science, provided an update on environmental literacy, which strives to provide meaningful outdoor educational experiences each year as well as meaningful watershed educational experiences in elementary, middle, and high school.

Mr. VanSlyke provided an overview of the educational experiences offered to ACPS students throughout their academic career. At the middle school level, sixth graders visit the Evergreen Heritage Center for one day to receive environmental education on soils. In seventh grade, students spend two and half days engaged in the Rocky Gap/Canal Place Programs through the Alice Ferguson Foundation. In eighth grade, students spend one day at the Sustainable Energy Research Facility at Frostburg State University (FSU) to participate in an environmental education program on renewable energy. Mr. VanSlyke then outlined the program at the high school level explaining that earth science students spend one day at the Evergreen Heritage Center engaged in environmental education programs about weathering, erosion, and the properties of soils. For environmental science students, he stated that they spend one day at Rocky Gap, through the Alice Ferguson Foundation, bridging the watershed.

Mr. VanSlyke provided an update on the Next Generation Science Standards (NGSS) and the Maryland Integrated Science Assessment (MISA). At the middle school level, MISA testing begins this school year, but it is a no-fault year with baseline testing only. At the high school level, MISA testing will begin next school year as a no-fault year with baseline testing only. Mr. VanSlyke stated that currently at the middle school level, sixth graders are studying Integrated Science; seventh graders are studying Life Science; and eighth graders are studying Physical Science. Next school year, sixth graders will again study Integrated Science, along with seventh graders, with eighth graders continuing in Physical Science. At the high school level, students will take the HSA Biology, which is still a requirement. Students will either take the Biology HSA or complete the Bridge process. The MISA assessment will begin next year.

In conclusion, Mr. VanSlyke proudly announced that The T. Rowe Price Program for Charitable Giving has donated $20,000 to Fort Hill High School for improvements to science classrooms and for science materials and equipment.

Instructional Update & P-Tech
Dr. Kim Kalbaugh, Chief Academic Officer, provided a refresher on P-Tech, explaining that it is an innovative program that creates clear pathways from high school to college and career for young people from all academic backgrounds. In six years or less, students graduate with a high school diploma and a two-year associate degree in a STEM career field. Dr. Kalbaugh further explained that each P-Tech program requires a partnership among three entities: a local school system (LSS); a local institution of higher education; and a local employer in a STEM field. She reiterated that P-Tech was designed to address skill gaps in the labor force by preparing young people from all backgrounds for academic achievement and skilled employment.

Dr. Kalbaugh spoke briefly on the Pathways in Technology Early College High School (P-Tech) Act of 2016, which established the P-Tech Stakeholders Work Group to examine the implementation of Maryland P-Tech pilot schools and to determine optimal funding for statewide implementation of Maryland P-Tech schools. The workgroup membership, under the leadership of Dr. Lynne Gilli, Chair, brings together members of the General Assembly, state agencies, higher education institutions, business representatives, and other organizations interested in early college high schools. Dr. Kalbaugh then

announced that the MSDE Stakeholder Work Group is finalizing a report to provide to the Governor, on or before December 1, 2016, that recommends costs and considerations and a rationale for funding specific costs. Dr. Kalbaugh serves as a member, along with Mr. Larry McKenzie, ACPS Chief Financial Officer, and Dr. Cynthia Bambara, President of Allegany College of Maryland (ACM). Dr. Kalbaugh discussed the considerations for each potential funding model including the level of enrollment of students in high school versus college courses (years 5 and 6); the additional costs of college fees and textbooks (varies by program); challenges for rural communities to provide transportation to college and workplace internships; and the variation in teacher costs and student requirements.

Dr. Kalbaugh noted the defining features of the P-Tech to include open enrollment at no costs to students; well-defined pathway to AA degree (20 courses); one-to-one mentoring, career exploration, and one or more paid internships (recently added by the legislative and not in the original RFP for the grant); 50% FARMS (also recently added by the legislature and not in original RFP for the grant); and must be a school within a school or a separate school facility. She then highlighted the allowable or expected activities to include a designated administrator; instructional support; student support (tutoring, career exploration); extended day/year programs; transportation related to college and career experiences; and college tuition, fees, and books.

Dr. Kalbaugh shared the vision for P-Tech as, "Increasing student opportunities and career success through innovation collaboration among business, community, and education." She also noted the several subcommittees have been formed, outlining their purposes and the names of those serving in those capacities. Dr. Kalbaugh announced that the subcommittees have already given presentations to secondary administrators, school counselors, the Local Advisory Council, and the curriculum committee. She spoke specifically on the curriculum subcommittee, of which she is a member, and noted that they have developed a document which provides a year-by-year overview of the school's program, covering the full range of grade levels and content areas; the specific order and arrangement of high school and college courses and work-based learning experiences; and the "big" picture of high school and college credits potentially earned by year and an understanding of the interplay between academic courses and work experiences. Dr. Kalbaugh concluded with discussing the steps necessary to develop the scope and sequence for the program. ACPS must ensure that the curriculum meets high school graduation requirements. ACM must ensure that college courses meet specific degree requirements and clarify eligibility requirements for college courses. FSU must ensure a seamless transfer process. Western Maryland Health System and other business partners must identify key skills that entry-level employees need to possess in order to shape the curriculum to meet those needs. These business partners must also define workplace learning experiences throughout the program.

Legislative Priorities - Discussion

Dr. David Cox, Superintendent, reported that the Allegany and Garrett Counties Boards of Education have jointly hosted an educational pre-legislative breakfast with the Allegany County Delegation for the past several years. This year, the event is scheduled for Wednesday, December 7, 2016, at the Center for Career and Technical Education in Cresaptown. Dr. Cox noted that it is customary for the Board to develop and present legislative priorities to our delegation prior to the start of the General Assembly Session, which begins in January each year. Dr. Cox shared the draft version of the compiled *2017 Legislative Session Core Values and Legislative Priorities* for both counties that will be presented to the delegation on December 7th. Dr. Cox briefly summarized the draft priorities to include adequate and equitable state funding; local control; and mandates should be limited and fully-funded by the state.

Mrs. Sara-Beth Bittinger suggested a section be added under "Adequate and Equitable State Funding," requesting advocacy and support via legislation for containment of and relief from the rising healthcare premiums for school systems.

FY2018 Budget Calendar

Mr. Larry McKenzie, Chief Financial Officer, presented the proposed FY2018 Budget Calendar. He explained that budget request materials will be distributed to chiefs, directors, supervisors, and principals earlier next week. Mr. McKenzie hopes to have those requests back early next month for presentation to

the superintendent in early January. The General Assembly is scheduled to begin their session on January 11, 2017. Mr. McKenzie expects to have revenue estimates from the State by the end of January. He plans to have budget requests to the Board in early February, present the superintendent's budget in early March, and anticipates presenting the budget to the commissioners by mid-March. This will be followed by the release of a preliminary budget in April with the budget adoption date occurring in mid-June.

Pre-Labor Day Waiver Request

Dr. Cox provided an update on the Governor's Executive Order mandating school systems to open schools after Labor Day, beginning next year. Dr. Cox announced that following last month's board meeting, a second Executive Order was issued by the Governor in order to provide clearer parameters. Dr. Cox stated that ACPS has met the requirement outlined in the second order, which states that if a system has, within a five-year period, missed more than ten instructional days in two of those years, they are eligible to request a waiver. Dr. Cox has asked for feedback from student groups, Teacher Roundtable, Parent Advisory Council, and principals, with the majority indicating that ACPS should pursue a waiver. Dr. Cox respectively requested the board approve submission of a waiver request to the Maryland State Department of Education as outlined in Governor Hogan's Executive Order 01.01.2016.13.

Policy Regulation

Mr. Gary Hanna, Board Attorney, presented the Field Trips Regulation (File: IHOA-R1) noting it defines the difference between a sanctioned and unsanctioned field trip. Mr. Hanna also noted a change in the office responsible for approving field trip request forms. He also highlighted two additional minor changes to cover personal property searches for individuals participating in field trips and the inclusion of a procedure for administering certain health aids during field trips.

Hearing of Constituents

Mr. Evan West, ACEA UniServ Director, thanked Dr. Cox and supervisors for meeting with him and a group of teachers on October 25th to address workload concerns that teachers have faced since the beginning of the schoolyear. Mr. West believes a common understanding was formed during that meeting by all agreeing on the value of a daily lesson plan and the importance of effective implementation of that plan. He feels a miscommunication occurred at the supervisory staff level, as information was shared and interpreted by administrators and teachers as additional duties outside of what was already included in the daily lesson plan. Mr. West explained that teachers spend countless hours preparing daily lesson plans and additional requirements to the lesson plan format can substantially increase the work load. However, it is now clear that no additional work is required but rather a change to the approach of daily lesson plans is necessary to make them more student-centric. Mr. West conveyed that this clarification was well-received by the group. He further explained that even though a change to a current practice results in increased workload initially, over time, this dissipates as the transitional phase is overcome. Mr. West was pleased that the miscommunication was addressed with both the school-level administrators and supervisory staff. However, he stated at this point, it is not completely clear at every level what the expectations are as far as requirements for the new approach to daily lesson plans, what changes are actually necessary, how these changes should be implemented, and what the practical effects of the amount of time spent on the new format will actually entail. Mr. West has been asked repeatedly to seek further clarification so these concerns are properly addressed and clearly communicated at all levels.

Ms. Tamara Clarke expressed her concern for the health and wellbeing of children, specifically children with special needs. She believes that vaccinations are to blame for children's inability to learn and thrive. She questioned the mandatory vaccination program required for entrance into public schools, implying that vaccines are to blame for autism and learning disabilities. Ms. Clarke shared a packet of research materials to support her claims. Ms. Clarke is concerned about the continued increase in the number of required vaccinations and feels it is linked to cancer and autoimmune disease in children. She strongly believes good nutrition is a more healthy approach and other strategies should be explored.

Dr. Root adjourned the meeting at 6:06 p.m.

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President

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Secretary-Treasurer