

February 28, 2017

## Agenda

Board President Andrew Smarick noted that board member Rose Maria Li would not be present.

MABE Secretary Martha James-Hassan (Baltimore City) and MABE Board of Director member Christine O'Connor (Howard) were in attendance, along with ten participants in the MABE Boardmanship Academy session entitled "Understanding the Work of the State Board." There were: Glenn Bramble (Dorchester), Kirsten Coombs (Howard), Michael Durso (Montgomery), Sharyn Harlow (Queen Anne's), Julie Hummer (Anne Arundel), Beverly Kelley (Queen Anne's), Laura Layton (Dorchester), Elena McComas (Worcester), Virginia McGraw (Charles), and Barbara Palko (Charles). MABE attendees were recognized at the beginning of the meeting by President Smarick.

### **Consent Agenda**

The State Board unanimously approved the Consent Agenda consisting of the January 24, 2017 State Board Minutes; Personnel Items; and Budget Adjustments for January, 2017.

### **Musical Performance**

The State Board was treated to an outstanding two song vocal performance from an acapella group from the Baltimore School for the Arts and the student singers received a warm ovation from the State Board and meeting attendees.

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

The State Board received a summary from Dr. Mary Gable of the previous day's State Board work session on ESSA which was attended by MABE President Joy Schaeffer (Frederick). Dr. Gable shared a presentation summarizing the areas discussed regarding the ESSA Accountability Plan at the work session including: the ESSA Listening Tour and online survey results; discussion of the timeline for plan adoption; review of other state accountability plan proposals; and potential measures and weighting of academic performance, academic progress, and school quality/student success indicators.

#### [Monday ESSA PowerPoint](#)

Dr. Gable then shared an updated presentation reflecting the Monday State Board discussions and additional information that she was able to secure in response to State Board questions and concerns. One such question was the uncertainty of whether current ESSA regulations will be withdrawn by the new administration, and that possibility has led to greater focus on the actual language of the ESSA statute which will not change, regardless of the status of supporting regulations.

The State Board continued the ESSA Accountability Plan discussion from Monday. Additionally, the State Board received Career and Technology Education information related to the development of the State Accountability Plan. The Board agreed to conduct a March work session about the topic of adopting a Summative Assessment measure, considering the A – F grading system urged by the Governor and several alternative measures being used by other states.

#### [Tuesday ESSA PowerPoint](#)

## **State Superintendent's Update:**

### **Social Studies Update**

Dr. Carol Williamson presented a Social Studies Update to the State Board about the ongoing efforts to revise current social studies standards that have been in place since 2006. A lengthy discussion was held with several members expressing their desire to become more directly involved with the revision of social studies standards rather than waiting to react to MSDE staff recommendations. Other members expressed concern that board members and the Board itself not become more involved with standards development than appropriate under the State Board's governance role.

[Social Studies PowerPoint](#)

### **Superintendent of the Year Recognition**

Dr. Theresa Alban, Superintendent of Frederick County Public Schools, was acknowledged for her selection as the Maryland Superintendent of the Year by State Superintendent Dr. Karen Salmon. Dr. Salmon highlighted a number of Dr. Alban's many noteworthy achievements during her 30 plus years in Maryland public education and particularly during her tenure since 2011 as Frederick County Superintendent of Schools.

[Alban Recognition](#)

### **LYNX High School Program**

Dr. Alban was invited to remain at the board table to assist in the presentation to the State Board of Frederick innovative new Linking Youth to New Experiences (LYNX) high school program being started in 2017 with the incoming freshman class of Frederick High School. State Board members expressed great enthusiasm for the new program and inquired about smoothing the path for additional conversions to the LYNX model.

[LYNX PowerPoint](#)

### **Achieve Report**

Dr. Salmon next shared with the Board the report from Achieve which provides data about student performance against College and Career Readiness Standards in all 50 states. The importance of studying such data was stressed and a few Maryland highlights were shared by the State Superintendent.

[Achieve Document](#)

### **MSDE Mid-Year Report**

Dr. Salmon closed her updates by presenting the July 2016 to December 2016 Mid-Year Report of the activities of the Maryland State Department of Education. The report sets forth the work conducted by the Department during the second half of 2016 in a host of areas.

[Mid-Year Report](#)

### **Regulations**

The State Board adopted final regulation changes in various section of COMAR Volume 13A, including:

- [COMAR 13A.04.19](#) – Revisions to the Program in Cosmetology.
- [COMAR 13A.04.20](#) – Revisions to the Program for Barbers.
- [COMAR 13A.06.07](#) – Revisions to Student Transportation, including new Definitions and Instructional Content Requirements for School Vehicle Drivers and Attendants.
- [COMAR 13A.12.04.04B](#) – Revisions to Administrator I regulations to reflect the current Professional Standards for Educational Leaders developed in conjunction with the Professional Standards and Teacher Education Board (PSTEB).

The State Board also granted Permission to Withdraw [COMAR 13A.04.05](#) – Education that is Multicultural for the purpose of reconvening the committee to conduct further review and study.

## **Legislative Update**

Tiffany Johnson Clark provided a written legislative update to the State Board and highlighted various pending bills in addition to responding to questions. Notably, the State Board had a lengthy discussion of HB 878 Public Charter School Act of 2017 that among other things would change current local board sole charter authorizer status and distribute state funds directly to charter schools instead of through local boards of education. Several motions to support the charter school bill as written and with several proposed amendments all failed to generate sufficient support to pass.

[Update](#)

## **School Calendar Waivers**

The State Board considered and approved a school calendar waiver from the Chesapeake Public Charter School in St. Mary's County as it was found to meet the waiver criteria set forth in the Governor's Executive Orders 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<sup>th</sup>.

The State Board also considered and denied a school calendar waiver from the Prince George's County Public Schools requesting a waiver to begin the school year prior to Labor Day based upon academic considerations. The State Board denied the Prince George's request because it did not meet the Governor's Executive Order requirements. The vote was 6 for denial, 2 for approval, and two abstentions.

[Waiver Requests](#)

## **Public Comment**

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

## **State Board Business Items**

The Board's Mental Health Subcommittee provided an update on their activities and shared several presentations on the prevention of Human Trafficking with the State Board.

## **Opinions & Orders:**

The State Board issued decisions in the following cases:

- Shervon D. v. Howard County Board of Education, affirming the local board's student reassignment decision.
- Amy Heger v. Somerset County Board of Education, affirming the local board's employee suspension decision.
- Richard Netzer v. Baltimore County Board of Education, dismissing the appeal for untimeliness.
- Donna Young v. Prince George's County Board of Education, remanding the employee termination case for the local board's explanation of the rationale for its decision.
- Rajendra and Erika P. v. Montgomery County Board of Education, "letting stand" the local board's student transfer without determining if the local board acted arbitrarily, unreasonably or illegally, because "given the split of opinion among the Board members, it is impossible for this Board to make such a determination."
- Semere D. & Yehdego K. v. Montgomery County Board of Education, affirming the local board's student reassignment decision.
- Catherine H. v. Prince George's County Board of Education, remanding the appeal from a student transfer decision to the local board for the local board to issue a decision containing its rationale.
- In Re: Board of Education of Howard County v. Renee Foose; and Renee Foose v. Board of Education of Howard County, addressing the consolidation and jurisdictional issues raised by

petitions for declaratory rulings filed by the Board and Superintendent. Dr. Foose had filed a complaint in Howard County Circuit Court, and a petition for declaratory ruling with the State Board on nine items regarding the respective rights and authorities of the Board and Superintendent. The Board's petition for declaratory ruling addressed three items on the Board's authority to hire its own counsel and other staff. The State Board decision consolidates the petitions for declaratory rulings filed by both parties; and concludes that the State Board has primary jurisdiction to exercise its visitatorial power to resolve the matters raised by both parties.