

**October 24, 2017**

The State Board opened the meeting with the Pledge of Allegiance. Board members in attendance included: Board President Andy Smarick, Vice President Chester Finn, Michele Guyton, Justin Hartings, Stephanie Iszard, Rose Li, Michael Phillips, David Steiner, and student member Kyle Smith.

Board President Andy Smarick recognized representatives from the Maryland Association of Boards of Education (MABE) in attendance, including: MABE President Chuck McDaniels (Baltimore County), MABE Secretary Martha James-Hassan (Baltimore City), MABE Board of Directors member Virginia McGraw (Charles County), and Barbara Palko (Charles County).

### **Oral Argument**

The State Board heard oral arguments in the case: *Yvette Finley-Gaines v. Montgomery County Board of Education*. The State Board announced its decision in this case at the end of the day.

### **Public Comment**

The State Board received public comments from individuals advocating for Maryland Meals for Achievement, arts education, later school start-times, and reforms to math and algebra instruction.

[Comments](#)

### **Teacher Induction, Retention, and Advancement**

The State Board received a report on the final recommendations of the workgroup created by the Teacher Induction, Retention, and Advancement Act of 2016 (SB 493). The act established a pilot program for first-year teachers to be provided more time than other teachers to be spent on mentoring, peer observation, assistance with planning, or other preparation activities. In addition, the act directed MSDE to form a workgroup to make findings regarding national board certification, teacher recertification, loan forgiveness, teacher induction best practices, teacher academies under the every Student Succeeds Act, incentives for teachers in low-performing schools with concentrations of poverty, and coordinated statewide strategies.

Sarah Spross, Assistant State Superintendent, presented a comprehensive overview of the legislation and workgroup. She clarified that the next step is for the Professional Standards Teacher Education Board (PSTEB) and MSDE staff to develop final recommendations for the State Board's consideration at a future time.

Board members engaged in lively discussion of the process and timeline for acting on the issues being considered by the workgroup. Ms. Spross highlighted that Maryland imports 60% of teachers from out of state, the worsening teacher shortage in Maryland and other states, and a reduction in enrollment in teacher preparation programs.

The workgroup made four categories of recommendations:

- Standards for accountability for educator preparation
- Certification of educators
- Financial incentives for the recruitment and retention of teachers
- Mentoring and professional development for current teachers

Ms. Spross outlined recommendations for completely rewriting the standards for teacher preparation programs in Maryland to link with the state's college and career readiness standards beginning in

elementary school. In addition, reforms are recommended for more extensive pre-professional field and clinical experiences, including more emphasis on cultural competency.

Board members asked questions regarding whether new teachers are provided training on implicit bias, reasons teachers who begin careers in Maryland return to other states such as Pennsylvania, and best practices in other states such as Tennessee. Ms. Spross highlighted that the issues before the workgroup impact a broad array of stakeholders, most notably higher education teacher preparation programs which were represented on the workgroup, and the task now at hand is for MSDE and the State Board to develop bold and long overdue reforms.

Board President Smarick appointed a subcommittee of board members to focus on the teacher preparation and retention issues to be considered by MSDE, PSTEB, and ultimately the State Board. [Handouts](#)

### **Graduation Requirements and Bridge Plan for Academic Validation**

Dr. Carol Williamson, MSDE Chief Academic Officer, and Dr. Doug Strader, MSDE, presented recommendations for adopting a passing score of 725, and a cohort approach to implementing high school graduation assessment passing score requirements. Dr. Strader explained the rationale for recommending that if a cohort approach is adopted, it should begin with the graduating class of 2023-2024. He noted that if a 9<sup>th</sup> grade cohort with higher passing scores were established today, half of the students would have already taken the Algebra assessment in middle school, at the lower passing score.

Board President Smarick responded that he understands the rationale but disagrees that the only reasonable way to implement a change in graduation requirements is along a 10-12 year timeline. The State Board then deliberated on the MSDE staff recommendation to adopt a 725 passing score for state high school PARCC assessments in English 10 and Algebra I. These assessments, in conjunction with the high school assessments in science, and government serve as the four assessments required to be taken, and/or passed, for high school graduation. MSDE recommended that the passing score of 725 be adopted for students currently taking the assessments in English and Algebra; and that any increased passing scores be adopted for the graduating class of 2023-2024, which represents students now in 6<sup>th</sup> grade.

Dr. Strader reviewed data for counts of students by grade achieving Algebra I assessment scores of 725 or higher and 750 or higher. Board members Smarick and Li asked about the potential for adopting a higher passing score sooner, especially in light of the fact that 90% of students are passing the assessment at 725 or higher by 9<sup>th</sup> grade. Board member Steiner addressed the close relationship between raising the cut score and the option currently available in Maryland for students to use the Bridge Plan. He favors the New York approach to raising the standards and limiting to a very low number the students using alternative routes to graduation.

Board member Li criticized the approach of setting future passing scores based on current passing rates, rather than on college readiness standards. Dr. Williamson responded by articulating the concern that students who have met all other graduation requirements will not qualify for the high school diploma. Mr. Smarick acknowledged that the current consequence would be that 60% of students would not receive a high school diploma. Dr. Steiner described the adoption of two graduation passing scores, one as college ready and another lower passing score. Dr. Finn stressed his position that the only option is to adopt two passing scores.

Ms. Iszard responded by describing two passing scores as an apartheid approach to high school graduation, because failure to achieve the current passing score and use of the Bridge Plan overwhelmingly impact African American students. In light of this concern, and issues surrounding the prospect of adopting two passing scores, the Board proceeded to the staff presentation on the Bridge Plan.

Dr. Williamson presented an overview of the Bridge Plan for Academic Validation, including the regulatory review and revision process conducted from 2013 through 2016. She outlined the COMAR requirements for local Bridge Plan programs and local variations in offering opportunities for completing Bridge projects. Board members asked about the rates of students completing Bridge projects aligned with the state high school assessments in Biology, Algebra I, Government, and Biology (which is transitioning to the Maryland Integrated Science Assessment (MISA)).

Board members engaged in lengthy discussion of the validity of the Bridge projects as alternatives aligned with high standards for graduation, the role of experiential assessments, and the role of the Bridge projects as routes for large numbers of students with special needs and English language learners. Ms. Iszard and Mr. Phillips returned to the question of why the majority of students graduating based on the Bridge projects are students of color, rather than the intended cohorts of students receiving special education services and English language learners. Mr. Phillips suggested a listening tour and investigation of best practices including in states like Massachusetts and in states without a graduation assessment program.

Board members discussed the role of the high school diploma as evidence of successful completion of a well-rounded high school curriculum and as a measure of whether a student is college ready to the level of being able to complete their first year of college without needing remedial courses. Discussion focused on the distinction between a two-tiered diploma system and a more nuanced system of multiple routes to receiving a diploma that is based on differing standards for college and career readiness, including industry certification.

Dr. Salmon recommended adopting the 725 passing score, and potentially moving to 750 in the future. She favors taking a deeper dive into why certain school systems are using the Bridge projects more than others, and to other States' approaches to alternative assessments and graduation requirements. The board concluded their discussion by clarifying support for moving to a cohort model.

The board adopted a set of motions: The first motion adopts 750 as the passing score for the cohort of students beginning with this year's 6<sup>th</sup> graders, and retains 725 for seventh graders and above. A motion called for a study of the implementation of the Bridge Program at the local level, and ways to strengthen it statewide. Another motion adopted was to direct staff to develop recommendations for multi-faceted, capabilities-based alternative pathways to earning a state diploma.

Interestingly, there was no discussion regarding the impact of these changes on the State regulations governing graduation requirements and PARCC cut scores, under COMAR 13A.03.02.09. In September of 2017, the State Board approved for publication proposed regulations to remove any reference to cut scores from the regulations. At that time they deferred action on adopting cut scores until the October meeting. The pending regulations will amend the ones adopted in 2016 to establish a tiered approach to implementing higher passing scores on the PARCC English 10 and PARCC Algebra II assessments. Under the State regulations adopted in 2016, passing scores on PARCC tests are set according to the year in which a student is first enrolled in the course, as follows:

- 2016-2017 school year: 725
- 2017-2018 school year: 733
- 2018-2019 school year: 741
- 2019-2020 school year, and beyond: 750

Again, following publication in the Maryland Register, public comment, and final State Board approval, [new regulations approved by the State Board in September](#) will remove any reference to specific cut scores.

[Handouts](#)

## **State Board Committee on Mental Health**

A panel including Dr. Deborah Nelson, MSDE Section Chief for School Safety and Climate, Walter Sallee, Director of Student Services and Strategic Planning, and Assistant State Superintendent Dr. Sylvia Lawson, presented the Report of the Mental Health Committee of the State Board of Education. Dr. Nelson provided an overview of the recommendations regarding youth suicide prevention, including:

- facilitating statewide awareness through conferences and a public relations plan
- providing updated guidance and resources for statewide training of educators, administrators, and student services personnel
- evaluating suicide prevention programs
- pursuing external grant funding at state and local levels
- adopting regulations to implement the training of certificated personnel as required by House Bill 920 of 2017

Mr. Sallee presented the recommendations regarding human trafficking, including:

- promoting collaboration and staff training
- developing comprehensive model policies and protocols regarding child abuse and human trafficking protocols
- adopting uniform measures of intervention program and training program effectiveness; and facilitating interagency coordination with law enforcement and other agencies on human trafficking prevention

Board members Guyton and Iszard spoke strongly in support of the formation and work of the Mental Health Committee and the opportunity for the State Board to take action in support of students in need. Dr. Salmon, and fellow board members, thanked the board members for their leadership and the need for heightened awareness and policies, regulations and programs to address the issues of suicide and human trafficking prevention and response.

[Handouts: Presentation, Report, Resource Guide](#)

## **Update on MSDE's Research Department Protocol & Webpage**

Dr. Dara Shaw, MSDE Director of Research, presented an update on the status of the department's office of research and strategic data use web presence; and external research requests. The Center for Research on Education Outcomes (CREDO) has received preliminary approval for their research proposal.

[Handout](#)

## **Maryland Center for School Safety Briefing**

Edward Clarke, Director of the Maryland Center for School Safety, provided an overview of the organization and functions of the Center. He outlined the Center's 20 legislative mandated functions and responsibilities and the commitment to being of service to local school systems with limited staff and resources by being available for meeting on request and weekly statewide conference calls. Mr. Clarke also described the Maryland school safety initiative and safe schools program and coordination with MSDE and local school systems.

Mr. Clarke highlighted the Center's ongoing work with the Prince George's County public school on sexual abuse prevention, and the formation of a statewide workgroup on this issue. He also highlighted a renewed focus on gang prevention and intervention through coordination with local superintendents and offices of state's attorneys.

[Handout](#)

## **PARCC Update**

Dr. Salmon informed the Board of the report prepared by staff in response to the Board's request at the prior meeting for additional information on the 2017 Partnership for Assessment of Readiness for

College and Careers (PARCC) results. The report contains statewide proficiency rates, including gaps and changes in rates, for students by race and other service groups.

[Handout](#)

### **Charter School Grant**

Dr. Mary Gable, Assistant State Superintendent, presented the recent award to Maryland of a \$5.49 million grant from the U.S. Department of Education to support existing charter schools and new schools authorized by local boards of education. The initial grant is for the two-year period through September 2019; and the total award is for \$17 million over five years through September 2022.

Board member Finn voiced strong interest in the State Board's involvement in providing guidance on the department's use of the funding, and board member Steiner noted the policy issues arising from the funding, such as grant criteria to allocate funding to new charter schools based on research on the most successful approaches to serving low performing students.

[Handouts: Memo & Presentation](#)

### **Federal Striving Readers' Comprehensive Literacy (SRCL) Grant**

Dr. Salmon briefly updated the Board on a \$45 million grant to be awarded over three years by the U.S. Department of Education to advance literacy for students prekindergarten through twelfth grade. Board members expressed their interest in the money being invested in early grades to provide curative reading instruction rather than remedial reading instruction in later grades.

Maryland's [application](#) is available online; and additional information regarding the federal SRCL grant can be found on the [U.S. Department of Education's website](#).

[Handout](#)

### **BOOST Scholarship 2017-2018**

Kristy Michel, MSDE's Chief Finance Officer, presented a brief update on the status of the Broadening Options and Opportunities for Students Today (BOOST) nonpublic school student scholarship/voucher program and the nearly completed allocations by the BOOST Advisory Board of the \$6.1 million budgeted for FY 2018.

[Handout](#)

### **Gifted and Talented Grant**

Dr. Carol Williamson, MSDE Chief Academic Officer, and Susan Spinnato, MSDE, presented an update on the department's receipt of a Javits Gifted and Talented Students Education Act grant in the initial amount of \$323,762 and expected to total \$1.59 million over a five year period. The goals of the grant are to be achieved through a partnership with the Johns Hopkins University School of Education, Center for Technology in Education, and include:

- Creating an online platform that will be a repository of resources, including data, identification and service delivery models, instructional strategies, and interactive online training modules and courses; and
- Researching and developing an equitable state policy and supporting guidelines for the identification of gifted and talented students.

Board member Finn stressed his interest in this funding supporting the department's work aligned with the Every Student Succeeds Act (ESSA) state plan, which the State Board adopted to include a new gifted and talented program reporting requirement to be developed by the end of the 2018 school year.

[Handout](#)

## **Financial Reporting Requirements**

Kristy Michel, MSDE Chief Operating Officer, presented a brief update on the status of local school system compliance with financial reporting requirements, and the request for State Board to authorize the State Superintendent to withhold state funding from noncompliant school systems. Board members requested more information, and were informed that two school systems have not yet submitted their annual audit reports.

[Handout](#)

## **Emergency Planning Guidelines for Local School Systems**

Dr. Mary Gable, Assistant Superintendent, briefly presented the updated Emergency Planning Guidelines for Local School Systems and Schools which reflect legislation enacted in 2017. House Bill 1061 was passed in response to concerns regarding the protocols for students with disabilities. On April 18, 2017, Governor Hogan approved House Bill 1061 (Chapter 327 of the Education Article, Annotated Code of Maryland), requiring the MSDE, in consultation with disability advocacy groups, to

update the Emergency Planning Guidelines for Local School Systems and Schools to accommodate, safeguard, and evacuate students, staff, and visitors with disabilities on public school grounds in accordance with the federal Americans with Disabilities Act. On or before July 1, 2018, each local school system is required to update its local emergency plan to comply with the updated MSDE Guidelines.

[Handouts: Memo and Updated Emergency Planning Guidelines](#)

## **National Board Certification Regulations**

The State Board Dr. Gable described these regulations as needed to update Maryland regulations, under COMAR 13A.07.08, to align with recent changes in the National Board for Professional Teaching Standards (NBPTS) certification guidelines. Proposed changes clarify definitions, the number of retakes, and funding provisions relating to the State Budget and reimbursement procedures. The State Board granted permission to publish the proposed amendments.

[Handout](#)

## **Fine Arts Program Regulations**

The State Board granted final approval for amended regulations, under COMAR 13A.04.16, to incorporate into Maryland's standards the new National Core Arts Standards that focus on processes of creating, presenting, responding, and connecting.

The major thrust of the new regulations is to align State regulations with the recommendations in The Governor's P-20 Leadership Council Arts Education in Maryland Schools Members of the State Board of Education Final Report (2014). Key elements of the reforms include: Revising the Maryland State Standards for Fine Arts Education, and providing specific direction to local school systems in the consistent implementation of comprehensive fine arts programs in dance, music, theatre, and visual arts for all children at all grade levels.

The final regulations, revised during the review process, include the following specific changes:

1. The inclusion of prekindergarten in fine arts instruction
2. The delineation of experiences in all art forms for students in prekindergarten through grade 5
3. The ability for students in grades 6-8 to specialize in one or more art forms
4. The addition of Media Arts as the 5th art form as defined by the National Core Arts Standards
5. The inclusion and formalization of the Fine Arts Education Advisory Panel.

[Handout](#)

## **OPINIONS**

The State Board issued decisions in the following cases:

- Kevin and Leah B. v. Howard County Board of Education, affirming the local board's kindergarten early entry decision

- Donna Young v. Prince George's County Board of Education, affirming the amended order of the local board supporting employment termination
- Yvette Finlay-Gaines v. Montgomery County Board of Education, affirming the employment termination decision
- Jatin W. v. Montgomery County Board of Education, dismissing the appeal for untimeliness at the local level
- Heather A. v. Anne Arundel County Board of Education, dismissing the appeal for untimeliness
- Kiona B. v. Anne Arundel County Board of Education, dismissing the appeal for untimeliness
- Richard and Julia B. v. Howard County Board of Education, dismissing the appeal for untimeliness at the local level
- Lee Thomassen v. Baltimore County Board of Education, denying the request for reconsideration of the August 22, 2017 employment termination decision