

April 23, 2019

Agenda

Board Vice President Stephanie Iszard called the meeting to order with the Pledge of Allegiance, and adoption of the [Agenda](#). Members in attendance included: Board Vice President Stephanie Iszard, and board members Gail Bates, Clarence Crawford, Vermelle Greene, Jean Halle, Rose Li, Joan Mele-McCarthy, Michael Phillips, David Steiner, Warner Sumpter, and Student Member Bryce Awono. It was noted that Board President Justin Hartings would not be present.

MABE representatives and local board members in attendance were recognized including: MABE former President Joy Schaefer, MABE Board of Directors member Virginia McGraw, Charles County board member Latina Frederick County board member Karen Yoho.

Consent Agenda

The State Board approved the Consent Agenda, including Meeting Minutes for March 26, 2019, [Personnel Items](#), and [Budget Adjustments](#).

Public Comment

Joy Schaefer, former president of the Maryland Association of Boards of Education (MABE) offered comments in opposition to the proposed changes to the star rating system associated with the State's accountability system. She cited MABE's letter dated April 17, 2019 and reiterated the concern that the accountability system is not yet complete and therefore changes at this time would be disruptive and counter to the well-reasoned policy already adopted in the ESSA plan. She likened adopting changes now to moving the finish line in the middle of the race. Delegate Ric Metzgar spoke in favor of Monarch Academy charter school, raising concerns about the evaluation system used to evaluate the school. A parent spoke to his concerns regarding the use of seclusion rooms and restraint on his child and other children and in support of training in the use of restorative practices in student discipline. Mr. Tavon Lawrence criticized Praxis as a poor indicator of teacher effectiveness and spoke in support of MSDE adopting a Grade Point Average of at least a 3.0 during the most recent two years of the candidate's general education in lieu of submitting a basic skill assessment to pursue teacher licensure in Maryland. He emphasized that this change would provide a more inclusive and equitable process.

Superintendent of the Year

Renee Spence, Executive Director of the Maryland Public School Superintendents Association (PSSAM), introduced Dr. John Gaddis, Somerset County Superintendent of Schools, as the 2019 Superintendent of the Year. Ms. Spence highlighted Dr. Gaddis's role as chair of PSSAM's legislative committee and strong advocate in Annapolis for school nutrition programs. Dr. Gaddis spoke to Somerset County's honor of having, for the first time, both the Teacher of the Year and Superintendent of the Year. He highlighted the value of having a team approach and shared belief in the capabilities of the 3000 students in Somerset County. State Board member Warner Sumpter,

who resides in Somerset County and is a former local school board member, praised Dr. Gaddis for his leadership and service.

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Educator Licensure

Sarah Spross, Assistant State Superintendent for the Division of Educator Certification and Program Approval, provided a comprehensive review of the types of licensure assessments available, pass rates for Maryland's assessments as compared to other States. The purpose of the presentation was to inform the State Board for their discussion and approval of the implementation date and qualifying scores for several educator certification assessments.

In her opening remarks, she informed the State Board that Delaware had just announced the elimination of the requirement for teachers to pass any Praxis tests, in favor of the EdTPA. She then briefly highlighted major distinctions between Maryland's approach and several other States.

The first action item included two options, and the Board agreed to adopt Option 2, which includes the addition of a GPA requirement and a new cut score for the math subtest.

Ms. Spross then reviewed Praxis content assessments for teacher certification, including English to Speakers of Other Languages (ESOL), Special Education, and the School Leaders Licensure Assessment (SLLA). The Board agreed to continue using Praxis and increasing the qualifying score by +1 Standard Error of Measurement (SEM). The Board addressed the expectation that this could reduce the availability of teachers already in shortage, but that the 84% pass rate is still very high. The Board then adopted the same recommendation regarding the Praxis assessment for Special Education Core Knowledge and Applications, with an increased qualifying score. Next, the Board considered and approved the recommendation to adopt the revised School Leader Licensure Assessment. She highlighted that several other States have adopted this revised assessment, and with the cut score as recommended by ETS.

Ms. Spross reviewed the department's recommendation to adopt and use a performance based assessment of pedagogy, including EdTPA and PPAT. She reviewed the recommended passing scores on PPAT and the recommendation that both the EdTPA and PPAT be approved as exit and certification requirements for the Maryland Educator Preparation Program and for teachers with less than 3 years of experience, effective July 1, 2025. She noted the complexity of the options of numbers of rubrics and ranges of scores, but stressed that Delaware is currently fully implementing these assessments. The five-year timeline is aligned with the recommendations of the Kirwan Commission.

The Board discussed the need for diligence and transparency during the transition with the test providers, ETS and Pearson. The Board approved the phase-in of the use of the EdTPA and PPAT assessments, including the requirement that teacher candidates complete the EdTPA or PPAT, but not meet a cut score, until 2025.

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ESSA Accountability Implementation Update

Dr. Mary Gable, Assistant State Superintendent for the Division of Student Support, Academic Enrichment & Educational Policy and Ms. Chandra Haislet, Director of Accountability and Data Systems, presented the following information and recommendations on the implementation of the State's accountability system under the Every Student Succeeds Act (ESSA), including the reporting calendar; School Report Card equity data results; Targeted Support and Improvement (TSI) School identification; and possible modifications to points and ratings assignments. Dr. Gable reviewed the equity results, emphasizing that achievement and opportunity gaps persist. She shared that the State Board is set to approve the proposed draft equity regulations under COMAR 13A.01.06 at its May 21, 2019 meeting.

Dr. Gable reviewed the results of TSI school identification. TSI schools are schools with student groups performing as low as the Comprehensive Support and Improvement (CSI) Schools (lowest 5% Title I schools and High Schools with less than 67% graduation rate). A total of 377 schools in 23 local school systems are identified as TSI schools. Each of these schools is required by ESSA and the State's ESSA plan to develop and implement a school-based plan to improve student performance. Following three years of TSI status, a school may become a Comprehensive Support and Improvement (CSI) school, which involves much more MSDE oversight including plan approval.

Dr. Gable then reviewed the distribution of star ratings in the accountability system and options requested by the State Board to be developed and presented. She reviewed the relationship between star ratings and academic achievement, based on the average percent of academic achievement points earned, for elementary, middle and high schools. She then presented the question of whether there should be a one-time adjustment to the point assignment for stars, highlighting the extensive outreach to stakeholders for feedback on such changes. Overall, the recommendation is to "stay the course" with the current distribution of the star ratings and commit to review and analyze data on an annual basis.

Board member David Steiner voiced his concern that the rating system continues to present more positive star ratings than proficiency rates would indicate. Dr. Gable noted that parents are deeply engaged in analyzing data on student performance, and the financial data, in ways that she funds positive and likely to grow. Board vice president Stephanie Iszard emphasized her support for looking forward, not backward, to implementing the accountability system within the parameters of the law. The Board voted overwhelmingly to stay the course, and not adopt any changes to the star rating system.

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Legislative Summary

Tiffany Johnson Clark, Director of Education Policy and Governmental Relations, highlighted several bills passed in the 2019 legislative session, including:

HB 390/SB 422: State Department of Education – Employment Categories and Practices

Synopsis: Alters the employment categories of specified professional assistants within MSDE. All employees hired by MSDE in those classifications on or after July 1, 2019, must be hired, promoted, or transferred in accordance with the requirements for skilled or professional employees under SPMS.

HB 87/SB 529: State Board of Education – Membership – Teachers and Parents

Synopsis: Increases the membership of the State Board of Education from 12 to 14 members, by adding one certified teacher who is actively teaching and one parent of a student enrolled in a public school, and establishes processes to appoint these members.

HB 238/SB 747: Education – Removal of County Superintendents – Procedures

Synopsis: Authorizes a county board of education, in addition to the State Superintendent of Schools, to remove a county superintendent.

HB 1019: State Board of Education – Public High School Students – Assessments and Graduation Requirements

Synopsis: Mandates that the State Board of Education may only require a passing score of a standardized assessment to evaluate a student for graduation from high school after the assessment has been field-tested and piloted for at least one year.

HB 725: Public Schools – Student Discipline – Restorative Approaches

Synopsis: Defines the type of restorative approaches that could be utilized as an aspect of student disciplinary measures. County boards of education must adopt regulations that provide for restorative approaches to be an aspect of student discipline, and that the primary purpose of any disciplinary measure is rehabilitative, restorative, and educational. The State Board of Education must provide technical assistance and training to county boards on restorative approaches, at the request of the county board, and submit an annual report on or before October 1 of each year.

SB 128 (Ch. 13): Community Control of School Calendars Act

Synopsis: Requires each county board to set start and end dates each year for public schools in the county. The bill effectively repeals any law prohibiting a county board from beginning or ending its school year before or after a certain date. The Governor vetoed this bill and the General Assembly overrode the veto.

Ms. Clark also reviewed the major components of the Kirwan Commission's recommended legislation, SB 1030: The Blueprint for Maryland's Future.

Synopsis: Establishes The Blueprint for Maryland's Future as State education policy, based on the recommendations of the Commission on Innovation and Excellence in Education. Establishes the Concentration of Poverty School Grant Program, the Teacher Collaborative Grant Program, the Teacher Salary Incentive Grant Program, and the Workgroup to Study the Maryland State Department of Education and the Maryland Higher Education Commission, among other programs and provides funding in fiscal 2020 and mandates funding in fiscal 2021 and 2022, as specified. Establishes a Maryland Office of the Inspector General for Education.

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Maryland High School Graduation Task Force

Dr. Carol Williamson, Chief Academic Officer, presented on the recommendations of the Maryland High School Graduation Task Force, which was convened in January 2018 at the request of the Board and Superintendent. The task force made recommendations on: credit and program requirements for graduation (number of credits, subject area(s), and other requirements); assessment requirements for graduation; and options for awarding high school diplomas. Specifically, the task force recommended to:

- Maintain a single Maryland High School Diploma.
- Develop a process for the adoption of national seals and the creation of state endorsements to ensure that seals and endorsements meet established requirements. Also, local boards may create awards based on state-established requirements.
- Develop a College Ready Endorsement awarded to students who meet the College and Career Readiness Assessment Options defined in the MOU between the MD Association of Community Colleges (MACC) and the Public School Superintendents' Association of Maryland (PSSAM). Students must meet assessment options in English/Language Arts (ELA) and Math; and should earn by end of grade 11.
- Establish a Career and Technical Education (CTE) Endorsement designed for students who successfully meet requirements determined by MSDE, Division of College and Career Readiness. It must be above the minimum requirements for graduation and successful completion of the CTE pathway.

Dr. Salmon and board members, including Board Vice President Iszard and board member Steiner, discussed the interplay between the recommendations of the task force, including the task force recommendation to maintain the 11th grade assessment for college and career readiness, and the Kirwan Commission's call for a 10th grade standard and other CTE-related reforms.

The Board reached consensus on maintaining the single diploma and the use of endorsements and agreed to defer decision making regarding the task force recommendations on standard setting for College and Career Readiness including CTE. Board members discussed the critical role of the funding increases tied to implementing CTE reforms and other Kirwan Commission recommendations. The Board also agreed to reconvene the High School Graduation Task Force to address several issues.

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Juvenile Services Education System

The State Board received an informational briefing on MSDE's Juvenile Services Education System (JSES) from Deborah Grinnage-Pulley, Executive Director of the Juvenile Services Education System. Dr. Salmon noted a very positive recent visit to the Cheltenham facility.

Ms. Grinnage-Pulley described the DJES program mission and goals, facilities profiles, student demographics, accountability, and instructional standards. Challenges identified include: 12 Month Employees, Procurement, Substitutes, Hiring/Specific Content Area, Retention - Location. In addition, the Board learned about the pilot program involving the Alfred D. Noyes Children's Center in Montgomery County, which was the subject of legislation passed in 2018. Ms. Grinnage-Pulley provided many program highlights, including that 77 students earned a GED during the 2017-2018 school year; and 60 students have earned a GED since July 1 during the 2018-2019 school year.

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Environmental Literacy Standards

MSDE staff informed the State Board of recommended revisions to Maryland's Environmental Literacy Standards (COMAR 13A.04.17.010). A stakeholder committee formed by MSDE recommends extensive revisions to the existing Maryland Environmental Literacy Standards to remove existing redundancy with Maryland content standards from other disciplines including

Maryland's Next Generation Science Standards, Social Studies, and Health. The Board adopted the department's recommendations to proceed to revise the State's environmental literacy standards.

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Educator Preparation Program Requirements Regulations

Ms. Spross briefly described three sets of regulations on Educator Preparation Program Requirements, Teacher Licensure, and Suspension and Revocation of an Educator License. Dr. Salmon noted that these items reflect discussions at previous State Board meetings and that these draft regulations are for review and discussion only. Ms. Spross then reviewed highlights or proposed changes from current practices, including the consolidation of 38 pages of teacher certification requirements into 12 pages.

- The regulations regarding education preparation program requirements include: purpose and scope, definitions, the approval process, review, renewal, oversight, and revocation.
- The regulations on teacher certification suspension and revocation include changes to: definitions, causes, reporting procedures, denial, hearing procedures, record of hearings, decisions, reconsideration of a decision, and reinstatement.
- The regulation on teacher licensure include: the following: assignment, types of licenses, pathways to initial teacher licensure, additional teaching endorsements, renewal of a teacher license, individual professional development plans, and professional development points.

Board Vice President Iszard thanked Ms. Spross for the extensive work on these regulations, and Ms. Spross recognized her staff, including Kelly Meadows and Alex Cambra.

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Mathematics Regulations and English Language Arts/Literacy Regulations

The State Board granted permission to publish amendments to COMAR 13A.04.12 Program in Mathematics. These amendments define the process that local school systems can use to demonstrate evidence of alignment of curriculum to Maryland College and Career Ready Standards.

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The State Board also granted permission to publish amendments to COMAR 13A.04.14 Program in English Language Arts/Literacy. These amendments define the process that local school systems can use to demonstrate evidence of alignment of curriculum to Maryland College and Career Ready Standards. [Handout](#)

Under the proposed ELA/Literacy and Mathematics regulations, by September 1, 2020 and thereafter, upon adoption of new State standards, local school system curriculum, or curriculum support materials, each local superintendent of schools or chief executive officer shall certify to the State Superintendent of Schools that the instructional programming for mathematics courses aligned to the Maryland College and Career Ready Standards meets, at a minimum, the requirements set for in Regulation .01 of this chapter.

The superintendent or chief executive officer must provide evidence of meeting the requirements, and acceptable forms of evidence include:

(1) An MSDE curriculum vetting report demonstrating that the reviewed curriculum has earned an acceptable rating as determined by the agency on all sections for ELA/Literacy and Mathematics for the identified grade level(s) or course(s).

(2) A curriculum vetting report produced by a nationally recognized external party that demonstrates alignment to Maryland College and Career Ready Standards for the identified grade level(s) or course(s).

(3) Documentation of national ratings to demonstrate an alignment to standards and strong (level 1) or moderate (level 2) evidence for all third-party curriculum and curriculum support materials in use.

Child Care Regulations

The State Board granted permission to re-publish proposed amendments to COMAR 13A.15 Family Child Care, COMAR 13A.16 Child Care Center, COMAR 13A.17 Child Care - Letters of Compliance, and COMAR 13A.18 Large Family Child Care Homes. Board member Rose Li addressed her concerns regarding the 95 comments received. MSDE staff acknowledged the large number of comments and noted that in response several additional corrections and clarifications were being recommended:

- Reasonable accommodation regulation has been removed.
- Added a four-foot height requirement for pool fences.
- Medical evaluations must be completed every five years for staff (had requested every two years).
- Basic health and safety training must be taken within 90 days of employment (center).
- Basic health and safety training must be taken within 90 days of initial registration (family).
- Added that basic health and safety training must be updated annually by each staff member by the end of each 12-month period, measured each calendar year.
- All other revisions were for clarity of language.

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Calendar Waiver Request

The State Board considered and approved the request to waive one day of student attendance for the Howard County Public School System for the 2018-2019 school year.

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State Board Legal Opinions

The State Board issued legal opinions in the following cases:

- Nikol E. v. Montgomery County Board of Education, affirming the local board's decision regarding requested changes in course credits and grades.
- Yolanda Cooper v. Baltimore City Board of School Commissioners, affirming the local board's employee compensation decision.
- William Kelly Ford v. Prince George's County Board of Education, affirming the local board's employee discipline and transfer decision.

- Key System, Inc. v. Anne Arundel County Board of Education, affirming the local board's contract award decision.
- Elizabeth K. Harford County Board of Education, dismissing the appeal for untimeliness.
- In the Matter of the Maryland Public Ethics Law, dismissing the request for declaratory ruling for lack of jurisdiction.
- In the Matter of Request for Removal of Wayne Foote, granting the Attorney General office request to amend the State Board charge for breaches of confidentiality as willful neglect of duty to clarify that such breaches also constitute misconduct in office.