

August 27, 2019

[Agenda](#)

Opening of Meeting

Board President Warner Sumpter convened the meeting and led the board in the Pledge of Allegiance. He was joined by Vice President Jean Halle, and board members Justin Hartings, David Steiner, Rose Li, Joan Mele-McCarthy, Gail Bates, Clarence Crawford, Vermelle Greene, and student board member Noureen Badwi.

MABE representatives in attendance included: MABE President Tolbert Rowe (Caroline), MABE Treasurer Tammy Fraley (Allegany), Virginia McGraw (Charles), Latina Wilson (Charles), and Michael Garman (Talbot).

High School Assessment Regulations – Clarification

Board President Sumpter informed the Board that the minutes for the previous meeting needed to be amended based on the determination that sufficient votes were cast in favor of the publication of proposed regulations governing the use of the new high school assessments in the coming school year. However, he noted that the 2019 legislation passed to require the delay is being reviewed by the Attorney General.

Public Comment

The State Board received public comments from individuals including Cheryl Bost, MSEA President, requesting several amendments to pending regulations on the process for electing the new teacher member of the State Board, and representatives of the Maryland Association of Student Councils (MASC) requesting that MSDE fill the vacancy in the position of Executive Director of MASC, which is a state employee position within MSDE.

Task Force on Student Discipline Regulations

Board member Justin Hartings and Dr. Salmon introduced the report produced by the Task Force on Student Discipline Regulations. The Task Force was convened by the State Board, and chaired by board member Vermelle Greene, to explore the impact and implementation of reforms in school discipline policy adopted by the State Board in 2014. Dr. Mary Gable described the task force's charge and work through two subcommittees focusing on regulations and best practices.

Walter Sallee, Director of Student Services, presented the recommendations of the subcommittee, emphasizing the need for clarification in the definition of several terms used in regulations.

Board member Hartings asked whether recommendations address the concern he often hears about available disciplinary responses to disruptive students interfering with classroom instruction. Mr. Sallee responded that the recommendation to better align the department's guidelines and the regulations would help in this area. Board members engaged in lengthy discussion on issues including parental involvement, mental health service needs, and the role of other state and local agencies in working with MSDE and local school systems.

Board President Sumpter specifically urged the sharing of this report with all appropriate state agency leadership and Dr. Salmon agreed, noting that they department will also work to broadly share updates and developments as the Task Force report recommendations are implemented.

[Handout](#)

2019 PARCC Results & Maryland Comprehensive Assessment Program (MCAP) Update

Dr. Dara Shaw, MSDE Research Director, presented 2019 PARCC assessment results for the 2019 English Language Arts (ELA) and Math statewide student assessments. She reviewed the State Board's adoption of an assessment system using 5 levels of student performance and defining proficiency as scoring at the 4 or 5 performance level.

Dr. Shaw and board members noted the significant increases in the numbers of students scoring at the 4 or 5 level on the tests. However, board members also raised concerns about the high numbers of students scoring very poorly on the exams and failing again upon retaking them. In addition, board member Steiner stressed that achievement gaps are not closing, and in fact are widening between African American and White students. Dr. Shaw and board members discussed the results presented for student groups based on race/ethnicity and service groups including economically disadvantaged students and students with disabilities.

Highlights included increases for most school systems in the percent of students at performance level 4 or 5 in English Language Arts (ELA) in grades 3-8, and significant increases in several school systems in grade 10 ELA scores. However, certain systems saw significant declines in grade 10 ELA scores. Math results were much worse, with decreases in grades 3-8 performance, including significant decreases in some systems, and significant decreases in several school systems for Algebra 1 students scoring at level 4 or 5. The presentation includes graphs and maps depicting these results.

Board member Crawford asked about initiatives from within local communities, not solely the school system, to address the prioritization and allocation of resources to address the student performance levels reflected in the results. Board member Steiner shared that this broader response is central to the work of the Kirwan Commission. Dr. Salmon agreed, reiterating the Kirwan Commission's emphasis on wraparound services and the critical role in increased Kirwan funding to provide incentives for local school systems to adopt and implement programs and services shown to work in systems which are already doing so with available resources.

[Handout](#)

High School Graduation Task Force: Math Recommendations

Dr. Carrol Williamson, MSDE, presented on the recommendations of the Maryland High School Graduation Task Force regarding mathematics courses required for graduation. The task force was convened in January 2018 at the request of the Board and Superintendent. The task force made comprehensive 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. The State Board has been receiving monthly presentations on separate recommendations.

Dr. Williamson presented the recommended changes in the graduation requirements for mathematics, as well as information on the Maryland Mathematics Alignment Project.

Specifically, the task force report recommends that students must be enrolled in a math course each year in high school and earn four math credits as part of their graduation requirements. This is an increase from three to four credits required in mathematics for graduation. Students must earn credits in Algebra 1 and Geometry; High school credits should match the academic pathway appropriate to the student's goals; and Computer Science may be substituted for one math credit.

Debby Ward, MSDE's Coordinator of Mathematics, presented on the Maryland Mathematics Alignment Project. She described this reform as often referred to as mathematics pathways. Many colleges in Maryland currently offer mathematics pathways that include courses such as Statistics and Quantitative Literacy, as well as the traditional courses that lead to Calculus and beyond. These pathway courses provide a variety of general education mathematics options for college students, and these changes have implications for high school mathematics requirements and pathways as well.

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Maryland Center for School Safety Update

Kate Hession, Executive Director of the Maryland Center for School Safety, presented a progress report on the Center's work and implementation of the Maryland Safe to Learn Act of 2018. She provided a detailed report on the shifting of the Center's state agency operation from the Maryland State Police to MSDE, increases in Center staffing, roles of the School Safety Subcabinet and Advisory Board, and other requirements under the law. The Center has developed the State Behavioral Threat Assessment Model Policy, identified the 24 local mental health services coordinators, and conducted School Resource Officer (SRO) training through a new curriculum. She noted that the Center has trained nearly 1,000 SROs this summer. Ms. Hession updated the board on the school safety grants totaling \$22.6 million administered by the Center, and the development of the State Tip Line.

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MSDE Guide to Equity and Excellence in Education

The State Board received an overview from Susan Spinnato, MSDE's Director of Instructional Programs, on the department's Guide to Equity and Excellence in Maryland.

Ms. Spinnato described the Guide as being aligned with the State Board's adopted Educational Equity regulation (COMAR 13A.01.06), approved on June 25, 2019 for publication in the Maryland Register for comment before final adoption. One of the major requirements under the regulations is for the department to "develop a guide for implementation of equity initiatives at the local level which includes sample components of high-quality policies, guidance around how to apply an equity lens." The Guide provides actions at the local school system level and school level through an equity lens in the following focus areas: Academic achievement and growth; Leadership and human capital; School climate and culture; and Educator and staff capacity.

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Teacher Member of the State Board Regulations

The State Board granted permission to adopt emergency regulations (COMAR 13A.07.13) establishing the process for holding an election to select the teacher member of the State Board of Education. Sarah Spross, MSDE, described each of the provisions for board review and discussion. The board discussed the objections raised to the references to the terms lead teacher and master teacher. Board member Steiner proposed clarifying that eligible teachers being the classroom at least 30% of the time. Ms. Spross also offered that the regulations could be amended to remove the references to master and lead teachers.

After much discussion, the board voted to approve the emergency regulations with amendments to limit the role of family members as references, the procedures for the local superintendent's acknowledgement of the teacher's application, and other issues.

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Hearing Aid Program Regulations

The State Board granted permission to publish amendments to COMAR 13A.05.12.01-.03 - Hearing Aid and Loan Bank that governs the administration of the Hearing Aid and Language and Communication Video Loan Bank.

[Handout](#)

Special Education Regulations

The State Board granted permission to publish amendments to COMAR 13A.05.01.14 - Procedural Safeguards – Independent Educational Evaluations.

[Handout](#)

State-Aided Educational Organizations Regulations

The State Board granted permission to publish COMAR 13A.05.13 - State-Aided Educational Institutions, which outlines the process for non-profit organizations to qualify and apply as a State-Aided Educational Institution.

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Mathematics Regulations

The State Board adopted amendments to COMAR 13A.04.12 - Program in Mathematics.

Dr. Salmon introduced the regulations by highlighting that no comments were received on either the Mathematics or English Language Arts regulations calling for more rigorous vetting of local curriculum for alignment with state standards.

Current regulations require local school systems to use curriculum that is aligned to Maryland College and Career Ready Standards for mathematics. Once every five years, each local superintendent is required to certify to the State Superintendent of Schools that instructional programming within grades prekindergarten-12 meet all requirements in COMAR 13A.04.12, which include alignment of curriculum to standards. In the current regulation, local school system superintendents are not required to demonstrate evidence that the curriculum for the school system aligns to Maryland College and Career Standards.

The approved amendments to COMAR 13A.04.12 strengthen the regulation to require each local school system superintendent or chief executive officer to provide evidence of alignment to standards for curriculum.

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English Language Arts Regulations

The State Board adopted amendments to COMAR 13A.04.14 - Program in English Language Arts/Literacy.

Current regulations require local school systems to use curriculum that is aligned to Maryland College and Career Ready Standards for English Language Arts/Literacy. Once every five years, each local superintendent is required to certify to the State Superintendent of Schools that instructional programming within grades prekindergarten-12 meet all requirements in COMAR 13A.04.14, which include alignment of curriculum to standards.

The approved amendments to COMAR 13A.04.14 strengthen the regulation to require each local school system superintendent or chief executive officer to provide evidence of alignment to standards for curriculum. The current regulation does not require evidence of alignment to standards.

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2020 State Board Meeting Dates

The State Board approved its calendar of monthly meetings for 2020, including the amendment of the proposed May 19 date to May 27, which is the Wednesday following Memorial Day.

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Board Member Issues

Board member Vermelle Greene voiced her deep concerns with the persistent high rates of student suspensions and expulsions and persistent low performance on state assessments for African American males. She recounted the 2006 task force report on these issues, and the glaring lack of progress. Board member Steiner agreed and shared his frustration with the lack of commitment even among his fellow board members to making the systemic changes called for to address these longstanding failings.

Student board member Noreen Badwi requested consideration of her proposal to allow individuals signing up for public comment to choose between the morning and afternoon, with the goal of facilitating greater student participation through the optional afternoon slots.

State Board Legal Opinions

The State Board issued legal opinions in the following cases:

- D.B. & K.G. v. Baltimore County Board of Education, remanding the local board decision to consider additional remedies, but otherwise affirming.
- Deon B. v. Baltimore County Board of Education, dismissing the appeal as moot.
- Richard C. v. Anne Arundel County Board of Education, dismissing the appeal for lack of jurisdiction to decide IDEA or FERPA complaints.
- Samuel R. v. Anne Arundel County Board of Education, finding the local board's student assignment decision arbitrary and unreasonable due to lack of supporting documentation.
- Susanne C. v. Anne Arundel County Board of Education, affirming the local board's school bus route decision.
- Jeanette R. v. Anne Arundel County Board of Education, affirming the local board's school bus route decision.
- Jason J. and Tara P. v. Charles County Board of Education, reversing the local board's denial of a student transfer request.