

April 28, 2020

[Agenda](#)

Opening of Meeting

Board President Warner Sumpter convened the teleconference meeting and was joined by all members, including Vice President Jean Halle, Justin Hartings, Joan Mele-McCarthy, David Steiner, Michael Phillips, Rose Li, Gail Bates, Vermelle Greene, Clarence Crawford, Charles Dashiell, Jr., Lori Morrow, Rachael McCusker, and student board member Noureen Badwi.

School Closure Decisions

The State Board ratified the school closure decisions made by State Superintendent Salmon on March 25, 2020, and April 17, 2020. The Superintendent's most recent order announced on April 17 was that all schools would be closed through May 15, 2020.

[Memo](#)

State Superintendent's Updates

State Superintendent Karen Salmon made opening remarks praising the efforts of MSDE staff and local school system staff responsible for meeting the unprecedented changes in the way school systems are providing hundreds of thousands of school meals. She noted that Friday, May 1, is National School Lunch Heroes Day.

Dr. Salmon announced the cancellation of all interscholastic sports for the remainder of the 2019-2020 school year.

“The Maryland Public Secondary Schools Athletic Association (MPSSAA), after careful review and in consultation with the Maryland State Board of Education and Dr. Karen Salmon, State Superintendent of Schools, is officially announcing the cancellation of all MPSSAA events for the remainder of the 2019-2020 school year. This includes the remainder of the 2020 Boys and Girls Basketball State Championships and all spring sports, as well as spring State Championships.” ([Link to the MPSSAA website for more information](#)).

Dr. Salmon also highlighted that all 24 local school systems have provided their continuity of learning plans, which are being reviewed based on the nine components required by MSDE, and the department's feedback to the local systems is expected next week.

Lastly, Dr. Salmon informed the Board that Dr. Carol Williamson, MSDE's Chief Academic Officer, is preparing an Education Recovery Plan for the State Board's review and endorsement. She emphasized that this recovery plan is aligned and consistent with the Governor's "[Maryland Strong Roadmap to Recovery](#)."

Board member David Steiner asked what is known based on data being collected on the extent of actual student learning while schools are closed. Board President Warner Sumpter asked if other state agencies are involved in assisting in locating students who are not participating. Dr. Salmon responded that the participation rates and successful efforts to reach all students vary widely among school systems, with larger systems having many more students not engaging. She stressed that this is also an issue of national concern among her fellow state leaders, noting the priority to reach the large numbers of transient and homeless students.

Teacher & Principal Evaluations

The State Board unanimously approved the requested action to waive the student growth component of teacher and principal evaluations for the 2019-2020 school year. Teacher and principal evaluations consist of professional practice and student growth measures, with the student growth component being particularly impacted by the school closures in response to COVID-19.

The Board received an overview from staff on the State law's requirement that all teachers and principals must be evaluated annually using either the state evaluation model or an approved locally developed model. Local school systems are required to use the state evaluation model only if the local school system and exclusive employee representative fail to agree on a locally developed model. The waiver applies to the student growth requirements for local evaluation models, the state (default) evaluation model, and student growth requirements defined in the regulation associated with the evaluation cycle of tenured teachers.

Memo: [Request for Waivers Related to Teacher & Principal Evaluations](#)

Nonpublic School Instructional Day Waiver

The State Board unanimously approved the State Superintendent's request for the authority to waive up to five days of the required 170 days of student attendance for nonpublic schools approved under Code of Maryland Regulation (COMAR) 13A.09.09 for the 2019-2020 school year, upon the request of the nonpublic school.

Memo: [Request for Waiver of Instructional Days for Nonpublic Schools Approved Under COMAR 13A.09.09](#)

Teacher Certification

The State Board unanimously approved the department's request for permission to publish emergency regulations to amend teacher certification regulations to establish an emergency certificate designed to allow those educator candidates who have completed all required coursework the ability to enter the classroom as a teacher of record while they complete the required assessments and any remaining clinical experiences.

Sara Spross, Assistant State Superintendent, emphasized the work being done by both ETS and Pearson to make their assessments available online in an extraordinarily short amount of time. She noted that ETS is expected to have the PRAXIS assessment system online by mid-May.

Memo: [COMAR 13A.12.01.14 Waivers and Special Certification Provisions \(PERMISSION TO PUBLISH – EMERGENCY REGULATIONS\)](#)

Grading and Reporting

Mary Gable, Assistant State Superintendent, briefed the Board on the request from local school systems for extensions of the time permitted to report to the department on student grading policies and outcomes.

As a result of the COVID-19 pandemic, school closures have impacted the general operation of schools and the implementation of procedures and policies established by COMAR and local school system policies and regulations. Given the application of distance learning, the commitment of teachers and school administrators to work with students, and the desire to give students as many opportunities as possible to complete work, the 24 local school superintendents have submitted a single waiver request on behalf of all 24 local school systems of the "45-day Grade Change Rule as required in COMAR 13A.02.02.08 Grading and Reporting." The superintendents are: "seeking the Board's approval to waive these grading change requirements until January 1, 2021, so we are able to more thoughtfully address the new grading policies and changes for the end of the school year that are still being determined by most local systems."

The State Board unanimously approved the waiver request.

Memo: [Request for a Waiver Related to COMAR 13A.03.02.08 Grading and Reporting](#)

State Aided Educational Institutions

The State Board unanimously approved the requested action to grant final adoption to emended regulations governing State-Aided Educational Institutions. Staff briefed the Board that COMAR 13A.05.13 State-Aided Educational Institutions requires non-profit organizations that are interested in qualifying as a State-Aided Educational Institution (SAI) to apply annually to the MSDE by providing information as outlined in the regulation.

The State provides grants to SAI's to support field trip opportunities to students and teachers at a free or reduced-price, thus reducing the financial burden on local school systems (LSS) and parents having to cover the full cost of the trip. Services are specifically targeted to Title I schools,

thus providing the educational experience to support economically disadvantaged students and families. These funds can be used to provide services to students attending public, private/parochial, and home school, ensuring that a wide range are allowed to participate in these unique educational experiences. This amended regulation will add a new chapter to COMAR 13A Subtitle .05 Special Instructional Programs.

Memo: [COMAR 13A.05.13 State-Aided Educational Institutions \(ADOPTION\)](#)

Maryland Student Records Manual Update

The State Board approved the requested action to update references in regulation to the Maryland Student Records System Manual (MSRSM) to reflect the 2020 updating of the most recent 2016 edition. The extensive Student Records Manual is incorporated by reference in State Regulations and is included on pages 9-106 in the [materials provided to the Board](#).

The Student Records Manual defines and clarifies the requirements for the concise and comprehensive maintenance of student records in public schools in the State of Maryland, including definitions of student record card terms, information on other terms used in the maintenance of student records, specific information about each student record card, procedures for exiting students, digitizing student record cards, demographic string data, elements, and layout. Additionally, the Student Records Manual provides information on reporting attendance, absences, entry, transfer and exit data, student discipline, and standards for retention of student records.

Memo and Updated MSRSM: [COMAR 13A.08.01.01E Attendance and COMAR 13A.08.02.01 Incorporation by Reference \(PERMISSION TO PUBLISH\)](#)

School Year Calendar Modifications

The State Board approved the following school year calendar modifications requested by the Calvert and Talbot County school systems.

- Calvert County: Waiver request to open school on Primary Election Day as a school closure make-up day for the 2019-2020 school year.
- Talbot County: Waiver request to open school on Memorial Day as a school closure make-up day for the 2019-2020 school year.

Memo: [Calvert and Talbot County School System Calendar Modification Requests](#)

State Board Decisions

The State Board issued decisions and orders in the following cases:

- Tyboia Brown v. Somerset County Board of Education, denying the appellant's request that a member of the Board recuses himself from her motion for reconsideration.

- Tyboia Brown v. Somerset County Board of Education, denying the appellant's request for reconsideration.
- Lorena Reyes-Harding v. Howard County Board of Education, denying the appellant's request for reconsideration.
- K.W. v. Baltimore County Board of Education, reversing the local Board's student discipline decision and remanding the issue of comparable education services during the period of suspension.
- James Hagerty v. Carroll County Board of Education, affirming the local Board's employee dismissal decision.
- Vincent and Parul M. v. Charles County Board of Education, affirming the local Board's student discipline decision.
- S.R. v. Montgomery County Board of Education, affirming the local Board's decision.
- Ellen Z. and Assya P. v. Montgomery County Board of Education, affirming the local Board's decision and finding no violation of the Student Data Privacy Act.