

April 14, 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, David Steiner, Michael Phillips, Rose Li, Gail Bates, Clarence Crawford, Charles Dashiell, Jr., Lori Morrow, Rachael McCusker, and student board member Noureen Badwi.

State Superintendent's Updates

State Superintendent Karen Salmon made opening remarks praising the efforts of school systems and staff to ensure continuity of learning and vital services for students during this time of school closure in response to the COVID-19 pandemic. She emphasized that today's meeting would include several action items intended to provide additional clarity and flexibility for the local school system as they respond to the needs of students and staff.

Update on School Meals/Food Distribution

Dr. Salmon recognized and lauded the dedicated service of local school system staff in meeting the nutritional needs of students, serving 1.3 million meals last week at more than 600 sites, for a total of almost 4 million school meals served to date.

Update on CARES Act Funding

Dr. Salmon reminded the State Board that under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the U.S. Dept. of Education has 30 days following its enactment to respond to State requests for funding. She highlighted that Maryland would receive over \$207 million, with over 90% being distributed directly to local school systems. This funding may be used for a wide array of expenditures made in response to the outbreak and school closures, dating back to March 13th when the state of emergency was declared.

Update on Continuity of Learning

Dr. Salmon informed the State Board that she and the department have been conducting weekly and bi-weekly meetings with local superintendents, chief financial officers, and special education directors. This is to ensure that the department is aware of local system needs and working cooperatively to meet those needs and concerns.

She shared that she had established five workgroups on instructional issues, including high school seniors, graduation credits, attendance, grading, and detailed baseline standards for every subject and grade for this period. Also, the department has developed a [Frequently Asked Questions \(FAQ\) document](#), which is updated regularly, and available on the [MSDE COVID-19 webpage](#).

MSDE Frequently Asked Questions (FAQs) on COVID-19

[Attendance](#) 

[Course Credit/Promotion](#) 

[Career Technology Education](#) 

[Distance Learning](#) 

[Graduation Requirements](#) 

[Other/Miscellaneous](#) 

[Special Education](#) 

Dr. Salmon informed the Board that she has asked the local superintendents for continuity of learning plans that include the following:

- Overall description of how the school system will deliver continuity of learning
- Distance learning platform
- Technology available
- How the system will provide instruction to students without access to technology or the internet
- Descriptions of the roles of administrators, teachers, staff, students, and parents
- Plans of accountability on monitoring and grading students
- Plans to meet the needs of students with special education needs
- A sample teacher and student day
- An Equity Plan, including Special Education, English language learners, academic needs, homeless students, and gifted students
- Professional development plans for staff

Dr. Salmon noted that the department has conducted virtual meetings with technology liaisons in local school systems, which have informed the department of specific technology and service connectivity needs. Also, the department updated policies on student data privacy and has shared these with the local school systems.

She concluded by stressing no effort of this kind or on this scale has ever been undertaken, and that the department will be seeking additional funding sources to support device purchases and believe some unspent grant funds can be used for this purpose.

Maintenance of Effort – Non-Recurring Cost Request Deadline Extension

Amelie Brandenburg, MSDE CFO, reported to the State Board on Dr. Salmon's actions to extend the deadline for local governments to submit requests to exclude certain non-recurring costs from their calculations of the minimum maintenance of effort amount of funding to be provided in their Fiscal 2021 local budgets.

On March 24, 2020, the State Board approved an emergency resolution authorizing the State Superintendent to make decisions on behalf of the State Board to take appropriate actions to control

and prevent the spread of the COVID-19 virus. Under the resolution, the State Superintendent, in consultation with and with instruction of the President of the State Board is authorized to take appropriate actions that will be reviewed by the State Board at its next meeting.

According to the declared state of emergency, Dr. Salmon executed the notice of extending the requirement under COMAR 13A.02.05.03 Non-recurring Cost Exclusion. This notice extended the due date in .03B(1) from March 31, 2020, to May 1, 2020, for the county to submit to the department a written request to exclude qualifying non-recurring costs that are supplemental to the regular school operating budget. The State Superintendent also extended the date in response date in .03B(2) from May 1, 2020, until June 1, 2020. This notice went into effect immediately and will remain in effect until 30 days after the state of emergency has been terminated, and the declaration of the catastrophic health emergency has been rescinded by the Governor. A copy of the notice was forwarded to the School Finance Officials in the local school systems and posted on the Maryland State Department of Education's website on the Budget Branch page under Budget Resources. The State Board unanimously ratified this action.

Ms. Brandeburg responded to a question raised by board member McCusker to confirm that the State Board had not received any local government requests for waivers from the Maintenance of Effort amount of funding required to be included in local budgets for fiscal 2021.

Memo: [Timeline Extension for Non-Recurring Costs](#)

Deadline Extension for Local Notices of Non-Renewals of Contracts

Mary Gable, Assistant State Superintendent, described the Departments' request to extend the deadlines for notices by local school systems to teachers of their non-renewal for the next school year, as required under state regulations, COMAR 13A.07.02.01.

Contracts require that probationary teachers hired before January 1 receive written notice by May 1 for non-renewal of contract. Probationary teachers hired after January 1 must receive written notice of non-renewal of contract by June 15. Due to circumstances created by the COVID-19 pandemic, it is being requested that deadlines for notice of non-renewal of contracts be extended by at least 45-days.

The State Board unanimously approved the following deadline extensions:

- Extension of the May 1 deadline for written notice of non-renewals of certificated employees to be extended to June 15 for probationary teachers hired before January 1.
- Extension of the June 15 deadline for written notice of non-renewals of certificated employees to be extended to July 29 for probationary teachers hired after January 1.

Memo: [Request for Waiver Related to Terms of Contract for School Personnel](#)

Clinical Internship Options

Sara Spross, MSDE, requested retroactive approval of the policy options concerning clinical internship options for teacher preparation programs with candidates who anticipate difficulty completing their internship requirements during the COVID 19 crisis. The State Board unanimously approved this request.

On March 30, 2020, and after considerable consultation with the Maryland Higher Education Commission (MHEC) and Local School System (Superintendents), the attached policy statement was issued. Ms. Spross shared that all but one local school system is using Option 2, and in response to a question also noted that one small school system is using Option 3.

Option 2. Identify teacher interns to develop and deliver online lessons and instructional materials in collaboration with the Professional Development and Partner Schools. Teacher candidates would remain in their current internship setting and work in collaboration with mentor teachers to lead or co-lead instruction. Maryland Approved Programs (MAPs) would retain their current practices for mentoring and supervision.

Option 3. Teacher interns, whose placements are not offering continuity of learning, can complete a creative initiative.

Memo: [Clinical Internship Options for Teacher Preparation](#)

Update on Flexibility under Federal Education Law

Amelie Branderburg, MSDE CFO, described the numerous waivers the department is requesting from the U.S. Department of Education. Such waivers were authorized by the CARES Act to allow the U.S. Secretary of Education to waive certain requirements under the Elementary and Secondary Education Act (ESEA). These waivers are intended to allow the state and local school systems to have significantly more time and flexibility to spend allocated and otherwise restricted federal funds. The Board unanimously approved the request. The State Board unanimously approved the set of waiver requests.

Memo: [Flexibility for States in the Elementary and Secondary Act of 1965 \(ESEA\) on K-12 Education Funding](#)

Request for Waivers Related to Graduation, Assessments, and Service-Learning

Dr. Mary Gable, Assistant State Superintendent, informed the Board that the following set of requested waivers from State regulations and statutory requirements are drawn from numerous discussions Dr. Salmon has had with local superintendents and the committees previously described by Dr. Salmon. She emphasized that these waivers are being requested to apply collectively to all local school systems, in contrast with the usual process of considering each local waiver request separately, and therefore the first waiver being requested is to reflect this approach.

The Board unanimously approved the following waiver requests:

- Waivers from Regulations – Request a waiver from the requirement that the local superintendent of schools on behalf of the school system file a waiver request with the State Superintendent of School. (COMAR 13A.01.01.02-1)
- Local Graduation Requirements - Local Superintendents may waive additional graduation requirements for graduates in their school systems (credit requirements range from 21 to 26) (COMAR 13A.03.02.01)
- Note: *Credits for Graduation required under COMAR 13A.03.02.03 remain the same at 21 credits.*

- Maryland High School Assessments – Request a waiver for seniors from participating in and passing assessments in Algebra I, English 10, and American Government, and for participating in the Maryland Integrated Science Assessment (MISA). This request includes a waiver for seniors from completing the Bridge Plan for Algebra I, English 10, and/or American Government. (COMAR 13A.03.02.06)
- Student Service Graduation Requirement – Request a waiver of the Student Service requirement for seniors who have not met the requirements. (COMAR 13A.03.02.05)

Several other waivers apply to regulations governing cosmetology, barbers, and nail technicians, vision and hearing screenings, and CTE work-based learning requirements.

Board member Hartings requested clarification that there is no waiver of the credit requirement for graduation; so that all students are expected to achieve course level competency as they receive continuity of learning aligned with State standards and the associated credits toward graduation. Dr. Salmon responded that is correct, and reiterated the detailed set of standards for K-12 for all of the standards the department expects to be met, with the only flexibility being for any additional local standards and requirements.

Memo: [Request for Waivers Related to Graduation, Assessments, and Service-Learning due to the COVID-19 pandemic](#)

School Calendar Waiver Requests

To authorize Dr. Salmon to waive up to 5 days from the 180-day required a minimum number of school days per individual requests from local superintendents. The Board was also requested to approve the three waiver requests received to allow the Baltimore City, Charles County, and Washington County to open, retroactively, on the Friday before and Monday after Easter weekend. Also, Charles County requested a waiver for June 2, 2020, primary election day.

The State Board unanimously agreed to authorize Dr. Salmon to grant five-day waivers based on her determination. Also, Dr. Salmon confirmed board member Hartings' clarification that every day in the continuity of the learning process that began March 30 would count toward the 180-day requirement through the remainder of the school year.

Board member Mele-McCarthy asked about the availability of waivers from nonpublic schools, and staff responded that those requests are typically considered following and in accordance with actions on public school requests.

Memo: [Request for Waiver of Instructional Days for Maryland Public Schools](#)