

May 27, 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 decision made by State Superintendent Salmon on May 6, 2020, which declared that all schools would be closed through the end of the 2019-2020 school year.

## [Memo](#)

### **Federal CARES Act**

Dr. Salmon introduced MSDE's Chief Financial Officer, Amelie Brandenburg, who presented an overview of the Coronavirus Aid, Relief and Economic Security (CARES) Act as it pertains to the Maryland State Department of Education (MSDE). On March 27, 2020, the federal CARES Act was signed into law. The Act includes several different funding programs that fiscally impact MSDE and Maryland's schools, including funding for school nutrition, childcare, special education, and personal protective equipment (PPE). The Act also includes the Education Stabilization Fund, which provides funds to Governors and State Education Agencies to fund responses to the impact of the COVID-19 Pandemic on students, schools, teachers, and staff.

Dr. Salmon asked that the Board consider a motion to administer the equitable services grants that local school systems must allocate to nonpublic schools per the language of the CARES Act. Board counsel Elliot Schoen described the basis for the department's recommendation as aligning with the statute and how school systems have allocated funding under Title I. He noted that this methodology is not the one described in the guidance provided by the U.S. Department of Education, which would provide more per-pupil funding to nonpublic schools than under the language of the CARES Act. A unanimous vote approved the motion.

Link: [Coronavirus Aid, Relief and Economic Security Act Overview](#)

## **Maryland's Education Recovery Plan**

Dr. Salmon introduced the presentation of the draft document "Maryland Together: Maryland's Recovery Plan for Education," which is intended to provide the framework and guidelines for the reopening of schools following their statewide closure for the remainder of the school year due to the COVID-19 Pandemic. The Plan includes sections on Research, Instructional Programs, Support Programs, Professional Learning, Information Regarding Educators, Preparation and Services, Student Services, and Continuity of Learning.

The first draft of the Plan was released on May 6, 2020, and before its release was shared with the department's already existing Every Student Succeeds Act (ESSA) External Stakeholder Committee to gather feedback and recommendations.

Dr. Salmon stressed that the Plan is still in draft form and would continue to be a living breathing document. She noted the stakeholder committee, which had already reviewed the Plan before its initial release, would also be meeting on June 1<sup>st</sup> to engage in the review and consideration of the comments received on the draft plan. Dr. Salmon introduced the co-chairs of the development of the Plan, Dr. Carol Williamson, Deputy Superintendent, Office of Teaching and Learning, and Dr. Sylvia Lawson, Deputy Superintendent, Office of School Effectiveness.

Board President Sumpter raised a question regarding educational equity, and Dr. Williamson responded that a reference to equity would be discussed by the stakeholder group and would be added. Dr. Salmon responded to a question concerning cost issues, stressing that these issues are fluid and being managed locally by each school system.

Dr. Donna Hanlin, Wicomico County Superintendent, and Dr. Frederick Briggs, Chief Academic Officer, presented the school system's response to the pandemic and school closures. Dr. Hanlin emphasized her belief that "As a school system, we will come out on the other side of this much stronger." Dr. Briggs and Dr. Hanlin reviewed the system's continuity of learning plan, including the educational platforms and resources and the roles and responsibilities of staff.

Board questions and discussion focused on challenges in returning to school in the fall, from the role of local grading policies and uniform state standards to social distancing standards on school buses and in classrooms.

Dr. Boyd Michael, Washington County Superintendent, presented the school system's experiences and implementation of the continuity of learning plan. He noted the challenges of losing the engagement of 25-30% of students following the initial mid-March school closure and continuing to motivate engagement throughout the remainder of the school year. He described the components of the "Equitable Access by Design" strategies to maximize access to technology to enable students to engage in distance learning. Dr. Michael recognized the incredible work of teachers to engage in professional development through sharing within and outside the school system on how best to utilize the many platforms and resources that are available. He highlighted the role of parents and families in supporting students' distance learning, and accountability for school systems if required to transition from "crisis distance learning" this spring to "real distance learning" in the fall.

Link to the current Draft Plan: [Maryland Together: Maryland's Recovery Plan for Education](#)

## **Student Participation in Distance Learning**

The State Board received a report from Dr. Dara Shaw, MSDE's Research Director, on the rates of student participation in distance learning, as reported by a survey of local school systems. MSDE surveyed local school systems in early May about student participation in distance learning. Systems were asked to report about the prior one-week period. The survey asked about student access, participation, and engagement in distance learning, including online distance learning, distance learning packets, and non-contact/non-participation.

Dr. Shaw qualified the survey as imprecise based on the responses from the school systems and the variations in distance learning approaches and data collection practices. She emphasized that each school system is monitoring student access to distance learning, but not necessarily in a way that provides the data requested in the survey. It was clarified that while the Board had the benefit of the raw data by school system, the information was not surveyed with the intent to make public.

Link: [Survey Results](#)

## **Federal Perkins Funding Extension Requested**

The State Board approved the department's request to seek a waiver from the U.S. Dept. of education to allow the extension of the available FY18 Perkins funds for career and technical education until September 2021. Maryland schools and community colleges have been closed since March 2020 because of the COVID19 Pandemic, and this had impeded the ability to obligate federal Perkins funds within the established timeline.

Link: [Memo and Waiver Request](#)

## **High School Assessments**

The State Board granted the department's request for the approval of a waiver from state regulations governing high school assessments as graduation requirements. The request is to waive the requirement for all students who passed Algebra I, English 10, American Government, and the high school assessed science course in the 2019-2020 school year from participating in and passing assessments in Algebra I, English 10, and/or American Government, and for participating in the Maryland Integrated Science Assessment (MISA). This request also includes a waiver from completing the Bridge Plan for Algebra I, English 10, and/or American Government for any student who was to be reassessed or complete the Bridge Plan in the 2019-2020 school year.

Link: [High School Assessment Waiver Request](#)

## **Kindergarten Assessments**

The State Board approved the department's waiver requests pertaining to the administration of the Kindergarten Readiness Assessment (KRA) in the 2020-2021 school year. MSDE requested approval

of the waiver of the October 1 timeline requirement for the administration of the KRA to be extended to November 1; and also requested a waiver of the November 15 timeline for MSDE to publish and disseminate the aggregated assessment information to be extended to no later than December 15, 2020.

Link: [KRA Waiver Request](#)

## State Regulations

The State Board approved the final adoption of the department's requested amendments to State regulations governing environmental education, student absences, and emergency plans.

- **Environmental Education:** The proposed amendments to Maryland's Environmental Education instructional program are the byproduct of consultation with educators and stakeholders, with the overarching goal during the revision of the standards to reduce redundancy between the Environmental Literacy standards and content area standards. After the adoption of the revised standards, MSDE intends to develop a grade band framework to clarify further how local school systems can develop and implement the standards. [13A.04.17 Environmental Education \(Adoption\)](#)
- **Lawful Student Absences:** The proposed amendments to State regulations governing lawful student absences will update the regulations to reflect legislation enacted in 2017 to expand lawful absences to include absences of pregnant or parenting students (House Bill 616, Ch. 729, 2017). Current COMAR regulation 13A.08.01.03 does not include the changes provided for pregnant and parenting students in the statute. [13A.08.01.03 Lawful Absence \(Adoption\)](#)
- **Emergency Plans:** The proposed amendments to State regulations under COMAR 13A.02.02.03-.04 reflect the 2019 updated version of the 2017 Emergency Planning Guidelines for Local School Systems and Schools. [13A.02.02.03-.04 Emergency Plans \(Adoption\)](#)

## School Year Calendar Modifications

The department recommended, and the State Board approved the school year calendar modifications requested by 15 school systems and the SEED School to allow them to open school on Primary Election Day as a school closure make-up day for the 2019-2020 school year.

The department recommended against, and the State Board did not approve the calendar waiver request from the Frederick County school system to waive 12 days from the 2019-2020 school year. However, Dr. Salmon also clarified that she already has the delegated authority to grant the separate 5-day waiver requested by Frederick County, which was received after the 12-day waiver request.

Link: [All Calendar Waiver Requests](#)

## State Board Decisions

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

- Shane and Kimberly G. v. Carroll County Board of Education, affirming the local Board's denial of a bus stop request.
- Frances P. v. Baltimore County Board of Education, reversing the local Board's decision to deny compensatory education services, and remanding for the determination of the services to be provided.
- Aaron R. v. Montgomery County Board of Education, affirming the local Board's decision.
- Tylia Worthington v. Baltimore City Board of School Commissioners, reversing the local Board's decision, and directing the Board to recalculate the Appellant's 2018-2019 year-end evaluation.
- Victor and Sandra B. v. Anne Arundel County Board of Education, dismissing the appeal.
- Renice E. v. Howard County Board of Education, dismissing the appeal for untimeliness.
- Vikki Rayman v. Harford County Board of Education, denying the request for reconsideration.