

September 21-22, 2020

Special Meeting of the State Board (September 21, 2020)

On Monday, September 21, 2020, Board President Clarence Crawford convened the teleconference meeting and was joined by members, including: Vice President Jean Halle, Warner Sumpter, Rose Li, Joan Mele-McCarthy, Gail Bates, Charles Dashiell, Jr., Rachel McCusker, Lori Morrow, Shawn Bartley, Susan Getty, Holly Wilcox, and student board member Jason Wu.

[Meeting agenda, materials, and video.](#)

State Board Priority Setting

The Board received a presentation from Robert Hull, President, and CEO of the National Association of State Boards of Education (NASBE), on leading practices in priority setting. Board President Crawford introduced Mr. Hull and expressed the Board's desire to learn more about what other state boards are doing to set priorities that positively affect student learning outcomes. Mr. Hull provided an outline of NASBE's role and focus on equity and the roles of state boards and their members. He emphasized NASBE's commitment to assisting the Maryland state board in developing an aggressive results-driven policy-making agenda.

Board President Crawford presented his objectives to have the Board adopt priorities for the 2020-2021 school year and to defer adopting a new strategic plan until the new State Superintendent is selected in 2021. He noted the extensive number of conversations with stakeholders, including the Governor's office, legislators, and teachers' unions. Top priorities include overseeing the reopening of schools with an emphasis on equity, accountability, and safety and ensuring that MSDE and local school systems focus on the social-emotional needs of students, and the hiring of the new State Superintendent in 2021.

Board members Bartley, McCusker, Mele-McCarthy, and others engaged in a lengthy discussion on the relative priorities of returning students to school as soon as possible and ensuring proper safety measures. The Board deliberated before amending the priority on ensuring that MSDE and local school systems address the social-emotional needs of students and staff. Also, the Board discussed the priority of assessing student learning losses and preparing for how to accelerate learning in the 2020-2021 school year.

Meeting Calendar

The Board adopted a revised calendar through the end of 2020 to include additional Monday meetings in October and December. [Calendar](#)

Social-Emotional Learning

The Board received a presentation on social and emotional learning, which highlighted initiatives in local school systems and training provided and facilitated by MSDE. Dr. Salmon introduced Assistant Superintendent Mary Gable, and Walter Sallee, the Department's Director of Student Services and Strategic Planning. The presentation provided descriptions of the Department's multi-faceted approach to supporting social-emotional learning through the Positive Behavioral Interventions and Supports (PBIS) program, trauma-informed schools program, and restorative approaches to student discipline. He emphasized the roles of school counselors and psychologists, the focus on family engagement, and accountability for cultural sensitivity and racial proportionality in programs and outcomes.

Mr. Sallee outlined the specific types of training programs and technical assistance provided to local school systems and highlighted programs, including the Adverse Childhood Experiences (ACEs) Interface and Youth and Adult Mental Health First Aid. He described the significant federal funding provided, particularly through Title IV, Part A, as the lifeblood of the departments' work. He also highlighted a local initiative in the Harford County school system to provide virtual calming rooms.

Board discussion focused on the Department's role in training local school system personnel on ACEs and the challenges presented by the shortage of school psychologists to reaching optimum student to staff ratios.

[Presentation](#)

Regular Meeting of the State Board (September 22, 2020)

On Tuesday, September 22, 2020, Board President Clarence Crawford convened the teleconference meeting and was joined by members, including: Vice President Jean Halle, Warner Sumpter, Rose Li, Vermelle Greene, Joan Mele-McCarthy, Gail Bates, Charles Dashiell, Jr., Rachel McCusker, Lori Morrow, Shawn Bartley, Susan Getty, Holly Wilcox, and student board member Jason Wu.

[Meeting agenda, materials, and video.](#)

Public Comment

The State Board heard public comments from individuals, including:

- A parent was urging the reversal of the decision to cancel all fall sports due to the detrimental impacts on students, especially scholarship eligible students.
- Cheryl Bost, President of the Maryland State Education Association (MSEA), raised concerns about the lack of engagement with teachers and other key stakeholders on task forces and commissions.
- A physical therapist requested fall training protocols to mitigate the negative impacts of the lack of physical activity and risk for injury upon return to sports.
- Dr. Laurie Henry, Dean of Education at Salisbury University, requested the consideration of the opposition of K-12 and higher education stakeholders and the Professional Standards Teacher Education Board (PSTEB) to the State Board's recently proposed teacher licensure and preparation program reforms.
- A parent opposing the decision to cancel the fall high school football season.

- A parent citing a petition of 7,000 supporters to allow fall sports and highlighting the risk that parents withdraw students from public schools for private schools and out-of-state options to return to play.
- A parent requesting all school systems offer the option to return to schools for instruction and sports.
- A parent in favor of allowing students to return to participate in fall sports.

Oral Argument

The State Board heard oral arguments in an exceptions hearing for the following case: Baltimore Education Trust for Young Men v. Baltimore City Board of School Commissioners.

Career & Technical Education

Tiara Booker-Dwyer, Assistant Superintendent for College and Career Readiness, briefed the Board on the Department's revised vision for Career and Technical Education (CTE). This included an overview of the CTE Four-Year State Plan, MOA Plan, and Standards Review documents, establishing the foundation for the revised direction for CTE in Maryland.

Ms. Booker-Dwyer shared that over the last year, the Division of Career and College Readiness convened stakeholders to facilitate a comprehensive review of standards, courses, and credits for each CTE program of study. The purpose of the review was to ensure that all CTE programs aligned with industry standards and provided the opportunity for students to earn industry and/or postsecondary credentials.

The Board voiced their support for the Department's CTE program and discussed the importance of the CTE program responding to cybersecurity workforce development demands.

[Presentation](#)

Recovery & Reopening Plan Review

Ms. Booker-Dwyer presented a summary of the Department's review and evaluation of each local school system's education recovery and reopening plan. She outlined the State's 13 required elements of each local plan, cross-divisional evaluations and ratings, and each element by using the ratings of comprehensive, acceptable, developing, and unable to be rated.

Priority areas for improvement in local plans included identifying data to measure equity, clear plans of action to accelerate learning to address gaps, and identifying subjects such as art and health education. Ms. Booker-Dwyer also highlighted that plans needed to improve how they describe the use of accessible technology for students with disabilities.

Board members asked questions regarding local plan provisions for student transportation, stakeholder engagement, plans for the provision of personal protective equipment (PPE), and protocols for ensuring the safety of students and staff upon return to school buildings. Ms. Booker-Dwyer responded to questions, noting that shipping delays for technology and PPE are pervasive in the local plans. Dr. Salmon emphasized that MEMA and FEMA have delivered millions of PPE items and that she is not aware that a shortage of PPE is a significant issue. She also stressed that the health standards for identifying individuals with symptoms, testing, and contact tracing are in the purview of the State Department of Health and local health departments.

Dr. Salmon shared that all plans are now rated as either acceptable or comprehensive, and therefore all approved as meeting the State's standards. This fact, in conjunction with the Governor's decision to move into stage three, should facilitate the reopening of schools in all school systems in the near future. Board member Rose Li asked whether, based on these plans being approved, the State Board can demand that local school systems either reopen or explain why they can't. Dr. Salmon responded that these are local decisions and that all local superintendents are engaged in community-based discussions as they determine their reopening steps.

Summary and Review of Local School System Reopening Plans

Assistant Superintendent Mary Gable provided a report in response to several questions posed by the State Board, including which school systems require that teachers provide virtual instruction from their classrooms. Ms. Gable described school system practices, including the following:

- Seven local school systems require teachers to teach from their classroom;
- 18 allow for teachers to make a choice to teach from their classroom or a remote location;
- Eight have established a certain date to revise the location of the teachers (remote and/or classroom);
- Ten allow teachers teaching from their classroom to bring their children to school; and
- Twenty-three allow parents to elect to maintain virtual instruction for their students during a hybrid model or full in-person instruction model.

Ms. Gable also reviewed the updated local school system plans for reopening. She noted that this information is current as of Sept. 17, 2020, with updates and changes frequently occurring among the systems. Dr. Carol Williamson, Chief Academic Officer, presented the Department's review of the local school system supports and services delivered to students with disabilities. Dr. Williamson acknowledged that some regression in learning has been unavoidable and emphasized the need for additional funding to support compensatory educational recovery services. The Department is pursuing the use of CARES Act funding for this purpose. She outlined three significant challenges:

- Administering evaluations and meeting required IDEA timelines;
- Meeting the unique needs of students who require extensive, intensive, individualized instruction and support; and
- Budgeting for compensatory education/recovery services* and new/different/additional student needs.

Dr. Dara Shaw, MSDE's Director of the Office of Research and Strategic Data Use, described the technical assistance provided by the Department, including training local assistant superintendents and accountability coordinators on synchronous and asynchronous learning and first-term performance metrics. The results of the first term performance metrics will be compiled in December and presented to the State Board in December/January. She also explained the calculation of synchronous instruction.

- For a week, school systems must provide an average of at least 3.5 hours of synchronous instruction each day across all grade levels (K-12); and
- Synchronous instruction can be spread out over the day, and amounts can vary from day to day. Still, systems must provide some synchronous instruction each day in each grade, and there must be at least six hours of total instruction (synchronous and asynchronous) each day.

Regarding performance metrics, Dr. Shaw reviewed the Department's determination to use the following specific criteria for reviewing local school systems assessments of student performance. She provided examples of narrative questions, including:

- Describe how the system implemented the Recovery Plan's process to accelerate learning and/or provide support in recovering learning loss.
- How has the system used the results of the diagnostic assessment and other information to identify and address student learning needs?
- How is instruction being delivered and adapted to meet student learning needs?
- Describe how the system follows the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, and Title II of the Americans with Disabilities Act (ADA).
- Describe the way students who are consistently marked absent are being engaged.

Dr. Shaw also shared that for each grade and subject area, local school systems will be required to identify the percent of assessed students who the diagnostic determined were:

- Below expectation - meaning they are below grade level and/or behind where the diagnostic predicted they should have been at the start of the school year given their academic progress during the previous school year
- At expectation - meaning they are on grade level and/or at the level predicted by the diagnostic
- Above expectation - meaning they are above grade level and/or ahead of where the diagnostic predicted they would have been at the start of the school year.

Board President and members discussed their concerns with implementing hybrid plans and their desire to identify and promote successful strategies. Dr. Salmon agreed and emphasized that the Department provides technical assistance through ongoing, daily communications to help local systems get to where they need to be.

Presentation: [Maryland's Recovery Plan for Education: Update on Reopening Plans, Special Education, and Monitoring and Evaluation](#)

Fiscal Year 2022 Budget Estimates and Requests

The State Board agreed to authorize the State Superintendent to submit the Department's FY 2022 budget requests to the Department of Budget and Management (DBM). This is a confidential process in which state agencies do not disclose to the public the budget requests submitted to the Governor and DBM. Specifically, the Board approved for submission to DBM the following items: the FY 2022 base budget estimates; the FY 2022 request for State Aided Educational Institutions, which is included in the Funding for Educational Organizations budget; and the FY 2022 budget reduction options.

[Memo](#)

Update on Financial Reporting Requirements

The State Board was briefed on the status of audit reports of local school systems and approved the annual delegation of authority to the State Superintendent to withhold funds from local school systems that are not in compliance with the laws governing audits and other financial standards and reporting requirements.

[Memo](#)

Emergency Teacher Certification Regulations

The Board approved for publication the Department's proposed amendments to regulations under COMAR 13A.12.01.14 to create an emergency teaching certificate for use during a state of emergency. The purpose of the emergency certification would be 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.

[Regulation](#)

State Board Member Reports

Board member Dr. Vermelle Greene presented a detailed update on the progress of the State Board's [Task Force on Achieving Academic Equity and Excellence for Black Boys](#), which she chairs. Board Vice President Halle provided a brief update on the State Digital Learning Committee, which she chairs.

Opinions

The State Board issued legal opinions in the following cases:

- Beth B. v. Calvert County Board of Education, dismissing the appeal for lack of standing.
- Gina F. v. Howard County Board of Education, affirming the local Board's student assignment decision.
- Charlene Stafford v. Baltimore City Board of School Commissioners, affirming the local Board's employee termination decision.
- S.R. v. Montgomery County Board of Education, dismissing the appeal for untimeliness.