

March 22, 2022

On Tuesday, March 22, 2022, Board Vice President Charles Dashiell, Jr. convened the meeting and was joined by members, both in person and virtually, including: Shawn Bartley, Gail Bates, Chuen-Chin Bianca Chang, Susan Getty, Vermelle Greene, Jean Halle, Rachel McCusker, Lori Morrow, Warner Sumpter, Holly Wilcox, and student member Kevin Bokoum.

[Link to meeting agenda, materials, and video.](#)

### **Public Comments**

The State Board heard public comments presented both virtually and in person. A parent voiced concerns with the operation of the Prince George's County school system; a parent urged reforms to the provision of special education services including student transportation and educational programming; Baltimore County Superintendent Daryl Williams presented highlights of the school system's accomplishments in the 2021-2022 school year; Shanetta Martin, Executive Director of the Maryland Education Coalition, advocated for using long-term holistic strategies to provide a world class education to students and communities with concentrated poverty; individuals raised concerns with quality of services provided to homeless students in compliance with the federal McKinney-Vento law; and a school counselor in the Anne Arundel County school system advocated that counselors benefit from the National Board Certification program and related salary increases provided to teachers under the Blueprint for Maryland's Future law.

### **Consent Agenda**

The Board approved the consent agenda including personnel actions and budget adjustments.

### **Maryland State Education Association Leadership Presentation**

The Maryland State Education Association (MSEA) presented an overview of the organization and highlighted priority advocacy issues. Panelists included President Cheryl Bost, Vice President Theresa Mitchell Dudley, and Treasurer Joseph Coughlin. Ms. Bost outlined the association's support for Blueprint funding and implementation, supports for social emotional learning and attention to meeting the mental health needs of students and staff, support for the ongoing and appreciated collaboration with Superintendent Choudhury and MSDE staff.

## **Districts that Succeed: Breaking the Correlation Between Race, Poverty, and Achievement**

Guest Presenter, Karin Chenoweth, presented her learnings based on her research with the organization Education Trust and reflected in her published works. She described the 1960s research of James Coleman, a professor at Johns Hopkins University, including the Equality of Education Opportunity Student Study, or “Coleman Study,” on the educational outcomes for economically disadvantaged students. She emphasized the need for data-driven teacher collaboration to inform teaching and learning, and described research findings from Stanford University on successful strategies in school systems across the country.

## **State Board Strategic Plan Discussion**

Board Vice President Dashiell addressed the board’s resolution calling for a return to in-person instruction, and asked whether the board could adopt a resolution or statement in support of a new focus or priority on students benefitting from transformational change in their education. He noted the desire to move away from a priority focused on COVID and to adopt a resolution that reflects the shared focus of the members on something that is more positive and hopeful. Board members Halle, McCusker, Sumpter, and Bokoum and other board members discussed their support for an integrated priority for transformation.

Superintendent Choudhury addressed the six priorities the department has adopted and his opinion that grounding the progress in transformative change is fine, as long as it is not a separate initiative and fits within the larger framework.

The board agreed to task the Superintendent with crafting language for their review and approval.

## **COVID Transmission Rates and School Logistics**

Superintendent Choudhury opened the presentation of recent data for the monthly update on state logistics and transmission rates related to the COVID-19 pandemic, including data on the number of students and staff who have needed to be quarantined, positivity rates, 7-Day moving average case rates per 100K by jurisdiction, community transmission levels, and statewide hospitalizations. The presentation also featured updated reports on local school system COVID protocols and mask mandates, and the new interim K-12 school and childcare COVID-19 guidance.

Board members engaged in a wide-ranging discussion of issues including the teacher shortage and teacher education pipeline, lack of living wages and benefits for support staff, and role of outside contractors providing support services such as information technology and bus drivers. Ms. Bost also emphasized the development of partnerships with community colleges to improve marketing and expansion of educational programs for new teachers and other school staff.

Presentation: [School Logistics and Transmission Rates Related to COVID-19 Update](#)

## **Local School System Virtual Programs Update**

Superintendent Choudhury introduced Dr. Deann Collins, Deputy Superintendent of Teaching and Learning, who presented a comprehensive update on the status of approved virtual learning programs offered in the 2021-2022 school year. She noted that the presentation is organized around six themes. The report provided detailed updates on second quarter virtual program enrollment data and reviewed the quarterly metrics for demographics and attendance for the second marking period. Comparisons of fail rates and attendance rates for virtual students compared to all students were presented; and highlighted strategies used in two local school systems to decrease their failure rates and increase student success. Dr. Collins also presented data from Allegany County and Frederick County. Superintendent Choudhury responded to several questions from board members about the role and benefit of synchronous and asynchronous instruction and the role of private vendors. Board members also raised concerns about the attendance data for virtual programs. He described the goal to curate the data to determine the outcomes for students, in the context of legislation which may pass to further govern the operation of virtual schools and the role of vendors, including vendor teachers.

Presentation: [Virtual Program Updates](#)

## **COVID Learning Loss Updates**

Chandra Haislet, MSDE's Director of Performance Reporting and Accountability, presented an overview of the kindergarten readiness assessment (KRA), noting the increase from 39% to 74% of students participating in the KRAs, toward the mandate to have a 100% participation rate. She highlighted the differentiated KRA results for racial and ethnic groups of students based on household income. Ms. Haislet then presented the comprehensive assessment program results for English language Arts and Mathematics. Board member Lori Morrow, as a parent of a student in his cohort, raised questions about the most current data on the progression of these students through higher math. Superintendent Choudhury responded that nationally mathematics saw the most dramatic negative impacts of the lack of synchronous and in-person instruction. Ms. Haislet also presented and responded to questions on the statewide data for graduation rates, and AP, SAT, and Postsecondary Enrollment and outcomes.

Presentation: [Kindergarten Readiness Assessments and Early Fall Assessment Results \(2021\)](#)

Presentation: [Adjusted Cohort Graduation Rate, Advanced Placement, SAT and Postsecondary Enrollment](#)

## **2022 Legislative Session**

Ary Amerikaner, MSDE Chief of Staff, presented an overview of selected education bills as of the March 21 "cross-over" deadline for bills to pass in their chamber of origin to be guaranteed a hearing in the opposite chamber. She outlined House Bill 1450, described below, and noted the very different approaches taken in House and Senate bills revising approval and operational standards for virtual schools.

House Bill 1450 - Blueprint for Maryland's Future - Implementation Plans and Fund - Alterations (Sponsor: Delegate McIntosh)

MSDE Position: Support with Amendments; Status: Passing the House with amendments; MSDE continues to seek further amendments in the Senate.

Synopsis: HB 1450 pushes back the requirement date in which entities must develop and submit the implementation plans required within the Blueprint. The Accountability and Implementation Board (AIB) would have until December 1, 2022 to adopt their comprehensive implementation plan, while MSDE and other entities (including local school systems) would have until March 15, 2023 to submit their plans to the AIB.

Senate Bill 362 - Primary and Secondary Education - Virtual Schools - Revisions (Sponsor: Senator Pinsky)

MSDE and State Board Position: Support with Amendments; Status: Passed Senate (31-15).

Synopsis: This bill changes the requirements for a local board of education or the Maryland State Department of Education (MSDE) to establish a virtual school and sets requirements for students, teachers, and services at a virtual school. A local school system is limited to establishing one virtual school per grade band; however, MSDE may authorize a local school system to establish an additional virtual school on a showing of just cause. A virtual school may not include classes for pre-kindergarten or kindergarten students. A teacher preparation program must include instruction on training in the skills and techniques for teaching effectively in a virtual learning environment.

House Bill 1163 - Primary and Secondary Education - Virtual Education - Requirements (Sponsor: Delegate Washington)

MSDE Position: No Position; Status: Second Reading Passed with Amendments

Synopsis: This bill establishes requirements related to virtual education for public schools. MSDE must study the best practices for the provision of virtual education and develop criteria for the establishment of virtual schools. A virtual school may not be established through a contract with a for-profit institution that is responsible for the day-to-day education of the students within the school. All employees within a virtual school will be considered public school employees and will have the right to collectively bargain to address the needs of the particular school.

Presentation: [2022 Legislative Session Summary](#) (March 22, 2022)

## Regulations

The State Board received an overview from Assistant Superintendent Steven Hicks and granted final approval for the following Child Care related regulations:

- COMAR 13A.14 - Child and Family Day Care; COMAR 13A.15 - Family Child Care; COMAR 13A.16 - Child Care Centers; COMAR 13A.17 - Child Care - Letters of Compliance; and COMAR 13A.18 - Large Family Child Care Homes.

The purpose of the proposed amendments is to align the regulations more closely with the requirements of the CCDBG Act, as amended (42 U.S.C. 9858 et seq.). The proposed amendments are consistent throughout all five subtitles of regulations. The State Board reviewed the amendments to the regulations at the September 28, 2021, meeting. The amendments to the regulations were published in the Maryland Register from January 28, 2022, to February 28, 2022. During the 30-day comment period, the MSDE received three public comments.

[Memo & Regulations](#)

## Board Opinions

The State Board issued legal opinions for the cases:

- *Wendy Novak v. Carroll County Board of Education*, affirming the local board's decision regarding the school calendar.
- *Eric R. and Shannon A. v. Baltimore City Board of School Commissioners*, affirming the local board's decision denying early first grade entry.
- *Daniel Shifflett v. Caroline County Board of Education*, remanding the case to correct an evidentiary error regarding Maryland's wiretap law.