

December 6, 2022

On Tuesday, December 6, 2022, Board President Clarence Crawford convened the State Board's monthly meeting in the board room of the Washington County Board of Education, and was joined by Vice President Susan Getty, Chip Dashiell, Jr., Shawn Bartley, Gail Bates, Chuen-Chin Bianca Chang, Vermelle Greene, Jean Halle, Joan Mele-McCarthy, Rachel McCusker, Lori Morrow, Warner Sumpter, Holly Wilcox, and student member Merin Thomas, from Wicomico County.

[Link to Dec. 6, 2022 meeting agenda, materials, and video](#)

Public Comments

Public comments were delivered by the following individuals: Dr. Jeffrey Lawson, Cecil County School Superintendent, thanked the State Board for school calendar flexibility to incorporate 8 virtual days to account for inclement weather, facilitate professional development, and meet other needs. He also noted the recent release of the State Blueprint implementation plan and thanked the department for the collaborative technical assistance to school system staff working to complete the local Blueprint plans. Rick Tyler, representing the Maryland Education Coalition (MEC), outlined MEC's positions on issues advocacy for adequate funding and transparent accountability to support the Blueprint, and identified several specific requests relating to Blueprint implementation plans. He reiterated a request for current enrollment data as soon as available to ensure that adequate resources are provided for all students and student groups. Alexandria Warrick Adams, representing Elev8Baltimore, highlighted the South Baltimore Adult High School Program pilot program which they operate and urged that flexibility and operator autonomy be reflected in the regulations proposed by the department. Sharon Saroff raised concerns with college and career readiness standards and related programs and services for students with disabilities, including job training. Wendy Novack raised concerns with anti-LGBTQ+ student harassment and discrimination in the Carroll County school system under policies adopted by the local board of education.

Consent Agenda

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

State Board Executive Director Announcement

President Crawford and board members welcomed Zachary Hands as the new Executive Director for the State Board. Mr. Hands thanked the board for the opportunity to support their work, noting that he previously served in MSDE's government relations office.

Maryland Leads Grant Spotlight

Superintendent Choudhury began the presentation on how school systems are leveraging the Maryland Leads grants to implement programs under the seven strategy areas, noting that he asked presenters to focus on their Grow Your Own educator programs and Science of Reading initiatives.

Justin Dayhoff, Assistant Superintendent for Financial Planning, Operations, and Strategy, outlined the total investment in Grow Your Own programs in the 23 participating school systems of \$47.8 million including local matching funds, with the potential to generate 300 new teachers, 100 new paraprofessionals, and 400 conditionally certified teachers. The Science of Reading is the largest initiative with a total investment of more than \$53 million to train all K-Grade 3 teachers, special educators, literacy specialists, and principals in the Science of Reading instruction and the use of high quality, content-rich and culturally relevant materials. Mr. Dayhoff provided an overview of these Maryland Leads grant programs underway in the Caroline and Frederick County school systems.

Dr. Kevin Cuppett, Executive Director of Curriculum, Instruction, and Innovation, and Dr. Keith Harris, Executive Director of Accelerating Achievement and Equity, presented on Frederick County's Grow Your Own and Science of Reading grant-funded initiatives. Dr. Cuppett thanked his school system staff and MSDE for the work to design and implement these programs.

Dr. Harris presented on the Grow Your Own program which features a partnership with Mount St. Mary's University to recruit, train, and support Behavior Analysts and Special Education Teachers through Masters programs. The program includes 32 candidates in both programs, with tuition and fees fully paid with Leads grant funds, and the requirement for a four-year commitment to working in the school system following their certification. The Exceptional Leaders Innovating and Transforming Education (ELITE) Administrative Residency Program supports aspiring school-based administrators who would like to better prepare themselves for the assistant principal role beyond.

Dr. Cuppett emphasized that Frederick County's Science of reading initiative began in 2019 before the pandemic, and that the Leads grant significantly advances this work by requiring implementation of three strategies, including: a contract with an outside entity providing staff training, using high-quality, content-rich instructional materials and assessment tools, and adopting a progress monitoring system focused on all students reading at grade level by the end of third grade. He highlighted the intent to embed as much training as possible, but that the grant also funds teacher compensation for additional professional development time.

Board member Vermelle Greene asked if the Science of Reading initiatives have resulted in measurable improvements, and staff responded that students have improved DIBELS scores by grade level and within their cohorts from year to year. Board member Shawn Bartley requested clarification on the timeline for seeing results from the new professional development, and the day-to-day collaboration between Mount St. Mary's University and the school system. Dr. Harris responded that positive results are already being observed through teacher observations and

alignment of classroom and after school programs. He also described the ongoing, embedded interaction of university and school system staff.

Caroline County Superintendent Derrick Simmons described his school system's progress in improving student outcomes in vocabulary and reading comprehension by adopting Science of Reading programs, including DIBELS scores and iReady diagnostic assessments. He also highlighted the Aspiring Leaders Academy to support teachers who desire to become administrators and the use of Leads funding to increase hiring of staff in critical needs areas including school psychologists and speech pathologists, and to expand the pipeline of other staff through a partnership with Chesapeake College and targeted programming, financial supports, and agreements to commit to working in the school system.

[Presentations: MSDE, Frederick, and Caroline County School Systems](#)

Stakeholder Engagement Session: Maryland Community Health Resources Commission & Maryland Consortium on Coordinated Community Supports

Mark Luckner, Executive Director of the Commission, presented on the creation of the Consortium in the Blueprint for Maryland's Future Act, which is "housed" within the Commission. He outlined the statutory responsibilities of the Commission focusing on expanding access to affordable primary care services, dental care for children and adults, and other health services. Mr. Luckner then presented a detailed overview of the Consortium. The Maryland Consortium on Coordinated Community Supports is a 24-member group created by the Blueprint for Maryland's Future. It is housed in the Maryland Community Health Resources Commission (CHRC). The Consortium is a new state agency to expand access to student behavioral health services and related "wraparound" needs.

The Consortium has three purposes: (1) Support the development of coordinated community supports partnerships to meet student behavioral health needs and other related challenges in a holistic, non-stigmatized, and coordinated manner; (2) Provide expertise for the development of best practices in the delivery of student behavioral health services, supports, and wraparound services; and (3) Provide technical assistance to local school systems to support positive classroom environments and the closing of achievement gaps so that all students can succeed. The key tasks include developing the statewide framework for partnerships, maximizing Medicaid funding to support services, supporting positive classroom environments, and establishing a new grant program.

Mr. Luckner thanked Superintendent Choudhury for his leadership on the Consortium's Framework, Design, and RFP Subcommittee. He outlined the ongoing development of hubs for coordinating services and potential roles for local management boards, mental health entities, and local school systems.

[Presentation](#)

Local Education Agency Virtual Programs Update

Superintendent Choudhury introduced his capstone presentation on Maryland's experience with virtual learning during the 2021-2022 school year. Dr. Deann Collins, Deputy State Superintendent for Teaching and Learning, led the presentation on fourth quarter enrollment, demographic and student performance data and summaries of lessons learned. 12,277 students were enrolled in virtual learning programs as of June 1, 2022. The presentation also included data on staffing and professional development. In addition, MSDE presented on the virtual learning programs in the Wicomico County and Washington County school systems.

Dr. Collins concluded by outlining next steps including continuing to collect program performance data and to pursue legislation. Superintendent Choudhury was critical of the overall negative impacts of virtual learning on student learning, emphasizing that virtual learning will continue to be an option but should be administered based on lessons learned, and therefore not be an option for all students. In addition, he stressed that if school systems use asynchronous virtual learning during inclement weather that no attendance or grades negatively impact students on these days.

Board members engaged in lengthy discussion on their concerns with the performance of virtual learning. Superintendent Choudhury noted the interest in Annapolis to reintroduce virtual learning legislation, which passed but was ultimately vetoed by Governor Hogan, and the department's commitment to influence the legislation to ensure high standards for how virtual programming is offered in Maryland.

[Presentation](#)

Kindergarten Readiness 2023 Results

Superintendent Choudhury and Chandra Haislet presented the 2023 results for the Kindergarten Readiness Assessment (KRA), which is a statewide assessment of all students entering kindergarten, and completed by October 1, to determine whether they are:

- Demonstrating Readiness – consistently demonstrate the foundational skills and behaviors that enable a child to fully participate in the kindergarten curriculum.
- Approaching Readiness – exhibit some of the foundational skills and behaviors that are needed to participate in the kindergarten curriculum.
- Emerging Readiness – show minimal foundational skills and behaviors that prepare them to meet kindergarten expectations.

The percent of Maryland kindergarteners demonstrating readiness increased two percentage points as compared to 2021-2022. Statewide, the percentage Demonstrating Readiness remains below pre-pandemic levels. Statewide, the percentage of kindergarteners demonstrating readiness is 42% for the 2022-2023 School year. School systems vary from a low of 31% to a high of 73% in the percent of kindergarteners demonstrating readiness.

Board members and Superintendent Choudhury discussed the importance of students entering Kindergarten ready to learn, the value of the whole child approach of the KRA, and the significant benefits to come under the Blueprint's major expansion of high-quality Prekindergarten programs.

[KRA Presentation \(slides 1-14\)](#)

Maryland School Survey Results

Chandra Haislet, MSDE, presented an overview of the Maryland School Survey, which is a component of the State's Every Student Succeeds Act (ESSA) plan. The survey is administered in the spring to all educators and students in grades 5 to 11 and covers four domains, including:

- Safety – Physical safety, emotional safety, bullying, substance abuse.
- Environment – Behavioral and academic supports, physical environment.
- Community – Respect for diversity, participation, and engagement.
- Relationships – Student-student relationships, student-staff relationships.

The educator survey has a 5th domain:

- Quality of Instructional Feedback – The degree to which teachers receive useful, actionable, adequate feedback from school leadership to improve their teaching.

Ms. Haislet presented the student and educator responses under each domain. She also highlighted the availability of MSDE's new newsletter providing monthly updates from the Division of Assessment, Accountability and Performance Reporting.

[Survey Presentation \(slides 58-78\)](#)

2022 NAEP Results

Matt Dammann provided a detailed report on the National Assessment of Educational Progress (NAEP) results, including national comparisons and outcomes from the national study in which Maryland participates. NAEP is a congressionally mandated project of the National Center for Education Statistics. Known as "The Nation's Report Card," NAEP is the only test administered nationwide that allows for direct comparisons of student achievement across states and participating districts. The test is administered in math and reading in grades 4 and 8 every two years, and the 2022 NAEP was the first administration since the start of the COVID-19 pandemic.

Superintendent Choudhury stated that regardless of the lack of alignment between NAEP and Maryland's assessment program, the gaps and performance levels compared with other states indicate that Maryland has work to do.

[NAEP Presentation \(slides 33-57\)](#)

MCAP Standard Setting Update and 2022 Results (Preliminary)

Chandra Haislet provided an overview of the standard setting process for tests administered through the Maryland Comprehensive Assessment Program (MCAP). The Every Student Succeeds Act (ESSA) requires states to assess students annually in grades 3-8 and once in high school in English Language Arts (ELA), mathematics, and science. The MCAP provides information to families, educators and the public on the academic progress students are making towards mastery of the Maryland content standards, and fulfills federal and state assessment requirements.

Ms. Haislet shared that during the summer and fall of 2022, MSDE's Office of Assessment convened panels of teachers to participate in standard setting for the assessments. The panelists were Maryland teachers, instructional specialists/coaches, and administrators. The outcomes of the standard setting process, including cut scores and achievement standards, are presented for the following MCAP: English Language Arts (ELA) 3-8 and English 10, mathematics 3-8, Algebra I, Algebra II, and Geometry, high school Life Science Maryland Integrated Science Assessment (LS MISA), and high school government.

The recommendations by the standard setting panels were reviewed by MSDE and the cut scores and achievement standards, once established, will place student test scores into the Performance Levels of Distinguished Learner, Proficient Learner, Developing Learner, or Beginning Learner. The English Language Arts/Literacy cut scores apply to assessments in grades 3-8 and grade 10. The Mathematics cut scores apply to assessments in grades 3-8 and Algebra I and II, and Geometry. The Maryland Integrated Science Assessment (MISA) Life Science and Government assessment cut scores apply only at the high school level. However, Grade 5 and 8 Science already has approved standard setting measures, and Grade 8 Social Studies will have standard setting completed after the 2022-2023 school year.

The board discussed the recommended cut scores and level of rigor being established. Board President Crawford inquired as to the measures and rates of improvement reasonable to expect from the transformative reforms being carried out under the Blueprint. Superintendent Choudhury responded that generally the rates of improvement should certainly be greater than the expectations prior to the pandemic.

At the conclusion of the meeting the State Board granted permission for the State Superintendent to adopt the achievement standards and cut scores presented for English/language Arts, Mathematics, Science, and Government.

[Standard Setting Presentation \(slides 15-23\)](#)

[MCAP Presentation \(slides 24-32\)](#)

Mental Health-Related Student Absences Regulations

The State Board approved for publication and public comment regulations aligned with legislation passed in 2022 requiring MSDE to adopt a policy for public school students that treats an absence due to a student's behavioral health needs the same as an absence due to an illness or another

somatic health need. The proposed regulations also include the requirement that a certificate from an appropriate health care provider license or certified under the Health Occupations Article be provided to the school for a student absent for a behavioral health need.

- [13A.08.01.03 Lawful Absence](#)

Adult High School Regulations

The State Board approved for publication and public comment regulations for the adult high school pilot program to provide an alternative method for adults who did not graduate from high school to earn a high school diploma and potentially earn postsecondary education credits and industry-recognized certification in an environment that meets the needs of an adult learner. MSDE and the Department of Labor (DOL) shall jointly administer the program. The proposed regulation establishes requirements and policy for the establishment of up to six pilot projects, each of which may enroll up to 350 students. MSDE and DOL must give priority to pilots located in counties, municipalities, or geographic areas where the high school attainment rate is below the State average.

- [13A.05.14 Adult High School Pilot Program](#)

Public Information Act Regulations

The State Board approved for publication and public comment proposed regulations to align MSDE regulations and practices with authority provided under state law to charge fees for certain responses to PIA requests. Separately, regulations were approved to establish processes and procedures for a public request for a correction or amendment of public records of MSDE. A person in interest may make a request for correction or amendment for any public record that MSDE keeps and the person in interest is authorized to inspect.

- [13A.01.08 Public Information Act Request](#)
- [13A.01.09 Correction or Amendment of Public Records](#)

Local School System Financial Reporting Requirements

The State Board of Education authorized the State Superintendent, in accordance with the Education Fiscal Accountability and Oversight Act of 2004, to notify the Comptroller to withhold 10% of the January State aid payment and each subsequent installment for any school system that is not in full compliance with financial reporting requirements under §5-114 of the Education Article, including:

- Timely submission of the annual audit report or submission within 10 days after notification that the report is late (§5-114(d));
- Submission of a corrective action cost containment plan within 15 days of notification by the State Superintendent of a deficit situation; and
- Submission of monthly status reports on actions taken to close the deficit.

[Memo](#)

State Board Priorities

Board President Crawford reviewed the State Board's priorities for the coming year as follows:

Priority 1

In close collaboration with the Maryland State Board of Education, the Maryland State Department of Education will launch a multiyear Strategic Plan which will be released in three phases leading up to June 2023. The Strategic Plan will anchor the department's vision, mission, values, priorities, enablers, goals, and flagship programs, initiatives, and strategies to realize the Blueprint for Maryland's Future's promise of an excellent and equitable education for every student.

Priority 2

By June 2023, the Maryland State Department of Education will ensure all local education agencies receive best in class technical assistance to successfully develop and receive approval for a high-quality, initial district Blueprint Implementation Plan spanning multiple years from the Accountability and Implementation Board.

Priority 3

By June 2023, launch a newly organized Office of Teaching and Learning in the Maryland State Department of Education to ensure best in class support, professional learning, and leadership to local education agencies and early childhood education providers to develop and scale high-quality teaching and learning across the state aligned to the Blueprint for Maryland's Future.

Board Opinions

The State Board issues legal opinions for the following cases:

- *In the Matter of Request for Removal of Local Board Members Tara Battaglia and Donna Sivigny*, declining to issue charges and dismissing the removal request.
- *In the Matter of Request for Removal of Local Board Member Kenneth Kiler*, declining to issue charges and dismissing the removal request for mootness.
- *Holly Greenstreet and Belinda Huesman, et al. v. Anne Arundel County Board of Education*, dismissing for untimeliness the appeal regarding the school system's adopted starting and dismissal times.
- *R.P. and R.P. v. Montgomery County Board of Education*, affirming the local decision denying admission to the International Baccalaureate (IB) Program.
- *Anna S. v. Howard County Board of Education*, affirming the local decision denying early entry into kindergarten.
- *Brandon Matthews v. Baltimore City Board of School Commissioners*, dismissing the appeal for mootness regarding the denial of a request for religious exemption from mandatory vaccination.