

# MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday  
January 28, 2014

Maryland State Board of Education  
200 W. Baltimore Street  
Baltimore, Maryland 21201

The Maryland State Board of Education met in regular session on Tuesday, January 28, 2014 at 9:00 a.m. at the Nancy S. Grasmick State Education Building. The following members were in attendance: Dr. Charlene M. Dukes, President; Dr. Mary Kay Finan, Vice President; Mr. James H. DeGraffenreidt, Jr.; Mr. Larry Giammo; Ms. Luisa Montero-Diaz; Ms. Linda Eberhart; Dr. S. James Gates, Jr.; Mr. Christian Hodges; Mrs. Madhu Sidhu; Mr. Guffrie M. Smith; Donna Hill Staton, Esq.; and Dr. Lillian M. Lowery, State Superintendent of Schools. Mr. Sayed Naved was absent.

Elizabeth Kameen, Esq., Assistant Attorney General, and the following staff members were also present: Mr. Steve Brooks, Chief Operating Officer; Dr. Jack Smith, Chief Academic Officer; Mr. Anthony South, Executive Director to the State Board; and Penelope Thornton Talley, Esq., Chief Performance Officer.

Dr. Dukes welcomed new Board member, Larry Giammo and recognized Mr. Hodges who introduced several attendees from the Carroll County Student Government Association.

## **CONSENT AGENDA**

Dr. Dukes opened the meeting and asked for a motion to approve the Consent Agenda.

Upon motion by Dr. Gates, seconded by Ms. Staton, and with unanimous agreement, the Board approved the Consent Agenda as follows: (In Favor – 10; Mr. DeGraffenreidt arrived late.)

- Approval of Minutes of December 16, 2013
- Personnel (copy attached to these minutes)
- Budget adjustments for December, 2013

Dr. Lowery thanked Steve Brooks, who will retire at the end of January, for his many years of excellent service to the Department. She introduced Kristy Michel, Deputy State Superintendent for Finance and Administration (COO), who will replace Mr. Brooks. Dr. Lowery said, "It will be a smooth transition."

Mr. Brooks said, "It's time for me to retire. It's been such an honor for me to have worked with such brilliant people and such a great cause."

Dr. Dukes said to Mr. Brooks, "It has been, indeed, a pleasure to work with you and for you. We will certainly miss you."

## **SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) UPDATE**

Dr. Lowery introduced Cindy Hasselbring, Special Assistant to the State Superintendent, to say a few words about the strategic plan for STEM that is being developed.

Ms. Hasselbring introduced Tiara Booker-Dwyer, Program Director, Maryland Business Roundtable for Education (MBRT) and Dr. Tara Ebersole, Professor of Biology and STEM Liaison, Community College of Baltimore County (CCBC).

Ms. Hasselbring said that by 2018, seven percent of all jobs in Maryland will be STEM related and stressed the high need for STEM workers. She said that the Governor received a STEM Task Force Report in 2009 with seven recommendations aimed at establishing Maryland as a global leader in the development of its workforce of the future and its STEM-based research and economic development infrastructure. She said that an eighteen member STEM Education Task Force is developing a STEM Education Strategic Plan.

Dr. Ebersole reported that CCBC working collaboratively with stakeholders throughout the county, has established a repository of STEM activities in Baltimore County entitled STEM Central. She also reported on a conference held for sharing ideas and networking.

Ms. Booker-Dwyer reported that the Maryland Business Roundtable for Education (MBRT) has a stake in STEM education and has developed a STEM Innovation Network. She said they are trying to make sure that all teachers and students have access to STEM information. She noted that MBRT has gleaned a lot of information from its business members on their staffing requirements.

Ms. Hasselbring said that the Strategic Plan will address five key areas and will be completed by August:

1. Teacher resources
2. Professional learning for in-service and pre-service
3. STEM achievement gap and equity issues
4. Communication
5. Ways to learn from each other -- internships

Ms. Hasselbring said, "It is important for students to learn when it's appropriate to lead and when it's important to follow. We are helping kids become leaders."

In response to a question by Dr. Gates, Ms. Hasselbring said that she will provide Board members with more detailed information on the STEM Task Force membership. In response to another question by Dr. Gates, Ms. Booker-Dwyer said that there are STEM high schools all across the State and that the STEM program is going to expand to middle and elementary schools as well.

In response to a question by Ms. Sidhu, Ms. Booker-Dwyer said that local chamber of commerce members are included in STEM education activities.

Mr. Smith urged that leadership skills, planning and decision-making be included in STEM education.

In response to a question by Ms. Staton, Dr. Ebersole said that the Strategic Plan provides a repository for teachers to share ideas across all school districts. In response to another question by Ms. Staton, Ms. Booker-Dwyer said that students and parents are all engaged in STEM discussions.

Ms. Ebersole noted the need for professional development to make teachers aware of “micro messages” which can turn students away from the STEM programs.

Mr. DeGraffenreidt said, “In the promotion of STEM, are we being careful about messaging? Is there anything where universities are rethinking what are the pathways to success in the STEM disciplines?” Ms. Hasselbring said, “In this plan, we are thinking about the different populations. Everyone needs to be STEM proficient.”

Dr. Gates said that he is involved in several studies looking at opening up of math. He said, “It is a national issue.”

Ms. Montero-Diaz said, “The teacher’s enthusiasm makes such a big difference.”

Mr. Hodges said, “It is important that students keep options open in science and math.”

## **2014 QUALITY COUNTS REPORT**

Dr. Smith reported on *Quality Counts*, a report produced by *Education Week* which tracks key indicators and grades states on their performance and outcomes. He reported that in 2014, *Education Week* only updated the three performance categories and integrated those with policy data from previous years and did not assign a state composite score or overall ranking. He discussed the various indicators used and provided the updated performance levels for Maryland schools in the following categories:

- K-12 Achievement
- Chance for Success
- School Finance

Dr. Smith said, “This Report is important. It is cause for celebration. We are not sick, but we can get better.”

Mr. DeGraffenreidt said, “I agree with not ranking states. It allows us to focus on what’s important.”

Ms. Eberhart asked about the finance piece. She said, “What are the factors that are important as we extend the Thornton formula? Can we have a work session? Other states spend more money per student.”

Mr. Brooks responded that these are complex statistical analyses based on four principles:

1. Adequacy
2. Equity
3. Simplicity
4. Flexibility

Ms. Eberhart asked for a breakdown of the dollars spent on PreK -12 public education in Maryland over the last five years. Dr. Smith agreed to provide that information to Board members.

Ms. Staton said, "We have had a lot of successes but we are going to continue to try to achieve our goal – providing every student with a world class education."

Ms. Montero-Diaz said, "We can be a model for other states."

### **ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA) FLEXIBILITY EXTENSION**

Dr. Lowery asked Dr. Smith and Penelope Thornton Talley to discuss Maryland's request for an ESEA Flexibility Extension.

Dr. Smith reported that he and Ms. Thornton Talley are co-chairs of a committee looking at this issue. He noted that Maryland was granted a two-year flexibility waiver for the 2013-2014 and 2014-2015 school years and discussed the principles of the ESEA flexibility:

- Transitioning to college- and career-ready standards and assessments
- Developing systems of differentiated recognition, accountability, and support
- Evaluating teacher and principal effectiveness and support improvement
- Reducing duplication and unnecessary burden

Ms. Thornton Talley discussed a recent monitoring call in which positive comments were received on the break-through center which helps to mitigate the challenges faced by low performing schools.

Dr. Smith reported that equity in staffing is being discussed across the state and is a concern being addressed by the U.S. Department of Education (USDE). He said that USDE will be providing a written report and that two amendments will be brought to the Board for approval in March dealing with testing and math and the teacher/principal evaluation system transition.

In response to a concern expressed by Ms. Eberhart, Dr. Lowery said that there is a verbal agreement for "One test – one child" and that the state assessments will be used for information purposes only.

Dr. Dukes thanked the staff and all the partners for their excellent work on this issue and Dr. Smith thanked Ms. Thornton Talley for her invaluable work in this effort.

## **COMAR 13A.02.06 GENERAL FINANCIAL AID TO LOCAL SCHOOL SYSTEMS**

Ms. Kameen explained the reasoning which lead to the State Board's adoption of an emergency regulation, COMAR 13A.02.06 General Financial Aid to Local School Systems, at the December meeting. This action was taken in response to the recent passage of SB 740, College and Career Readiness and College Completion Act of 2013. She explained that a definition of "early college program" is required and that more time is needed to accomplish this task. The Board is therefore being asked to extend the emergency status of this regulation from March 2, 2014 to September 1, 2014.

Upon motion by Mr. DeGraffenreidt, seconded by Dr. Finan, and with unanimous agreement, the Board approved Ms. Kameen's request. (In favor – 11)

## **COMAR 13A.08.01 GENERAL REGULATIONS (ADOPTION)**

Dr. Lowery introduced Maria Lamb, Acting Assistant State Superintendent; Walter Sallee, Acting Executive Director; and Robert Murphy, Specialist, School Completion, Discipline and Alternative Programs, all in the Division of Student, Family and School Support Services to discuss changes to COMAR 13A.08.01 General Regulations.

Ms. Lamb reported on the long history associated with creation of the amended Student Discipline Regulations for Maryland public schools.

Mr. Murphy reported on the comments received in support and opposition subsequent to the publication of the proposed regulations.

In response to comments submitted regarding the need for additional resources to support implementation on the proposed changes to the discipline regulations, Mr. DeGraffenreidt noted that LEAs already have resources to spend on discipline issues and stated that it is an issue of reallocating resources and resetting priorities. He said, "There is not a lot of data that suggests a link between what professional development is funded and effectiveness in the classroom. So this is yet another opportunity to re-evaluate how the resources that already exist are allocated for the purpose of achieving the overall educational goals. If you do the monitoring and follow-up that you describe, that is something to keep in mind."

Ms. Eberhart requested that data be collected throughout the next school year on student discipline to have a base to look at it annually.

Ms. Staton said that she hopes these regulations will provide leaders more discretion. She said, "zero tolerance isn't freedom, it's a complete lack of discretion. So let's think differently and broadly about what it is we are really trying to achieve and, hopefully, we will all be on the same page and not have to worry about a default position."

In remarks, Dr. Gates said, "I would like to commend the Board and the Department for a deliberative and thoughtful process that has brought us to this point. We do not want to diminish

local control. We, in fact, want to liberate it so that more professional discretion at lower levels can be exercised, in particular, towards suspensions around non-violent issues.”

Dr. Finan said, “A safe school is foremost. We didn’t rush to judgment. We were very collaborative and inclusive. It’s time to move forward.”

Dr. Lowery recommended that the State Board promulgate the regulations as final.

Dr. Dukes expressed her intention to provide the following statement before calling for a motion on this regulatory proposal:

*Before I call for a motion on these regulations, I want to recognize the extraordinary effort and groundbreaking work this Board, with the assistance of educators, parents, advocates, and other stakeholders from across Maryland’s public education community, has undertaken here. The State Board of Education could not have accomplished this work were it not for the contributions made by so many persons and groups who not only worked and wrote in support of the proposed changes, but also those who wrote in opposition and helped to sharpened the Board’s focus. The State Board wishes to extend special thanks to Dr. D’Ette Devine, Superintendent of the Cecil County Public Schools, and Dianna Morris, Director of the Open Society Institute – Baltimore, along with the membership of the School Discipline Regulations Workgroup, for their work in crafting a series of recommendations that responded to four issues that garnered particular attention following the release of the State Board’s first regulatory proposal on school discipline.*

*While the State Board recognizes that there are many different and divergent perspectives on school discipline issues, the Board believes all involved in this debate and discussion are dedicated to the key principle of creating safe schools where effective teaching and learning can take place. That principle forms the basis of the USDE guidance for “Improving School Climate and Discipline” recently issued, right here in Baltimore City, by the Secretary of Education and the U.S. Attorney General.*

*Those Guiding Principles echo what we on this Board firmly believe -- that safe schools are not created through suspensions and expulsions of students. Safe schools grow out of positive school climates and in our several years of study we have frequently acknowledged the importance of building a positive climate in every school. To that end, we directed a Best Practices Workgroup be formed. We will hear from that group at our February meeting. So, our work will continue moving forward.*

*Today, however, we have the opportunity to establish a regulatory structure that reflects a simple truth -- that Maryland is dedicated to finding ways to provide all of our students with an education that prepares them for college and careers. We believe that to get that education, students need to be in school. If it is necessary to suspend or expel a student, however, we need to be sure that they remain linked to the school through homework and contact from the school to the student.*

*As we work to reduce the achievement gap, we believe these regulations will help. They include a requirement to address and end the disproportionate impact of discipline on students of color*

*and students with disabilities. We believe that eliminating that disproportionate impact will help us close the achievement gap.*

*Our work has been detailed and resolute. The State Board again thanks the many educators, parents, and advocates who contributed their ideas to our study and to the regulations. I call now for a motion to promulgate these regulations as final.*

Mr. DeGraffenreidt pointed out that two former Board members did a lot of heavy lifting and focused this Board on the importance of this issue and also helped shape some of the panels that contributed to the record -- Dr. Ivan Walks and Kate Walsh. He also acknowledged and thanked Liz Kameen, "who wrote, edited and guided the Board with good counsel on how to build a complete record and reflect the 360 degrees of input that we received and have that work reflected in the final product."

Upon motion by Mr. DeGraffenreidt, seconded by Ms. Staton, and the Board voted to adopt COMAR 13A.08.01 General Regulations. (In Favor – 10; Abstentions -1 – Mr. Giammo)

### **2013 BRIDGE TO EXCELLENCE MASTER PLANS UPDATES**

The Superintendent asked Steve Brooks and Maria Lamb to brief the Board on the 2013 Master Plan Updates required by the Bridge to Excellence Act.

Ms. Lamb reported that the review of Master Plans is a department-wide project which included more than eighty reviewers this year. She said the Master Plan is the Department's key accountability tool and provided a brief overview of the Master Plan review process.

Mr. Brooks said, "A Master Plan without alignment of budget is a wish list." He said local education agencies (LEAs) must provide budget alignment.

Ms. Lamb reported that all 24 updates were approved by Dr. Lowery for the 2013-2014 school year.

In response to a question by Ms. Staton, Ms. Lamb said that Universal Design for Learning (UDL) is not incorporated in the Master Plan updates but that Department staff will discuss her suggestion.

### **STATE LEGISLATIVE AND BUDGET UPDATE**

Dr. Lowery called on Renee Spence, Executive Director, Governmental Relations, and Steve Brooks to provide a brief overview of legislative proposals and highlights of the Governor's Budget Proposal.

Mr. Brooks reported that overall funding for education is up by \$135.6 million. He reported on new funding for the following programs:

- Pre-Kindergarten
- Maryland Meals for Achievement
- Geographic Cost of Education Index (GCEI)
- Digital Learning
- Early College Education
- Sustainability of the RTTT Program

Ms. Spence reported that more than 1000 bills have been introduced in the General Assembly thus far and that the Department is tracking more than 125 bills. She reported that Dr. Lowery attended all retreats held by the education committees and that Dr. Duker and Mr. DeGraffenreidt accompanied the State Superintendent on visits with legislative leaders to educate them on education initiatives.

Ms. Spence provided a list of bills for information only as well as legislation for discussion and possible State Board action. She noted that HB 76 Implementation of the Common Core State Standards – Prohibition, has not been assigned a hearing date and that there may be other bills submitted on this issue. She agreed to keep the Board apprised of these bills.

Upon motion by Mr. DeGraffenreidt, seconded by Dr. Gates, and with unanimous agreement, the Board *most emphatically* opposed HB 76 Implementation of the Common Core State Standards – Prohibition. (In Favor – 11)

Upon motion by Mr. DeGraffenreidt, seconded by Mr. Smith, and with unanimous agreement, the Board agreed to remain silent on HB 114 Geographic Cost of Education. (In Favor – 11)

Upon motion by Mr. DeGraffenreidt, seconded by Dr. Finan, the Board *most emphatically* opposed HB 117 Maryland School Assessment. (In Favor – 10; Ms. Eberhart abstained)

Ms. Spence discussed HB 297/SB 332 Pre-kindergarten Expansion Act of 2014, expanding pre-kindergarten services to specified four year old children. She explained that this program would provide cost free pre-K for families of four making \$50,000 or less.

Dr. Gates discussed HB 423 Implementation of Next Generation Science Standards – Prohibition, and said, “This Board is committed to opening doors for students. This bill thwarts those efforts.”

Upon motion by Dr. Gates, seconded by Mr. DeGraffenreidt, and with unanimous agreement, the Board voted to oppose HB 423 Implementation of Next Generation Science Standards – Prohibition. (In Favor – 11)

Following brief discussion about HB 117 Maryland School Assessment, Dr. Lowery said, “Every state must assess students.”

## EXECUTIVE SESSION

Pursuant to §10-503(a)(1)(i) & (iii) and §10-508(a)(1),(7), & (8) of the State Government Article, Annotated Code of Maryland, and upon motion by Mr. DeGraffenreidt, seconded by Mr. Smith, and with unanimous agreement, the Maryland State Board of Education met in closed session on Tuesday, January 28, 2014, in Conference Room 1, 8<sup>th</sup> floor of the Nancy S. Grasmick State Education Building. All Board members were present except Sayed Naved. In attendance were Dr. Lillian Lowery, State Superintendent of Schools; Steve Brooks, Chief Operating Officer; Dr. Jack Smith, Chief Academic Officer; Penelope Thornton Talley, Esquire, Chief Performance Officer; and Tony South, Executive Director, Office of the State Board. Assistant Attorneys General, Elizabeth M. Kameen, Jackie La Fiandra, and Derek Simonsen were also present. The Executive Session commenced at 1:05 p.m. (In favor – 11)

The State Board approved two Opinions for publication.

- *Marco and Alison F. v. Charles County Board of Education* – student transfer – Opin. No. 14-01
- *John S. v. Harford County Board of Education* – suspension – Opin. No. 14-02

The State deliberated seven cases. They will be published at a later date.

- *Denesa Churchey v. Washington County Board of Education* – non-renewal of bus contracts
- *Mary E. v. Anne Arundel County Board of Education* – residency
- *Michael Mitchell v. Baltimore City Board of School Commissioners* – employee termination
- *National Education Partner, Inc. v. Baltimore City Board of School Commissioners* – denial of charter school application
- *Northwood Appold Community Academy Public Charter School v. Baltimore City Board of School Commissioners* – charter school contract
- *Scott T. v. Anne Arundel County Board of Education* – school bus service
- *Diane Wilkins v. Prince George's County Board of Education* – employee termination

The Board discussed five internal board management issues. They were (1) whether to create a confidential contact list for Board members for internal use only; (2) updating the Superintendent's contract using the new cohort dropout and graduation rate data; (3) follow-up to the State Board retreat – reviewing the Facilitator's Report and the Board Self-Assessment Results; (4) responses to outside requests to complete surveys, etc.; (5) scheduling the date for the 2014 State Board retreat.

The session ended at 1:40 p.m.

## RECONVENE

The meeting reconvened at 2:05 p.m.

## **DIVISION OF SPECIAL EDUCATION/EARLY INTERVENTION SERVICES** **STRATEGIC PLAN**

The Superintendent introduced Marcella Franczkowski, Assistant State Superintendent, Division of Special Education/Early Intervention Services, to give an overview of the services provided by the Division of Special Education/Early Intervention Services (DSE/EIS).

Ms. Franczkowski discussed the framework of the Special Education Program within the Department noting that Maryland services children from birth to twenty-one. She discussed the identification process for early intervention and special education and provided a federal report card showing Maryland's compliance with the terms of the federal mandate, Individuals With Disabilities Education Act (IDEA).

Ms. Franczkowski provided data on the numbers of children served per year by race/ethnicity, specialized populations, by disability, by disability trends and in the *least restrictive environment* (LRE). She provided performance results for school readiness, MSA trends, alternate MSA trends and HSA results.

Ms. Staton asked that the data on the total number of children served be broken down by identified disabilities. Ms. Franczkowski agreed to provide that information.

Ms. Franczkowski reported on the increase of autism nationally noting that one in fifty children is identified with a form of autism.

She reported that graduation rates for students with disabilities have increased by 2.5 percent and discussed the goal of narrowing the achievement gap between these students and students in general education programs.

In response to a question by Ms. Eberhart, Ms. Franczkowski said that the increase in the gap between students with disabilities and general education students has to do with access. She said that this is a funding issue that is being discussed.

As a result of a request by Ms. Staton, Ms. Franczkowski said she would provide more context and specifics of the disabilities requiring special education services at the Board's July meeting. Dr. Dukes requested a "deeper dive" into special education services at that meeting.

Ms. Franczkowski discussed standards-based Individual Education Plans (IEPs) and said that the spring Educator Effectiveness Academy will present training for teachers who teach students with disabilities. She discussed the various tools and resources available to narrow the achievement gap.

Dr. Lowery said to Ms. Franczkowski, "I enthusiastically embraced your reorganization strategy."

Ms. Franczkowski introduced and thanked the many staff and stakeholders in the audience.

## **RACE TO THE TOP (RTTT) UPDATE**

Penelope Thornton Talley reported that fifty-four amendments have been submitted to the USDE thus far and that a plan has been created for project year four. She explained that funding has been re-allocated and that the USDE will be doing an on-site review in February and visiting three LEAs. She introduced Mary Gable, Assistant State Superintendent, Division of Academic Policy, to further discuss the RTTT update.

Ms. Gable reported that the USDE has submitted questions in response to Departmental amendment requests and that staff are working on the responses.

Dr. Donnell Josiah, RTTT Program Director, discussed Project 4/3, Curriculum and Formative Assessment Development. He said that they are procuring eight STEM courses and that the Project should be upgraded to a "3" by February.

Dr. Josiah discussed Project 15.07, Expand Instructional Toolkit, reporting that a vendor contract had to be terminated but that a new vendor will be on board by February

Mr. DeGraffenreidt asked, "Where are we by the end of the grant? Will we be on schedule?" Ms. Eberhart suggested that a timeline column be added to the report and Ms. Gable agreed that that would be helpful. Ms. Gable said that the Department has spent 61 percent of the funding thus far and that LEAs have spent 68 percent.

In response to a question by Dr. Dukes, Dr. Lowery said that some states that appeared to be on target to complete projects had problems with the completion. Mr. DeGraffenreidt said, "You have solicited input from many places, but you have to make decisions that lead toward standardized approaches."

Melissa Schropp, Program Manager, Formative Assessment reported on Projects 17.32 Implement a Test Item Bank System (TIBS), 18/33, Implement a Computer-Adaptive Test Delivery System (CATS), 19/34 Item Load and Integration Setup for Test Item Bank System and 20/35, Adaptive Testing Units for High Schools, stating that staff is re-drafting a Request For Proposal (RFP) for CATS and TIBS.

Dr. Gates suggested that the vendor contract contain a "pay back" provision. Ms. Schropp said that the vendor contract states that the vendor must provide online feedback and conduct meetings with staff.

Mr. DeGraffenreidt said that the key is on the front end by qualifying people as to their financial strength. Ms. Schropp reported that the RFP does require references from other states.

Maria Lamb, Interim Assistant State Superintendent, Division of Student, Family and School Support, reported on Project 46/57, Extend Student Learning and Improve School Culture, Climate, and Support. She said that the newly-hired Project Manager for Project 53/44 will assist this Project.

## **PUBLIC COMMENTS**

Dr. Dukes explained procedures by which the Board hears public comments. The following individual provided public comments:

- David O'Neill – In opposition of discipline regulations
- William Akridge, Maryland Eastern Shore Charter School Alliance – charter schools
- Bertha Knight – gifted and talented education
- Ann Efron, American Heart Association – CPR in schools
- Michaeline Fedder – CPR programs in schools

## **STATE SUPERINTENDENT UPDATE**

Dr. Lowery asked Dr. Smith and Dr. Johnson to provide an update on assessment requirements for high schools and high school graduation rates.

Dr. Johnson provided graphics depicting assessment requirements for high school for students entering ninth grade in school years 2013-2014 and 2014-2015. He stressed, "One test, one student."

In response to a question by Dr. Finan, Dr. Johnson said that English 10 should be added in other columns since it is a graduation requirement.

Dr. Lowery stated that the elimination of the bridge program will be in 2017-2018 and that she will have that designated in the graphics.

Dr. Johnson provided graphics depicting the 2013-2014 year cohort graduation rate and the 2013-2014 cohort dropout rate. He noted that there has been a decline overall of one percent in students not completing high school in four years. He said he attributes these improvements to the excellent work of principals and teachers.

In response to a request by Ms. Eberhart, Dr. Johnson said he will provide the Board with the news releases issued by each local school system on their graduation and dropout rates.

## **BOARD MEMBER UPDATES**

Ms. Diaz stated that she is a member of the Maryland Adult Literacy Advisory Committee and noted that the Committee was informed that an alternative General Education Diploma (GED) test is being looked at but has not been vetted yet.

## **OPINIONS**

Ms. Kameen announced the following Opinions:

- 14-01 *Marco and Alison F. v. Charles County Board of Education* – student transfer (affirmed the local board’s decision)  
14-02 *John S. v. Harford County Board of Education* – suspension (affirmed the local board’s decision)

**ADJOURNMENT**

With no further business before the Board, the meeting adjourned at 4:55 p.m.

Respectfully submitted,



Lillian M. Lowery, Ed.D.  
Secretary/Treasurer

Date: 7/25/14

# MARYLAND STATE BOARD OF EDUCATION

## CLOSED SESSION

On this 28<sup>th</sup> day of January 2014, at the hour of 12:50 am/pm, the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: James DeShoffenicht

Seconded by: Ruffie Smith

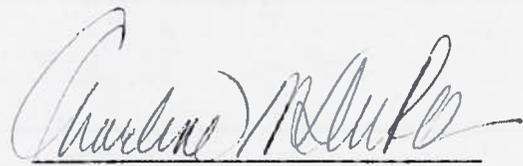
In Favor: 11 Opposed: 0 Member(s) Opposed: \_\_\_\_\_

The meeting was closed under authority of §10-503 (a) (1) (I) and §10-508 (a) of the State Government Article of the Annotated Code of Maryland for the following reason(s): (check all which apply)

- (1) To discuss: (I) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees or officials over whom it has jurisdiction; or (ii) any other personnel matter that affects one or more specific individuals.
- (2) To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
- (5) To consider the investment of public funds.
- (6) To consider the marketing of public securities.
- (7) To consult with counsel to obtain legal advice.
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation.
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (I) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination.
- (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
- (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding proposal process.

The topics to be addressed during this closed session include the following:

1. Discuss 9 legal appeals.
2. Discuss 3 internal Board management matters.

  
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President

**MARYLAND STATE DEPARTMENT OF EDUCATION  
PERSONNEL APPROVALS FOR THE January 28, 2014 BOARD MEETING**

**I. Appointments Grade 19 and above:**

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Hudock, Kenneth L.	Education Program Specialist I, Family Support Services Specialist	21	Special Education/Early Intervention Services	TBD
Kaplan, Marsye	Education Program Supervisor, Monitoring and Accountability Section Chief	22	Special Education/Early Intervention Services	TBD
McGinnity, Mark (Promotion)	Child Care Licensing Regional Manager	19	Early Childhood Development, Office of Child Care, Region III	TBD
Parris, Jenaya	Education Program Specialist I, Early Learning Program Development Specialist	21	Early Childhood Development	TBD

**II. Appointments Grade 18 and below:**

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Blue, Demetrius	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Region VI	01/22/2014
Dews, Cornell	Teacher, Academic – Mathematics	IEPP	Career and College Readiness, Juvenile Services Education Program	12/11/2013
Edmonson, Derek K.	Computer Network Specialist II	17	Office of Information Technology	01/08/2014
Ehrenfeld, Stanley	Computer Network Specialist II	17	Office of Information Technology	01/08/2014
Jackson, Alisa T.	Teacher, Academic – Language Arts	IEPP	Career and College Readiness, Juvenile Services Education Program	01/22/2014

Jackson, Michael J.	Financial Compliance Auditor II	15	Office of the State Superintendent, Audit Office	01/22/2014
Rodeheaver, Dawna M.	Child Care Licensing Specialist Trainee (Part-time)	13	Early Childhood Development	01/22/2014
Stout, Jaclyn E.	Teacher, Academic – Mathematics	IEPP	Career and College Readiness, Juvenile Services Education Program	12/11/2013

**III. Other Actions:**

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
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None



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State Superintendent of Schools

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January 28, 2014

**BOARD LIST**

The following professional appointment is submitted for approval by the State Board of Education:

**Name:** Kenneth L. Hudock  
**Position:** Education Program Specialist I, Family Support Services Specialist  
**Division:** Special Education Early Intervention Services  
**Salary Grade:** 21 (\$59,355 - \$95,297)  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**EDUCATION:**

A Master's Degree or equivalent 36 post baccalaureate credit hours of course work in Education, Special Education, or a related field.

**EXPERIENCE:**

Fours years of professional experience in or affiliated with special education or early intervention, programs related to services for children with disabilities and their families is preferred.

**DESCRIPTION:**

This is a professional position responsible for providing technical leadership assistance and in the development and implementation of the annual plan for professional development and with the coordination of the statewide network of family support services for families of children with disabilities, ages birth through age 21.

[www.MarylandPublicSchools.org](http://www.MarylandPublicSchools.org)

**Qualifications:**

**Education:**

Salisbury State University (Salisbury, Maryland) 1995 – Master’s Degree in Education

Clarion University of Pennsylvania (Clarion, Pennsylvania) 1991 – Bachelor’s Degree in

McDaniel College (Westminster, Maryland) 2006 - Administrator I and Administrator II – MSDE Certification

**Experience:**

Wilmington University (New Castle, Delaware)

1995 – Present: Adjunct Professor (Psychology, Education, and Sociology Courses)

Kent County Public Schools (Rock Hall, Maryland)

2007 – 2013: Principal, Instructional Leader and IEP Chair, Worton Elementary School

2006 – 2007: Principal, Instructional Leader and IEP Chair, Galena Middle School

2005 – 2006: Assistant Principal, Support Instructional Program and IEP Chair, Kent County High School

Queen Anne’s County Public Schools (Centreville, Maryland)

1997 – 2005: Special Education Department Chair, QAC High School

1996 – 1997: Special Education Teacher, Stevensville Middle School

Chesapeake College (Wye Mills, Maryland)

1996 – 2001: Adjunct Professor (Psychology, Education, and Sociology Courses)

Dorchester County Public Schools (Cambridge, Maryland)

1995 – 1996: Special Education Teacher, CSD High School

Council on Children, Youth, and Families (Cambridge, Maryland)

1993– 1995: Family Preservation Program (Birth – 21)

Bethany House Group Home (Cordova, Maryland, Maryland)

1992– 1993: Education Liaison and Counselor

George Junior Republic (Grove City, Pennsylvania)

1991– 1992: Program Facilitator and Case Manager

**Employment Status**

New Hire



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January 28, 2014

**BOARD LIST**

The following professional appointment is submitted for approval by the State Board of Education:

**Name:** Marsye Kaplan  
**Position:** Education Program Supervisor, Monitoring and Accountability Section Chief  
**Division:** Special Education/Early Intervention Services  
**Salary Grade:** 22 (\$63,341- \$101,708)  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**Education:**

A Master's Degree or equivalent 36 post baccalaureate credit hours of course work in Education, Special Education or a related field.

**Experience:**

Four (4) years of professional administrative experience in or affiliated with special education or early intervention. Experience coordinating or administering programs related to services for individuals with disabilities and their families is preferred.

**NOTE:**

Two additional years of experience as defined may substitute for the Master's Degree.

**JOB DESCRIPTION:**

This is a professional supervisory position responsible for monitoring local lead agencies and local school systems to ensure compliance and improve results for infants, toddlers, young children, and youth with disabilities and their families, birth through age 21.

Marsye Kaplan  
Page two

**Qualifications:**

Loyola College (Baltimore, Maryland) 1976 – Master’s Degree in Speech Pathology

Towson University (Towson, Maryland) 1974 – Bachelor’s Degree in Speech Pathology

Western Maryland McDaniel College (Westminster, Maryland) 1988 – Master’s Degree in Special Education

**Experience:**

Baltimore County Public Schools (Towson, Maryland)

- 1985 – Present: Assistive Technology Team Leader
- 2011 – 2012: Acted Supervisor of Related Services
- 1993 – 1994: Speech/Language Team Leader
- 1985 – 1993: Speech Language Pathologist

Johns Hopkins University (Columbia, Maryland)

- 2000 – Present: Adjunct Instructor

Towson University (Towson, Maryland)

- 1989 – Present: Adjunct Instructor

Self-Employed (Owings Mills, Maryland)

- 1993 – Present: Trainer/Consultant

Carroll County Public Schools (Westminster, Maryland)

- 1976 – 1985: Speech Language Pathologist

Baltimore City Public Schools (Baltimore, Maryland)

- 1974 – 1976: Speech Language Pathologist

Self-Employed (Owings Mills, Maryland)

- 1976 – 2007: Speech Language Pathologist

**EMPLOYMENT STATUS:**

New Hire



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January 28, 2014

**BOARD LIST**

The following professional appointment is submitted for approval by the State Board of Education:

**Name:** Mark McGinnity  
**Position:** Child Care Licensing Regional Manger  
**Division:** Early Childhood Development, Office of Child Care, Region III (Towson)  
**Salary Grade:** 19 (\$52,150-\$83,726)  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**Education:**

Bachelor's Degree in Early Child Development, Education, Social Work or Psychology from an accredited four-year college or university.

**Experience:**

Five years of experience inspecting, licensing and monitoring child care centers, family day care homes and non-public nursery schools.

**NOTE:**

1. Possession of an associate's degree in early childhood development, teacher education, sociology or psychology and two years work experience inspecting, licensing and monitoring child care centers, family day care homes and non-public nursery schools may be substituted for the Bachelor's Degree.

2. Applicants may substitute graduate education in Early Child Development curriculum at an accredited college or university at the rate of 30 semester hours per year for up to two years of the required experience.

**DESCRIPTION:**

This position serves as the Regional Manager responsible for the management of Child Care Licensing staff who are responsible for inspecting, licensing and monitoring child care facilities, family day care homes and non public nursery schools and is responsible for the provision of quality early childhood education development programs and enforcing child care regulation in day care centers and family day care homes.

[www.MarylandPublicSchools.org](http://www.MarylandPublicSchools.org)

Mark McGinnity

Page two

**Qualifications:**

**Education:**

Towson University (Towson, Maryland) 2011 – Master’s Degree in Early Childhood Education;  
1992 – Bachelor’s Degree in Art-Visual Communications

**Experience:**

Maryland State Department of Education (Baltimore, Maryland)

2012 – Present: Child Care Licensing Supervisor (Acting Regional Manager)

2005 – 2012: Child Care Licensing Specialist

Play Centers, Inc. (Lutherville, Maryland)

2001 – 2005: Training/Program Coordinator

1999 – 2001: Program Coordinator

1992 – 2000: Center Director

1991 – 1992: Group Leader

1990 – 1991: Child Care Aide

**Employment Status**

Promotion



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January 28, 2014

**BOARD LIST**

The following professional appointment is submitted for approval by the State Board of Education:

**Name:** Jenaya Parris  
**Position:** Education Program Specialist I, Early Learning Program Development Specialist  
**Division:** Early Childhood Development  
**Salary Grade:** 21 (\$59,335-\$95,297)  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**Education:**  
A Master's Degree or equivalent 36 credit hours of post baccalaureate course work in Education, Educational Administration/Supervision or a related field.

**Experience:**  
Four (4) years of professional experience in coordinating or administering an education program or service directly related to Early Learning.

**DESCRIPTION:**

This is a professional position responsible for providing technical assistance and program support to the Early Learning Branch within the Division of Early Childhood Development in the areas of Pre-K and Kindergarten, Preschool for All, and the State curriculum for grades Pre-K to 2.

[www.MarylandPublicSchools.org](http://www.MarylandPublicSchools.org)

**Qualifications:**

**Education:**

Loyola University (Baltimore, Maryland) 2009 – Master’s Degree in Education, Administration and Supervision

Coppin State University (Baltimore, Maryland) 2004 – Bachelor’s Degree in Early Childhood Education

Notre Dame of Maryland University (Baltimore, Maryland) currently enrolled in Master of Arts, Nonprofit Management

**Experience:**

Maryland State Department of Education (Baltimore, Maryland)

2012 – Present: Education Program Specialist I - Early Learning Specialist (Contractual)

Montgomery County Public Schools (Rockville Spring, Maryland)

2005 – 2012: Team Leader/Teacher in Charge

2005: Elementary Classroom Teacher

The Goddard School of Marriottsville (Marriottsville, Maryland)

2003 – 2004: Pre-K Teacher and Co-Director

Childtime Learning Center (Baltimore, Maryland)

2002 – 2003: Preschool Teacher/Assistant Teacher

Ashland Head Start Center (Baltimore, Maryland)

2001 – 2002: Preschool Teacher/Assistant Teacher

Academy Child Development Center (Silver Spring, Maryland)

2001 – 2002: Preschool Teacher/Assistant Teacher

**Employment Status**

Contractual Conversion

Addendum 1/27/2014

**MARYLAND STATE DEPARTMENT OF EDUCATION  
PERSONNEL APPROVALS FOR THE January 28, 2014 BOARD MEETING**

**I. Appointments Grade 19 and above:**

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Kearns, Monica L.	Assistant State Superintendent for Business Services	ES 06	Business Services	TBD
Michel, Kristy L.	Deputy State Superintendent for Finance and Administration (Chief Operating Officer)	ES 09	Immediate Office of the Deputy State Superintendent	TBD

**II. Appointments Grade 18 and below:**

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
None				

**III. Other Actions:**

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
None				



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January 28, 2014

BOARD LIST

The following professional appointment is submitted for approval by the State Board of Education:

**Name:** Monica L. Kearns  
**Position:** Assistant State Superintendent for Business Services  
**Division:** Business Services  
**Salary Grade:** ES 06  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**Education:**

A Master's Degree or 36 post baccalaureate credit hours of coursework in Business Administration, Education Policy or a related area

**Experience:**

Eight years of professional experience with managing, designing, developing, and implementing financial control systems. Two years of the required experience must have included direct supervision of professional employees.

**DESCRIPTION:**

This position serves as the Agency's Chief Financial Officer responsible for leading and overseeing the management of operations of the Maryland State Department of Education's Office of Business Services, which includes the Director of Business Services, Accounting Branch, Administrative Services Branch, Budget Branch, Finance Reporting and Coordination Branch and School Facilities Branch. The position also oversees the Local Financial Reporting Office and the Pupil Transportation Office.

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**Qualifications:**

**Education:**

University of Denver (Denver, Colorado) 2000 - Master's Degree in International Public Policy;  
1991 - Bachelor of Arts in Communications with an emphasis in Journalism and International  
Studies

**Experience:**

City of Baltimore, Bureau of the Budget and Management Research (Baltimore, Maryland)

2012 – Present: Fiscal Research Analyst

2011 – 2012: Performance Data Specialist

Maryland General Assembly, Department of Legislative Services (Annapolis, Maryland)

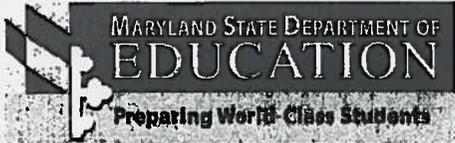
2003 – 2011: Budget and Policy Analyst

National Conference of State Legislatures (Denver, Colorado)

1993 - 2003: Policy Specialist

**Employment Status**

Promotion



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January 28, 2014

**BOARD LIST**

The following professional appointment is submitted for approval by the State Board of Education:

**Name:** Kristy L. Michel  
**Position:** Deputy State Superintendent for Finance and Administration  
(Chief Operating Officer)  
**Division:** Business Services  
**Salary Grade:** ES 09  
**Effective Date:** TBD

**JOB REQUIREMENTS:**

**Education:**

A Master's Degree or 36 post baccalaureate credit hours of coursework in Business Administration, Accounting, or a related area.

**Experience:**

Eight years of professional experience with managing, designing, developing, and implementing financial control systems. Two years of the required experience must have included direct supervision of professional employees.

**Note:** Two years of additional experience as defined above may be substituted for the Master's Degree.

**DESCRIPTION:**

This position is responsible for developing and implementing MSDE administrative and financial policies, procedures, and systems. This includes budget, accounting, administrative services, and financial reporting and data collection, as well as the operational activities of school and community food and nutrition programs, pupil transportation, and school facilities. The position is also responsible for coordinating and developing the Department's response to inquiries made by the General Assembly, Legislative Services, and Budget and Management regarding financial and administration operations. This position provides leadership for the following MSDE Branches: Accounting, Administrative Services, Budget, Finance Reporting and Coordination, School and Community Nutrition Programs, and School Facilities; and for two Offices: Local Financial Reporting, and Pupil Transportation.

**Qualifications:**

**Education:**

University at Albany (Albany, New York) 2006 - Master's Degree in Public Policy with concentration in Education Policy

Bucknell University (Lewisburg, Pennsylvania) 2002 -- Bachelor of Arts in International Relations and Spanish

**Experience:**

Maryland State Department of Budget and Management (Baltimore, Maryland)

2012 – Present: Assistant Director for Fiscal Planning

2011 – 2012: Supervising Budget Examiner

2007 – 2011: Budget Analyst

Center for Policy Research, University at Albany (Albany, New York)

2006 – 2007: Assistant Director

Office of Assemblyman Sam Hoyt, New York State Assembly (Albany, New York)

2006: Graduate Intern

College Board, New York State Legislative Office (Albany, New York)

2005: Graduate Intern

Society for Human Resource Management (Alexandria, Virginia)

2004: Public Affairs Coordinator

2002 – 2004: Staff Assistant

**Employment Status**

Promotion