



**Karen B. Salmon, Ph.D.**  
State Superintendent of Schools

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**TO:** Members of the State Board of Education  
**FROM:** Karen B. Salmon, Ph.D.  
**DATE:** April 27, 2021  
**SUBJECT:** Baltimore County Public Schools Evaluation System Waiver Request

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**PURPOSE:**

To request a waiver of teacher and principal evaluation requirements as defined in Code of Maryland Regulation (COMAR) 13A.07.09 for Baltimore County Public Schools for the 2020-2021 school year. A waiver is being requested due to the ransomware attack that occurred in the school system on November 24, 2020.

**BACKGROUND/HISTORICAL PERSPECTIVE:**

Education Reform Act of 2010 and COMAR 13A.07.09 identify requirements for the evaluation of teachers and principals. All teachers and principals are required to be evaluated annually using either the State evaluation model or a locally developed model. Local evaluation models must be developed in collaboration with collective bargaining units and be approved by the Maryland State Department of Education.

Evaluations consist of professional practice and student growth measures. Professional practice domains for teachers include planning and preparation, classroom environment, instruction, and professional responsibilities. Professional practice domains for principals are defined in the Professional Standards for Educational Leaders, which were adopted by the State Board of Education in February 2017. Student growth measures student progress from a clearly articulated baseline to one or more points in time. Student growth measures are collected throughout the school year. Outcomes of evaluations are used to determine certification standing, contract renewals, and other employment decisions. Local school systems annually submit outcomes of evaluations to the Maryland State Department of Education.

**EXECUTIVE SUMMARY:**

On November 24, 2020, Baltimore County Public Schools suffered a ransomware attack that affected all online operational systems for the school system. As a result of the attack, online curriculum resources, student information, teacher and principal evaluation, finance, and core networking systems were encrypted and made inaccessible. Administrator and teacher devices were also corrupted, impacting their ability to access and retrieve stored school historical data, student data, teacher observation data, and evaluation information.

On March 8, 2021, Baltimore County Public Schools submitted a request to waive evaluation requirements for all teachers and principals. On April 8, 2021, additional information from Baltimore County was received to describe how tenure status, certification standing, contract renewals, and other employment decisions would be addressed if evaluations were waived for the 2020-2021 school year.

**ACTION:**

It is being recommended that the request to waive teacher and principal evaluation requirements as defined in COMAR 13A.07.09 for Baltimore County Public Schools for the 2020-2021 school year be denied. The evaluation process ensures that teachers and administrators are regularly observed and provided support aimed at enhancing their professional growth to improve student outcomes. The proposed non-evaluative year by Baltimore County Public Schools does not hold school-based personnel accountable for student learning and will prevent Baltimore County teachers from earning tenure and obtaining advanced professional teaching certificates. It is recommended that Baltimore County Public Schools collaborate with the Maryland State Department of Education for strategies to adhere to COMAR requirements.

**ATTACHMENTS:**

Attachment 1: March 8, 2021 waiver request letter from Baltimore County Public Schools.

Attachment 2: April 8, 2021 proposed process to address certification standing and employment decisions is a waiver is granted.

# BALTIMORE COUNTY PUBLIC SCHOOLS

Darryl L. Williams, Ed.D. ♦ Superintendent ♦ 6901 North Charles Street ♦ Towson, MD ♦ 21204

March 8, 2021

Dr. Karen B. Salmon  
State Superintendent of Schools  
Maryland State Department of Education  
200 West Baltimore Street  
Baltimore, Maryland 21201-2595

RE: Evaluations

Dear Dr. Salmon:

Thank you for your response of February 16, 2021, and for your continued consideration of our request for a waiver of administrator and teacher evaluations for the 2020-2021 school year for Baltimore County Public Schools (BCPS). The following is provided in response to your questions prior submitting our request to the Maryland State Board of Education for approval.

1. Steps being taken to recover evaluation data.

As you are aware, BCPS was the victim of a ransomware attack on the evening of November 24, 2021, that left all of its online systems encrypted and inaccessible. The teacher and administrator evaluation system along with all of the district's operational systems, e.g., personnel management, payroll, employee benefits, etc. were affected.

Subsequent to the attack, a damage assessment was conducted on all systems in order to determine the potential for recovery and establish priorities. The review concluded that key operational systems, i.e., the payroll system and the Human Resources Management System among others could be restored. It was also determined that these were critical to the school system's functioning and required immediate attention.

Unlike the other systems, the administrator and teacher evaluation systems' software was built and maintained in-house. It allowed observations and evaluations to be completed and submitted online. It also stored all data and had a reporting function. An analysis of the system and the damage done to it revealed that it was not recuperable and that all current and past evaluation data stored in the system was lost. Any attempt to restore the system would be costly, time and manpower intensive, and there would be no guarantee that all data would be retrieved.

The impact of the loss of the system and all stored data was compounded by the fact that the ransomware corrupted a significantly large number of staff and student devices. Administrators and teachers lost all curriculum related resources, plans and student data. Immediate action was taken to collect, reimage, and replace all staff and student corrupted devices. Similarly, every effort was made to assist teachers in recouping curricular resources. Technical and software issues with devices were ongoing and disruptive for a significant period of time after the exchange.

2. Steps being taken to establish or restore the evaluation system prior to the start of the 2021-2022 school year.

In collaboration with the Teacher's Association of Baltimore County (TABCO), BCPS adjusted the evaluation process to address the loss of already completed observations as well determining procedures to be followed moving forward. With the loss of the online system and all associated data, all future observations and evaluations would be completed on paper with no automated capability for compiling or reporting data.

Since the restoration of BCPS' current system is impractical, work has begun to interview vendors and review available software products that can fulfill the system's observation and evaluation requirements.

Preliminary examination of available systems has revealed that all solutions will require some degree of customization to meet the needs of BCPS' evaluation model. At best, based on the information provided thus far by various vendors, a short-term limited solution that could meet this school year's observation/evaluation needs would require four (4) to six (6) weeks to develop and additional time to implement. A totally functioning replacement system could require from four (4) to six (6) months in order to be in place by the start of the 2021-2022 school year. The latter would also allow for appropriate professional development of administrators and teachers. In either case, appropriate procurement procedures would need to be followed thereby adding to an implementation timeline.

3. Actions being taken to monitor teaching and learning.

Within BCPS, there are numerous approaches to monitoring teaching and learning. First, and foremost, school leadership and teacher leadership teams work collaboratively to visit classroom instruction to monitor and support teaching and learning in alignment with standards. Additionally, central office content support is provided to school leadership through our Instructional Core Team process to provide coaching and to grow capacity to ensure instruction is to the rigor of the standards.

4. Actions being taken to provide support to teachers and school leaders to enhance their professional practice and improve student outcomes.

Throughout the pandemic, virtual leadership professional learning has continued, and differentiated support has been provided by role and experience level. Professional learning to support best practices has been available to faculty, staff, and school-based leadership on Wednesdays. Professional learning has taken the form of both synchronous and asynchronous formats with resources archived in our learning management system for ongoing access and reference. Additionally, drop-in support sessions are offered for special education teachers.

Monthly School-Based Administrative Induction (SBAI) professional learning for principals and assistant principals has continued with resources posted in the BCPS learning management system for ongoing access and reference. This support is supplemented by school-based mentors for new leaders and New Administrator Support Teams. In addition, optional drop-in coaching sessions have been offered to give time for reopening planning and offer support and collaboration from BCPS offices who have expertise in elements of the Reopening Plan.

Additionally, all teachers new to the teaching profession are supported through the BCPS Peer Assistance and Review (PAR) Program. Consulting Teachers (CT) are assigned and provide ongoing instructional support and coaching virtually and will soon resume in-person meetings and classroom observations with each client teacher.

BCPS administrators and teachers successfully met and overcame the challenges that had been posed at the beginning of the pandemic in March 2020. Their transition to virtual instruction was admirable and significantly improving with experience and support.

The timing and impact of the unexpected ransomware attack basically took them back to the starting line. It required them to adjust anew. This time they had to become innovative in surpassing technological problems as well as confront the complete loss of resources, plans, student data and access to online resources.

BCPS administrators and teachers have worked hard to overcome these obstacles and provide our students with quality instruction. The circumstances and challenges that they faced after the ransomware attack were probably more severe and far reaching than those they confronted at the outset of the pandemic.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Darryl L. Williams". The signature is fluid and cursive, with a long horizontal stroke at the end.

Darryl L. Williams, Ed.D.  
Superintendent

Dr. Karen B. Salmon  
March 8, 2021  
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VIA ELECTRONIC MAIL AND FIRST-CLASS MAIL

Copies to:

Maria Lowry, Acting Chief Human Resources Officer  
George M. Duque, Manager, Department of Staff Relations



# BALTIMORE COUNTY PUBLIC SCHOOLS

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Darryl L. Williams, Ed.D. ♦ Superintendent ♦ 6901 North Charles Street ♦ Towson, MD ♦ 21204

April 8, 2021

Dr. Karen B. Salmon  
State Superintendent of Schools  
Maryland State Department of Education  
200 West Baltimore Street  
Baltimore, Maryland 21201-2595

RE: SY 2020-2021 Evaluation Proposal

Dear Dr. Salmon:

Baltimore County Public Schools (BCPS) requested a waiver of evaluation requirements for administrators and teachers for the 2020-2021 school year. As a follow up, we were asked to provide additional clarification to establish how we will address tenure status, certification standing, contract renewals, and other employment decisions, in alignment with State laws and regulations, if evaluations are waived for the 2020-2021 school year.

Because of the already difficult situation created by the pandemic and exacerbated by the ransomware attack, BCPS is seeking the same flexibility in evaluating its teachers for the 2020-2021 school year that the Maryland State Department of Education granted all Maryland school districts for the 2019-2020 school year. BCPS feels that the unusual and difficult aggregate challenges presented by both these events warrants such a request. Similarly, the same consideration given by the State for the 2019-2020 waiver vis-à-vis certification standing, contract renewals, and other employment decisions in alignment with State laws and regulations would be applied.

## **Non-Tenured Teachers**

The 2020-2021 school year shall be a non-evaluative year for all non-tenured teachers. Narrative performance feedback shall be provided to all non-tenured teachers in Summative Years 1, 2, and 3.

Summative Years 1, 2, and 3 non-tenured teachers shall be in the same evaluative cycle for the 2021-2022 school year and shall be eligible for tenure upon the completion of three evaluated years of effective teaching.

Summative Year 1 non-tenured teachers with performance concerns shall be referred to the Peer Assistance and Review Program for a second year of support. A consulting teacher shall be assigned to work with the teacher throughout the 2021-2022 school year. Summative Year 1 non-tenured teachers shall be eligible for tenure upon completion of two additional years of effective teaching.

Dr. Karen B. Salmon  
April 8, 2021  
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**Summative Tenured Teachers**

All tenured teachers will carry over their evaluation scores and ratings from the 2019-2020 school year for the 2020-2021 school year.

Tenured teachers for whom the 2020-2021 school year was a Summative Year shall be in the same evaluation cycle for the 2021-2022 school year and shall be observed and evaluated in accordance with COMAR 13A.07.04.02 and the Master Agreement between the Teachers Association of Baltimore County and the Baltimore County Board of Education (Board).

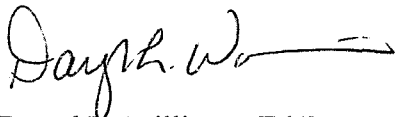
Summative tenured teachers with performance concerns shall receive narrative performance feedback and shall be referred to the Peer Assistance and Review Program for support. A consulting teacher shall be assigned to work with the teacher throughout the 2021-2022 school year.

**Formative Tenured Teachers**

Tenured teachers in Formative Years 1 and 2 will be in the same evaluation cycle for the 2021-2022 school year, the sole caveat being that administrators shall be able to move a teacher from a formative year to a summative year in accordance with the Master Agreement between the Board and the Teachers Association of Baltimore County.

Thank you for your consideration.

Sincerely,



Darryl L. Williams, Ed.D.  
Superintendent

Copies to: Ms. Maria Lowry, Acting Chief Human Resources Officer  
Mr. George M. Duque, Manager, Department of Staff Relations and Employee Performance Management