

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday, June 28, 2022
Maryland State Board of Education
200 West Baltimore Street
Baltimore, Maryland 21201

The Maryland State Board of Education met in person on Tuesday, June 28, 2022, at 9:00 a.m. at the Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland. The following members were present: Mr. Clarence Crawford (President); Mr. Charles R. Dashiell, Jr., Esq. (Vice President); Ms. Gail Bates; Mr. Kevin Bokoum; Ms. Chuen-Chin Chang (Virtual); Dr. Susan Getty (Virtual); Dr. Vermelle D. Greene (Virtual); Ms. Jean Halle; Dr. Joan Mele-McCarthy; Ms. Lori Morrow; Ms. Rachel McCusker; Brigadier General (BG) Warner Sumpter and State Superintendent Mohammed Choudhury. Mr. Shawn Bartley, Esq. and Dr. Holly Wilcox were absent.

The following staff members also participated: Elliott L. Schoen, Assistant Attorney General. Dr. Deann Collins, Deputy Superintendent, Teaching and Learning; Krishnanda Tallur, Deputy Superintendent of Operations; and Ary Amerikaner, Chief of Staff.

President Crawford called the meeting to order and led the pledge of allegiance.

Mr. Schoen called the roll and declared the presence of a quorum.

President Crawford welcomed speakers and members of the public and provided opening remarks.

PUBLIC COMMENT

- Elim Ephrame – Mental Health Laws
- Dr. Jeffrey Lawson (Superintendent – Cecil County) – Implementing LEADS in Cecil County Public Schools
- Sharon Saroff – Special Education
- Mia Vashe James – Conditional Teaching Certificate
- Cheryl Bost – Maryland State Education Association – End of Year

NEW BUSINESS

- **Approval of Consent Agenda**
 - Approval of May 24, 2022, May 25, 2022, June 10, 2022, and June 17, 2022 Meeting Minutes
 - Personnel Actions
 - Budget Adjustments, May 2022

ACTION: The State Board granted approval by unanimous consent.

MARYLAND CHAMBER OF COMMERCE (MDCC) NATIONAL CIVICS BEE

Mr. Crawford introduced Ms. Mary Kane, President & CEO of the Maryland Chamber of Commerce National Civic Bee. Ms. Kane thanked Mr. Crawford and the State Board for inviting them to the meeting.

Ms. Kane introduced Ms. Whitney Harmel, Vice President of MDCC. Ms. Harmel explained how she was approached by the U.S. Chamber of Commerce Foundation with the idea of conducting a Civics Bee. The competition provides students with an opportunity for students to talk about challenges in their community and write a 500-word essay about the selected issue. Ms. Harmel stated that the organization was only one of six chambers across the country and only one of two state chambers that participated in the competition. She stated that 101 middle school students submitted essays about issues in their communities. Ms. Harmel stated that ten students were selected from the 101 submissions from various areas of the state. Ms. Harmel informed the Board members that three of the students including the winner was present at the Board meeting and asked students to introduce themselves and talk about their essay.

Rayn Mohammed – School: Northwest Academy – Topic: Russia’s Invasion of Ukraine

Celeste Duncan – School: Key School (Annapolis) – Topic: Death of Properties

Michael Atika – School: Franklin Middle School – Topic: Sewage Overflowing in the Streets of Baltimore (Winner of the Civics Bee)

STATE BOARD PRIORITIES

Stakeholder Engagement Session

- **Maryland Association of Secondary School Principals (MASSP)**
 - Marc Cohen, Principal, Seneca Valley High School, Montgomery County Public Schools
 - Deborah Dennie, Principal, Leonardtown Middle School, St. Mary’s County Public Schools
 - Adrienne Kaufman, Executive Director

MASSP is a proud affiliate of the National Association of Secondary School Principals (NASSP), and serve the professional development and advocacy needs of members. MASSP and NASSP partner at the state and national levels to ensure that members are provided with resources and tools to meet the ever-changing demands of the principalship. Members stated that education reform is constant and membership in professional associations is one way for school administrators to keep pace with the shifting landscape.

MASSP advocates for Maryland's administrators in Annapolis through letter writing, testimony, and meetings so that emerging bills include the voice of principals, assistant principals, and other school-based leaders. The Executive Director and MASSP officers meet with state and national legislators before, during, and after their respective legislative sessions.

MASSP also keeps members connected with initiatives from the Maryland State Department of Education (MSDE) and collaborates closely with MSDE personnel to ensure that administrators are both included in and informed about state education policy. MASSP members continue to serve on committees at both the state and national levels.

Throughout the year, MASSP provides several high-quality professional development opportunities for members and non-members. At the heart of effective professional development for administrators is the opportunity to network with colleagues. The group stated that the voices of experts is important.

- **Maryland Association of Elementary School Principals (MAESP)**
 - Ryan Daniel, Principal, Fort Foote Elementary School, Prince George’s County Public Schools
 - Tracy Hillard, Principal, Urbana Elementary School, Frederick County Public Schools
 - Theresa Ball, Executive Director, MASEP

The Maryland Association of Elementary School Principals is a professional association that has been in existence since 1946. Over the last 74 years, MAESP has grown to include almost 600 members in all 24 local school systems in the state. The members include principals, assistant principals, aspiring leaders, and central office personnel who support school leaders.

Welcome to our website is the official website for the organization. Through the website, individuals can explore and learn more about the association and services, support, and advocacy for Maryland's principals through professional development, membership benefits, collaboration with other associations and state agencies, and networking opportunities for members.

- **Financing the Future: Covid Relief Funds, Maryland Leads, and Blueprint State Aid**
(Presenter: Justin Dayhoff, Assistant Superintendent for the Division of Financial Planning, Operations, and Strategy)

Mr. Dayhoff stated that the purpose of the agenda item is to provide updates on federal Covid relief revenue and related spending in Maryland Local Education Agencies (LEAs), including the Maryland Leads initiative, updates on FY23 Blueprint State Aid, and updates on Department transparency efforts related to Elementary and Secondary School Emergency Relief (ESSER) and Blueprint/State Aid fiscal data. The presentation presented:

- Overview of COVID Recovery Funding in P-12
- Trends in COVID Relief Spending
- ESSER Transparency
- Special Programs Spending: EANS and Early Childhood
- State Set Aside Funds
- Fiscal 2023 Blueprint State Aid
- ESSA Per Pupil Expenditures
- Q&A

Mr. Dayhoff informed the Board members that in February the Maryland State Department of Education announced an exciting new grant opportunity using more than \$160 million in COVID Relief State Set Aside funds to support LEAs in utilizing federal funds to overcome the learning loss resulting from the COVID-19 pandemic, accelerate student learning to narrow opportunity and achievement gaps, and provide more targeted support for historically underserved students and their communities. He informed the Board members that the program generated national attention. Mr. Dayhoff stated that COVID funding and the Blueprint funds was used for the program. Understanding how the funds are being spent, by which LEAs, and in what ways provides important insight into how Maryland schools will recover from the Pandemic and progress forward as progress continues.

ACTION: None. For information and discussion.

- **Strategic Planning Update**
(Presenter: Mike Herschenfeld, Senior Executive Director of Strategic Planning and Continuous Improvement)

Mr. Herschenfeld stated that the purpose of the item is to provide an update on the strategic planning process and associated engagement. The presentation will explore:

- Overview and Objective
- Evolution of Process and Phases
- Engagement by the Numbers

The Maryland State Board of Education and the Maryland State Department of Education are in the process of developing a multi-year strategic plan for the future of Maryland’s education system. The work will be the basis for creating transformational change in Maryland’s education system. He noted that it is critical that we hear from many people as possible throughout the process.

Mr. Herschenfeld informed the Board members that the guiding objective is to build and create space for stakeholder input as we work to develop a strategic plan. The strategic plan will guide the department’s organizational direction in the implementation of the Blueprint for Maryland’s Future.

ACTION: None. For information and discussion.

- **School Logistics and Transmission Rates Related to COVID-19 Update**

(Presenter: Mr. Mohammed Choudhury, State Superintendent of Schools, Ms. Mary Gable, Assistant Superintendent of Student Support)

Mr. Choudhury stated that the purpose of the presentation was to provide an update on school logistics and transmission rates related to the COVID-19 pandemic. Mr. Choudhury informed the Board members that the MSDE is continuing to track how the jurisdictions are doing across the state, as well as the state overall rates. He stated that there was a rise in cases related to the new variant, but not to the point where there is an extreme rise in hospitalizations or deaths. He stated that there is a better recovery out of the variant, but still there was a rise and that is very important because people do get sick.

Mr. Choudhury informed the Board members that on June 9, 2022, the Governor announced the launch of COVIDReady Maryland. The State along with Maryland Department of Health leadership will tackle COVID longterm and deal with future variants. The plan includes five pillars.

- Expanded “Test to Treat” Provider Infrastructure
- Maximizing Utilization of Therapeutics
- Booster Shots for Eligible Populations
- Enhanced Awareness and Outreach
- State of Readiness for Variants and Waves

Mr. Choudhury stated that another important fact is that now there is a vaccine for young students and children. He stated that it is still very early, but MSDE will begin to track the vaccine rate of the younger students and children to see what it looks like overall.

ACTION: None. For information and discussion.

Reports to the State Board for Discussion/Action

- **Code of Maryland Regulations (COMAR)**
 - Request for Waiver of Regulation .06H(2) under COMAR 13A.03.02 Graduation Requirements

for High Schools in Maryland
(Presenter: Presenter: Mr. Mohammed Choudhury, State Superintendent of Schools)

Mr. Choudhury stated that the purpose of the item is to approve the State Superintendent's recommendation for a waiver of requirements to COMAR 13A.03.02.06H(2) Graduation Requirements for Public Schools in Maryland related to the requirement for the Maryland Comprehensive Assessment for algebra, English, science, and government to account for 20 percent of the student's final grade in the respective high school level algebra, English, science, and government course.

Mr. Choudhury informed the Board members that COMAR 13A.03.02.06H(2) is scheduled to go into effect in the 2022-2023 school year however, LEAs have indicated that they need additional time to successfully implement the necessary systemic changes to transition the Maryland Comprehensive Assessment program to account for 20 percent of the student's final grade in the respective high school level algebra, English, science, and government course.

Mr. Choudhury stated that upon examination and conversations with school systems throughout the year and along with public comment that was received on the regulation, he has decided to push the implementation of the regulation to the Fall of 2023 instead of the Fall of 2022, to allow parents and students more time to understand the implication of it.

Mr. Choudhury stated that he was requesting the waiver from the regulation requiring school systems to implement the 20% requirements for the End of Course requirement this school year.

Mr. Schoen stated that the State Board is authorized to grant the waiver pursuant to its authority under Education Article § 2-205 and COMAR 13A.01.01.02-1 Waiver from Regulations. During the waiver period, COMAR 13A.03.02.06H(2) will be implemented as scheduled.

ACTION: Upon motion by Mr. Dashiell, and seconded by Ms. McClusker, the State Board granted permission to adopt the request for waiver of COMAR 13A.03.02.06H(2). (In Favor: 12; Opposed: 0; Abstained: 0)

STATE BOARD MEMBER COMMITTEE REPORTS/UPDATES

Mr. Crawford recognized Mr. Bokoum as this would be his last meeting with the Board. He stated to Mr. Bokoum that the Board members have really appreciated his engagement, ideas, and suggestions. Mr. Bokoum really contributed over throughout the year and Mr. Choudhury wanted to thank him.

Mr. Crawford informed the Board members that there would be a roundtable on June 29 with the local Board leaders and that there is only one more roundtable scheduled in July. He stated that the Public School Superintendents' Association of Maryland (PSSAM) ask that MSDE host a roundtable for them.

Ms. Morrow did an update on the National Association of State Boards of Education (NASBE). She stated that for the Public Educator Positions, they are focusing on the section Educator Effectiveness. This year they have added another section, School District/Leadership which will be on the next NASBE document. Ms. Morrow informed the Board members that the Early Literacy workgroup has been started. The first meeting was held in June and the next meeting will be held in September. Ms. Morrow stated, that by the end of the summer that she will compile some information on the Science of Reading to share at the

September meeting and for the NASBE national conference.

Executive Session

Pursuant to § 3-305(b)(1) & (7) of the General Provisions Article, Annotated Code of Maryland, and upon motion of Gen. Sumpter seconded by Ms. Bates and with unanimous approval, the Maryland State Board of Education met in closed session on Tuesday, June 28, 2022, in Conference Room #6, 8th Floor, at the Nancy S. Grasmick Building. All board members were present except Dr. Greene, Dr. Wilcox, and Mr. Bokoum. Dr. Getty participated by video conference. Also in attendance were Superintendent Choudhury, Assistant Attorneys General, Elliott Schoen, and Jackie La Fiandra. The Executive Session commenced at 4:39 p.m.

At that time, the State Board reviewed and approved three Opinions.

- *P.C. v. Montgomery County Board of Education* – student transfer – Opin. No. 22-13. The Board affirmed the local board decision.
- *Exquisite Limousine Services, LLC v. Prince George’s County Board of Education* – contract dispute – Opin. No. 22-14. The Board dismissed the appeal.
- *Jason Guarino v. Harford County Board of Education* – teacher discipline – Opin. No. 22-15. The Board affirmed the local board decision.

Counsel gave an update on pending litigation.

The State Board discussed the Executive Director candidates.

President Crawford and Vice President Chip Dashiell discussed Board officer candidates for the July election.

The Board discussed internal governance matters and requested legal advice from counsel.

The Executive Session ended at 6:45 p.m.

LEGAL OPINIONS AND ORDERS

Mr. Schoen announced the following Opinions:

- *P.C. v. Montgomery County Board of Education* – student transfer – Opin. No. 22-13
- *Exquisite Limousine Services, LLC v. Prince George’s County Board of Education* – contract dispute – Opin. No. 22-14
- *Jason Guarino v. Harford County Board of Education* – teacher discipline – Opin. No. 22-15

With no further business before the Board, the meeting adjourned at 6:55 p.m.

Respectfully submitted,



Mohammed Choudhury
Secretary/Treasurer

Date: June 28, 2022

The information included here provides a summary of the agenda items presented. The video recordings of the meetings are the official record and can be located at:
<https://marylandpublicschools.org/stateboard/Pages/Meetings-2022.aspx>

Meeting materials, Opinions, and Orders can be found at:

<https://marylandpublicschools.org/stateboard/Pages/Meetings-2022.aspx>

The next Maryland State Board of Education meeting will be held on Tuesday, July 26, 2022.

Appropriate accommodations for individuals with disabilities will be provided upon request. Eight business days' notice prior to the event is required. Please contact Charlene Necessary at (410) 767-0467 or TTY at (410) 333-6442 so arrangements can be made.

MARYLAND STATE BOARD OF EDUCATION
PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER OPEN MEETINGS ACT (General Provisions Article § 3-305)

1. Recorded vote to close the meeting.
 Date: June 28, 2022
 Time: 4:35 pm
 Location: 200 W. Baltimore Street, Baltimore, MD 21201
 Motion to close meeting made by: Gen. Sumpter
 Seconded by: Gail Bates
 Members in favor: 13
 Opposed: 0
 Abstaining: 0
 Absent: 1

2. The meeting was closed under authority of Section 3-305(b) of the General Provisions Article of the Annotated Code of Maryland (check all provisions that apply). This meeting will be closed under General Provision Art. § 3-305(b) only.
 - ✓ 1. To discuss: (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or (ii) any other personnel matter that affects one or more specific individuals.
 - 2. To protect the privacy or reputation of individuals concerning a matter 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 or proposal process.

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion to topic
§3-305(b)(1)	Personnel Matters	MSDE Personnel/Management Update; Superintendent Evaluation Process; and update on State Board Executive Director Search
§3-305(b)(7)	Legal Advice	3 Appeals and update on pending litigation
	Administrative	Preview of July Board officer Elections

4. This statement is made by Clarence Crawford, Presiding Officer.