

**MARYLAND STATE BOARD OF EDUCATION
200 W. Baltimore Street
Baltimore, MD 21201**

PROFESSIONAL STANDARDS AND TEACHER EDUCATION BOARD

**May 3, 2018
Minutes**

The 424th meeting of the Professional Standards and Teacher Education Board (PSTEB) was held at the Maryland State Department of Education (MSDE), 200 West Baltimore Street, Baltimore, Maryland 21201 on May 3, 2018. Dr. Alyssia James called the meeting to order at 9:05 a.m.

The following members were in attendance: Dr. Mae Alfree, Ms. Jennifer Berkley, Ms. Linda Chinnia, Mr. Charles Hagan, Dr. Kandace Hoppin, Mr. Darren Hornbeck, Dr. Alyssia James, Ms. Maleeta Kitchen, Mr. Christopher Lloyd, Dr. John Mayo, Dr. Kristine McGee, Ms. Kelli Midgley, Ms. Debra Poese, Ms. Sandra Skordalos, Ms. Sarah Spross, and Ms. Geralda Thompson.

The following members were absent: Mr. Peter Baily and Ms. Karen Saar.

The following Maryland State Department of Education staff members were present: Ms. Kelly Meadows, Ms. Ruth Downs (Recorder), and Mr. Derek Simmons, Esq., Attorney General's Office.

PRELIMINARY ITEMS

Recognition of Guests

Ms. Tina Dove, MSEA
Ms. Geraldine Duval, MSEA

Public Comment

No Public Comment.

ACTION ITEMS

Approval of May Minutes

Dr. Alyssia James entertained a motion to approve the February minutes with suggested corrections.

MOTION: Dr. C. Mae Alfree/Dr. John Mayo

To approve the May 3 minutes with the suggested corrections.

Approval of Proposed Agenda Items for June

- Approval of Minutes
- State Board/Legislative Update
- Regulations as necessary
- Elementary Reading Update

MOTION: Mr. Christopher Lloyd/Dr. Kandace Hoppin

To approve the June agenda with the items that are listed.

VOTE: UNANIMOUS

DISCUSSION

State Board

Ms. Sarah Spross presented the summary of the April 24 State Board Meeting in the absence of Dr. Miya Simpson. **The following items were presented:**

FOR ACTION:

Regulations

- Granted permission to publish the repeal of Regulation .06 Educational Programs for Pregnant Girls under Code of Maryland Regulations (COMAR) 13A.08.01 General Regulations. Regulation .06 is out-of-date and the provisions of the regulation are covered in Maryland statute and other COMAR regulations. Specifically, the Annotated Code of Maryland, Education Article 7-301 - Compulsory Attendance, COMAR 13A.05.05.01-.04 – Coordinated Programs of Pupil Services, COMAR 13A. 04.18.01 - Comprehensive Health Education Instructional Programs for Grades Prekindergarten – 12, and the Maryland Student Records System Manual contain the necessary provisions for all students, including students identified in COMAR 13A.08.01.06.
- Granted permission to publish amendments to Regulation .06 Classification under COMAR 13A.06.03 Interscholastic Athletics in the State. The amendments change how schools are classified for parity and equitable participation in interscholastic athletics.
- Granted permission to publish amendments to Regulation .04 Length of School Year under COMAR 13A.02.01 Local Boards of Education. The amendments enable the MSDE to monitor local school systems' make-up recovery plans on a timely basis and update the Maryland State Board of Education on the makeup-recovery plans, if needed.

Teacher Certification Assessments

- Granted approval of the Elementary Education: Content Knowledge for Teaching (CKT) subject assessment beginning on July 1, 2018.
- Granted approval of the qualifying score for the Elementary Education: Content Knowledge for Teaching Social Studies subject assessment for certification as the Educational Testing Services recommended qualifying score and adopted an effective date of 7/1/18. The department will report to the State Board in one year with updates.

Charter Grant Update and Recommendations:

- The State Board approved the following recommendations regarding the Maryland Charter Schools Program sub-grant application: 1) the amount of grant funding available for the Planning and Design Period before final approval of the charter by the local board will be at the discretion of the MSDE for the planning amount capped at 25% of the total grant award,

and 2) the charter approval must be secured within 9 months with the ability of the MSDE to expand by 3 months under specific circumstances.

Calendar Waiver Requests

- Approved requests from Kent County and St. Mary's County public schools for a one-day waiver of the 180-day instructional requirement for the 2017-2018 school year.
- Approved a request from Baltimore County Public Schools to waive eight hours of the 1,170-hour high school instructional requirement for the 2017-2018 school year on the condition high school hours are increased in the 2018-2019 school calendar, as well as in subsequent years.
- Denied requests from Caroline County, Howard County, Queen Anne's County, and Somerset County public schools for a two-day waiver of the 180-day instructional day requirement for the 2017-2018 school year.
- Denied a request from Cecil County Public Schools for a one-day waiver of the 180-day instructional requirement for the 2017-2018 school year.

FOR INFORMATION AND DISCUSSION:

ESSA Implementation and Timeline

- Update on the implementation of Maryland's Draft Every Student Succeeds Act (ESSA) Consolidated State Plan with a focus on the seven percent set-aside available in Title I, Part A and on three indicators in Maryland's new accountability system: Academic Achievement, English Language Proficiency, and School Quality/Student Success (SQ/SS).

Recognition of 2017-2018 Milken National Educator

- Ms. Allison Felton, Mathematics Teacher, Annapolis High School, Anne Arundel County

School Safety Update

- Information related to the work of the Maryland Center for School Safety.

LEGAL OPINIONS AND ORDERS:

- *Wallace and Marlene D. v. Anne Arundel County Board of Education* – student suspension – Opinion No. 18-14
- *Mercy I. v. Howard County Board of Education* – residency – Opinion No. 18-15

Meeting Materials, Opinions, and Orders can be found on the State Board website.

The next meeting of the Maryland State Board of Education will be held on May 22, 2018 at the Nancy S. Grasmick State Education Building, 200 West Baltimore Street, 7th Floor Board Room, Baltimore, Maryland 21201.

Legislative Update

Mr. Patrick Fleming provided the PSTEB Board with a brief legislative update.

HB 493/SB 638 - Teachers and Teacher Preparation Programs - Research-Based Reading Instruction –Both of the bills had hearings. Neither one of the bills came up for a vote. Neither one of the bills moved.

HB823: Education – Public School Teachers – Preparation
This bill moved out of the House, but stayed in the Senate. The bill did not pass.

HB966/SB1103: Voluntary Ethical Special Education Advocate Certificate Program
Both of the bills had hearings. The Senate bill was voted unfavorably by the committee. The House bill never came up for a vote.

HB 1002/SB 1041 - Education - Teacher Certification - Montessori Schools
The Senate version of the bill was voted unfavorable. The House version of the bill did not come up for a vote.

HB 1154 - Teachers and Teacher Preparation Program Programs – Bilingual Certification and Instruction
There was no vote for the bill in the House.

HB 1657 - Teachers and Teacher Preparation Programs - Maryland Reading Standards Matrix - Established - This bill did not receive a vote in the House.

HB 1415/SB 1092 – Education Commission on Innovation and Excellence in Education – This bill came out of the Kirwan Commission. The bill passed and is moving forward with the initial block of recommendations from the Commission. This extends the Commission another year.

SB1122 – Lockbox Bill
This bill prescribes that the additional revenue received from gambling be used to increase education funding beyond the levels required by a state formula.

BREAK

DISCUSSION ITEMS:

Superintendent Certification Update

Purpose:

The purpose of this item is to request permission to publish the repeal and replacement of amendments to COMAR 13A.12.04.03 *Superintendents* (Attachment I). Amendments are being proposed to provide additional pathways for certification in the area of superintendent as well as to establish two, distinct superintendent certificates: Superintendent I for Deputy, Assistant, and Associate Superintendent and Superintendent II for Superintendents.

Proposed Amendments:

The proposed amendments (Attachment III):

- Delineate the requirements set forth for certification as a superintendent and the requirements set forth for certification as a Deputy, Associate, and Assistant Superintendent;

- Creates a professional pathway for individuals to become certified as a Superintendent;
- Expands the pathways to include out of state programs leading to Superintendent certification in that state;
- Establishes coursework requirements; and
- Increases the minimum years of experience required to be eligible as an individual who holds a Superintendent certificate from another state.

Summary:

A workgroup comprised of multiple constituent organizations is recommending proposed amendments to COMAR 13A.12.04.03 *Superintendents* to establish two; distinct Superintendent certificates, as well as provide multiple pathways for certification.

Action:

I request permission to publish the repeal and replacement of amended regulatory language to COMAR 13A.12.04.03 *Superintendents*.

Discussion:

Ms. Sarah Spross gave an update to the Board in regards to what occurred at the State Board meeting on April 24, when she presented the memo to request the permission to publish – repeal and replace COMAR 13A.12.04.03 *Superintendents*.

Ms. Spross informed the Board that the request for publication was denied by the State Board. The Board felt that the new regulation was making it more difficult to become a superintendent. The Board was also very clear that perhaps a Superintendent of Schools does not need to meet to these type of requirements and does not need to have teaching experience or administrative experience or a master’s or the 60 credits. The Board asked Ms. Spross for the law and what was required from statute. Ms. Spross outlined what was in Education Article 4-201 – Section C under qualifications.

The law states: An individual may not be appointed as a County Superintendent unless he/she:

- 1) Is eligible to be issued a certificate for the office by the State Superintendent.
- 2) Has graduated from an accredited college or university.
- 3) Has completed 2 years of graduate work in an accredited college or university including public school administrative and methods of teaching.

Ms. Spross stated that the State Board would not approve the regulation and asked the committee to come back with only what was required by statute. The question was put forth to Ms. Spross as to what was the vote on this regulation. Ms. Spross stated that there was not a vote. It was unanimous. Ms. Spross stated that the Board wanted specific things in the regulation, as well as more information about other states.

- 1) A regulation that would be very clear as to what would be required by statute.
- 2) The ability for waiver provisions.
- 3) What are other states doing?
- 4) Are there options and the ability for an alternative pathway?

Following Ms. Spross’ summary of what occurred at the State Board meeting, the PSTEB members had a very thorough and specific discussion of what the Board’s request would mean. Several questions

were put forth to Ms. Spross and Mr. Derek Simmons, from the Attorney General's office, expressing their concerns and what PSTEB could do or not do.

Mr. Simmons told the PSTEB members that they had three options.

- 1) Vote on one of the opposed regulations that were given today.
- 2) Take no action at this time and wait to see what the State Board does at their next meeting.
- 3) Alternatively, you can put a letter together to request a joint conference committee.

Dr. Alyssia James entertained a motion that PSTEB establish a subcommittee for meeting with the subcommittee of the State Board to seek resolution related to the specific regulation around Superintendents. In conjunction with that motion, Mr. Lloyd also moved that PSTEB, as a group today, determine some talking points and some interests that they have surrounding the superintendent regulations, that the subcommittee may be well informed and represent the interest of the PSTEB.

MOTION: Mr. Christopher Lloyd/Ms. Debra Poese

To establish a subcommittee for the purpose of meeting with the subcommittee of the State Board.

VOTE: UNANIMOUS

The members of the subcommittee that will represent PSTEB are:

- Dr. Alyssia James
- Dr. John Mayo
- Mr. Darren Hornbeck
- Mr. Christopher Lloyd

Mr. Simmons stated that the PSTEB members could put together a letter to go to the State Board for Dr. James to sign. In the letter you can say that the Board has some concerns about the superintendent regulations and you would like to have a joint conference meeting. List the members of the subcommittee that were picked. Wait for the State Board to get back to Dr. James about arranging a date and time.

Dr. James stated that the group needs to put together some talking points so that everyone has input. Mr. Lloyd was appointed the contact person to receive all emailed information. Once the talking points are created, they can be discussed at the June PSTEB meeting.

Meeting Adjourned

Dr. Alyssia James entertained a motion to move the Certification Regulation Revision Review to a future PSTEB meeting and to adjourn the May meeting.

MOTION: Mr. Charles Hagan/Ms. Maleeta Kitchen

To adjourn the meeting and move Certification Regulation Revision Review to a future meeting.

VOTE: UNANIMOUS

Meeting adjourned 11:40 a.m.