

## MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday, June 22, 2021  
Maryland State Board of Education  
200 W. Baltimore Street  
Baltimore, Maryland 21201

The Maryland State Board of Education met in person and via WebEx videoconference on Tuesday, June 22, 2021 at 9:00 a.m. The following members were present at the Maryland State Department of Education, 200 W. Baltimore Street, 7<sup>th</sup> Floor State Board Room, Baltimore, Maryland: Mr. Clarence Crawford (President); Ms. Jean Halle (Vice President); Mr. Shawn Bartley; Ms. Gail Bates; Mr. Charles R. Dashiell, Jr., Esq.; Dr. Susan Getty; Dr. Rose M. Li; Ms. Lori Morrow; Brigadier General (BG) Warner Sumpter; Mr. Jason Wu, Student Representative; and State Superintendent Dr. Karen B. Salmon. Dr. Vermelle D. Greene, Ms. Rachel McCusker, and Dr. Holly Wilcox participated by WebEx videoconference. Dr. Joan Mele-McCarthy was absent.

The following staff members also participated: Elliott L. Schoen, Assistant Attorney General; Dr. Sylvia Lawson, Deputy State Superintendent, Office of School Effectiveness; Amalie Brandenburg, Deputy State Superintendent, Office of Finance and Administration; Dr. Carol Williamson, Deputy State Superintendent, Office of Teaching and Learning; and Dr. Miya T. Simpson, Executive Director, Office of the State Board.

President Crawford called the meeting to order and asked Dr. Simpson to conduct the roll call. Mr. Schoen declared the presence of a quorum.

President Crawford explained the meeting procedures and provided opening remarks.

### PUBLIC COMMENT

- **Sharon Saroff** – Virtual Learning
- **Cheryl Bost (MSEA)** – American Rescue Plan
  
- **Approval of Consent Agenda**
  - Approval of May Meeting Minutes
  - Personnel Actions
  - Budget Adjustments, May 2021

***ACTION:** The State Board granted approval by unanimous consent.*

## **REPORTS TO THE STATE BOARD FOR DISCUSSION/ACTION**

- **Data and Research on the Impact of Virtual Learning**  
(Presenter: Dr. Dara Shaw, Executive Director, Office of Research)

Dr. Salmon provided opening remarks and updates on school reopening plans and compliance with the State Board's resolution.

Dr. Shaw presented a summary of data and research on the system-level relationship between virtual learning and other outcomes, and research on the impact of virtual learning during and prior to the COVID-19 pandemic. The presentation included a summary of analyses conducted on third-term metrics regarding virtual learning and attendance and attendance and course pass rate; research findings related to the teacher perspectives and student learning; and characteristics for student success.

State Board members inquired about correlations between the data presented for Maryland with national data; available research on students with anxiety and how they are doing; and data on any relationship between students who were not successful and any soft skills acquired.

*ACTION: None. For information and discussion.*

- **State Plan for the American Rescue Plan Elementary and Secondary School Emergency Relief**  
(Presenter: Mary Gable, Assistant State Superintendent, Student Support, Academic Enrichment & Educational Policy)

Ms. Gable provided a review of the draft Maryland State Plan for the American Rescue Plan Elementary and Secondary School Emergency Relief Fund (ARP ESSER Plan) and the process and timeline for the submission of the plan to the U.S. Department of Education. Ms. Gable shared that the department had requested and received approval for an extension from the U.S. Department of Education to submit their plan to allow time for the new Maryland State Superintendent of Schools to review the plan and provide input. Ms. Gable provided an overview of the ARP ESSER Fund, the departments plan for engaging stakeholders, and the sections to be covered in the plan.

State Board members discussed the departments plan for monitoring staffing and retirements in the local school systems (LSS) and for providing assistance for students and LSSs that made the policy decision to advance all students. State Board members also inquired about student absenteeism and engagement and if any funds will be allocated for outreach; updates on the ventilation systems and if they are/can be monitored and, if so, if this is included in the plan; and the availability of support for districts with weaker technical infrastructure.

Ms. Gable presented a request for approval to share the draft plan with stakeholders and return to the State Board with a final draft during the July meeting. The final plan will be submitted to the U.S. Department of Education by July 30, 2021.

*ACTION: Upon motion by Mr. Dashiell, and seconded by Ms. Morrow, the State Board granted approval to share the draft Maryland State Plan for the American Rescue Plan Elementary and Secondary School Emergency Relief Fund (ARP ESSER) with stakeholders and return to the State Board for final approval in July. (In favor: 12; Opposed: 0; Abstained: 0. Mr. Bartley and Dr. Greene were not present for the vote).*

- **Addressing the Impact of Interrupted Instruction: Monitoring Plan**  
(Presenter: Tiara Booker-Dwyer, Assistant State Superintendent, College and Career Readiness)

Ms. Booker-Dwyer reviewed the plan to monitor school systems as they address the impact of interrupted instruction due to circumstances created by the COVID-19 pandemic. Ms. Booker-Dwyer presented an overview of the monitoring requirements, protocols, processes and resources. Monitoring will include virtual and on-site reviews of school systems and schools and will consist of three phases: 1) Readiness, 2) Implementation, and 3) Analysis and Recommendations.

State Board members discussed the selection process and make-up of the monitoring team; the inclusion of best practices in the monitoring plan and what future success will look like; and requested a follow-up presentation

*ACTION: None. For information and discussion.*

- **The Educator Application and Certification Hub**  
(Presenter: Kelly Meadows, Assistant State Superintendent, Educator Certification and Program Approval)

Ms. Meadows presented information and a demonstration of the Educator Application and Certification Hub (TEACH) of Maryland. The MSDE Educator Information System was established in 2005 as an electronic repository for the certification records of Maryland educators. The TEACH is an updated, fully automated certification system that the MSDE plans to launch in the fall of 2021.

*ACTION: None. For information and discussion.*

- **Early Fall Assessment Reporting**  
(Presenter: Dr. Jennifer Judkins, Assistant State Superintendent, Assessment, Accountability, & Information Technology)

Dr. Judkins provided information about the Elementary and Secondary Education Act requirement to report three achievement levels for the assessment results of the spring 2021/early fall 2021 MCAP assessments and the departments plan to request a waiver. The MSDE is proposing to report two levels of achievement to improve the accuracy and reliability of the levels reported and requested approval to share the proposed action with Superintendents and the public for comment.

*ACTION: Upon motion by Mr. Wu, and seconded by General Sumpter, the State Board approved the request. (In favor: 10; Opposed: 0; Abstained: 0. Mr. Bartley, Dr. Greene and Dr. Wilcox were not present for the vote).*

- **Maryland 2019-2020 Report Card Website**

*(Presenter: Chandra Haislet, Director of Accountability and Data Systems)*

Ms. Haislet provide updates on the Maryland Report Card website. Information was shared regarding educator qualifications, per-pupil expenditures, and Civil Rights data collection, as well as the reporting timeline.

*ACTION: None. For information and discussion.*

- **Teacher Certification Assessments, Revisions/Test Approval and Establishment of Qualifying Scores**

*(Presenter: Kelly Meadows, Assistant State Superintendent, Educator Certification and Program Approval)*

Request for approval to adopt the qualifying scores set for the following Praxis subject assessments for certification:

Test Code	Test Name	Qualifying	Score Scale
5164	Middle School Mathematics	157	100-200
5165	Mathematics	159	100-200
5442	Middle School Science	152	100-200
5485	Physical Science	157	100-200

*ACTION: Upon motion by Mr. Wu, and seconded by Ms. Bates, the State Board adopted the set qualifying scores. (In Favor: 11; Opposed: 0; Abstained: 0. Dr. Greene, and Dr. Wilcox were not present for the vote.)*

- **Programs for Professionally Licensed Personnel and Educator Certification Regulations Discussion**

*(Presenter: Kelly Meadows, Assistant State Superintendent, Educator Certification and Program Approval)*

Ms. Meadows presented recommended modifications to the repeal and replacement of COMAR 13A.07.06 *Programs for Professionally Licensed Personnel*. The regulatory language is aligned to the MSDE's comprehensive plan to increase the rigor and accountability of educator certification and preparation programs in Maryland. The amended regulations presented incorporate recommendations by the State Board subcommittee, the Professional Standards and Teacher Education Board (PSTEB), the Commission on Innovation and Excellence in Education, and the Superintendent's Educator Preparation and Certification Advisory Committee, and are designed to align with the *Blueprint for Maryland's Future*.

*ACTION: Upon motion by Ms. Halle, and seconded by Ms. Bates, the State Board granted permission for the amended regulations to be presented to the PSTEB for consideration to publish jointly with the State Board. (In Favor: 11; Opposed: 0; Abstained: 0. Dr. Greene and Dr. Wilcox were not present for the vote.)*

- **Code of Maryland Regulations (COMAR)**

*(Presenter: Mary Gable, Assistant State Superintendent, Division of Student Support, Academic Enrichment & Educational Policy)*

- **COMAR 13A.12.01-.06 Educator Certification (Permission to Publish - Repeal and Replace)**

Request for permission to publish the repeal of COMAR 13A.12.01-.06 *Educator Certification* and replace with COMAR 13A.12.01-.07 *Educator Licensure*.

*ACTION: Upon motion by Ms. Halle, and seconded by Ms. Bates, the State Board granted permission to publish. (In Favor: 11; Opposed: 0; Abstained: 0. Dr. Greene and Dr. Wilcox were not present for the vote.)*

- **COMAR 13A.06.01 Programs for Food and Nutrition (Permission to Publish)**

Request for permission to publish the proposed amendments, which include the option of a review of the record with the right to file written information for appeals in the National School Lunch Program. The MSDE's current procedures only allow LSSs to request a hearing.

*ACTION: Upon motion by Mr. Dashiell, and seconded by General Sumpter, the State Board granted permission to publish the amended regulation. (In Favor: 11; Opposed: 0; Abstained: 0. Dr. Greene and Dr. Wilcox were not present for the vote).*

- **COMAR 13A.03.08 *Students at Risk for Reading Difficulties (Permission to Adopt)***

Request for permission to adopt the amendments and nonsubstantive changes to the regulations. The proposed regulations support the *Ready to Read Act of 2019*, which requires local schools systems to screen students in kindergarten for reading difficulties and to screen students in first grade who have not been screened or who are at risk for reading difficulties. The regulation extends the requirements of the law in order to ensure that all students are on grade level for literacy by the end of grade three.

*ACTION: Upon motion by Mr. Dashiell, and seconded by General Sumpter, the State Board adopted amendments to the regulations. (In Favor: 11; Opposed: 0; Abstained: 0. Dr. Greene and Dr. Wilcox were not present for the vote.)*

- **COMAR 13A.04.13 *Program in Physical Education (Permission to Adopt)***

Request for permission to adopt the amended regulation. The amendments emphasize the mandate to include all students in a standards-based physical education program and include a section that explains the responsibility of local school systems to ensure that students with disabilities have an equal opportunity to participate in physical education as mandated in State statute. The amendments also define standards-based instructional assessments for all students aligned to outcomes in the State Framework and the role of health-related fitness tests.

*ACTION: Upon motion by Mr. Dashiell, and seconded by General Sumpter, the State Board adopted amendments to the regulations. (In Favor: 11; Opposed: 0; Abstained: 0. Dr. Greene and Dr. Wilcox were not present for the vote.)*

## **STATE BOARD MEMBER COMMITTEE REPORTS/UPDATES**

- **Digital Learning Committee Update**

*(Presenters: Dr. Carol Williamson, Deputy State Superintendent, Office of Teaching and Learning; Val Enrich, Director of Digital Teaching and Learning; Erin Senior, Education Program Specialist II – Digital Learning)*

Ms. Halle provided opening remarks and introduced Dr. Williamson and her team to provide an overview and updates regarding the activities and accomplishments of the committee. The presentation incorporated past and present work of the State Board workgroup and Digital Learning Advisory Committee, and provided information about future plans. Dr. Williamson presented the five (5) areas of focus to include: Learning Management System, 2) Online Courses, 3) ESSER Funds, 4) Virtual Programs, and 5) Digital Learning Framework.

***ACTION:** Upon motion by Ms. Bates, and seconded by Ms. Morrow, the State Board granted permission for the Committee to move forward. (In Favor: 11; Opposed: 0; Abstained: 0. Dr. Greene and Dr. Wilcox were not present for the vote.)*

- Dr. Daryl Howard presented an update on the AAEEBB Advisory Council and work with the pilot schools. Mr. Wu requested adding a student representative to the Advisory Council.
- Mr. Wu shared feedback on the Student Town Hall with Dr. Salmon that was held on Tuesday, June 1<sup>st</sup>.

### **RECOGNITION OF STATE SUPERINTENDENT DR. KAREN B. SALMON**

State Board members recognized Dr. Salmon and thanked her for her service to the State and Maryland's students.

### **RECOGNITION OF DEPARTING STATE BOARD MEMBERS**

State Board members recognized Dr. Rose M. Li and Mr. Jason Wu (terms ending June 30, 2021) and thanked them for their service.

### **EXECUTIVE SESSION**

Pursuant to § 3-305(b)(7) of the General Provisions Article, Annotated Code of Maryland, and upon motion of Jean Halle, seconded by Gail H. Bates, and with unanimous approval, the Maryland State Board of Education met in closed session on Tuesday, June 22, 2021 in Conference Room #1, 8<sup>th</sup> Floor, at the Nancy S. Grasmick Building. All board members were present except Shawn Bartley, Rachel McCusker, and Joan Mele-McCarthy. Also in attendance were Dr. Sylvia Lawson, Chief Performance Officer, Amalie Brandenburg, Chief Operating Officer, Carol Williamson, Chief Academic Officer, Dr. Miya Simpson, Executive Director, Office of the State Board and Assistant Attorneys General, Elliott Schoen and Jackie LaFiandra. The Executive Session commenced at 4:15 p.m.

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

- *In the Matter of Wendy Lippe* – petition for judicial review – Opin. No. 21-37
- *Bernard McFadden v. Baltimore County Board of Education* – bus driver disqualification – Opin. No. 21-38
- *Dacia Osborne v. Carroll County Board of Education* – bus driver disqualification – Opin. No. 21-39
- *P.M. v. Prince George's County Board of Education* – student transfer – Order No. OR21-04
- *Eric T. v. Montgomery County Board of Education* – student transfer – Order No. OR21-05

The State Board discussed officer candidates for a July vote.

The State Board discussed returning to full in person meetings and possible virtual options if members cannot participate in person.

The Executive Session ended at 5:00 p.m.

**LEGAL OPINIONS AND ORDERS:**

Mr. Schoen announced the following Opinions:

- *In the Matter of Wendy Lippe* – petition for judicial review – Opin. No. 21-37
- *Bernard McFadden v. Baltimore County Board of Education* – bus driver disqualification – Opin. No. 21-38
- *Dacia Osborne v. Carroll County Board of Education* – bus driver disqualification – Opin. No. 21-39
- *P.M. v. Prince George’s County Board of Education* – student transfer – Order No. OR21-04
- *Eric T. v. Montgomery County Board of Education* – student transfer – Order No. OR21-05

With no further business before the Board, the meeting was adjourned at 5:12 p.m.

Respectfully submitted,



Mohammed Choudhury  
Secretary/Treasurer

Date: July 27, 2021

*The information included here provides a summary of the agenda items presented and actions taken during the meeting of the Maryland State Board of Education. The video recordings of the meetings are the official record of the meetings and can be located at:*  
<http://www.marylandpublicschools.org/stateboard/Pages/Meetings-2021.aspx>

Meeting materials, Opinions, and Orders can be found at:  
<http://www.marylandpublicschools.org/stateboard/Pages/Meetings-2021.aspx>

**The next Maryland State Board of Education meeting will be held on Tuesday, July 27, 2021.** 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.

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Minutes for June 22, 2021





**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 22, 2021  
 Time: 2:30 pm  
 Location: Virtual  
 Motion to close meeting made by: Jean Halle  
 Seconded by: Gail Bates  
 Members in favor: 12  
 Opposed: 0  
 Abstaining: 0  
 Absent: 2
  
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.

<b>Citation (insert # from above)</b>	<b>Topic</b>	<b>Reason for closed-session discussion to topic</b>
§ 3-305(b)(7)	Legal Advice Administrative Function	3 Appeals and 2 Draft Orders 2 Internal Board Management Items <ul style="list-style-type: none"> <li>• Meeting room logistics for July</li> <li>• Overview of election of State Board Officers for July</li> </ul>

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