

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday, April 14, 2020
Maryland State Board of Education
200 W. Baltimore Street
Baltimore, Maryland 21201

The Maryland State Board of Education met via teleconference on Tuesday, April 14th, at 11:30 a.m. The following members participated on the conference call: Brigadier General (BG) Warner Sumpter (Ret.); Ms. Jean Halle; Ms. Gail Bates; Mr. Clarence Crawford; Mr. Charles R. Dashiell, Jr., Esq.; Dr. Vermelle D. Greene; Dr. Justin M. Hartings; Dr. Rose M. Li; Dr. Joan Mele-McCarthy; Ms. Rachel McCusker, Ms. Lori Morrow, Mr. Michael Phillips, Dr. David Steiner; Ms. Noureen Badwi, Student Representative; and State Superintendent Dr. Karen B. Salmon.

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 Sumpter called the meeting to order and requested a moment of silence to acknowledge first responders and others impacted by the COVID-19 pandemic.

President Sumpter asked Dr. Simpson to conduct the roll call. Mr. Schoen declared the presence of a quorum.

President Sumpter explained the procedures for conducting the virtual meeting.

STATE SUPERINTENDENT’S REPORT/UPDATES

➤ ***Update on Meals/Food Distribution***

Dr. Salmon highlighted the phenomenal work of local food service directors and their staff, as well as the MSDE’s Office of School and Community Nutrition, remarking that “their operational skills and commitment to feeding our children is unmatched.” Dr. Salmon shared that after the first week of school closure, 440,000 meals were served at approximately 140 sites; and last week 1.3 million meals were served at over 600 sites for a total of almost 4 million meals so far. She also shared that many local districts are moving toward serving additional meals on fewer days per week to promote greater social distancing and noted that they are seeing collaborations with community organizations and religious groups, to continue meal service operations and provide school food service workers some well-deserved time off. Counties are utilizing perishable frozen inventory by sending home foods to be prepared at home. They are including in-home instructions in English and Spanish regarding food storage, safety, preparation, handling, and serving. The Department will continue to work closely with all the districts and provide options and resources as needed.

➤ ***Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding***

Dr. Salmon provided a brief update on the CARES Act and the available funding Maryland may receive. The U. S. Department of Education has 30 days from the enactment of the law on March 27th to issue a notice of funding and 30 days to respond to submitted applications. Dr. Salmon shared that she recently received a call from the U.S. Department of Education informing her that Maryland will receive over \$207 million dollars of which 90% will be allocated to local school systems. These funds can be used to support any expenses dating back to March 13, 2020 when the federal state of emergency was declared. MSDE has established the necessary fund codes and structures to be able accept and track these funds when they become available and will work closely with the local school districts in allocating and dispersing these funds.

➤ ***Update on Continuity of Learning***

Dr. Salmon shared that the Department has been working alongside local school system staff nearly 24/7 to ensure that there is a laser-focus on providing continuity of learning for all students, regardless of the amount of time schools would be closed. She has conducted a weekly (often multiple times a week) virtual meeting with all local school superintendents to ensure she is aware of system needs, and working collaboratively to resolve any concerns and issues they may be facing. Weekly and bi-weekly meetings are also occurring for local school system Assistant Superintendents, Chief Financial Officers and Special Education Directors. Their feedback and their input have been critical to keeping the needs of students as our first priority.

Additionally, she has established five workgroups of representatives from across the State to identify potential solutions to issues regarding seniors such as graduation credits as well as groups to address attendance, grading, providing for English Learners, and detailing a baseline of standards in every grade and subject K-12 for this period of time. The recommendations from the workgroups were shared and discussed with local superintendents and enabled her to work collaboratively with them to identify the issues facing high school students – especially seniors – and determine some potential ways forward. The meetings also resulted in the development of a Frequently Asked Questions (FAQ) document that should prove very helpful and will be updated frequently. It is available on the MSDE website as a part of our COVID-19 special webpages.

Dr. Salmon also provided the following information:

- Identified a single point of contact between MSDE and each local school system in order to provide quick and accurate responses to local superintendents' questions.
- A resource hub has been set up for local Superintendents and now has about 75 documents/resources provided there. It contains the FAQ referenced, parent and teacher resources, summaries of system's continuity of learning plans and technological capabilities, a review of evidence-based programs that have been offered, and samples of online teacher plans for elementary, middle, and high school.
- To ensure we have a level of consistency in the continuity of learning plans Dr. Salmon has asked for each school system to submit their plan for our review and approval. All plans should include:

- An overall description of how they will deliver continuity of learning to all students. This will include their distance learning platform, the technology they have available, and how they will accommodate students who do not have access to a device or the internet.
 - A description of the roles and responsibilities of district staff, school administrators, teachers, instructional assistants, students and parents.
 - A sample teacher and student day.
 - A plan of accountability is to be included and should identify how they will monitor and assess student performance. This should include how they will grade students for the 3rd and 4th quarter.
 - A description of how the school system plans to address equity is to be included and should address special education, English Learners, Students with Academic Needs, Homeless Students and Gifted Students.
 - A section that identifies the professional development plan for staff.
 - A description of the resources available for students is to be included.
- Curriculum Coordinators have developed Continuity of Learning Standards guidance documents that identified baseline standards that need to be addressed by the end of the year in order for students to have the foundation they would need for the next grade level. Guidance documents were developed for a wide variety of subject areas. This information was shared with representatives from across the state and was posted in the superintendents' drop box.
 - Created a substantial list of parent and teacher resources and provided them to our local school systems and posted them to our website. Resource lists will be updated and the department will next begin adding Early Childhood, Special Education, and Computer Science resources.
 - Virtual meetings and correspondence with Instructional Technology Liaisons and Online Points-of-Contact has helped in identifying system capabilities and needs, as well as updates to policies related to privacy and security for web conferencing tools. Information has been shared with local school systems, as well as best practices for the student use of web conferencing at home.
 - All local school systems at this point have information regarding Continuity of Learning on their website.
 - Some school systems are still purchasing and providing devices and means of internet access for their students. Funding is still being sought for more devices to be purchased for school systems and it may be possible to convert some unspent grant dollars to support this and to support training staff on how to use various platforms to communicate with their students.
 - The Department and local school system staff will continue to work 24/7 to ensure continuity of learning is provided to all students.

ACTION: None. For information and discussion only.

REPORTS TO THE STATE BOARD FOR DISCUSSION AND/OR ACTION

➤ ***Timeline Extension for Non-Recurring Costs***

(Presenter: Amalie Brandenburg, Deputy State Superintendent, Office of Finance and Administration)

Ms. Brandenburg provided an update on waivers of the timelines for nonrecurring costs issued by the Maryland State Department of Education. As a result of the March 24, 2020 emergency State Board resolution, the State Superintendent can make decisions on behalf of the State Board to take appropriate actions to control and prevent the spread of the COVID-19 virus. Under the resolution, the State Superintendent, in consultation with and with instruction of the President of the State Board, is authorized to take appropriate actions that will be reviewed by the State Board at its next meeting.

ACTION: None. For information and discussion.

➤ ***Request for Waiver Related to Terms of Contract for School Personnel***

(Presenter: Mary Gable, Assistant State Superintendent, Division of Student, Family, and School Support)

Review and request for approval of waiver recommendations related to requirements for terms of contract for school personnel as a result of the extraordinary circumstances created by the COVID-19 pandemic and resulting school closures. COMAR 13A.07.02.01 *Contracts* defines contractual requirements for certificated professional employees and identifies dates for non-renewal of contracts. As a result of reviewing the regulation and other documents, and based on the statutory authority of the State Board included in COMAR 13A.01.01.02-1 *Waiver from Regulations*, the following waiver is requested regarding COMAR 13A.07.02.01 *Contracts*:

- Request extension of the May 1 deadline for written notice of non-renewals of certificated employees to be extended to June 15 for probationary teachers hired before January 1.
- Request extension of the June 15 deadline for written notice of non-renewals of certificated employees to be extended to July 29 for probationary teachers hired after January 1.

*ACTION: Upon motion by Ms. Halle and seconded by Mr. Phillips, the State Board approved the recommended waivers to COMAR 13A.07.02.01 *Contracts*. (In Favor: 14; Opposed: 0; Abstained: 0).*

➤ ***Clinical Internship Options for Teacher Preparation***

(Presenter: Sarah Spross, Assistant State Superintendent, Division of Educator Effectiveness)

Request for retroactive approval of the policy decision pertaining to clinical internship requirements for teacher preparation programs with candidates who anticipate difficulty completing their internship requirements during the COVID-19 crisis. On March 30, 2020,

and after considerable consultation with the Maryland Higher Education Commission (MHEC) and local school systems superintendents, a policy statement was issued concerning alternative options presented to traditional educator preparation programs approved in Maryland to ensure candidates are able to complete their clinical internship experiences. The alternative options are only available for spring and summer 2020 program completers.

***ACTION:** Upon motion by Ms. Halle and seconded by Ms. Morrow, State Board members approved the requested action. (In Favor:14; Opposed:0; Abstained: 0)*

➤ ***Flexibility for States in the Elementary and Secondary Education Act (ESEA) of 1965 on K-12 Education Funding***

(Presenter: Amalie Brandenburg, Deputy State Superintendent, Office of Finance and Administration)

Review and request for permission to submit a waiver for *Flexibility for Maryland on the Elementary and Secondary Education Act (ESEA) K-12 Economic Funding* for the 2019-2020 school year. As a result of the extraordinary circumstances created by the COVID-19 pandemic and resulting school closures and in addition to the Flexibility for States in ESEA on Assessment and Accountability Requirements previously granted, the Coronavirus Aid, Relief, and Economic Security (CARES) Act authorizes the U.S. Secretary of Education to provide additional flexibility through waivers of specific requirements.

Given that Maryland schools have been closed since March 16, 2020, through the waivers the MSDE would be able to approve a local education agency (LEA) to carry over more than 15 percent of its Title I, Part A funds, even if the LEA had received approval to exceed this limitation in the past three years. The MSDE would be able to extend for itself and its sub grantees the period of availability of FY 2018 funds for programs included in the Consolidated State Plan to allow additional time to obligate those funds; and would also be able to permit an LEA or consortium of LEAs to use its Title IV, Part A funds to best meet its needs without regard to content-area spending requirements, spending limits on technology infrastructure, or completing a needs assessment, Finally, by waiving the definition of professional development, the MSDE and sub grantees would be able to conduct time-sensitive one-time or stand-alone professional development focused on supporting educators to provide effective distance learning.

***ACTION:** Upon motion by Ms. Bates and seconded by Ms. Halle, State Board members granted permission to submit a waiver for Flexibility for Maryland on the ESEA K-12 Economic Funding for the 2019-2020 school year. (In Favor:14; Opposed:0; Abstained: 0).*

➤ ***Request for Waivers Related to Graduation, Assessments, and Service Learning due to the COVID-19 Pandemic – COMAR 13A.03.02 Graduation Requirements for Public Schools in Maryland***

(Presenter: Mary Gable, Assistant State Superintendent, Division of Student, Family, and School Support)

Review and request for waiver recommendations related to requirements for graduation including assessments, service learning, and completer requirements as a result of the extraordinary circumstances created by the COVID-19 pandemic and resulting school closures. The State Superintendent and staff have been meeting with local school superintendents and other groups to address issues and concerns related to the impact of extended school closures, share best practices, and make recommendations.

As a result of reviewing the Maryland Annotated Code, the Code of Maryland Regulations (COMAR), and other documents, and based on the authority of the State Board included under Education Article section 2-205 and COMAR 13A.01.01.02-1 *Waiver from Regulations*, the following waivers are requested collectively for all local school systems for good cause, as necessary and justifiable, arising from the state of emergency:

COMAR 13A.01.01.02-1 *Waivers from Regulations* – Request a waiver from the requirement that the local superintendent of schools on behalf of the school system file a waiver request with the State Superintendent of School.

Note: COMAR 13A.03.02.03 *Credits for Graduation* – Remain the same – 21 credits required by the State (No waiver requested)

COMAR 13A.03.02.01 *Scope* – Local Superintendents may waive additional graduation requirements for graduates in their school systems (credit requirements range from 21 to 26)

COMAR 13A.03.02.06 *Maryland High School Assessments* –Request a waiver for seniors from participating in and passing assessments in Algebra I, English 10, and American Government, and for participating in the Maryland Integrated Science Assessment (MISA). This request includes a waiver for seniors from completing the Bridge Plan for Algebra I, English 10, and/or American Government.
*(*Correction reflects that the State Board was requested to waive the assessment and Bridge Plan for seniors instead of “...students graduating in the 2019-2020 and 2020-2021 school years” as previously noted.)*

COMAR 13A.03.02.05 *Student Service - Graduation Requirement*– Request waiver of the Student Service requirement for seniors who have not met the requirements.

Note: Recommend that all other middle and high school students who are enrolled in a course which has Service Learning embedded in the course would receive credit for the Service Learning for that course; all students who earned hours of Service Learning prior

to March 13, 2020, would be awarded credit for Service Learning for the 2019-2020 school year.

COMAR 13A.04.19.02 *Program for Cosmetology* – Request waiver for seniors for 500 hours of theory and 1000 hours for demonstration and practical application. Seniors would graduate as a CTE completer with at least four CTE credits and would need to complete the Requirements to practice cosmetology and for Cosmetology Operator licensure as required by the Board of Cosmetology, beyond the school year.

COMAR 13A.04.09.03 *Curriculum for Nail Technician* – Request waiver for seniors of the 250 clock hour of theory demonstration and practical application. Seniors would graduate as a CTE completer with at least four CTE credits and would need to complete requirements for licensure beyond the school year.

COMAR 13A.04.20 *Program for Barbers* - – Request waiver for seniors for 1200 hours for practical application. Seniors would graduate as a CTE completer with at least four CTE credits and would need to complete the practical application for a barber to practice barbering as required by the Board of Cosmetology, beyond the school year.

Education Article Section 7-205.2 – Request waiver of CPR and AED required instruction for students who were in a health or physical education class in the 2019-2020 school year but were unable to complete the instruction.

Education Article Section 7-404 and COMAR 13A.05.05.07 *Vision and Hearing Screenings* – Request a waiver to delay the intervals for the required screenings until the State of Emergency is lifted and it is medically safe to reinstate screenings for students who have not obtained the screenings in the 2019-2020 school year and students who have not obtained screening within the past year.

Education Article 7-203 – Request waiver of the requirement to implement the middle school social studies assessment in the 2019-2020 school year because it is not feasible to administer the assessment under the present instructional limitations due to the COVID-19 State of Emergency and Executive Orders in effect.

COMAR 13A.04.02.03(G) *Secondary School Career and Technology Education* – Request waiver for seniors of the requirements for supervised work-based learning experiences and industry-mentored projects for seniors. Seniors would graduate as a CTE completer with at least four CTE credits and could complete work-based learning experiences beyond the school year.

ACTION: Upon motion by Ms. Badwi and seconded by Ms. Bates, the State Board approved the identified waivers. (In Favor: 14; Opposed: 0; Abstained: 0).

➤ ***Request for Waiver of Instructional Days for Maryland Public Schools***

Request to provide the State Superintendent the authority to waive up to five days of student attendance for Maryland public schools for the 2019-2020 school year, upon the request of a local superintendent of schools on behalf of a school system.

***ACTION:** Upon motion by Ms. Halle and seconded by Ms. Badwi, the State Board granted approval. (In Favor: 14; Opposed: 0; Abstained: 0)*

➤ ***Calendar Modification Requests from Local School Systems***

(Presenter: Teresa Dantzler, Ombudsman)

Request for approval of the following waiver requests:

- *Charles County Public Schools*: waiver to open school on April 10, 2020, the Friday before Easter, April 13, 2020, the Monday after Easter, and June 2, 2020, Primary Election Day as school closure make-up days for the 2019-2020 school year.
- *Baltimore City Public Schools*: waiver to open school on April 10, 2020, the Friday before Easter, and April 13, 2020, the Monday after Easter, as school closure make-up days for the 2019-2020 school year.
- *Washington County Public Schools*: waiver to open school on April 10, 2020, the Friday before Easter, and April 13, 2020, the Monday after Easter, as school closure make-up days for the 2019-2020 school year.

***ACTION:** Upon motion by Ms. Badwi and seconded by Ms. Halle, the State Board approved the requested waivers from Charles County Public Schools, Baltimore City Public Schools, and Washington County Public Schools. (In Favor: 14; Opposed: 0; Abstained: 0)*

FUTURE AGENDA ITEMS/AGENDA PLANNING

President Sumpter noted agenda items for the Tuesday, April 28th meeting will be discussed and confirmed at a later date.

BOARD MEMBER COMMENTS/UPDATES

- Ms. McCusker shared concerns she has heard from teachers regarding evaluations and SLO benchmarks. Dr. Salmon said this discussion will be included on the April 28th agenda.

ADJOURNMENT

With no further business before the Board, the meeting was adjourned at 12:55 p.m.

Respectfully submitted,

Karen B. Salmon, Ph.D.

Secretary/Treasurer

Date: March 24, 2020

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/meeting-agendas/2020/2020-02-25.aspx>

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

<http://www.marylandpublicschools.org/stateboard/Pages/Meetings-2020.aspx>

The next meeting of the Maryland State Board of Education will be held on Tuesday, April 28, 2020. 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.