

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday, May 24, 2022
Maryland State Board of Education
200 West Baltimore Street
Baltimore, Maryland 21201

The Maryland State Board of Education met in person on Tuesday, May 24, 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; Dr. Susan Getty (Virtual); Ms. Jean Halle (Virtual); Ms. Lori Morrow (Virtual); Ms. Rachel McCusker; Brigadier General (BG) Warner Sumpter; Dr. Holly Wilcox; State Superintendent, Mr. Mohammed Choudhury. Mr. Shawn Bartley, Esq., Dr. Vermelle D. Greene, and Dr. Joan Mele-McCarthy were absent.

The following staff members also participated: Elliott L. Schoen, Assistant Attorney General, Dr. Sylvia Lawson, Deputy Superintendent, Organizational Effectiveness; Dr. Deann Collins, Deputy Superintendent, Teaching and Learning; Mr. 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 members of the public, speakers, and provided opening remarks.

PUBLIC COMMENT

- Buzzy Hettleman – Students with Disabilities
- Donna Blaney – Assessments
- Tom Mortenson – Bureau of Labor Statistics Data
- Sharon Saroff – Special Education
- Dr. Scott Smith (Superintendent – St. Mary’s County) – Maryland Leads Program

NEW BUSINESS

- **Approval of Consent Agenda**
 - Approval of April 26, 2022, Meeting Minutes
 - Personnel Actions
 - Budget Adjustments, April 2022

ACTION: The State Board granted approval by unanimous consent.

Mr. Crawford introduced the new student representative, Merin Thomas that will be starting July 1, 2022.

ORAL ARGUMENT

Stephen Price v. Howard County Board of Education

TEACHER OF THE YEAR RECOGNITION

Mr. Choudhury stated that he was excited to recognize the teachers of the year. Mr. Choudhury introduced Ms. Regina Simpson. Ms. Simpson introduced the Teachers of the Year and their guests.

- Amy Rice, Allegany County Public Schools
- Charles Whittaker, Anne Arundel County Public Schools
- Berol Dewdney, Baltimore City Public Schools
- Alicia Amaral Freeman, Baltimore County Public Schools
- Rachael Ulmer, Calvert County Public Schools
- Mirta Valdes-Bradner, Caroline County Public Schools.
- Erica McAndrew, Carroll County Public Schools
- Nadeline Fleischer-Pile, Cecil County Public Schools
- Morgghan E. Hungerford, Charles County Public Schools
- Philip Sham Albert, Dorchester County Public Schools
- Jonathan Kurtz, Frederick County Public Schools
- Amy Beeman, Garrett County Public Schools
- Ashley Gereli, Harford County Public Schools
- Jordan Lim, Howard County Public Schools
- Karen Carty, Kent County Public Schools
- Johnathan Dunn, Montgomery County Public Schools
- Evelyn Policarpio, Prince George's County Public Schools
- Cassandra Hosler, Queen Anne's County Public Schools
- Melissa Kiernan, St. Mary's County Public Schools
- Jennifer Carey, Somerset County Public Schools
- Katherine Spies, Talbot County Public Schools
- Elizabeth McDonald, Washington County Public Schools
- Rebecca Matthews, Wicomico County Public Schools
- Kristin Cashman, Worcester County Public Schools

Mr. Crawford and Mr. Choudhury thanked the teachers for their dedication, service, and commitment.

STATE BOARD PRIORITIES

- **Blueprint Deep Dive: Early Childhood Education**
(Presenters: Dr. Deann Collins, Deputy Superintendent for Teaching and Learning, Mr. Steven Hicks, Assistant State Superintendent for the Division of Early Childhood, Ms. Marcella Franczkowski, Assistant State Superintendent for the Division of Early Intervention and Special Education Services)

Dr. Collins stated that the purpose of the presentation was to provide Part 2 of the briefing to the Board on early childhood programs and initiatives in the Blueprint for Maryland's Future (HB-1300). The presentation was a continuation from the April 26, 2022, State Board of Education meeting.

The presentation included a discussion about early childhood education, which included four sections:

- Recap of the April 26, 2022, Board Presentation
- Early Childhood Implementation in the Blueprint for Maryland's Future
- Programs and Initiatives in Support of Early Childhood in the Blueprint
- Stabilizing and Rebuilding Maryland's Child Care System

Dr. Collins stated that at the April 26, 2022, Board meeting the first three early childhood themes from the Blueprint for Maryland's Future was discussed: 1) Mixed delivery Prekindergarten, 2) Program Quality, and 3) Workforce. Dr. Collins stated that the remaining two themes would be explored along with additional programs and initiatives in support of early childhood in the law along with efforts to stabilize and rebuild Maryland's childcare system.

- Expanded Support Programs
- R4K Assessment System

Mr. Hicks explained the expanded support programs and how the programs operate. He stated that the program enhances school readiness of Head Start Children, ages birth to five, who met income guidance. Mr. Hicks further explained that funding would be used to extend the day for children who participate in a 3.5-hour day and/or extend the year for children to participate in a six-to-eight-week summer programming. Mr. Hicks informed the Board that at the present time, there are 69 Judy Centers and 20 Support Centers.

Mr. Hicks also explained that there are 13 Regional Licensing Offices that operate within the Licensing Branch to keep all children in childcare safe and healthy. He explained the difference between informal childcare and formal childcare and the fact that parents can utilize the website to find safe licensed care for their children. Mr. Hicks discussed the childcare scholarship program that MSDE has to provide financial assistance for childcare costs to eligible working families in Maryland. He informed the Board that MSDE has issued a request for proposals in order to procure the services of a contractor to modernize and develop a centralized, interactive Early Childhood Data System that will provide a foundation for rapidly evolving business demands and high expectations of the early childhood community.

ACTION: None. For information and discussion.

- **Data Deep Dive: Maryland School Report Card: Educator Qualifications**
(Presenter: Ms. Chandra Haislet, Assistant State Superintendent for the Division of Accountability, Assessment and Data Reporting)

Ms. Haislet stated that the purpose of the presentation was to provide data on the 2020 – 2022 Maryland Report Card website information regarding educator qualifications. The MSDE educator qualification website data includes information on the following:

- Educator Qualification data disaggregated by local education agency
- Educator Qualification by Poverty data.
- Educator Qualification by Students of Color

Ms. Haislet informed Board members that among public school teachers with one to three years of experience, 80 percent stayed in their school, 13 percent moved to another school, and seven percent left teaching in 2012 - 2013 (U.S. Department of Education 2014). She stated that teachers are nearly twice as likely to exit high poverty schools compared to the more affluent schools. With high annual turnover, the children from low - income families are more likely to be taught by a novice teacher. Ms. Haislet also stated that teachers are more likely to remain in schools that have higher concentrations of white students and teachers in high - poverty, high-minority schools, tend to have higher rates of attrition.

Ms. Haislet further stated that inexperienced teachers have an impact on the performance outcomes of students. Schools having higher percentages of inexperienced teachers tend to have lower academic performance compared to schools with more experienced teachers. The statewide percentages show that overall, Maryland has decreased the percentage of inexperienced educators, inexperienced teachers, and out-of-field teachers. The percent of teachers teaching with emergency or provisional credentials demonstrated an increase.

Ms. Haislet also stated that in Maryland for the school year 2020 - 2021, high poverty schools had higher percentages of inexperienced educators, inexperienced teachers, teachers teaching with emergency or provisional credentials, and teaching out-of-field. For the 2020 - 2021 school year in Maryland, schools having a high percentage of students of color have higher percentages of inexperienced educators, inexperienced teachers, teachers teaching with emergency or provisional credentials, and educators teaching out-of-field.

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, Academic Enrichment, and Educational Policy)

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, which began with the September 28, 2021, State Board meeting and for each subsequent State Board meeting. Updates were provided on school logistics and transmission rates related to the COVID-19 pandemic. Mr. Choudhury explained that the data provided was based on how local school systems are addressing vaccinations, COVID-19 testing, data on the number of students and staff who have needed to be quarantined, positivity rates, seven day moving average case rates by jurisdiction, community transmission levels, and statewide hospitalizations. The presentation also provided information from the Centers for Disease Control (CDC) and Prevention guidance, updates on local school systems that lifted the mask mandate in schools and on buses, vaccination rates for ages five and older, death rates, and CDC community level data and recommendations. He stated that the presentation would also review the interim K-12 School and Childcare COVID-19 Guidance, along with the latest information on COVID variants. The presentation outlined the following:

- Vaccinations and COVID-19 Testing
- Quarantine and COVID-19 Data
- May 2022 – LEA Updated COVID Protocols: Mask Mandates and Testing Strategies
- Current Rates
- CDC COVID-19 Community Levels

- New Interim K-12 School and Child Care COVID-19 Guidance
- COVID-19: New Variants

Mr. Choudhury informed the Board members that Covid cases are rising. The variant has a less negative impact but is very contagious. Mr. Choudhury also stated that none of the school systems have had to close because of an outbreak. He stated that the MSDE will continue to monitor the school systems.

ACTION: None. For information and discussion.

- **Adjusted Cohort Graduation Rate, Advanced Placement, SAT, and Postsecondary Enrollment**

REPORTS TO THE STATE BOARD FOR DISCUSSION/ACTION

- **2022 Legislative Session**
(Presenter: Ary Amerikaner, Chief of Staff)

Ary Amerikaner provided an overview of the 2022 Legislative Session. Ms. Amerikaner informed the Board that there were 1,011 Senate Bills introduced, along with 1,487 House Bills. There were 261 bills tracked by MSDE and 76 of those bills passed. There were 257 fiscal and policy notes completed, as requested by the Department of Legislative Services and testimony or letters of information were submitted for 61 of the bills.

Legislation Passed in 2022 with Impact on the Maryland State Department of Education

- House Bill 277/Senate Bill 234 – Public Schools Purple Stars Schools Program - Establishment
- House Bill 467 – Education – Teacher Certification – Montessori Schools
- House Bill 660 – Commission to Student the Division of Rehabilitation Services
- House Bill 769/Senate Bill 325 – Student Data Privacy – Protections, Digital Tools, and Student Data Privacy Council
- House Bill 850 – Schools, PreK Programs, and County Board of Education – Discrimination
- House Bill 1255/Senate Bill 705 – Education – Physical Restraint and Seclusion – Limitations, Reporting, and Training
- Senate Bill 617 – Local School Systems – Equivalent Access Standards
- House Bill 1450 – Blueprint for Maryland’s Future – Implementation

ACTION: None. For information and discussion.

STATE BOARD MEMBER COMMITTEE REPORTS/UPDATES

The Strategic Plan Committee: Mr. Crawford, Mr. Dashiell, Ms. McCusker, and Ms. Halle has been meeting almost weekly. MSDE has organized a number of Roundtables/Listening Sessions. The local school boards need to be part of the sessions.

Dr. Wilcox, Mr. Bokoum, and Ms. Chang studied the impact of House Bill 125 on restorative approaches.

Mr. Crawford stated that MSDE is working with the University of Maryland with the Literacy Summit.

Mr. Crawford recognized May as Teacher Appreciation Month. Mr. Crawford stated that teachers have done some of the most challenging things this year and everyone who serves students should be acknowledged.

Executive Session

Pursuant to § 3-305(b)(7) of the General Provisions Article, Annotated Code of Maryland, and upon motion of General Sumpter and seconded by Mr. Dashiell, with unanimous approval, the Maryland State Board of Education met in closed session on Tuesday, May 24, 2022, in Conference Room #6, 8th Floor, at the Nancy S. Grasmick Building. All board members were present except Dr. Greene, Dr. Mele-McCarthy, and Mr. Bartley. Ms. Halle, Ms. Morrow, and Dr. Getty participated by video conference. Also in attendance were Superintendent Choudhury, and Assistant Attorneys Generals, Elliott Schoen and Jackie La Fiandra. The Executive Session commenced at 3:45 p.m.

At that time, the State Board reviewed and approved one Opinion and two Orders.

- *Bryan Carter v. Baltimore City Board of School Commissioners* – teacher termination – Opin. No. 22-10. The Board affirmed the local board decision.
- *Stephen Price v. Howard County Board of Education* – teacher termination – Opin. No. 22-11. The Board remanded the appeal to the local board.
- *Mr. and Mrs. Vernon C. v. Prince George’s County Board of Education* – denial of course credits – Order No. OR22-07. The Board dismissed the appeal for untimeliness.
- *John and Tammy W. v. Charles County Board of Education* – denial of student transfer – Order No. OR22-08. The Board dismissed the appeal for untimeliness.

The State Board also approved to issue Notice of Charges to remove Dr. Juanita Miller from the Prince George’s County Board of Education.

Counsel gave an update on pending litigation. The State Board reviewed a list of candidates for its Executive Director position. The Board was given personnel information.

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

With no further business before the Board, the meeting adjourned at 5:15 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, May 24, 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: May 24, 2022
 Time: 3:45 pm
 Location: 200 W. Baltimore Street, Baltimore, MD 21201
 Motion to close meeting made by: Gen. Sumpter
 Seconded by: Mr. Dashiell
 Members in favor: 11
 Opposed: 0
 Abstaining: 0
 Absent: 3

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	State Board Executive Director vacancy; and Superintendent Evaluation Process
§3-305(b)(7)	Legal Advice	2 Appeals; 2 Draft Orders; 1 Oral Argument; update on pending litigation; and regulation interpretation

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