

THE MARYLAND STATE BOARD OF EDUCATION
Minutes of the February 28, 2023 Meeting
200 West Baltimore Street, Baltimore, MD 21201

The Maryland State Board of Education met on February 28, 2023 at 9:00am in the State Board room located within the Maryland State Department of Education.

The following Board members were present in the Board room:

Mr. Clarence Crawford (Board President), Dr. Susan Getty (Board Vice President), Mr. Charles R. Dashiell, Jr., Esq., Ms. Chuen-Chin Bianca Chang, Ms. Rachel McCusker, Brigadier General (BG) Warner Sumpter, Ms. Lori Morrow, Dr. Joan Mele-McCarthy, and Mr. Shawn Bartley.

Ms. Jean Halle, Dr. Vermelle Greene, and Ms. Merin Thomas participated virtually. Ms. Gail Bates was absent.

State Superintendent Mohammed Choudhury, Elliott L. Schoen (Assistant Attorney General), and State Board Executive Director Zachary Hands were also in attendance.

MEETING OPENING

President Crawford called the meeting to order at 9:03am and led the pledge of allegiance. Mr. Schoen called the roll and declared that a quorum was present.

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

PUBLIC COMMENT

- 1. Jonathan Kurtz – Arts Instruction in the Blueprint for Maryland’s Future**
- 2. Dr. Michael Martirano – Educator Shortages and Implementation of the Blueprint for Maryland’s Future**
- 3. Richa Tripathi – Tech Credit Requirements for High School Graduation**
- 4. Sharon Saroff – Home and Hospital Services for Students with Disabilities**
- 5. Josh Mazer – COVID Policies in Public Schools**
- 6. Liz Zogby – Blueprint Special Education Workgroup**
- 7. Christopher Papst – MCAP Scores and MSDE Transparency**
- 8. Cheryl Bost – Legislation and Use of School Report Card**

NEW BUSINESS

- Approval of the Consent Agenda
 - Approval of the January 24, 2023 Meeting Minutes
 - Personnel Actions
 - Budget Adjustments, January 2023

ACTION: The State Board granted approval by unanimous consent.

ORAL ARGUMENT

The State Board heard the case of Leslie Floyd v. Prince George's County Board of Education. Mr. Schoen conducted the oral argument process.

STAKEHOLDER ENGAGEMENT SESSION: MARYLAND ASSOCIATION OF COUNTIES
(Presenters: Calvin Ball, Howard County Executive, Johnny Olszewski, Jr., Baltimore County Executive, Jack Wilson, Queen Anne's County Commissioner, Ted Zaleski, Carroll County Director of Budget and Management)

President Crawford welcomed county leaders and asked County Executive Ball to begin remarks. County Executive Ball thanked the Board for inviting MACo leadership and described educational initiatives and challenges in Howard County. He encouraged the State Board and MSDE to integrate MACo and other county leadership in every step of the process for implementation of the Blueprint, and to prioritize financial transparency to continue a collaborative partnership between the State Board and county leaders.

County Executive Olszewski addressed educational initiatives in Baltimore County and areas of potential partnership with the State Board. Commissioner Wilson and Director Zaleski provided context for budgetary constraints presenting challenges to counties of various sizes and demographic makeups, particularly surrounding staffing concerns and class sizes. Several Board members thanked the county leaders for providing information to the Board and encouraged them to return during future public comment segments of Board meetings.

PRIORITIES

- **Maryland State Board of Education and Maryland State Department of Education Strategic Plan Release (Phase 2)**
(Presenter: Mohammed Choudhury, State Superintendent of Schools)

Superintendent Choudhury provided the context and background for the development of the Strategic Plan. Mr. Dashiell, as Chair of the Strategic Plan Subcommittee, offered opening remarks detailing the work that the Subcommittee has done alongside MSDE and the Superintendent to develop Phase 2 of the Plan.

Superintendent Choudhury discussed the engagement and outreach strategies that MSDE has employed in the process of building the Strategic Plan, including a statewide survey, ongoing collaboration with local school systems on the data and information pertaining to their demographics and academic performance, as well as roundtables with various stakeholder communities and regional data gallery walks.

Superintendent Choudhury began to describe to the Board the proposed metrics and goals that are based on the priorities that were identified in Phase 1 of the Strategic Plan. He reviewed each enabler and the proposed metric that ties into each, and explained the communications-based initiatives that will continue to engage the public on the Strategic Plan moving forward.

Superintendent Choudhury explained that the Department will conduct regional MSDE Design Charettes to develop, refine, and finalize the flagship programs and strategies that will comprise Phase 3 of the Strategic Plan.

- **School Profile: Snow Hill Elementary (Worcester County Public Schools)**
(Presenters: Matthew Duque, Director of the Office of Research, Planning, and Program, and Matthew Record, Principal, Snow Hill Elementary School)

Superintendent Choudhury began the school profile series and provided an overview of Snow Hill Elementary School on their student demographics and academic achievement to highlight the school's outperformance of other schools in the State in key areas. The Superintendent recently shadowed Principal Matthew Record for a day at the school. Principal Record and other school staff from Snow Hill Elementary provided the State Board with a presentation on the school's strategies for success, including the school's priorities and practices.

- **Maryland Graduation Rates**
(Presenters: Chandra Haislet, Assistant State Superintendent, Division of Assessment, Accountability, and Performance Reporting, and Matthew Duque, Director of the Office of Research, Planning, and Program)

Assistant State Superintendent Chandra Haislet reviewed the cohort graduation rates with the Board for the Class of 2022. The four-year cohort graduation rate decreased slightly and the five-year cohort graduation rate saw a slight increase over last year but both have been similar over the past several years. There are significantly disproportionate rates of graduation along racial and ethnic demographic indicators. Superintendent Choudhury highlighted that this is a unique cohort of students as a result of the COVID-19 pandemic.

- **Maryland School Report Card Update**

(Presenters: Chandra Haislet, Assistant State Superintendent, Division of Assessment, Accountability, and Performance Reporting, and Matthew Duque, Director of the Office of Research, Planning, and Program)

Assistant State Superintendent Haislet provided the Board information on the coming update of the Maryland Report Card for the first time since 2019. She highlighted some of the background of the Report Card and the impact of COVID-19 on the available data from recent years, as well as flexibility provided by the U.S. Department of Education in the required accountability reporting from states.

Ms. Haislet reviewed how the star award system functions within the accountability system to identify and rank schools. She then reviewed the preliminary results of the 2021-2022 school year Report Card data. Roughly 75% of Maryland's public schools had a star rating of 3, 4, or 5.

MSDE anticipates releasing additional information and data related to the Report Card in early March. Ms. Haislet highlighted that MSDE is offering technical assistance and LEA support to school system local accountability coordinators.

- **Early Intervention and Special Education Services – Data Deep Dive: Students with Disabilities, Part 2**
(Presenters: Dr. Deann Collins, Deputy State Superintendent for Teaching and Learning, Chandra Haislet, Assistant State Superintendent, Division of Assessment, Accountability, and Performance Reporting, Brian Morrison, Branch Chief, Division of Special Education and Early Childhood Intervention, and Justin Dayhoff, Assistant State Superintendent, Financial Planning, Operations, and Strategy)

Ms. Haislet reviewed demographic and outcome data for students with disabilities in Maryland, as well as the process for the identification of students who may need early

intervention services in the State. She also explored issues of equity in special education and the significant disproportionality that exists within special education leading to the over-identification of students as having an emotional or intellectual disability, particularly for Black/African-American students.

Superintendent Choudhury introduced a grant initiative to address over-identification in special education concerns, called The Reducing Overidentification in Special Education (ROSE) Grant Program. This program is designed to pilot resources for up to three local education agencies (LEAs) to mitigate the effects of pandemic learning loss on persistently underperforming students who risk being misidentified for special education services due to their race, sex, gender, home language, and/or income status.

- **Financial Planning, Operations, and Strategy – FY2024 Proposed Education Funding Budget: The FY2024 Budget Bill**

Due to time constraints, this presentation was moved to the following State Board of Education meeting.

EXECUTIVE SESSION

Pursuant to § 3-305(b)(1) & (7) of the General Provisions Article, Annotated Code of Maryland, and upon motion of Ms. Halle seconded by Dr. Mele-McCarthy and with unanimous approval, the Maryland State Board of Education met in closed session on Tuesday, February 28, 2023 in Conference Room #6, 8th Floor, at the Nancy S. Grasmick Building. All board members were present except Ms. Bates and Dr. Mele-McCarthy. Ms. Wilcox left during the Executive Session. Also in attendance were Superintendent Choudhury, Deputy Superintendent Krishnanda Tallur, Deputy Superintendent Sylvia Lawson, Assistant State Superintendent Justin Dayhoff, and Zachary Hands, Executive Director, and Assistant Attorneys General, Elliott Schoen and Jackie LaFiandra.

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

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

- *William and Chivonne P. v. Charles County Board of Education* – removal from CTE Program– Opin. No. 23-04. The Board reversed the local board’s decision and remanded for timely action consistent with opinion.

- *Leslie Floyd v. Prince George's County Board of Education* – teacher termination for willful neglect of duty – Opin. No. 23-05. The Board adopted the ALJ's Proposed Decision and affirmed the local board's decision.
- *Marcus Hayes v. Baltimore City Board of School Commissioners* – untimely – Order No. OR23-04. The Board dismissed the appeal for untimeliness.
- *In the Matter of Request for Removal of Local Board Members Shayla Adams-Stafford, Kenneth Harris, David Murray and Joshua Thomas* – dismissed – Order No. OR23-05. The Board dismissed the request for Shayla Adams-Stafford, Kenneth Harris, and David Murray. The Board dismissed the matter as moot regarding former board member Joshua Thomas.
- *Z.V. v. Baltimore City Board of School Commissioners* – not ripe for review – Order No. OR23-06. The Board ordered that the local board shall identify a new position for Appellant within 45 school days of the order.

Superintendent Choudhury, Deputy Superintendent Tallur, and Assistant Superintendent Dayhoff shared updated personnel information.

The Executive Session ended at 6:50 p.m.

STATE BOARD MEMBER COMMITTEE REPORTS AND UPDATES

There were no Board member updates.

LEGAL OPINIONS AND ORDERS

Mr. Schoen announced the following opinions and orders:

- *William and Chivonne P. v. Charles County Board of Education* – removal from CTE Program– Opin. No. 23-04
- *Leslie Floyd v. Prince George's County Board of Education* – teacher termination for willful neglect of duty – Opin. No. 23-05
- *Marcus Hayes v. Baltimore City Board of School Commissioners* – untimely – Order No. OR23-04
- *In the Matter of Request for Removal of Local Board Members Shayla Adams-Stafford, Kenneth Harris, David Murray and Joshua Thomas* – dismissed – Order No. OR23-05
- *Z.V. v. Baltimore City Board of School Commissioners* – not ripe for review – Order No. OR23-06

With no further business before the Board, the meeting adjourned at 7:05pm.

Respectfully submitted,



Mohammed Choudhury
Secretary/Treasurer

Date: March 28, 2023

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://www.marylandpublicschools.org/stateboard/Pages/Meetings-2023.aspx>

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

<https://www.marylandpublicschools.org/stateboard/Pages/default.aspx>

The next Maryland State Board of Education meeting will be held on **Tuesday, March 28, 2023**.

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.