

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday
March 23, 2010

Maryland State Board of Education
200 W. Baltimore Street
Baltimore, Maryland 21201

The Maryland State Board of Education met in regular session on Tuesday, March 23, 2010, at the Nancy S. Grasmick State Education Building. The following members were in attendance: Mr. James H. DeGraffenreidt, Jr., President; Dr. Mary Kay Finan; Mr. David H. Murray; Mrs. Madhu Sidhu; Mr. Guffrie M. Smith, Jr.; Donna Hill Staton, Esq.; Dr. Ivan Walks; Ms. Kate Walsh and Dr. Nancy S. Grasmick, Secretary/Treasurer and State Superintendent of Schools. Dr. Charlene M. Dukes and Dr. James Gates, Jr. were absent.

Elizabeth Kameen, Esq., Assistant Attorney General, and the following staff members were also present: Dr. John Smeallie, Deputy State Superintendent for Administration; Mr. Steve Brooks, Deputy State Superintendent for Business Services and Mr. Anthony South, Executive Director to the State Board.

CONSENT AGENDA

Dr. Grasmick reported that Preston Alderman, Jr., will be joining the Department's staff as the Director of Audit. Mr. Alderman will head a team of auditors who have responsibility for providing auditing services to the Department and local school systems. She said that Mr. Alderman formerly worked for the Comptroller's Office and has an extensive background in finance. She also reported on two loaned educators who she is recommending as permanent employees of the Department.

Mr. DeGraffenreidt reported that the portion of the February meeting dealing with the panel discussion of teacher certification was transcribed and that the transcription would be placed on the Department's website for public viewing along with the meeting minutes once the minutes are approved.

Upon motion by Mr. Smith, seconded by Ms. Sidhu, and with unanimous agreement, the Board approved the Consent Agenda as follows: (In Favor – 7 Dr. Walks had not yet arrived)

- Approval of Minutes of February 23, 2010
- Personnel (copy attached to these minutes)
- Budget Adjustments for February, 2010

NATIONAL BLUE RIBBON SCHOOL

Dr. Grasmick reported that last week the Department recognized six of Maryland's finest schools on their selection as Maryland Blue Ribbon Schools. She thanked Mr. DeGraffenreidt and Mr. Smith for being present to support the staff of these schools at the award celebration. She explained that the Blue Ribbon Schools Program began in 1982 and reported that the application process is very rigorous. She noted that of the approximate 125,000 public school in America, there have only been 118 public and private schools given this recognition.

She said that students in the schools that are being recognized today as National Blue Ribbon Schools are achieving in the top ten percent of their class due to their outstanding leaders and teachers. Dr. Grasmick called upon each school principal and those attending in support the school to stand and be acknowledged and announced the following schools:

- Southern High School (Anne Arundel County)
- Western High School (Baltimore City)
- Seventh District Elementary School (Baltimore County)
- Hammond Middle School (Howard County)
- Highland Elementary School (Montgomery County)
- Stephen Decatur Middle School (Worcester County)

Dr. Darla Strouse, Executive Director, Partnerships and Development, introduced Maryalice Todd, Principal of Southern High School, to provide remarks on behalf of the principals on the receipt of this recognition.

Ms. Todd thanked the Board, her local board of education, and her superintendent for their support and for providing the wonderful teachers at her school.

Dr. Strouse reported that Eleanor Mathews, Principal of Western High School and Raymond Myrtle, Principal of Highland Elementary School were also awarded the Terrell Bell Leadership Award at the National Blue Ribbon Schools Conference.

The President and Superintendent congratulated the awardees and presented citations to each school principal.

RACE TO THE TOP (RTTT) UPDATE

Dr. Grasmick distributed a list of the Education First Team Members, selected to assist in the preparation of Maryland's application for the RTTT stimulus funding. She also distributed the schedule of RTTT public presentations that she and members of the staff are scheduled to make. The Superintendent then introduced Dr. Jim Foran, Executive Director, High School and Postsecondary Initiatives, who is serving as Project Manager for the RTTT application, and Mr. Anand Vaishnav, Project Manager for the Education

First Consulting Team, to give the Board a brief update on the status of Maryland's RTTT application.

Mr. Vaishnav reported that his firm worked on three RTTT applications during round one and noted that sixteen states are finalists in the bid for RTTT funding. He reported that a summary of the applications reflects that states make a compelling case about their success factors and that many have track records of closing achievement gaps. He said that most have aligned or are in the process of aligning their standards with higher education standards and expanding their data systems to align with higher education. He reported that states went into great detail about how they will increase student growth and achievement. Mr. Vaishnav said that the strongest applications included the enactment of board policies which include specific percentages of student achievement. He reported that applications show that states are deploying great teachers and leaders to low achieving schools to turn those schools around.

Mr. Vaishnav reported that Department staff is working very hard and that Maryland should use its ranking as #1 in the nation as a launching pad for its application. He said that Maryland's vision is strong and should be woven throughout the entire application. He urged that Maryland get as many local education agencies and unions as possible to sign onto a new evaluation procedure for education personnel.

Dr. Foran reported on the timeline, noting a target date for application of May 24, 2010. He thanked his colleagues who have worked so hard and noted that the application will, indeed, be a team effort.

Dr. Grasmick commended Dr. Foran saying, "He is an incredible manager for this effort" and also stated, "We are absolutely thrilled with Education First."

In response to a question by Mr. Smith about which of the 16 current state finalists has the best chance for funding approval, Mr. Vaishnav said that Delaware has submitted a strong application which is very clear about teacher training and evaluations.

In response to a question by Mr. Murray about the areas in which Maryland's education system is lacking, Mr. Vaishnav said some states had a very clear statement on teachers and leaders and how they were going to use the evaluation process to identify highly effective teachers and leaders. He also noted that some states had all twelve prerequisites in their data collection systems and reflected how they will use the data to improve student achievement.

In response to Dr. Walks' question about dealing with diversity in the schools, Mr. Vaishnav said that the State of Georgia factored into teacher evaluation the level of achievement gap to be closed. He said the State of Florida had a clear commitment to helping low performing schools in not only academic but non-academic factors with RTTT funding.

In response to a question by Ms. Staton, Mr. Vaishnav said that one-half of the points go to states that already have education reform programs in place and one-half points go to states that are using those programs as a launching point to achieve more. He said, "Maryland's challenge is not to rest on its laurels." He said, "It is all about progress."

Ms. Walsh urged that Maryland's application be "bold" in depicting the use of its human capital.

Mr. Vaishnav said that the application should reflect "How do we develop highly effective teachers?" and "What are practices for dismissal if they can't get there?"

In response to a question by Mr. DeGraffenreidt about the scoring of the application, Mr. Vaishnav said that in a couple of weeks the applications will include the points assigned and the reviewers' comments which should provide a clearer picture of a successful application.

In response to a question by Ms. Sidhu about school climate, Mr. Vaishnav said that school climate is being addressed in oblique ways in the school turn-around section.

Dr. Grasmick thanked the presenters and noted that Mr. Vaishnav was very instrumental in completing the application for Tennessee, one of the finalists in Phase I.

SCHOOL READINESS REPORT

Noting that Maryland is recognized as a leader among the states in Early Childhood Development, the Superintendent introduced Dr. Rolf Grafwallner, Assistant State Superintendent, Division of Early Childhood Development, to discuss the pioneering work in assessing the readiness of students entering the first grade. She said that Dr. Grafwallner will review the highlights of the results of the ninth annual assessment, the *2009-2010 Maryland School Readiness Report*. She also introduced Dr. Carol Ann Heath, Assistant State Superintendent, Division of Special Education, to discuss the Early Childhood Mental Health Consultation Project for which the Department recently received a federal grant.

Dr. Grafwallner reported that Maryland's kindergarten students have been evaluated by their teachers to provide school readiness information to policymakers and practitioners of what children know and are able to do when they start formal education in public schools. He said that this year's data continues to reflect a trend of improvement since 2001 across all domains with significant increases broken out by ethnicity. He summarized the report's findings as follows:

- 78% of kindergartners are school-ready
- Maryland outperformed projected increases in school readiness
- Extraordinary progress in 18 of the 24 local jurisdictions
- Sizeable gains in the cognitive Domains of Learning

- Closure of the achievement gap for kindergartners with school readiness risk factors
- High-quality early learning environments promote school readiness

Dr. Heath reported that The Early Childhood Mental Health Consultation project, which began as a pilot project in two jurisdictions (Baltimore City and the Eastern Shore) revealed that 90% of children with challenging behaviors receiving services were not expelled from their early childhood programs. The Early Childhood Mental Health Consultation services are now available statewide due to state funding allocated to the Maryland State Dept. of Education and then granted to local programs providing the services. The Early Childhood Mental Health Consultants provided services last year to 1100 children and of those 1100 referred 414 children to services such as Early Intervention, Child Find, and other community programs.

Dr. Heath related that another initiative, the Social Emotional Foundations in Early Learning is an evidence based practice developed by Vanderbilt University. The premise of the SEFEL initiative is to teach children appropriate social and emotional skills in the context of the relationships and settings they are already in. Most children's needs will be met in the first three levels of the pyramid model: Building relationships, Designing supportive environment, & Teaching social emotional skills. Funding is provided through the Individuals with Disabilities Education Act, as well as funding from Department of Health and Mental Hygiene (DHMH) and in-kind services from MSDE, DHMH, Maryland Family Network and University of Maryland.

Through these grants, four SEFEL demonstration sites were selected including the Caroline County Judy Center Partnership, Baltimore City Umoja Head Start, The Learning Child Care Center in Hagerstown and Prince George's County Local School System. Prince Georges is the largest SEFEL project both in the demonstration sites as well as other local school systems using the SEFEL model, implementing SEFEL in 28 classrooms and will be implementing SEFEL program wide at Chapel Forge Early Child Center in the Fall of 2010.

Dr. Grasmick acknowledged the work of Mr. Lou Costello of PNC Bank who donates his time to the "Reading By Five" program.

Dr. Walks requested copies of the material presented by Dr. Heath and asked for the number of students needing additional services in Maryland. Dr. Heath agreed to provide him with this information.

In response to another question by Dr. Walks, Dr. Heath said that when students are referred for intervention services, they are given Individual Education Plans (IEPs) and provided the necessary intervention services.

Mr. Smith commended the Department, PNC Bank and the partners in the communities for their support for this cohort of students.

TEACHER CERTIFICATION DISCUSSION

The Superintendent introduced Jean Satterfield, Assistant State Superintendent; Michele Dunkle, Teacher Quality Specialist; and, Dr. Joann Ericson, Chief, Certification Branch, all staff in the Division of Certification and Accreditation. She reminded Board members that this meeting is the third in a three-month sequence on educator certification and that it will focus on what is working as well as consideration of any changes that may be appropriate to the current certification structure.

Ms. Satterfield said that professional development schools are doing an excellent job of giving teaching students good programs. She indicated that while there was much support expressed for Maryland's Approved Alternative Preparation Programs, suggestions were made for improvements and/or changes including the following:

- Options for expanding current eligibility requirements for applicants to enter a Maryland Approved Alternative Preparation Program
- Development of guidelines for candidates in such areas as Technical Education and ESOL for which, like elementary education, there is not major
- Test options to provide teachers in areas of continuing shortages such as Computer Science

Dr. Grasmick then put forth her recommendation that a work group be formed to address these areas as well as other areas of change in Maryland's Approved Alternative Preparation Programs. She suggested that this work group report back to the Board by no later than September.

In response to a question by Ms. Walsh, Mr. DeGraffenreidt said that the group will develop specific recommendations on alternative certification proposals.

In response to Ms. Walsh's request for the Board to vote on the "test out" option and let the study group work on the other issues, Board members felt that there needs to be discussion and a consensus drawn on all of the issues.

The President recommended accelerating the timeframe for a response from the work group to the April or May meeting to integrate the proposals into Maryland's RTTT application which is due by June 1st.

Upon motion by Mr. DeGraffenreidt, seconded by Dr. Finan, and with unanimous agreement, the Board approved the formation of a work group to report back to the Board on alternative certification proposals no later than May. (In Favor—8)

Ms. Satterfield then discussed Maryland's certification requirements for teachers and other education professionals and areas of change that needed to be explored. She identified the following areas:

- Development of a two-tiered system of license and certification

- Possible removal of the continuing course work requirement for advanced professional certification
- Suggestion of a “test out” component for reading for approved programs in higher education, and
- A required professional development plan directly related to teacher effectiveness and student growth

Dr. Grasmick then recommended the establishment of a joint effort with the Professional Standards and Teacher Education Board (PSTEB), Local Superintendents of Schools, and Institutions of Higher Education to review Maryland Certification Regulations for teachers and other education professionals and propose regulatory changes that address these areas as well as other issues identified in the State Board’s review of certification requirements.

In response to a concern expressed by Ms. Walsh about the involvement of higher education representatives in the Study Group and the possibility of a conflict of interest, Mr. DeGraffenreidt said that the Board must recognize that no stakeholders in these discussions are without biases and pre-existing interests and urged the Board to be mindful of those relationships.

In response to a question by Ms. Staton, Dr. Grasmick said that there is not enough time to take regulatory action by May. Dr. Smeallie, former Assistant State Superintendent in Certification and Accreditation, said that it takes up to three months to make changes to COMAR and noted the importance of working collaboratively with the PSTEB. The President said that the Board may take action at its May meeting on the recommendations but the final approval will come after both Boards adopt the recommendations.

In response to Mr. DeGraffenreidt’s question, Ms. Satterfield said that teacher tenure would occur after three years. In response to another question by the President, Dr. Grasmick said that the issue of linking teacher evaluations to student progress is a collective bargaining issue but that the content components are not negotiated. She said that there is a principal evaluation process which includes the evaluation of teachers.

Mr. DeGraffenreidt asked that the Department move as aggressively as possible on both of these efforts so that reports with action recommendations from both of these work groups can be submitted to the Board by the May 25th State Board meeting.

COMAR 13A.12.01 GENERAL PROVISIONS (AMEND)

Dr. Grasmick reported that the PSTEB began a review of the certification regulations in June 2009 and recommended State Board approval of the non-substantive (editorial) corrections that resulted from the review. She reported that no comments were received on the proposed amendments to the Certification regulations.

Upon motion by Ms. Staton, seconded by Mr. Smith, and with unanimous agreement, the Board approved the amended certification regulations. (In Favor – 8)

EXECUTIVE SESSION

Pursuant to §10-503(a)(1)(i) & (iii) and §10-508(a)(1),(7), of the State Government Article, Annotated Code of Maryland, and upon motion by Dr. Walks, seconded by Mr. DeGraffenreidt, and with unanimous agreement, the Maryland State Board of Education met in closed session on Tuesday, March 23, 2010, in Conference Room 1, 8th Floor, at the Nancy S. Grasmick State Education Building. All board members were present except Charlene M. Dukes, and S. James Gates, Jr.. In attendance were Dr. Nancy Grasmick, State Superintendent of Schools; Dr. John Smeallie, Deputy State Superintendent for Administration; Steve Brooks, Deputy State Superintendent for Finance; and Tony South, Executive Director to the State Board. Assistant Attorneys General, Elizabeth M. Kameen and Jackie La Fiandra were also present. The Executive Session commenced at 12:25 p.m. (In favor – 8)

The State Board deliberated two cases.

- *C.T.L. v. Montgomery County Board of Education* – contract
- *Ellicia & Wing C. v. Howard County Board of Education* – course credit

The State Board approved six decisions and two orders for publication.

- *Board of Education of Frederick County v. Board of County Commissioners of Frederick County* – Petition for Declaratory Ruling – Opinion No. 10-12
- *Curtis Somers v. Prince George’s County Board of Education* – teacher assignment – Opinion No. 10-13
- *Mr. & Mrs. David G. v. Montgomery County Board of Education* – student transfer – Opinion No. 10-14
- *LaTonya H. v. Montgomery County Board of Education* – student transfer – Opinion No. 10-15
- *Dennis S. v. Cecil County Board of Education* – school policy – Opinion No. 10-16
- *Ellicia & Wing C. v. Howard County Board of Education* – course credit – Opinion No. 10-17
- *Larisa A. v. Montgomery County Board of Education* – gifted & talented program – Order No. OR10-02
- *Eastern Middle School Workgroup v. Montgomery County Board of Education* – class schedule – Order No. OR10-03

Ms. Kameen provided legal advice on the interpretation of the timelines in §5-202(d)(7)(iv). The Board concurred that any county that intends to apply for a waiver of maintenance of effort must do so by filing a letter on April 1, 2010 stating the amount of

the waiver request and the percentage of the total MOE amount the waiver request represents.

Dr. Grasmick briefed the Board on a potential local school system personnel matter and its impact on MSDE.

The Board discussed the recruitment of candidates for the Baltimore City Board of School Commissioners.

The Executive Session ended at 1:30 p.m.

RECONVENE

The meeting reconvened at 1:35 p.m.

2010 CAREER TECHNOLOGY EDUCATION STATUS REPORT

Dr. Grasmick explained that federal resources are used to support Career Technology Education (CTE) programs and introduced Kathy Oliver, Assistant State Superintendent, Division of Career and College Readiness and Patricia Mikos, Program Manager, Career Technology Education Student and Assessment Services, to review the accountability measures used to assess the effectiveness of the CTE programs and share results for last year's graduating class.

Ms. Oliver acknowledged and commended her staff and explained how CTE is a critical component of education reform explaining that the focus is preparing students with academic and technical knowledge to be successful in a wide range of career opportunities and advanced education and training. She reported on the CTE federal accountability measures and provided data on student HSA proficiency gains in CTE, students achieving industry standards, CTE graduations rates and CTE placements.

Ms. Mikos explained that part of the federally mandated accountability measures include identifying the status of students after they graduate from high school. She said this includes non-traditional placement and completion of students employed in fields underrepresented by gender. Ms. Oliver reported on the CTE State results noting an increase in enrollment in 2009.

Ms. Mikos discussed the CTE State programs of study noting a focus on the STEM and Base Realignment and Closure (BRAC) fields. She reported on the following objectives to continue the progress made by CTE in Maryland:

1. Complete development of 48 CTE Programs of study

2. Increase student access to industry certifications and early college credit related to the CTE program of study
3. Provide accurate and timely performance data for the continuous improvement of Maryland's system of CTE

In response to a question by Ms. Sidhu, Ms. Oliver said that students in certain programs are required to take an independent test and are placed on a national registry for employment placement.

In response to a question by Dr. Walks, Ms. Oliver said that many companies are eager to provide internships for students working in a particular program of study.

Board members congratulated the presenters on an excellent program.

COMAR 13A.06.03 INTERSCHOLASTIC ATHLETICS IN THE STATE (AMEND)

COMAR 13A.06.04 COROLLARY ATHLETIC PROGRAMS (NEW)

The Superintendent asked Ned Sparks, Executive Director, Maryland Public Secondary Schools Athletic Association (MPSSAA), to review the proposed amendments and new regulation that enable students with disabilities the opportunity to try out and participate in interscholastic athletics. She recommended Board adoption of the proposed amendments.

Mr. Sparks reported that a law was enacted in 2008 obligating local education agencies to provide opportunities for students with disabilities to participate in interscholastic athletics. He said the proposed actions on regulations address two areas: provision of equal opportunity for all students to try out and participate in interscholastic sports and for students with disabilities to have corollary athletic programs. He noted that there will be an appeals process for parents and students.

Upon motion by Dr. Walks, seconded by Dr. Finan, and with unanimous agreement, the Board adopted amendments to COMAR 13A.6.03 and a new regulation, COMAR 1A.06.04. (In Favor – 8)

COMAR 13A.03.02.09-1 APPEAL OF DENIAL OF DIPLOMA FOR FAILURE TO MEET HSA REQUIREMENT (ADOPTION)

Dr. Grasmick introduced Mary Gable, Assistant State Superintendent, Division of Academic Policy; Scott Peiffer, Director, Instructional Assessment; and Dr. Bernard Sadosky, Director, Bridge Plan, to discuss a republished regulation addressing the needs

of certain students, particularly special education and English Language Learners, who fail to meet the HSA graduation requirements. She explained that the regulation adopted last year providing a waiver appeal process expired in July 2009 and this will continue the program. She also reported that Mr. Peiffer and Dr. Sadusky will provide a monitoring report on the progress of this year's class of seniors in meeting the HSA graduation requirements.

Ms. Gable explained that in December, the Board had granted permission to publish a proposed COMAR provision establishing a limited waiver for students who have not met HSA requirements. She said the regulation was published in the Maryland Register and that no comments were received during the period of comment.

Upon motion by Dr. Finan, seconded by Dr. Walks, and with unanimous agreement, the Board adopted COMAR 13A.03.02.09-1 Appeal of Denial of Diploma for Failure to meet HSA Requirement. (In Favor – 8)

Dr. Sadusky said that the bridge projects are a great intervention since many of the students who complete a bridge project often then pass the required HSA. He said “we are very encouraged by the work that has been done in the LEAs.”

Dr. Grasmick said that Dr. Sadusky and Mr. Peiffer provide excellent support for every school in Maryland and that school systems are very appreciative of this effort.

WAIVER REQUEST FOR NONPUBLIC SCHOOLS

The Superintendent explained that State law requires private nonpublic schools to be open for student attendance 170 days per year. She reminded Board members that last month they granted her authority to waive up to five days from the public school year calendar due to inclement weather and noted that she has received twenty such requests. She went on to say that within the last month, she has received several similar requests from nonpublic special education schools, private nonpublic schools and church exempt schools. She requested authority to issue a waiver of up to five days for students in private nonpublic schools that submit a written statement indicating the number of days that they propose to eliminate from the school calendar.

Upon motion by Ms. Staton, seconded by Dr. Finan, and with unanimous agreement, the Board approved Dr. Grasmick's request. (In Favor – 8)

STATE LEGISLATIVE UPDATE

The President introduced Renee Spence, Executive Director, Governmental Regulations, to give an update on the 2010 session of the Maryland General Assembly.

Ms. Spence said that more than 2700 bills have been submitted but that very few of the bills have been acted on. She reported that the Senate and House education-related bills are very dissimilar which often require conference committee work. She reported that the legislature will concentrate on the State budget next week.

Steve Brooks, Deputy State Superintendent for Business Services, reported that the most significant item in the proposed State budget is a \$60 million cut to local aid for FY 2011. He also noted that the proposed budget would require local education agencies to fund an extra five percent toward retirement and pension for education employees. Mr. Brooks discussed the various technical adjustments included in the proposed State budget.

Dr. Grasmick reported that the proposed cuts for the Department are small compared to those proposed for other State agencies but said that the Department will be opposing many of the cuts.

Ms. Spence discussed the status of the following proposed legislation:

- BOAST Bill – Tax Credit for Businesses
- Collective Bargaining
- Financial Literacy
- Charter Schools
- Age of Compulsory Attendance
- Maryland Longitudinal Data System
- Governor's P-20 Council
- Maintenance of Effort
- Student Board Member

In response to a question by Mr. DeGraffenreidt, Ms. Spence explained that the ACLU lobbied against the Maryland Longitudinal Data System bill based on privacy concerns once students leave the school system.

Ms. Spence asked the Board if they would like to take a position on SB 966, High School Diploma by Examination, which would repeal the three-month waiting period from the date of withdrawal from a high school for students to enroll in the GED program. There was brief discussion about whether this would exacerbate the drop-out rate in schools and Dr. Grasmick assured the Board that there is currently a waiver process that provides for consideration of waivers from the three month waiting period to be considered on a case-by-case basis. The Board agreed to continue to monitor this bill and not take a position at this time.

Ms. Spence distributed copies of the Senate and House amended versions of the Education Reform Act of 2010. She noted that the bills as amended are vastly different and went on to point out the differences relative to the promulgating regulations and guidelines by the State Board on mentoring and teacher evaluations. She said that the Senate bill (SB 899) is much more prescriptive in establishing requirements for the State

Board to follow. She indicated that the House bill (HB 1243) gives the State Board much more latitude over the implementation of the Act.

Ms. Walsh indicated that she was deeply distressed by the amendments included in SB 899 and Mr. DeGraffenreidt President noted that if approved SB 899 would significantly undermine all of our work on the Race to the Top application. He then proposed that a letter be sent to the General Assembly expressing the Board's strong opposition to SB 899.

Upon motion by Ms. Walsh, seconded by Mr. DeGraffenreidt, and with unanimous agreement, the Board voted to send a letter strongly opposing the Senate version of the Education Reform Act of 2010. (In Favor – 8)

STATE SUPERINTENDENT'S UPDATE

Dr. Grasmick reported that in response to an initiative of the Department, more than \$500,000 was raised by schools from across the State to benefit the children in Haiti who were the victims of the devastating earthquake in that country. She also reported that the Department received a grant of \$700 thousand to offset the cost of fees for Advanced Placement (AP) programs for students who need financial assistance.

Dr. Grasmick discussed a settlement in the long-running special education case in Baltimore City. She also reported that Maryland has added 308 new nationally certified teachers this year. With the addition of these 308 teachers, Maryland now ranks seventh in the nation for the number of National Board Certified teachers.

Dr. Grasmick asked Dr. Colleen Seremet, Assistant State Superintendent for Instruction, to discuss the release of common core standards by the U.S. Department of Education.

Dr. Seremet said that the standards have been developed over several years by a consortium of states. She said that Maryland has been involved in the development of the math and reading standards and noted that the Maryland Higher Education Commission was included for input as well. She said that Department staff is very pleased with the product and is poised to assist school systems when the standards are finalized.

Dr. Grasmick reported that she has been nominated and agreed to serve on a National Assessment Governing Board and assured Board members that she will be forwarding the common core standards to them when they are finalized.

PUBLIC COMMENTS

Mr. DeGraffenreidt explained procedures by which the Board hears public comment. The following persons presented comments:

1. Michael Harvey/Kent Count Board President – Spoke on Race to the Top
2. Vicki Harding – Spoke on Race to the Top
3. Jerome Dancis – Spoke on teacher certification

OPINIONS

Ms. Kameen announced the following Opinions:

- 10-12 *Board of Education of Frederick County v. Board of County Commissioners of Frederick County* – Petition for Declaratory Rules (declared that the County Commissioners' actions violates Maryland law)
- 10-13 *Curtis Somers v. Prince George's County Board of Education* – teacher assignment (affirmed the local board's decision)
- 10-14 *Mr. & Mrs. David G. v. Montgomery County Board of Education* – student transfer (affirmed the local board's decision)
- 10-15 *LaTonya H. v. Montgomery County Board of Education* – student transfer (affirmed the local board's decision)
- 10-16 *Dennis S. v. Cecil County Board of Education* – school policy (affirmed the local board's decision)
- 10-17 *Ellicia & Wing C. v., Howard County Board of Education* – course credit (affirmed the local board's decision)

Ms. Kameen announced the following Orders issued by the Board dismissing cases for untimely filing:

- 10-18 *Larisa A. v Montgomery County Board of Education* – gifted and talented program (dismissed)
- 10-19 *Eastern Middle School Workgroup v. Montgomery County Board of Education* – class schedule (dismissed)

Ms. Kameen also provided the following legal advice relative to the filing of Maintenance of Efforts Waivers:

County government needs to file request by April 1st. That is mandatory. County government's can send a letter stating the amount they request to be waived.

ADJOURNMENT

With no further business before the Board, the meeting adjourned at 4 p.m.

Respectfully submitted,

Nancy S. Grasmick
Secretary, Treasurer

NSG/rms

APPROVED:

MARYLAND STATE BOARD OF EDUCATION

CLOSED SESSION

On this 23rd day of March 2010, at the hour of 11:35 am/pm, the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: Walt
Seconded by: Debra Furr
In Favor: All Opposed: _____ Member(s) Opposed: _____

The meeting was closed under authority of §10-503 (a) (1) (I) and §10-508 (a) of the State Government Article of the Annotated Code of Maryland for the following reason(s): (check all which apply)

- (1) To discuss: (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) any other personnel matter that affects one or more specific individuals.
- (2) To protect the privacy or reputation of individuals with respect to a matter that is 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 proposal process.

The topics to be addressed during this closed session include the following:

1. Discuss 2 legal appeals.
2. Review 5 draft opinions.
3. Legal advice on statutory requirements related to the Maintenance of Effort Waiver Requests.
4. Local school system personnel matter.
5. Discuss 1 internal Board management matter.



President

**MARYLAND STATE DEPARTMENT OF EDUCATION
PERSONNEL APPROVALS FOR THE March 23-24, 2010 BOARD MEETING**

I. Appointments Grade 19 and above:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
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None

II. Appointments Grade 18 and below:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
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Bolewicki, Kristen	Vocational Rehabilitation Specialist I, Disability Determination Services	12	Rehabilitation Services, Disability Determination Services	02/10/2010
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Foster, Jo-Anne R.	Teacher, Library Media Specialist	IEPP	Career and College Readiness, Juvenile Services Education Program	03/24/2010
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Harrison, Karen D.	Financial Compliance Auditor II	15	Office of the State Superintendent, Audit Office	03/10/2010
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Jackson, Christina	Vocational Rehabilitation Specialist I, Disability Determination Services	12	Rehabilitation Services, Disability Determination Services	03/10/2010
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Johnson, Barbara	Vocational Rehabilitation Specialist I, Disability Determination Services	12	Rehabilitation Services, Disability Determination Services	03/10/2010
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McComas, Ryan	Vocational Rehabilitation Specialist I, Disability Determination Services	12	Rehabilitation Services, Disability Determination Services	02/10/2010
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McDowell, Delicia	Vocational Rehabilitation Specialist II, Disability Determination Services	13	Rehabilitation Services, Disability Determination Services	02/10/2010
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McTeague, Teresa	Vocational Rehabilitation Specialist II, Disability Determination Services	13	Rehabilitation Services, Disability Determination Services	02/10/2010
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Payton, Ronald I.	Teacher, Special Education	IEPP	Career and College Readiness, Juvenile Services Education Program	03/10/2010
Pellrin, Heather	Vocational Rehabilitation Specialist II, Disability Determination Services	13	Rehabilitation Services, Disability Determination Services	02/10/2010
Tate, Elroy	Vocational Rehabilitation Specialist I, Disability Determination Services	12	Rehabilitation Services, Disability Determination Services	02/10/2010
Trettien, Phyllis H.	Teacher, Special Education	IEPP	Career and College Readiness, Juvenile Services Education Program	02/24/2010
Zedney, Amber	Vocational Rehabilitation Specialist I, Disability Determination Services	12	Rehabilitation Services, Disability Determination Services	03/10/2010

III. Other Actions:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
None				

**MARYLAND STATE DEPARTMENT OF EDUCATION
PERSONNEL APPROVALS FOR THE March 23-24, 2010 BOARD MEETING**

I. Appointments Grade 19 and above:

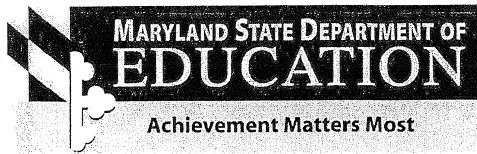
<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Alderman, Preston D., Jr.	Fiscal Services Administrator VI, Director of Audit	23	Office of the State Superintendent, Audit Office	TBD
Goldman-Frye, Marci E.	Education Program Specialist I, Mathematics	21	Instruction	TBD
Sparks, Edward F.	Education Program Manager I, Director of Maryland Secondary Schools Athletic Association (MPSSAA)	23	Instruction	TBD

II. Appointments Grade 18 and below:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
None				

III. Other Actions:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
None				



March 23-24, 2010

BOARD LIST

The following professional appointment is submitted for approval by the State Board of Education:

Name: Preston D. Alderman, Jr.
Position: Fiscal Services Administrator VI, Director of Audit
Division: Office of the State Superintendent, Audit Office
Salary Grade: 23 (\$62,741-\$100,785)
Effective Date: TBD

JOB REQUIREMENTS:

Education:

Bachelor's Degree in Accounting, Finance, Economics or related area. Possession of a CPA Certificate is preferred.

Experience:

Six years of professional experience in the preparation and execution of Financial Audits. Two years of the required experience must have been in direct supervision of other professional employees. Experience with State statute desired.

NOTES:

1. Applicants may substitute possession of a certificate as a Certified Public Accountant (CPA) or a Master's Degree in Accounting, Finance, or Economics for one year of the required experience.
2. Applicants may substitute one year of professional accounting experience for one year of the required experience.

DESCRIPTION:

Serves as Director of the Audit Office responsible for providing direction and management for all audit activities and ensuring that the Maryland State Department of Education's budgets and financial resource allocation and usage are in compliance with State and federal laws, regulations, and practices and for implementing the State statute as mandated in the Education Article.

Qualifications:

Education:

Johns Hopkins University (Baltimore, Maryland) May 2010 – Candidate for Master’s Degree in Business Administration (45 credit hours)

University of Baltimore (Baltimore, Maryland) 1984 – Bachelor of Science Degree in Accounting

Maryland State Board of Public Accountancy (Baltimore, Maryland) - Certified Public Accountant Certificate – Expires 06/10/10

Experience:

Maryland Public Service Commission (Baltimore, Maryland)

2007 – Present: Senior Public Utility Auditor

Comptroller of Maryland (Baltimore, Maryland)

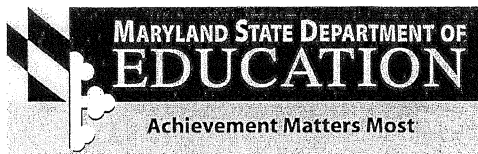
2005 – 2007: Assistant Manager, Compliance Programs

1993 – 2005: Manager, Business Tax Audits

1989 – 1993: Fiscal Specialist

Employment Status

New Hire



March 23-24, 2010

BOARD LIST

The following professional appointment is submitted for approval by the State Board of Education:

Name: Marci E. Goldman-Frye
Position: Education Program Specialist I, Mathematics
Division: Instruction
Salary Grade: 21 (\$55,084 - \$88,439)
Effective Date: TBD

JOB REQUIREMENTS:

Education:

A Master's Degree or equivalent 36 post baccalaureate credit hours of course work in Education, Education Administration/Supervision, Mathematics or a closely related field.

Experience:

Four years of professional mathematics instruction experience. Experience administering mathematics programs is desirable.

JOB DESCRIPTION:

This is a professional position responsible for providing technical assistance to local school systems for developing effective initiatives and processes that address State content standards in mathematics curricula and effectively evaluates assessment of student learning.

Marci E. Goldman-Frye
Page two

Qualifications:

Western Maryland College (Westminster, Maryland) 1998 – Masters of Science in Elementary Mathematics

Ohio University (Athens, Ohio) 1968 – Bachelor of Science in Education

Johns Hopkins University (Baltimore, Maryland) 2000 – Administrative and Supervision Certificate

Experience:

Montgomery County Public Schools (Rockville, Maryland)

2005 – Present: Mathematics Specialist (On loan to MSDE)

1969 – 2005: Mathematics Teacher/Mathematics Specialist

EMPLOYMENT STATUS:

New Hire



March 23-24, 2010

BOARD LIST

The following professional appointment is submitted for approval by the State Board of Education:

Name: Edward F. Sparks
Position: Education Program Manager I
(Director of Maryland Secondary Schools Athletic Association)
Division: Instruction
Salary Grade: 23 (\$62,741 - \$100,745)
Effective Date: TBD

JOB REQUIREMENTS:

Education:

A Master's Degree or equivalent 36 post baccalaureate credit hours of course work in Education Administration, Physical/Health Education or a related field.

Experience:

Six years of professional experience in coordinating or administering athletics programs in an education environment. Management and/or supervisory experience preferred; experience that has included the interpretation and application of rules, interscholastic or collegiate athletics coaching, athletic program administration as a MPSSAA tournament committee representative, or regional tournament director is desirable.

JOB DESCRIPTION:

This is a professional position serving as the Director of the Maryland Public Secondary Schools Athletic Association (MPSSAA) responsible for the administration of interscholastic athletic programs, interpretation and enforcement of rules and regulations of the State Board of Education that govern interscholastic athletics, oversight of athletic tournaments, promotion of goals and objectives toward scholarship and school improvement, and other related duties involving the oversight and administration of activities surrounding 188 high schools, 5,000 coaches, 100,000 student athletes, and 5,500 officials.

Qualifications:

Towson University (Towson, Maryland) 1974 – Master’s Degree in Education

University of North Carolina (Chapel Hills, North Carolina) 1969 – Bachelor of Arts Degree in History

Experience:

Baltimore County Public Schools (Towson, Maryland)

1994 – Present: Director of Athletics - MPSSAA (On Loan to MSDE)

Howard County Public Schools (Ellicott City, Maryland)

1981 – 1994: Staff Specialist III - Athletics (On Loan to MSDE)

1977 – 1981: Social Studies Teacher/Athletic Director

1971 – 1977: Social Studies Teacher/Football and Wrestling Coach

Mount Saint Joseph High School (Baltimore, Maryland)

1969 – 1971: Social Studies Teacher/Football Coach

EMPLOYMENT STATUS:

New Hire