

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday– Wednesday
June 25-26, 2002

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

The Maryland State Board of Education met in regular session on Tuesday, June 25, 2002 and Wednesday, June 26, 2002 at the Maryland State Board of Education building. The following members were in attendance: Ms. Marilyn Maultsby, President; Mr. Reginald Dunn, Vice President; Ms. Jo Ann T. Bell; Dr. Philip Benzil; Mr. Dunbar Brooks; Rev. Clarence Hawkins; Mr. Walter Levin; Dr. Karabelle Pizzigati; Mr. Walter Sondheim, Jr.; Dr. John Wisthoff; Ms. Lauren McAlee and Dr. Nancy S. Grasmick; Secretary/Treasurer and State Superintendent of Schools. Absent both days: Dr. Edward Root. Absent Wednesday only: Ms. Marilyn Maultsby and Rev. Clarence Hawkins.

Valerie V. Cloutier, Principal Counsel, Assistant Attorney General and the following staff members were present: Dr. A. Skipp Sanders, Deputy State Superintendent for Administration; Mr. Richard Steinke, Deputy State Superintendent for Instruction and Academic Acceleration; and, Mr. Anthony South, Executive Director to the State Board.

**CONSENT AGENDA
ITEMS**

Upon motion by Rev. Hawkins, seconded by Ms. Bell, and with unanimous approval, the State Board approved the following consent agenda items (In Favor – 11):

Approval of Minutes of May 21-22, 2002
Personnel
Budget Adjustments
Selection of National Board Candidates for 2002-2003 Fee
Incentive Program

**INTRODUCTION OF
NEW STAFF**

Dr. Grasmick introduced the following staff person:

Ms. Jayne Moore, Branch Chief
Instructional Technology Branch
Division of Instruction and Academic Acceleration

**IMPLEMENTING
CONTENT AND
ACHIEVEMENT
STANDARDS FOR
PROGRAMS IN FINE
ARTS (DANCE, MUSIC,
THEATRE, VISUAL
ARTS)**

Mr. Richard Deasy, Co-Chair, Fine Arts Advisory Panel and Director, National Arts Education Partnership; Dr. Patricia Welch, Chairman, New Baltimore City Board of School Commissioners; Ms. Anana Kambon, Special Assistant for Fine Arts Education, Mayor's Office; and, Mr. Jay Tucker, Chief and Specialist in the Arts, Division of Instruction and Academic Acceleration, provided a progress reports on the implementation of these standards.

The charge of the task force was to align Maryland's fine arts goals and expectations with national standards and to develop standards for program evaluation to be used in implementing the aligned goals document. The priorities that have emerged from the panel's process that continues to guide its collaborative efforts and actions statewide include:

- Creating model professional development programs for teachers that focus on translating research related to fine arts education into strategies for instructional practice;
- Recommending priorities for incentive grants to local school systems for curriculum alignment and development in support of the new state standards;
- Recommending priorities for incentive grants to local school systems for staff development opportunities which promote continuous program improvement efforts; and,
- Recommending strategies for evaluating the success of fine arts programs in meeting or exceeding the state's fine arts standards.

A number of tasks related to the identified priorities have been accomplished over the past several years.

Dr. Welch discussed the impact that fine arts has in student achievement. Baltimore City Public Schools has taken the leadership in this regard and have produced the first strategic plan under this process.

Ms. Kambon discussed the significance of the plan and how it has allowed her to recruit foundations, local artists and the community at large to support fine arts education and instruction.

Mr. Tucker provided an update on the three year contract with Westat to develop an assessment system for dance, music, theatre, and the visual arts at the elementary, middle, and high school levels.

**IMPLEMENTING
CONTENT AND
ACHIEVEMENT
STANDARDS FOR
PROGRAMS IN FINE
ARTS (DANCE, MUSIC
THEATRE, VISUAL
ARTS
(continued)**

The first years work included research, analysis, and publication of *State-of-the-Art in Large-Scale Fine Arts Assessment*. The number of professional development institutes was expanded from three to four. During FY 2002, \$1.7 million was awarded to school systems to support implementation of locally developed long-range, strategic plans for improving arts education programs.

**SERVICE
LEARNING
UPDATE**

Mr. Luke Frazier, Director, Maryland Student Service Alliance, Division of School and Student Services, provided an update on the service learning programs statewide. Service learning has been a graduation requirement for students since the graduating class of 1997. Many continuous improvement objectives have been met as a result of MSDE technical assistance and resources. MSDE's service learning quality review process includes site visits, structured interviews, project observations and development, partnership building, and funding accountability measures.

As a result of a quality review conducted by MSDE over the past school year, three primary challenges have been identified as impediments to achieving the highest quality service learning experiences for students across Maryland. Those primary challenges are:

- State Guidelines and Accountability
- Delivery Models and Accountability
- Teacher Training

Ms. Pam Meador, Student Service Learning Specialist, Montgomery County Public Schools and Mr. Sean Patterson, Service Learning Assistant, Baltimore County Public Schools, discussed their service learning programs and quality review activities.

Mr. Frazier reported that three Maryland students were invited to speak at the White House about their service learning experiences and how their lives have been affected by being involved with their communities and others.

**EDISON SCHOOLS
PROGRESS REPORT**

Mr. Rich O'Neill, Vice President for Development, Edison Schools and Dr. Marlaina Palmeri, Senior Vice President for Eastern District, Edison Schools, presented a progress report on the three Edison Schools. Ms. Palmeri reported that students have made significant gains on the CTBS and on the Maryland functional test. Their national medium percentile growth is as follows:

**EDISON SCHOOLS
PROGRESS REPORT
(continued)**

Furman Templeton Elementary School - 23 points
Gilmor Elementary School - 21 points
Montebello Elementary School - 46 points

Students are also scoring at or above grade level on the *Success For All* measures.

Furman Templeton Elementary School - 84%
Gilmor Elementary School - 70%
Montebello Elementary School - 82%

Edison has appointed Ms. Sarah Horsey, Principal, Montebello Elementary School, as the Achievement Director so that she can replicate the successes she has achieved with the other two Edison schools.

The following progress has been made on the Edison benchmarks:

Student Achievement Plan – The plan allows teachers to access where students are each month in the areas of reading and math.

Teacher Certification – As of January, 2002, 65% of the teachers are certified. There are 19 teachers who have taken the PRAXIS exam of which eight have passed.

Attendance – Attendance has grown 1.7% over the last year.

Parent Outreach – Quarterly learning contracts are discussed with parents, the student and the teachers four times a year. At these conferences, parent(s), student and teacher establish a goal to ensure that the student continues to make progress.

Computers have been distributed to families of students in grades 3-6. The computers are only distributed to those families who have completed a six-hour training program. The placement of this technology in the home has strengthened the communication lines between family and school.

Professional Development – On-going professional Development is provided not only on the local level but teachers also attend conferences sponsored by Edison. A summer leadership retreat will be held for principals and leadership teams.

**EARLY INTERVENTION
AND SPECIAL
EDUCATION
INITIATIVES**

Ms. Carol Ann Baglin, Assistant State Superintendent, Division of Special Education/Early Intervention Services; Ms. Deborah Metzger, Program Manager, Maryland Infants and Toddlers Program/Preschool Services Branch, Division of Special Education/Early Intervention Services; and Ms. Marjorie Shulbank, Special Initiatives and Parent Support Specialist, Divisional and State Interagency Support Branch, Division of Special Education/Early Intervention Services, provided an overview of two of the major initiatives that have occurred on behalf of families and children.

MSDE is the lead agency for the Maryland Infants and Toddlers Program, the State's interagency early intervention program for infants and toddlers with disabilities and their families under Part C of the Individuals with Disabilities Education Act. Since 1995, referrals to local Infants and Toddlers Programs and the number of infants and toddlers and their families receiving services have increased more than 30%.

Ms. Shulbank discussed the significant increase in the number of children in Maryland who have been identified as having autism. In 1996, the MSDE Special Education Child Count indicated that there were 999 children with autism. In 2001 the number of children with autism increased to 2833, a 155% increase. There have also been numerous methodological approaches, such as LOVASS, TEACCH, and sensory integration that families have identified and have requested be provided to their children with autism. These approaches are labor and time intensive, must be highly individualized, and are quite costly to families and systems.

Ms. Metzger highlighted the impact of the additional funding allocated in FY 03 budget. Through the passage of the Bridge to Excellence in Public Schools Act and the Maryland Infants and Toddlers Act of 2002, the Maryland Infants and Toddlers Program will receive \$5.2 million in State funding in FY 03 to support the delivery of early intervention services through local Infants and Toddlers Programs.

In 1998 the Maryland Legislature passed legislation that required that DHMH pursue a Medicaid Waiver for children with autism spectrum disorder. MSDE collaborated with DHMH to fulfill the requirements of the legislation. MSDE has taken the lead in developing processes, procedures, materials, training.

Dr. Baglin reported that the program had received a monitoring visit in 1999 by the federal Department of Education and MSDE's response to the monitoring visit is currently being reviewed for final approval.

**FEDERAL
LEGISLATIVE
UPDATE**

Ms. Sharon Nathanson, Federal Legislative Liaison, provided a report on pending federal legislation. To date, the Reauthorization of the Individuals with Disabilities Education Act (IDEA) has received the most attention from the various education groups but the actual legislation has not yet been drafted. Hearings have been held, issues discussed, and position papers prepared.

The President's Commission on Special Education has been meeting frequently over the past six months and is scheduled to present their final report to the President by July 1. Dr. Grasmick is serving on this commission.

**COMAR
13A.12.01
(REPEAL AND NEW)
CERTIFICATION
GENERAL
PROVISIONS**

Dr. Lawrence Leak, Assistant State Superintendent, Division of Certification and Accreditation and Ms. Joanne Ericson, Branch Chief, Certification Branch, Division of Certification and Accreditation, provided an overview of the conference committee held on this regulation. The proposed amendments are designed to address two main issues: enhancing recruitment and retention of educational personnel and streamlining the certification process.

A joint conference committee meeting was held on June 11, 2002 with members of the Professional Standards and Teacher Education Board and State Board Members Ms. Maultsby, Dr. Root and Dr. Wisthoff. The meeting began with an overview of the changes to the regulations, followed by clarifying questions, and then a discussion was held where members of both boards raised their questions and concerns. Both boards agreed that these regulations will be presented at their respective meetings for approval.

Upon motion by Ms. Bell, seconded by Mr. Levin, the State Board approved these regulations. (In Favor – 10; Abstention – 1 – Mr. Sondheim.)

**VISIONARY PANEL
RECOMMENDATIONS/
ESEA UPDATE**

Dr. Grasmick provided a status report on progress of developing a new strategic plan and responding to the No Child Left Behind federal legislation. The four areas being developed are:

Testing – A group of teachers, principals, stakeholders, etc. will be convened this summer to look at the issues of a commercially available tests. Staff will work with a core test and then an augmentation. The procurement process and negotiation around the augmentation are in the beginning stages.

Strategic plan – Staff are continuing to work with the framework that was approved by the State Board. The final draft is expected to be presented to the Board this fall.

**VISIONARY PANEL
RECOMMENDATIONS/
ESEA UPDATE
(continued)**

**RECESS AND
EXECUTIVE SESSION**

Consolidated plan -- This is the integration of all of our federal programs. This plan has been submitted to the federal government for their assessment of the plan.

Master plan -- As a part of the Thornton legislation, MSDE has put together a stakeholder group to assist in this effort. A master plan will be required for every single school system in the State and are to be submitted to the State Board by October, 2003.

Pursuant to §10-503 (a)(1)(i)(iii) and §10-508(a), (7) & (8) of the State Government Article, Annotated Code of Maryland and upon motion by Mr. Levin, seconded by Ms. Bell, and with unanimous approval, the Maryland State Board of Education met in closed session on Tuesday, June 25, 2002, in conference room 1 at the Maryland State Department of Education building. The executive session commenced at 1:00 p.m.

The following members were in attendance: Marilyn Maultsby; Reginald Dunn; Jo Ann T. Bell; Philip Benzil; Dunbar Brooks; Clarence Hawkins; Walter Levin; Karabelle Pizzigati; Walter Sondheim, Jr.; John Wisthoff; Lauren McAlee; Nancy S. Grasmick; A. Skipp Sanders; Richard Steinke; Valerie V. Cloutier; and Anthony South.

The State Board deliberated the following appeals and the decisions of these cases will be announced publicly:

- *Phyllis Conyers v. Prince George's County Board of Education* – student graduation credit dispute
- *Samuel S. Fromille, IV, v. Harford County Board of Education* – student suspension
- *Linda L. Kemp v. Montgomery County Board of Education* – demotion of bus driver
- *Morgan McCormick v. Allegany County Board of Education* – extracurricular activity dispute
- *Richard Regan v. St. Mary's County Board of Education* - American Indian mascot disput
- *Richard Regan v. Worcester County Board of Education* – American Indian mascot dispute

**RECESS AND
EXECUTIVE
SESSION
(continued)**

The Board conducted further deliberation on the appeal of *Jacqueline Dennard-Stoute v. New Baltimore City Board of School Commissioners* and the decision of this case will be announced publicly.

The State Board considered and denied a motion for reconsideration of Opinion No. 01-11 *Norman L. Nichols v. Caroline County Board of Education*, with recusal by Walter Levin, Esquire.

Dr. Grasmick and Board members Maultsby and Dunn briefly discussed issues that were reviewed with the New Prince George's County Board during its orientation session. The State Board asked Ms. Cloutier to draft a proposed regulation that would mandate orientation on certain matters for local boards of education.

Dr. Grasmick and Ms. Cloutier discussed with the State Board its legal options regarding middle school options for rising seventh graders at the three Edison schools. The State Board deferred further discussion to public session with Ms. Russo, the CEO of the Baltimore City Public School System.

Dr. Grasmick briefly discussed a personnel and budget matter affecting MSDE.

Ms. Cloutier advised the Board on the request from AELR Committee to delay final adoption of the Education That Is Multicultural regulation pending the AELR's intent to conduct a more detailed study of the matter. Dr. Grasmick and Ms. Cloutier briefly discussed the comments received from AIMMS through Dr. Dezmon. The State Board asked Ms. Cloutier to analyze the recommendations and advise the State Board at its July session. The State Board deferred further discussion to public session.

Board members discussed an internal board management matter.

The executive session adjourned at 2:30 p.m.

LEGAL ARGUMENT

The Board heard oral argument in the following case:

Dipti Shah, et al, v. Howard County Board of Education

**ANNUAL CAPITAL
BUDGET AND
FIVE-YEAR
PROGRAM REPORT**

Mr. Steve Brooks, Chief, Budget Branch, Division of Business Services, discussed this budget request. The Annual Capital Budget and Five-Year Program Request is submitted annually not later than June 30th of each year. There is one project which is a continuing project for the State Library Resource Center, Enoch Pratt Free Library. Mr. John Sondheim, was present representing Enoch Pratt Library.

Upon motion by Rev. Hawkins, seconded by Ms. Bell, the State Board approved this request. (In Favor – 9; Abstention – 1 – Mr. Sondheim. Mr. Levin not present when vote was taken.)

**STATUS OF RECEIVING
SCHOOLS FOR
EDISON STUDENTS**

Ms. Carmen Russo, CEO, Baltimore City Public Schools, provided the Board with a report on the schools receiving those students who will be leaving the Edison schools. These students will be assigned to Hamilton Middle School and Booker T. Washington Middle School. It is expected that there will be a total 300 students leaving the three Edison schools. Ms. Russo indicated that efforts are being made to provide a smooth transition for these students.

Ms. Russo indicated that plans are being made to add gifted-and-talented programs, advanced math courses and after-school programs. She indicated that initiatives are being made to accelerate progress in all of the middle schools in Baltimore City. Edison has provided the schools system with names and phone numbers of all incoming students.

The system has held an open house for the students and parents to tour the receiving schools and plans are being made to provide another tour during the summer.

Following Ms. Russo's presentations, the Board indicated continued reservations about the quality of the receiving schools and the time frame for making the changes that Ms. Russo spoke of. The Board indicated that additional discussion was needed with the Baltimore City School Commissioners regarding the transition.

**STATUS OF
MASTER PLANNING
PROCESS AND
LOW
PERFORMING
SCHOOLS**

Dr. Grasmick stated that an orientation has been provided to the new members of the Prince George's County Board of Education. She has briefed them on their responsibilities in terms of the master plan. There master plan should be received in several months.

The Baltimore City master plan is scheduled to be presented to the State Board in July. Staff has requested some revisions in Prince George's plan for the identified low performing schools.

**ELECTION OF
NASBE OFFICERS**

The State Board cast their ballot for the following officers of the National Association of Boards of Education Board of Directors

**ELECTION OF
NASBE OFFICERS
(continued)**

Upon motion by Mr. Dunn, seconded by Mr. Levin, the State Board cast their ballot for:

President - Alma Allen, Texas

(In Favor – 9; Abstention – 1 -- Mr. Sondheim. Ms. Bell not present when vote was taken.)

Upon motion by Dr. Benzil, seconded by Mr. Dunn, the State Board cast their ballot for:

Vice President - Robert Lazard, Indiana

(In Favor – 9; Abstention - 1 – Mr. Sondheim. Ms. Bell not present when vote was taken.)

Upon motion by Mr. Dunn, seconded by Mr. Levin, the State Board cast their ballot for:

Southern Area Director – Jane Norwood, North Carolina

(In Favor – 9; Abstention – 1 – Mr. Sondheim. Ms. Bell not present when vote was taken.)

**PUBLIC
COMMENT**

The Board heard public comment from the following persons:

Bob Condit
Doug Stiegler
Terry Sapp
Larry Walker
Joe Berg
Alex Fox
Morgan Harrison

**EXECUTIVE
SESSION AND
ADJOURNMENT**

Pursuant to §10-503(a)(1)(i) & (iii) and §10-508 (a)(7) of the State Government Article, Annotated Code of Maryland, and upon motion by Ms. Bell, seconded by Mr. Dunn, and with unanimous agreement, the State Board of Education met in closed session on Tuesday, June 25, 2002 in the 7th floor board room of the Maryland State Department of Education. The executive session commenced at 5:20 p.m.

The following members were in attendance: Marilyn Maultsby; Reginald Dunn; Jo Ann T. Bell; Philip Benzil; Dunbar Brooks; Clarence Hawkins; Walter Levin, Karabelle Pizzigati; Walter Sondheim, Jr.; John Wisthoff; Lauren McAlee; Nancy S. Grasmick; A. Skipp Sanders; Richard Steinke; Valerie V. Cloutier, and Anthony South.

The State Board deliberated the appeal of *Sipti Shah, et al. v. Howard County Board of Education* – school redistricting. The decision of this appeal will be announced publicly once it has been issued.

The executive session concluded at 5:45 p.m.

RECONVENED

The State Board meeting was reconvened on June 26, 2002 by Mr. Dunn at 9:05 a.m.

2002 NATIONAL DISTINGUISHED TITLE I SCHOOLS PROGRAM

Ms. Joanne Carter, Assistant State Superintendent, Division of Student and School Services; Ms. Sarah Hall, Chief, Program Improvement and Family Support Branch, Division of Student and School Services; and Ms. Barbara Scherr, Specialist, Program Improvement and Special Initiatives, Division of Student and School Services, introduced the recipients of this year's recognition.

The Title I Distinguished graduates are high school graduates who have participated in the Title I program and can attest that it made a difference in their lives. Maryland selected two Distinguished Graduates, following nomination by their high school principals. This year's recipients are:

Antionette Harrison, a 1991 graduate from Meade High School in Anne Arundel County

Janay Harrison, a 1990 graduate from Meade High School in Anne Arundel County.

Ms. Antionette Harrison spoke on behalf of herself and her sister, Ms. Janey Harrison.

Dr. Grasmick and Mr. Dunn presented each recipient with a State Board Certificate and a Governor's citation.

Ms. Hall introduced this year's recipients of the Title I Distinguished Schools recognition. The two Maryland schools receiving this national recognition are:

Green Holly Elementary School
St. Mary's County
Remarks by Jill Mills, Principal

Pemberton Elementary School
Wicomico County
Remarks by William Curtis, Assistant Principal
Delegate Norm Conway, Title I Supervisor

**PROFILE REPORT:
DIVISION OF
REHABILITATION
SERVICES**

Dr. Grasmick and Mr. Dunn presented each school with a check for \$2,000, a crystal plaque and a Governor's citation.

Mr. Bob Burns, Assistant State Superintendent, Division of Rehabilitation Services and Mr. Patrick McKenna, Director, Office of Client Services, Division of Rehabilitation Services provided an overview of this division. The Division of Rehabilitation Services is the largest division within the State Department of Education. This division operates two large businesses, the state's public rehabilitation services program and the Disability Determination Services unit. The state's public rehabilitation services program is authorized under the federal Rehabilitation Act. This division serves approximately 14,000 individuals with disabilities each year.

The mission of the Division of Rehabilitation Services is to provide leadership and support in promoting the employment, economic self-sufficiency and independence of individuals with disabilities.

The charge of the Division of Rehabilitation Services is to maintain and enhance opportunities for individuals with disabilities by:

- Promoting employment and independent living through the administration and development of the State's rehabilitation services program.
- Maximizing independence and self-sufficiency through the administration and development of the State's disability determination services program.
- Building collaborative relationships with public agencies, private organizations, employers, and community groups.
- Fostering a skilled workforce that reflects the diversity of Maryland's communities and the people they serve.
- Promoting empowerment and inclusion in all of Maryland's communities.

Ms. Marian Vessels, Chair, State Rehabilitation Council, provided a review of the Maryland State Rehabilitation Council. The role of the Maryland State Rehabilitation Council (MSRC) is to review, analyze, and advise on plans, needs assessments, policy issues, and consumer satisfaction studies in order to enhance the quality of and access to services provided by the Division of Rehabilitation Services (DORS) to promote the employment, economic self-sufficiency and independence of individuals with disabilities.

**PROFILE REPORT:
DIVISION OF
REHABILITATION
SERVICES
(continued)**

The Governor appoints the Council members and a majority of the membership must be persons with disabilities. In addition, the Council is comprised of members representing business and industry, community rehabilitation programs, special education and consumer groups.

The objectives of the Maryland State Rehabilitation Council are to:

- Advise DORS in the development of its State Plan for Vocational Rehabilitation Services.
- Participate with DORS in the development of marketing plans and strategies to assure awareness of the value of persons with disabilities in the workplace.
- Provide input to DORS regarding policies, issues, and procedures affecting rehabilitation services.
- Work with DORS to promote and ensure quality consumer outcomes.
- Collaborate with and advocate for other State councils and organizations to promote services to underserved and unserved populations.
- Establish a Council role to influence development and implementation of one-stop employment centers accessible by persons with disabilities.
- Ensure that the needs of individuals with disabilities are identified, communicated to, and addressed by legislators, service providers, employers, and the community.

**COMAR
13A.04.05 (AMEND)
EDUCATION
THAT IS
MULTICULTURAL**

Mr. Dunn read the following statement from the State Board on this issue:

The Board has received a request from the Joint Committee on Administrative, Executive and Legislative Review for the Board to postpone action on the proposed change pending further review by the Joint Committee. The State Board is postponing the action to a future Board meeting.

Upon motion by Mr. Brooks, seconded by Mr. Levin, the State Board accepted this request from the Joint Committee and will postpone action on this regulation. (In Favor – 7; Opposed – 2 Ms. Bell and Dr. Benzil)

PRESIDENT'S DISCUSSION

Mr. Steinke discussed the Minority Conference which was held at the University of Maryland, College Park. This conference was kick-off for a new institute being developed in partnership with MSDE and the University of Maryland College Park.

Ms. McAlee graduated from high school. She also visited the White House where service learning and character education was discussed.

Dr. Pizzigati visited the two receiving schools for the Edison Schools students. She also participated in one of National Association of State Boards of Education (NASBE) study groups on low performing schools.

Dr. Wisthoff attended an annual recognition of Education Excellence Award Ceremony given by the Chamber of Commerce in northern Anne Arundel County. He participated on NASBE's study group on high schools. Dr. Wisthoff also attended the Maryland Association of Board of Education's (MABE) summer conference which was held in Salisbury, MD.

Dr. Benzil visited the two schools receiving Edison Schools students. He attended the Arts Education in Maryland reception. Dr. Benzil also attended the Cabinet secretaries' meeting of the State School Health Council.

Ms. Bell attended the Foundation of Alternative Schools graduation and ground breaking for their new school in Prince George's County.

Mr. Dunn participated in the orientation of new members of the New Prince George's County Board of Education.

Dr. Grasmick advised that MSDE has received numerous awards for a variety of publications. Dr. Grasmick received an outstanding community award from a Maryland Professional Public Relations group.

RECOGNITION OF LAUREN McALEE

Mr. Dunn and the other Board members paid tribute to Miss McAlee for her service on the State Board. The members of the Board also presented her with a gift.

OPINIONS

Ms. Cloutier announced the following opinions:

- **02-24 Phyllis Hammond Black v. Carroll County Board of Education** – The State has held upheld a one day suspension. One Board member dissented and would have reversed for fairness of policy and one member recused himself.

**OPINIONS
(continued)**

- **02-25 John William Downs v. Baltimore County Board of Education** – A majority upheld the local board termination for sexual harassment conduct. However, there were four members that dissented.
- **02-26 Jonathan Fitzsimmons v. New Board of School Commissioners for Baltimore City** – The State Board has upheld a student suspension.
- **02-27 Kay Kimble v. Montgomery County Board of Education** – The State Board had adopted the administrative law judge’s proposed decision and upheld the local board.
- **02-28 Richard Regan v. Harford County Board of Education** – The State Board dismissed this appeal for lack of standing.
- **02-29 Richard Regan v. Montgomery County Board of Education** – The State Board dismissed this appeal because the appeal process is not the appropriate forum for changing a policy or curricula matter.

**EXECUTIVE
SESSION AND
ADJOURNMENT**

Pursuant to §10-503(a)(1)(i) and (iii) and §10-508(a)(7) & (8) of the State Government Article, Annotated Code of Maryland, and upon motion by Dr Wisthoff; seconded by Ms. Bell, and with unanimous agreement, the Maryland State Board of Education met in closed session on Wednesday, June 26, 2002 , in the 7th floor board room of the Maryland State Department of Education. The executive session commenced at 11:45 a.m.

The following members were in attendance: Reginald Dunn; Jo Ann T. Bell; Philip Benzil; Walter Levin; Karabelle Pizzigati; Walter Sondheim, Jr.; John Wisthoff; Lauren McAlee; Nancy S. Grasmick; A. Skipp Sanders; Richard Steinke; Valerie V. Cloutier; and Anthony South.

Dr. Grasmick and Ms. Cloutier further reviewed for the Board its legal options regarding the issue of Edison rising seventh graders at Hamilton and Booker T. Washington Middle Schools in Baltimore City. On the recommendation of Dr. Grasmick, the State Board discussed a plan of action on this matter.

The executive session concluded at 12:30 p.m

Respectfully submitted,

Nancy S. Grasmick
Secretary/Treasurer

NSG:sgc
APPROVED: July 23, 2002