

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday
March 24, 2009

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 24, 2009, at the Nancy S. Grasmick State Education Building. The following members were in attendance: Mr. James H. DeGraffenreidt, Jr., President; Mr. Blair G. Ewing, Vice President; Mr. Dunbar Brooks; Dr. Charlene M. Dukes; Dr. Mary Kay Finan; Ms. Rosa M. Garcia; Mr. Richard Goodall; Dr. Karabelle Pizzigati; Dr. Ivan Walks; Ms. Kate Walsh; Mr. D. Derek Wu and Dr. Nancy S. Grasmick, Secretary/Treasurer and State Superintendent of Schools.

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

CONSENT AGENDA

The President asked for approval of items listed under Consent Agenda.

Superintendent Grasmick noted that included on the consent agenda was information on additional cuts to the Department's budget approved by the Board of Public Works. She said that these cuts were the result of lower than expected revenue estimates. She said, "This again diminishes the resources of this Department."

In response to Mr. Ewing's request for information on the impact of these reductions on the Department, Mr. Robert Crawford, Division Director, Division of Business Services, explained the various cuts in program budgets. Dr. Grasmick said that, in the past, there has been a small amount of funding included in the budget to provide small performance bonuses to staff in leadership positions but that this practice will be eliminated this year. She also reported that 94.7 departmental positions have been cut out of approximately 1600 positions. In response to a question by President DeGraffenreidt to provide the Board with the strategic effects of these budget cuts on the Department's statutory mission, Dr. Grasmick said she would send the Board a Division by Division report on the effects of the budget cuts on the Department's programs.

In response to a question by Mr. Ewing about the “loaned educators” program, Dr. Grasmick explained that there are teachers from local school systems who are on contract to provide certain expertise and due to the fact that State salaries are lower than local school system salaries, the Department must pay the differential to acquire their services.

Mr. Brooks requested that the following language be added to the first sentence in paragraph five on page 5 of the February 24, 2009 minutes “a preK-20 education longitudinal data base.”

Upon motion by Mr. Ewing, seconded by Mr. DeGraffenreidt, and with unanimous agreement, the Board approved the Consent Agenda as follows: (In Favor – 11)

Approval of Minutes of February 24, 2009, as amended
Approval of Minutes of March 11, 2009 Special Meeting
Personnel (**copy attached to these minutes**)
Budget Adjustments for February, 2009
FY 2009 Budget Reductions

MARYLAND SUPERINTENDENT OF THE YEAR

Dr. Grasmick explained that each year the Public School Superintendents Association of Maryland (PSSAM) selects from among its members a local superintendent of the year. She introduced Dr. Karen Salmon, President of PSSAM, and Dr. Carl Roberts, Executive Director of PSSAM to introduce PSSAM’s 2009 Superintendent of the Year.

Dr. Roberts introduced Dr. Michael Martirano, Superintendent of the St. Mary’s County Public Schools as the 2009 Superintendent of the Year, describing him as an excellent and highly qualified leader. He reported that Dr. Martirano attended the National Conference in San Francisco to receive his award.

Dr. Salmon said, “Mike has been very vocal for all children.”

Dr. Grasmick said, “It has been a joy to work with Mike Martirano” and asked him to introduce the members of the St. Mary’s County Board of Education and his wife who were present. She reported that he created one of the strongest Science, Technology, Engineering and Mathematics (STEM) programs in the State.

Dr. Martirano expressed his delight to be selected for this honor and acknowledged the individuals who make the school system successful. He said, "This has been a wonderful opportunity for me. I am very fortunate to be a part of PSSAM -- there is so much power in that group. The work that is occurring in St. Mary’s County is phenomenal." He reported that all schools in St. Mary’s County made *Annual Yearly Progress (AYP)* in all categories last year and said “I am honored and humbled to receive this award.”

President DeGraffenreidt congratulated him on behalf of the Board. He and Dr. Grasmick presented Dr. Martirano with a citation of recognition.

THE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Dr. Grasmick said that given the importance of school construction and its prominent position in funding decisions being made in Annapolis and throughout the state, she introduced Dr. David Lever, Executive Director, Interagency Committee on School Construction (IAC) to provide a better understanding of the Public School Construction Program and the process for determining decisions relative to the construction and renovation of school facilities in Maryland. The Superintendent explained that the IAC reports to the State Board of Public Works and that she serves as the Chair of the IAC.

Dr. Lever explained that the IAC administers the following four programs:

1. Capital Improvement Program (CIP)
2. Aging Schools Program, (ASP)
3. Qualified Zone Academy Bond (QZAB)
4. Recycled Tire Grant Program

He discussed the CIP process which continues throughout the year and the criteria used to select the projects to be funded. Dr. Lever reported that an adequacy survey will be initiated in the summer of 2009 at a cost of \$1.35 million to determine the funding needed for future school construction and renovation projects. He noted that a High Performance Buildings Act was enacted in 2008 which requires all new schools after July 1, 2009 to be certified as High Performance (LEED silver or equivalent). Dr. Lever provided data on funding requests and allocations during the FY 2006 to FY 2010 period and noted an 18 percent decline in FY 2010 requests compared to FY 2009, most likely due to local fiscal constraints. He noted that the IAC does not know what funding will be available through the stimulus package recently enacted by Congress.

In response to a question by Dr. Pizzigati, Dr. Lever said the inspection process rotates over a six year period and includes every school in the State.

In response to a question by Dr. Dukes, Dr. Lever said that there is a study group to determine the approximate costs incurred to build a certified silver LEED school (environmentally friendly). In response to Dr. Dukes' question about progress being made to achieve the State's goal of awarding 25 percent of State construction projects to certified minority businesses, Dr. Grasmick said that that goal has not yet been met but that working with the Department of Minority Affairs, excellent progress is being made.

Dr. Grasmick reported that the funding issue to conduct the adequacy survey is unresolved at this time.

In response to a question by Mr. DeGraffenreidt, Dr. Lever said that there are a number of policies and practices in place to monitor the dollars spent by local school systems to build and renovate schools. He noted that the bar is set very high in order for a school system to have a new school built. In response to a second question by the President, Dr. Lever said that local school systems prioritize their project requests according to the urgency of the project. He said there is a great deal of “band aid” work being done every day in Maryland schools.

In response to a question by Ms. Garcia, Dr. Lever reported that there are ten other LEED certified schools being constructed, nine in Montgomery County and one in St. Mary’s County.

Dr. Grasmick noted that the Baltimore City Public School System has made use of commercial properties to use as school buildings over the last several years.

With no further discussion, the Board thanked Dr. Lever for his informative presentation.

Dr. Walks left the meeting.

STATE LEGISLATIVE UPDATE

Dr. Grasmick introduced Renee Spence, Executive Director, Governmental Relations, to provide a report on the developments occurring since the opening of the 2009 Maryland General Assembly.

Ms. Spence reported that more than 2600 bills have been introduced in the Maryland General Assembly and that very little action has taken place. She noted that the Governor’s supplemental budget has yet to be introduced and that budget discussions are just beginning. Ms. Spence discussed the following bills being monitored by her and her staff:

- HB 1326 State Aid for Education – Full-Time Equivalent Enrollment – Calculation
- HB 1396 Higher Education – Student Financial Assistance – Dually Enrolled Students
- HB 1502 Prince George’s County – Financial Literacy Curriculum Content
- HB 1543 Virtual Schools
- HB 1549 Thornton Formula – Evaluations
- HB 1558 Student Stigma Act
- SB 990 Reporting Requirement – Class Size
- SB 1032 Funding Formula to Expand K-12 Online Education
- SB 1049 Domestic Violence – Tween/Teen Dating Violence Education and Awareness

Ms. Spence reported that the Pre-School for All and the Teacher ID bills passed in the House. She noted that no action has been taken on the collective bargaining or GED options bills and that the fitness bill was amended by removing the fitness mandate but including a fitness measurement in local school system wellness policies. Ms. Spence reported that the “clean up bill” related to the transfer of staff and programs from the MSDE to the Department of Labor, Licensing and Regulations passed in the Senate.

In response to a question by Dr. Dukes about HB 1558 Student Stigma Act, Dr. Grasmick said that this legislation is causing much confusion since it requires language changes in many documents.

FEDERAL LEGISLATIVE UPDATE

Debra Lichter, Director, Departmental Coordination and National Legislation Liaison, reported that a group of staff members are meeting weekly to discuss the impact of the federal stimulus package and that local superintendents have been briefed as well. She reported that a draft application for stimulus funding is to be approved in the near future and the application will provide data required to meet certain assurances in order to receive funding.

Ms. Lichter reported that the Department received a notice of grant award for the school lunch program which is a competitive grant to local education agencies of approximately \$1.3 million.

Dr. Grasmick noted the recent death of Christine Sarbannes, wife of long-time Maryland Senator Paul Sarbannes, stating that she worked closely with Department staff on the UNICEF Program.

In response to a question by Mr. Ewing, Ms. Lichter said that no action has taken place on the reauthorization of the *No Child Left Behind* (NCLB) Act. In response to a second question by Mr. Ewing, Dr. Grasmick said that two counties will be requesting maintenance of effort waivers.

Dr. Grasmick reported that she has been communicating with other states to discuss collaborative proposals for innovation grants. She noted that although there is an advantage to the geographic proximity of Virginia and Washington D.C., she is also discussing this issue with state education leaders in Massachusetts and New York.

In response to a question by Ms. Garcia, Ms. Lichter said that states will be required to meet assurances specified in all grant awards by the federal government.

President DeGraffenreidt urged the Board and State Superintendent to arm the Governor with precise information to eliminate any confusion on Maryland’s funding requests.

SCHOOL READINESS REPORT

Dr. Grasmick introduced Dr. Rolf Grafwallner, Assistant State Superintendent, Division of Early Childhood Development, to present the results of the eighth annual assessment of the readiness of students in kindergarten. She acknowledged a significant number of individuals in the audience who are affiliated with the early childhood education effort in Maryland saying “these are the people who have given Maryland such a great reputation.”

Dr. Grafwallner reported that Maryland is one of the few states that has an accountability system in place for early childhood and discussed the Maryland Model for School Readiness (MMSR). He explained that the MMSR is a body of standards and an assessment tool that teachers use at the start of each school year to assess and observe the school readiness of entering kindergartners in Maryland public schools. He discussed demographic data on prior care enrollment and school enrollment noting a significant increase in Hispanic and English Language Learners (ELL) entering the systems. Dr. Grafwallner provided data showing remarkable progress of kindergartners in school readiness since 2001/02. He noted the significant gains made by entering students in language and literacy, science and math. Dr. Grafwallner also noted impressive strides made by African American children since 2001/02. He stressed that, while Hispanic children made noteworthy gains, only 63 percent of Hispanic children are fully school-ready. He also reported on the tremendous progress made by ELL, low-income and special education children although he reported that these cohorts are disproportionately in informal care settings rather than in structured learning centers. Dr. Grafwallner stressed the proven positive impact of pre-K on school readiness.

In response to a question by Ms. Walsh, Dr. Grafwallner said that there are better results on school readiness when children have been in an accredited pre-school program. In response to Ms. Walsh’s request to have the curricula being used in the pre-schools included in next year’s report, Dr. Grafwallner agreed to include that information.

In response to a question by Ms. Garcia about dual language models in pre-K, Dr. Grafwallner said that there are two hundred languages represented in the schools and that the dual language approach can only be used when all children in the class are representing one language such as Spanish speakers. He noted that research shows that children should be grounded in one language when they are three and four years old so that they are able to transfer that knowledge to another language.

In response to a question by Dr. Pizzigati, Dr. Grafwallner said that there has been a six-fold increase in accreditation programs in Maryland for all early care and education programs. He said, “Pre-school for All would do a lot to improve the quality in non-public schools.” Dr. Grafwallner said there is currently legislation pending to provide a quality rating system to child care which would offer some transparency in terms of quality of the programs offered.

In response to Mr. Ewing's concern about the Head Start Program, Dr. Grafwallner said that Head Start provides services almost exclusively to low-income families and Head Start representatives are very receptive to aligning their curricula to pre- kindergarten standards and to meeting kindergarten expectations.

In response to a comment by Mr. Brooks, Dr. Grafwallner said that stimulus funding will most likely be available to replenish the vast child care cuts made in the Maryland education budget.

Dr. Dukes said that she will present Dr. Grafwallner with a series of questions for him to answer at a future Board meeting regarding the use of federal funding for early childhood education.

The Board acknowledged and thanked Dr. Grafwallner for his reputation as a national leader in early childhood education.

REPORT OF RESPONSE TO FINANCIAL LITERACY TASK FORCE

Dr. Grasmick introduced Dr. Lynne Gilli, Program Manager, Career and Technology Education Instructional Branch, Division of Career and Technology and Adult Learning, to share the progress that the Department has made in response to the report presented to the Board in January on how to improve financial literacy in Maryland. She noted that Dr. Dukes is an important member of the Financial Literacy Task Force.

Dr. Gilli reported that much of the content for teaching financial literacy is currently in existing curricula and provided the following action steps that are currently underway by Department staff:

1. The Department will form a representative design team to ensure that K to 12 content standards are developed that explicitly speak to financial literacy. The design team will explore both national and international standards as they complete their work.
2. The Department will provide a prototype of a course that local systems can use to teach financial literacy concepts to middle and high school students. She reported that a professional workshop series is to occur in the summer of 2009, but noted that, given the current budget cuts to the Department and local school systems, the cost may be prohibitive. She said that other resources must be identified to systemically implement and sustain this initiative.
3. The Department will convene an advisory group to engage local representatives from education and financial communities to monitor what is happening in local school systems and to help leverage resources to implement and improve financial literacy education.

Dr. Grasmick thanked the Co-Chairs of the Task Force and expressed her satisfaction with the actions of the Department staff in response to the Task Force's recommendations.

COMAR 13A.12.03.11 SCHOOL SOCIAL WORKER

The Superintendent introduced Dr. John Smeallie, Deputy State Superintendent for Administration, to discuss COMAR 13A.12.03.11 School Social Worker. She recommended Board authorization to proceed with a review of this regulation to determine if additional criteria for certification are needed.

Dr. Smeallie reported that this regulation was adopted in September, 2005, and included a time-sensitive provision for a review to determine if additional criteria were warranted.

Upon motion by Mr. Goodall, seconded by Mr. Brooks, and with unanimous agreement, the Board authorized a review of this regulation. (In Favor – 10)

COMAR 13A.12.07 RESIDENT TEACHER CERTIFICATION

Dr. Grasmick asked Dr. Smeallie to report on COMAR 13A.12.07, Resident Teacher Certification and recommended approval of the proposed amendments.

Dr. Smeallie said the purpose of these changes is to expand this option for obtaining an initial certificate to individuals through participation in approved alternative preparation programs in certain nonpublic schools. He noted that this would further increase the supply of highly qualified teachers.

Upon motion by Dr. Finan, seconded by Mr. Ewing, and with unanimous agreement, the Board approved the amendment to COMAR 13A.12.01.07 Resident Teacher Certificate. (In Favor – 10)

COMAR 13A.05.08 WORK-BASED LEARNING PROGRAM

Dr. Grasmick introduced Jeanne Marie Holly, Program Manager, Career and Technology Education Systems Branch, and Kathy Oliver, Assistant State Superintendent, Division of Career Technology and Adult Learning, to provide background information on the proposed amendments to COMAR 13A.05.08 Work-Based Learning Program. She recommended adoption of the proposed amendments.

Ms. Oliver explained that the 2008 Maryland General Assembly passed new legislation providing employers with a work-based learning tax credit for wages paid to students. She

reported that the regulations in COMAR, adopted in 1998, were in the process of being repealed and this action by the General Assembly extended the tax credit to June 30, 2013.

Upon motion by Dr. Pizzigati, seconded by Dr. Finan, and with unanimous agreement, the Board adopted COMAR 13A.05.08 Work-Based Learning Programs. (In Favor – 10)

STATE SUPERINTENDENT'S UPDATE

Dr. Grasmick reported that she will be meeting with Dr. Andreas Schleicher, Head of the Indicators and Analysis Division, PISA, Organization for Economic Co-Operation and Development, to discuss a Maryland specific international benchmarking project. She said that Dr. Schleicher is very excited to pursue this project. The Superintendent said she is in communications with other state education leaders interested in pursuing this project and will keep the Board informed of progress in this arena.

Dr. Grasmick said that the Department of Labor, Licensing and Regulation (DLLR) is developing its own regulations regarding the General Education Diploma (GED). She said she will be discussing this issue with DLLR leaders this week and will report back to the Board.

The Superintendent said that it was important to remind the Board of the sequence of events and timeline that had been agreed to for the Department to acquire the services of a third party contractor to review the Department's testing program. She indicated that Ms. Walsh had requested the review last August following the release of MSA testing results in July. The Board was informed at that time that an RFP for those services would of necessity be based on the Annual Technical Report prepared by the MSA testing contractor and that the earliest expectation for the receipt of the report by the Department was December 2008. The Board then requested that Dr. Wilson provide a detailed overview of MSDE's test development process at a future Board meeting. Dr. Wilson provided that report in December 2008 meeting. Dr. Grasmick then said that the Technical Report was received by the Department in February, but that Dr. Wilson and her staff have been preoccupied with gathering data on the HSAs for the Board and administering this year's MSAs and had not had the opportunity to review the report and remove secure items so that the Technical Report could be released to the public. Mr. DeGraffenreidt said that he appreciated the workload and demands that have been placed on Dr. Wilson and her staff and asked Dr. Wilson what would be a reasonable expectation for the preparation and release of the RFP. Dr. Wilson indicated that the RFP could be on the street in September and that it would take six months after the RFP release to complete the procurement process.

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 Ms. Garcia, seconded by Dr. Dukes, and with unanimous agreement, the Maryland State Board of Education met in closed session on Tuesday, March 24, 2009, in Conference Room 1, 8th Floor, at the Nancy S. Grasmick State Education Building. All board members were present except Dr. Ivan Walks. In attendance were John Smeallie, Deputy State Superintendent for Administration, and Tony South, Executive Director to the State Board. (In favor – 11)

Assistant Attorneys General, Elizabeth M. Kameen and Jackie C. La Fiandra were also present. The Executive Session commenced at 12:30 p.m.

The Board considered and deliberated the following appeals. Opinions will be issued at an upcoming meeting.

- *Resalee Comeaux v. Harford County Board of Education* - request to move bus stop
- *Robert McGrath v. Calvert County Board of Education* - student transfer
- *Sandra Osorio v. Montgomery County Board of Education* - student transfer
- *Leona Van Rossum v. Harford County Board of Education* - student transfer
- *Timothy & Michelle Wood v. Howard County Board of Education* - residency/transfer

The State Board approved six decisions and one order for publication.

- *Board of Education of Howard County v. Howard County Education Association* – collective bargaining 09-08
- *Edward A. v. Carroll County Board of Education* - student suspension 09–09
- *Marisabel Barret v. Prince George’s County Board of Education* - teacher termination 09-10
- *Board of Frederick County Commissioners v. Frederick County Board of Education* – Declaratory Ruling 09-11
- *Mr. & Ms. Benjamin W. v. Prince George’s County Board of Education* - student transfer 09-12
- *Somerset County Board of Education v. Teachers Association of Somerset County* – collective bargaining 09-13
- *Efrem K. v. Anne Arundel County Board of Education* – residency OR 09-02

Ms. Kameen explained the regulatory requirements if a county requests a waiver of their maintenance of effort requirements. The Board discussed the internal process and procedures for managing the MOE Waiver hearings. They established deadlines to govern the MOE hearings and directed that they be published and disseminated widely to local governments, local school systems and the education community.

Ms. Kameen advised the Board on confidentiality of the HSA Student information they received.

Dr. Grasmick, joined by Robert Crawford, Division Director of Business Services explained upcoming budget reductions.

The Board addressed two internal board management issues - - using DocuShare, and a contract review inquiry.

The Executive Session ended at 2:00 p.m.

RECONVENE

The meeting reconvened at 2:00 p.m. Dr. Walks was absent.

2009 MILKEN AWARD WINNERS

The Superintendent reported that for the past sixteen years the Department has had an exciting partnership with the Milken National Educator Award. She introduced Dr. Darla Strouse, Executive Director, Partnerships and Development, to introduce this year's winners of the Milken National Educator Award.

Dr. Strouse reported that each Award winner will receive \$25,000 and attend a conference in California in April. She introduced Shannon Landefeld, a fourth grade teacher at Tulip Grove Elementary School in Prince George's County and Christian Slattery, a music teacher at Hall's Road Elementary School in Harford County, this year's Milken Award winners. Dr. Strouse showed a brief video capturing the excitement of the two surprise announcements made this past fall to the two Award winners.

Ms. Landefeld said, "It is such a tremendous honor to be recognized for doing something I love to do every day." She described the past few weeks as a "whirlwind" and acknowledged the support of her family and co-workers.

Mr. Slattery said, "I feel like one of the luckiest teachers. My students are extremely talented. They are the talented ones."

The President and Superintendent congratulated and presented each Award winner with a citation and invited their families and supporters to stand for a photograph.

Ms. Garcia left the meeting.

VOLUNTARY STATE CURRICULUM: WORLD LANGUAGES

Dr. Grasmick reminded Board members that they have thus far accepted Voluntary State Curricula (VSC) for reading, English/language arts, health education, mathematics, science, social studies, fine arts and recently health education. She introduced Mary Gable, Director, Instructional Programs, and Susan Spinnato, Specialist, World Languages, both in the Division of Instruction as well as Martha Abbott, Director of Education, American Council for the Teaching of Foreign Languages (ACTFL) and recommended Board acceptance of the VSC for World Languages.

Ms. Gable discussed the curriculum development process and reported that the draft document was placed on the Department's website to collect feedback and input from world language teachers and administrators. She reported that Westat conducted an external review of the VSC and noted that it is directly aligned with national standards.

Ms. Abbott discussed the charge and process used by the reviewers and discussed the revisions recommended. Ms. Spinnato explained how the revisions were completed and identified the next steps which will include preparing and providing a toolkit for teachers, providing professional development courses and drafting and presenting a draft regulation to the State Board for adoption.

Ms. Walsh requested that future enrollment reports reflect percentages of students enrolled in the various foreign language courses as well as the number of students.

In response to a suggestion by Mr. Goodall that virtual classes be provided for students in rural areas that do not have adequate access to foreign language teachers, Dr. Grasmick said that the Department is pursuing a grant to provide this opportunity.

Dr. Pizzigati said that there needs to be significant attention to the attractiveness of language studies as well as accessibility for all students.

In response to a question by Mr. Wu, Dr. Grasmick said that there are programs at Towson University to recruit and train foreign language teachers and that there is a memo of understanding with a number of countries to provide foreign language teachers. She noted that this is an area of teacher shortage. Dr. Grasmick also reported that Maryland is currently accepting international certification for teachers of foreign languages.

Mr. Wu suggested that offering foreign languages to elementary school students would be more likely to ensure success for those students since data shows that children absorb languages much quicker in the early years. Ms. Gable concurred with Mr. Wu's suggestion.

In response to a comment by Mr. Ewing, Ms. Gable said that school systems are encouraging students to take Chinese and Arabic as well as Spanish.

Upon motion by Dr. Pizzigati, seconded by Mr. Goodall, and with unanimous agreement, the Board accepted the VSC for World Languages. (In Favor – 9)

HSA UPDATE

Dr. Grasmick introduced Dr. Leslie Wilson, Assistant State Superintendent, Division of Accountability and Assessment, to update the Board on current information regarding the HSA requirement and the status of students expected to graduate from Maryland public high schools in the spring of 2009. She said this has been a long and rigorous process with the local education agencies and that the information provided is already obsolete since the status of students changes daily.

Dr. Wilson reported that a total of 4,660 students who are likely to graduate in May 2009 are still working to meet the HSA graduation requirements with an average of 23 students per school. She introduced Mr. Scott Pfeifer, Director, Instructional Assessment, who reported that school principals produced very hopeful results with the Bridge Projects and that “we are on track in meeting or maybe exceeding our goals.” He said that many districts have planned summer options for seniors through the end of June and that they will be considered 2009 graduates. He said that teachers, students and administrators are working very hard.

Dr. Wilson discussed the original design of HSAs which included constructed response (CR) items as an extension of MSPAP and alignment with the Maryland School Assessment (MSA). She reported that superintendents stressed the need for a faster turn-around time on test results and that the Department decided to phase out CR items. She said that the May HSA administration would be the first not to include constructed responses. She also provided information on the equating process and the quality controls that were followed to insure the integrity of the tests. She also discussed the improvement of an online version of HSAs and the challenges inherent in this endeavor.

Dr. Grasmick invited Mary Cary, Assistant State Superintendent, Division of Leadership Development, to address a question Board members may have relative to whether students will be taught how to write after the CR items are phased out. She explained that Ms. Cary co-chaired an English Composition Task Force, looking at the alignment between higher education expectations and K-12 instruction. Ms. Cary said that one of the recommendations of the Task Force was to form a committee to analyze the English/language Arts VSC to determine if the writing standards were appropriate preparation for the first credit-bearing composition course at the college level. She said that issue being investigated was the number of high school graduates who were being required to take developmental writing courses in their freshmen college year. The committee was formed, did the analysis and concluded that the VSC standards were appropriate for college placement in the first credit-bearing composition course. Ms. Cary concluded her remarks by saying that right before the Task Force began its work, MSDE, in collaboration with higher education colleagues, engaged in a review of the English standards as part of Maryland’s participation in the American Diploma Project. They concluded that Maryland’s standards were world-class. Achieve, Inc. said these standards were a national model.

In response to a concern expressed by Dr. Pizzigati relative to special education students taking the on-line version of an HSA, Dr. Wilson said that students have a choice of taking a pencil and paper test or the on-line version.

In response to a question by Mr. Wu, Dr. Wilson said that test scores would not be instantaneously available to students taking on-line tests.

Ms. Walsh said in relation to this report, “this would be a good accountability tool for leadership.” Ms. Walsh requested data on the following:

- percentages of students who pass on the first administration of the test
- percentages of those who took more than one test administration to pass
- Percentages of students who used the combined score option
- Percentages of students who participated in the bridge plan
- Percentage of student waivers

In response to a request by Ms. Walsh regarding the involvement of individuals from higher education, Dr. Colleen Seremet, Assistant State Superintendent, Division of Instruction, said she will provide the Board with the names and titles of the persons involved in writing test questions.

Mr. Goodall expressed the need to spend more dollars training instructional leaders to improve student success.

In response to a question by Mr. Ewing about drop out rates, Dr. Wilson said that data suggests that high stakes testing has had a positive effect on the drop out rate explaining “students can’t hide.”

President DeGraffenreidt thanked the presenters for a very comprehensive report.

NASBE REPORT

Dr. Pizzigati reported that NASBE held its annual legislative conference in early March. She said that the NASBE Board had an opportunity to meet with a member of Congress who is a former school board member and that they obtained extensive information on the resources that are to become available through the economic recovery package.

She reported that NASBE continues to work with the U.S. Army through a Memo of Understanding that can link resources of the Army to the school systems and noted that since Maryland is a Base Realignment and Closure (BRAC) State, there are valuable resources available to school systems in Maryland.

PUBLIC COMMENT

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

- Katie Groth – Information on MABE and news from Frederick County Public Schools
- Jerome Dancis- HSAs

OPINIONS

Ms. Kameen announced the following Opinions:

- 09-08 *Board of Education of Howard County v. Howard County Education Association* – Petition for Declaratory Ruling (**Board made decision governing educational policy permission topics in alleged topic – declared the discipline in reprimands is an illegal topic**)
- 09-09 *Edward A. v. Carroll County Board of Education* – student suspensions (affirmed local board's decision)
- 09-10 *Marisabel Barret v. Prince George's County Board of Education* – teacher termination (affirmed local board's decision)
- 09-11 *Board of Frederick County Commissioners v. Frederick County Board of Education* – declaratory ruling (declared that student data requirements are legal vehicle for gathering data on immigration status)
- 09-12 *Mr. & Mrs. Benjamin W. v. Prince George's County Board of Education* – student transfer (affirmed local board's decision)
- 09-13 *Somerset County Board of Education v. Teachers Association of Somerset County* – petition for declaratory ruling (signing bonus is wages subject to mandatory topic for negotiations)


Ms. Kameen announced the following Order:

- 09-02 *Efram K. v. Anne Arundel County Board of Education* (dismissed as untimely filing)

ADJOURNMENT

Ms. Walsh suggested that a report prepared by Achieve, Inc. dealing with math standards be discussed at a future Board meeting. Dr. Grasmick said that the report is still in draft form. Ms. Walsh said that her understanding was that the report was final and Dr. Grasmick agreed to clarify whether the report is still in draft form and contact Board members about the issue. With no further business before the Board, the meeting adjourned at 4:15 p.m. (In favor – 10)

Respectfully submitted,


Nancy S. Grasmick
Secretary, Treasurer

NSG/rms

APPROVED: *April 27, 2009*

MARYLAND STATE DEPARTMENT OF EDUCATION
PERSONNEL APPROVALS FOR THE March 24 - 25, 2009 BOARD MEETING

I. Appointments Grade 19 and above:

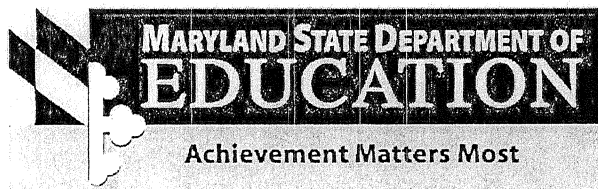
<u>NAME</u>	<u>POSITION</u>	<u>SALARY GRADE</u>	<u>DIVISION/OFFICE</u>	<u>DATE OF APPOINTMENT</u>
Johnson, Zondra L.	Coordinator of Correctional Special Education	IEPP	Career Technology and Adult Learning, Correctional Education Program	TBD

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>
Charbonneau, Jean S.	Librarian	IEPP	Career Technology and Adult Learning, Correctional Education Program	03/25/2009
Goines, Bridget	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Region VI	03/25/2009
Malveaux, Herbert J.	Librarian	IEPP	Career Technology and Adult Learning, Correctional Education Program	04/08/2009
Proschan, Maria	Vocational Rehabilitation Specialist II	13	Rehabilitation Services, Office of Blindness and Vision Services	03/11/2009

III. Other Actions:

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



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street · Baltimore, MD 21201 · 410-767-0100 · 410-333-6442 TTY/TDD

March 24-25, 2009

BOARD LIST

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

Name: Zondra L. Johnson
Position: Coordinator of Correctional Special Education
Division: Career Technology and Adult Learning
Correctional Education
Salary Grade: IEPP
Effective Date: TBD

JOB REQUIREMENTS:

Education and Experience:

A Master's Degree in Special Education, Education, or Administration/Supervision and eligible for certification in Special Education from the Maryland State Department of Education. Possession of a Maryland Special Education Supervisor Certificate is preferred. Six years of professional administrative/supervisory and special education teaching experience to include at least two years within a correctional or similar institution or in a program serving a predominantly disadvantaged population.

DESCRIPTION:

This position is responsible for Statewide development, implementation, and coordination of special education services for MSDE's Juvenile Services Education Program.

Qualifications:

Education:

Georgetown University (Washington, D.C.) 2004 – Education Specialist Degree (Ed.S.) in Special Education

Roosevelt University (Chicago, Illinois) 1987 – Master’s Degree in Clinical Psychology

Grambling State University (Grambling, Louisiana) 1978 – Bachelor’s Degree in Psychology

Maryland State Department of Education (Baltimore, Maryland) – Maryland Advanced Professional Certificate with an endorsement as a Special Education Teacher Grades 6-12

Experience:

Self Employed - Education Excellence and Associates (Suitland, Maryland)

2008 – Present: Education Consultant

District of Columbia Office of the State Superintendent of Education (Washington, D.C.)

2008: State Early Childhood Special Education Coordinator

2004 – 2008: Supervisor Early Childhood Special Education

Prince George’s County Public Schools (Upper Marlboro, Maryland)

2001 – 2004: Program Manager – Judith Hoyer Family Learning Center

1989 – 2001: School Psychologist

Metropolitan Health Services (Washington, D.C.)

1987 – 1995: Individual Habilitation Plan Coordinator/Consulting Psychologist

District of Columbia Charlee Foster Care Agency (Washington, D.C.)

1986 – 1988: Social Worker/Educational Coordinator

Montgomery County Associate for Retarded Citizens (Rockville, Maryland)

1985 – 1986: Community Living Supervisor

Ennis and Associates Foster Care Agency (Detroit, Michigan)

1982 – 1983: Intake Worker/Therapist

Employment Status

New Hire

MARYLAND STATE BOARD OF EDUCATION

CLOSED SESSION

On this **24th** day of **March 2009**, at the hour of 12:15 pm, the Members of the State Board of Education voted as follows to meet in closed session:

Motion made by: Bain

Seconded by: Durkin

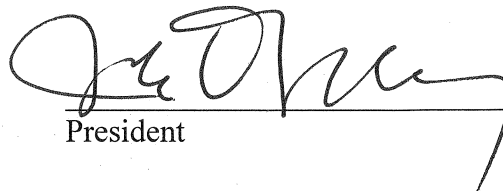
In Favor: 10 Opposed: 0 Member(s) Opposed: _____

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 or proposal process.

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

1. Discuss five legal appeals.
2. Review six draft opinions.
3. Legal guidance on confidentiality of student performance information.
4. Discuss an MSDE personnel issue
5. Discuss 3 internal Board management items.



President