The Maryland State Board of Education met in regular session on Tuesday, February 26, 2019, at 9:00 a.m. at the Nancy S. Grasmick State Education Building. The following members were in attendance: Dr. Justin M. Hartings, President; Ms. Stephanie R. Iszard, Vice President; Dr. Chester E. Finn, Jr; Dr. Vermelle Greene; Dr. Rose M. Li; Ms. Jean Halle; Mr. Michael Phillips; Brigadier General (BG) Warner Sumpter (Ret.); Mr. Bryce Awono, Student Board Member; and State Superintendent Dr. Karen B. Salmon. (Dr. Joan Mele-McCarthy and Dr. David Steiner were absent).

The following staff members were present: Elizabeth Kameen, Esq. Assistant Attorney General; Dr. Sylvia Lawson, Deputy State Superintendent, Office of School Effectiveness; Amalie Brandenburg, Deputy State Superintendent, Office of Finance and Administration; Dr. Carol Williamson, Deputy State Superintendent, Office of Teaching and Learning; and Dr. Miya T. Simpson, Executive Director, Office of the State Board.

President Hartings called the meeting to order and opened with the Pledge of Allegiance, along with students in attendance from Laurel High School.

President Hartings welcomed members of the Maryland Association of Boards of Education, students and staff from Laurel High School, and other guests.

PUBLIC COMMENT

The following individuals provided public comment:

- **Sharlimar Douglass** – Teacher Certification
- **Julie Miller-Breetz** – Gifted and Talented Regulations
- **Alina Masten** – Standardized Testing
- **Oriana Giurola** – Standardized Testing
- **Tolulope Ajenifua** – Standardized Testing
- **Connor Lohman** – Standardized Testing
- **Shamoyia Gardiner** – School Discipline
- **Jerome Dancis** – Teacher Certification

NEW BUSINESS

- Approval of Consent Agenda:
  President Hartings called for a motion to approve the Consent Agenda, which included the following items:
Minutes for January 22 and 23, 2019
  o General Sumpter noted a correction on page 10. Minutes were amended to reflect Mr. Elliott Schoen’s reading of the Opinions and Orders, instead of Ms. Kameen as noted.

Personnel Actions

Budget Adjustments for January, 2019

**ACTION:** Upon motion by Mr. Phillips and seconded by General Sumpter, the State Board approved the Consent Agenda as amended. (In Favor: 8; opposed: 0; abstained: 0; Dr. Greene was not present for the vote.)

**REPORTS TO THE STATE BOARD FOR DISCUSSION AND/OR ACTION**

- **Recognition of Maryland’s 2019 Milken Educator of the Year**
  (Presenters: Dr. Karen B. Salmon, State Superintendent; Dr. Darla Strouse, Executive Director, Office of Partnerships)

  Dr. Salmon and Dr. Strouse introduced Mr. Brian Quinn, Math Teacher at East Silver Spring Elementary School, was recognized as the Milken Award Recipient, awarded by the Milken Family Foundation. Dr. Strouse shared a brief video of the surprise announcement at Mr. Quinn’s school on the day he was informed of his selection.

  Board Members and Superintendent Salmon thanked Mr. Quinn for his work on behalf of Maryland’s students.

  **ACTION:** None. For information and discussion only.

- **Every Student Succeeds Act (ESSA) Accountability Implementation Update and Data Analysis Results**
  (Presenters: Ms. Mary Gable, Assistant State Superintendent, Division of Student, Family, and School Support; Ms. Chandra Haislet, Director of Accountability and Data Systems; Dr. Dara Shaw, Executive Director, Office of Research and Strategic Data Use)

  Ms. Gable and Ms. Haislet provided updates on the ongoing implementation and analysis of the 2018 accountability system and potential adjustments to the 2019 system. Discussion included an update on the reporting calendar and appeals process and demonstration of the Maryland Report Card student group results.

  Dr. Shaw presented data analysis results for student group performance (within-school analysis) and school performance and school characteristics (cross-school analysis), along with an overview of ongoing internal validity analysis. Dr. Shaw also reviewed options for possible modifications to points and ratings assignments and future decision points for the State Board. Dr. Shaw noted that Option 1 (not making any adjustments to standards) is the truest representation of the data currently; and that Options 3 (adjusted standards) and 4 (maintaining the range for one-star but adjusting other standards; higher range for four-star schools) provide more symmetry.
Discussion included clarification of single-year adjustment (one-time) of state “cut points;” performance of all students compared to each student group; whether the indicators and measures provide unique information about school performance; how the indicators and measures impact schools’ scores; and whether performance on a single indicator predict overall performance.

**ACTION:** None. For information and discussion only.

- **Educator Certification: Out-of-State Pathways**  
  *(Presenter: Ms. Sarah Spross, Assistant State Superintendent, Division of Educator Certification and Program Approval)*

Ms. Spross presented information for discussion and consideration in determining the future out-of-state pathways to obtaining an initial Maryland Certification, as aligned to the Maryland State Department of Education’s (MSDE) comprehensive plan to increase the rigor and accountability of educator certification and teacher preparation programs in Maryland. Ms. Spross highlighted specific decision points that will assist the department staff in developing policy and/or regulations related to the certification action plan. The action plan includes items identified by the MSDE, State Board, Professional Standards and Teacher Education Board (PSTEB); and recommendations of the Commission on Innovation and Excellence in Education (Kirwan Commission) and the Teacher Induction, Retention, and Advancement Act (TIRA) of 2016 Workgroup.

Ms. Spross shared examples of the types of out-of-state pathways and reviewed information regarding how Maryland compares to other states in the available pathways to certification and import vs. export data (credentials issued in-state vs. out-of-state).

Ms. Spross presented initial recommendations for five (5) out-of-state pathways, for which the department is seeking the State Board’s consensus to move forward with drafting regulatory language to bring final recommendations back to the State Board for approval. The State Board, by consensus, authorized the department to move forward as follows:

- **Pathway 1: Out-of-State Approved Program + Valid Out-of-State Certificate + Maryland Equivalent Tests**  
  *Supported the following MSDE recommendations: 1) complete an out-of-state approved educator preparation program in the certificate area being pursued; 2) present a valid, professional certificate in the area (subject, grade band) being pursued; and 3) present Maryland equivalent tests. Board members requested that equivalent scoring language be added and clarified.*

- **Pathway 2: Out-of-State Approved Program + Maryland Tests**  
  *Supported the MSDE recommendation to complete an out-of-state approved educator preparation program in the certificate area being pursued, and present and pass the Maryland test(s) in the certificate area (subject, grade band)*
• Pathway 3: Out-of-State Certificate + Experience
  Supported the following MSDE recommendations: 1) Valid, professional out-of-state certificate, in the certificate area (subject, grade band) being pursued; and 2) present 3 years of effective teaching experience, verified by employer, in the certification area being pursued. (Dr. Finn opposed the Pathway 3 recommendations expressing concern that regarding no requirement for teachers to have passed a valid test from Maryland or another state)

• Pathway 4: Out-of-State Certificate + Maryland Tests
  Supported the following MSDE recommendations: 1) present a valid, professional out-of-state certificate, in the certificate area (subject, grade band) being pursued; and 2) present Maryland tests in the area being pursued.

• Pathway 5: National Board Certification
  Supported MSDE recommendation to keep the current language as written (present a National Board Certificate from the National Board for Professional Teaching Standards, for which a comparable Maryland certificate exists.

Ms. Spross also noted three current pathways that are not being recommended by the department for continuation: 1) out-of-state approved program + out-of-state certificate + out-of-state tests; 2) out-of-state approved program + expired out-of-state certificate + experience; and 3) transcript analysis.

The department will bring recommendations back to the State Board for future consideration and action(s).

**ACTION:** For information and discussion. (No formal vote; general consensus for the department to move forward).

**EXECUTIVE SESSION**

Pursuant to § 3-305(b)(1)&(7) of the General Provisions Article, Annotated Code of Maryland, and upon motion of Dr. Greene, seconded by Mr. Awono and with unanimous agreement, the Maryland State Board of Education met in closed session on Tuesday, February 26, 2019 in Conference Room #1, 8th Floor, at the Nancy S. Grasmick Building. All board members were in attendance except Dr. Joan Mele-McCarthy and Dr. David Steiner. Also in attendance were Dr. Sylvia Lawson, Chief Performance Officer, Dr. Carol Williamson, Chief Academic Officer, Amalie Brandenburg, Chief Operating Officer, Dr. Miya Simpson, Executive Director, Office of the State Board and Assistant Attorneys General, Elizabeth Kameen, Jackie La Fiandra, and Derek Simmonsen. The Executive Session commenced at 12:55 p.m.

At that time, the State Board approved three Opinions for publication.

• **Frederick Classical Charter School, Inc. v. Frederick County Board of Education (Frederick Classical Charter II)** – request for reconsideration – Opin. No. 19-08
• **Latin Schools of America, LLC. v. Baltimore City Board of School Commissioners** –
request for reconsideration – Opin. No. 19-09

- *Samuel R. v. Anne Arundel County Board of Education* – grade promotion - Opin. No. 19-10

The State Board voted unanimously to issue charges to remove Mr. Wayne Foote from the Allegany County Board of Education.

The State Board voted unanimously to issue an RFP to procure an investigator to gather facts and witness statements for the removal action.

Ms. Kameen alerted the Board to a possible criminal investigation of a provider in one of MSDE’s grant programs.

The Board delegated the authority to the State Superintendent to approve four candidates for immediate hire in the Certification Program subject to ratification of the Board at its next meeting.

The Board and the Superintendent engaged in a detailed discussion of the Superintendent’s evaluation and the process that will be used.

The Executive Session ended at 2:10 p.m.

**REPORTS TO THE STATE BOARD FOR DISCUSSION AND/OR ACTION**

- *Curriculum Vetting Regulation (Supporting School Improvement)*
  *(Presenter: Ms. Tiara Booker-Dwyer, Executive Director, Office of Leadership Development & School Improvement)*

  Ms. Booker-Dwyer provided an overview of supports for school improvement and resources that will be provided to schools identified for Comprehensive Support and Improvement (CSI). The statewide system of support was piloted during the 2017-2018 school year, with customized supports provided to Baltimore City Public Schools (through a Memorandum of Understanding), and Prince George’s Public Schools and Dorchester County Public Schools (through Learning Forward’s What Matters Now Network). Supports during the pilot phase focused on using data to inform curricular and instructional improvements in mathematics, English language arts, and science, and building leadership capacity of principals and assistant principals.

  Ms. Booker-Dwyer reviewed the specific actions schools identified as CSI Schools are required to complete and explained that the schools have three (3) years to exit CSI status. Those schools that do not exit CSI status will receive more rigorous interventions from the department. Ms. Booker-Dwyer emphasized that the level of support provided to each school system is informed by data, grounded in research, and focused on student learning and well-being.
The department will bring proposed revisions to COMAR 13A.04.14.02 to the State Board for consideration. The revised language will support the implementation of standards-aligned curriculum in local school systems.

Board members inquired about the strength/force of the recommendations (what could/would be required or strongly encouraged).

ACTION: None. For information and discussion only.

NEW BUSINESS

➢ Code of Maryland Regulations (COMAR)
(Presenter: Ms. Mary Gable, Assistant State Superintendent, Division of Student, Family, and School Support; MSDE Staff)

- In-State Pathways to Obtain a Maryland Teacher Certificate (Information Only)
An overview of draft regulatory language for discussion and future action. The regulatory language being developed identifies the future in-state pathways leading to initial Maryland teacher certification. The department will move forward with developing language to bring back to the State Board for consideration.

ACTION: None. For information and discussion only.

- COMAR 13A.04.07 Gifted and Talented Education (Permission to Publish)
Request for permission to publish modified amendments to COMAR 13A.04.07 Gifted and Talented Education. The State Board granted permission to publish the regulation in December, 2018. Based on feedback received during the public comment period, the MSDE recommended the following revision to the regulation: “A universal screening process shall be used to identify students in every school and at least 10 percent in each local school system, as early as possible, but no later than Grade 3.”

State Board members discussed concerns around the 10% requirement, ensuring equity, and the ability/capacity of school systems to offer services and programs. Dr. Finn suggested modifying the language to replace the 10% requirement with “…a significant number of students in every school and at least 10 percent in each local school system…” Board members discussed and suggested further changes to the language related to identification, programs and services and reporting requirements. Staff will draft amendments to reflect the Board’s discussion.

ACTION: Upon motion by General Sumpter, and seconded by Ms. Halle, the State Board granted permission to publish the regulation as amended. (In Favor: 9; opposed: 0; abstained: 0.).

➢ Calendar Modification Request
(Presenter: Ms. Teresa Dantzler, Ombudsperson)
Requests for approval of conditional waiver requests from Allegany County Public Schools and Garrett County Public Schools to open school on April 22, 2019, the Monday after Easter, as a snow make-up day, if needed, for the 2018-2019 school year.

ACTION: Upon motion by Ms. Iszard and seconded by General Sumpter, the State Board approved the conditional waiver requests and granted authority for the State Superintendent to approve requests received from local school systems to open school on April 22, 2019, the Monday after Easter, as a snow make-up day, if needed, for the 2018-2019 school year. (In favor: 7; Opposed: 0; Abstained: 0. (Mr. Awono was not present.)

STATE SUPERINTENDENT’S REPORT

- **2018 Advanced Placement (AP) Exam Results**
  (Presenter: Dr. Dara Shaw, Executive Director, Office of Research and Strategic Data Use)

Dr. Shaw presented demographic information for AP exams taken in 2018. Data presented included: description of the number of exams taken by Maryland public school students in 2018, including number of exams taken by students in each race/ethnicity, service, and gender student group; comparison data of the share of exams taken by students in each student group to each group’s enrollment share; description of the percent of exams passed in 2018, overall and by student group; and a comparison of the percent of exams passed and the percent of the graduating class passing at least one exam, over the past five years.

ACTION: None. For information and discussion only.

- **Maryland 4-Year Adjusted Cohort Graduation and Dropout Rates**
  (Presenter: Dr. Dara Shaw, Executive Director, Office of Research and Strategic Data Use)

Dr. Shaw highlighted data on the 2018 cohort graduation and dropout rates. The presentation included information by racial groups, student groups (gender, English language learners, students with disabilities, FARMS), and adjusted cohort graduation rates. Cohort graduation rate increases in local school systems were also highlighted.

- **2019 Legislative Session Update**
  (Presenter: Ms. Tiffany Clark, Director, Legislative Affairs)

Ms. Clark provided status updates on education-related bills currently before the 2019 General Assembly.

President Hartings made a request on behalf of Dr. Steiner, in his absence, to submit a letter of opposition to House Bill (HB) 1211 – Education – Foreign Language Requirement – Computer Programming Language Courses. By consensus, State Board members supported the request, and also discussed position letters on the following: HB 948 – Education – Advanced Placement Examination Fees – State Payment; HB 1019 – State Board of Education – Public High School Students- Assessments and Graduation; SB – 416 Education – Curriculum – Holocaust and Genocide Unit (Lessons of the Holocaust and Genocide Act); and SB 617 - Free College, Career Skills, and Youth Apprenticeship Act of 2019.
President Hartings impressed upon Board members how quickly things move and requested support for designating a small group to help with legislative and policy affairs and responding to bills. President Hartings, Dr. Li, Dr. Mele-McCarthy, and General Sumpter volunteered to assist with this work.

**ACTION:** Upon motion by Ms. Iszard and seconded by Mr. Phillips, the State Board approved creating a small committee to assist with legislative and policy affairs. (In Favor: 7; opposed: 0; abstained: 0. Mr. Awono was not present.)

**STATE BOARD MEMBER REPORTS AND COMMENTS**

- **Committee Reports**
  - *Task Force on Student Discipline Regulations* – Dr. Greene reported that the Task Force held its first meeting on January 26th and provided an overview. The next meeting will take place on February 28th at the MSDE, 8th Floor, Room.6.
  - *Online Learning Policy* – Ms. Halle shared that the committee meeting planned for February had to be cancelled due to snow. The committee is working to reschedule a new date.
  - *Strategic Planning* – Ms. Iszard reported that the committee held its first meeting and has begun initial planning on a draft outline of goals and objectives. The committee will continue to develop and refine a draft document to bring back to the State Board for review.

**FUTURE AGENDA ITEMS/AGENDA PLANNING**

The State Board discussed tentative agenda items for the March meeting:

- **Tuesday, March 28th**
  - Student Transfers Follow-Up Discussion
  - Graduation Pathways
  - ESSA Update
  - State Superintendent’s Report
    - Curriculum Vetting Regulation
    - Special Education
    - Teacher Evaluation Draft Recommendations
    - 2019 Legislative Session Update
  - Regulatory Actions

**OPINIONS**

Ms. Kameen announced the following Opinions and Orders:

- *Frederick Classical Charter School, Inc. v. Frederick County Board of Education* – request
for reconsideration – Opinion No. 19-08
- *Latin Schools of America, LLC v. Baltimore City Board of School Commissioners* – request for reconsideration – Opinion No. 19-09
- *Samuel R. v. Anne Arundel County Board of Education* – grade promotion – Opinion No. 19-10

**ADJOURNMENT**
With no further business before the Board, the meeting was adjourned at 4:54 p.m.

Karen B. Salmon, Ph.D.
Secretary/Treasurer

Date: March 26, 2019

The information included here provides a summary of the agenda items presented and actions taken during the meeting of the Maryland State Board of Education. The video recordings of the meetings are the official record of the meetings and can be located at: [http://www.marylandpublicschools.org/stateboard/Pages/Meetings-2019.aspx](http://www.marylandpublicschools.org/stateboard/Pages/Meetings-2019.aspx)
MARYLAND STATE BOARD OF EDUCATION
PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING (“CLOSING STATEMENT”) UNDER OPEN MEETINGS ACT (General Provisions Article § 3-305)

1. Recorded vote to close the meeting.
   Date: February 26, 2019
   Time: 1:00 p.m.
   Location: 200 West Baltimore Street, Baltimore, MD 21201
   Motion to close meeting made by: Dr. Greene
   Seconded by: Mr. Awono
   Members in favor: 9
   Opposed: 0
   Abstaining: 0
   Absent: 2

2. The meeting was closed under authority of Section 3-305(b) of the General Provisions Article of the Annotated Code of Maryland (check all provisions that apply). This meeting will be closed under General Provision Art. § 3-305(b) only.

   1. To discuss: (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or (ii) any other personnel matter that affects one or more specific individuals.
   2. To protect the privacy or reputation of individuals concerning a matter not related to public business.
   3. To consider the acquisition of real property for a public purpose and matters directly related thereto.
   4. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
   5. To consider the investment of public funds.
   6. To consider the marketing of public securities.
   7. To consult with counsel to obtain legal advice.
   8. To consult with staff, consultants, or other individuals about pending or potential litigation.
   9. To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
   10. To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.
   11. To prepare, administer, or grade a scholastic, licensing, or qualifying examination.
   12. To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
   13. To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
   14. Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

3. For each provision checked above, disclosure of the topic to be discussed and the public body’s reason for discussing that topic in closed session.

   Citation (insert # from above)  Topic  Reason for closed-session discussion to topic
   § 3-305(b) (1)  Personnel Matters  Performance evaluation and new hires
   § 3-305(b) (7)  Legal Advice  Legal appeals, 21st Century Grant Provider Issues, and Allegany County Board of Education legal matter

4. This statement is made by _____________________________, Presiding Officer.
### MARYLAND STATE DEPARTMENT OF EDUCATION
PERSONNEL APPROVALS FOR THE February 26, 2019 BOARD MEETING

### I. Appointments Grade 19 and above:

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<td>Ginn, Darlene</td>
<td>Program Manager II – Regional Director for Baltimore City (Region III)</td>
<td>20</td>
<td>Office of the Deputy for School Effectiveness, Division of Rehabilitation Services</td>
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<td>Sauers, Heather D.</td>
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### III. Other Actions: Promotional

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February 26, 2019

BOARD LIST

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

Name: Darlene F. Ginn
Position: Program Manager II – Regional Director for Baltimore City (Region III)
Division/Office: Division of Rehabilitation Services
Salary Grade: State Salary Grade: 20
Annual Salary Range: $56,743 - $92,930
Effective Date: TBD

JOB REQUIREMENTS:

EDUCATION:
A Bachelor’s Degree is required; course work in Management, Supervision or Administration is desirable. A Master’s Degree is preferred.

EXPERIENCE:
Six (6) years of professional experience in rehabilitation or in the adjudication or processing of disability claims. Three (3) years of the required experience must have included direct supervision of other professional employees or specialized experience as the technical lead providing rehabilitation services for client with disabilities or in developing disability claims and establishing eligibility for SSDI and SSI.

DESCRIPTION:
This is a professional position responsible for planning, directing, managing and maintaining accountability for the Vocational Rehabilitation Services program within the Office of Field Services in Baltimore City. This position serves as the primary agent for developing and maintaining cooperative and coordinated service delivery systems within the offices in the Baltimore, Maryland area.
QUALIFICATIONS:

Education:
The George Washington University (Washington, D.C.) 2002 - Master’s Degree in Rehabilitation Counseling
University of Baltimore (Baltimore, Maryland) 1988 – Master’s Degree in Sociology Program Planning & Administration
University of Maryland Baltimore County 1981 – Bachelor’s Degree in Health Science and Policy

Experience:
Maryland State Department of Education/Division of Rehabilitation Services (Baltimore, Maryland)
2006 – 2019: Program Manager I
2008 – 2016: Rehabilitation Technical Supervisor
1987 – 2008: Rehabilitation Technical Specialist

Coppin State University (Baltimore, Maryland)
2006 – 2007: Affiliate Professor

The Renaissance Center (Woodlawn, Maryland)
2001 – 2012 Pastoral Counselor

The Martin Pollak Project (Baltimore, Maryland)
1985 – 1987: Case Manager

L.I.F.E. Inc (Baltimore, Maryland)
1983 – 1985: Residential Supervisor

The Chimes (Baltimore, Maryland)
1982 – 1983: Instructor

EMPLOYMENT STATUS:
New Hire
February 26, 2019

BOARD LIST

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

Name: Heather D. Sauers

Position: Education Program Specialist II, Coordinator of Title IIA & Professional Learning

Division/Office: Curriculum, Instructional Improvement, & Professional Learning

Salary Grade: State Salary Grade: 22
Annual Salary Range: $65,901 - $105,818

Effective Date: TBD

JOB REQUIREMENTS:

EDUCATION:
Master’s Degree or equivalent 36 credit hours of post baccalaureate course work in education, professional learning, curriculum, assessments or a related field. Certification in Elementary or secondary education is required.

EXPERIENCE:
Five (5) or more years of professional, administrative, or teaching experience in or affiliated with education program or a related field; this experience to include two (2) or more years of experience providing and organizing district or school-wide professional learning; and two (2) or more years of leadership experience.

DESCRIPTION:
This position provides leadership for the compliance monitoring, technical assistance, and evaluation of programs for the federal Title IIA grant and other grants assigned to the Instructional Assessment and Professional Learning (DCIIPL). The position also provides leadership to professional learning and teacher induction programs initiated by the State and local school systems (LSS).
QUALIFICATIONS:

Education:
Amberton University (Garland, Texas) 2015 Master’s Degree in Training and Professional Development
Towson University (Towson, Maryland) 2007 Bachelor of Arts in English

Experience:
Maryland State Department of Education (Baltimore, Maryland)
2017 – Present: Education Program Specialist I, Instructional Assessment & Professional Learning Specialist

Baltimore County Public Schools (Baltimore, Maryland)

Parkville Middle School (Parkville, Maryland)
2013 – 2017: Training and Development Specialist, Parkville Middle School
2007 – 2013: Teacher, Sixth, & Eighth Grades, Parkville Middle School

EMPLOYMENT STATUS:
Promotional