

MARYLAND STATE BOARD OF EDUCATION
200 W. Baltimore Street
Baltimore, MD 21201

PROFESSIONAL STANDARDS AND TEACHER EDUCATION BOARD

March 2, 2017
Minutes

The 415th meeting of the Professional Standards and Teacher Education Board (PSTEB) was held at the Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201 on March 2, 2017. Dr. Alyssia James called the meeting to order at 9:35 a.m.

Dr. Alyssia James thanked Mr. Christopher Lloyd for going to Annapolis and representing the Professional Standards and Teacher Education Board on February 14, 2017 along with writing the testimony.

The following members were in attendance: Dr. Mae Alfree, Ms. Jennifer Berkley, Mr. Charles Hagan, Mr. Darren Hornbeck, Dr. Alyssia James, Ms. Maleeta Kitchen, Mr. Christopher Lloyd, Dr. John Mayo, Dr. Kristine McGee, Ms. Dawn Pipkin, Ms. Debra Poese, Ms. Karen Saar, Ms. Sarah Spross, and Dr. Jamey Tobery-Nystrom.

The following members were absent: , Mr. Peter Baily Ms. Louise DeJesu, Dr. Kandace Hoppin, Mr. Philip Kauffman, Ms. Kathleen Kelbaugh, Dr. Mary Ellen Lewis, Dr. Barbara Martin-Palmer, and Ms. Geralda Thompson.

The following Maryland State Department of Education staff members were present:

Ms. Jessica Bancroft, Ms. Kelly Meadows, Ms. Ruth Downs (Recorder), and Mr. Derek Simmons, Esq., Attorney General's Office.

PRELIMINARY ITEMS

Recognition of Guests

Ms. Geraldine Duval, MSEA

Public Comment

None

DISCUSSION

State Board

Dr. Miya Simpson presented the Maryland State Board of Education report from Tuesday, April 25, 2017. The report included the following items:

Information and Discussion:

- Welcomed new Board member Dr. David M. Steiner. Dr. Steiner was appointed by the Governor to serve the remainder of the term of Jannette O'Neill-Gonzales. Ms. Gonzales resigned from the State Board in December 2016.
- Every Student Succeeds Act (ESSA) Plan
 - Discussion of the Accountability Framework, Support for Excellent Educators and Support and Improvement for Schools.
- Legislative overview and status of issues related to education presented during the 2017 session.
- Fiscal Year 2018 budget Update
 - Summary of budget actions taken by the Maryland General Assembly during the 2017 Legislative Session

that affect Maryland public education and the public library system.

Actions

- Approved Baltimore City Public Schools' application to waive the post-Labor Day school start date and June 15th school end date for six schools for the 2017-2018 school year.
- Approved Carroll County Public Schools' request to waive one day of student attendance for the 2016-2017 school year.

Opinions and Orders:

- *Keith Goines v. Prince George's County Board of Education* – employee termination – Opin. No. 17-16
- *In the Matter of Request for Removal of Local Board Member Karen Harshman* – Opin. No. 17-17
- *Bash Pharoan v. Baltimore County Board of Education* – 2017-1018 school calendar – Order No. 17-05
- *Board of Education of Howard County v. Renee Foose* – motion for reconsideration -- Order No. 17-06

Meeting materials, Opinions, and Orders can be found at www.msde.maryland.gov/stateboard/index.html

The next meeting of the Maryland State Board of Education will be held on Tuesday, **May 23, 2017**, at the Nancy S. Grasmick State Education Building, 200 West Baltimore Street, 7th Floor Board Room, Baltimore, Maryland 21201.

DISCUSSION

Legislative Update

Ms. Sarah Spross did a legislative update on the following House Bills (HB458, SB604, HB331, SB786, HB1486 and HB715).

House Bill 458/Senate Bill 604 – Visual Impairments – Requirements for Teacher Training, Student Screening, and Maryland Medical Assistance Program Coverage

For the purpose of requiring, on or before a certain date, the Professional Standards and Teacher Education Board to require a certificate holder applying for renewal of a certificate as a teacher to complete a course on understanding and recognizing the symptoms of visual impairments; requiring the Board to approve a course that meets certain criteria; requiring the Board to adopt certain regulations; requiring a vision screening provided to certain students in public schools to include the administration of a computerized screening for visual impairments that includes, at a minimum, certain tests; requiring the Department of Health and Mental Hygiene to fund and provide to certain county health departments the equipment for a certain required computerized screening of visual impairments; requiring a computerized screening for visual impairments to be given each year to each student who has an individualized education program; requiring the results of a certain computerized screening for visual impairments to be made part of a certain record, given to the parents of certain students, and reported to certain entities; requiring a parent or guardian to report, on a certain form, to certain entities on the recommended services received by a student who may have possible symptoms of a visual impairment; requiring the county board of education or the county health department to report to the Department of Health and Mental Hygiene the results of computerized screenings for visual impairments; exempting a student who parent or guardian objects to a certain vision screening on certain grounds from taking the screening; requiring the Maryland Medical Assistance Program to provide, beginning on a certain date and subject to a certain limitation and as permitted by federal law, vision rehabilitation for certain individuals; and generally relating to teacher training, student screening, and medical coverage for visual impairments.

Article Education

6-704.2

(A) On or before July 1, 2018, the Board shall require a certificate holder applying for renewal of a certificate as a teacher to complete a course on understanding and recognizing symptoms of visual impairments, including visual processing disorders and binocular processing disorders.

(B) The Board shall approve a course required under this section that:

- 1) Is designed for Educators;
- 2) Has been in use for at least 5 years
- 3) Is taken online and complies with §508 of the Federal Rehabilitation Act of 1973
- 4) Satisfies professional development requirements; and
- 5) Provides information and training on Education and Classroom Development activities relating to Visual Processing Disorders.

(C) The Board shall adopt regulations to implement this section.

Discussion

Mr. Christopher Lloyd gave the board a brief update what occurred at the hearing during his testimony. Ms. Spross stated that she had spoken to Ms. Tiffani Clark, the legislative representative for MSDE in regards to the two bills. She informed Ms. Spross that there has been no movement on HB458 or SB604.

House Bill 331/Senate Bill 786 – Education – Behavior Intervention Plan – Physical Restraint and Seclusion

For the purpose of prohibiting a public agency and a nonpublic school from using physical restraint except under certain circumstances; prohibiting a public agency and a nonpublic school from using seclusion except under certain circumstances; requiring a public agency or a nonpublic school that uses seclusion to document the completion of a certain assessment, observe the student at all times, limit the period of seclusion to a certain amount of time, discontinue the seclusion after a certain time, and consider alternative behavior interventions under certain circumstances; requiring schools to report to the State Department of Education on or before a certain date each year certain information relating to physical restraint and seclusion incidents; requiring the Department to adopt certain regulations; requiring the State Superintendent of Schools to consult with certain individuals relating to training requirements for teachers and administrators regarding evidence-based positive behavioral interventions, strategies, and supports, and trauma-informed interventions; requiring the Department to coordinate with public agencies and nonpublic schools to ensure that certain individuals who work directly with students receive certain initial and periodic professional development; altering a certain definition; defining certain terms; repealing certain obsolete provisions of law; and generally relating to behavior intervention plans.

Article Education

7-1101.

Line 15

(H) “Public Agency” means the Department, a Local School System, or any State Agency responsible for providing education to students.

[h] **(I) “Seclusion” means the confinement of a student ALONE in a [locked] room, [closet, box] AN ENCLOSURE, or ANY other space from which the student is physically from leaving.**

(J) “TRAUMA-INFORMED INTERVENTIONS” MEANS AN APPROACH TO A BEHAVIOR INTERVENTION PLAN THAT IS INFORMED BY THE RECOGNITION OF THE IMPACT THAT TRAUMA, INCLUDING VIOLENCE, ABUSE, NEGLECT, DISASTER, TERRORISM, AND WAR MAY HAVE ON AN INDIVIDUAL’S PHYSICAL AND EMOTIONAL HEALTH AND ABILITY TO FUNCTION.

Discussion

Ms. Spross stated that the Board had talked about HB331 in great length at the last meeting in February. HB331 was crossed filed with SB786. There was a hearing for HB331 was scheduled for February 14, 2017 on this bill. A hearing is scheduled for March 8, 2017 for SB786. Ms. Spross stated that Ms. Tiffani Clark informed her that HB331 may get legs and be taken up in sub-committee early the following week. Ms. Spross stated that this bill mentions PSTEB on the last page. This bill is a revision to a bill that happened many years ago. Ms. Spross informed the Board that this bill does have some implications when it discusses seclusion for both the public and non-public school systems.

(A) The State Superintendent shall consult with representatives of institutions of higher education and the Professional Standards and Teacher Education Board with respect to the training requirements for teachers and administrators to ensure that sufficient training is available regarding evidenced-based positive behavioral interventions [and], strategies, and

supports and trauma-informed interventions consistent with professionally accepted practices and standards for persons entering the field of education.

Ms. Spross stated that on page 6 of this bill, it lists the specific individuals who can authorize seclusion. Ms. Spross stated that she is certain that not all schools have either of these individuals on staff daily.

Those individuals are:

- 1) A physician who is licensed to practice medicine under Title 14 of the Health Occupation Article;
- 2) A clinical psychologist who is licensed to practice psychology under Title 18 of the Health Occupation Article;
- 3) A clinical social worker who is licensed to practice social work under Title 19 of the Health Occupations Article.

Ms. Spross stated that the individuals who authorize seclusion must have the following qualifications.

- 1) Have received training in each of the practices and standard areas specified.
- 2) Be familiar with the student.
- 3) Have completed risk assessment of the student to determine whether seclusion is contraindicated for medical, physical, psychological, psychosocial, or another reason.

The Board members discussed HB331 extensively and addressed their concerns and questions to Ms. Spross in regards to the implications that this bill could have within the school systems. Ms. Spross informed the Board members that this bill was being closely followed by MSDE, especially the Department of Special Education. Ms. Spross stated that she would follow the bill and keep the Board apprised on the progress of the HB331/SB786. Ms. Spross told the Board that if she should get word or anything that happens during subcommittees, that she would have Ruth send the information out to the Board.

House Bill 1486 – Teachers and Teacher Preparation Programs – Research-Based Reading Instruction

This bill requires the Professional Standards and Teacher Education Board, on or before a certain date, to require candidates to pass a certain test of research-based reading instruction; requiring a certain test to include certain elements; requiring the Board and the State Board of Education jointly to set a certain passing score, subject to a certain condition; requiring the Board and the State Board jointly to set certain standards for the delivery of research-based reading instruction by certain teacher preparation programs; requiring the standards to include certain teacher preparation programs; requiring the standards to include certain elements; providing for the application of certain provisions of this Act; and generally relating to research-based reading instruction for teachers and as part of teacher preparation programs.

Education Article

6-704.2

(A) This section applies only to a candidate for a certificate to teach:

- 1) Students with disabilities;
- 2) As a Reading Specialist;
- 3) As a Reading Teacher; or
- 4) Kindergarten through fifth grade.

(B) On or before January 1, 2019, the Board shall require a candidate to successfully pass a written test of research-based reading instruction.

(C) The written test described under subsection (B) of this section shall include:

- 1) Foundations of Teach Reading;
- 2) Basic Rules of Phonology, Morphology, Syntax, and Semantics of the English Language;
- 3) Identification of Reading Difficulties;
- 4) Development of Reading Comprehension; and
- 5) Reading Assessment.

(D) The Board and the State Board jointly shall set the passing score for the written test described under this section at a level at least as high as the level recommended by the developer of the test.

6-709.

(A) The Board and the State Board jointly shall set standards for the delivery of research-based instruction by Teacher Preparation Programs in the State.

(B) The standards set under subsection (A)) of this section shall include:

- 1) Direct systemic intensive instruction in:
 - a. Phonemic awareness
 - b. Sound-symbol word attack skills (phonics);
 - c. Vocabulary development
 - d. Development of comprehension skills
- 2) Ample practice in decodable texts designed to foster reading fluency.

Ms. Spross reminded the Board that MSDE has just finished doing literacy requirements for secondary education. There is a very large, very robust workgroup currently taking place looking at literacy across the board for elementary Education. Ms. Spross stated that the State Board only has the authority to set the scores for passing. Ms. Spross stated that currently Maryland has adopted a reading test that is offered by ETS. The test is adopted not as a requirement for specific areas, but as a way if someone does not have the reading courses so they can take it. Ms. Meadows state that you can take the test only if you are certified in the elementary education. So if you have a certificate in secondary education, you cannot take that test in place of the reading courses.

Ms. Spross told the Board can do several things, we can watch this bill; write a letter for information; or provide testimony. Ms. Spross stated that if she sees that the bill is getting legs or momentum, she would share that information with the board through Ruth. Ms. Spross stated that she could also have Ms. Michelle Dunkle write a letter of information from PSTEB and then we can do a telephone conference to discuss and vote on the letter.

House Bill 715 – Institutions of Higher Education – Teacher Preparation Programs – Accreditation and Approval

The purpose of this bill is for authorizing the State Department of Education to approve the offering of certain teacher preparation programs by certain institutions of higher education under certain circumstances and in addition to certain approval by the Maryland Higher Education Commission; requiring certain institutions of higher education to make certain determinations; requiring the Department and the Commission to consider certain factors when making certain determinations regarding certain accrediting agencies and to jointly agree on certain standards used for certain purposes, and to adopt certain protocols for certain purposes; specifying that a certain program of technical support is available on request; providing for the application for this Act; making certain stylistic and conforming changes; defining certain terms; and generally relating the accreditation and approval of teacher preparation programs offered by institutions of higher education in the State.

Education Article

1-101

(a) In this article, unless the context requires otherwise, the following words have the meanings indicated.

(f) “Department” means the State Department of Education.

Ms. Spross stated that MSDE is supporting and introducing this bill. Both MHEC and MSDE worked together to recognize an accrediting body. There is a hearing scheduled on March 7 at 1 p.m. This bill has support from MHEC, MECUA, and the University of Maryland Systems.

Discussion

BREAK

11:20 a.m. – 11:25 a.m.

Senate Bill 493

Ms. Spross informed the Board that the workgroup met on January 21 and January 31. The next meeting is scheduled for March with the workgroup to look at recommendations and prioritize the recommendations. Ms. Spross gave a brief update on each of the committees and where they stand at the present.

The five new committees:

1. Certification Restructuring
2. Quality Teacher Incentives
3. Professional Development for Teachers and Administrators
4. Revising the Institutional Performance Criteria
5. Mentoring

ACTION ITEMS

Approval of January 5, February 2 and February 8 Minutes

Approval of January 5 Minutes

Dr. Alyssia James entertained a motion to approve January 5 minutes.

MOTION: Mr. Christopher Lloyd/Mr. Charles Hagan To approve the January 5 minutes.

VOTE: UNANIMOUS

Approval of February 2 Minutes

Dr. Alyssia James entertained a motion to approve February 2 minutes with the suggested change.

MOTION: Mr. Charles Hagan/Dr. C. Mae Alfree To approve the February 2 minutes.

VOTE: UNANIMOUS

Approval of February 8 Minutes

Dr. Alyssia James entertained a motion to approve February 8 minutes.

MOTION: Ms. Debra Poese/Dr. Alyssia James To approve the February 8 minutes.

VOTE: UNANIMOUS

Approval of Proposed Agenda Items for April

- Approval of Minutes
- SBOE Updates/Legislative Session Update
- SB 493 Workgroup/ESSA Update
- Testing Commission Update
- Elementary Literacy Group Update

Dr. Alyssia James entertained a motion to adopt the items that Ms. Spross mentioned for the April Agenda.

MOTION: Dr. C. Mae Alfree/Ms. Dawn Pipkin To approve the February Agenda.

VOTE: UNANIMOUS

Meeting Adjourned

Dr. Alyssia James entertained a motion to adjourn the meeting.

MOTION: Dr. C. Mae Alfree/Dr. John Mayo To adjourn the meeting.

VOTE: UNANIMOUS

Meeting adjourned 12:10 p.m.