

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday, May 25, 2021
Maryland State Board of Education
200 W. Baltimore Street
Baltimore, Maryland 21201

The Maryland State Board of Education met via WebEx videoconference on Tuesday, May 25, 2021 at 9:00 a.m. The following members participated in the videoconference: Mr. Clarence Crawford (President); Ms. Jean Halle (Vice President); Mr. Shawn Bartley; Ms. Gail Bates; Mr. Charles R. Dashiell, Jr., Esq.; Dr. Susan Getty; Dr. Vermelle D. Greene; Dr. Rose M. Li; Dr. Joan Mele-McCarthy; Ms. Rachel McCusker, Ms. Lori Morrow; Brigadier General (BG) Warner Sumpter; Dr. Holly Wilcox; Mr. Jason Wu, Student Representative; and State Superintendent Dr. Karen B. Salmon.

The following staff members also participated: Elliott L. Schoen, 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 Crawford called the meeting to order and asked Mr. Schoen to conduct the roll call. Mr. Schoen declared the presence of a quorum.

President Crawford explained the virtual meeting procedures and provided opening remarks.

PUBLIC COMMENT

- **Lisa Cline** – Pandemic Induced Excessive Screen Time
- **Dr. Jennifer Linton Reesman** – Mental Health Crisis as it relates to prolonged school closures
- **Cheryl Bost (MSEA)** – American Rescue Plan, Task Force on Achieving Academic Equity and Excellence for Black Boys, Maryland Regional Crisis Response, Blueprint for Maryland's Future
- **Karleen Spitulnik** – Regulations related to students at risk for reading difficulties
- **Betty Ball** – Fall Reopening Plan
- **Melissa McDonald** – Certification process in Baltimore City Public Schools
- **Mondi-Kumbula-Fraser** – Recovery and learning loss; Social and emotional supports for students
- **Sharon Saroff** – Special education virtual learning
- **Carol Vidal** – Resuming in-person learning

- **Approval of Consent Agenda**
 - Approval of April Meeting Minutes
 - Personnel Actions
 - Budget Adjustments, April 2021

ACTION: The State Board granted approval by unanimous consent.

REPORTS TO THE STATE BOARD FOR DISCUSSION/ACTION

- **Elementary and Secondary School Emergency Relief Fund (ESSER) State Set Aside**
(Presenter: Amalie Brandenburg, Deputy for Finance and Administration)

Prior to introducing Ms. Brandenburg, Dr. Salmon clarified information related to the American Rescue Plan and shared information regarding the federal funds awarded to local school systems to date.

Ms. Brandenburg provided an overview of the Elementary and Secondary School Emergency Relief (ESSER) Fund II and III State Set Aside spending plans for the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) and the American Rescue Plan Act (ARP) set asides and requested approval of the proposed plans.

ACTION 1: Upon motion by General Sumpter, and seconded by Ms. Bates, the State Board approved the ESSER Fund II spending plan. (In favor: 14; Opposed: 0; Abstained: 0).

ACTION 2: Upon motion by Mr. Bartley, and seconded by Ms. Bates, the State Board approved the ESSER Fund III spending plan. (In favor: 14; Opposed: 0; Abstained: 0).

- **Maryland Regional Crisis Response and Clinical Support Teams**
(Presenter: Mary Gable, Assistant State Superintendent, Division of Student Support, Academic Enrichment & Educational Policy)

Ms. Gable presented an overview of the department's mental health initiative to establish Maryland Regional Crisis Response and Clinical Support Teams and requested approval of the proposed plans. The purpose of the clinical support teams is to improve behavioral health services for Maryland's children and youth and provide support and assistance in implementing prevention strategies. Support teams will be developed to serve in six regions across the State and will work closely with local Superintendents to provide clinical support, meet crisis needs within the school systems, and provide professional development.

State Board members expressed support for the initiative and inquired about the anticipated impact of the clinical support teams, the make-up of the teams and if additional nominations will be accepted, clarification of parent representation, and any additional funding beyond ESSER funds available.

ACTION: Upon motion by Mr. Dashiell, and seconded by Mr. Wu, the State Board approved the establishment of Maryland Regional Crisis Response and Clinical Support Teams. (In favor: 14; Opposed: 0; Abstained: 0).

➤ **Third-Term Performance Metrics, 2020-2021 School Year**

(Presenter: Dr. Carol Williamson, Deputy State Superintendent, Office of Teaching and Learning; Dr. Dara Shaw, Executive Director, Office of Research)

Prior to introducing Dr. Shaw, Dr. Salmon provided a brief opening remarks on the status of school reopening's and in-person learning plans across the state. President Crawford asked State Board members to consider what action(s) the State Board can take to help encourage and support schools in reopening and planning for in-person learning.

Dr. Williamson and Dr. Shaw reviewed the third-term performance metrics, including changes from the second term. Third-term performance metrics were collected from local school systems, covering the period of late January through early/mid-April 2021. School systems were asked to update the data collected during the first and second terms (Fall and Winter 2020-2021). School systems were also asked to provide additional information about students who choose to remain fully virtual and teacher location.

Dr. Williamson presented information regarding summer school and updates on survey data collected, including a brief review of HB 1372 regarding establishing and implementing a summer school program for public school students to address the effects of the COVID-19 pandemic.

State Board members inquired about correlations between student performance and on-site and virtual modes of instruction, as well as the availability of data on student withdrawals from school and/or transfers to private school, parents/families that opt-out of in-person learning, impacts on students' social and emotional health, and comparisons to other states, summer learning opportunities and working with families at different levels of comfort in resuming in-person learning. State Board members also discussed gathering input from local school systems about plans to comply with the State Board's [resolution](#) to return students to in-person in-school instruction for the 2021-2022 school year

ACTION: None. For information and discussion.

➤ **Inclusion of Task Force on Achieving Academic Equity and Excellence for Black Boys (Task Force) Recommendations in Equity Regulation and Guide**

(Presenter: Susan Spinnato, Director of Instructional Programs)

Ms. Spinnato provided an overview of how the recommendations of the Task Force could be incorporated into COMAR 13A.01.06 *Educational Equity* and the document that guides school systems in the implementation of the regulations, *Equity and Excellence: A Guide to Educational Equity in Maryland*.

➤ **Code of Maryland Regulations (COMAR)**

(Presenter: Mary Gable, Assistant State Superintendent, Division of Student Support, Academic Enrichment & Educational Policy)

- **COMAR 13A.03.02 Graduation Requirements for Public High Schools in Maryland, COMAR 13A.04.01 Programs in Computer Science, Engineering, or Technology Education Instructional Programs, and COMAR 13A.04.09 Program in Science (Permission to Adopt)**

Ms. Gable reviewed the amendments to the regulations. The amendments reflect the recommendations of the Maryland High School Graduation Task Force, which was convened in January 2018 at the request of the State Board and State Superintendent. The Task Force was asked to focus on three areas: credit and program requirements (number of credits, subject areas, and other requirements), assessments, and options for awarding high school diplomas.

ACTION: Upon motion by Mr. Wu, and seconded by General Sumpter, the State Board adopted amendments to the regulations. (In Favor: 14; Opposed: 0; Abstained: 0)

STATE BOARD MEMBER COMMITTEE REPORTS/UPDATES

- Mr. Wu shared information regarding recent events hosted by the Maryland Association of Student Councils (MASC), to include forums on Women’s Leadership and Ecofriendly/Climate Issues. Mr. Wu also provided a reminder of the upcoming Student Town Hall with Dr. Salmon, scheduled for Tuesday, June 1st.
- Dr. Greene expressed her excitement about the inclusion of the Task Force recommendations into the equity related regulations and the Equity Guide. She shared that the Task Force is no longer active and that the AAEEBB Advisory Council has been formed to follow through on next steps and provide support to pilot schools. Dr. Daryl Howard will serve as Chair of the Advisory Council.
- Dr. Wilcox provided an update on her work with the National Association of Boards of Education (NASBE) and shared information about several upcoming events.

EXECUTIVE SESSION

Pursuant to § 3-305(b)(7) of the General Provisions Article, Annotated Code of Maryland, and upon motion of Lori Morrow, seconded by Rachel McCusker, and with unanimous approval, the Maryland State Board of Education met in closed session via WebEx on Tuesday, May 25, 2021. All board members were present. Also in attendance were Dr. Sylvia Lawson, Chief Performance Officer, Amalie Brandenburg, Chief Operating Officer, Carol Williamson, Chief Academic Officer, Dr. Miya Simpson, Executive Director, Office of the State Board and Assistant Attorneys General, Elliott Schoen and Jackie LaFiandra. The Executive Session commenced at 1:25 p.m.

At that time, the State Board reviewed and approved four Opinions.

- *Matthew L. v. Somerset County Board of Education* – policy applicable to review of instructional material complaint – Opin. No. 21-33
- *Andrea Martin v. Prince George’s County Board of Education* – non-renewal of probationary teaching contract – Opin. No. 21-34
- *Lynn Nash, et al. v. Montgomery County Board of Education* – property transfer agreement – Opin. No. 21-35
- *Angelita Thomas-Crawford v. Baltimore City Board of School Commissioners* – non-renewal of probationary teaching contract – Opin. No. 21-36

The Board reviewed and discussed the next State Superintendent’s contract provisions with legal counsel.

The Executive Session ended at 3:30 p.m.

LEGAL OPINIONS AND ORDERS:

Mr. Schoen announced the following Opinions and Orders:

- *Matthew Lankford v. Somerset County Board of Education* – policy applicable to review of instructional material complaint – Opin. No. 21-33
- *Andrea Martin v. Prince George’s County Board of Education* – non-renewal of probationary teaching contract – Opin. No. 21-34
- *Lynn Nash, et al. v. Montgomery County Board of Education* – property transfer agreement – Opin. No. 21-35
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ADJOURNMENT

With no further business before the Board, the meeting was adjourned at 3:35 p.m.

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

Date: June 22, 2021

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

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the meetings are the official record of the meetings and can be located at:
<http://www.marylandpublicschools.org/stateboard/Pages/Meetings-2021.aspx>

Meeting materials, Opinions, and Orders can be found at:
<http://www.marylandpublicschools.org/stateboard/Pages/Meetings-2021.aspx>

The next Maryland State Board of Education meeting will be held on Tuesday, June 22, 2021. Appropriate accommodations for individuals with disabilities will be provided upon request. Eight business days notice prior to the event is required. Please contact Charlene Necessary at (410) 767-0467 or TTY at (410) 333-6442 so arrangements can be made.

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: May 25, 2021
 Time: 1:27 pm
 Location: Hybrid (In-Person and Virtual)
 Motion to close meeting made by: Lori Morrow
 Seconded by: Rachel McCusker
 Members in favor: 14
 Opposed: 0
 Abstaining: 0
 Absent: 0

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)(7)	Legal advice regarding 4 appeals from local board decisions. Legal advice regarding State Superintendent search.	Consult with legal counsel and obtain legal advice.
	Review 4 appeals from local boards of education.	Quasi-judicial function
§ 3-305(b)(1)	State Superintendent Search and employment terms.	

4. This statement is made by Clarence Crawford, Presiding Officer.