

MINUTES OF THE MARYLAND STATE BOARD OF EDUCATION

Tuesday, August 23, 2022
Maryland State Board of Education
200 West Baltimore Street
Baltimore, Maryland 21201

The Maryland State Board of Education met in person on Tuesday, August 23, 2022, at 9:00 a.m. at the Maryland State Department of Education, 200 West Baltimore Street, Baltimore, 21201. The following members were present: Mr. Clarence Crawford (President); Dr. Susan Getty (Vice President); Mr. Charles R. Dashiell, Jr., Esq.; Mr. Shawn Bartley, Esq.; Ms. Gail Bates; Ms. Merin Thomas; Ms. Chuen-Chin Chang; Ms. Jean Halle (Virtual); Dr. Joan Mele-McCarthy; Ms. Rachel McCusker; Brigadier General (BG) Warner Sumpter; and State Superintendent Mohammed Choudhury. Board members Dr. Vermelle D. Greene, Dr. Holly Wilcox, and Ms. Lori Morrow were absent.

The following staff members also participated: Elliott L. Schoen, Assistant Attorney General, Dr. Sylvia Lawson, Deputy Superintendent, Organizational Effectiveness; Dr. Deann Collins, Deputy Superintendent, Teaching and Learning; Mr. Krishnanda Tallur, Deputy Superintendent of Operations.

President Crawford called the meeting to order and led the pledge of allegiance. Mr. Schoen called the roll and declared the presence of a quorum.

President Crawford welcomed members of the public, speakers, and provided opening remarks.

PUBLIC COMMENT

- David London – Poor Food Choices in Schools
- Ruey-Ping Lu – Celebrate Teacher’s Day with Confucius Memorial Ceremony
- Jennifer Fold, Chair of Mom’s for Liberty – Maryland Comprehensive Health Education Framework
- Shamoyia Gardiner, Executive Director of Strong Schools Maryland – MSDE’s Blueprint Implementation Plan
- Sharon Saroff – State of Special Education in Baltimore County Public Schools
- Susie Scott – Confusion about Guidelines for Family Health Education
- Kit Heart – MSDE Health Curriculum
- Cheryl Bost, MSEA – Educator Shortages

NEW BUSINESS

- **Approval of Consent Agenda**
 - Approval of July 14 and July 26, 2022, Meeting Minutes
 - Personnel Actions
 - Budget Adjustments, July 2022

ACTION: The State Board granted approval by unanimous consent.

ORAL ARGUMENT

Mamie Benjamin v. Baltimore City Board of School Commissioners

STATE BOARD PRIORITIES

- **Data Deep Dive: Students Attending Alternative High Schools**

(Presenter: Ms. Chandra Haislet, Assistant State Superintendent for the Division of Accountability, Assessment and Data Reporting)

Ms. Haislet stated that the purpose of the presentation was to provide a data summary of Maryland alternative high schools. She informed Board members that Maryland has 1,427 schools with 44 schools reported as alternative education schools in school year 2021-2022 across 11 LEAs. The presentation presents enrollment and outcome data for Maryland's alternative high schools along with information on the following:

- Alternative High Schools Overview
- Alternative High Schools by the Numbers
- Alternative High Schools Outcome Data
- Alternative High Schools Outperforming Peers

Ms. Haislet further stated that the United States Department of Education defines an alternative school as a public school that addresses the needs of students that typically cannot be met in a regular school program. The alternative school is designed to meet the needs of students with academic difficulties and students with discipline problems or with both problems. Ms. Haislet further informed the Board that reengaging dropouts is a challenge for school systems, but dropout recovery can succeed if states take action to facilitate the reengagement of out-of-school youth. A dropout is a student who leaves school before graduating or completing an approved education program. She stated that in order to facilitate the reengagement of youth-of-school youth, would be to use the data to identify dropouts and target recovery strategies, provide flexible high quality school options and incentives to concentrate on dropout recovery.

ACTION: None. For information and discussion.

- **School Logistics and Transmission Rates Related to COVID-19 Update**

(Presenter: Mr. Mohammed Choudhury, State Superintendent of Schools, Ms. Mary Gable, Assistant Superintendent of Student Support, Academic Enrichment, and Educational Policy)

Mr. Choudhury stated that the purpose of the presentation was to provide an update on school logistics and transmission rates related to the COVID-19 pandemic, which began with the September 28, 2021, State Board meeting and for each subsequent State Board meeting. Updates were provided on school logistics and transmission rates related to the COVID-19 pandemic. Mr. Choudhury explained that the data provided was based on how local school systems are addressing vaccinations, COVID-19 testing, data on the number of students and staff who have needed to be quarantined, positivity rates, seven day moving average case rates by jurisdiction, community transmission levels, and statewide hospitalizations. The presentation also provided information from the Centers for Disease Control (CDC) and Prevention guidance, updates on local school systems that lifted the mask mandate in schools and on buses, vaccination rates for ages five and older, death rates, and CDC community level data and recommendations. He stated that the

presentation would also cover the latest information on COVID variants, the State’s long term preparedness plan, COVIDReady Maryland, along with information on the approved COVID vaccine for children under the age of five. Mr. Choudhury also stated that included in the presentation is a summary of the Maryland Department of Health and Maryland State Department of Education Guidance to Support Safe in-Person Operations for Pre-K-12 School and Child Care, along with a summary of information on the monkeypox and an updated CDC Operational Guidance for k-12 Schools and Early Care and Education Programs to Support Safe In-Person Learning. The presentation outlined the following:

- Vaccinations and COVID-19 Testing
- Quarantine and COVID-19 Data
- Current Rates
- LEA Updated COVID Protocols: Mask Mandates
- CDC COVID-19 Community Levels
- COVID-19: New Variants
- Monkeypox Outbreak
- COVIDReady Maryland
- Updated PredK-12 School and Child Care COVID-19 Guidance

Ms. Gable talked about the COVID isolation guidance from the Maryland State Department of Education the Maryland Department of Health for all LEAs, non-public schools, and licensed childcare providers. She stated that all LEAs are following the updated CDC/MSH guidance. Ms. Gable informed the Board members that staff and students who test positive should isolate for 5 days and return to work or school on day 6 wearing mask if their symptoms are improving and they do not have a fever. She stated that there would be no quarantining this year unless there is an outbreak.

Ms. Gable reported that schools are scheduled to open for the new school year beginning August 17, 2022 through September 6, 2022, depending on the LEA. She stated that all the LEAs are scheduled to open for the new year operating on a normal basis, except for Prince George’s County Public Schools, who is the only LEA with masking restrictions in place.

ACTION: None. For information and discussion.

- **Blueprint Deep Dive: College and Career Readiness Pathways – Apprenticeships (Part I)**
(Presenters: Dr. Deann Collins, Deputy Superintendent of Teaching and Learning, Phil Lasser, Executive Director, Office of the State Superintendent, and Jennifer Griffin, Career Programs & Apprenticeship Specialist)

Mr. Choudhury informed the Board members that the purpose of this presentation was to provide a briefing on apprenticeship programs as described in the Blueprint for Maryland’s Future and other national context and best practices. He stated that the presentation would include a discussion on apprenticeship program opportunities for students.

- Apprenticeship Overview
- Apprenticeship in Maryland and the Blueprint
- Student Experiences and Sample Schedules
- Financial Implications
- Spotlights
- Next Steps

Mr. Lasser explained to the Board members that an apprenticeship is on the job training with classroom instruction to prepare the individual for a highly skilled career. He stated that the difference between an apprenticeship and an internship are the following:

- Length of time – Apprenticeships are over a period of 1 to 3 years, not just a few months like internships.
- Structure – Apprenticeships include a structured training plan with focus on mastering a skill. Internships are not always structured, and they focus on entry-level work experience.
- Mentorship – Apprentices receive training with an experienced mentor who helps them through the process. Internships do not always include mentorship.
- Pay – Apprentices are paid a standard wage, like an employee.
- Credential – Apprenticeships often lead to an industry recognized credential.

Ms. Griffin talked about the history of the youth apprenticeships in Maryland. She stated that in 2015, House Bill 942 established a pilot program for youth apprenticeships to help prepare students entering the workforce. The program began in 2016 and lasted for two years. Ms. Griffin informed the Board that in 2018, MSDE and the Department of Labor expanded the Maryland Apprenticeship Program (MAP) to be a permanent statewide program as a Career and Technical Education program of study and the pilot has expanded to nearly all the 24 districts in Maryland. She stated that the Maryland Apprenticeship Program is a Maryland CTE Program of Study. The youth receive supervised and structured on the job training from a mentor. The student works a minimum of 450 hours with a certified employer and participate in a classroom setting related to instruction, which is set by the employer.

Dr. Collins talked about the Blueprint Policy Area of College and Career Readiness. She informed the Board members that the policy set a new College and Career Readiness standard after rigorous research study was conducted, which develops post-CCR pathways to advance learning and to earn a credential. Once the student meets the CCR standard, they can then enter a one of the three pathways. Dr. Collins stated that the CTE programs are developed in consultation with several employers and other organizations through a CTE committee. Dr. Collins stated that CTE Committee sets a yearly statewide goal for 45% of high school students to complete an apprenticeship by 2030.

- **Standard Setting Progress, State Assessment Overview & Update for Spring 2022 Results**
(Presenter: Ms. Chandra Haislet, Assistant State Superintendent for the Division of Accountability, Assessment and Data Reporting)

Ms. Haislet stated that the purpose of this presentation is to provide an overview and an update on the Maryland's assessment program and discusses how the quality of the assessment system is developed with the assistance of technical advisors and checked for quality through the Federal Peer Review process. The results of the Spring 2022 Science Grade 5 & 8 assessments are presented. The presentation concludes with a timeline for the release of the remaining school year 2021-2022 assessment results and future reporting priorities. The presentation will also focus on the following:

- Requirements Overview
- MCAP Overview
- MCAP Transition Timeline
- Standard Setting Process
- Science Results Grade 5, 8

- MCAP Reporting Timeline

Ms. Haislet informed the Board members that Every Student Succeeds Act (ESSA) requires states to assess students annually in grades 3 through 8 and once in high school in English Language Arts (ELA), mathematics, and science. She stated that each assessment used for federal accountability must go through Federal Peer Review where a State proves the technical accuracy of their assessment system. The Maryland Comprehensive Assessment Program (MCAP) provides information to educators, families, and the public on the progress of the Maryland state content standards and fulfills federal and state assessment requirements.

- **Reports to the State Board for Discussion/Action**

- Code of Maryland Regulations (COMAR) 13A.15 Family Child Care (Permission to Publish)

(Presenter: Steven Hicks, Assistant State Superintendent of the Division of Early Childhood and Early Intervention)

Mr. Hicks stated that the purpose of this action is to obtain permission to publish amended regulation for COMAR 13A.15 Family Child Care. The amendments are being proposed to permit family childcare Providers to operate educational programs in nonpublic nursery schools, similar to how educational programs are operated in other types of childcare facilities.

Mr. Hicks informed the Board members that the proposed amendments is to permit family childcare providers to operate educational programs in nonpublic nursery schools, similar to how educational programs are operated in other types of childcare facilities. In COMAR 13A.15.01, the regulation is amended at .02B to add a definition of nursery school and other definitions. In COMAR 13A.15.04, the regulation is amended at .03C to make clear that the maximum total capacity of a family childcare home that operates an educational program may not exceed eight children, with no more than two children younger than two years of old. COMAR 13A.15.13 sets out the regulations that govern the operation of educational programs in nonpublic nursery schools for family childcare home, while COMAR 13A.15.14 now govern inspections, complaints, and enforcement. In COMAR 13A.15.14, the regulation is amended at .09D to update the cross reference for appeals of civil citations. Mr. Hicks stated that the chapters for administrative hearings and public access to licensing records are renumbered as COMAR 13A.15.15 and COMAR 13A.15.16 respectively. No changes have been made to any regulations in those chapters.

ACTION: Upon motion by Mr. Bartley, and seconded by Dr. Getty, the State Board granted permission to adopt the request to publish amended regulations for COMAR 13A.15 – Family Child Care. (In Favor: 11; Opposed: 0; Abstained: 0)

STATE BOARD MEMBER COMMITTEE REPORTS/UPDATES

Mr. Crawford informed the Board members that Washington County has invited them to come to their county and have one of the Board meetings there. He stated that the Board will potentially be going to Washington County on October 25 for the Board meeting. Anyone who wishes to travel is welcome or could remote into the meeting from MSDE or another location. He stated that on October 24, they will visit a school in Washington County and spend some time with the Board. There is the possibility of local Town Hall meeting. Mr. Crawford stated that Ms. Morrow has attended three local board

meetings as an observer. On the past Friday, Dr. Getty and Mr. Crawford were in Carroll County. They met with the Board President, the new Superintendent, and two of the Assistant Superintendents.

The Strategic Plan Committee: Mr. Crawford, Mr. Dashiell, Ms. McCusker, Dr. Getty, and Ms. Halle continues to meet. Mr. Dashiell thanked the State Superintendent for being on the meetings along with MSDE staff for coordinating the meetings and getting the information out. He stated that they have been looking at the time for the first rollout, October 25 with Washington County. Mr. Dashiell stated that most recently they have been looking at priorities and enablers. The next meeting is October 29. He stated that hopefully after that meeting, that information can be given to the board.

Mr. Bartley wanted to recognize Mr. Choudhury for his first successful year as Superintendent. He wished Mr. Choudhury best wishes for the next year.

Executive Session

Pursuant to § 3-305(b)(7) of the General Provisions Article, Annotated Code of Maryland, and upon motion of General Sumpter seconded by Senator Bates and with unanimous approval, the Maryland State Board of Education met in closed session on Tuesday, August 23, 2022, in Conference Room #6, 8th Floor, at the Nancy S. Grasmick Building. All board members were present except Vermelle Greene, Lori Morrow, and Holly Wilcox. Also, in attendance were Superintendent Choudhury, and Assistant Attorneys General, Elliott Schoen and Jackie La Fiandra. The Executive Session commenced at 3:05 p.m.

At that time, the State Board began review and deliberation of one quasi-judicial matter, *Mamie Benjamin v. Baltimore City Board of School Commissioners*. The State Board's decision will be issued at a later date.

Mr. Schoen gave the Board an update regarding ongoing legal matters. Mr. Crawford gave the Board an self-evaluation step of the annual evaluation.

The Executive Session ended at 5:20 p.m.

With no further business before the Board, the meeting adjourned at 5:30 p.m.

Respectfully submitted,



Mohammed Choudhury
Secretary/Treasurer

Date: September 27, 2022

The information included here provides a summary of the agenda items presented. The video recordings of the meetings are the official record and can be located at:

<https://marylandpublicschools.org/stateboard/Pages/Meetings-2022.aspx>

Meeting materials, Opinions, and Orders can be found at:

<https://marylandpublicschools.org/stateboard/Pages/Meetings-2022.aspx>

The next Maryland State Board of Education meeting will be held on Tuesday, September 27, 2022. 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: August 23, 2022

Time: 3:04 pm

Location: 200 W. Baltimore Street, Baltimore, MD 21201

Motion to close meeting made by: Gen. Sumpter

Seconded by: Ms. Bates

Members in favor: 11

Opposed: 0

Abstaining: 0

Absent: 3

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	Personnel matter
§3-305(b)(7)	Legal Advice	Oral argument and update on pending litigation

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