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The Honorable Lawrence J. Hogan, Jr.
Governor of the State of Maryland
100 State Circle
Annapolis, Maryland 21401-1925

21 Oct 2016

Governor Hogan,

I first met you on the evening of Saturday 18 April in 2015 when you and your wife, Yumi, attended the gala dinner celebrating the retirement of “Brit” Kirwan from the office of Chancellor of the University System of Maryland. My wife, Dianna, and I found the State’s first couple to be delightful tablemates and I was looking forward to continue my role on the Maryland State Board of Education during your administration. Metaphorically, it was my aspiration to complete my term and “sprint past the finish line” in my service to our state. Unfortunately, recent actions require me to revise my perspective.

It was my privilege and pleasure to become a faculty member at the University of Maryland at College Park in 1984. So the bulk of my forty-four years of teaching has taken place at College Park and serving the students of our state. We raised our daughter and son here while sending them through educational systems of our state. My twins are now “Terp” alums and currently in their second year of Ph.D. studies. One is studying biology, cancer, and genetics at Duke University while the other is studying physics at Harvard University. As you can well appreciate, my pride in their accomplishments, which led them to some of our Nation’s most elite universities in STEM disciplines, is almost inexpressible. I want to relay to you our family’s experience that led to this outcome, ... as it was not without uncertainty.

I am a resident of Prince George’s County so the first two years of the twins’ formal schooling began in that local education agency (LEA). However, it quickly became apparent the education we sought for our twins required drastic changes. Fortunately, when they reached third grade, I had a sabbatical out of the state and they attended a private school in California that year. Soon the educational deficiencies, due to some

great teachers there, disappeared. Following our return to Maryland, our twins were enrolled in a parochial school close to the College Park campus. However, as this school only went up to the eighth grade, thereafter we were able to enroll them in school in Montgomery County following all legalities and out-of-county payment schedules.

Over the course of my service on the Maryland State Board of Education (BoE), I have continuously thought about the thousands of Maryland students who were not born into positions similar to that of my twins. All children, independent of the wealth of their parents, deserve a fair chance to achieve their maximum potential and develop their talents. This child-centered focus, and perspective has been my primary driver in advocacy for these young people and their futures.

Artificial Intelligence (AI), robotics, and technology are advancing so rapidly that qualifications to hold many good jobs in the future are unlikely to look like those of today or the past. My support for STEM education enhancement is based on comments arising nationally from the business community. These are very clear as to the needs education must now fulfill for the jobs of the future.

As I read the second version of your executive order concerning the removal of the right of individual LEA's to set the opening and closing dates of their school calendars, I looked for justifications for how this would benefit the educational experiences of young Marylanders. I could not find any such justifications. I am certain there are students in some LEA's who have the same aspirations my children possessed at a younger age. For example, such students are enrolled in dual enrollment programs at two-year and four-year colleges. How do they maneuver this new environment?

This executive order will likely put some of those dreams in jeopardy. In the presence of this order, should there be extreme weather incidents could well lead to students not receiving the full duration of educational experiences required for their achieving subject mastery. There will be years when Labor Day falls a week into September thus also likely diminishing time to achieve mastery. This is required to enter the most elite colleges and universities in the U.S. and to successfully compete with the educational achievement of students in other nations.

Students in the most at risk environments will likely suffer just as much, if not more debilitating effects from receiving reduced opportunities for learning. There are well-documented studies showing the impact of losses in education for this group due to reduced opportunities for learning. The State of Louisiana has recently made remarkable progress closing gaps and this has occurred in the presence of starting the school year in August. This is also a long-standing goal in our state.

Your executive order has the remarkable potential to damage both the most at risk and the most ambitious students in Maryland. Ultimately, with this directive the State of Maryland will risk losing in the future its national standing of having one of the country's best educational systems.

I do not now confidently work in an environment I perceive as supportive of education nor respects the independence of the Board. To have representatives of the Governor call on my mobile phone is a new experience. When I accepted to serve, it was my understanding the laws of Maryland were very clear about the independence and the authority of the State Board of Education with regard to policy in this domain. I agreed to serve under those conditions. Let me note in the case of Board of Education of P.G. Co. v. Waeldner from 1984 there is language that ends with the phrase, "...to invest the State Board with the last word on any matter concerning education policy or the administration of the system of public education." As a result of your revised executive order, these prerogatives may no longer exist as a matter in Maryland law.

Accordingly, while I am extremely honored to have had the privilege to serve my home state since 2009 as a member of the Maryland State Board of Education, I can no longer do so. With this letter I hereby immediately resign my position as a member and Vice President of the State Board. Let me emphasize my commentary and observations are mine and I am not speaking for the Board.

Sincerely yours,

A handwritten signature in blue ink that reads "Sylvester J. Gates, Jr.".

S. James Gates, Jr.

University System of Maryland Regents Professor
Center for String and Particle Theory Director
Affiliate Professor of Mathematics
Distinguished University Professor
John S. Toll Professor of Physics

Cc:

The Honorable Thomas V. Michael Miller, Jr., President of the Maryland Senate

The Honorable Michael Busch, Speaker of the Maryland House of Delegates

Dr. Karen Salmon, Superintendent of the Maryland State Department of Education

Dr. Andrew Smarick, President of the Maryland State Board of Education