

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JAMES LAURENSEN)
5916 Melvern Drive)
Bethesda, Maryland 20817)

MEREDITH PHILLIPS)
7846 River Rock Way)
Columbia, Maryland 21044)

JANICE LEPORE)
1607 Park Grove)
Catonsville, Maryland 21228)

MOLLY HANDLEY)
3658 Whitman Ave. N, Apt. C)
Seattle, Washington 98103)

Plaintiffs,)

v.)

GOVERNOR LAWRENCE J. HOGAN)
In his personal and official capacities)
100 State Circle)
Annapolis, Maryland 21401)

DOUGLASS V. MAYER)
In his personal and official capacities)
100 State Circle)
Annapolis, Maryland 21401)

ROBERT F. WINDLEY)
In his personal and official capacities)
100 State Circle)
Annapolis, Maryland 21401)

Defendants.)

Case No.

**COMPLAINT FOR INJUNCTIVE
AND DECLARATORY RELIEF
AND DAMAGES**

JURY TRIAL DEMANDED

Plaintiffs James Laurenson, Meredith Phillips, Janice Lepore, and Molly Handley
complain of Defendants and allege:

I. INTRODUCTION

1. This case arises from repeated and ongoing censorship of Plaintiffs' constitutionally protected speech by Governor Larry Hogan and members of his staff, including Defendants Douglass Mayer and Robert Windley.

2. Governor Hogan and his staff established an official Facebook page for the Governor's office (the "Facebook Page"), creating a forum for the exchange of views and information about the Governor's actions and policies. In connection with the Facebook Page (and other official social media outlets, such as the Governor's Twitter account), the Governor and his staff recently promulgated a vague, broadly-worded "Social Media Policy" that purports to authorize the deletion of comments that are somehow "inappropriate," or that are not "about" something the Governor has posted, and the blocking of posters who make such comments. Ex. A. But even plainly on-topic posts can be deleted, and posters blocked, if comments are "similar" to a poster's prior comments, or if they parallel those made by other posters. *Id.* And, establishing a social media Star Chamber, the policy purports to authorize blocking particular comments, or indeed all comments from a constituent, "at any time without prior notice or without providing justification." *Id.*

3. Prior to the establishment of the Governor's unconstitutional policy, it appears that there was no formal constraint whatsoever on the exercise of unbridled and unconstitutional discretion by the Governor and his staff to censor the speech of Maryland citizens. The policy is scant improvement – on its face, it exerts a profoundly chilling effect on speech and specifically censors constituents who "petition" the Governor. Moreover, such a vague, ill-defined policy – like the prior situation of no policy at all – is an open invitation in practice to arbitrary, viewpoint-based censorship. That is exactly what has occurred here. As described more fully below, Plaintiffs found that they could be, and were, arbitrarily censored by the Governor just for

posting comments on the Facebook Page with which the Governor or his staff apparently disagreed.

4. In acting arbitrarily to censor Marylanders' speech, and in adopting and enforcing a policy that restricts Marylanders' free expression, the Governor and his staff ignore the fact that the First Amendment "was fashioned to assure unfettered interchange of ideas for the bringing about of political and social changes desired by the people." *Roth v. U.S.*, 354 U.S. 476, 484 (1957), and that "[p]rotection of the public interest in having debate on matters of public importance is at the heart of the First Amendment." *McVey v. Stacy*, 157 F.3d 271, 277 (4th Cir. 1998). And they evidently fail to grasp that it is "clear" today that "[it] is cyberspace—the 'vast democratic forums of the Internet' in general, *Reno v. American Civil Liberties Union*, 521 U.S. 844, 868 (1997), and social media in particular," that constitute "the most important places ... for the exchange of views." *Packingham v. North Carolina*, 137 S. Ct. 1730, 1735 (2017).

5. This civil rights action seeks to protect and vindicate the First and Fourteenth Amendment rights of Plaintiffs James Laursen, Meredith Phillips, Janice Lepore, Molly Handley, and of all Maryland citizens. Governor Hogan's Social Media Policy, both on its face and as applied, unlawfully restricts constitutionally-guaranteed rights of the citizens of this State to free expression, and strikes at core protections for political speech and petitioning the government. Governor Hogan and his staff are engaging in unconstitutional viewpoint discrimination to remove certain ideas or perspectives from a broader public debate. The Supreme Court has "long recognized that when government regulates political speech or the expression of editorial opinion on matters of public importance, First Amendment protectio[n] is at its zenith." *R.A.V. v. City of St. Paul, Minn.*, 505 U.S. 377, 429 (1992) (internal citations and

quotations omitted). Plaintiffs bring this case to vindicate their right not to be censored by the Governor and thereby to reaffirm these basic constitutional values.

II. JURISDICTION AND VENUE

6. This action arises under the United States Constitution, particularly the First and Fourteenth Amendments, and the Civil Rights Act, 42 U.S.C. §§ 1983 and 1988.

7. This Court has original jurisdiction over these federal claims pursuant to 28 U.S.C. §§ 1331 and 1343.

8. The Court has authority to grant the requested declaratory judgment pursuant to 28 U.S.C. §§ 2201 and 2202 and Fed. R. Civ. P. 57, and to issue the requested injunctive relief pursuant to 42 U.S.C. § 1983 and Fed. R. Civ. P. 65. The Court is authorized the award attorneys' fees and costs pursuant to 42 U.S.C. § 1988.

9. Venue is proper in the United States District Court for the District of Maryland pursuant to 28 U.S.C. § 1391(b) because the events giving rise to the instant claim occurred within this District and because all defendants reside in this District.

III. PLAINTIFFS

10. Plaintiff James Laursen is, and was at all times relevant to the Complaint, a resident of Bethesda, Maryland.

11. Plaintiff Meredith Phillips is, and was at all times relevant to the Complaint, a resident of Columbia, Maryland.

12. Plaintiff Janice Lepore is, and was at all times relevant to the Complaint, a resident of Catonsville, Maryland.

13. Plaintiff Molly Handley was at all times relevant to the Complaint, a resident of Odenton, Maryland, but recently re-located to Seattle, Washington.

IV. DEFENDANTS

14. Defendant Lawrence J. Hogan, Jr. is Governor of the State of Maryland. He is Maryland's chief executive officer, responsible for administration and policy-making for the state. Governor Hogan has ultimate authority to approve the policies and procedures that are challenged in this case and that were applied to deprive Plaintiffs of their constitutional rights. Governor Hogan acted under color of state law with respect to all actions complained of herein, and is sued in both his personal and official capacities.

15. Defendant Douglass V. Mayer is Director of Communications for the Office of the Governor of Maryland. Defendant Mayer acted under color of state law with respect to all actions complained of herein, and is sued in both his personal and official capacities.

16. Defendant Robert F. Windley is Director of Correspondence and Constituent Services for the Office of the Governor of Maryland. Defendant Windley acted under color of state law with respect to all actions complained of herein, and is sued in both his personal and official capacities.

V. STATEMENT OF FACTS

A. Defendants Censored Plaintiffs by Deleting Their Comments From, and Blocking Them From Participating In, The Governor's Facebook Page

17. Governor Hogan has embraced social media as a key means of communicating with his constituents. To facilitate such communication, Defendants created and maintain the Facebook Page, associated with his public office, available at <https://www.facebook.com/larryhogan/>.

18. The Facebook Page is maintained by Governor Hogan and Defendants Mayer and Windley in the Governor's press office and constituent services office, respectively.

19. Governor Hogan uses the Facebook Page to promote his positions on policy issues, correspond with constituents, criticize political opponents, and highlight his appearances as Governor through commentary, photographs and video.

20. Defendant Mayer has explained that Governor Hogan “views social media, especially Facebook, as a way to talk directly to the people of this state without the interference of traditional media,” and that Governor Hogan “believes that it’s important to have that kind of direct contact and access with people who vote and pay taxes and live in this state.” Ex. B.

21. The Facebook Page was designed to permit and encourage constituents to communicate directly with the Governor’s office and to post comments on public issues. According to the Social Media Policy, the Facebook Page was established to “promote and disseminate information of Governor Larry Hogan’s initiatives, events, and personal announcements,” but also to serve as a “forum[] for constructive and respectful discussion with and among users.” Ex. A.

22. At all times relevant to this complaint, Plaintiffs were Maryland citizens who wish to engage in constitutionally protected speech within the forum created by Defendants to voice their beliefs and viewpoints to the Governor, to the Governor’s staff who view the page, and to other citizens who participate in the forum to debate and comment on issues concerning the State of Maryland.

23. Despite the creation of a forum for public discussion, Defendants have engaged in targeted censorship of the speech of Plaintiffs and other Marylanders on the Facebook Page through a variety of methods.

24. Defendants have censored Plaintiffs and other citizens by deleting their comments from the Facebook Page.

25. Defendants have censored Plaintiffs and other citizens by “blocking” them from making any further posts on the Facebook page and blocking them from expressing an opinion using the reaction feature (*e.g.*, “Likes”).

26. Defendants have censored Plaintiffs and other citizens by temporarily removing the Governor’s posts to the Facebook Page, which has the effect of clearing/removing all previously posted comments, and then re-posting the same post to allow new, more favored comments to be posted by other users.

27. On February 8, 2017, the Washington Post reported that Defendants had blocked 450 people from the Facebook Page since the time Governor Hogan took office in January 2015. *See Ex. C.* The Washington Post relied on figures provided by Governor Hogan’s spokesman, Defendant Mayer, who claimed that about half of the people were blocked for using “hateful or racist” language, and that the rest were blocked after the 2015 protests in Baltimore related to the police-involved killing of Freddie Gray, or immediately after the January 27, 2017 issuance of a Presidential Executive Order banning entry to the United States for 90 days for citizens from Iraq, Syria, Iran, Libya, Somalia, Sudan and Yemen, and indefinitely halting refugees from Syria (the “Muslim Ban”), based on the suspicion that the postings were part of a “coordinated attack.”

28. Even if the stated reasons for censoring the statements of Marylanders were valid under the First Amendment – and they are not – in fact, the stated reasons are pretextual, because Defendants regularly delete comments and block users because of political disagreement with the messages posted.

29. On February 17, 2017, the American Civil Liberties Union of Maryland (“ACLU”) wrote to Governor Hogan on behalf of several Marylanders who were censored by the Governor and/or his staff when they attempted to question the Governor or challenge his policy

positions on the Facebook Page. *See* Ex. D. The ACLU represented the interests of Plaintiff Handley and six other Maryland citizens who had been blocked and/or had their comments deleted from the Facebook page.

30. Although Defendants never responded directly to the ACLU's letter, on February 21, 2017, the Washington Post reported that Defendants "unblocked six commenters" identified by the ACLU "but couldn't find the seventh." *See* Ex. E. The article further reported that "several restored people" already "found themselves blocked again." According to Governor Hogan's representative, those individuals were reblocked because they were "spamming the page with identical and off-topic posts."

31. Notwithstanding public criticism, Defendants continue to censor Marylanders' speech on the Facebook Page without notice or explanation of the grounds for censoring them, and continue to limit their access to the Facebook Page.

32. On information and belief, detailed information regarding the total number of posts made to the Facebook page, the total number of comments made, the number and content of comments that were deleted by Defendants, and the names and number of people who were blocked from posting to the Facebook Page are all facts readily available to Defendants as a result of their role as administrator/owner of the Facebook Page. Based on monitoring the Facebook Page from March 1, 2017, through June 30, 2017, it appears that Governor Hogan and/or his staff made well over 800 posts to the Facebook Page, as to which, in the aggregate many thousands of comments were made on the Facebook Page.

33. Comments (responses to posts or to other comments) can be censored in several ways. First, Governor Hogan and/or his staff can delete an individual comment. Second, Governor Hogan and/or his staff can delete one of the Governor's posts, which also deletes all

the comments made in response to that post. Third, Governor Hogan and/or his staff can block a particular commenter, which has the effect of deleting all of that person's comments on the page, regardless of their content. Finally, a user may choose to delete his or her own comments in order to withdraw from a discussion (a form of self-censorship). Many posts from March 1, 2017, through June 30, 2017, had more than one comment deleted. In total, on information and belief, at least 500 comments were removed from the Facebook Page. On information and belief, based on monitoring the Facebook Page, the overwhelming majority of censored comments were deleted by Governor Hogan and/or his staff, using one of the methods noted above.

34. As explained more fully below, Plaintiffs have all been censored by Defendants when attempting to participate in the Facebook page, either by having comments deleted, by being blocked from commenting at all, or both.

1. James Laurensen

35. Plaintiff James Laurensen visited the Facebook Page for the first time in the fall of 2015. He posted one or two comments seeking to draw Governor Hogan's attention to the Syrian refugee crisis and to engage the Governor in discussion on that issue following the Governor's request to the Obama Administration to not allow Syrian refugees into Maryland.

36. Laurensen's posts addressed the same points as a November 20, 2015 email he sent to the Governor, which stated: "I am ashamed to be called a Marylander. As a recent WSJ commenter recently wrote, turning against Syrians fleeing horror and violence in the Middle East is precisely the wrong response to the terrorist attacks in Paris. In fact, ISIS is looking for proof that the West stands against Arabs and Muslims. You are aiding and abetting the enemy. Please reverse your stance."

37. Neither Governor Hogan nor any member of his staff responded to Laurenson's November 20, 2015 email. However, Defendants deleted Laurenson's comments from the Facebook Page and blocked Laurenson from posting any future comments to that page.

38. Laurenson emailed the Governor's Office twice regarding being blocked from the Facebook Page. On December 13, 2015, he wrote: "I posted a comment in response to your holiday party post. My comment has been taken down, and now I am banned from posting. I suspect this is against the law, as your Facebook page is a public site, and I am a taxpayer. Explain, and reinstate my comment and my posting ability."

39. On June 13, 2016, Laurenson sent a second email to the Governor's Office: "I have been blocked from your publicly funded Facebook page after disagreeing with your position on Muslim refugees several months ago. It was a civil comment. I suspect your banning is illegal, and at a minimum it's ignoring comments from one of your constituents. Please reestablish my use of your, or our, page. Thank you."

40. The December 13, 2015 email and the June 13, 2016 email triggered a form response from the Governor's office, stating: "Thank you for contacting the Office of the Governor. Each piece of correspondence is reviewed on an individual basis to ensure that all concerns expressed by citizens and visitors of Maryland receive full consideration. Please accept this as an acknowledgment that your message has been received." Laurenson received no further response from the Governor's Office.

41. On June 13, 2016, Laurenson sought assistance from the Office of the Attorney General of Maryland, but again only received a form response.

42. As of the date of this Complaint, Laurenson remains blocked from posting comments or using the reaction feature on the Facebook Page.

2. Meredith Phillips

43. On Sunday, January 29, 2017, Plaintiff Meredith Phillips visited the Facebook Page for the first time to voice her concerns regarding President Donald Trump's then-recently-enacted Muslim Ban.

44. Phillips posted a comment to Governor's Hogan's then-most-recent post on the Facebook Page (regarding the Chinese New Year), and asked whether Governor Hogan planned to "speak out on the Muslim ban."

45. A few hours after posting her comment, Phillips returned to the Facebook Page and observed that her comment had been deleted and was no longer visible in the series of comments to Governor Hogan's Chinese New Year post.

46. Phillips posted her same comment again, noting that she "crossed party lines to vote for [Hogan]," and reasserting that she hoped Governor Hogan would "stand up for all Marylanders and not just those that agree with you."

47. A few hours after re-posting her comment, Phillips returned to the Facebook Page and observed that her second comment had been deleted from the Chinese New Year post.

48. Phillips attempted to re-post her comment a third time, but found that her ability to post on the Facebook Page had been restricted, and that she was blocked from posting further comments.

49. On the evening of January 29, 2017, confused and frustrated by the censorship Governor Hogan and his staff were imposing on her, Phillips sought advice from Former Maryland Lieutenant Governor Michael Steele, who prior to being elected Lieutenant Governor of Maryland was Chair of the Maryland Republican Party. Although Phillips did not know Steele personally, she thought he might be in a position to offer advice on this issue, and so she

contacted him via Facebook Messenger (a service that allows Facebook users to send messages to other users).

50. Phillips wrote to Mr. Steele:

Meredith

Mr. Steele, I am a resident of Maryland. This evening I wrote on Governor Larry Hogan's Facebook page questioning him on his stand on the Muslim Ban. I was concerned that we had not heard from him on this issue. My post, along with other similar posts were deleted. I reposted and was removed again. I noticed that posts that were applauding the governor and posts ridiculing those that were concerned about the ban remained. I then found out that I was blocked from posting as were others that posed questions or concerns. Although, I am not a Republican, I have always respected you both as our former Lt. Governor and currently as a political analyst. I know these are not "normal" times but was very surprised to realize that the governor of our state, who I voted for, was so quick to dismiss a constituent who posed a question. As a former Lt. Governor, any advice on how I best reach Governor Hogan with my concerns? Thank you for your time. Meredith Phillips

MAR 4TH, 9:19AM

51. On March 4, 2017, Mr. Steele responded:

Michael Steele accepted your request.



Michael

Hello Meredith, I would suggest you contact the Governor's Communication shop and inquire as to why your posts were removed and your comments/concerns as a citizen were censored from his Facebook page. Now 2 things: if that Facebook page belongs to his campaign, they can control what's posted and who posts just as you can with your own Facebook page. But if it's his official government page that's where unless you were using inappropriate language or spreading false info they should generally allow citizens to post freely. I hope that helps.

52. Phillips replied the same day:

Meredith

Mr. Steele, thank you for taking the time to respond - I know you are very busy. Your advice is helpful and much appreciated!

53. Unbeknownst to Mr. Steele, Phillips had already acted in a manner consistent with his advice. On Friday, February 3, 2017, Phillips called the Office of Governor Hogan, reporting that she had been blocked from posting comments to the Facebook Page and asking to be unblocked. She was told that the Governor's Office was unaware that citizens were being blocked from posting comments on the Facebook Page and that someone in the communications

office would look into the matter. Phillips did not hear anything further from the Governor's Office.

54. As of the date of this Complaint, Phillips remains blocked from posting comments on the Facebook Page.

3. Janice Lepore

55. Plaintiff Janice Lepore started visiting the Facebook Page in late March 2017, in large part because of her interest in education policy and the Protect Our Schools Act ("POSA").

56. Lepore posted several times on the Facebook Page, mostly about the POSA. Her posts were made as part of an ongoing discussion with other posters about Maryland education policy, various pieces of Maryland and federal legislation affecting that policy, and Governor Hogan's views and positions on those issues. *See* Ex. F (setting out Lepore's discussion of these issues with other posters). All of Lepore's posts were well-informed, respectful, and focused on education policy and legislation – a topic that Governor Hogan had himself raised in his own posts.

57. Notwithstanding the nature and tone of Lepore's posts, on or about April 7, 2017, she was blocked from making further posts on the Facebook Page. When she was blocked, all of her past posts were deleted from the Facebook Page.

58. After she was blocked, Lepore emailed the Governor's Office on April 11, 2017 and April 21, 2017 seeking to be unblocked and permitted to post comments to the Facebook Page. After her second email to the Governor's Office, on April 25, 2017, Lepore observed that she was no longer blocked from posting comments to the Facebook Page.

59. As of the date of this Complaint, Lepore is able to comment on the Facebook Page. However, in light of her disturbing experience in having her thoughtful and respectful

posts arbitrarily deleted and in being blocked from posting, Lepore reasonably anticipates that her future posts may be deleted and/or that she may again be blocked from the Facebook Page.

4. Molly Handley

60. Plaintiff Molly Handley was blocked from the Facebook Page on the very first day that she posted a comment. In late January 2017 Handley posted comments to three of Governor Hogan's posts. Her posts dealt with her concern that Governor Hogan should make a public statement regarding the Muslim Ban, and urged other users to call and ask the Governor about his position on that topic. All three of Handley's comments were deleted by Defendants.

61. Handley observed that her comments were being deleted the same day she had posted them, and she observed that other comments regarding the Muslim Ban posted by other users were also being deleted.

62. On January 28, 2017, Handley used her Twitter account to tweet Defendant Governor Hogan's Twitter account (@LarryHogan), stating that she had been blocked from posting comments to the Facebook Page and asking Governor Hogan why she had been blocked.

63. In February 2017, Handley called Governor Hogan's office 5-10 times, speaking with Defendant Windley at least once, requesting that she be unblocked from posting comments to the Facebook Page. Defendants unblocked Handley after she was named in the ACLU's February 17, 2017 letter to Governor Hogan as a Maryland citizen blocked from posting comments to the Facebook Page.

64. A few days later, however, Handley was again blocked from posting comments on the Facebook Page. Handley went onto the Facebook Page and found that Governor Hogan was engaging with constituent comments. Posters were asking questions about the individuals who had been blocked from posting to the Facebook Page. Governor Hogan posted a comment stating that accusations of being blocked were overblown. Handley posted comments

responding to Governor's Hogan's statements, asserting that she had been blocked by Defendants even though her comments regarding the Muslim Ban had not been profane or abusive, that Defendants had failed to unblock her notwithstanding her repeated requests, and that she had only been unblocked after mention in the ACLU letter:



Molly Handley

We have screenshots of the deleted comments governor, and just as concerning, I have screenshots of nasty abusive comments that have been up for three weeks at this point. It's clear it's both arbitrary and partisan. I now live in fear of when my next comment will be deemed "spam" or "abusive" and I am deleted and banned again. I called your office every day for two weeks with no response. I was silenced and shut out of the conversation for asking a question. I'm very uncomfortable with that.

3 minutes ago · Edited · Like ·  1



Molly Handley

Governor I called your office for two weeks trying to get an answer to my ban and was never given a reason or response. I was only reinstated after a letter from the ACLU. Not every citizen is comfortable naming themselves in a public document in order to obtain reinstatement. They should be able to call your office and have the reason for their ban given to them/ unblocked if applicable.

3 hours ago · Edited · Like ·  1

65. In response to these posts, all of Handley's comments were deleted, and she was once again blocked from posting comments to the Facebook Page.

66. After thus being blocked from the Facebook Page a second time, Handley twice called Governor Hogan's Office seeking to be unblocked.

67. As of the date of this Complaint, Handley remains blocked from posting comments on the Facebook Page.

B. Defendants' Unconstitutional Social Media Policy

68. Defendants have adopted, and purport to enforce, the Office of the Governor's Social-Media Policy (the "Social Media Policy") which sets out certain "guidelines" supposedly applicable to constituents who wish to post comments on the Facebook Page and other social media accounts. *See* Ex. A. The Social Media Policy is accessible through the Facebook Page at https://www.facebook.com/pg/larryhogan/about/?ref=page_internal, and directly from the internet at <https://governor.maryland.gov/wp-content/uploads/2017/03/Doc.pdf>. It does not bear an effective date. On information and belief, the Social Media Policy was adopted by the Governor and posted online sometime between February 21, 2017 (the date of the ACLU's letter) and May 17, 2017.

69. The Social Media Policy was not created in a vacuum. Since at least 2013, the State of Maryland has issued guidance to state departments that wish to establish a social media presence. The State of Maryland Information Security Policy, applicable through January 31, 2017, noted that when state employees managing official social media accounts are responsible for monitoring comments, "[i]f user content is positive or negative and in context to the conversation, then the content should be allowed to remain, regardless of whether it is favorable or unfavorable to the State." *See* Ex. G. This policy was superseded and replaced in February 2017 by the Maryland Official Use of Social Media Policy, which offers similar guidance. *See*

Ex. H. Furthermore, the Maryland Department of Information Technology handbook for social media instructs “[e]ach department deploying social media” to “develop and post a comments policy,” and that “social media managers refrain from deleting posts or comments unless there is a specific violation of the posted comments policy.” *See* Ex. I. The handbook further advises: “If a negative comment is posted, it opens the conversation and more times than not, your followers will respond in a defensive manner or address your concerns for you. Taking down antagonistic comments may open your program up to backlash from your followers and you may lose credibility.”

70. In various respects, these state-wide social media-related documents appear to have First Amendment problems of their own. It is telling, however, that the Social Media Policy actually adopted by Governor Hogan for the Facebook Page – and the Defendants’ practices in operating that page – are not only inconsistent with the First Amendment, as described below, but are also inconsistent with the guidance provided by those state-wide social media-related documents, which clearly counsel that negative comments should not be deleted.

71. The Social Media Policy states that the Facebook Page is intended to “promote and disseminate information about Gov. Larry Hogan’s initiatives, events, and personal announcements” and to serve as a “forum[] for constructive and respectful discussion with and among users” on those topics alone. *Id.*

72. The Social Media Policy purports to ban constituents from posting comments on the Facebook Page that are not “about” the subjects raised by the Governor’s own posts, or that “contain profanity, obscenity, vulgarity, nudity, defamation of character, or advertising.” *Id.*

73. The Social Media Policy also purports to ban commenters from posting comments that are “similar” to their own past posts, and to ban commenters from posting comments that are “similar” to or “repetitive” of comments by other users. *Id.*

74. The Social Media Policy further purports to ban speech that is “deemed inappropriate,” or speech that is deemed to be “a standardized letter or petition.” *Id.*

75. Under the Social Media Policy, comments that run afoul of its restrictions may be “removed” from the Facebook Page.

76. Under the Social Media Policy, citizens may also be “temporarily or permanently restricted from accessing” the Facebook Page if they threaten violence or public safety, post comments that are deemed to be repetitive of other users’ comments, comments that constitute a “Coordinated Effort,” or if, after being blocked and then unblocked, the citizen “continues to violate the Policy.”

77. The Social Media Policy provides that “[c]omments may be removed or access may be restricted at any time without prior notice of without providing justification.” Citizens who wish to be unblocked “must submit to the Governor’s Office of Correspondence & Constituent Services at governor.mail@maryland.gov a written statement providing grounds for reinstatement and the zip code of his or her residence.”

78. The Social Media Policy relies on broad, vague, and undefined terms, and permits the arbitrary censorship of views the Governor disfavors. In operation and effect, the Policy has a chilling effect on the rights of Plaintiffs, and the rights of all Maryland citizens, to engage in free and open speech on the Facebook Page.

79. The Social Media Policy, as well as Defendants’ actions deleting comments and blocking commenters – whether purportedly in compliance with the Social Media Policy or

otherwise – create a hostile atmosphere for free expression on the Facebook Page, chilling the speech of Plaintiffs and other Maryland citizens who are not before the Court.

VI. CAUSES OF ACTION

COUNT I

As-Applied Violation of Plaintiffs’ Rights to Free Speech Under the First and Fourteenth Amendments (42 U.S.C. § 1983)

(All Defendants)

80. Plaintiffs repeat and reallege each of the foregoing allegations in this Complaint.

81. Speech utilizing Facebook and other social media is subject to the same First Amendment protections as any other speech. *Packingham v. North Carolina*, 137 S. Ct. 1730 (2017); *Bland v. Roberts*, 730 F.3d 368 (4th Cir. 2013).

82. The First Amendment represents “a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open.” *New York Times v. Sullivan*, 376 U.S. 254, 270 (1964). Today, “the most important places ... for the exchange of views... is cyberspace ... and social media in particular.” *Packingham*, 137 S. Ct. at 1735 (internal citation omitted). *See also Reno v. American Civil Liberties Union*, 521 U.S. 844, 868 (1997) (acknowledging the “vast democratic forums of the Internet”).

83. “[T]he First Amendment forbids the government to regulate speech in ways that favor some viewpoints or ideas at the expense of others.” *Lamb’s Chapel v. Center Moriches Union Free Sch. Dist.*, 508 U.S. 384, 394 (1993). Therefore, when a government creates a limited public forum for speech, in either a literal or “metaphysical” sense, *see Rosenberger v. Rector & Visitors of Univ. of Va.*, 515 U.S. 819, 830 (1995), there are important constitutional constraints on the limitations on speech that the government may apply to such forums. “The State may not exclude speech where its distinction is not reasonable in light of the purpose

served by the forum,” *Christian Legal Soc. Chapter of the Univ. of California, Hastings Coll. of the Law v. Martinez*, 561 U.S. 661, 685 (2010), and the government may not “discriminate against speech on the basis of ... viewpoint.” *Rosenberger*, 515 U.S. at 829.

84. “The existence of reasonable grounds for limiting access to a nonpublic forum ... will not save a regulation that is in reality a façade for viewpoint-based discrimination.” *Cornelius v. NAACP Legal Def. & Educ. Fund, Inc.*, 473 U.S. 788, 811 (1985); *see also Davison v. Loudoun Cty. Bd. of Supervisors*, No. 1:16CV932 (JCC/IDD), 2017 WL 3158389, at *10 (E.D. Va. July 25, 2017). The façade is evident here: Governor Hogan and Defendants did not, in policy or practice, uniformly bar Marylanders from posting off-topic comments that lauded the Governor’s various initiatives, supported his policy initiatives (whether the subject of a post or not), or repeated similar positive commentary. Similarly, Governor Hogan and his staff do not, in practice, delete offensive or insulting comments – particularly when made by posters supportive of the Governor. Instead, the Social Media Policy was drafted to allow Defendants to exercise arbitrary and unfettered discretion to delete comments, or block commenters of which they did not approve, under the guise of deeming them “off-topic,” “repetitive,” or “unacceptable.”

85. The Supreme Court has long recognized that “words are often chosen as much for their emotive as their cognitive force,” and that “we cannot indulge the facile assumption that one can forbid particular words without also running a substantial risk of suppressing ideas in the process.” *Cohen v. California*, 403 U.S. 15, 26 (1971). The First Amendment forbids the government from censoring speech based on “personal predilections,” and “the State has no right to cleanse public debate to the point where it is grammatically palatable to the most squeamish among us.” *Id.* at 21, 25. The Supreme Court has confirmed “time and again that ‘the public

expression of ideas may not be prohibited merely because the ideas are themselves offensive to some of their hearers.” *Matal v. Tam*, 137 S. Ct. 1744, 1763 (2017) (quoting *Street v. New York*, 394 U.S. 576, 592 (1969)).

86. By blocking Plaintiffs and/or by deleting their comments, Defendants have both directly and implicitly chilled Plaintiffs’ free expression, as well as that of all Maryland citizens.

87. Defendants violated a clearly established constitutional right – the right to speak freely on topics relevant to the government in a government-established forum, and particularly an online social-media-based forum – of which all reasonable government officials should have known, rendering them liable to Plaintiffs under 42 U.S.C. § 1983. *See Packingham, supra*, at 1735 (it is “clear” that “the most important places” for the exchange of views are social media sites such as Facebook); *Page v. Lexington Cty. Sch. Dist. One*, 531 F.3d 275, 284 (4th Cir. 2008).

88. The denial of constitutional rights is irreparable injury *per se*, and Plaintiffs are entitled to declaratory and injunctive relief.

89. Additionally Plaintiffs experienced emotional injury as a consequence of being denied their First Amendment rights.

COUNT II

Facial Challenge to Violation of Right to Free Speech Under the Plaintiffs’ First and Fourteenth Amendment Rights (42 U.S.C. § 1983)

(All Defendants)

90. Plaintiffs repeat and reallege each of the foregoing allegations in this Complaint.

91. The First Amendment does not permit the government to subject speech to overly broad regulation. *Broadrick v. Oklahoma*, 413 U.S. 601, 615 (1973). Any regulation that does so is invalid “until and unless a limiting construction or partial invalidation so narrows it as to

remove the seeming threat or deterrence to the constitutionally protected expression[.]” *Virginia v. Hicks*, 539 U.S. 113, 118-19 (2003).

92. The Social Media Policy is unconstitutional because it is overly broad and vague. For example, it prohibits “inappropriate” speech, including speech that is deemed “similar” to or “repetitive” of speech that has already occurred. Moreover, it prohibits speech that is not “about” an “initiative, event, or personal announcement” posted by the Governor. These purported criteria for deleting comments or blocking constituents are so vague and indeterminate that they do not provide any meaningful limitation on the ability of the Governor and his staff to censor comments or constituents with whom they disagree for whatever reason.

93. By subjecting speech to review and censorship based on such expansive terms, Defendants’ Social Media Policy stifles robust debate and disregards the “profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open.” *Sullivan*, 376 U.S. at 270. Furthermore, the Social Media Policy impermissibly imposes “special prohibitions on those speakers who express views on disfavored subjects,” namely those whose opinions are believed to be “inappropriate,” off-topic, or “similar” and “repetitive.” *R.A.V. v. City of St. Paul*, 505 U.S. 377, 391 (1992). A law that discriminates based on viewpoint is an “egregious form of content discrimination,” which is “presumptively unconstitutional.” *Rosenberger*, 515 U.S. at 829-30.

94. To permit the government “to pick and choose among the views it is willing to have discussed” in a public forum represents “censorship in a most odious form, unconstitutional under the First and Fourteenth Amendments.” *Police Dep’t of Chicago v. Mosley*, 408 U.S. 92, 98 (1972).

95. The Social Media Policy is unconstitutional because it explicitly forbids Maryland citizens from engaging in efforts to “petition” Governor Hogan in violation of bedrock First Amendment principles.

96. “[T]he First Amendment, which protects a controversial as well as a conventional dialogue, is as applicable to the States as it is to the Federal Government; and it extends to petitions for redress of grievances as well as to advocacy and debate.” *Whitehill v. Elkins*, 389 U.S. 54, 57 (1967) (internal citations and quotations omitted).

97. The broad and undefined terms of the Social Media Policy vest government officials with unbridled discretion to review and restrict citizen speech.

98. The portions of the Social Media Policy addressing constituent expression are unconstitutionally overbroad, do not serve a significant government interest, are not narrowly drawn, and impermissibly restrict citizen expression. They burden far more speech than is necessary to serve the asserted interest of minimizing vulgarity and coordinated spam attacks on the Facebook Page.

99. The Social Media Policy is also unconstitutionally vague in violation of the First Amendment and of the due process guarantee of the Fourteenth Amendment to the U.S. Constitution, because the prohibitive terms are not clearly defined such that a person of ordinary intelligence can readily identify the applicable standard for inclusion and exclusion. *Grayned v. City of Rockford*, 408 U.S. 104, 108 (1972). The terms of the Social Media Policy are generalized, subjective, and incapable of precise definition or application. The Social Media Policy does not define the nebulous terms that it contains that can form the basis of a decision by the Governor and/or his staff to restrict speech.

100. As a direct result of the Defendants' Social Media Policy, citizens of Maryland are deprived of their right to free speech under the First and Fourteenth Amendments to the Constitution.

101. As a consequence of the Defendants' violation of Plaintiffs' and other similarly situated citizens First and Fourteenth Amendment rights, as alleged above, all of which is irreparable injury *per se*, Plaintiffs are entitled to declaratory and injunctive relief, damages, and the reasonable costs of this lawsuit, including reasonable attorneys' fees.

COUNT III

Declaratory Judgment and Injunction (28 U.S.C. § 2201, et seq.)

102. Plaintiffs repeat and reallege each of the foregoing allegations in this Complaint.

103. An actual controversy has arisen and now exists between Plaintiffs and Defendants concerning Plaintiffs' rights under the United States Constitution. A judicial declaration is necessary and appropriate at this time as to Counts I through II above.

104. Plaintiffs are seeking a judicial determination of their rights against Defendants as they pertain to Plaintiffs' right to speak on the Facebook Page without being subjected to unconstitutional policies that impose prior restraints on speech, give government officials unfettered discretion whether to allow expression and under what conditions, and that are vague, overbroad, and not narrowly tailored to serve a substantial governmental interest.

105. To prevent further violation of Plaintiffs' constitutional rights by Defendants, it is appropriate and proper that a declaratory judgment issue, pursuant to 28 U.S.C. § 2201 and Fed. R. Civ. P. 57, declaring the Social Media Policy to be unconstitutional as applied to the Plaintiffs.

106. To prevent further violation of Plaintiffs' constitutional rights by Defendants, it is appropriate and proper that a declaratory judgment issue, pursuant to 28 U.S.C. § 2201 and Fed. R. Civ. P. 57, declaring the Social Media Policy to be unconstitutional on its face.

107. Pursuant to 28 U.S.C. § 2202 and Fed. R. Civ. P. 65, this Court should issue a permanent injunction prohibiting the Defendants from enforcing the restrictions in the Social Media Policy on citizens' expressive activities to the extent they are unconstitutional and to prevent the ongoing violation of constitutional rights. Citizens in the State of Maryland are suffering irreparable harm from continued enforcement of unconstitutional policies, monetary damages are inadequate to remedy their harm, and the balance of equities and public interest both favor a grant of injunctive relief.

VII. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs James Laursen, Meredith Phillips, Janice Lepore, and Molly Handley respectfully request that the Court enter judgment against Defendants and provide Plaintiffs the following relief:

- A. A declaratory judgment stating that Defendants' Social Media Policy is unconstitutional, facially and as applied to Plaintiffs, and that Defendants violated Plaintiffs' rights as guaranteed under the First and Fourteenth Amendments to the United States Constitution;
- B. A permanent injunction restraining enforcement of Defendants' unconstitutional Social Media Policy and their underlying enforcement practices;
- C. An injunction requiring the Defendants cease blocking all Plaintiffs currently prohibited from posting comments on the Facebook Page;

- D. A declaratory judgment that Defendants' efforts to block Plaintiffs from posting on the Facebook Page and Defendants' efforts to delete Plaintiffs' comments from the Facebook Page violated Plaintiffs' First and Fourteenth Amendment rights;
- E. Monetary damages in an amount to be determined by the Court to compensate Plaintiffs for the impact of a deprivation of fundamental rights;
- F. Plaintiffs' reasonable costs and expenses of this action, including attorneys' fees, in accordance with 42 U.S.C. § 1988, and other applicable law; and
- G. All other further relief to which Plaintiffs may be entitled.

VIII. DEMAND FOR JURY TRIAL

Plaintiffs demand a trial by jury of all issues properly triable by jury in this action.

DATED: August 1, 2017

Respectfully submitted,

/s/ Lisa B. Zycherman

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Attorneys for Plaintiffs James Laursen, Meredith Phillips, Janice Lepore, and Molly Handley

EXHIBIT A

Office of the Governor Social-Media Policy

Social-Media Accounts. The Office of the Governor's Social-Media Policy (the "Policy") is applicable to the following social-media accounts (the "Hogan Accounts"):

- Facebook: facebook.com/larryhoganmd
- Twitter: twitter.com/larryhogan, @larryhogan
- Snapchat: govlarryhogan
- Youtube: Governor Larry Hogan

Purpose. The Hogan Accounts promote and disseminate information about Gov. Larry Hogan's initiatives, events, and personal announcements, and are forums for constructive and respectful discussion with and among users about the posted initiatives, events, and personal announcements.

Guidelines. To facilitate the Hogan Accounts' purpose, the following guidelines apply:

- Comments, messages, retweets, and other user communications ("Comments") may be removed from a Hogan Account if:
 - The Comment is not about any posted initiative, event, or personal announcement.
 - The Comment contains profanity, obscenity, vulgarity, nudity, defamation of character, or advertising.
 - The Comment or a similar Comment has been previously made by the same user.
 - The Comment contains a hyperlink to external content.
 - The wording of the Comment is a standardized letter or petition.
 - The Comment is one of at least three similar, repetitive Comments made by different users (a "Coordinated Effort").
 - The Comment contains other content that is deemed inappropriate.
- Users may be temporarily or permanently restricted from accessing a Hogan Account if:
 - The user expressly or impliedly threatens violence or public safety.*
 - The user participates in a Coordinated Effort.
 - After having access to a Hogan Account restricted and then reinstated, the user continues to violate the Policy.
- Comments may be removed or access may be restricted at any time without prior notice or without providing justification.
- To contest the restriction of access on a Hogan Account, the user must submit to the Governor's Office of Correspondence & Constituent Services at governor.mail@maryland.gov a written statement providing grounds for reinstatement and the zip code of his or her residence.

Although the ability to publish Comments on Hogan Accounts is continual and constant, monitoring of the Hogan Accounts is not. Users may contact the Governor's Office of Correspondence & Constituent Services at governor.mail@maryland.gov at any time to identify Comments or other conduct in violation of the Policy. Until a Comment in violation of the Policy is removed, users should ignore it or, if responding, do so in compliance with the Policy. This Policy may be modified at any time.

*NOTE: Users that make express or implied threats of violence or to public safety may be reported to the Maryland State Police for investigation.

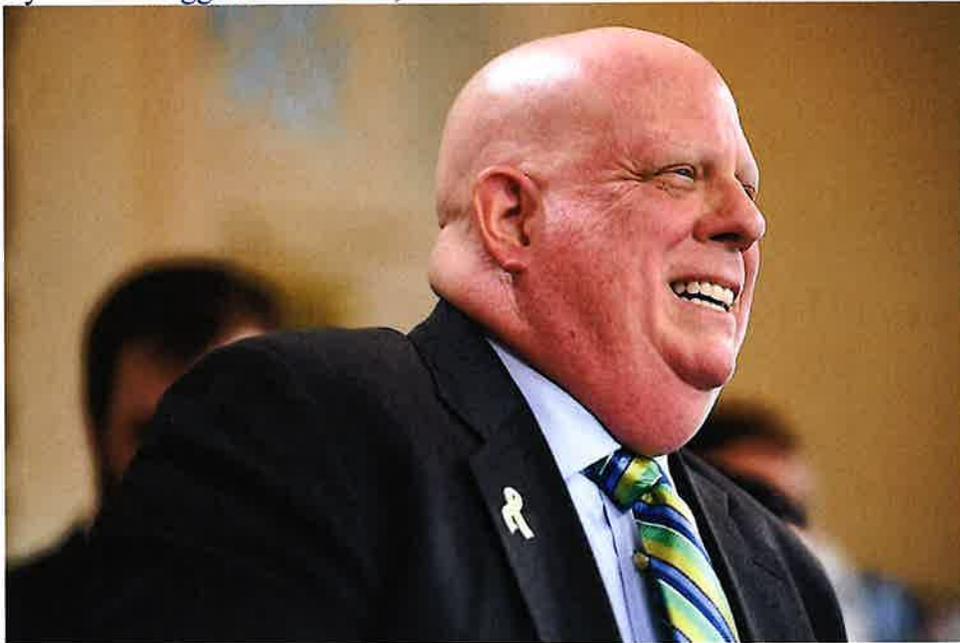
EXHIBIT B

The Washington Post

Maryland Politics

Why Maryland Gov. Larry Hogan uses Facebook much more than Twitter

By Ovetta Wiggins December 4, 2015



Maryland Gov. Larry Hogan holds a press conference Nov. 16 at the Maryland Statehouse to announce that he is cancer-free. (Matt McClain/The Washington Post)

Chemotherapy was making his hair fall out in clumps, so Maryland Gov. Larry Hogan decided to shave his head. After an initial response of shock from his wife, Hogan wondered how to unveil his new look in public.

He didn't call a news conference.

Instead, the Republican turned to Facebook, the social media site where he had spent years as a private citizen honing an anti-tax message for his grass-roots organization Change Maryland, an effort that helped catapult him into office in a

state where registered Democrats outnumber registered Republicans more than 2 to 1.

[‘Looks like there is another white dome in the Annapolis State House!’]

The photo of Hogan bald-headed — arms folded, wearing a black suit, dark sunglasses and an “I’m in control” expression — was viewed by 1.5 million Facebook users, according to his office, the most of any Hogan post since he took office in January.

It was a vivid example of how the first-term governor uses Facebook to connect with his base, gain supporters and tell his story — including his grueling battle with non-Hodgkin’s lymphoma — his own way.

Unlike other social-media-savvy politicians, who favor Twitter, Snapchat, Periscope and Instagram, Hogan concentrates his efforts almost entirely on Facebook. His online presence dwarfs that of Democratic lawmakers in Annapolis who have become his main adversaries — and who were shocked, along with the rest of the party establishment, by his upset victory last November.

“The governor views social media, especially Facebook, as a way to talk directly to the people of this state without the interference of traditional media,” Hogan spokesman Doug Mayer said. “He believes that it’s important to have that kind of direct contact and access with people who vote and pay taxes and live in this state.”

[Larry Hogan: A businessman who has spent a lifetime in politics]

Hogan and his communications staff post to Facebook multiple times a day, with primary responsibility for the site going to a 25-year-old employee, Hannah Marr. Hogan communications director Matt Clark says the governor is the one who usually pens responses to various comments. He also has written many of his own health updates since announcing in June that he had been diagnosed with non-Hodgkin’s lymphoma.

Timeline Photos

Like Page

Back to Album Larry Hogan's Photos Larry Hogan's Page

Previous Next



Larry Hogan

It looks like there is another white dome in the Annapolis State House! Thanks to my treatments, I'm sporting a new aerodynamic look. I'm saving time not having to wash or comb my hair, and I don't even need to shave my face! The First Lady says I'm still sexy, I may be losing hair follicles, but I'm winning the battle as we kill cancer cells like crazy. So yes - the new look is a bit of a shock at first, but to me, bald is beautiful! #HoganStrong

Like Comment Share July 28

44,514 people like this

3,656 shares

Top Comments

4.6k comments

Album Timeline Photos

Shared with Public

Open Photo Viewer

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Experts say Facebook, with more than 1 billion users worldwide, has a broader audience than Twitter, Periscope and Instagram, each of which has a younger, niche following.

“Facebook is a more public domain, allows more interaction,” said Colin Delany, founder and editor of Epolitics.com, a Web site that features tools and tactics of online campaigning. “There are more provisions for pictures and video, and photos and videos tend to evoke more of an emotional response. You are able to connect, in a way, more than an e-mail, letter or Twitter ever could.”

[Poll: Hogan deeply popular in heavily Democratic Maryland]

Since taking office, Hogan has amassed more than 97,000 followers on his gubernatorial Facebook page. That’s just 1,500 fewer followers than his predecessor

Martin O'Malley, a Democrat who governed for eight years and has spent much of this year running for president.

The Facebook page for Virginia Gov. Terry McAuliffe (D), in office for nearly two years, has fewer than 22,000 followers, in comparison. But O'Malley and McAuliffe have 111,000 and 20,400 followers on Twitter, respectively, while Hogan has a relatively meager 15,000.

Beth Becker, a social media consultant for progressive organizations and candidates, said politicians generally use Twitter to connect with "the gatekeepers," including journalists, other politicians and people who help develop policy.

Maryland Senate President Thomas V. Mike Miller Jr. (D-Calvert) has about 2,700 Facebook followers and generally draws only a few dozen "likes" for his posts, compared with thousands of "likes" for many of Hogan's. House Speaker Michael E. Busch (D-Anne Arundel) does not have a Facebook page.

"There is a lesson to be learned from what Change Maryland was able to do on social media," said Todd Eberly, a political science professor at St. Mary's College. "It became an effective tool to bring in independents and conservative Democrats who were frustrated."

[Working to halt the Md. GOP's new momentum]

Patrick Murray, executive director of the state Democratic party, said the organization is encouraging party activists and elected officials to use social media more effectively as part of its effort to regain ground after losing legislative seats and the governor's mansion in 2014. A training event in September focused on how to engage with various platforms, and another session is planned for this month.

"Nothing beats face-to-face contact," Murray said. "But it's something we are investing time and resources in."

The Democrat said Hogan bought some of his robust social media following, pointing out that Change Maryland paid Facebook nearly \$65,000 in the eight

months before Hogan's election to promote its posts to a broader audience. Change Maryland now has 244,000 followers and often shares posts from Hogan's Facebook account for them to see.

"Hogan's Facebook following was manufactured," Murray said. "And any candidate who spends \$40,000-plus buying friends can replicate his model."



After shaving his head, Hogan wrote the Facebook post revealing what he described as his "new, aerodynamic look." More than 45,000 people liked it. In the comments, thousands offered prayers for his recovery, and others praised him for his positive attitude.

[Hogan on cancer advocacy: 'I never expected to be in this position']

While that post and others about Hogan's battle with cancer boosted his Facebook numbers, the governor's biggest one-day increase in followers came on April 27, when he posted a statement on his decision to send the National Guard into

Baltimore during the unrest that followed the death of Freddie Gray, who was injured while in police custody and later died.

The page gained 8,607 followers that day, Mayer said. It took in another 3,000 on June 22, after a transcript of Hogan's speech announcing his cancer diagnosis was posted.

A picture of Hogan sitting in the hospital during his first round of chemotherapy with his wife, Yumi, and daughter Jaymi, and another of [Hogan receiving a blessing from Pope Francis](#), reached a combined 2.3 million people.

Timeline Photos

[Back to Albums](#) [Larry Hogan's Photos](#) [Larry Hogan's Page](#)

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[Previous](#) [Next](#)



[Like](#) [Comment](#)



Larry Hogan

Yesterday I had the experience of a lifetime, receiving a blessing from His Holiness, Pope Francis on behalf of all cancer patients. He took my hand in his, looked deeply into my eyes with a warm, knowing, and loving smile. I felt a sense of incredible peace come over me. I said, "Holy Father may I ask that you please give a blessing to all those suffering from cancer around the world." He placed... [See More](#)

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He posted photos of himself walking in a St. Patrick's Day parade, visiting with cancer patients and holding the guitar that Tim McGraw gave him; there is also video of his young granddaughter, Daniella, jumping in puddles outside the governor's mansion.

[\[McGraw dedicates a song to Gov. Hogan\]](#)

Many of the links on his Facebook page are to positive news coverage and editorials that support his agenda.

But there are sharper-edged posts, too.

Hogan used Facebook to criticize Democratic lawmakers who held a hearing on Hogan's closure of the Baltimore City Detention Center, calling them "a small band of out-of-touch legislators" and accusing them of trying "to defend the indefensible, failed status-quo."

He has also posted [acerbic commentaries on O'Malley's purchase of state-owned furniture](#) from the governor's mansion at bargain-basement prices.

St. Mary's professor Eberly said such posts could prove counterproductive by alienating legislative leaders and voters — especially the Democrats who crossed party lines to vote for him.

Hogan, who announced last month that his cancer is in remission, posted that he has been looking forward to his hair growing back, but a lot of people have told him that they like the bald look and think he should keep it.

This week, Hogan posted two pictures of himself: one with a full head of hair, the other bald. He asked his Facebook friends, "What do you think — bald head or flowing locks?"

The post drew more than 3,400 likes and more than 1,000 comments. It was shared more than 1,000 times.



Ovetta Wiggins covers Maryland state politics in Annapolis.

Follow [@OvettaWashPost](#)

EXHIBIT C

The Washington Post

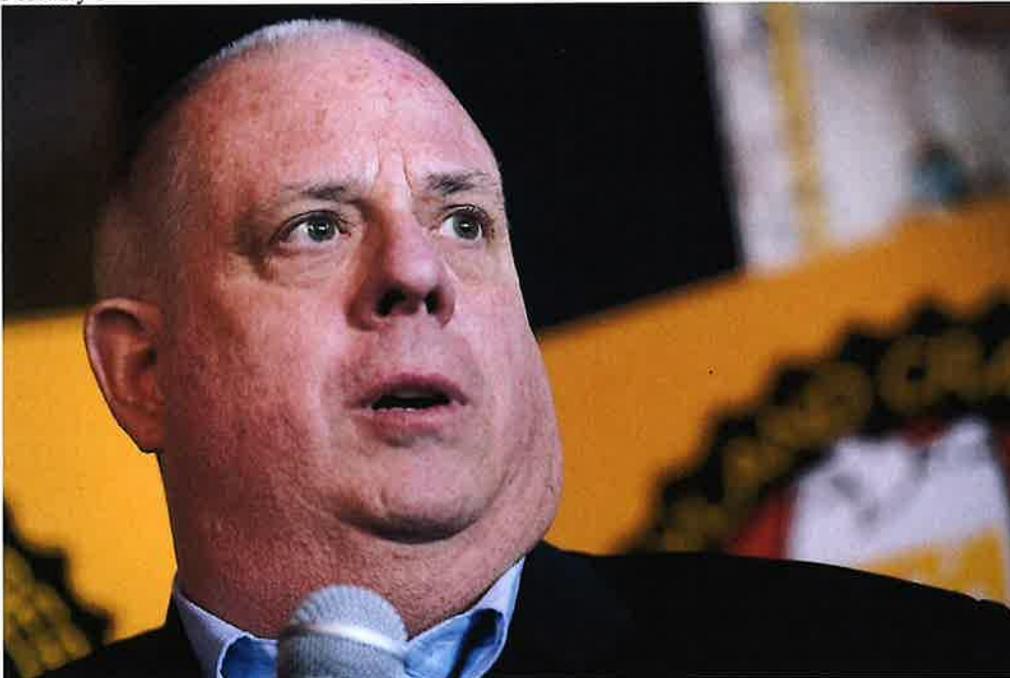
Maryland Politics

Gov. Hogan's office has blocked 450 people from his Facebook page in two years

By Ovetta Wiggins and Fenit Nirappil By Ovetta Wiggins and Fenit Nirappil

Maryland Politics

February 8



Gov. Larry Hogan (R) (Linda Davidson/The Washington Post)

Maryland Gov. Larry Hogan uses his [Facebook page](#) to share his [cancer journey](#), promote his agenda and, at times, urge voters to contact Democratic lawmakers who oppose him.

The Republican also uses the social media platform to quiet his critics.

After a [deluge of comments last week asking](#) that he denounce President Trump's [controversial travel ban](#), Hogan's office blocked numerous posters and deleted their messages from the page.

Hogan spokesman Doug Mayer said those who were blocked were believed to be part of an organized campaign, which several of the blocked commenters denied.

Mayer said the governor's office has blocked 450 people since Hogan took office two years ago. About half were blocked for using "hateful or racist" language, he said. The rest were blocked after the [2014 riots in Baltimore](#) or during the days since the travel ban — each time, Mayer said, because the governor's office thought the postings were part of a "coordinated attack."



Gretchen Weigel Doughty (courtesy of Gretchen Weigel Doughty)

"All I did was ask my governor to speak out, and I was blacklisted," said Gretchen Weigel Doughty, a Takoma Park resident who said she messaged Hogan about the ban on her own, without outside guidance.

"I said, 'I'm an independent, and you're going to lose my vote if you don't speak out on this issue.'"

Trump's executive order, which barred refugees as well as citizens of seven majority-Muslim countries from entering the United States, affected thousands of travelers

and sparked an avalanche of criticism, including from [Gov. Charlie Baker \(R-Mass.\)](#) and [other Republicans](#). Democrats in Maryland urged Hogan to weigh in, too.

When [he stayed silent](#), thousands of people called his office and sent Facebook comments asking him to denounce the ban — often after reading social-media postings from others who had already sent such messages.

The governor's office does not have a specific policy for handling comments on Hogan's page, which has more than 146,500 likes. Mayer said most of the removed comments were "vulgar, derogatory, hateful or racist," but aides have also deleted those that are a part of an organized effort.

"We encourage debate and all manners of political discourse on the governor's page," Mayer said. "But it doesn't mean we will let an outside group with their own political motivation to hijack the governor's page."

[Meet a pastor, a business owner and a teacher Hogan blocked]

Aides to other top elected officials in the region, including Virginia Gov. Terry McAuliffe, D.C. Mayor Muriel E. Bowser and Maryland Attorney General Brian K. Frosh, all Democrats, said they only delete comments or block posters that are racist or incendiary.

Mayer said "anarchists" flooded Hogan's Facebook page with comments after the unrest in Baltimore and were subsequently blocked, meaning their comments were deleted and they were unable to post again.

He said the blocked travel-ban commenters appeared to be posting as part of an effort coordinated by "[Pantsuit Nation](#)," a Facebook group created in support of Democratic presidential candidate Hillary Clinton late in the 2016 campaign.



This image by Sandra Clark shows her comment to Maryland Gov. Larry Hogan. The comment has since been hidden from public view. (Courtesy of Sandra Clark)

Mayer said the posters did not identify themselves as part of Pantsuit Nation. But the staff viewed it as a coordinated attack because the posts occurred “all at once and contained very similar language.”

One comment came from Suzanne Nash of Chevy Chase, who said she decided to send a message after seeing coverage of the travel ban while waiting to board a flight from Arizona. She said she asked Hogan to help Artiman Jalali, a 5-year-old Iranian

American boy from Bethesda, who was detained for hours at Washington Dulles International Airport without his mother.

Nash said she is a member of Pantsuit Nation but that her involvement in it had nothing to do with her message to Hogan.

“It feels insulting,” Nash said of having her voice removed from the public page.

Mayer said that “when an outside group decides to spam the page,” even people who post independently “might unfortunately get caught up” in being blocked or deleted.

Erich Sommerfeldt, a public relations professor at the University of Maryland, said deleting negative comments, rather than responding to them, can hurt a company or public figure’s brand.

“Organizations who delete negative Facebook comments are perceived as less honest, less genuine and less trustworthy than organizations who simply respond to the negative comments,” Sommerfeldt said.

“People want and expect transparency when communicating with public figures and companies online. Engaging with negative commenters may be the last thing you want to do, but it’s a better way to get to the root of the problem.”

Raquel Coombs, a spokeswoman for Frosh, said the attorney general’s office deletes posts only if they contain profanity or are threatening. “It’s a government Facebook, and people have the right to post their feelings,” she said.

McAuliffe communications director Brian Coy said staffers occasionally delete comments that are “unduly incendiary” or contain profanity from the Virginia governor’s official Facebook page.

“If you look at our page, there is a very healthy and two-sided discussion underway on all manner of things,” Coy said. “That’s the function of Facebook.”

A spokesman for Bowser said her office does not delete comments from her Facebook page and blocks users only if they make threats or post racist or anti-

Semitic comments. Currently, five users are blocked from posting on Bowser's Facebook page, and two are blocked from viewing her tweets.

The Maryland Democratic Party has blocked 10 people from viewing its Facebook account since April because they posted spam or abusive comments, said party spokeswoman Jazzmen Knoderer. Maryland House Democrats have blocked one user from leaving Facebook comments, while Maryland Senate Democrats have blocked two users each from their Facebook and Twitter pages.

The Democratic pages draw far smaller audiences than Hogan's page, which Hogan spokeswoman Amelia Chasse said averages 1 million views a week.

With Trump's travel ban under court challenge, the number of calls to Hogan's office about the issue appears to be waning.

Last week, Chasse said the office received nearly 2,000 calls on the issue on Jan. 30 alone. On Wednesday, Chasse said the tally grew to 2,567 calls through Feb 6.

Were you blocked from Gov. Larry Hogan's official Facebook page, or was your comment deleted? If so, The Post would like to talk to you. Please contact Ovetta Wiggins at ovetta.wiggins@washpost.com.



Ovetta Wiggins covers Maryland state politics in Annapolis.

Follow [@OvettaWashPost](https://twitter.com/OvettaWashPost)



Fenit Nirappil covers politics and government in Maryland, Virginia and D.C. He previously covered the California statehouse and suburban government outside Portland, Ore.

Follow [@FenitN](https://twitter.com/FenitN)

EXHIBIT D



February 17, 2017

Governor Larry Hogan
c/o Chief of Staff Sam Malhotra
State of Maryland
100 State Circle
Annapolis, MD 21401

Re: Unconstitutional Censorship of Constituent Facebook Comments

Dear Governor Hogan:

We write on behalf of the American Civil Liberties Union of Maryland and several Marylanders affected by your recent censorship of speech by constituents who attempted to question you or challenge your policy positions as Governor on your official Facebook page. Among the individuals we represent are Molly Handley, Allison Heintz, Amanda Driscoll, Sandra Clark, Sarah Walderop, Molly O'Brien and Rachel Henry, whose comments you have hidden or deleted and most of whom you have also blocked from all future posting on your page, seemingly because you did not wish to address their questions on various issues or respond to their concerns about your silence in the face of violations of civil rights and liberties by President Donald Trump and his administration.

As explained at greater length below, such censorship not only violates the First Amendment to the United States Constitution, it also violates Maryland's own state social media policy, both of which govern your conduct as Maryland's chief executive. Accordingly, we ask you to immediately cease your selective deletion of comments posted by constituents, and reinstate posting privileges to all those individuals who have been improperly blocked.

Social Media and the Nature of the Facebook Page at Issue

In today's world, as both our courts and the Maryland government have observed, social media has become the new "town square" – a forum in which government officials communicate their messages to voters, and in which citizens can voice their views in response. Social media has "emerged as a hub for sharing information and opinions with one's larger community," the United States Court of Appeals for the Fourth Circuit noted recently. Facebook "is a dynamic medium through which users can interact and share news stories or opinions with members of their community in a manner similar to writing a letter to a local newspaper." *Livermore v. City of Petersburg*, 844 F.3d 400, 408 (4th Cir. 2016) (internal cites and quotations omitted).

Likewise, Maryland's Department of Information Technology ("DoIT Maryland") touts the importance of social media use by Maryland officials to inform and engage people in the state's work:

The advent and implementation of social media has provided state government with a highly public and powerful venue for connecting to our

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F/410-366-7838

FIELD OFFICE
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SUITE 410
TAKOMA PARK, MD 20912
T/301-270-2258

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OFFICERS AND DIRECTORS
COLEMAN BAZELON
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SUSAN GOERING
EXECUTIVE DIRECTOR

ANDREW FREEMAN
GENERAL COUNSEL

citizens. The State of Maryland is committed to developing an open and comprehensive relationship with our constituents through the extensive use of social media marketing. Social media thrives on conversation and interaction. These two way dialogues provide citizens with a feeling of ownership of their Maryland state government and a portal through which they can gain information and express their thoughts in a targeted setting. While as a state we are committed to participating in the social media world, it is essential that our departments and agencies incorporate social media tools into their communication activities in a thoughtful and strategic manner and by applying best practices.

See “Social Strategy for the State of Maryland,” Maryland State Government Social Handbook, available at <http://blogs.maryland.gov/handbook/>.

As Governor, you and your office have embraced social media as a key means of communicating with constituents, using your Facebook page to promote your positions on issues, correspond with constituents, criticize political opponents, and highlight your appearances as Governor through photographs and video. The page is set up as a public page in your name as the 62nd Governor of Maryland, and your staff have openly acknowledged that it is an “official” social media site maintained both by you and taxpayer funded-staff in the Governor’s press office.¹ It is an official page tracking your gubernatorial activities and positions, through which you post daily links and commentary and seek responses from members of the public as a means of engaging Maryland voters and keeping constituents informed.

Unlawful Censorship in Administration of Your Facebook Page

Our clients are among the individual Marylanders your social media outreach efforts have reached, and in response they have “liked” your official Facebook page and sought to engage with you on issues of concern to them personally. These women do not know each other and do not coordinate their free speech activities among themselves or with any particular group. They are mothers, teachers, a lawyer, an occupational therapist, a technical writer, and a computer programmer, from Annapolis, Bethesda, Baltimore City, Brookeville, and other parts of Maryland.

Most recently, several of these women raised concerns and asked you to take a stand in opposition to actions being taken by President Trump that they believe to be harmful and

¹ For example, your spokesperson stated to the Washington Post, “We encourage debate and all manners of political discourse on the governor’s page,” but said that members of your office staff actively control the page and took responsibility for blocking numerous posters and deleting messages from the page. *See* O. Wiggins, “Gov. Hogan has blocked 450 people from his Facebook page in two years,” Washington Post, February 8, 2017, available at: https://www.washingtonpost.com/local/md-politics/gov-hogans-office-has-blocked-450-people-from-his-facebook-page-in-two-years/2017/02/08/54a62e66-ed45-11e6-9973-c5efb7ccfb0d_story.html?utm_term=.8622a3c3c952. As such, the page can in no way be described as a “personal” Facebook profile for your private communication with selected friends.

un-American. But because their comments raised concerns about some of your positions, or asked you to speak out on matters about which you have remained silent, their comments have been deleted or hidden from public view, and further, most have been blocked from future comment on your page.

These actions appear to be examples of a consistent pattern of censorship on your Facebook page. In an interview earlier this month with the *Washington Post*, your spokesperson, Douglas Mayer, revealed that hundreds of people have been blocked from your page, many very recently, because, like our clients, they posted comments calling on you to take a stand against President's Trump's Executive Order banning Muslims from entering the United States, an order that has since been enjoined as unconstitutional by numerous federal judges. Outrageously, Mr. Mayer claimed that the many of these Marylanders have been blocked because they are "anarchists" and/or "part of a coordinated attack" led by "Pantsuit Nation," seeking to flood your Facebook page with "spam," or that their comments have been "racist" or "vulgar." See O. Wiggins, *supra* "Gov. Hogan has blocked 450 people from his Facebook page in two years."

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Far from being racist, vulgar, disrespectful, or inappropriate in any way, the comments of the ACLU's clients demonstrate exactly the type of constituent engagement and dialogue the Maryland Department of Information Technology recommends public officials like you seek through social media.² For example, in response to a post on your page featuring an official appearance by Maryland's First Lady at a Chinese New Year celebration, Amanda Driscoll wrote:

"Thank you for sharing your wife's participation in this wonderful tradition Governor Hogan! Nearly 1 in 7 Marylanders are foreign born, and they bring such a rich diversity of cultures and perspectives to our state. Please honor Maryland's immigrant and refugee residents by following the lead of other governors in denouncing President Trump's recent immigrant/refugee ban. We are counting on your leadership!"

This respectful plea was deleted without explanation.

In a similar post calling on you to stand up for American values in opposition to Mr. Trump's Executive Orders, Sandra Clark wrote:

"Hoping you speak out for all of us against the Federal Executive orders coming out which will hurt us. ACA, Planned Parenthood defunding as well as the immigration travel ban which affects people who have already gone through vetting and are legally allowed to be in this country."

Ms. Clark's comment was deleted, and further, she was blocked entirely from future posting on your page.

² See Screenshots attached.

When Allison Heintz became aware that you were ignoring concerns posted by others, she raised this issue in response to a post linking to a *Washington Times* article about how you are having a “Grand Old Time” as Governor, commenting:

“Governor Hogan, your constituents have expressed some very real concerns as of late. It seems incredibly dismissive to not address these concerns and to post this instead.”

This comment too was promptly deleted, and Ms. Heintz was blocked from further posts.

These are just a few examples of the many respectful and legitimate comments from Marylanders seeking to petition their Governor to address timely and pressing concerns they have, that you and your staff have unlawfully censored.³

The Censorship at Issue Here Violates Governing Law

Given the prominent place social media has taken as a forum for today’s marketplace of ideas, our courts have “repeatedly affirmed the First Amendment significance of social media, holding that speech utilizing Facebook is subject to the same First Amendment protections as any other speech.” *Davison v. Loudoun County*, 2017 WL 58294, at *5 (E.D. Va. Jan. 4, 2017). As such, the government, and you as Maryland’s Governor, may not legally establish a social media site as a forum for dialogue with constituents, then selectively censor who may speak in that forum based on the viewpoint expressed.

While we understand that your office has informed the *Washington Post* that Maryland has no official policy for regulating your Facebook page, the State does in fact have an official social media policy. This policy, crafted and promoted by the Maryland Department of Information Technology, counsels:

It is important that social media managers refrain from deleting posts or comments unless there is a specific violation of the posted comments policy. If a negative comment is posted, it opens the conversation and more times than not, your followers will respond in a defensive manner or address your concerns for you. Taking down antagonistic comments may open your program up to backlash from your followers and you may lose credibility.

³ We have not tried to capture the full scope of the censorship here, because it is so broad, but many more examples of people whose respectful comments have been hidden or deleted, and who themselves have been improperly blocked from further interaction with the Governor can be found in media interviews, *see, e.g.*, O. Wiggins, “Meet Some People Blocked from Hogan’s Facebook Page,” *Washington Post* (Feb. 9, 2017), available here:

https://www.washingtonpost.com/news/local/wp/2017/02/09/meet-some-people-blocked-from-gov-hogans-facebook-page/?utm_term=.1c18ece23e83.

Indeed, we note that there now exists an entire Facebook group populated by “Marylanders Who Have Been Blocked by Larry Hogan,” <https://www.facebook.com/groups/254061628339792/>.

See “Comments Policy,” Maryland State Social Media Handbook (emphasis added), available at <http://blogs.maryland.gov/handbook/>. Similarly, the State of Maryland’s Information Security Policy includes a Social Media Policy that explicitly addresses the limits that should be employed in moderating comments:

12.1 Moderating Comments

In some social media formats, state employees may be responsible for moderating comments. If user content is positive or negative and in context to the conversation, then the content should be allowed to remain, regardless of whether it is favorable or unfavorable to the State.

See State of Maryland Information Security Policy, Version 3.1 at p. 34 (February 2013), available at <http://doit.maryland.gov/Publications/DoITSecurityPolicy.pdf>

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Plainly, your actions and those of your staff in blocking users, deleting and hiding selected comments or criticisms from Marylanders directly violate these guidelines.

Even more significantly, they violate the Constitution.

Although legal challenges to censorship on government social media sites are a relatively new phenomenon, courts within the Fourth Circuit have addressed this issue recently and have made clear that viewpoint-based censorship of the type at issue here is not permitted under the First Amendment. See *Davison v. Loudoun County*, 2016 WL 4801617 (E.D. Va. Sept. 14, 2016) and 2017 WL 58294 (E.D. Va. Jan. 4, 2017).

In that case, a constituent of the Loudoun County Commissioners sued the County and the Chairperson of the Commission for deleting his comments from two separate Facebook pages – one run by the County itself and the other, similar to your Facebook page, that of the Commission’s Board Chairperson. As with several of our clients, Mr. Davison had also been blocked from making future posts on the page of the Board Chair. The defendants moved to dismiss the case, asserting that the First Amendment does not protect citizens’ rights to post comments on government Facebook page. The Court rejected the motion, both as to the Commission’s page, and that of the individual Board Chairperson.

The court found that, in First Amendment parlance, an official Facebook page like that at issue here is a “limited public forum.” 2016 WL 4801617, *6, citing *Rosenberger v. Rector & Visitors of Univ. of Virginia*, 515 U.S. 819, 830 (1995). “Once opened, the public may utilize a limited public forum to the extent consistent with the restrictions placed upon it by the state.” In the *Davison* case, this meant users were allowed to engage in commentary on the government’s Facebook page, consistent with the government’s social media policy. *Id.*

Although the defendants argued that the County’s reservation of the right to moderate comments meant the First Amendment was not implicated, the Court ruled otherwise:

That is not so. “Once it has opened a limited forum, the State must respect the lawful boundaries it has itself set.” *Rosenberger*, 515 U.S. at 829. This rule

applies as much to Defendants' Facebook page as to any other limited public forum. *See Bland v. Roberts*, 730 F.3d 368, 386 (4th Cir. 2013), as amended (Sept. 23, 2013) (noting that speech on Facebook is subject to the same First Amendment protections as speech in any other context.)

Defendants' Policy "encourages visitors to the County's Facebook page "to submit questions, comments and concerns" regarding "matters of public interest in Loudoun County," and provides that only comments violating certain enumerated rules will be removed.

2016 WL 4801617, *7. The *Davison* court further held, in its 2017 decision, that the same First Amendment standards protecting constituent speech on the Commission's Facebook page apply with equal force to the individual page of the Commission Chairperson, notwithstanding her attempts to distinguish the two. 2017 WL 58294, *5.

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The same holds true here. As Governor, you invite your constituents to engage with you through Facebook in precisely the same way that Loudoun County and its officials did in Virginia. Likewise, Maryland's Department of Information Technology has established a clear policy counseling state officials to permit public comments on government pages whether positive or negative, so long as not spam, vulgar, racist, completely off point, or those that advocate illegal activity. *See* "Comments Policy," Maryland State Social Handbook, at <http://blogs.maryland.gov/handbook/>. As is plain from the screenshots attached to this letter, the comments at issue here fall into none of these categories, notwithstanding the insulting public misrepresentations by Mr. Mayer.

For these reasons, we urge you to immediately cease your unlawful censorship of constituent comments on your Facebook page, to restore the posting privileges of each of the individuals named in this letter, and to undertake a review of the 450 people whose posting privileges have been barred in the last two years and restore all those who have been unlawfully blocked for speaking their minds. Furthermore, we specifically request that your spokesperson, Douglas Mayer, issue a letter of apology to each of the complainants for publicly maligning them simply because they sought to petition their Government, as is their First Amendment right.

Please contact us or have your attorney contact us at your earliest opportunity to discuss your intentions in this regard. Debbie can be reached at 410-889-8550 ext. 120. We appreciate your prompt attention to this matter.

Sincerely,



Deborah A. Jeon
Legal Director



Sam Williamson
Law Clerk

cc: Robert R. Scholz, Esq.

cc: Robert R. Scholz, Esq.

Appendix: Selected Screenshots of Clients' Censored Comments

I. Sandra Clark's Comment (Before and After Censoring)

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II. Amanda Driscoll's Comment (Before and After Censoring)

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Amanda Driscoll commented on this.

Larry Hogan added 20 new photos to the album: Organization of Chinese American Women Lunar New Year Celebration

5 likes

First Lady Yumi Hogan attended the Organization of Chinese Women's celebration of the Lunar New Year where she spoke and presented a proclamation. She also enjoyed performances by acclaimed opera singers Hai-bo Bai and Hong-fa Chu and Chinese dance by Camilla Ng and the Fairfax Chinese Dance Troupe.



Like Comment Share

34

Top Comments

1 share

Write a comment...

Amanda Driscoll Thank you for sharing your wife's participation in this wonderful tradition, Gov. Hogan! Nearly 1 in 7 Marylanders are foreign-born, and they bring such a rich diversity of cultures and perspectives to our state. Please honor Maryland's immigrant and refugee residents by following the lead of other governors in denouncing President Trump's recent immigration/refugee ban. We are counting on your leadership!

Unlike Reply 1 · 11 mins

Larry Hogan added 20 new photos to the album: Organization of Chinese American Women Lunar New Year Celebration

January 30 at 4:40pm

First Lady Yumi Hogan attended the Organization of Chinese Women's celebration of the Lunar New Year where she spoke and presented a proclamation. She also enjoyed performances by acclaimed opera singers Hai-bo Bai and Hong-fa Chu and Chinese dance by Camilla Ng and the Fairfax Chinese Dance Troupe.



Like Comment Share

67

1 share

Write a comment...

III. Allison Heintz's Comment (Before and After Censoring)

 **Larry Hogan**
2 hrs · 🌐

"He navigated an urban crisis, beat cancer, and became America's second-most popular governor—as a Republican in a blue state."



Larry Hogan Is Having a Grand Old Time as Maryland's Governor | Washingtonian
washingtonian.com

99 Shares

👍 Like · 💬 Comment · ➦ Share

👍👍👍 2.1K

 **Allison Chetney Heintz**
Governor Hogan, your constituents have expressed some very real concerns as of late. It seems incredibly dismissive to not address these concerns and to post this instead.
1 hour ago · Like · 👍 14 · Reply

 **Chris Leiter**
I'm a self described left leaning, atheist, liberal democrat, and I voted for you. I am very happy with your job performance, and the hard work you have put in for all Marylanders! Keep up the good work!
1 hour ago · Like · 👍 29 · Reply

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Larry Hogan Is Having a Grand Old Time as Maryland's Governor | Washingtonian
He navigated an urban crisis, beat cancer, and became America's second-most popular governor—as a Republican in a blue state.
WASHINGTONIAN.COM

Like Comment Share

4.8K Chronological

372 shares

- Erica Cox** You're the best governor that Maryland has ever seen!
Like Reply 49 January 31 at 8:00am
- Tom Nuttle** Hey be carefully leaning out there Governor we need you to stick around awhile.
Like Reply 6 January 31 at 8:00am
- Charles Casey** Yes but...impossible to get answers from.
Like Reply 10 January 31 at 8:00pm
- Carly Lynne** I love him!!!!
Like Reply 1 January 31 at 8:00am
- Joanna Reedy** Thank you!!
Like Reply January 31 at 8:07pm
- Donna Duda** I love our Gov!!!!
Like Reply January 31 at 8:07pm
- Tina King** I'm not Republican and I tell my husband all the time how much I love Governor Hogan...he's for the people and that's what we needed!
Like Reply 21 January 31 at 8:08pm
2 Replies
- Joshua R. Leuschner** Now we just need to throw out the communist Democrats.
Like Reply 1 January 31 at 8:08pm
9 Replies
- Tina McDonough Moore** So happy you are our governor. You are doing a great job!
Like Reply 1 January 31 at 8:11pm
- Rob Moffat** Luv the Gov!
Like Reply 1 January 31 at 8:11pm
- Charles Casey** Can anyone tell me how to get a executive order for remittance.
Like Reply January 31 at 8:13pm
- Mike Sievers** Sieverport (he worked hardcore while on cancer treatment!!! Feel like he definitely loves the citizens and the state 🍌 #HoganStrong
Like Reply 38 January 31 at 8:14pm
- Chris Leiter** I'm a self described (off leaning, atheist, liberal democrat, and I voted for you. I am very happy with your job performance, and the hard work you have put in for all Marylanders! Keep up the good work!
Like Reply 111 January 31 at 8:18pm
1 Reply
- Miguel Bobadilla** Still allowed the Corrupt workers of the department of budget and management penalize me for \$6,000 even though they admitted it was their fault !!

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EXHIBIT E

The Washington Post

Maryland Politics

Hogan aides start to unblock people from Facebook after ACLU threatens action



Maryland Gov. Larry Hogan (R) (Patrick Semansky/AP)

By Fenit Nirappil

Maryland Politics

February 21

Aides to Maryland Gov. Larry Hogan (R) have begun to unblock people from [his Facebook page](#) after criticism over his office deleting negative comments and banning critics and the threat of legal action from the American Civil Liberties Union of Maryland.

The organization wrote to Hogan's office on Friday to demand a review of all 450 people barred from posting on the governor's popular social-media page. The ACLU also wanted apologies and the restoration of posting privileges for seven clients the group says were unjustly barred.

The ACLU's letter said the removal of posts violated a state social-media policy urging managers to refrain from taking down antagonistic comments as well as constitutional free-speech protections.

"The purpose of social media is to have this exchange of ideas," said Deborah Jeon, legal director for the ACLU of Maryland. "Once that type of a forum is established by the government and the governor, it's not permissible to say, 'If you agree with me, you are allowed to post. And if you don't, there's no place for you here.'"

Aides to Hogan said they have unblocked six of seven commenters who are being represented by the ACLU but have not changed their policies on deleting off-topic or abusive comments. (His office said they could not locate the seventh's Facebook profile.)

"While the ACLU should be focusing on much more important activities than monitoring the governor's Facebook page, we appreciated them identifying a handful of individuals — out of the over 1 million weekly viewers of the page — that may have been inadvertently denied access," said Amelia Chasse, a Hogan spokeswoman.

"We will continue to remove any and all profane, violent, racist, and political spam commentary from the Facebook page, and encourage robust, on-topic discussion," she said.

On Tuesday, Hogan's office highlighted examples of abusive posts removed from the Facebook page, including images of posts calling the governor a "fat racist trump loving Facist" and accusing him of "using cancer to ensure his reelection."

But the ACLU and other critics say people have been blocked for critical posts that used clean language.

In addition, Jeon said several people's access to Hogan's Facebook page was restored over the weekend, after Hogan's office received the ACLU's letter, but then they found themselves blocked again this week or discovered that their comments had been hidden.

Chasse said those people were blocked again for spamming the page with dozens of identical and off-topic posts.

Jeon says the ACLU is considering taking further legal action, possibly including a lawsuit.

Over the weekend, Hogan pushed back online against people who criticized him for censoring dissenting comments. "I do not block constituents who disagree with me, that whole narrative is simply false," he posted Saturday.

Several posts criticizing him were left up on the page Saturday and Sunday, with him replying to say that the commenters were inaccurate or ill-informed.

The Maryland Democratic Party has also been criticizing Hogan on this issue. In an email to supporters Tuesday, party officials offered to hand deliver letters of complaint to his office and likened his removal of Facebook comments to [congressional Republicans refusing to hold town halls](#).



Fenit Nirappil covers politics and government in Maryland, Virginia and D.C. He previously covered the California statehouse and suburban government outside Portland, Ore.

Follow [@FenitN](#)

EXHIBIT F



Larry Hogan

"A common ground, bipartisan solution to health care? If Maryland Gov. Larry Hogan wants to have a lengthy career in politics, he probably needs to stop making so much sense..."

A smattering of Carroll Democrats and even a potential Democratic candidate for governor from Montgomery County showed up at Carroll Community College to protest during Hogan's regional cabinet meeting in Westminster on Thursday demanding some response from the governor to Trump.

In an interview at the Times offices later that day, Hogan gave one, although probably not one that those on either the left or the extreme right wanted to hear — Obamacare won't be preserved as-is, but the current GOP plans to repeal and replace Obamacare likely aren't going to fly either...

"We have to fix those things that are broken," he said Thursday, "but we also have to protect the people that are covered under the Medicaid expansion."



Editorial: Hogan on the money when it comes to health care
carrollcountytimes.com

A common ground, bipartisan solution to health care? If Maryland Gov. Larry Hogan wants to have a lengthy career in politics, he probably needs to stop making

5/15/2017 12:00 AM UTC

150 reacted: Like(138): Brian Bowman, Shaveda Lolita Hallbank Rosenboro, Laura Layte, George Sherwood, Robert E Bates, Leatta Gray, Duke Speed, Margie Kamauff, Liz DeMott Yates, Luisa Belanger Wayson, Joanna Rosen, Samuel Perry, Dawn Andrews-Becker, Bethany Palmisano, Robin Livezey Nicholson, Tim Beckman, Gladys Guccione, Paul Corridean, Ruth Strickland, Steve Davis, Seng Hia, Karen Fritch, Rene Stafford, Barbara Wagner, Debbie Jenkins, Tyler Middleton, Jeanie Rolf Mihalko, David Castro, Matthew Schargel, Ed Weigman, Isaac Barkley, Dolores Para, John Startt, Rochelle Craig, Steve Smith, Nathan Zolp, Renee M Leary, Helen Darby, Mike Hemler, Art Smith, Colleen Busher, Michael Milam, Tammy Benson, Robert Drozd, Darryl Jones, Carole Marshall, Sharon Larrimore, Amy Knisely, Chandra Lyn, Debi Kim, Jerry Manolatos, Brad Metheny, John Fletcher, Gretchen Van Dyke Collins, Edgar Lee, Huong Ngo, Amrit Singh, Bob Amato, Carl Grohs, Nick Konialian, Scot Henderson, Welch Michael, Tanya Brice, Joanne Peterson Wharton, Brianna Jacqueline Darling, Steve Herl, Sandra Ryland, Shiva Shrestha, Robin Eisenacher Csiszar, Bryan Lee, Bonnie Glick, Frank Bernadzikowski, Dexter Housel, Inga Jackson, Cathy Reed-Fink, Chris Harkum Jones, Sandra Watts, Sharon Hazel Johnson, Nathan Feder, Jeff Fisher, Kevin Wilcox, William Moore, Kevin Bunn, Matt Grden, Bill Cappadora, Eileen Buckingham, John Brooks, Steve Kenney, Ashley Blandford, Elizabeth Slattery, Dean Denning, Jewel B Barlow, Janice Jewell, Rob Robin Bugos, David Capps, Katie Williams, Bruce Thomas, Linda Giuffre, Steve Pattee, Erik Champenois, Dennis Renehan, Linda Becker Herlehy, Collins Jones, Larena Merson, Danny Geehrehng, Bob Martin, Marjorie Thomas, Luigi Domenico, Alek Berger, Daniel Carter, Kristopher Gaasch, Joseph Johnson, Margaret Gillich, Amanda Scimone, Chris Groobey, Carol Larese Millward, Forrest Ewing, Jonathan Anderson, Matthew B. Talley, John R. Stichberry Jr., Ford C. Waggoner III, Sharon Blough, VerShawn Jones, Carol Anne Gartland, Kieran Carroll, Dan Brown, Valerie Takesue, John Kosciolk Jr., Sharon Sigler, Anne Presbury, Gary Galmin, Patricia Hildt, Adam Howlett, Will Shartzter, Carl Bom, Kathleen Peddigree, Lori Krunze, Mickey Senate, Love(10): Nathaniel Sansom, Ed Webster, Kristen Ashley, Mike Rickman, Amy Berger, Robert Trew Brown, Margaret Jamar, Cynthia Thatcher, Michael Algeo, Cathy Hatley-Felker and 2 more

72 comments



Cheryl Everman Do you also publish opinion pieces that are critical on your official page? Seems a bit self-serving -- No?

5/15/2017 12:33 AM UTC



Matthew B. Talley Often he does, giving him the chance to respond to that criticism.

5/15/2017 12:36 AM UTC · Reply



Patricia McLaughlin Doe The Democrats just pick, pick, pick with no justification.

5/15/2017 12:43 AM UTC · Reply



Katherine Anne How about a serious bipartisan effort towards Single Payer to pre-empt the protests? HR676 now has bipartisan support now and over 100 co-sponsors. How great would it be for businesses if they weren't being distracted and burdened by the administration of health insurance as an employee benefit? How ridiculous is it for health coverage to be tied to employment at all? How many layers of finance industry profit are embedded in the US Healthcare system making it the most expensive and most poorly coordinated in the world? Please help us, Gov. Hogan! Please. A major barrier to starting a small businesses is the cost and complexity of our health insurance model.

5/15/2017 12:45 AM UTC



Missey Serpentina Eaton That would require both sides thinking it's a good idea.

5/15/2017 12:52 AM UTC · Reply



Katherine Anne It's already happening...

5/15/2017 1:02 AM UTC · Reply



Tom Weaver single payer is a bad - gives government control of 1/5 of the us economy and destroys liberty of the individual. sorry but this nation was founded under the idea that the individual was supreme and single payer makes the government supreme over the people .

5/15/2017 1:51 AM UTC · Reply



Katherine Anne Simplify and remove the profit and the waste and voila - it's no longer 1/5 of our economy. Individuals who can afford to self insure are certainly 'free' to opt out. A major destroyer of liberty is the price tag of staying alive.

5/15/2017 1:54 AM UTC · Reply



Jay Narvell Katherine Anne Id love to see your plan for making that happen. it won't.

5/15/2017 4:16 AM UTC · Reply



Richard Kuhlmeier Our government is not known for the ability to control expenses but they are great at spending our tax dollars. Take a look at how they have managed Medicare. You also can't have health care reform without Tort Reform. Doctors should not have to order every test known to man to protect themselves from legal action.

5/15/2017 8:31 AM UTC · Reply



Jamy Pizzini Single payer is fantastic around the world compared to Obamacare OR this "new" idea, or our old system. The fact that big businesses control 90% of our economy doesn't bother most Repubs or Dems, but talk about making healthcare non-profit and for the people, and all of the sudden we're scared of the Gov? lol I can't even. Insurance companies have been scamming people and letting conditions go untreated, allowing ppl to Die.....it's the Gov I should fear? Not at all.

5/15/2017 10:39 AM UTC · Reply



Katherine Anne For those of you opposed to single payer, consider the fact that large companies self-insure health coverage for their employee population and dependents. They pay the claims and insurance companies like United Healthcare do the paperwork and actuarial calculations so the company's financial officers can forecast the costs. Why do they do it this way? Because it's the least expensive model for the business. But why does my employer have to be involved in my healthcare at all? Talk about privacy issues! Why does healthcare stop me from leaving and starting my own small business or independent consultancy? This is not freedom, we are enslaved to our employers in order to have health coverage. It doesn't have to be this way. The US Govt can do what large businesses already do to cover large populations. Just do it for all of us at the country-scale, and take employers out the equation.

5/15/2017 12:32 PM UTC · Reply



John Hamilton This is fake. There are no Democrats in Carroll county.



Nancy Bauman Cristiano I heard that.

5/15/2017 1:18 AM UTC · [Reply](#)



Randy Jones Keep it that way or they will ruin it. They ruin everything they do EVERYTHING

5/15/2017 1:52 AM UTC · [Reply](#)



Scott Judy There's two or three running around.

5/15/2017 10:23 PM UTC · [Reply](#)



Bob Martin Great Governor

5/15/2017 12:52 AM UTC



Veronica France-rawlins Governor Hogan makes sense.

5/15/2017 12:54 AM UTC



Shawn Huffman #neversinglepayer #socializedmedicinesucks

5/15/2017 12:55 AM UTC



Alex Paciga Because the current system doesn't. Nah. It's time we gave single payer a try

5/15/2017 11:17 AM UTC · [Reply](#)



Shawn Huffman No thanks!

5/15/2017 11:23 AM UTC · [Reply](#)



Shawn Huffman And I agree the aca does suck...

5/15/2017 11:24 AM UTC · [Reply](#)



Jim April Screw socialism. You either want it or you don't. Small business is not a license to pick the tax payers pocket. Safety nets for those truly in need on a case by case basis. The government can't run a business, that is not their job. Their job is to just provide basic services such as public safety, maintain roads and represent the people, not pick their pockets and teach only radical left wing biased socialism and corrupt morals.

5/15/2017 12:56 AM UTC



Nancy Bauman Cristiano Don't expect your caregivers to look after you for free in your old age, is my advice.

5/15/2017 1:19 AM UTC · [Reply](#)



Janice Lepore I would like to hear more about the specifics of what your plan forward would look like, rather than just criticism of the current options.

For example, how would you protect Maryland Medicaid recipients given the proposed cuts?

As the bill currently stands, it gives the state governors the power to ask for a waiver to the current basic coverage requirements. Would you ask for such a waiver? Andy Harris has said he voted for the bill partially because he believes our state is protected by the standards we have in place, but would they remain?

How would you protect Marylanders with pre existing conditions from exorbitant health care costs or being priced out of coverage? Given the prior problems with the high risk pools, would you return to that model, and how would you ensure they work?

I look forward to hearing more about the specifics of how you would govern in Maryland on this critical issue.

5/15/2017 1:01 AM UTC



Ronnie W Goddard People have it in their head now health care is a human right. That's not going to go away now and it shouldn't.

5/15/2017 1:06 AM UTC



Jake Mohorovic Governor makes sense

5/15/2017 1:23 AM UTC



Diana Semelsberger The insurance industry needs to have more controls on what/how they provide coverages. The language that they use is not basic. It is meant to confuse. They can change coverage/or the rules (i.e.:authorization requirements) in the middle of a year..after contracts are signed. I don't know of any other business that can change the rules of the game in the middle do you? For non medical people understanding the coverage is nearly impossible. Even for those who deal with it daily it's confusing. There's so much more that needs to be talked about. The ACA was full of flaws. Let's not make things worse by rushing a bill that doesn't make things better.

5/15/2017 2:02 AM UTC



Helen Darby exactly! There is no "shopping around", making informed decisions, because there is no transparency.

5/15/2017 11:03 AM UTC · [Reply](#)



John Yost Obamacare was a train wreck from the start. What else needs to be said?? Repeal and replace it.

5/15/2017 2:34 AM UTC



Helen Darby you have no idea what you are asking for. Repeal will be very bad. Same lack of protections will apply to medicare too. Watch out!

5/15/2017 11:04 AM UTC · [Reply](#)



Catherine C Nobles If you want to see what single payer is like go and live in a country who has single payer for one year. Try and see a doctor and pray you don't get really sick. Lived in three countries who were single payer.

5/15/2017 2:43 AM UTC



Enrique Marroquin Gonzalez That isn't true, Go and try to take away single payer for any country in Europe! LOL

5/15/2017 4:27 AM UTC · [Reply](#)



Vera Rivers You are correct, Catherine C Nobles. Single payer in other countries does not give Cadillac care. It gives Bronze care. If you Cadillac care, you have to pay for it.

5/15/2017 11:57 AM UTC · [Reply](#)



Catherine C Nobles Enrique Marroquin Gonzalez I lived in Europe. In England and Ireland many people have private insurance. In Ireland there' are over 34 thousand single payers waiting for hospital beds 13 thousand of which are children. In England when you go in for surgery the resident preforms the surgery, the surgeon goes from Operation room to Operation room to check on the procedure and make sure it's going OK. I would love to hear what an American would say if they were told this is how it was going to happen to them. My brother pays 2,000 euros per year and 120 euros per visit for family doctor 180 euros for specialist , all per visit. I could go on but the stories are endless. A healthy person would be happy with the program but talk to one who has health problems and you will get the truth

5/15/2017 12:40 PM UTC · [Reply](#)



Betty Tilley Catherine C Nobles I had a surgeon here in the States years ago. His wife was from England and warned me of single payer and asked that I fight it here. She also spoke of people dying waiting for care. No system is going to be perfect but government controlled NO. My husband is in the VA system and we see how it operates.

5/15/2017 6:02 PM UTC · [Reply](#)

Peg Adamarczyk Everyone touts single payer health care in Canada but a Canadian cousin was referred to a neurologist. Wait time? Six months going through the system. Private care is available. Getting an appointment is quicker but isn't covered under government program, so treatment would be strictly out of pocket. Don't believe everything we hear from MSM about single payer that's for sure.

5/16/2017 6:02 PM UTC · [Reply](#)

Helen Ankney Love my Governor! Larry Hogan will save Maryland from the madness of the imploded democratic party. Vote out Mike and Mike!

5/15/2017 2:50 AM UTC



Thomas Coleman How about get government out of Health Insurance all together. Have had insurance all my life until the Government took it over. Now I pay cash because I can't afford the premiums.

5/15/2017 3:00 AM UTC



Helen Darby Wait until you have to pay cash for an emergency! Believe me, I was in medical field years ago when the insurance companies decided who lived and died- received medical care. You don't want that.

5/15/2017 11:06 AM UTC · [Reply](#)

Thomas Coleman No I don't but I don't want government involved. How's the MVA working or how about social security or insert any social justice program in the last 100 years.

5/15/2017 12:14 PM UTC · [Reply](#)

Marney Moore He has been outspoken about the need for changes? Where? He hasn't been saying a dang thing until a couple days ago. Other republican governors have been discussing it, I haven't seen him saying a dang thing and this effects marylanders. We cannot assume that the house version with its cuts to medicaid and states can decide that preexisting conditions don't need to be covered.

5/15/2017 3:22 AM UTC



Deborah Trunnell Allen Bring back the Maryland Health Insurance Plan!

5/15/2017 5:10 AM UTC



Huong Ngo Like. Reply

5/15/2017 5:46 AM UTC



Jared Neale Healthcare should be a right of every man, woman, & child and not a cheap product that you allow insurance companies sell us..... Or not sell to us. How are you going to make that happen, Mr. Governor?

5/15/2017 9:48 AM UTC



Mitchell Kalavan I tell ya how..

Head to Canada snow puff

5/15/2017 10:24 AM UTC · [Reply](#)

Jared Neale Actually, I'm going to fight every day of my life to make it happen. And you'll pay for it.

But thanks for displaying how you're a digesting human being who slings insults at other Americans who just want to stay alive.

5/15/2017 10:26 AM UTC · [Reply](#)

Ed Weigman Jared, You're right, Healthcare is a right of every American citizen and nobody is preventing you from paying for your own plan. Your self entitled attitude is what is bankrupting this country. Everytime somebody wants something and does not want to pay for it, all of a sudden it becomes a 'right of the american citizen' which is then paid for by the hard working american taxpayer. You also have a right to self responsibility and that sir, is free!

5/15/2017 12:05 PM UTC · [Reply](#)

Jared Neale No, the fact that your brainwashed into thinking you don't have to pay for services is what is bankrupting this country. I pay taxes because and I demand some things in return. I'm even willing to pay more in taxes. I understand you can't get something for free. Taxes are a fact of life.

5/15/2017 1:03 PM UTC · [Reply](#)

Ed Weigman Here's something that might be of interest...on YouTube, search 'Hank Johnson Guam Island'. This might help you decide whether you want to pay more taxes or not.

5/16/2017 4:53 AM UTC · [Reply](#)

Jamy Pizzini We need healthcare to be a basic human right. Insurance is a scam/gamble w pl's lives, needs to disappear now. It's been exposed as a con by Obamacare. Remember.....healthcare is not insurance. We don't NEED to let ppl profit on life and death. Just like any other non-profit humanitarian system, salaries can be paid, school can be paid for, we can train doctors and nurses and actually care about each other, or...keep the crap we got. Hmmmmm

5/15/2017 10:42 AM UTC



Ed Weigman Reference above comments.

5/16/2017 4:53 AM UTC · [Reply](#)

Helen Darby Hogan, you better protect Maryland or kiss your job good bye. You know what the right thing is. AND stop kissing up to tRump and buddies

5/15/2017 11:02 AM UTC



GI Pierre You have a good argument here, but maybe focus on southern Maryland and PG county.

For some reason housing and education and public transit is less stellar than other parts of MD. The job market is bleak in those areas and the streets aren't as clean.

How can those areas look like Chevy Chase or Potomac?

5/15/2017 11:11 AM UTC



Lorri Thomas I heard MD health insurance rates are going up 50% next renewal. That will be unsustainable!

5/15/2017 11:48 AM UTC



Bill Doucet ... and that is without changing the ACA!!!

5/15/2017 12:19 PM UTC · [Reply](#)

Philip Pease Bipartisan means Republican and Democrat politicians; and both parties are lobbied by corporations who use health care to make profit. Other nations said NO to health care being a money making business and instituted a system that works for the benefit of their citizens. The result is better health care for everyone at lower cost. America pays far more and has poorer health because corporate profits rule over America's two major political parties. The time has come for citizens to demand Medicare for all.

5/15/2017 12:26 PM UTC



Sherry Reich OMG!! A politician who makes sense!!! I love our Gov.

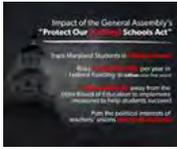
5/15/2017 6:45 PM UTC





Larry Hogan

"This will long be remembered as a low point in Maryland's legislative history." -Governor Larry Hogan



Change Maryland

"This will long be remembered as a low point in Maryland's legislative history." -Governor Larry Hogan

Today the General Assembly voted to override Governor Hogan's veto of a terrible bill that will trap our students in failing schools. This misguided and horrible bill prioritizes the politics of the teachers' union and jeopardizes \$250 million per year in federal education funding - more than \$1 billion over five years.

*** 4/7/2017 11:30 AM UTC

3 tags: Larry Hogan, Change Maryland, 1686967367995086

75 reacted: Angry(35): Dexter Housel, Karen Atkins Thomas, Kelly Craft, Christopher Brous, Michele Kelly Colburn, Susan Flanders, April Peugh Holland, Jodi Brandes Slein, Carol Beatty, Erin Kellough Murphy, Rick Parkhurst, John Hamilton, Rob Vik, Reilly Harbison, Peggy Parker, Michael Keith Bailey, Nedra Reidy Hicks, Sean Dennis, Jessica Brooks Hatcher, Jeff Miller, Cheryl Smith, Jenni Mayer, John Robinson, Libby Vreeland, Mary Lou Stevens, Diane Moore Mielke, Jonathan Anderson, Allison Chetney Heintz, Patricia Rowe, Marty Utz, David Marron, Sally Michaelis, Michelle Rodriguez Helvig, Lisa Glacken, Angela Marie, Like(31): Michele Wootten Johnson, Chris Salmi, Kelly Price, David Capps, Theresa Trader, Christopher Floyd, Diego Hernandez, Tiffany Plattner Robinson, Huong Ngo, Candace Martino, Shelley Marshall, Sarah Horwath, Kristopher Gaasch, Karen Blake Klosterman, Deke DaSilva, Hannah Marr, Andre Penzes, Pietro Aretino, Anita Greenstone, Amrit Singh, Bob Quinn, Sharon Blough, Emma L. Arrington, Eric Crouse, Julia Corder, Boomer Bozarth, Gregg Williams, Sandra Watts, Kelly Bukowski, Jessie OB, Kathy Brown, Sad(8): Rosemary Bunda, Christine Doyle, Katherine Yunkun, Laurie Close Bjorlykke, Claude Romano, Tania Rosa Bindhoff Frieswyk, Lourdes Benitez, Janet Westervelt, Wow(1): Sherri Boline Thomas

84 comments



John T. Sly It is an unfortunate result. But, it reveals - if we ever needed confirmation - that the Democrats in Maryland are driven by their reliance on the interests of the teachers' union and not the interests of the children who live in their districts.

4/7/2017 11:34 AM UTC



Aimee Pohl We won!!!!

4/7/2017 11:40 AM UTC



Larry Hogan The kids lost.

4/7/2017 8:35 PM UTC · Reply



China Williams Larry Hogan Who posts as "Larry Hogan"? Your posts and interactions with constituents are not professional. Are these the actual words from the Governor?

4/7/2017 9:37 PM UTC · Reply



Aimee Pohl The kids won, too!

4/7/2017 9:39 PM UTC · Reply



Lawrence Kidd The kids lost to a bunch of self-righteous democrats. China, take a look at some of your own posts before you start speaking of professionalism. Aimee, I guess it's not surprising that you wouldn't care about children, looking at your profile picture.

4/8/2017 4:42 AM UTC · Reply



Lisa Glacken The Democrat legislature will sacrifice children in order to secure the teachers union votes. Shameful....

4/7/2017 11:43 AM UTC



Sylvia Denny Do not understand. Does this get rid of communist core? If so, then I agree with it. If it does not then I do not agree with it.

4/7/2017 11:44 AM UTC



Brendan Maltese It doesn't get rid of Common Core, but it does weaken it because of the reduction in weight given to standardized tests.

4/7/2017 12:00 PM UTC · Reply



Janice Lepore It doesn't set curriculum, that is up to the State Board. It sets guidelines for the plan the Board needs to develop to be in compliance with the federal Every Student Succeeds Act - including accountability measures that use but also look beyond standardized testing, and requiring the State to work with local stakeholders instead of unilaterally taking over a district.

4/7/2017 12:13 PM UTC · Reply



Janice Lepore Or:

- 1) Requires the state to work with local stakeholders to decide what steps should be taken to improve schools, including, with local input, charter options.
- 2) Is in the opinion of the Attorney General within compliance with ESSA, which places no funding at risk
- 3) De emphasizes the focus on standardized testing as the main accountability measure, requiring a broader assessment of schools.
- 4) Puts the interests of the public schools ahead of the interests of privatization companies.

Teachers unions aren't even mentioned in the bill (though they and many others supported it) so bot sure how to address that complaint.

Still interested in your plan and path forward.

4/7/2017 11:44 AM UTC



Brendan Maltese I hope you're screenshotting all of these comments. I used to post things like this and got blocked. Finally got unblocked last week after a dozen phone calls to his office. I still can't comment on Change Maryland posts.

4/7/2017 12:02 PM UTC · Reply



Larry Hogan This is complete nonsense. I'm sorry you have been so misled.

4/7/2017 8:43 PM UTC · Reply



Janice Lepore Larry Hogan, this is the second time now I've seen someone specifically ask for your plan and your response has been dismissive and rude. You can't even seem to meet disagreement with respectful discussion. That is truly nonsense.

4/7/2017 8:51 PM UTC · Reply



Sean Berry Janice Lepore you sounded offended that the governor responded to you directly. Maybe you should find a new state that meets all your goals. I understand that California has become a complete liberal CF, I could help you pack.



Janice Lepore Sean when someone expresses interest in your plan, a direct response is to a) offer your plan b) direct the individual to where the plan has already been laid out or c) acknowledge you have no actual plan. Maryland deserves real leadership, and Mr. Hogan's commentary on this topic does not reflect that.

4/7/2017 9:11 PM UTC · [Reply](#)



Mike Hickey Typical corrupt politics in Annapolis putting their donors ahead of their constituents

4/7/2017 11:48 AM UTC



Brendan Maltese Funny, since Betsy DeVos literally bought her position at the Department of Education, and this law serves to protect against the "return on investment" that she has explicitly stated that she expects.

4/7/2017 12:05 PM UTC · [Reply](#)



Brendan Maltese If that's not corruption, I don't know what is.

4/7/2017 12:31 PM UTC · [Reply](#)



Mike Hickey Brendan Maltese obviously you do not know what is corruption

4/7/2017 6:42 PM UTC · [Reply](#)



Brendan Maltese Enlighten me.

4/7/2017 6:58 PM UTC · [Reply](#)



Mike Hickey Brendan Maltese Do your own research and stop drinking the democrat Kool Aid

4/7/2017 7:31 PM UTC · [Reply](#)



Brendan Maltese Corruption - noun - dishonest or fraudulent conduct by those in power, typically involving bribery.

Bribe - verb - persuade (someone) to act in one's favor, typically illegally or dishonestly, by a gift of money or other inducement.

DeVos: "My family is the biggest contributor of soft money to the Republican National Committee... We expect a return on our investment."

4/7/2017 7:35 PM UTC · [Reply](#)



Brendan Maltese Is that enough research for you?

4/7/2017 7:35 PM UTC · [Reply](#)



Mike Hickey Brandon, you are not worth my time because you obviously believe in big government, union control and lack of freedom You have been blocked

4/7/2017 7:38 PM UTC · [Reply](#)



Debi Fetrow Jasen Mike Hickey Do you block everyone whose logic you can't form a cohesive argument against?

I know very little about this bill. I do know that Brendan Maltese made much more of an effort to use facts as part of his argument, and you just threw opinions and insults at him. Rather than allow for the possibility that you may have something to learn, you block him. What does that say about you?

4/7/2017 8:19 PM UTC · [Reply](#)



Mike Hickey Debi Fetrow Jasen No, I seldom block anyone, but sometimes Trolls are not worth the effort of reading and responding And there is nothing for me to learn from a liberal socialist big government anti freedom poster

4/7/2017 8:20 PM UTC · [Reply](#)



Betsy Frohlich It's apparent that mike hickey doesn't comprehend what bribery and corruption are.

4/8/2017 4:44 AM UTC · [Reply](#)



Debi Fetrow Jasen Mike Hickey Do you have a history with Brendan Maltese? I don't see anything in this particular discussion that indicates that Maltese is a troll or a liberal, socialist, big government, anti freedom poster. I just see that you two disagree on some things. That you two disagree on these particular things doesn't make him a bad person and you a good person, or vice versa. It just means that you disagree on some things. I don't see why you'd make the accusations you made, or why you'd name-call at all.

4/8/2017 6:55 PM UTC · [Reply](#)



Mike Hickey Debi Fetrow Jasen Have have seen enough of his posts to know that his opinion has no value to me, and my comments are based on the opinions he espouses Please note that I did not personally attack him, I made an observation based on his actions and comments here and elsewhere

4/8/2017 7:59 PM UTC · [Reply](#)



Mike Hickey Betsy Frohlich Having lived under the corrupt political system in Maryland for most of my life, I know what corruption is, and I also know that bribery takes many forms

4/8/2017 8:01 PM UTC · [Reply](#)



Debi Fetrow Jasen Mike Hickey Your comments come across very much as attacks.

4/8/2017 9:59 PM UTC · [Reply](#)



Mike Hickey Debi Fetrow Jasen Oh well, too bad so sad, I really do not care

4/8/2017 10:31 PM UTC · [Reply](#)



Sandra Watts these corrupt democrats need to be voted out period.

4/7/2017 11:49 AM UTC



Allison Chetney Heintz Of all the decisions the legislature has made in its history, a decision to increase community responsibility for failing schools and decrease the impact of standardized testing is the low point? Instead of continuing to deride this important bill, I'd like to hear your plan for schools going forward.

4/7/2017 11:50 AM UTC



Larry Hogan Maybe you should read the plan.

4/7/2017 8:37 PM UTC · [Reply](#)



China Williams Larry Hogan It is easy to overlook information. Please post the plan here.

4/7/2017 9:39 PM UTC · [Reply](#)



Brendan Maltese Please direct us to the plan. Obviously, we're having a hard time finding it.

4/7/2017 10:03 PM UTC · [Reply](#)



Marney Moore Why is it, that if you don't agree with governor Hogan, they are corrupt democrats instead of marylanders who disagree with you. They are not corrupt, they just don't agree with you.

4/7/2017 11:55 AM UTC



Mike Hickey Actually the politicians are more interested in their donors than their constituents, which in my opinion is a definition of corrupt



Marney Moore So all politicians are corrupt? Because our system forces them into a constant obsession with money to campaign to keep their jobs? Because we encourage dark money and corporate money? We need to get the money out of politics by decreasing the length of primaries and limited the amount of donations that corporations can make.
4/7/2017 8:45 PM UTC · [Reply](#)



Cassius Evans of course since the 70s hirings to structure massive failures and enslavements into complete ignorances of stupidities of that designed rat hole these hirings of high salaries
4/7/2017 12:07 PM UTC



Alana Suskin Funny how our failing schools in Montgomery County are some of the top rated in the country.
4/7/2017 12:29 PM UTC



Mike Faery But can't figure out how to go to school after Labor Day, and finish before June 15.
I'd hold up on all the awesome talk about Montgomery county
4/7/2017 1:46 PM UTC · [Reply](#)



Alana Suskin Yes, let us def blame MoCo for a problem instituted by Gov. Hogan.
4/7/2017 2:36 PM UTC · [Reply](#)



Gregg N Hartz Jr. I'm still hoping one of my many friends in education can explain what I'm missing here. Did the GA help students with this bill or not?
4/7/2017 12:32 PM UTC



Brendan Maltese I'm a teacher. This act gives less weight to testing than before, and it leaves decisions to local school systems, instead of making it easy for the state board to swoop in and privatize a "failing" school.
4/7/2017 12:52 PM UTC · [Reply](#)



Jodi Baldwin Brendan Maltese Hence why Hogan is against it, it makes it less lucrative for the DeVos' of the world.
4/7/2017 1:18 PM UTC · [Reply](#)



Holly Huntley So allowing Balto City to continue to run it's ever failing schools is ok with you?
4/7/2017 1:44 PM UTC · [Reply](#)



Brendan Maltese Baltimore City has problems, I'm not denying that. I just don't think privatizing the City school system is a good solution, nor do I think the entire state should be subject to punishment just because one jurisdiction has issues.
4/7/2017 4:05 PM UTC · [Reply](#)



Gregg N Hartz Jr. Less weight to the tune of \$200 million per year in federal funding due to non-compliance with federal requirements? Am I wrong on concluding we now have the fox guarding the hen house?
4/7/2017 4:48 PM UTC · [Reply](#)



Brendan Maltese That federal funding is not in any more jeopardy than it was before the bill passed. It's just a scare tactic.
4/7/2017 6:36 PM UTC · [Reply](#)



Remash Guyah Governor DeVos, oops, Governor Hogan, you continue to put down our schools even though we are highly rated in the US. Get over it
4/7/2017 1:17 PM UTC



Holly Huntley Not all schools in Maryland are highly rated. Look at Baltimore City where corruption has taken over common sense. I think what Hogan was trying to accomplish was to make the districts with failing schools more accountable and allow a take over if deemed appropriate. He wasn't targeting the already successful schools.
4/7/2017 1:48 PM UTC · [Reply](#)



Craig Brown Prove that.
4/7/2017 5:09 PM UTC · [Reply](#)



Remash Guyah It doesn't take much searching to find facts. Hogan is wrong on this
4/7/2017 6:24 PM UTC · [Reply](#)



Mike Hickey So Baltimore and PG county schools are highly rated?
4/7/2017 7:16 PM UTC · [Reply](#)



Jon Piper Apparently our schools need to spend more time on math and meme construction....\$250,000,000 per year at risk, \$1,000,000,000 over 5 years breaks down to \$200,000,000 per year.....
4/7/2017 1:50 PM UTC



Karen Gibson Scheffenacker If schools failing need to look at why I don't think more money spent is always the answer.
4/7/2017 1:53 PM UTC



Susan Frank As a retired MD educator, I can tell you that you are so correct. Unless there is real accountability with all students learning, there will be no change irregardless of money.
4/8/2017 3:36 PM UTC · [Reply](#)



Karen Gibson Scheffenacker Susan Frank Yes I bet you do know & I don't know why they aren't talking to teachers sometimes I think it's about popularity & votes. Everyone with younger kids now are aware of problem of kids going to school unprepared, late, tired etc.
4/8/2017 3:39 PM UTC · [Reply](#)



David Bilger Only ones to really blame are the people of MD who keep electing these people into the legislature. Had the wised up and saw what was really going on, better people could get elected to make sure things are handled correctly.
4/7/2017 2:50 PM UTC



Susan Frank I agree, and I live in MD. However, I don't think Marylanders really care because the liberals here have their followers totally brainwashed.
4/8/2017 3:35 PM UTC · [Reply](#)



John Hamilton I didn't think they could go any lower than allowing felons the right to vote. But they have surpassed even that. Thank you Gov Hogan for trying to stop this nonsense.
4/7/2017 4:33 PM UTC



Rick Parkhurst Once again Busch and Miller put the teachers union ahead of Maryland school children.
4/7/2017 5:43 PM UTC



Fran Indio Case 8:17-cv-02162-DKC Document 1-6 Filed 08/01/17 Page 9 of 37
4/7/2017 6:36 PM UTC



April Peugh Holland It's time to clean house Maryland!
4/7/2017 7:09 PM UTC



Susan Frank YES!
4/8/2017 3:36 PM UTC · Reply



Greg Youll You shouldn't believe what Hogan says as he misrepresents the actual effect of the bill.
4/9/2017 5:23 AM UTC · Reply



April Peugh Holland Well Greg, I still believe we need to clean house.
4/9/2017 9:24 PM UTC · Reply



Crystal Shirley-Garcia Nice response to the Montgomery County BOE president.
4/7/2017 9:42 PM UTC



Greg Youll This is good news. Here's why.
4/8/2017 2:43 AM UTC



Charles Singer Stop funding illegals.
4/8/2017 4:04 AM UTC



Susan Frank Agree!
4/8/2017 3:33 PM UTC · Reply



Joe Tebo Katrell Smith - DOB 07/1991, ARRESTED 24 TIMES IN 5 YEARS, including 1st degree assault, 2nd degree assault and numerous drug charges. Was released on his own recognizance (no bail required) in late December. Less than a month later, he shoots and kills Angelo Wheeler after an argument. Attorney General Froshs orders to release these dirt bags on a just a promise claims another life. He and the "social justice" clan have blood on their hands. This thug should have been held without bond. But frosh doesnt give 2 shits about public safety. Neither does Miller and his clan in Annapolis. Maryland is a FREE CRIME STATE....
4/9/2017 12:04 AM UTC



Tricia Grimes Willis Teachers unions are not against students. Teachers unions are made of teachers who dedicate themselves to children. The union as a whole typically supports democrats that is true and that's why Hogan wants to demonize them. Moco could easily follow his calendar plan but they know that it is not what is best for teachers and students so they are standing up for them like they should. Maryland schools have been ranked in the top 3 in the nation for the past 8 years. If you want to fix schools start actually listening to teachers. And no I'm not a democrat.
4/10/2017 11:55 AM UTC

*** Last time when these items were scanned Facebook server did not return these elements. This may indicate that elements have been deleted, or that Facebook has no longer provided it.

Impact of the General Assembly's
"Protect Our [Failing] Schools Act"

Traps Maryland Students in **failing schools**

Risks **\$250,000,000** per year in
 Federal Funding (**\$1 billion** over five years)

Strips authority away from the
 State Board of Education to implement
 measures to help students succeed

Puts the political interests of
 teachers' unions **ahead of students**



Larry Hogan

I'm sad for the kids they are trapping in failing schools, and concerned about losing our federal education funding. This will long be remembered as a low point in Maryland's legislative history.



Md. Lawmakers Override Gov.'s Veto On Struggling Schools Bill
 baltimore.cbslocal.com

The Maryland General Assembly has overridden Gov. Larry Hogan's veto of Maryland's blueprint for identifying and assisting struggling schools.

*** 4/6/2017 7:52 PM UTC

418 reacted: Angry(166): Dexter Housel, Skip Markowski, Steven Benson, Ed Smith, Jean Wachter Keister, Mary Turner Klein, Sara O'Neill, George H. Miller, Holly Walker, Gina Jurak Stanley, Norah Tweit-Tvedt Tolentino, Gladys Smith Touhey, Tim Mummert, Darby Gjersvold-Gingery, Shea Alexander, Anita Sliman, Terri Crabtree, Christal Lopez, Andrea Montgomery Frazier, Angela Lee, David Anderson, Susie Wood, David Barthlow, Kevin Wilcox, Renee Deibert, Seamas Brader, Trudie Norman, Rick Denu, Dennis Renehan, Craig Williams, Mike Johnson, Kevin Zeigler, Julian Groves, Carol Blankenship, Tim Heinrich, Lindsey Robinson, Sam Thomas, Carolyn Jorgensen Fewster, Andrew Wiseman, Melinda Owens Cox, Jennifer Joy, Nedra Reidy Hicks, TJ Weber, Jessica Brooks Hatcher, Tina Unruh Pierce, Jennifer Wilczynski Gigliotti, John Michel, Lynn Roberts Davis, David Browne, Karen Johnson, Ryan Timothy Impallaria, Maxwell Rosenthal, Sharon Pierpoint, MaryAnn Cinquegrani Sebeck, Tom DeBerry, Pam Trainor, Fay Manser Knuckey, Blythe Apple Rollert, Larry Gardner, Mary Beth Lerner Tung, Brian Morris, Carol Lassahn, Brenda Kawiecki Larsen, Tania Rosa Bindhoff Frieswyk, Joe Millward, Bob Reed, Debbie Mininger Farthing, Ann Marie Devine, Kelly Grey, William Cahill, Joe Fern, Sandy Boynton Wooten, Maura Johnson Vlachos, Kirk Lurie, Ken Marsh, Karen Breeden, Guy Long, Bob Walton, Cyndi Burton, Lana Borzova, Robert P. 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Magni, Julianna VenDouern, Christian Howes, Joe Zelechowski, Catrina Diem, Susan Whitson Bagley, Joseph Crisp, Nancy Mozal, Kathy Brown, Paul Rufe, Like(145): Joshua M, Stacey Marie, Leif Neve, Mary Wiehl, Mary Beth Brennaman, Sharon Blough, Jamayca 'May' Williams, Danielle Kimberly Churchill, Leslie Moore, Lucia Kim, Janine Stasik Harrison, Glenn Bolander, Maryanna Walls, Jamie Blackwood, Krista Story Newgent, Taylor Lyles, Stephanie Tucker, Candace Martino, Paul Highbarger, Brian Dolan, John Hollywood, Jeanne Diedrich Altman, Joshua Nolet, Crystal Lynn Donohue, Deanna Might Morin, Brenda Donaldson, Richard Landon, Dave Skolnick, Angel Anderson, Colin Wilson, Brian Jacobs, Chris Groobey, Kesa Summers, Juan Diego Ceballos, Julie Brand, Lisa Henry Hubbard, Tom Sterrett, Steven Biddle, Eric Linehan, Ginger Bigelow, Pietro Aretino, Rob Davis, Poppy Pete, Tiffany Epps, Katherine Spahn Kelly, Gary Marino, Angelina Kelly, Tim Tasker, Kim McNeey Welling, Michael Anne Bunting, Greg Moore, Aaron Cohen, Henry Mack III, Karen Lewald Buscemi, Lori Gillikin, Madelyn Jamie, Heather Renee, Rebecca True Ebner, Chad Smith, Austin Robinson, Ai Sh, Carole Elkins Neal, Jeffrey Gilliams, Gregory DiSciullo, Patrick Whealton, Antonio Palas, Alex Hankewycz, Wendi Peters, Amrit Singh, Melissa Bolaños-Zelaya, Tom Bond, Bethany Palmisano, Janet Zimmerman, Margaret Gillich, John P. Ballard, Paula O'Connor, Matthew Howard, J.b. Bunting, Skye Regensburg, Mike Preston, Ryan Matthew, Kerry Toucey Johannssen, Francesca Kalend, Samantha Allen, Brian Notleh, Bryan Ament, Myrna Wheeler, Justin Smith, Jeff Schaufert, Candace Dillon, Leah Garner, Annette Mittleider, Kathleen Trumble, Woody Funderburk, Cathy Moen James, Jordan Kellermeier, Daniella Ceccarelli Toomey, Caroline Foreback, Warren Barrett, Rob Zilnicki, Rachel Jessee, Barry Wood Jr., Scott Hollenbeck, Vickie Sellers, Kevin Chad, Anne Marie H. Scrivener, Karen Blake Klosterman, Kristopher Gaasch, Kim Lamphier, John Startt, Michelle Herb, Skip Hall, Jason Gilliece, Colin Smith, Debbie Meekins, Angie Downey-beswick, Conor Curran, Nathan Zolp, Jodi Brandes Slein, Lubomyr Murashchik, Scott Whitley, Brian Daly, Susie Matula, Siplt Slow, David Savick, Kimberly Coughlin, Marney Moore, Adam White, Leah Dellape Haas, Billy Adams, Mandy Knittle, Mark Bailey, Audrey Bailey, Tiffany Barron, Harry S. Brown, Luz Delgado, Susannah Warner Kipke, Deborah Wood, Welch Michael, Karla Trettel, Betty Chandler, Brendan Galligan, Katie Elizabeth, Michelle Duckworth, Tim Schmitt, Sad(91): Rachael Thornburg Lederer, Peter Collins, Dianna Harris, Lou Alberti, Carol Gilbreath Carden, Amanda Kate Pitner, Lisa Sis, Dianne Saunders, Daniel Gonsalves, April Peugh Holland, Barbara Caballero, Terri DePhillip Patterson, Laura Marie, Ty S. Godwin, Jorge Robinson, Kathie Peterson, Mac Love, Beth Stolte, Kimberly Nicholls, Winnie Robinette Umberger Ward, Dawn Tapper Nee, Kathie Rooney Stapleton, Daniel Chavez, Anita Coddington, Gina Hatfield, Jim Kaidy, Kimberly Kroener Worden, Denise Madaras, Catherine Hewitt, Debbie Hardy Prematta, Crystal Ingram Miller, Linda Elben-Adams, Teresa Kampmeyer, Dan Ruffin, Maria Stanley, Elizabeth M. Foster, Laura Zollincofer, John McKnight, Pamela Taylor, Rosemary Bunda, Andrew Wood, Elizabeth Engleman, Diane Sullins Gutowski, Jodi Lovell, Catalina Gonzalez Pineda, Squicciarini Bill, Tina Gregor, Tina Siason, Brenda Bebbler Sosa, Karen Routhier, Vanessa Dubs, Bryon BK Hartzog, Joanne Peterson Wharton, Steph Bagley, Sharon Moulton, Cristi Breanna Bruce, Randy Lohman, Bethany Siglin Ahlers, Robert N Christine Large, Lindy Marks, Terry Ann, Annelise Finkelstein, Matt Steele, Trisha Jackson, Cheryl Nethery Turner, Carole Marshall, Diana Dolan, Dawn Hite, Luisa Belanger Wayson, Christine Burke Eckrich, Rachel Willingham, Nikole Carder Brooks, Kelly Huynh, Carl Beatty, Colleen Maguire Phebus, Melinda Hileman, Debbie Wills, Christy Dasch-Crouse, Tina Norris, Kathy McCaffrey Herberger, GERALYN ANN, Dora Jinnette Winebrenner, Devon Rose Bristow, Chana R. Weiss, Christiane Harrell, Diana Pocius, Sarah Lorra, Andrew Grogg, Art Donkersloot, Peg Frain, Caroline Day Scruggs, Wow(6): Sarah Wood Cochran, Glenn Smith, Marlene MontesTervilliger, Mary Beach, Jess Hull, Katherine Bloom, Love(4): Thomas Minnick Jr., Lindsay IP, Randi Levy, Lisa Elprin Shaw, Haha(1): Chelsea Carr and 5 more

178 comments



Helen B Kuhnsman Don't you know it's all about having power over peopleand their kids? The dems in Annapolis prefer the people helpless dependent and stupid.

4/6/2017 7:55 PM UTC



Angie Johnson Hannah Meanwhile Sheila Dixon is still getting a fat pension.

4/6/2017 7:56 PM UTC · Reply



Dolores Para You got that right!

4/6/2017 8:03 PM UTC · Reply



Diana Kemp You mean steala dixon

4/6/2017 8:35 PM UTC · Reply



Joe Costa The DemonRat's prove on this issue where their priorities are, and they are NOT in the best interest of Maryland students! What losers!

4/6/2017 8:04 PM UTC



Leo Kelly Just wait and see the untold Millions the state may lose because of politically motivated sanctuary BS, the Federal revenue loss hasn't even begun yet....if/when it does happen make sure you interview those who will lose their jobs about how they feel being pushed aside in favor of foreigners, sorry off topic a little but the thread is about revenue loss.

4/6/2017 8:11 PM UTC · Reply



Walter Weldon Sadly enough, the Dems will continue to be voted into power in Md...it's an absolute shame!

4/6/2017 8:34 PM UTC · Reply



Patrick Johnson Y'all can move to a red state...

4/7/2017 12:32 PM UTC · Reply



Ed Weigman Patrick Johnson or ya'll can stay and make maryland great again by voting the demoncrats out of office.

4/7/2017 4:28 PM UTC · Reply



Sarah Lorra Ugh. I'm trying to think of a time (recently) when what the teachers union wanted was actually beneficial to anyone but the teachers union. Coming up blank. Quite sad. Well, thank you, Gov. Larry Hogan, for trying.

4/6/2017 8:05 PM UTC



Denise Case 8:17-cv-02162-DKC Document 1-6 Filed 08/01/17 Page 11 of 37
 This bill will be beneficial to our students and teachers. Teachers are the backbone of the state and therefore their interests can not be to serve the best interest of students. They can not serve 2. masters especially when their interests are in opposition!
 Marylanders need to wake up- our students are suffering!!

4/6/2017 9:10 PM UTC · Reply



Allison Wilder This is great news for Maryland's schools, students, and teachers. I'm sorry our governor is does not celebrate the incredible work of our public schools, which strengthen the state in so many ways.

4/6/2017 8:07 PM UTC



Justin Lewis LOL

4/6/2017 8:11 PM UTC · Reply



Matthew Hornbaker Haha you got jokes

4/6/2017 8:17 PM UTC · Reply



Marianne Cox Wilburn What's the likelihood that Baltimore City Schools will ever produce another Thurgood Marshall anytime soon? Here's a hint: slim and none, and slim just rode out of town.

4/6/2017 9:03 PM UTC · Reply



Jason Willoughby And with this bill those Baltimore kids would be worse off especially since private schools am can select students

4/6/2017 11:56 PM UTC · Reply



Larry Hogan The MSDE strongly opposed and the Maryland State Board of Education voted unanimously against it.

4/7/2017 12:23 AM UTC · Reply



Frank Scallio The drop out rate in Baltimore City is almost 30%. The rest of the state is less than 13%. You tell me that giving more money to Baltimore City is the answer. They get the most per student annually other than Worcester County. It is all about parenting at home and that is a fact. Baltimore City has so many chiefs and no indians that rule the roost.

4/8/2017 10:37 AM UTC · Reply



Tom Lippert Once more condemned to live in the past and keeping the children subservient to the existing whims of the Legislature.

4/6/2017 8:12 PM UTC



Kollin Murphy Get rid of Common Core. PLEASE save our kids.

4/6/2017 8:18 PM UTC



Denise Chapman Toth Our children need to be taught the TRUTH- go back to teaching from source documents not politically correct indoctrination.

4/6/2017 9:12 PM UTC · Reply



Bob Martin Now isn't that something

4/6/2017 8:23 PM UTC



Mike Strang Good job, Democrats.

4/6/2017 8:31 PM UTC



LoRa Diaz Get rid of common core and DEVOS

4/6/2017 8:32 PM UTC



Diana Kemp Sad they vote to fund planned parenthood and vote against helping kids already born.

4/6/2017 8:34 PM UTC



Brian Reed Just keep voting the same idiots in,,, and u expect change,,,lol. Smfh

4/6/2017 8:39 PM UTC



Adam White Figures the state legislature is ruining the state of Maryland im started to really hate it here ! It's sad

4/6/2017 8:40 PM UTC



Marney Moore So happy our legislators voted to support public schools and sad our governor chooses to try and shift public school money into private schools leaving public schools underfunded, understaffed and overwhelmed. As a maryland taxpayer, I support public schools. I do not want my tax money going to private schools.

4/6/2017 8:42 PM UTC



Len Bender Seems your just as unaware what this bill will do as the democrats that voted for it...

4/6/2017 9:39 PM UTC · Reply



Marney Moore So you are saying that the legislators with the bill right is front of them are unaware of what the bill is supposed to do? That's kinda a reach. So the legislators voted for it, governor vetoed it and then enough of them cared about it to overthrow the veto. Doesn't sound like they are unaware of what the bill was about. Just because we don't agree doesn't mean we are unaware, it means we do not agree with you.

4/6/2017 9:48 PM UTC · Reply



Carol Davis Sort of like what Nancy Pelosi said about Obamacare -- You have to pass the bill in order to find out whats in it. Open your eyes, legislators do not read all the bills put in front of them. Used to go to Annapolis to advocate for my organization and what mattered most tot he legislators there was how much money you gave them. In fact, committee chairs would not even bring a bill up to committee unless you greased their palms. Doubt things have changed in the last 10 years. The "mike's need to go!!

4/7/2017 12:12 AM UTC · Reply



Marney Moore Really? I went to annapolis about a month ago and had conversations with various legislators and their assistants and felt that everyone was concerned and well informed about the bills we were discussing. So you think what the teachers union is bribing legislators? Lotta legislators to overthrow a veto means alot of money. Doubtful.

4/7/2017 12:21 AM UTC · Reply



Larry Hogan You seem to be very confused. I have provided record funding for public education three years in a row. The democrats in the legislature unanimously voted to give public money to private schools. MSDE, the Washington Post, Baltimore Sun all opposed this bill and the State Board of Education voted unanimously against it. It makes us one of the least accountable school systems in America. Passing it was shameful and dangerous.

4/7/2017 12:31 AM UTC · Reply



Janice Lepore Larry Hogan, record funding isn't adequate funding. The Kirwan commission - the chair of which is your appointee - says the schools are underfunded to the tune of 1.9 billion. What is your plan to address that?

Maryland has fallen from the top educational slot to #5. What is your plan to address that?

Where is the public statement from MSDE against this bill? And what about the many organizations that supported it?

Finally, "one of the least accountable schools systems in America"? Do you even read these articles? One of the ones you posted said only 10 states have submitted their plans,



John Sanford That's the way it should be.

4/7/2017 2:38 AM UTC · [Reply](#)



Adam Guthrie Teacher unions don't care about the children. Sad day. Vote democrats out.

4/6/2017 9:29 PM UTC



Mark Firla None of them? Not even in Chicago?

4/6/2017 9:45 PM UTC · [Reply](#)



Tricia Scharnberger Yea that will never happen.

4/6/2017 10:16 PM UTC · [Reply](#)



Steve Iannelli Why aren't you celebrating all of the bipartisan measures that you signed into law today? You're a Republican governor in a blue state. Send a positive message about cooperation. Show the rest of country how its done.

4/6/2017 9:31 PM UTC



Larry Hogan We do that every day when it is warranted. This is not a celebration.

4/7/2017 12:32 AM UTC · [Reply](#)



Eddie Shoe As a lifelong blue collar democrat it makes me sick to my stomach that the Beer Brothers are leading this state down the path to self destruction. These corrupt career politicians could be the poster boys for how to ruin a constitutional republic.

4/6/2017 9:31 PM UTC



Kevin Chad Our legislature will be overturned the next election, we the people are paying attention. They ARE the problem

4/6/2017 9:40 PM UTC



Steph Bagley You've done your best Gov. Hogan...thank you for caring about all children of MD...in particular those children stuck in bad schools with no other options because the Democratic leaders in our state and teachers unions are more concerned with playing politics...it's quite sad.

4/6/2017 9:42 PM UTC



Tricia Scharnberger Wow Stephanie did you read that off a cue card? Sounds like it.

4/6/2017 10:15 PM UTC · [Reply](#)



Dave Eckert Tricia , maybe you're not use to reading intelligent posts.

4/6/2017 10:22 PM UTC · [Reply](#)



Steph Bagley Tricia Scharnberger No it's reality Tricia. There are many children who are in failing schools, who are not getting the education they deserve and have no other options because the Democrats in this state care more about politics than what kind of future these children have. Many of these schools have been like this for years, nothing changes. Gov. Hogan has tried, I commend him for it. His heart is in the right place, he cares about these children and it's a shame the Democrats in the MD House & Senate don't feel they have the right to a better education. Gov. Hogan was at a Charter School in the city when he vetoed this bill...you ask those children how they feel about their school and ask their parents where they would rather their children be. Granted there are some good public schools, but too many are not.

4/6/2017 10:26 PM UTC · [Reply](#)



Micky J. Ferreira What did you expect since Maryland sheep are too stupid too think for themselves!

4/6/2017 10:03 PM UTC



Laura Ashley Cooper If you gave a care about public schools we wouldn't have to fight you!!!

4/6/2017 10:11 PM UTC



Tricia Scharnberger How about you fix them
So they are no longer failing instead of just whining about it.

4/6/2017 10:13 PM UTC



Jeff Schaufert He tried. He was overruled. Keep up

4/6/2017 10:30 PM UTC · [Reply](#)



Larry Hogan The legislature just voted to prohibit improving persistently failing schools. It's not whining it is a fact.

4/7/2017 12:37 AM UTC · [Reply](#)



Bob Watters Did you read the bill? SMH.

4/7/2017 12:44 AM UTC · [Reply](#)



Bob Watters Sorry - that's meant for the governor.

4/7/2017 12:45 AM UTC · [Reply](#)



Tricia Scharnberger Fixing them is not turning them
Into charter schools it's getting the people out that are not doing their jobs and putting in those that will

4/7/2017 1:42 AM UTC · [Reply](#)



Janice Lepore They prohibited state takeover. There's no prohibition against improvement - under the bill a committed government could work with local stakeholders and provide our kids with the strong schools they all deserve. If you decide to engage with such a plan, I'll be very glad to see it.

4/7/2017 2:26 AM UTC · [Reply](#)



China Williams Larry Hogan Are you sure that this is the most professional language to use with constituents? Is this you or is this a staffer? I'm just trying to understand why an elected official would want to speak to constituents in a condescending way.

4/7/2017 9:43 PM UTC · [Reply](#)



Julie Szymanski Lenhardt Good heavens - that was far from unprofessional or condescending. Regardless of who is responding (although I'm fairly certain the governor doesn't spend his day responding to FB comments), the response is direct but hardly offensive.

4/8/2017 1:19 AM UTC · [Reply](#)



Annette Mittleider Of course those Md. Lawmakers are those wonderful Democrats!

That party truly does not care about people. They are all about power and greed. A very corrupt organization. I don't understand how people are so blind to it. It couldn't be more obvious.

4/6/2017 10:14 PM UTC



Helen Ankney So the kids lose

 **Bethany Palmisano** You've got a tough road to hoe... with the political corruption in this state... keep slugging!
4/6/2017 10:59 PM UTC

 **Francesca Kalend** You want to privatize our school in order to enrich your billionaires buddy such as your bestie the grisly lady!!
4/6/2017 11:09 PM UTC

 **Larry Hogan** I'm sorry that you were misinformed by propaganda. Your statement is absolutely false.
4/7/2017 9:31 PM UTC · [Reply](#)

 **China Williams** Larry Hogan There are lots of ways to respond to constituents, especially if you disagree. But this is just not a respectful tone. Are you sure this is how you want to be viewed by the public?
4/7/2017 9:45 PM UTC · [Reply](#)

 **Francesca Kalend** Wow! @ Larry Hogan
Your tone reminds me of someone else☹!
It is the true! It is not a propaganda.
The truth hurts☹
4/7/2017 11:41 PM UTC · [Reply](#)

 **Linda Giuffre** If Governor Hogan's plan was implemented and failing schools became successful then the successful students would stop voting democrat. Democrats are all about the vote. And only the vote.
4/6/2017 11:20 PM UTC

 **Patricia Rowe** Maybe it will finally wake up people and cause them to vote the bullies and obstructionists out of office.
4/6/2017 11:25 PM UTC

 **Jody Stratman** Kids fail because their parents fail.
4/6/2017 11:31 PM UTC

 **Dale A. Valentine** look for the Union Thugs ruining the state.
4/6/2017 11:47 PM UTC

 **Susan Frank** IF we really cared about children, we would have put into place real accountability for ALL schools. A majority of students graduating from high school can barely read, write, or do math. Why has not one cared before this?
4/7/2017 12:08 AM UTC

 **Judy Robinson** I don't know the percentage anymore but a fair number of Univ of Md new students have to take remedial reading and math.
How does a child go through 12 grades and no one knows they can't READ!
4/7/2017 12:30 AM UTC · [Reply](#)

 **Michelle Mills** Because NO CHILD LEFT BEHIND... passing grade average is now 60% or higher they don't have to know anything to progress to the next level.
4/7/2017 2:07 AM UTC · [Reply](#)

 **Greg Hudnet** Dems did the same to our last Republican Governor.
4/7/2017 1:19 AM UTC

 **Joe Millward** Vote these power grabbing jerks out of office.
4/7/2017 1:29 AM UTC

 **Rob Reese** Keep up the fight Governor! This house still believes that trying a new approach is better than failing the same old way!
4/7/2017 1:53 AM UTC

 **Don Hinds** Our legislature is not ours, it belongs to special interests like the teachers union.
4/7/2017 2:13 AM UTC

 **Kimm Rowan** Term limits.
4/7/2017 2:26 AM UTC

 **John Sanford** Teachers unions are the problem. They are an activist bunch and all they care about is indoctrination of our children into their left wing ideology. Politics should not be allowed in schools folks.
4/7/2017 2:41 AM UTC

 **Donavin Petre** Not so low they lose the next election.
Libs have this state hook, line, and sinker, thanks to jerrymandering and 3 crooked districts
4/7/2017 2:53 AM UTC

 **Joseph Eckart** The Democrats are ruining Maryland. That's why i left. When the Republican governor wanted gaming in Maryland the Democrats avoided it. When the Democrats got the governorship back they approved gaming claiming it was to save the education and the comptroller argued it would not, yet still passed. Glad to see Hogan in charge but he needs to take a strong stance against these democrats and anyone else in that state that violate the public trust and federal laws.
4/7/2017 2:57 AM UTC

 **Tom Lester** Failing teacher's unions win the day..Sorry kids.
4/7/2017 3:29 AM UTC

 **Tricia Grimes Willis** Yes because the goal of teachers is for kids to fail...makes total sense.
4/9/2017 10:19 PM UTC · [Reply](#)

 **Tom Lester** Tenure has become more important than results.
4/9/2017 10:22 PM UTC · [Reply](#)

 **Tricia Grimes Willis** If you actually ever spoke to a teacher or volunteered in a school you would know how ridiculous that statement is. Most counties in this state barely pay teachers enough to get by. It's not the kind of job you do for the money. The amount of work is no where near worth the money. Did you read that in a headline somewhere?
4/9/2017 10:58 PM UTC · [Reply](#)

 **Tom Lester** Your addled mind doesn't know anything about my relation and volunteer work at my daughters school , which happens to be one of the finest in Anne Arundel county. Why are you so afraid of school choice? Why are you so threatened ? If you feel the money isn't enough , then maybe you shouldn't teach.Salaries are going up , but failing schools



Sandra Sullivan [View Profile](#)
4/7/2017 12:19 PM UTC



Sharon Harper This is why I'll got without to keep my child in a private school. Quite frankly, I'm not willing to jeopardize another child in the failing MCPS system. Had one there, pulled her out to homeschool because of extensive bullying by students and teachers.

So the best thing you can do is make sure we get some tax breaks for the education expenses we are incurring instead of letting our children become puppets for the school teachers union.

4/7/2017 12:30 PM UTC



Shannon Sullivan Polanco Pena Too bad the teachers in private schools do not have the training and passion as the public schools. You would think since you are paying so much they have to be qualified, but they don't. This is a good decision for MD.

4/7/2017 1:35 PM UTC · [Reply](#)



Cathy Marlowe Parker Shannon Sullivan Polanco Pena This has not been my experience. Education qualifications do not equate to passion and solid teaching strategies. I have worked in both settings. I find that the public-school teachers are drained and suffocating under the amount of documentation. I have found that private school teachers have more optimism and time to address concerns for their smaller number of students. I have also found that the private school teachers are much better supported by their school's administration.

4/7/2017 2:38 PM UTC · [Reply](#)



Sharon Harper Wow bitter much? Bet you belong to a union.

4/7/2017 3:14 PM UTC · [Reply](#)



Carol Schroyer Beall ☺
4/7/2017 12:35 PM UTC



Jim Gerkin When enough people homeschool or move maybe the idiots in Annapolis will get a clue. But I doubt it...

4/7/2017 12:48 PM UTC



Remash Guyah Very nasty rhetoric Hogan DeVos. Very nasty

4/7/2017 1:24 PM UTC



Larry Hogan Saying I'm sad for the kids isn't exactly nasty. Your comment however is.

4/7/2017 9:34 PM UTC · [Reply](#)



Tricia Grimes Willis Constantly implying that teachers don't care about kids is sad. Do you ever talk to teachers about education?

4/9/2017 10:13 PM UTC · [Reply](#)



Remash Guyah Hogan, I voted for you and I admire many things about you, especially for standing up for MDs environment by banning fracking. Yet, you have a nasty attitude. That lost you my vote.

4/9/2017 10:15 PM UTC · [Reply](#)



Remash Guyah On another, my 5 year old's teacher is caring, hard working and puts in more hours than she is paid for just for the sake of the kids.

4/9/2017 10:30 PM UTC · [Reply](#)



Nedra Reidy Hicks Voters in MD are ignorant..Vote party lines will get you no where..Mr Berry..your solution is to KILL the children then there would be no reason for education ??? How evil..JMO

4/7/2017 1:58 PM UTC



Cathy Marlowe Parker VOTE THEM OUT!

4/7/2017 2:33 PM UTC



Steven Biddle Governor Hogan keep your head up and continue on your quest. You can't fix stupid unfortunately. It's a shame

4/7/2017 3:09 PM UTC



Carolyn Jorgensen Fewster Of course they did, idiots

4/7/2017 4:05 PM UTC



Linda Rosatelli When will those idiots wake up. I feel for you. You have great ideas for Maryland. Hope the others wake up before it's too late.

4/7/2017 4:12 PM UTC



Holly Martin did you really expect anything less from these fools MD democraps legislature..i know change in gov takes a long time. we have Gov Hogan..thank God. We need to change the MD legislature..but until the citizens start paying attention to what the democrap is voting on, nothing will change.clear the swamp in Annapolis.

4/7/2017 4:34 PM UTC



Ed Weigman Interestingly, the quality of Maryland public schools has always seemed to be complained about throughout the previous decades and everyone seems to be the problem except the person doing the complaining.

4/7/2017 4:42 PM UTC



Cheryl Walker DeFelic What is the sense of having a republican gov when the libs in Annapolis can override his vetoes???? Wake up maryland

4/7/2017 5:28 PM UTC



Kimberly Nicholls That is why my daughter is in private school. She WILL be held to higher academic standards.

4/7/2017 5:40 PM UTC



Albert Jones The dems must be made to pay the price for this. It is more then time to turn maryland red as a ripe apple. Vote against every dem all the time.

4/7/2017 9:13 PM UTC



Julie Sylvester Ok , did I read this right, no money for schools but money for the abortion group?

4/8/2017 12:26 AM UTC



Laura L. Alvarez How about making undocumented immigrants pay out of state tuition for ALL schooling that their children get. UNLESS they can prove that they have filed and paid income tax. That should improve the budgets.

4/8/2017 1:06 AM UTC



Dianna Harris I'm sorry for all children of this state.

4/8/2017 11:24 AM UTC



Patricia Carper Maryland legislators are horrible! How is it that the entire state is at the mercy of two jacka\$\$es running the legislature. Does no one else have a voice! Larry Hogan is an



awesome (edited) **awesome** and the voice of a generation is still here. Keep it real! The Government has been communicating with the media like this for years. We all know the medias not reporting it!

4/8/2017 3:43 PM UTC



Nancy Craun #S! \$/% democrated

4/8/2017 5:36 PM UTC



Stacey Marie Hyperbolic much?

4/8/2017 6:01 PM UTC



Judy Rodriguez



4/9/2017 11:37 AM UTC



Judy Rodriguez Democrats have destroyed Maryland. Nothing they do surprises me.

4/9/2017 11:37 AM UTC



CaroleSue Lefler Black Simple solution--vote them out!! The people have the power but maybe not the sense.

4/9/2017 7:58 PM UTC

*** Last time when these items were scanned Facebook server did not return these elements. This may indicates that elements have been deleted, or that Facebook has no longer provided it.

**Larry Hogan**

The "Protect Our Schools Act" would weaken accountability standards for Maryland public schools, risk federal funding for K-12 education, and trap thousands of children in failing schools. Instead of racing to the top, we would be trapped in a race to the bottom. This bill would make us one of the least accountable school systems in the United States of America.

Too many children continue to be stuck in schools that are consistently failing them, year after year. So today, I signed a veto rejecting this legislation, and sent it back to the General Assembly.

I am calling on all members of the legislature, from both sides of the aisle, to do the right thing for our kids and sustain this veto. You can help. Call your legislators and urge them to do the right thing for Maryland students => bit.ly/MDLEGCONTACT



Length
00:58

*** 4/5/2017 10:04 PM UTC

73 reacted: Like(62): Todd Offutt, Bob Walton, Joanne Ferreira Talbot, Mark Counselman, Jo Ann Talbot, Joe Paradise, Skip Markowski, Debbie Snyder, Tammy Doring, Barbara Burgess, Barbara Wagner, Corinne Knazik, Mike Preston, Steven Burton, Dexter Housel, Mathew Palmer, Karen Blake Klosterman, Rich Mallory, Linda Bynaker Anderson, Kate Jordan, Sharon Moulton, Alison Tavik, Sally Mccolgan, Randy Pullman, Sharon Hazel Johnson, William Cahill, Suzanne Blackburn, Nathan Zolp, Lindy Whetzel, Tyler Argubright, Rita Crawford, Nancy O'Connell Mellin, Nedra Reidy Hicks, Antonio Palas, Diana Semelsberger, Joanne Eve, Eileen McGovern Crowley, Maria Rossi, Frederick Denker, Bob Martin, Forrest Ewing, Diana Murphy McColgan, Carol Beatty, William Barrell, Carolyn Jorgensen Fewster, Pete Hicks, Kellie Patton, Amrit Singh, Mike Johnson, Chris Kendall, James Brandner, Tony Robey, Squicciarini Bill, Dana Peace Brown, Dave Robles, Poppy Pete, Kristopher Gaasch, Sonia Mangum, Anne E. Reid, Stacie Vaszil, Patrick Mullan, Brian Dolan, Angry(5): Joleen Morrow, Elissa Loeb Waldman, Riki Conrey, Courtney Oatts, Laura Ashley Cooper, Love(4): Bonnie Ann, Luisa Belanger Wayson, Carol Dunn, Helen Ankney, Wow(1): Linda Stanley Brown and 1 more

29 comments



Allison Chetney Heintz The right thing for Maryland students would be to override this veto. The Protect Our Schools Act gives local communities more control over schools - the factors by which they are rated and how failing schools are dealt with. It reduces the impact of standardized testing. It also keeps public money in public schools, instead of in voucher programs that have been proven not to work (and that create greater inequality in schooling). I know I'm going to urge my legislators to override this veto, and I hope others will join me.

4/5/2017 10:08 PM UTC



Randy Pullman Go to hell

4/6/2017 11:07 AM UTC · [Reply](#)



Remash Guyah Randy Pullman you are a nasty person

4/6/2017 12:07 PM UTC · [Reply](#)



Karen Gibson Scheffenacker I don't think these failing schools are just because of funding I think its more about how much the parents are helping them.

4/5/2017 11:26 PM UTC



Bonnie Ann Actually it's more about how many union thugs work in them

4/6/2017 3:17 PM UTC · [Reply](#)



Michael Harris I absolutely agree. Children need support at home. Most teachers are good, hard working, compassionate, caring, and intelligent people. It sickens me to see so many ignorant people with such tunnel vision that they can't see the whole problem.

4/7/2017 2:07 AM UTC · [Reply](#)



Janice Lepore 20 posts on this bill without ever once articulating your own plan or explaining the benefits of the current state draft plan. I'm disappointed in your lack of leadership. I have contacted my legislators and urged them to over-ride this shortsighted veto.

4/5/2017 11:37 PM UTC



David Helfman Tell the truth, governor. This law actually strengthens accountability. It includes 2/3 test-based student outcomes and 1/3 accountability for non-assessment factors, like school climate, access to high-quality teachers, availability of advanced or IB courses, etc. When evaluating the schools don't just measure test scores; also make sure that the opportunities are provided to students in those schools!

4/5/2017 11:39 PM UTC



Lesley Handy No, you're dead wrong. The answer to failing schools is NOT to funnel MY tax dollars to private institutions. 90% of people who benefit from vouchers are already in the private system.

Give us a plan outlining HOW you plan on holding private schools accountable & not simply for profit. Give us a plan outlining WHERE my tax dollars will go.

Then we can talk.

DeVos is unqualified & your appearance of supporting her is deeply disturbing Governor.

4/5/2017 11:48 PM UTC



Nancy Bauman Cristiano Agreed. I don't want my tax dollars to be used for private schools that might push a religious agenda, but I'm not dismissing them out of hand. We need greater transparency overall.

4/6/2017 12:36 PM UTC · [Reply](#)



Lesley Handy Absolutely. There is a place for private institutions, but how will they be held accountable?

4/6/2017 12:40 PM UTC · [Reply](#)



Alice Noel #LoveOurGov Thanks Governor Hogan for supporting those who were robbed of their voice in Annapolis for so long. Make the necessary changes and get Maryland back on track. We need to raise standards and expectations for our children and get rid of the participation trophy mentality. Teach our kids to navigate life successfully, even through difficulties and pressures that can arise. Politically correct needs to go by the wayside when the future success of our children and our State is at stake.

4/6/2017 12:20 AM UTC



Shawn Edwards Governor Hogan can you please do something about Baltimore County Executive he has lost his mind.pls help

4/6/2017 1:43 AM UTC



Kati Thomas Thankful that there are enough votes in the house and senate to override your veto. You need to actually listen to public school teachers and administrators who work in the neediest schools. Your veto of this legislation is an embarrassment. Maryland has been a top performing school district, but we need to insure equity of resources for all students in Maryland and we need to fully fund the public school programs that have been proven to work. Funneling public funds to private charter and private parochial schools is NOT a solution.

4/6/2017 2:16 AM UTC



Susan Jones We must support school choice.... public, private and charter schools.



Mike Strang Liberals care more about illegals and criminals than Americans, the law abiding, and the future of children.
4/6/2017 10:45 AM UTC



Remash Guyah It appears you attended a failing school.
4/6/2017 12:12 PM UTC · [Reply](#)



Mike Strang How did you come to that conclusion? Is it because facts don't matter? Look at every single instance where the liberal left in Maryland has thrown away common sense solely due to political beliefs? It happens all the time. Maybe your misunderstanding of my comment is due to the fact that your reading and comprehension skills are not up to par. I guess they don't teach that at ITT Tech. Funny how liberals like yourself jump right to insults instead of forming an educated response. I wonder which elementary school you failed out of. □
4/6/2017 12:19 PM UTC · [Reply](#)



Nancy Bauman Cristiano Mike, did you not notice that you instigated the insults?
4/6/2017 12:38 PM UTC · [Reply](#)



Mike Strang Instigated by stating a fact? Facts aren't insults. If you're insulted by a fact, it's most likely because it's true. I actually graduated with a 4.1. Now let the man defend his pathetic attempt at an insult. He doesn't need you to do it for him.
4/6/2017 12:41 PM UTC · [Reply](#)



Randy Pullman Bravo Governor! Start consolidation of schools and kick the lazy teachers to the curb. BTW April 27th is around the corner.
4/6/2017 11:08 AM UTC



Bonnie Leichtweis I'm with Governor Hogan.
4/6/2017 11:39 AM UTC



Free Speech and Facts Respectfully, I support the Act.
4/6/2017 12:24 PM UTC



Bonnie Ann Thank you Gov Hogan for caring about children. I assure you the thugs at msea and the other local unions running our system do not. I'd love to tell you my story about being attacked by a so called caring system for trying to get simple help and simple no cost accommodations and a tiny bit of communication for my sick child. Schools vary greatly in quality even in counties like carroll. The sicko uncaring schools need to be held accountable and stop being run by thugs
4/6/2017 3:21 PM UTC



Fred Ehrlich Please stop bailing out bmore city with our hard earned money. Wheres that md income tax relief?
4/6/2017 3:38 PM UTC



Keva Tillman Moore How much money did Devos give you Hogan?
4/7/2017 3:03 PM UTC

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**Larry Hogan**

"The state board of education developed a draft policy after dozens of meetings with stakeholders, surveys, committee hearings and other efforts to gather and evaluate input, and it planned at least two more drafts before submitting its proposal to the federal government this summer. The legislature is seeking to override that, in part by assigning less weight to achievement measures than the board proposed..."

<http://www.baltimoresun.com/news/opinion/editorial/bs-ed-essa-bill-20170329-story.html>

Change Maryland

Larry Hogan shared Change Maryland's photo.



4/2/2017 12:00 PM UTC

3 tags: Larry Hogan, Change Maryland, 1677747012250455

73 reacted: Like(71): Zach Panneton, Edwin C. Brown III, David Capps, JJ Rathnam, Bob Kahler, Dexter Housel, Barbara Stokowski Florian, Ann Zimmerman, Robert Shuman, Maddie McCarthy, Arnold Grubel, Carolyn Jorgensen Fewster, Mary Jo Isenock, Ann Cassilly Lyons, Jim Myers, Crystal Lynn Donohue, John Robb, Karen Vose Squires, Danny Geehreg, Mary McSweeney Lanese, Rocky Brio, Mark Meyerer, Frederick Denker, Mary Benedict Jennings, Nathan Zolp, Mathew Palmer, Kandie Branch, Kevin Wilcox, Robert W Myers, Terry Thompson, Amrit Singh, John Harman, Nancy Buyarski Dunn, Cara Visconti, Sibyl Faus, Elizabeth Ellen, Michael Algeo, Bob Martin, Nick Gardiner, Chanda Mimaros, Dolores Para, Don Krempel, Daniella Ceccarelli Toomey, Huong Ngo, Michael Paul Gentry, Peggy Parker, Kristopher Gaasch, Ruth Beitzel, Sandra Watts, Peter Nyce, Ellen Stanton Hendershot, Brian Barnhill, Chris Peacher, Brian Dolan, Scott Houghton, Robert Butcher, Anna Drzewicki Voight, Mike Hickey, Michael Cerrito, Allison Jenkins Rucker, Anthony May, Maria Yamamoto Bolshaw, Laurie Close Bjorykke, Rita Crawford, Chuck Snyder, Pat Brown-Kearns, Scott Owens, Alex Estill, Jason Smith, Dennis Renehan, Brian P. Rice and 2 more

10 comments



Allison Chetney Heintz It's only assigning less weight to a single achievement measure - standardized testing- while adding new achievement measures.

4/2/2017 12:51 PM UTC



Janice Lepore The Board proposed relying on testing scores for 70-80% of the measure. Many parents, teachers, and administrators would find that judgment questionable; however, if you believe it is a reasonable decision I would appreciate hearing your thinking and explanation for the current draft plan.

By my count this is your 16th post on this issue in a week, and at no point have you offered your own logic, position, or argument. Every post has been criticism of the bill, often couched in misleading or selective quotes - even of your own statements.

I believe Jeb Bush's statement on the current state of federal matters is also relevant here:

"Being against what the other guys are for is not a sustainable political position," he said. "It can work in the short term as we've seen, but in the longterm, people want to see results."

Over the course of the past several years, the state of education in Maryland has slipped. We need forward thinking leadership, and better results.

4/2/2017 1:50 PM UTC



Judy Robinson I do not understand the acrimony over testing. How do you define what a child is learning. We had constant pop quizzes in my era. Union hysteria!

4/2/2017 9:30 PM UTC · Reply



Janice Lepore I had teacher set testing, also, Judy, as well as standardized tests regularly. I don't object to either of those if used properly, but my problem is the tests are not being used/interpreted properly, and as a result the decisions that are being made based on the results are flawed.

For example, the tests the Board wants to rely on, the PARCC tests, are described this way by the publisher: "It provides better information for teachers and parents to identify where a student needs help, or is excelling, so they are able to enhance instruction to meet individual student needs."

So they were designed to tell us something about the individual student's progress. This is great, as long as it is used that way. But what has happened since NCLB and what our current State Board draft plan seems to plan to continue doing, is to use the scores as an overall measure of school/teacher quality. That's a leap beyond what the tests were designed to do, and so it introduces more error into the decision making.

As a parallel, imagine you gave a student a test of math skills, and then used that to develop your ideas about their science abilities. The two things may be related, and the one piece of information may be useful, but it wouldn't be sufficient for the decision that you're making.

Partly as a result of this misapplication of testing, we have pulled in other tests, in an attempt to get "better" data. So kids are spending far more time "testing" than either you or I did. The standardized tests are all in addition to the tests you and I took.

Plus, the tests themselves are developed nationally, so they may or may not reflect what our state, our district, or our school/teachers are valuing in education, or they may be on a different timeline. As a result, kids can look unsuccessful on national tests simply because their local district is teaching the curriculum in a different sequence.

What we really need to do is be looking at a wider variety of factors beyond just test scores, and including local decisionmakers in the process. This is what ESSA was intended to do. Testing is one, but only one, useful piece of information, and it must be used appropriately, and while acknowledging its limitations.

4/2/2017 10:09 PM UTC · Reply



Catherine Rudd There will still be tests in schools. Teachers will still be assessing student learning. There still will be standardized tests. This just lessens the importance of standardized tests mandated by people who have never been in a public school classroom and allow teachers to teach (and assess!) their curriculum.

4/3/2017 1:55 AM UTC · Reply



Delwar Sayed Tests are needed not to evaluate students but to evaluate schools. Tests show that our students aren't taught at all. These tests are easy for foreign students.

*** 4/3/2017 10:11 PM UTC · Reply



Janice Lepore You have made that statement before, Delwar, but I haven't seen your source cited yet. If you would share that, I would be interested. There is abundant data to suggest that our students are performing well internationally when they are well supported and well funded.

I agree that school quality needs to be evaluated - as a matter of fact, the data on school vouchers and charter school strongly indicate that when schools are not carefully evaluated and well-regulated they fail students - the specific tests we are using do not accomplish that task. Certainly, there are measures of organizational quality that we could apply, but in this case we are using student achievement as a measure of school quality. There are simply too many other factors that would affect a student's achievement overall, never mind a student's performance on a test on a given day, for that to be an accurate measurement. Pretending otherwise is poor statistical practice, poor measurement, and does a disservice to our teachers, our students, and our society.

4/3/2017 10:32 PM UTC · Reply



Huong Ngo Like. Reply

4/2/2017 1:56 PM UTC



Rachel Ashbrook Children's intellect cannot solely be measured by test scores and neither can a schools success. By evaluating a school by a variety of measures you gain a more wholistic and transparent picture of what is happening inside of a school.

4/2/2017 1:58 PM UTC



Bob Kahler Appears it's BELOW Zero in Hell, today.....

4/3/2017 3:11 PM UTC

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“ ...We should leave the decision in the hands of an independent school board. **We support Governor Hogan's veto.** ”





Larry Hogan

"State education leaders are infuriated by the General Assembly's passage of legislation that would diminish their role in deciding how schools are held accountable over the next 15 years.

Members of the Maryland State Board of Education see the measure, which would forbid the state from using charter schools and vouchers to fix failing schools, as a power grab by the legislature.

Gov. Larry Hogan has said he will veto the bill. State education officials are hoping to prevent a veto override.

The legislation also would set a cap on a how much weight standardized test scores and other performance measures would be given in school rankings. Such education policy decisions have traditionally been left to the state school board.

'We believe it infringes on the ability of the state board to make key education policy decisions independently and outside of politics,' said Andrew Smarick, the board president. The board has written two sharply worded letters of opposition to the legislature...

'These bills, if enacted, could damage the educational prospects of Maryland's children, especially the neediest among them, and dim the State's longstanding national reputation as a forward-looking education leader, especially in the area of accountability,' the state board wrote in a letter to the legislature March 24...

The other controversial portion of the legislation mandates that academic factors account for only 65 percent of the formula that determines whether a school is meeting standards. Those measurements are expected to include test scores, yearly academic gains by students, and high school graduation rates.

Of about 10 states that have currently submitted plans to the federal government, Maryland's would have the weakest academic standards. Most other states have designated 75 percent as a minimum for academic factors, said Daria Hall, head of communications for The Education Trust, a Washington-based nonprofit."



State education officials oppose Assembly's bid to curb their power over failing schools

baltimoresun.com

State education leaders are infuriated by the passage of legislation they see as a power grab by the General Assembly that will diminish their role in deciding how schools are held accountable over the next 15 years.

*** 4/1/2017 6:06 PM UTC

39 reacted: Like(34): Geoffrey Henry, Dexter Housel, Erika Dawkins, Rob Vlk, Frederick Denker, Mike Hickey, Robert Drozd, Huong Ngo, Todd Fare, Bruce Thomas, Baldr J. Magni, Amrit Singh, Aaron Jones, Bernard Thomas, Nathan Zolp, Meghan Kostkowski, Chanda Mimaros, Raymond Eckhart, Mickey Lowman, Natalie McAndrew, Carl Born, Betty Sollenberger, Mary Benedict Jennings, Gregg Williams, Donald Muirine, Tom Phillips, John Goucher, Robert Butcher, JoAnne Milbourn, Bob Martin, Bethany Siglin Ahlers, Charles Erick Rakotomalala, Kristopher Gaasch, John Barnes, Angry(1): James Garvin, Wow(1): Nancy Buyarski Dunn, Haha(1): Greg Lines and 2 more

35 comments



Allison Chetney Heintz This is not a "power grab" by the general assembly; that would imply that the general assembly would be gaining control over these educational decisions. Instead, that power is being given to local boards of education and the communities in which these schools reside. It does give less power to the State Board of Education, but in a positive way. Also, let's be clear - the State Board of Education members are appointed by the governor.

4/1/2017 8:52 PM UTC



Greg Lines Larry yet again hides the truth in favor of scare tactics.

4/2/2017 2:47 AM UTC · Reply



Nicholas Guevara "Many members of the state school board were appointed by Hogan; and some, including Smarick, are more supportive of a conservative school agenda. But even some of the more liberal-leaning members of the board, including holdovers of former Gov. Martin O'Malley, have opposed the legislation."

It is all in the article if you bothered reading more than just the title and throwing around accusations.

This is plain and simple party politics without thought of what is best for the state as a whole. Charter schools and vouchers have been shown to work, but it is about power not education.

4/2/2017 3:15 AM UTC · Reply



Will Keller What exactly is he hiding?

4/2/2017 6:16 AM UTC · Reply



Astro Marie Any law that prohibits school choice is a power grab.

4/2/2017 12:33 PM UTC · Reply



Amy Kallenberger This is stupid! He said if the bill makes it that far it will be vetoed! So it doesn't matter what aspect of this you want to debate it's not happening

4/2/2017 8:38 PM UTC · Reply



Jonathan Wilkus Was ready to homeschool years ago. 🐼 buh bye failing education system. Public education has been failing since 1940's / 1950's. They even teach this to family studies majors. Yet nothing being done.

4/2/2017 2:01 AM UTC



Betsy Frohlich Yeah it is, worthless testing, crap curriculums, diverting tax money to privatization of schools.

It's the republican way.

4/2/2017 6:01 AM UTC · Reply



Amy Kallenberger Did you read that part that this will be vetoed?? This is the media getting you upset over something that isn't going to happen. Hogan isn't going to sign it.

4/2/2017 8:39 PM UTC · Reply



Brendan Maltese He didn't have to sign it. It passed with enough support to overturn the veto.

4/3/2017 12:36 AM UTC · Reply



Tricia Scharnberger I am against charter schools and I am against so much emphasis being put in test scores so I guess I am in favor of the bill, sorry Larry.

4/2/2017 6:07 AM UTC



Will Keller Why are you against charter schools?

4/2/2017 6:15 AM UTC · Reply



Tricia Grimes Willis The bill would still allow charter schools and other options (which have various evidence that they work/don't work - the most effective ones seem to still have a close accountability measures and regulatory systems). But it requires that those choices be made jointly with local stakeholders (like parents) and prohibits unilateral state action.

4/2/2017 1:13 PM UTC · [Reply](#)



Alstro Marie Like the public system has done such a great job. Parents want choice. This all about power at the expense of our kids. Giving parents a choice is a terrifying prospect for the teachers union which funnels tunes of money to the dnc to keep the Democrats in power. It is time for.change.

4/2/2017 1:49 PM UTC · [Reply](#)



Janice Lepore The bill would still allow charter schools and other options (which have various evidence that they work/don't work - the most effective ones seem to still have a close accountability measures and regulatory systems). But it requires that those choices be made jointly with local stakeholders (like parents) and prohibits unilateral state action.

4/2/2017 4:12 PM UTC · [Reply](#)



Amy Kallenberger It doesn't matter Logan said the Bill will be vetoed if it makes it to his desk. Did you guys actually read it

4/2/2017 8:40 PM UTC · [Reply](#)



Tricia Scharnberger I've also heard of parents having to basically sign their rights away as to how their children are educated. And stop generalizing with teachers. There are some amazing teachers out there that truly care about their students.

4/3/2017 1:26 PM UTC · [Reply](#)



Will Keller Who does the State Board of Education answer to?

4/2/2017 6:14 AM UTC



Sharon Hazel Johnson Good question.

4/2/2017 6:42 AM UTC · [Reply](#)



Alstro Marie The Maryland school system is a joke. My kids are in the edgewood school system in Harford County. At their school edgewood Middle they experience 3 to 4 fights ped week. Lockdowns are a regular occurrence. Disruptions in the classroom by students are everyday. They even have two resource officers now. It is nothing to see numerous police cars at the school. The violence is off the charts. Several weeks ago I was at the school for a scheduled meeting with one of the administrators about the bullying that was going on, and she could not even finish out meeting because several incidents occurred that she had to handle. As I left the school two additional police units were at the school dealing with something that had occurred. If this is Harford County, I cannot even imagine the city. The teachers do give out homework, but it does not matter if kids get it right or wrong. They say grading homework is unfair to kids who dont have help at home. They have now 6 assistant vice principals and still cannot maintain order. No, it is not a typo, they have 6 high salaried assistant vice principals. When kids have been assaulted by other students, which is up to 7 times this year alone, most of the time I find out from my son. No one from school calls. I have to call them. As a parent who pays over \$25,000 per year in health insurance, I am trapped in this school. I am sure others are in the same position. It is infuriating. I hope you veto it big!

4/2/2017 12:21 PM UTC



Tricia Grimes Willis So is the kids acting that way the schools fault? Sounds like a parenting/society issue. The school can't do much on discipline without being sued.

4/2/2017 1:32 PM UTC · [Reply](#)



Alstro Marie Tricia Grimes Willis. You are correct...to a point...students who want to learn should not be forced into a school system that is more concerned about political correctness then it is about educating our kids. Period.

4/2/2017 1:37 PM UTC · [Reply](#)



Tricia Grimes Willis We'll see how it goes. All parents think it's not their child that is the problem and I guess they will all have the choice to send them wherever. Hopefully it works out. I don't think charter schools are going to be the miracle everyone thinks they will be. The research doesn't show that they are.

4/2/2017 3:52 PM UTC · [Reply](#)



Clyde Harding Sounds like the school has a student problem caused by bad parents. Maybe you should move to a better school district?

4/2/2017 4:09 PM UTC · [Reply](#)



Alstro Marie "All parent think their kids are not the problem"...so my son sits in a classroom every single.day where kids like him want learn but are hampered by kids telling the teacher to "f" off every other minute. Kids who play on their phones and ignore the instructions. Last week, the teacher left his classroom because of fighting in the hall. Guess what happened? A kid started a fight in the classroom that resulted in a desk and chair being thrown across the room. The problem is half the student body should be in reform school. But the system makes excuse after excuse for them all at expense of my child. And other children like him, who have never cut class, never had a referral, and have been suspended are not the problem So, your comment ignores the reality that my kids are living. You send your kids to public school all you want, that is your choice. Parents should be given a choice.

4/2/2017 4:19 PM UTC · [Reply](#)



Alstro Marie Clyde Harding As I said, we pay \$25,000 per year for insurance . Once that is paid, there is no money to move.

4/2/2017 4:22 PM UTC · [Reply](#)



Tricia Grimes Willis I just mean the parents of those kids who are doing the fighting, cussing, etc. probably think their kids are angels who are just being picked on so given the choice they may choose to send their kid to the same school you choose to send yours and so nothing is solved. The real problem is not fixed.

4/2/2017 5:06 PM UTC · [Reply](#)



Tricia Grimes Willis Either way I do hope you can get your son into a better situation.

4/2/2017 5:11 PM UTC · [Reply](#)



Alstro Marie Private schools are accountable to the parents who pay the bill. Public schools are accountable to the system. Children who misbehave are noy tolerated in a private school setting. School vouchers are the only hope for many kids who are trapped in these hostile school environments.

4/2/2017 5:55 PM UTC · [Reply](#)



Tricia Grimes Willis But then you won't be paying the bill. Taxpayers will be paying the bill so that may make it more difficult for a private school to kick out a student who is misbehaving. Or it may not we'll just have to wait and see.

4/2/2017 8:44 PM UTC · [Reply](#)



Alstro Marie School choice cannot come fast enough!!!

4/2/2017 12:23 PM UTC



William Willis We can;t have any accountability in the school system now can we?

4/2/2017 12:33 PM UTC



Matthew Pharr It's funny how none of those equations have anything to do with each other. First, you have a condensed proof for Euler's identity, then the integral of a logarithm (with incorrect notation mind you) and the evaluation of a factorial.

4/2/2017 2:13 PM UTC



Matthew Pharr Anyways, as a student, I can't help but agree with the cap on standardized test weighting. Teaching to the test is a disease that has been plaguing our schools for every single year I have been a student: when standardized tests dictate so many aspects of how the school functions, you start learning how to pass the test to make your school look better instead of learning the actual material that will benefit you as you move towards a job or higher education.

4/2/2017 2:17 PM UTC

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**Larry Hogan**

"During a one-on-one interview with 47ABC on Friday, Governor Hogan said the act which carries two major pieces of educational measures, ought to be called the 'Protect Our Failing Schools Act'.

'It's one of the worst things that I ever seen happen in the legislature,' says Governor Hogan. 'We're going to trap kids in persistently failing schools. We won't be able to make any of the improvements.'

Part of the proposed legislation would set a standard on how school success is measured. It would use a combination of test scores, along with other factors like school climate surveys, absentee rates and opportunities to enroll in advanced placement classes...

Hogan also claims the state could lose up to 1.25 billion dollars over the next five years. He says that's because under the act, Maryland would be failing to comply with federal regulations to address failing schools."

□ **Hogan on schools act: "It's one of the worst things that I ever seen happen in the legislature."**
wmdt.com

There are less than two weeks until the 437th General Assembly in Maryland comes to a close.



4/1/2017 3:00 PM UTC

71 reacted: Like(65): Emmanuel Koranteng, Dexter Housel, John J Toft Sr., Vickie Bright, Huong Ngo, Dennis Renehan, Melinda Pearson Bedard, Nailya Mughaninskaya, Sharon Collins, Erlinda Lopez-Newby, Ian Osgood, Drew Zerbe, Luisa Belanger Wayson, Joleen Morrow, Charles Lewis, Bernie Moxey, Bernard Thomas, Nathan Zolp, Jenny Schaum, Kevin Wilcox, Zach Panneton, Meghan Kostkowski, RO Soo Hun, Jonathan Culp, Kerry Fair, Steve Norfolk, Denise Bishop, Katherine Yunkun, Laurie Close Bjorlykke, Baldr J. Magni, Gregg Williams, Ed Plummer, Poppy Pete, Mike Johnson, Bud Humelsine, Carol Todd Spence, Barbara Wagner, Adam Whittemore, Robin Hoffman, Robert Maffei, Buffy Pyle, Amrit Singh, Scott Williams, Peggy Parker, Stephen Murchake, Kristopher Gaasch, Shea Alexander, Steve Shank, Mike Sage, Pat Brown-Kearns, Terry McDaniel, Angel Anderson, Debbie Snyder, Brandon Hayden, Dan Brown, Doris Austin, Bob Martin, Jennifer Wilczynski Gigliotti, Alex Estill, Maria Harmening, Sandra Watts, Heather Nichole Schrems, Mickey Senate, Erin Coyne, Lori Krunze, Sad(4): Elizabeth M. Foster, Wade Martin, Debbie Mullins, Marjory Goldman and 2 more

18 comments



Janice Lepore Also from this article, an admission from the governor that funding may well NOT be at risk.

Since the governor has said both things he should stand behind both statements.

"However, the MSEA says that claim is "falsely exaggerated" noting the Every Student Succeeds Act is vague on certain requirements.

"The Attorney General's office has told legislators that nothing in the Protect Our Schools Act is out of compliance with federal law," a statement in a press release from MSEA reads.

47 ABC brought this rebuttal to Governor Hogan on Friday.

He admits there's no guarantee any federal funding would be lost, also agreeing the federal law is, in his words, "unclear".

4/1/2017 3:15 PM UTC



Christopher Graham Never heard of taxes?!

4/1/2017 3:20 PM UTC



Allison Chetney Heintz Worst thing that has happened in this legislature? This bill decreases the emphasis on testing (but doesn't remove it completely), lays out new ways for schools to show success, and mandates school boards to have plans for failing schools. The piece that our governor is so up in arms over is the part that prevents privatization. It keeps PUBLIC money in PUBLIC schools. Shame on Hogan for gross exaggeration.

4/1/2017 3:24 PM UTC



Delwar Sayed You sound as if Hogan is trying to take money away from Public School. You realize there is more than enough?

*** 4/3/2017 10:32 PM UTC · Reply



Sherry Agee Michaleski Get rid of Common Core.. What happened to that. Too busy messing with the school calendar.

4/1/2017 3:30 PM UTC



Dorothy Lang That's a great idea, common core is dumbing down our kids. Whatever happened to good common sense? Most of my generation and younger generation learned the very basics, reading, writing, and arithmetic. From that they could go on to more advanced courses. But no...some knot head decided to do common core and it is ruining our schools. I have great grand kids who don't have a clue and parents can't help because they don't know this CC stuff. Go back to simpler education, maybe kids will start to like school again. Doesn't mean they will be dumb, if it's interesting they will learn....JMO

4/1/2017 7:17 PM UTC · Reply



Eddie Shoe Dorothy Lang sadly common core is doing exactly what it was designed to do...eliminate critical thinking skills.

4/1/2017 11:14 PM UTC · Reply



Larry Hogan Yes there is a slight chance that even when the bill traps students in persistently failing schools it may not cost us over a billion in federal funds. But we can't take that chance. We just reached an agreement to fund \$23 million more for Baltimore City schools. This horrible bill passed at the same time could cost just Baltimore City more than \$250 million over 5 years.

4/1/2017 4:11 PM UTC



John Dashiell OMALLEYS gun control was worse... should do something about it

4/1/2017 4:53 PM UTC · Reply



Janice Lepore This bill is not about state school funding - that is a separate issue entirely, and certainly one I would appreciate hearing your position on, since the Kirwan commission is clear that we are currently underfunding schools to the tune of 1.9 billion.

The AG's office (and your own statement) indicate that the federal law is unclear and so your statements about the risk to federal funding are exaggerated. In addition, the Fiscal and Policy note make it clear that the potential conflicts are minor and I have confidence could be resolved through a joint effort before the September deadline.

The critical component of the bill, in my opinion, are the issues of reducing emphasis on standardized tests as a measure of school quality, and ensuring local representation in decision making for local schools. The current draft plan from the State Board does not accomplish either of those goals.

I would appreciate hearing your alternative plan, in addition to your criticism of this one.

4/1/2017 4:27 PM UTC



Brendan Maltese He won't come out and say it explicitly, but his actions suggest that he wants to privatize and remove local control. It's why he's introduced legislation to reduce regulations on charter schools, and issued an executive order on the school start date.

4/1/2017 8:50 PM UTC · Reply



Larry Hogan This bill isn't about state funding, its about ignoring an Obama Administration initiative to improve failing schools. It will stop any improvements to those schools by the State Board of Education, which unanimously opposes this bill, it actually may violate federal law and jeopardize federal funding.

4/1/2017 8:49 PM UTC



Allison Chetney Heintz And instead it mandates that local school boards and communities improve failing schools. Of course the State Board of Education opposes this bill; they are appointed by the governor.

4/1/2017 11:09 PM UTC · [Reply](#)



Arthur Betz Start with money management classes for all SCHOOL system employees. A NEW HEAD START PROGRAM FOR THE AUDULTS.

4/1/2017 9:00 PM UTC



Janice Lepore The bill in no way ignores the Every Student Succeeds Act, which far from being an Obama administration initiative is in fact the reauthorization of No Child Left Behind, which itself was the reauthorization of the Elementary and Secondary Education Act of 1965.

The intent of ESSA was to reduce the error in NCLB which placed an excessive focus on standardized testing scores as a measure of school quality. The tests were not developed to measure that, and there is no evidence that they do so well. There is, in fact, ample evidence that relying solely on standardized test scores fails our students, our schools, and our teachers.

Despite this evidence, and the intent of ESSA, our state board appears to be on a track to continue relying on standardized test scores to measure the value of our schools. This is poor educational planning, poor testing practice, and poor statistical practice.

Far from stopping any improvements to our schools, the bill requires the state board to look at other quality indicators besides testing. In addition, the bill requires the state board to cooperate with local stakeholders, including parents, teachers, and principals rather than allowing a unilateral action decided at the state level.

I think it is indeed regrettable that the legislature felt the need to get involved, but given the direction of the current state board plan, I can see why that is the case. I also find it regrettable that you continue to criticize the plan put forth in the bill, rather than respond with your own suggestions, and/or an explanation of why the current draft plan is more appropriate.

4/1/2017 9:29 PM UTC



Angela Brown Arnold Get rid of common core! Kids in public schools are unable to spell correctly. Our kids go to public schools in Carroll County and we teach them a homeschool spelling ciriculum (Superintendent Guthrie needs to be removed what a baby wipe!)

4/2/2017 1:23 AM UTC



Luis Figueroa Stop Trump from gutting funds from the education department that make Pell grants happen!!!!!!!!!!

4/2/2017 2:28 AM UTC



Rob Robin Bugos Yeah not so sure privatization of a public school is good for all... letting the teachers teach again would be awesone. Now the teach to test which limits creativity in lessons

4/2/2017 4:42 AM UTC

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**Larry Hogan**

"At issue is legislation that would tie the hands of the state board as it devises a new accountability system for school performance, which is required under the Every Student Succeeds Act federal education law. Under the proposal, the board would be barred from emphasizing student achievement. Among the restrictions being advanced by lawmakers: limiting measures of actual school effectiveness (student achievement, student growth and graduation) to 55 percent of a school's accountability rating..."

https://www.washingtonpost.com/opinions/maryland-threatens-to-reverse-its-progress-in-education/2017/03/23/15261718-0f66-11e7-9b0d-d27c98455440_story.html?utm_term=.6f9be46f04cb

**Change Maryland**

Larry Hogan shared Change Maryland's photo.

3/31/2017 6:00 PM UTC

3 tags: Larry Hogan, Change Maryland, 1677747015583788

22 reacted: Like(14): Dave Shadwell, Karen Glab, Debbie Snyder, Nathan Zolp, Colin Mc, Howard Roth, Mike Arruda, Ann Cassilly Lyons, Amrit Singh, Betsy Majane, Steve Austin McIntire, Ken Harmel, Squicciarini Bill, Kristopher Gaasch, Angry(6): Barbara Stokowski Florian, Patricia Rowe, Dave Lanzer, Lee Barnhill, Dexter Housel, Peggy Parker and 2 more

18 comments



Janice Lepore 55% emphasis on academic measures (primarily standardized testing) and 45% emphasis on other measures of school quality places Maryland firmly in line with other states' developing plans and with one of the intents of the Every Student Succeeds Act, namely, to reduce the focus on standardized tests as primary measures of school accountability.

From the bill Fiscal and Policy Note:

"Other States' Accountability Programs

Other states have also published their draft accountability programs for public comment. Illinois has decided to weight the SQSS measures at 49% of the total score, and the four other measures (i.e., achievement, academic progress, graduation, and English language proficiency) at 51% of the total score. Delaware has decided to assign the weights as follows: achievement 25%; academic progress 30% (20% individual student growth and 10% lowest performing student growth); graduation 10%; English proficiency 10%; and SQSS 25%. Ohio has assigned the weights as follows: 20% achievement; 20% academic progress; 15% graduation; 45% SQSS (15% K-3 literacy, 15% prepared for success, and 15% gap closing). Ohio includes English language proficiency in its gap closing measure. Other states including Colorado, Louisiana, and Tennessee have decided to use different weights for elementary and middle schools than what they are using for high schools."

So academic measure in Illinois are 51%, Delaware is a total of 65%, and Ohio is a total of 55%.

The current State Board Plan to use test measures as 70-80% is far out of line.

And the bill requires the State Board to work with local stakeholders. It does not "tie (their) hands" except to the extent that they cannot unilaterally decide what happens in a district, but must in fact work with parents, teachers, administrators and other stakeholders in that district.

3/31/2017 7:16 PM UTC



Allison Chetney Heintz This legislation protects our public schools from privatization. It de-emphasizes testing (without removing it) and included new measures of school success. It ensures that districts have a plan of action for failing schools. These are all good things that benefit our students.

3/31/2017 9:43 PM UTC



Peter Monaghan Thank you for reading through the rhetoric

4/1/2017 12:29 PM UTC · [Reply](#)



Scott Mirabile How do you respond to those who say that this legislation is aimed at preventing public schools from being decimated to make way for private and for profit schools?

4/1/2017 12:28 AM UTC



Brendan Maltese Why do you keep making this an attack on the teachers union? This has nothing to do with them. This is good legislation that is good for public schools. The huge emphasis on testing is failing. We should continue to strive to have the best public schools in the county by implementing good policies like this.

4/1/2017 1:25 AM UTC



Mary McSweeney Lanese Bs

4/1/2017 1:31 AM UTC · [Reply](#)



Brendan Maltese Care to elaborate?

4/1/2017 1:32 AM UTC · [Reply](#)



Delwar Sayed The problem started bcuz our students graduate without knowing the basics. That is why testing came in. It is not to evaluate students but schools. You know where these kids should be with that much funding?

These "tests" are nothing.

*** 4/3/2017 10:40 PM UTC · [Reply](#)



Mary McSweeney Lanese Duh! But the MD Senate is full of Dem partisan idiots who need the unions to keep them in office.

4/1/2017 1:31 AM UTC



Tricia Grimes Willis So who would really benefit by making people believe that teachers and their union are an evil band of thugs who don't want what's best for students? Yes that makes total sense...those rich, greedy teachers want all the money and love to watch children fail. Oh but wait most of them despite their college degrees make less than car salesman...hmm

4/1/2017 3:47 AM UTC · [Reply](#)



Caryn Abbott Tricia Grimes Willis it's not the teachers for the most part that are the problem. It's the very liberal teachers union.

4/1/2017 11:29 AM UTC · [Reply](#)



Tricia Grimes Willis Yes I keep hearing that but when I ask people who say that what the union does that is so horrible and detrimental to the education system I never get a response. I think that is because they don't and the people who say that have no clue. They have just read a headline from Hogan blaming everything on the union so they believe it. The union is the teachers. I think he continues to attack them and try to turn people against them because yes they do tend to always back democratic candidates. He should realize though that a lot of teachers voted for him and if he continues this attack he may lose a lot of votes next time.

4/1/2017 12:24 PM UTC · [Reply](#)



Brendan Maltese I'm a teacher who voted for Hogan, and all this teacher's union blaming is really hurting his chances of getting my vote again.



Delwar Sayed Actually the teachers do the most damage, specially the unions. Bad ones aren't fired because of such unions. These unions only advocate for political agenda of asking for more money and to keep that in their pockets. There is not one underfunded school in MD but more of these corrupt unions and elites. Tests are there to see if they are even teaching or not. These tests are a breeze for foreign students who weren't taught by semiretards while sitting among semiretarded peers.

*** 4/3/2017 10:48 PM UTC · Reply

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“...[I]f this legislation becomes law, the state board won't be able to prioritize student learning or be clear about school performance or do meaningful things when schools fail. **That may serve the interests of the teachers unions, which predictably have been the main pushers of this legislation, but it would not help students...**”

The Washington Post

**Larry Hogan**

"There's a growing frustration coming from members of Maryland State Board of Education on how the state is being allowed to carry out a new federal education law.

The Every Student Succeeds Act, or ESSA, is in place to help school districts raise the bar for students, but in Maryland it's raising eyebrows among the board of education members who believes state lawmakers are trying to tie their hands.

'I don't think this bill can be rescued, but I'm hoping that we can get it killed. If not, we'll have it vetoed,' Gov. Larry Hogan said.

A few days ago, Hogan promised to take the wind out of a bill he said blocks progress for students in Maryland's lowest-performing schools. The frustration had carried over into the monthly state board of education meeting...

'It is very frustrating that we have worked so hard as a board, as a department, as a state, to get to this place -- lots of conversations, lots of stakeholders -- and then, within 90-day session to have a lot of that work undermined -- it's difficult,' said Andrew Smarick, president of the Maryland State Board of Education.

Other board members believe the education bill has more to do with politics than policy."

Md. State Board of Education, lawmakers tied up over new education law
wbaltv.com

There is a growing frustration coming from members of the Maryland State Board of Education on how the state is being allowed to carry out a new federal education law.



3/29/2017 2:32 PM UTC

34 reacted: Like(30): Robert Borkoski, Brian P. Rice, Tod Wever, Thomas DiMaggio, Mike Naz Nasser, Charles Lewis, George Sherwood, Dave Robles, Linda Stanley Brown, Warren Barrett, Carol Beatty, Brandon-Christian Cooper, Nathan Zolp, Matthew Burke, Huong Ngo, Tess Rollins, Tina Rye, Kristopher Gaasch, Amrit Singh, Jane Keilholtz, Kevin Wilcox, Jackson Howard, Mathew Palmer, Peggy Parker, Sabawoon Wahidey, Jo Ann Jenkins Rogers, Muir Boda, Jason Smith, Ryan Priovolos, Alison Tavik, Angry(2): David Hagler, Dexter Housel and 2 more

16 comments



Delwar Sayed When are we going to get quality with the money spent? Even middle upper class ones with zero shortages have poor standards. Other countries get better quality with same or less. It is time to get rid of corruption and unions who allow this

*** 3/29/2017 2:57 PM UTC



Delwar Sayed Good

*** 3/29/2017 2:57 PM UTC



Laura Payne The State Education Board needs to get tough on bullying in our schools, and a lot of the time it's the teachers who are doing the bullying!!!

3/29/2017 3:29 PM UTC



Cosimo Giordano Again it's the teachers fault that parents refuse to control their children by not holding them responsible for their actions. You parents want to hold teachers responsible for their actions but turn a blind eye to the activities of their children.

3/29/2017 5:46 PM UTC · Reply



Laura Payne Excuse me, you must be a teacher, I've seen this happen, and we just had an a child commit suicide because he was being bullied, I'm not saying that it all teachers but when other children see teachers belittling and bullying the children in their class they think that it's ok for them to do it as well. Unless you were there you don't know what happened.

3/29/2017 8:08 PM UTC · Reply



Bud Humelsine Yeah, I side with Cosimo on this one, it's not the schools that should be teaching manners and values to kids

3/30/2017 11:05 AM UTC · Reply



Delwar Sayed I would say yes but without creating safespace

*** 3/30/2017 11:47 AM UTC · Reply



Tess Rollins Stay the course, Governor Hogan!

3/29/2017 4:02 PM UTC



Janice Lepore I share the State Board's frustration. As a stakeholder in Maryland's public schools, and as someone deeply interested in the education of our children, I saw the passage of ESSA as a positive moment. One of the primary goals of ESSA was to reduce the emphasis on nationalized standardized testing measures as a primary school assessment method - which the tests themselves were never intended to do, as acknowledged by the test publishers. Another major goal was to turn control back to the states to determine how they were going to measure the quality and progress of their schools. Living in Maryland, I had great hope that this would mean positive changes for how our state assesses our schools and measures progress and student learning.

I have been deeply disappointed, therefore, in the process Maryland has engaged in to develop our ESSA compliance plan. Despite my interest and attempts to learn more about, even participate in, the plan development process, it has been very difficult to find information about how to contribute to the conversation, listen to the decision making process, or understand the various plans under consideration. Beyond that, as I have been slowly able to gather information, I have been shocked to find that our State Board apparently plans to continue relying heavily on national standardized assessments as measures of our schools' success - in defiance of good testing practice, good statistical practice, current understanding of school quality measures, and the long and hard won lesson of No Child Left Behind, which demonstrated very clearly that testing does not tell us everything we need to know.

The Board apparently plans to continue relying on PARCC scores for 70-80% of the school quality measurement. If there is some sort of logical justification for this over-reliance on testing, I cannot imagine what that is. The PARCC publisher itself describes the test as designed "...not only to evaluate a student's progress, but also to provide better information for parents and teachers to identify where a student needs help, or is excelling, so they can tailor instruction to meet individual student needs." Nowhere in that description does it ever suggest the test is designed to measure school quality.

I find it incredibly disappointing that there needs to be a legislative response, but given the current direction of the State Board plan, we absolutely need the Protect our Schools Act to guide better, stronger thinking and measurement of Maryland schools, as well as more locally informed school improvement plans. Keeping academic measures, like the PARCC, as 55% of the quality assessment makes sense, as does adding in other quality measurements that are correlate with school quality and student success, such as teacher education level, school climate, and class size. It simply makes sense to involve local stakeholders - parents, principals, and teachers, among others - when developing any School Improvement Plan. This should have been in the draft plan in the first place, and I support requiring it per the Protect our Schools Act. Finally, I fully support the Act's restriction on state takeover of schools - local stakeholders should be part of local decisions.

Given the lack of transparency and communication about the development of Maryland's ESSA plan, perhaps you, Governor, and the State Board, should consider this legislative process as part of your feedback/stakeholder communication. Certainly it could be seen as simple political wrangling, but it may also be wise to consider that these representatives are hearing from their constituents - as are you, in these several posts you've made about the issue - that they are dissatisfied with where the Board is heading and support a plan that more closely aligns with the proposed legislation. If you disagree, I encourage you to publicly offer an alternate plan, and/or a fuller explanation for why you and/or the Board feel the PARCC is an adequate measurement for Maryland Schools.

3/29/2017 6:58 PM UTC



Rudy Newsome Eliminate the Dept of Ed. Reduce the size and power of the state ed board. Return all power and responsibility to the parents, teachers and local school boards.

3/29/2017 7:16 PM UTC



Helen A. I'm with Gov. Hogan. Change is needed.
3/29/2017 11:19 PM UTC



Dan Duvall The clowns running the education department in the state are a total joke. Need a major shake up
3/30/2017 2:17 AM UTC



Bonnie Leichtweis I'm with Gov. Hogan. Change is needed.
3/30/2017 11:16 AM UTC



Rachel Bennett Henry So I decided to read more rather than take a biased opinion from the man who has hated on public schools since taking office. Educational research has shown that relying on standardized testing alone as a measure of success is not an accurate measure. This bill aims to add to that measure in meaningful ways. Oh and I fully expect to be deleted, and block for voicing my opposition as I have been in the past...but this is actually a PUBLIC page...

"With the passage of the Every Student Succeeds Act, the Federal Government has given each state the ability to forge its own educational path. This path includes authoring a plan for measuring accountability and student achievement and growth. In previous years, accountability was measured in the form of student scores on standardized tests. Studies have shown that this is a poor method for evaluating public education, and HB978/SB871, the Protect Our Schools Act of 2017, is intended to correct this mistake, and implement accountability measures and intervention strategies that have been proven to get results.

Under ESSA, each state is allowed to include new measurements, beyond merely scores on a standardized test, for school success into their plan. Other indicators that have been shown to improve test scores—like smaller class sizes or access to quality pre-kindergarten programs—can be included in the accountability system as an "opportunity" indicator as well. Each of the indicators should, however, 1) have the same weight (so that school administration does not concentrate on one indicator to the detriment of another, 2) give "opportunity" indicators as much value as ESSA allows, and 3) include three or more "opportunity" indicators for each school system.

For example, a plan could include the following table:

Academic Indicators (51% of total score)	Opportunity Indicators (49% of total score)
PARCC Proficiency	Class Size
PARCC Student Growth (For Elementary and Middle School)	Access to Pre-Kindergarten (Elementary School)
Graduation Rate (High School)	School Climate Survey Results
Chronic Absenteeism Rate	Access to Advanced Courses
Career and Technology Certification Rate	Access to Related Arts Courses
English Proficiency for ESOL Students	Advanced Teacher Certification Rate

In addition, a strong ESSA plan should include safeguards against public school privatization strategies that have been known not to work. For example, some higher-ups on the state school board have floated the idea of state interventions via the creation of a statewide charter school recovery district (such plans of a state-wide charter school district have failed in other states), or voucher programs that have been shown to not expand opportunities for children who need it most. The "Protect Our Schools Act of 2017" leaves those intervention strategies up to the local boards, and prevents the state from overruling what the local jurisdiction finds to be the best strategy for improving an underperforming school"

3/31/2017 1:02 AM UTC

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**Larry Hogan**

Right now the legislature is debating a terrible bill that will have disastrous consequences for our schools and prevent thousands of children from getting access to the world-class education they deserve.

This so-called "Protect Our Schools Act" very simply would make it more difficult to identify schools that are falling behind, and protects failing schools and union contracts at the expense of Maryland's children.

On top of all that it jeopardizes \$250 million in federal education funding - including \$51 million for Baltimore City - according to the legislature's own fiscal analysts.

Even though this terrible legislation is being debated by the Senate, it's not too late to call. Contact your senators, tell them to quit protecting the teachers unions at the expense of students stuck in failing schools and reject this horrendous bill. => <http://bit.ly/MDLEGCONTACT>

**Timeline Photos**

3/28/2017 3:33 PM UTC

66 reacted: Like(40): Rachael Thornburg Lederer, Dennis Tice, Linnea Sandkuhler, Robert Weston, Nathan Zolp, Michelle Klein, Lori Douglas, Rebecca Smith, Shawn Harlan, Brian J Curtis, Gary Galmin, Barbara Wagner, Jane Keilholtz, Tim Burton, Carissa Maison, Dale Anderson, Bob Martin, Huong Ngo, Juanita Morrow-Witherspoon, Sharon Rice, Andrew Fisher, Ken Harmel, Eddie Shoe, Howard Roth, Kathy Davis White, Brenda Growden, Joshua Craver, Pat Brown-Kearns, Baldr J. Magni, Andrew Beckman, Luisa Belanger Wayson, Sandra Arevalo, Amrit Singh, Angel Anderson, Brooks Bennett, John Brown, Buffy Pyle, Phil Venture, Monica Ellis, Melissa Anne, Angry(15): Sandy Tropepe, Julie Hall, Dianna Harris, Ashley DeMauro, Mary McSweeney Lanese, Cate Saaybe Venango, Dexter Housel, Nancy Gray, Mary Jo Isenock, Kelly Bortner, Allison Chetney Heintz, Peggy Parker, Cyndi Burton, Jackie Roe, Doris Austin, Sad(7): Karen Vose Squires, Dora Jinnette Winebrenner, Jeff Fisher, Michelle Franquet Settles, Claude Romano, Kelly Sanford, Bruce Thomas, Wow(2): Heather Peterson, Serge Butovsky and 2 more

42 comments

Eric Harley Lyin' Larry, at it again. This bill does no such thing. It reduces the emphasis on standardized tests. It's just common sense that our kids are being tested too much and taught too little.

This legislation corrects No Child Left Behind's worst mistakes.

3/28/2017 3:36 PM UTC



Shawn Hayes No child left behind is entirely better than common core

3/28/2017 6:45 PM UTC · [Reply](#)



Grant Bingham I am tired of hearing about the Schools. What about Medical Insurance for Adults? Tax Breaks for Adults? Something for Adults.

3/28/2017 3:47 PM UTC



Alejandra Malespin Toribio Yeah, because children don't matter

3/28/2017 4:08 PM UTC · [Reply](#)



Grant Bingham Alejandra Malespin Toribio They matter but so do Adults.

3/28/2017 5:28 PM UTC · [Reply](#)



Shawn Hayes The kids go first. They're the future of our country.

3/28/2017 6:46 PM UTC · [Reply](#)



Grant Bingham Shawn Hayes why? Adults count

3/28/2017 6:49 PM UTC · [Reply](#)



Kelly Nyman I agree with you on most issues but not this one. How exactly has the state or federal government effectively turned around "failing schools" during the last decade of NCLB? Sanctions haven't done a thing to help and in fact have made it even harder to attract and keep experienced teachers at those schools. You've also failed to mention a key component of this legislation: reduced testing demands. Currently our students are subjected to a ridiculous amount of testing to the detriment of actual instructional time. Our schools need help but testing, testing, testing, and labeling has not worked for the past 10 years and will not work now.

3/28/2017 3:48 PM UTC



Susan Jones Kelly Nyman, of course as one who would be directly effected by these changes, you would challenge any bill that would hold you, as a teacher more accountable. It's time we put the students education before politics or union agendas.

3/28/2017 4:25 PM UTC · [Reply](#)



Sandra Minge Susan Jones, but these tests don't accurately measure the teachers, they measure if the child got a good sleep last night, had a good breakfast, wasn't late for school, isn't focused on the beautiful spring day outside, or whether or not their bff matches with their outfit today. and thats the good kids. thats not the ones who might have to worry when dad will be home or if they have to put sister to bed tonight because mom is working late. or if they get mcdonalds for dinner again tonight. There should be a way to measure student progress and teacher effectiveness. but test are not it.

3/28/2017 4:54 PM UTC · [Reply](#)



Deb Emerich Stahl Susan Jones If the tests actually measured what they purported to, if they didn't take up a huge chunk of time and energy and yes, resources - it costs MILLIONS to administer these tests each year, and that's not even accounting for the lost computer lab time, OR the cost of enough computers to administer them on (plus maintenance and replacement) - if they were actually used to help schools & teachers teach better and help students learn, I would have far fewer issues with them.

But teachers don't get to see them, EVER, so they have no idea - nor will students or their parents, EVER - what students got right & wrong. Even if teachers COULD see where they needed to improve, the results come back the next Fall anyway. (MAP testing is an exception to this, but those results aren't the ones used to grade schools - those ARE used directly w/students.)

The whole Standardized Testing craze is nothing but a "gotcha" game, students are NOT the primary beneficiaries here. If they were, that would be another story - but they are NOT.

3/28/2017 5:00 PM UTC · [Reply](#)



Janice Lepore I think testing scores have a place in accountability but not the large place that has been allotted to them under No Child Left Behind, and as others have said the tests need to be used properly as designed. Right now the measures are designed to assess student achievement (either as an individual or as a group) and then we use those scores to make assumptions about teacher/school quality - that's a poor statistical method any way you twist it.

One of the things I appreciate about this bill is the fact that it includes a measure of "growth" test scores in addition to the current method of accountability. "Growth" test scores

As an example, let's say we have two schools, and each has received a completely new class of fourth-graders in a given year. In one school, all of the students are already reading at fourth grade level, and in the other school, all the students are reading at second grade level. Under the current testing method, both schools would be tested, and school one would be seen as "superior" while school two would be seen as "inferior", based on little more than luck. There would be nothing that actually tells us about the teacher or the school quality.

However, let's say over the course of the year school one maintains its students achievement and they progress as expected from a beginning fourth grade level to an ending fourth grade level. But school two brings its students from a low second grade reading level up to a mid-third grade reading level. A full year and a half of progress. With "growth" testing, we could see that the second school had actually made more progress than the first school, even though its students were still reading below their assigned grade level. The school (and the teacher) would get some credit for the remarkable work of bringing struggling students further over time.

At the end of the day, this approach can actually give us more information about the teachers in our schools and the effects of the things they can control (for example, the things that happen in their classroom).

I am sure this bill is not perfect, no bills are, but there are a lot of good ideas in it. I would really like to see our Governor work together with the General Assembly to improve on all of the ideas they can all bring to the table.

3/28/2017 5:30 PM UTC · Reply



Kelly Nyman Susan Jones I have no problem being held accountable for my performance as a teacher. But...let's consider how you are evaluating me. I teach third grade so PARCC is used to determine if my students are performing at an acceptable level. I suppose it would seem reasonable to you that if I am a good teacher, my students will score well on this test. In a perfect world you are correct. But consider my class...I teach the inclusion classes comprised of children with intellectual disabilities, learning disabilities, emotional disabilities, and all of the "new comer" ESOL students. At the beginning of the year, not a single student of my 48 could read at grade level. Most came to me reading on a kindergarten or first grade level (and a handful could read at a second grade level). Some did not know their letters and could not write their names. We have worked very hard this year. Most students have gained at least a year's worth of skills in 6-9 months. Some have gained TWO years worth. But guess what...they will still not meet the minimum pass score for PARCC because two years still puts them below grade level. All of that progress is ignored when you only consider test scores. Add to that the many challenges of working in a challenging (high poverty) school mentioned by other posters. Individuals like you would like to impose sanctions on teachers in these schools because we don't produce sufficient test scores. So guess what...now no one wants to teach in these schools. Teacher turnover in these schools is unbelievable. The work there is challenging already and when you seek to "punish" those you deem are not effective without actually understanding the entire situation, the problem is compounded. I invite you to visit some of these schools to see for yourself the challenges we face. Meet the children we teach (but come back often because our classes change weekly in these schools as students come and go). Teachers in these schools put their children first every day. They are not worried about politics or union agendas.

3/28/2017 5:37 PM UTC · Reply



Alex Paciga Extremely well said, Kelly.

3/28/2017 5:57 PM UTC · Reply



Susan Jones I respect that you have a challenging job but the only students that should be in your third grade class are ones that have legal status and can speak English (otherwise refugees and legal immigrants should be attending alternative classes that bring them up to basic standards for the grade they should be in)..... to put these children in a class with the general population is not only a distraction for other students but a complete failure to give them a successful future. Our children should NOT have to attend college just to get an entry level job... if you can't properly prepare our youth for life after twelve years than something is terrible wrong.

3/28/2017 6:58 PM UTC · Reply



Brittany Cooper Susan Jones perhaps it's content that's being taught...which is also regulated. Because I know I have used protractors zero times as an adult or if the limit is approaching 1 but maybe our students would succeed with more practical skills like general problem solving and budgeting. Testing proves nothing.

3/29/2017 3:31 PM UTC · Reply



Leslie Clark After the recent incident in a Maryland school involving 2 illegal immigrant men its obvious that the educational system is not a priority to the powers that be. Js

3/28/2017 3:51 PM UTC



Jackie Roe omgosh, yes. How is an 18 yr. old put in the public education system, and in the 9th. grade at that. They have night schools when people drop out of day school, this should be an option for people who need to be educated. Not putting him in a place with 14 yr and younger. Disgraceful.

3/28/2017 4:02 PM UTC · Reply



Deborah Lohrmann But they are illegal, they have rights, American Citizens don't have any.

3/28/2017 4:25 PM UTC · Reply



Shawn McCaughey The problem Leslie Clark is trying to identify is RAPE.

3/29/2017 12:46 AM UTC · Reply



Leslie Clark How so?

3/29/2017 2:03 AM UTC · Reply



Janice Lepore Mr. Hogan you have posted several times about this bill in the last two days, but I have not seen a post with your own proposed plan for strengthening and supporting our public schools, and responding as required with an ESSA plan. I would be very interested in seeing your proposal.

3/28/2017 3:55 PM UTC



John Brown After how many years...decades...and how many billions of money spent in baltimore city with failure and corruption and students being pushed out as seniors who couldn't read or comprehend. Few years back teachers program had them getting bonuses for their success rates of their students but later found out teachers were fudging the grades and taking the cash. The whole system is broken. It needs to be replaced. The children come first. Not the over paid administrators and executives.

3/28/2017 3:55 PM UTC



Susie Wood Exactly

3/29/2017 12:39 AM UTC · Reply



Randy Pullman I for one have had enough of the teachers unions holding a knife to tax payers throats!

3/28/2017 4:00 PM UTC



Bob Watters I hope before any of you act and call your reps mindlessly parroting what is in the above post, you seek out the text of the bill first and read up.

It sure would be nice if our governor gave us some more credit and provided us the raw information to let us form our own opinions; they might even align!

3/28/2017 4:09 PM UTC



Michael Gerber Too bad we will be losing tons of federal money since we are becoming a sanctuary state.

3/28/2017 4:27 PM UTC



Allison Chetney Heintz I urge all of you to read the actual text of this bill. It reduces the emphasis on standardized testing (aren't many of you fed up with PARCC?), and makes schools accountable for other measures of school quality. It also mandates that districts have a plan for failing schools.

3/28/2017 4:50 PM UTC



Mary McSweeney Lanese Not really.



Eddie Shoe Common Core...dumb them down...keep them in poverty...keep getting reelected! Baltimore is the model.
3/28/2017 6:20 PM UTC



Alex Spellman Why don't you go after the millions of dollars MD is wasting in unpaid property tax by lying residents claiming 2 or more principal residents, when you sign closing documents to buy a house "under penalty of purgury" that you are living there as a principal residence, yet this continues, pathetic...
3/28/2017 6:27 PM UTC



Jsh Rchmn Politics over results. That's the democrat way.
3/28/2017 7:09 PM UTC



Chris Turner Ok? So veto- is there no other story to share today ?
3/28/2017 7:39 PM UTC



Christopher Graham World class education has nothing to do with any gov't run school. Abolish the MaryLand Dept of propaganda and indoctrination
3/28/2017 10:42 PM UTC



Joe Hart Do some thing for retirees!
3/28/2017 11:36 PM UTC



Michael Maultsby Ok, I love Gov Hogan normally, but this is pure propaganda. The bill moves Md to finding a better way of testing than Standardized Testing. It is not about NOT testing, it is about finding a better testing method, when the one we are using has been repeatedly found as ineffective. If you want to say you do not like it because of your party, fine, but let's NOT Lie and Mislead us. You have built up too much trust to piss it away like that.
3/29/2017 6:08 PM UTC



Amibeth Maguigan-Jean Pierre Trump already plans to cut funding
3/29/2017 10:20 PM UTC



Susan Frank I would like to know as a Md taxpayer when did the State Board or the local EVER prioritize student learning? That is why so many so called graduates cant' read, write or do basic math.
3/30/2017 1:44 AM UTC



Remash Guyah Governor Hogan, you will fail the kids with your stance... You are supporting old world failed policies on education.
3/30/2017 2:55 AM UTC

Protect Our [Failing] Schools Act

"Put bluntly, if this legislation becomes law, the state board won't be able to prioritize student learning or be clear about school performance or do meaningful things when schools fail. That may serve the interests of the teachers unions, which predictably have been the main pushers of this legislation, but it would not help students, particularly those – minority and low-income – who lag behind their more affluent counterparts."

The Washington Post, "Maryland threatens to reverse its progress in education,"
3/23/17





Larry Hogan

Michael Phillips: "As a faith leader, I am deeply committed to my calling to shepherd members of my community toward a life lived in our shared ideals. For me, these ideals include compassion, service, opportunity and honesty. We must work together to deepen community, to make a conscious, intentional effort to build on the connections between us and resist the pull of the often shallow and disingenuous responses to complex issues that face our community. Here in Baltimore and throughout Maryland, we must trust one another.

Which is why I am deeply troubled that the General Assembly of Maryland has introduced HB 978, the Protect Our Schools Act of 2017, which is a dishonest name for what the bill seeks to achieve. It does not protect our schools. It allows schools that consistently fail our students academically to continue doing so without real accountability or opportunities for improvement.

Under the Every Student Succeeds Act (ESSA), Maryland is required to submit a plan that includes the indicators by which it will evaluate its schools. Some of these indicators can be non-academic, but some must be academic, and the academic indicators must be given 'in the aggregate much greater weight' as compared to the school quality indicator. Intuitively, this makes sense. Schools are, and should be, measured by how effectively they educate our children academically.

But this bill, which is being hurried through the legislature far in advance of when Maryland will submit its state ESSA plan, limits the combined total weight of academic indicators — particularly test scores — to no more than 55 percent of a school's final rating. That is to say if passed, this bill would limit how much weight students' academic success will have on a school's overall rating and will limit how schools use assessment data to measure a school's efficacy.

What does this mean? And what does it communicate about what we hold our schools accountable for? Under this bill, a school could receive an adequate rating while chronically failing students academically. What's more, schools like these would not be subject to vital state interventions, called for by federal law, that could turn the tides for these schools.

A high-quality education matters. Students who are molded by a strong education, with high standards, effective teachers and individual and school-level accountability, grow to become successful, thriving adults. Children who remain trapped in poor schools graduate with few professional choices, a lower standard of living and a lower life expectancy than their better educated peers. There are ample studies to validate this, but any time spent in Baltimore among some of our struggling communities drives the point home.

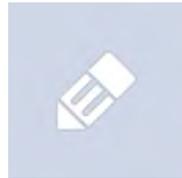
If these are the stakes - and they are - how can we ensure that our young people are lifted by their schools instead of thwarted by them? At least one critical lever must be assessing the quality of our schools and the education they provide through our students' demonstrated skills and knowledge. To be clear, no one is arguing for increased testing, nor the dreaded 'teaching to the test.' But we cannot support struggling schools and the students in them if we cannot identify areas for improvement and provide focused attention, resources and problem-solving toward these areas.

This has implications not only for our schools but for our young people, as well. Our obligation to our children - as parents, role models, mentors and advocates - is to prepare them for the life that awaits them. We do our children a great disservice when we allow them to believe they are receiving a strong education at a high standard when, in truth, we are sending them into the world ill-prepared to develop into the strong, critical, passionate community leaders that we need in cities such as Baltimore."

Michael Phillips: Unaccountable: Every Student Succeeds Act Fails Students

centermaryland.org

As a faith leader, I am deeply committed to my calling to shepherd members of my community toward a life lived in our shared ideals. For me, these ideals include compassion, service, opportunity and honesty. We must work together to deepen community, to make a conscious, intentional effort to build...



3/28/2017 12:32 PM UTC

30 reacted: Like(26): Rachael Thornburg Lederer, Bill Rathell, Tammy Benson, Jill Nechamkin Roach, Barbara Wagner, Carolyn Jorgensen Fewster, Nathan Zolp, Squicciarini Bill, Huong Ngo, Kelly Ernstberger, Scott Brown, Amrit Singh, Rita Crawford, Robert Borkoski, Sandy Redmer, Dexter Housel, Barbara Klonin, Myra Neale, Roger Squires Sr, Dana Stanley, Jackson Howard, Mathew Palmer, Dawn Hite, Faith Jeanellie, Kristopher Gaasch, Ann Dalrymple, Love(2): Janice Fowler Chan, Angie Gomez Halcomb and 2 more

22 comments

Janice Lepore The ESSA plan is due in September, so establishing guidelines in April is wise timing, in my opinion.

In addition, one of the goals of ESSA was to reverse the emphasis on testing as a sole or primary measure of school quality, which was implemented under No Child Left Behind. The lesson of that experience was clear - relying on test scores does not give us critical information about other aspects of school functioning - attendance rates, teacher education/training, progress in student growth (aka narrowing the achievement gap). These factors are important, ESSA says they should be considered in state plans, and this bill conforms with that. The 55% weighting of test scores is well in line with other states' developing plans. The 70-80% weighting under consideration by the State Board, on the other hand, is excessive.

The tests we are currently using also do a poor job of measuring school quality because that is not what they are designed for. They are designed to assess individual or group student achievement, and then we assume that data reflects on the quality of the teacher or school. But any parent or teacher knows that a child's performance or behavior at a given moment on a given day rarely reflects the input of the one adult in front of them at the time. I appreciate the inclusion of growth measures in this bill - assessment of students over time, comparing their own development.

In addition, my reading of the law certainly does not say that the school would not be subject to state intervention - rather, it requires the state to include local stakeholders in the intervention planning process. Since local leaders are most likely to be informed about local needs and resources this seems to me to be simply logical.

I am concerned that I don't see language in the bill specifically addressing students with special needs (e.g., learning differences, second language) and I do wish the governor would invest some effort into improving these areas.

3/28/2017 12:53 PM UTC



Mary McSweeney Lanese Not buying your line of crap. If you can't get rid of bad teachers and don't have some method of uniform measurement of success, then it's pretty much "anything goes"--and that's not going to help these kids do well in life.

3/28/2017 1:43 PM UTC · [Reply](#)

Janice Lepore Okay, Mary McSweeney Lanese, we can disagree. But the bill doesn't prohibit anyone from getting rid of "bad" teachers and does establish a measurement of success, it just relies less on test scores and includes other known measures of school quality. I agree accountability and quality measures are critical. It's one of my concerns about public funding for private schools - the public transparency laws and laws regarding quality/accountability measures and reporting don't bind private schools.

3/28/2017 1:47 PM UTC · [Reply](#)



Deb Emerich Stahl As for "uniform measures of success," I wouldn't mind such a measure if it were also a "valid" measure of success. Right now, "success"="test scores," which can happen in cases of year-round test prep, or even cheating, while other measures of school quality go un- or under-reported.

Standardized testing was not originally designed to grade teachers or schools, but to inform instruction, to find "holes," so they could be closed and instruction improved. Turning them into high-stakes endeavors (along with lousy Common Core standards, which is another smelly kettle of fish) is not serving children, schools, OR families - but it IS putting a lot of money into the coffers at Pearson.

3/28/2017 6:47 PM UTC · [Reply](#)



Katie Yingling Mary, I'm confused by your statement regarding getting rid of bad teachers. They are actually called ineffective teachers, and many school systems in Maryland already have measures in place that allow school systems to terminate tenured ineffective teachers.

3/29/2017 12:14 PM UTC · [Reply](#)



Mary McSweeney Lanese Everyone in Maryland should be reading this article.

 **Eric Harley** And you live in McLean, Virginia?
3/28/2017 6:09 PM UTC · Reply

 **Mary McSweeney Lanese** Yeah--and your point is?
3/28/2017 6:10 PM UTC · Reply

 **Eric Harley** Stop carpetbagging
3/28/2017 6:11 PM UTC · Reply

 **Mary McSweeney Lanese** LOL--you live in Maryland and you're accusing me of "carpetbagging"?--do you even know what that means? Maybe you need some more MD education...
3/28/2017 6:12 PM UTC · Reply

 **Mary McSweeney Lanese** Yup--look it up! LOL
3/28/2017 6:14 PM UTC · Reply

 **Eric Harley** Hahaha, you're cheering yourself on? Rich.
3/28/2017 6:15 PM UTC · Reply

 **Sandy Overstreet Q**
3/29/2017 10:03 AM UTC · Reply

 **Susan Jones** We must take the power of decision making away from the Teachers Unions and put it back into the hands of parents and teachers jointly. This is another positive reason for school choice.... many private and charter schools are non- union, therefore poor performing teachers can be dismissed and Parent/Teacher dialog is encouraged.
3/28/2017 4:15 PM UTC

 **Katie Yingling** Maryland doesn't have unions, they have associations. Thanks to our association, we currently have a program in place that allows the school system to not only provide a year of intensive support to an ineffective teacher, it also provides a forum for possible termination of that teacher if that teacher does not improve to the effective level.
3/29/2017 12:17 PM UTC · Reply

 **Rachel Ashbrook** A high quality education is not measured by test scores. Having schools only measured by false academic measures like standardized tests limits a parent's ability to know what kind of education a school is providing. High test scores could mean a school is only doing test prep.

I want my children exposed to the arts, humanities, diverse global history, and so much more. Support the Protect Our Schools Act and keep test prep out of schools.
3/29/2017 11:17 AM UTC

 **Katie Yingling** While this message from Michael Phillips has the appearance of community concern, I am seeing and hearing major issues in this message. A bill that limits how much assessment data is used to measure a school's efficacy is not a bad thing. As we have already learned from NCLB, an exaggerated focus on standardized assessment data has not leveraged our schools in any way. Why would we continue down a path that resulted in some extreme failures of our students' success. This result was and will be a continued mindset of teaching to the test, which puts all schools, all teachers, and all students in a box. It saddens me that anyone would support ESSA, and I also wonder how many of the people in support of ESSA are actual educators.
*** 3/29/2017 12:11 PM UTC

 **Janice Lepore** Katie, I'm a little confused. ESSA was written in part to roll back the emphasis on testing that was part of NCLB (and which I agree was a mess). Another goal was to give states more individual decision making in how to assess school accountability. So all states were required to write a plan explaining how they were going to measure school accountability based on their individual states needs and priorities. The plans are due in September for review by the federal Department of Education.

The current draft plan for Maryland, supported by the state Board of Education, continues a significant emphasis on testing as a measure of school quality. The estimates I'm seeing our 70 to 80% weight in the overall accountability score. One of the benefits of the Protect Our Schools Act as I see it is a reduced emphasis on standardized testing as a measure of school quality, and the inclusion of other factors, including class-size, level teacher education, etc.

So in part because I do support a reduced emphasis on testing, I support the ESSA, I think it's a move in the right direction although not a complete solution. And I also support the Protect Our Schools Act.
*** 3/29/2017 12:25 PM UTC · Reply

 **Katie Yingling** Janice, I guess I should have been more specific in stating I'm shocked that anyone would support and accept a 70-80% weight in standardized quantitative data as a means to assess a school's success. Most of my points were in a direct response to Mr. Phillips's statements and the complete rejection of a bill that acknowledges a need for the quantitative data but also puts an equal emphasis on the qualitative measures needed to assess a school's success. I'm on your page completely...you communicated it much better than I did.
*** 3/29/2017 1:11 PM UTC · Reply

 **Janice Lepore** Thanks for your reply Kaite -it is so easy to get mixed up with all the abbreviations! Have a great day.
3/29/2017 1:32 PM UTC

 **Robin Call** There are children out there who really don't do well on tests, they read the material, they study the material, they know the material but then when it comes to the test they freeze, their minds go blank, and then they fail the tests making them feel like failures when in reality they are not... Obviously, we need more hands on training at schools, we need to teach children in ways that they can learn more effectively....You can't sit 30 kids in the classroom and have a teacher stand up there and just preach at a child because each child is different, each child has different things going on in their homes or lives, lot of variable factors....then you add kids who don't speak English, have behavior problems, special needs, disabled, learning problems, etc to that same classroom then it causes children difficulties in learning....now violence in schools....All that stress on teachers and students...A child sets up his personality between ages 3 and 5....they spent that time in daycare homes and facilities....we need to implement preschool settings and learning during this time in these children's lives not waiting until they are 5 years old to go to school before they learn and then a lot of them are behind the learning curve of their peers and those kids are the ones that are the class clowns and the behavior problem children....I did daycare, I had 6 children in it from 18 months to 6 years old and they were all learning the same preschool stuff that the 6 year old was learning in school but you have to sit them in a circle and teach them, help them learn on their own learning level...States must start the learning in the daycares and then move them into the schools, parents must take the active roles of giving their kids a consistent nighttime routine, daycares should be teaching kids like a preschool...I taught the children ABCs, numbers, art, days of the week, weather, music, recess, naps, manners, I bought children size dishes to teach them how to serve themselves at mealtime, how to write, how to use scissors properly, field trips to bowling, reading time at the library, then to eating out in public afterwards....you can't expect them to learn at your level, it must be at their level...if all they do for 5 years is sit in front of a tv or made to play outside all day at a daycare or a babysitter's home and then they are thrown into a school environment and suppose to sit still and learn; they have already failed before they even begin...Each child must learn the basics before they even get to the school without that basic foundation a child has no hope in school academically. Home daycares have limited sources, they need closets where they can borrow items, make copies of learning materials etc until they can get set up....If we have to cut preschool funding force preschool learning into the daycare facilities and home daycares
3/29/2017 1:52 PM UTC

 **Francesca Kalend** No! You are promoting the grisly lady insane agenda re the privatisation of our schools!
3/29/2017 7:17 PM UTC



Larry Hogan

Since day one, education has been our administration's top priority, and we have strengthened our commitment to public education by providing record funding every year.

However, right now the legislature is debating a terrible bill that will have disastrous consequences for our schools and prevent thousands of children from getting access to the world-class education they deserve. This bill severely limits the State Board of Education from taking any substantial action to make improvements to persistently failing schools and prevents needed accountability in our school system.

This so-called "Protect Our Schools Act" was drafted by political operatives of the teachers' union, who have desperately been lobbying members of the legislature for months. Very simply, this bill would make it more difficult to identify schools that are falling behind, and protects failing schools and union contracts at the expense of Maryland's children.

On top of all that and according to language in the actual bill, it directly threatens to cost the state \$250 million, including \$51 million for Baltimore City, in federal education funding.

This terrible legislation is being debated by the Senate tonight. Call your senators, tell them to say no to the teachers' union, and urge them to reject this horrendous bill => <http://bit.ly/MDLEGCONTACT>



Opinion | Maryland threatens to reverse its progress in education
washingtonpost.com

Lawmakers are poised to cave to teachers unions and gut education standards.

3/27/2017 10:18 PM UTC

25 reacted: Like(17): Tim Schmitt, George Sherwood, Kristina Dahabura, Lynne Eldorado, Chris Martin, John Weaver, Zalee Harris, Stephen Horvath, John Kosciolk Jr., Tom Richards, MacGyver Biniak, Rob Weithman, Cameron Easter, Jackson Howard, Savannah Masterson, Marjorie Tabor, Leonard Raskin, Angry(5): Kevin Scally, Alex Hwang, Kristina Robbie B, Dexter Housel, Carolyn Jorgensen Fewster, Wow(1): Tracy Curtis, Haha(1): Susan Frank and 1 more

35 comments



Matthew Smith Did you hire s PR firm to write your social media posts. Your fear tactics only fool the 40%. Lately your love affair with Klump is becoming tedious and will hurt your re-election chances.

3/27/2017 10:24 PM UTC



Ray Dye I see education. Has failed you if you look close it says Washington. Post under the post. I can tell ya must be a democrat. Or a libral by your lack of respect, but any ways Mr Hogan has lot on his plate to deal with childish political behavior. And disrespect respectful people.

3/28/2017 7:13 AM UTC · [Reply](#)



Matthew Smith There is a news article attached from the Washington Post. I am referring to his post regarding that article. If education had failed me, then I would assume based on your spelling, grammar and sentence structure you must have been home schooled?

3/28/2017 10:33 AM UTC · [Reply](#)



Chris Martin "Fear Tactics" posting an article on FB...What a menace.

3/28/2017 12:49 PM UTC · [Reply](#)



Matthew Smith Lol. His comment on the article. Using the Klump PR firm fear words. That is menacing. You may be able to read past it. Many are not able.

3/28/2017 12:53 PM UTC · [Reply](#)



Larry Hogan This is the Washington Post Editorial Board.

3/27/2017 10:32 PM UTC



Donna Lee Duff These unions need to be defeated because their tactics are NEVER in the best interest of the students - it's always about their continued employment.

3/27/2017 11:59 PM UTC · [Reply](#)



Delana Muir Shifflett This is not about protecting employment. It is about reducing the amount our students are testing . As a parent, and a teacher these children do NOT need more testing. I do not agree with everything this bill says , however, I do agree with less testing, smaller classes , and a curriculum that will allow us to teach content that is age appropriate for the students learning it . Instead we are now forcing students to learn higher level content at a younger age more and more every year for ridiculous tests. NO MORE STANDARDIZED TESTS.

3/28/2017 12:16 AM UTC · [Reply](#)



Josh Friedman Donna Lee Duff And standardized testing is in the best interests of kids? The companies that make standardized tests spend millions of dollars to get pols elected to put more and more emphasis on tests.

3/28/2017 12:37 AM UTC · [Reply](#)



Paul Tomasevich Standardized test were never designed to assess student performance . They were designed to assess teacher performance. Unfortunately they fail at both.

3/28/2017 1:10 AM UTC · [Reply](#)



Ray Dye Dont worry. Mr hogan. Your. Doing great job. Working with bunch of Democratic. Jack. A##es. Ik its lot of stress on you but the ones who cares about this country. And this state supports you 100%

3/28/2017 7:17 AM UTC · [Reply](#)



Janice Lepore Having read the bill, I support the changes in school accountability measurement, particularly a reduced emphasis on testing scores as a primary indicator. No Child Left Behind has clearly taught us that tests (which are not designed to measure school quality in the first place) are a poor tool for this purpose. I find it deeply concerning that the current State Board is considering leaving test scores as 70-80% of school accountability.

I also strongly support the bill's requirement of local school representation during any school improvement plan, and prevention of state takeover and school privatization. Local districts are best informed about community resources and needs.

I have called your office several times this session to ask about your position regarding public education, with no response. Therefore, I do thank you for this public statement.

3/27/2017 11:56 PM UTC



Delwar Sayed 70-80% ARE FAILING. Do you not see the standards in these schools? Even our wellfunded middle class schools with zero 'shortages' cant meet the performance shown by third world countries who dont pay that much. Test like MSA and others would be considered breeze. With that level of funding our children should be Calc ready by 9th grade but they are not even after they graduate. EVERY supplier in this country is a fraud, there is no effectiveness but money is thrown at first our military, health services, etc all do that. No quality for the dollars spent in this country



Chelsea Carr Maybe the state and city could compensate for those losses by not investing in charters and voucher programs? ☐
3/28/2017 12:00 AM UTC



Susan Frank What progress? Once Grasmick left, it fell apart, and even she had barely scraped the bottom of the cess pool.
3/28/2017 12:19 AM UTC



Josh Friedman I love how you want to play politics and use our children to get back at unions...because they didn't vote for you. Here's an idea, give teachers the exact same job protections we give police officers and you can have any assessment system you want. Fair?
3/28/2017 12:34 AM UTC



Dawn Hite So failing teachers can retain their jobs despite poor performance? No thank you.
3/28/2017 12:41 PM UTC · [Reply](#)



Josh Friedman Dawn Hite What makes a failing teacher?
3/28/2017 12:45 PM UTC · [Reply](#)



Delwar Sayed Lowering standards to artificially boost GPAs and Graduation rate. Go visit another country and see where they are at with the same amount of money(Or less). Even the Well funded middle class schools are lowering their standards and are graduating dumb people..
*** 3/28/2017 6:47 PM UTC · [Reply](#)



Marty Murphy Mr. Hogan, I do NOT support your position, period. I agree with Janice Lepore. Moreover, don't even consider deferring any state's assets or leverage to Betsy DeVos and her "ideology", she, like you, is not an educator.
3/28/2017 3:35 AM UTC



Susan Jones As a lifelong Marylander I truly hope the Federal Government DOES withhold funds 🙏 for being a Sanctuary State..... perhaps than Annapolis will listen to it's residents. The only reason most of them are even in office are because of the illegitimate gerrymandering. That's the next issue we voters Must address !!
3/28/2017 3:58 AM UTC



Zalee Harris Yes, take away Maryland State Department of Education control over local decision-making for education reform.
3/28/2017 4:20 AM UTC



Kayla Wumer So, rather than improving education and supporting failing schools, what should we be spending our money on?
3/28/2017 4:23 AM UTC



Zilla Lutchman Hosein Our children's education should be our top priority in Md.
*** 3/28/2017 10:18 AM UTC



Kevin Clifton Lame duck Larry Mike and Mike own him
3/28/2017 12:13 PM UTC



Lisa DeGross Well, you could start by giving our teachers a decent wage and the raises they deserve. Also get rid of about 80% of the 'standardized testing' that only serves the companies that own the tests (looking at economic info for the areas would actually give you more accurate info about how well the students are doing). If YOUR plan doesn't include those, then it needs to be revamped.
3/29/2017 1:46 AM UTC



Kevin Scally Every teacher I know works their butt off and strives for what is best for the students. They work hard and often work overtime - just like construction workers, nurses, accountants, lawyers, engineers, etc.. But it's important to add, not one of my teacher friends are starving. Perhaps we should contribute less from pensions and give it to teachers today. It's the deferred pension costs that are killing school systems. It would also even the playing field as the construction workers, nurses, accountants, lawyers, engineers, etc. have to save on their own.
3/29/2017 3:10 AM UTC · [Reply](#)



Allen Tracey In a sense, teacher's are saving on their own, too. Approximately 7% of my wife's salary goes towards her pension. I certainly hope you wouldn't want the benefits cut for teachers who are at the retirement stage of their career. Secondly, while she isn't starving now after 30 years in the profession, when she started, her salary was \$16,800 in 1987. Those were some lean years.
3/29/2017 10:15 AM UTC · [Reply](#)



Delwar Sayed These tests are a breeze compared to what kids in third world countries go through. These tests show the reality that the schools lack standards. So I couldn't get my pension that is why I forgot my basic responsibilities? Tell me why even our well funded middle class schools fail? You know how much other countries have achieved with same or less cost? They spiting out talents taking over our industries.
*** 3/29/2017 12:05 PM UTC · [Reply](#)



Kevin Scally I'm not saying cutting benefits, that's 7% more than someone else' salary going to a pension.
3/29/2017 12:11 PM UTC · [Reply](#)



Rachel Ashbrook This legislation focuses on school accountability and transparency at the county level. Schools should be transparent with parents, not just about test scores, but classes sizes, curriculum, and others climate measures at a school that would give the community a better understanding of where their schools are succeeding and why their children should be there.

Gov. Hogan fears losing control of public education as he wants to privatize it. He will fight any legislation that supports public schools and allows communities to decide what is best for students, rather than getting to play out his own agenda.
3/29/2017 2:56 AM UTC

*** Last time when these items were scanned Facebook server did not return these elements. This may indicate that elements have been deleted, or that Facebook has no longer provided it.

EXHIBIT G



STATE OF MARYLAND
INFORMATION SECURITY POLICY

Version 3.1

February 2013

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PURPOSE

The purpose of this policy is to describe security requirements that Executive Departments and Independent State agencies must meet in order to protect the confidentiality, integrity and availability of state owned information. This Policy shall serve as information technology best practice for all other State agencies. Any agency, based on its individual business needs and specific legal requirements such as the Health Insurance Portability and Accountability Act (HIPAA), may exceed the security requirements expressed in this document, but must, at a minimum, conform to the security controls required by this Policy.

SCOPE

This policy applies to confidential information, as defined in section 3.1, that is electronically generated, received, stored, printed, filmed, and typed, regardless of whether the electronic system is hosted on a State network or a 3rd-party offsite premise. The provisions of this policy apply to all units in the Executive Branch of the State of Maryland and Independent agencies unless an exception has been previously approved.

AUTHORITY

The Department of Information Technology (DoIT) has the authority to set policy and provide guidance and oversight for the security of all IT systems in accordance with Maryland Code § 3A-303 and § 3A-305.

RECORD OF REVISIONS

Date	Revision Description
September, 2009	Version 2.0: 1. Major changes in document presentation and format. 2. Content based on ISO 17799: 2005 3. Increased emphasis on protection of confidential information.
September, 2009	Version 2.1: Revised Appendix A – Computer Security Incident Handling Form
October 2009	Version 2.2: 1. Section 7.8 - Added Wi-Fi certified devices only. 2. Section 8 - Revised Access Control section. 3. Section 8.1 - Added password reuse and minimum password age requirements. 4. Section 9 - Revised Communication and Operations Management. 5. Appendix B - Added Wi-Fi certified.

<p>September 2010</p>	<p>Version 2.3:</p> <ol style="list-style-type: none"> 1. Section 2.1 - Modified agency responsibilities 2. Section 3.1.1 – Modified policy on the storage of confidential information on portable devices. 3. Section 4.6 – Modified IT Incident Response Process 4. Section 5.3 – Added Social Media Policy 5. Section 6.4 – Modified Storage Media Disposal Policy 6. Appendix A – Added definitions 7. Appendix B – Modified reporting form
<p>2011</p>	<p>Version 3.0:</p> <ol style="list-style-type: none"> 1. Adopt NIST Risk Management guidelines 2. Added Solid State Drive Sanitation 3. Added DR Requirements 4. Added Virtual Technologies 5. Added Public Cloud Computing Technologies 6. Added Security Compliance tools 7. Modified password requirements
<p>2013</p>	<p>Version 3.1:</p> <ol style="list-style-type: none"> 1. Refined cloud guidelines 2. Added Agency responsibilities 3. Strengthened confidential information protection requirements 4. Updated Risk Management guidelines 5. Updated Security Assessment guidelines 6. Updated Security Configuration guidance 7. Updated Incident Response guidance 8. Updated Media Protection guidance 9. Updated Log Retention guidance 10. Updated guidance on disabling user accounts 11. Updated password guidance 12. Added Mobile Device Security Policy guidance 13. Added Data Loss Prevention guidance

SECTION 1: Preface

Information and information technology (IT) systems are essential assets of the State and vital resources to Maryland citizens. These assets are critical to the services that agencies provide to citizens, businesses, and educational institutions, as well as to local and federal government entities. All information created with State resources for State operations is the property of the State of Maryland. All agencies, employees, and contractors of the State are responsible for protecting such information from unauthorized access, modification, disclosure and destruction. This Policy sets forth a minimum level of security requirements that, when implemented, will provide the confidentiality, integrity and availability of Maryland IT assets.

The National Institute of Standards and Technology (NIST) is a non-regulatory federal agency within the U.S. Department of Commerce. NIST's mission is to promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life.

In general, the State of Maryland will adopt NIST information security related standards and guidelines. Security policies developed to secure an agency information system should refer to a particular NIST standard [and] agencies shall develop procedures to ensure compliance with the policy. In the event that a published NIST standard is deemed insufficient or non-existent, agencies shall adopt industry accepted security guidelines (or develop them) and refer to them within their security policy.

While state agencies are required to follow certain specific requirements in accordance with this policy, there is flexibility in how agencies apply NIST guidance. State agencies should apply the security concepts and principles articulated in the NIST Special Publications (SP) in accordance with and in the context of the agency's missions, business functions, and environment of operation. Consequently, the application of NIST guidance can result in different security solutions that are equally acceptable and compliant. When assessing state agency compliance with NIST SP, evaluators, auditors, and assessors should consider the intent of the security concepts within the specific guidance document and how the agency applied the guidance in the context of its mission/business responsibilities, operational environment, and unique organizational conditions.

SECTION 2: Roles and Responsibilities

The following policy sets the minimum level of responsibility for the following individuals and/or groups:

- Department of Information Technology;
- Agency; and
- Employees and Contractors.

2.0 Department of Information Technology

The duties of the Department of Information Technology are:

- Developing, maintaining, and revising IT policies, procedures, and standards;
- Providing technical assistance, advice, and recommendations to the Governor and any unit of State government concerning IT matters;
- Developing and maintaining a statewide IT master plan; and
- Adopting by regulation and enforcing non-visual access standards to be used in the procurement of IT services by or on behalf of units of State government

2.1 Agency

Information security is an agency responsibility shared by all members of the State agency management team. The management team shall provide clear direction and visible support for security initiatives. Each agency is responsible for:

- Initiating measures to assure and demonstrate compliance with the security requirements outlined in this policy;
- Implementing and maintaining an IT Security Program;
- Identifying a role (position/person/title) that is responsible for implementing and maintaining the agency security program;
- Ensuring that security is part of the information planning and procurement process;
- Participating in annual information systems data security self-audits focusing on compliance to this State data security policy;
- Determining the feasibility of conducting regular external and internal vulnerability assessments and penetration testing to verify security controls are working properly and to identify weaknesses;
- Implementing a risk management process for the life cycle of each critical IT System;
- Assuring the confidentiality, integrity, availability, and accountability of all agency information while it is being processed, stored, and/or transmitted electronically, and the security of the resources associated with those processing functions;
- Assuming the lead role in resolving Agency security and privacy incidents;
- Abiding by the guidelines established in the Maryland Personal Information Protection Act (PIPA). <http://www.oag.state.md.us/idtheft/businessGL.htm>

- Development, implementation and testing of an IT Disaster Recovery Plan for critical agency IT Systems in accordance with IT Disaster Recovery Plan Guidelines;
- Ensuring separation of duties and assigning appropriate system permissions and responsibilities for agency system users;
- Abiding by the Records Management Guidelines established by the Department of General Services and the Maryland State Archives;
http://msa.maryland.gov/msa/intromsa/html/record_mgmt/homepage.html
- Identifying 'business owners' for any new system that are responsible for:
 - Classifying data;
 - Approving access and permissions to the data;
 - Ensuring methods are in place to prevent and monitor inappropriate access to confidential data; and
 - Determining when to retire or purge the data.

2.2 Employees and Contractors

All State employees and contract personnel are responsible for:

- Being aware of and complying with statewide and internal policies and their responsibilities for protecting IT assets of their agency and the State;
- Using IT resources only for intended purposes as defined by policies, laws and regulations of the State or agency; and
- Being accountable for their actions relating to their use of all IT Systems.

SECTION 3: Asset Management

All major information systems assets shall be accounted for and have a named business owner. Accountability for assets helps to ensure that appropriate protection is maintained. Business owners shall be identified for all major assets and the responsibility for the maintenance of appropriate controls shall be assigned. Responsibility for implementing controls may be delegated. Accountability shall remain with the named business owner of the asset.

3.0 Inventory of Assets

Compiling an inventory of assets is an important aspect of risk management. Agencies need to be able to identify their assets and the relative values and importance of these assets. Based on this information, agencies can then provide appropriate levels of protection. Inventories of the important assets associated with each information system should be documented and maintained. Asset inventories shall include; a unique system name, a system/business owner, a security classification and a description of the physical location of the asset. Examples of assets associated with information systems are:

- Information assets: databases and data files, system documentation, user manuals, training material, operational or support procedures, disaster recovery plans, archived information;
- Software assets: application software, system software, development tools and utilities;

- Physical assets: computer equipment (processors, monitors, laptops, portable devices, tablets, smartphones, modems), communication equipment (routers, PBXs, fax machines, answering machines), magnetic media (tapes and disks), other technical equipment (uninterruptible power supplies, air conditioning units), furniture, accommodation; and
- Services: computing and communications services, general utilities, e.g. heating, lighting, power, air-conditioning.

3.1 Information Classification Policy

This section provides general requirements for data classification. The classification level definitions emphasize common sense steps to be taken to protect confidential information.

This policy pertains to all information within State of Maryland systems that is processed, stored, or transmitted via any means. This includes: electronic information, information on paper, and information shared orally or visually. Data and record custodians must adhere to this policy and educate users that may have access to confidential information for which they are responsible.

All Maryland State information is categorized into two main classifications with regard to disclosure:

- Public
- Confidential

Public information is information that has been declared publicly available by a Maryland State official with the explicit authority to do so, and can freely be given to anyone without concern for potential impact to the State of Maryland, its employees or citizens.

Confidential information is non-public information that has been deemed **Personally Identifiable Information (PII), Privileged or Sensitive**.

Personally Identifiable Information (PII)

Personally identifiable information is defined as data elements such as an individual's name combined with any one of the following; social security number, driver's license number, financial, tax or health records.

Privileged

Privileged records are protected from disclosure by the doctrine of executive privilege which may include but not limited to records:

- Relating to budgetary and fiscal analyses, policy papers, and recommendations made by the Department or by any person working for the Department;
- Provided by any other agency to the Department in the course of the Department's exercise of its responsibility to prepare and monitor the execution of the annual budget;

- Relating to a State procurement when a final contract award has not been made or when disclosure of the record would adversely affect future procurement activity; and
- Of confidential advisory and deliberative communications relating to the preparation of management analysis projects conducted by the Department pursuant to State Finance and Procurement Article, §7-103, Annotated Code of Maryland.

Sensitive

Sensitive is used to define information that, if divulged, could compromise or endanger the citizens or assets of the State.

If an employee is uncertain of the classification of a particular piece of information, the employee should contact their manager for clarification.

All confidential information should be clearly identified as “Confidential” and will be subject to the following handling guidelines.

3.1.1 Guidelines for Marking and Handling State Owned Information

It is necessary to classify information so that every individual that comes in contact with it knows how to properly handle and/or protect it.

Public Information: Information that has no restrictions on disclosure.

- Marking: No marking requirements.
- Access: Unrestricted
- Distribution within Maryland State systems: No restrictions.
- Distribution outside of Maryland State systems: No restrictions.
- Storage: Standard operating procedures based on the highest security category of the information recorded on the media. (*Refer to the System Security Categorization Policy in the following section*).
- Disposal/Destruction: Refer to Physical Security section of this document.
- Penalty for deliberate or inadvertent disclosure: Not applicable.

Confidential Information: Non-public information that if disclosed could result in a negative impact to the State of Maryland, its’ employees or citizens and may include information or records deemed as Private, Privileged or Sensitive.

- Marking: Confidential information is to be clearly identified as “Confidential”.
- Access: Only those Maryland State employees or contractors with explicit need-to-know and other individuals for whom an authorized Maryland State official has determined there is a mission-essential need-to-share and the individual has signed a non-disclosure agreement.
- Distribution within State of Maryland systems; Delivered direct - signature required, envelopes stamped Confidential, or an approved, electronic email or electronic file transmission method.

- Distribution outside of State of Maryland systems: Delivered direct; signature required; approved private carriers; or approved encrypted electronic email or encrypted electronic file transmission method.
- Storage: Physically control access to system media (paper and digital) and protect confidential data using encryption technologies and/or other substantial mitigating controls (such as Data Loss Prevention, Network Security Event Monitoring and strict database change monitoring). Storage is prohibited on portable devices and publicly accessible systems unless prior written approval from agency Secretary (or delegated authority) has been granted. Approved storage on portable devices or publicly accessible systems must be encrypted. Keep from view by unauthorized individuals; protect against viewing while in use and when unattended, store in locked desks, cabinets, or offices within a physically secured building.
- Disposal/Destruction: Dispose of paper information in specially marked disposal bins on Maryland State premises or shred; electronic storage media is sanitized or destroyed using an approved method. *Refer to Physical Security section of this document.*

Confidential information should be protected with administrative, technical, and physical safeguards to ensure its confidentiality, integrity, and availability and to prevent unauthorized or inappropriate access, use, or disclosure. Confidential information is prohibited on portable devices and non-state owned devices unless prior written approval from agency Secretary (or delegated authority) has been granted. Exceptions to this may include contracted managed (outsourced) services where security of confidential information is documented, reviewed and approved by data custodians (or delegated authority). Approved storage on any portable device must be protected with encryption technology. When cryptography is employed within information systems, the system must perform all cryptographic operations using FIPS 140-2 validated cryptographic modules with approved modes of operation. The penalty for deliberate or inadvertent disclosure of confidential information can range from administrative actions to adverse personnel actions up to termination of employment. Deliberate, unauthorized disclosure of confidential information may result in civil and/or criminal penalties.

3.2 System Security Categorization Policy

This section defines common security category levels for information systems that provides a framework that promotes effective management and oversight of information security programs. Formulating and documenting the security level of an information system helps to determine the level of effort or controls required to protect it.

This policy shall apply to all information systems within the State government. Agency officials shall use the security categorizations described in FIPS Publication 199 (<http://csrc.nist.gov/publications/fips/fips199/FIPS-PUB-199-final.pdf>). Additional security designators may be developed under the framework of FIPS and used at agency discretion.

The security categories are based on potential impact to an agency should certain events occur which jeopardize the information and information systems needed by that agency to accomplish its assigned mission, protect its assets, fulfill its legal responsibilities, maintain its day-to-day functions, and protect individuals. Security categories are to be used in conjunction with vulnerability and threat information in assessing the risk to an agency.

Security Objectives

The Federal Information Security Management Act (FISMA) defines three security objectives for information and information systems:

- **Confidentiality**
 - “Preserving authorized restrictions on information access and disclosure, including means for protecting personal privacy and proprietary information...” [44 U.S.C., Sec. 3542]
 - A loss of *confidentiality* is the unauthorized disclosure of information.
- **Integrity**
 - “Guarding against improper information modification or destruction, and includes ensuring information non-repudiation and authenticity...” [44 U.S.C., Sec. 3542]
 - A loss of *integrity* is the unauthorized modification or destruction of information.
- **Availability**
 - “Ensuring timely and reliable access to and use of information...” [44 U.S.C., SEC. 3542]
 - A loss of *availability* is the disruption of access to or use of information or an information system.

Potential Impact on Organizations and Individuals

FIPS Publication 199 defines three levels of potential impact (low, moderate, high) on organizations or individuals should there be a breach of security (i.e., a loss of confidentiality, integrity, or availability). The application of these definitions must take place within the context of each organization and overall State interest.

The potential impact is LOW if—

– The loss of confidentiality, integrity, or availability could be expected to have a limited adverse effect on organizational operations, organizational assets, or individuals.

Clarification: A limited adverse effect means that, for example, the loss of confidentiality, integrity, or availability might: (i) cause a degradation in mission capability to an extent and duration that the organization is able to perform its primary functions, but the effectiveness of the functions is noticeably reduced; (ii) result in minor damage to agency assets; (iii) result in minor financial loss; or (iv) result in minor harm to individuals.

The potential impact is MODERATE if—

– The loss of confidentiality, integrity, or availability could be expected to have a serious adverse effect on organizational operations, organizational assets, or individuals.

Clarification: A serious adverse effect means that, for example, the loss of confidentiality, integrity, or availability might: (i) cause a significant degradation in mission capability to an extent and duration that the agency is able to perform its primary functions, but the effectiveness of the functions is significantly reduced; (ii) result in significant damage to agency assets; (iii) result in significant financial loss; or (iv) result in significant harm to individuals that does not involve loss of life or serious life threatening injuries.

The potential impact is HIGH if—

– The loss of confidentiality, integrity, or availability could be expected to have a severe or catastrophic adverse effect on agency operations, organizational assets, or individuals. Clarification: A severe or catastrophic adverse effect means that, for example, the loss of confidentiality, integrity, or availability might: (i) cause a severe degradation in or loss of mission capability to an extent and duration that the agency is not able to perform one or more of its primary functions; (ii) result in major damage to agency assets; (iii) result in major financial loss; or (iv) result in severe or catastrophic harm to individuals involving loss of life or serious life threatening injuries

3.3 Security Categorization Applied to Information Systems

Determining the security category of an information system requires consideration of the sensitivity of the information resident on that system. For an information system, the potential impact values assigned to the respective security objectives (confidentiality, integrity, availability) shall be considered at least ‘moderate’ if the information stored on them is considered ‘confidential’. The generalized format for expressing the security category, SC, of an information system is: SC information system = {(confidentiality, impact), (integrity, impact), (availability, impact)}, Where the acceptable values for potential impact are LOW, MODERATE, or HIGH.

SECTION 4: Security Control Requirements Overview

This section defines requirements that must be met for agencies to properly protect confidential information under their administrative control. All information systems (hosted on a State network or a 3rd Party offsite premise) used for receiving, processing, storing and transmitting confidential information must be protected in accordance with these requirements. Information systems include the equipment, facilities, and people that handle or process confidential information.

This computer security framework was primarily developed using applicable guidelines specified in National Institute of Standards & Technology (NIST) SP 800-30, *Risk Management Guide for Information Technology Systems* and SP 800-53 revision 3, *Recommended Security Controls for Federal Information Systems* and also Internal Revenue Service (IRS) Publication 1075, *Tax Information Security Guidelines for Federal, State and Local Agencies*. Only applicable NIST SP 800-53 controls designed to protect systems with a ‘**moderate**’ category level, as defined in Federal Information Processing Standards Publication (FIPS) 199, *Standards for Security Categorization of Federal Information and Information Systems*, are included in this policy as a baseline.

Systems with a ‘high’ category level should reference NIST SP 800-53 rev.3 for guidance in applying appropriate additional security controls.

This framework categorizes security controls into three types:

- 1) Management,
- 2) Operational, and
- 3) Technical.

Management security controls focus on managing organizational risk and information system security and devising sufficient countermeasures for mitigating risk to acceptable levels. Management security control families include risk management, security assessment and authorization, security planning, and system and services acquisition.

Operational security controls focus on mechanisms primarily implemented by people as opposed to systems. These controls are established to improve the security of a group, a specific system, or a group of systems. Operational security controls require technical or specialized expertise and often rely on management and technical controls. Operational security controls include awareness and training, configuration management, contingency planning, incident response, maintenance, media protection, physical and personnel security, and system and information integrity.

Technical security controls focus on operations executed by the computer system through mechanisms contained in the hardware, software and firmware components of the system. Technical security control families include identification and authentication, access control, audit and accountability, and system and communications protection.

SECTION 5 Management Level Controls

5.0 Risk Management

Risk Management refers to the process of identifying risk, assessing risk, and taking steps to reduce risk to an acceptable level. A risk management program is an essential management function and is critical for any agency to successfully implement and maintain an acceptable level of security. A risk management process must be implemented to assess the acceptable risk to agency IT systems as part of a risk-based approach used to determine adequate security for their systems. Agencies will define a schedule for on-going risk management review and evaluation based on the system categorization level and/or data classification of their systems.

Risk *assessment* is the first process of risk management. Agencies shall use risk assessment to determine the extent of the potential threat and the risk associated with an IT system throughout its System Development Life Cycle (SDLC). The output of this process helps to identify appropriate controls for reducing or eliminating risk during the risk mitigation process. NIST SP 800-30 rev.1 *Guide for Conducting Risk Assessments* provides guidance for carrying out each of the steps in the risk assessment process, such as planning, executing, communicating results, and maintaining the assessment.

Risk *mitigation*, the second process of risk management, involves prioritizing, evaluating, and implementing the appropriate risk-reducing controls recommended from the risk assessment process. Controls are defined as IT processes and technologies designed to close vulnerabilities, maintain continuity of operation at specified performance levels, and achieve and document compliance with policy requirements. The controls presented in this section are designed to mitigate risks and are required to comply with this policy.

The third process of risk management, *evaluation*, is ongoing and evolving. Evaluation emphasizes the good practice to develop an effective risk management program within the agency's information security program. Not only should the risk management program engage changes to existing systems, but should also integrate into the agency's operational functions, as well as the SDLC for new systems and applications.

NIST Guidance:

Managing Information Security Risk: Organization, Mission, and Information System View
[SP800-39-final.pdf](#)

Information Security Handbook: A Guide for Managers
[SP800-100-Mar07-2007.pdf](#)

5.1 Security Assessment and Authorization

Agencies shall produce an Authorization to Operate (ATO) document that verifies security controls have been adequately implemented (or plan to be implemented) to protect confidential information. The ATO constitutes the agency's acknowledgment and acceptance of risk associated with the system.

Custodians of confidential information shall, via the completion of a security authorization form, verify the completeness and propriety of the security controls used to protect it before initiating operations. This shall be done for any infrastructure component or system associated with confidential information. The authorization shall occur every three (3) years or whenever there is a significant change (e.g. major software upgrade, implementation of new hardware, change of hosting services, etc.) to the control structure. A senior agency official shall sign and approve the security authorization.

Agencies shall continuously (at least annually) monitor the security controls within their information systems to ensure that the controls are operating as intended. Agencies shall authorize and document all connections from information systems to other information systems outside of the system boundary through the use of service interface agreements and monitor/control system connections on an ongoing basis. Agencies shall annually conduct a formal assessment of the security controls of information systems to determine the extent to which the controls are implemented correctly, operating as intended, and producing the desired outcome with respect to meeting the security requirements for their systems. Refer to NIST SP 800-115 *Technical Guide to Information Security Testing and Assessment* for guidance in choosing applicable assessment methods.

Agencies are responsible to develop and periodically update a Plan of Action & Milestones (POAM) document that shall identify any deficiencies related to the processing of confidential information. The POAM shall identify planned, implemented, and evaluated remedial actions to correct deficiencies noted during annual assessments. A Corrective Action Plan (CAP) will identify activities planned or completed to correct deficiencies identified during the Security Assessment review. Both the POAM and the CAP shall address implementation of security controls to reduce or eliminate known vulnerabilities in agency systems.

IRS Safeguard Guidance:

<http://www.irs.gov/businesses/small/article/0,,id=213693,00.html>

NIST Guidance:

Guide for Applying the Risk Management Framework to Federal Information Systems: A Security Life Cycle Approach

[sp800-37-rev1-final.pdf](#)

Security Guide for Interconnecting Information Technology Systems

[sp800-47.pdf](#)

5.2 Planning

Agency security planning controls include system security plans and system security plan updates. Agencies must develop, document, and establish a system security plan by describing the security requirements, current controls and planned controls, for protecting agency information systems and confidential information. The system security plan must be updated to account for significant changes in the security requirements, current controls and planned controls for protecting agency information systems and confidential information. Agencies must develop, document, and establish a set of rules describing their responsibilities and expected system behavior requirement to system security plan.

NIST Guidance:

Guide for Developing Security Plans for Federal Information Systems

[sp800-18-Rev1-final.pdf](#)

Building an Information Technology Security Awareness and Training Program

[NIST-SP800-50.pdf](#)

5.3 Service Interface Agreements

With the exception of NetworkMaryland provided connections, external network connections shall be permitted only after all approvals are obtained consistent with this policy and shall be managed in accordance with a Service Interface Agreement (SIA) that is agreed to by the State agency and the untrusted entity. These connections are subject to the Maryland Public Information Act and should not be part of the ordinary process of doing business. Specific criteria should be included in the system IT Security. An SIA shall include:

- Purpose and duration of the connection as stated in the agreement, lease, or contract;
- Points-of-contact and cognizant officials for both the State and untrusted entities;
- Roles and responsibilities of points-of-contact and cognizant officials for both State and untrusted entities;
- Security measures to be implemented by the untrusted organization to protect the State's IT assets against unauthorized use or exploitation of the external network connection; and
- Requirements for notifying a specified State official within a specified period of time (4 hours recommended) of a security incident on the network.

SECTION 6 Operational Level Controls

6.0 Awareness and Training

Agencies must ensure all information system users and managers are knowledgeable of security awareness material before authorizing access to systems. Agencies must identify personnel with information system security roles and responsibilities, document those roles and responsibilities, and provide sufficient security training before authorizing access to information systems or confidential information. Agencies must document and monitor individual information system security training activities including basic security awareness training and specific information system security training.

6.1 Configuration Management

System hardening procedures shall be created and maintained to ensure up-to-date security best practices are deployed at all levels of IT systems (operating systems, applications, databases and network devices). All default system administrator passwords must be changed. Agencies shall implement an appropriate change management process to ensure changes to systems are controlled by;

- Developing, documenting, and maintaining current secured baseline configurations.
- Network devices should be patched and updated for all security related updates/patches using automated tools when possible.
- Develop, document, and maintain a current inventory of the components of information systems and relevant ownership information.
- Configuring information systems to provide only essential capabilities.
- Configuring the security settings of information technology products to the most restrictive mode consistent with operational requirements.
- Analyzing potential security impacts of changes prior to implementation.
- Authorizing, documenting, and controlling system level changes.
- Restricting access to system configuration settings and provide the least functionality necessary.
- Prohibiting the use of functions, ports, protocols, and services not required to perform essential capabilities for receiving, processing, storing, or transmitting confidential information.

- Maintaining backup copies of hardened system configurations.

Security Configuration Guidance:

Microsoft Security Compliance Manager

<http://technet.microsoft.com/en-us/library/cc677002.aspx>

National Checklist Program Repository

<http://web.nvd.nist.gov/view/ncp/repository>

National Security Agency

http://www.nsa.gov/ia/mitigation_guidance/security_configuration_guides/index.shtml

The Center for Internet Security

<http://benchmarks.cisecurity.org/en-us/?route=downloads.benchmarks>

6.2 Contingency Planning

Agencies shall develop, implement, and test an IT Disaster Recovery plan for all systems determined to be business critical. Creation, maintenance, and annual testing of a plan will minimize the impact of recovery and loss of information assets caused by events ranging from a single disruption of business to a disaster. Disaster Recovery Plan maintenance should be incorporated into the agency's change management process to ensure plans are up-to-date. Planning and testing provides a foundation for a systematic and orderly resumption of all computing services within an agency when disaster strikes.

Primary Components of an IT Disaster Recovery Plan are;

- Identification of a disaster recovery team;
- Definitions of recovery team member responsibilities;
- Documentation of each critical system including;
 - Purpose
 - Hardware
 - Operating System
 - Application(s)
 - Data
 - Supporting network infrastructure and communications
 - Identity of person responsible for system restoration
- System restoration priority list;
- Description of current system back-up procedures;
- Description of back-up storage location;
- Description of back-up testing procedures (including frequency);
- Identification of disaster recovery site including contact information;
- System Recovery Time Objective RTO;
- System Recovery Point Objective RPO (how current should the data be?); and
- Procedures for system restoration at backup and original agency site.

Additional disaster recovery guidelines can be found at:

<http://doit.maryland.gov/support/Pages/SecurityDisasterRecovery.aspx>

6.3 Incident Response

Information Technology Incident Management refers to the processes and procedures agencies implement for identifying, responding to, and managing information security incidents. A computer incident within Maryland state government is defined as a violation of computer security policies, acceptable use policies, or standard computer security practices. Refer to NIST SP 800-61 Revision 2 *Computer Security Incident Handling Guide* for guidance in creating an incident management policy and developing plans and procedures to support it.

In order to clearly communicate incidents and events (any observable occurrence in a network or system) throughout Maryland state government and supported agencies, it is necessary for the agency incident response teams to adopt a common set of terms and relationships between those terms. All elements of state government should use a common taxonomy. A high level set of concepts and descriptions to enable improved communications among and between agencies is provided below. The taxonomy below does not replace discipline (technical, operational, intelligence) that needs to occur to defend state agency computers/networks, but provides a common platform for data collection and analysis. After verifying that an incident has occurred, classify the incident using the categories listed below, follow an incident checklist (See Appendix F) and Report the incident to DoIT.

Agency Incident Categories

Category	Name	Description
CAT 1	Unauthorized Access	In this category an individual gains logical or physical access without permission to a state agency network, system, application, data, or other resource
CAT 2	Denial of Service (DoS)	An attack that <i>successfully</i> prevents or impairs the normal authorized functionality of networks, systems or applications by exhausting resources. This activity includes being the victim or participating in the DoS.
CAT 3	Malicious Code	<i>Successful</i> installation of malicious software (virus, worm, Trojan horse, or other code-based malicious entity) that infects an operating system or application. Agencies are NOT required to report malicious logic that has been <i>successfully quarantined</i> by antivirus (AV) software.
CAT 4	Improper Usage	A person violates acceptable computing use policies as defined in Section 11 of this document.

Agencies shall report IT incidents to DoIT by completing an IT Incident Report (Appendix A). Agencies are asked to provide as much information about the incident as possible including; the incident category, how the incident was discovered, affected IP addresses, port numbers, information about the affected agency system, impact to the agency, and the final resolution.

State-wide Government Intranet form access;

<http://doit.net.md.gov/security/pages/sa.aspx>

Downloadable form;

<http://doit.maryland.gov/support/ASMsecurityForms/ITIncidentReportFmPrint.pdf>

6.4 Maintenance

Agencies must identify, approve, control, and routinely monitor the use of information system maintenance tools and remotely executed maintenance and diagnostic activities. Only authorized personnel are to perform maintenance on information systems.

Agencies must ensure that system maintenance is scheduled, performed, and documented in accordance with manufacturer or vendor specifications and/or organizational requirements.

6.5 Media Protection

The purpose of this section is to ensure proper precautions are in place to protect confidential information stored on media.

All media that contains confidential information including removable media (CDs, magnetic tapes, external hard drives, flash/thumb drives, DVDs, copier hard disk drives, and information system input and output (reports, documents, data files, back-up tapes) shall be clearly labeled “Confidential”. Agencies shall restrict access to system media containing confidential information to authorized individuals.

Media labeled “Confidential” shall be physically controlled and securely stored.

Agencies must protect and control “Confidential” system media during transport outside of controlled areas and restrict the activities associated with transport of such media to authorized personnel.

Agencies must deploy a tracking method to ensure “Confidential” system media reaches its intended destination.

When no longer required for mission or project completion, media to be used by another person within the agency shall be overwritten (clear or purge) with software and protected consistent with the classification of the data. Specific procedures shall be documented in the applicable agency IT System Security Plan.

Throughout the lifecycle of IT equipment, there are times when an agency will be required to relinquish custody of the asset. The transfer of custody may be temporary, such as when equipment is serviced or loaned, or the transfer may be permanent; examples being a donation, trade-in, lease termination or disposal through GovDeals.com. Any transfer of custody of equipment poses a significant risk that confidential information, licensed software or intellectual property stored on that equipment may also be transferred.

To eliminate the possibility of inadvertently releasing residual representation of State data, State agencies will either destroy the electronic storage media (provide evidence of destruction documentation) or ensure that the electronic storage media has been sanitized in accordance with NIST SP800-88 *Guidelines for Media Sanitization*.

Note: Disposal of electronic storage media should be in compliance with the agency’s document retention policy and litigation hold procedures.

Several factors should be considered along with the security categorization of the system when making sanitization decisions. Disposal decisions should be made based upon the classification of the data, level of risk, and cost to the agency. DoIT endorses two options for sanitization:

Option 1: If the storage device in a unit designated for re-sale or disposal is over four years old, it must be destroyed.

Option 2: If the storage device in a unit designated for re-sale or disposal is less than four years old, it must be sanitized with a disk wiping utility such as Active Killdisk Professional or destroyed.

Additionally, the procedures performed to sanitize electronic media should be documented and retained for audit verification purposes.

This policy applies to all electronic storage media equipment that is owned or leased by the State (including, but not limited to: workstations, servers, laptops, cell phones and Multi-Function Printers/Copiers).

For situations in which the electronic storage media leaves the custody of the agency temporarily, such as servicing of equipment or a temporary loan of equipment outside of an agency, the agency shall conduct an assessment of the information stored on the equipment and appropriately secure the information such that the unauthorized disclosure or use of the information is prevented. If the equipment contains confidential or high-risk information, the agency shall remove the hard drive. If removal of the hard drive is not feasible, the agency shall sanitize the equipment or encrypt the information commensurate with the assessment of the information contained on the hard disk.

Agencies can outsource media sanitization and destruction if business and security management decide that this would be the most reasonable option for them to maintain confidentiality while optimizing available resources. When exercising this option, this guide recommends that organizations exercise “due diligence” when entering into a contract with another party engaged in media sanitization.

Due diligence could include;

- Reviewing an independent audit of the disposal company’s operations;
- Obtaining information about the disposal company from several references or other reliable sources;
- Requiring that the disposal company be certified by a recognized trade association or similar third party;
- Reviewing and evaluating the disposal company’s information security policies or procedures; and
- Taking other appropriate measures to determine the competency and integrity of the potential disposal company.

Note on solid state drives; A solid-state drive (SSD) is a data storage device that uses solid-state memory to store persistent data. Standard sanitation methods have proven ineffective for SSD's. State sanitation standards for SSD's containing confidential information require:

- Physical destruction, or
- Encrypt the entire disk as soon as the operating system is installed.

6.6 Physical and Personnel Security

Physical access to information technology processing equipment, media storage areas, and media storage devices and supporting infrastructure (communications, power, and environmental) must be controlled to prevent, detect, and minimize the effects of unauthorized or unintended access to these areas. Agencies must:

- Secure IT areas with controls commensurate to the risks;
- Ensure secure storage of media; and
- Obtain personnel security clearances where appropriate;

Physical access controls must be in place for the following:

- Data Centers;
- Areas containing servers and associated media;
- Networking cabinets and wiring closets;
- Power and emergency backup equipment; and
- Operations and control areas.

Access to data centers and secured areas should be limited to those employees, contractors, technicians and vendors who have legitimate business responsibilities in those areas. Authorization should be:

- Based on frequency of need for access; and
- Approved by the manager responsible for the secured area.

Each agency is responsible for:

- Ensuring that all portable storage media such as hard drives, flash media drives, diskettes, magnetic tapes, laptops, PDA devices, DVDs and CDs are physically secured;
- Ensuring proper employee/contractor identification processes are in place;
- Ensuring proper environmental and physical controls are established to prevent accidental or unintentional loss of information residing on IT systems; and
- Ensuring that any physical access controls are auditable.

Security clearances are required for personnel as determined by the system sensitivity and data classification designation. Agencies will ensure that an appropriate background investigation (e.g., CJIS, State Police) has been completed on personnel as necessary. Agencies will maintain personnel clearance information on file.

6.7 System and Information Integrity

Agencies shall implement system and information integrity security controls including flaw remediation, information system monitoring, information input restrictions (such as validating input in all Web applications), and information output handling and retention.

Agencies must protect against malicious code (e. g. viruses, worms, Trojan horses, etc.) by implementing (anti-virus, anti-malware) solutions that, to the extent possible, includes a capability for automatic updates. Intrusion detection/prevention tools and techniques

must be employed to monitor system events, detect attacks, and identify unauthorized use of information systems and/or confidential information.

Agencies must restrict information system input to authorized personnel (or processes acting on behalf of such personnel) responsible for receiving, processing, storing, or transmitting confidential information.

Agencies must identify, document, and correct information system flaws.

Agencies shall receive and review information system security alerts/advisories for critical software that they use (e. g. operating systems, applications, etc.) on a regular basis, issue alerts/advisories to appropriate personnel, and take appropriate actions in response.

Agencies shall manage and protect system output during the entire system lifecycle in accordance with applicable federal laws, Executive Orders, directives, data retention policies, regulations, standards, and operational requirements.

SECTION 7 Technical Level Controls

7.0 Access Control Requirements

- Agencies must manage user accounts, including activation, deactivation, changes and audits.
- Agency systems must enforce assigned authorizations that control system access and the flow of information within the system and between interconnected systems.
- Agencies must ensure that only authorized individuals (employees or agency contractors) have access to confidential information and that such access is strictly controlled, audited, and that it supports the concepts of “least possible privilege” and “need to know”.
- Agencies must identify, document and approve specific user actions that can be performed without identification or authentication. An example of access without identification and authentication would be use of a public web site for which no authentication is required.
- Agencies must ensure that the systems enforce separation of duties through assigned access authorizations. Agency systems must enforce the most restrictive access capabilities required for specified tasks.
- Agency systems must enforce a limit of (4) consecutive unsuccessful access attempts during a (15) minute time period by automatically locking that account for a minimum of (10) minutes.
- Agency systems must display the following warning before granting system access;
“Access to this system is restricted to authorized users only and limited to approved business purposes. By using this system, you expressly consent to the monitoring of all activities. Any unauthorized access or use of this system is

prohibited and could be subject to criminal and civil penalties. All records, reports, e-mail, software, and other data generated by or residing upon this system are the property of State of Maryland and may be used by the State of Maryland for any purpose.”

- Agency systems must ensure that unauthorized users are denied access by ensuring that user sessions time out or initiate a re-authentication process after (30) minutes of inactivity.
- Agencies must authorize, document, and monitor all remote access capabilities used on its systems. Remote access is defined as any access to an agency information system by a user communicating through an external network, for example: the Internet. Virtual Private Network (VPN) or equivalent technology should be used when remotely accessing information systems. All remote access connections that utilize a shared infrastructure, such as the Internet, must utilize some form of encryption for transmission of data and authentication information.
- Agencies must develop formal procedures for authorized individuals to access its information systems from external systems, such as access allowed from an alternate work site (if required). The procedures shall address the authorizations allowed to receive, transmit, store, and/or process confidential information. Agencies will establish terms and conditions, consistent with any trust relationships established with other organizations owning, operating, and/or maintaining external information systems, allowing authorized individuals to; (i) access the information system from the external information systems; and (ii) process, store, and/or transmit agency-controlled information using the external information systems.
- Agencies must authorize, document, and monitor all wireless access to its information systems. Wireless security guidelines are documented in Appendix D.
- Devices which are not the property of, or under the control of an Agency (including any portable devices) should not be directly attached to the Agency networks.

7.1 Audit & Accountability Control Requirements

- Information systems must generate audit records for all security-relevant events, including all security and system administrator accesses. An example of an audit activity is reviewing the administrator actions whenever security or system controls may be modified to ensure that all actions are authorized. Security-relevant events must enable the detection of unauthorized access to confidential information. System and/or security administrator processes will include all authentication processes to access the system, for both operating system and application-level events.
- Audit logs must be enabled for tracking activities taking place on the system. Application and system auditing must be enabled to the extent necessary to capture access, modification, deletion and movement of critical/confidential information by each unique user. This auditing requirement also applies to data tables or databases embedded in or residing outside of an application. The information system shall be configured to alert appropriate agency officials in the

event of an audit processing failure and take the additional actions (i.e. shut down information system, overwrite oldest audit records or stop generating audit records).

- Information systems must be configured to allocate sufficient audit record storage capacity to record all necessary auditable items. Refer to NIST SP 800-92 *Guide to Computer Security Log Management* (table 4.1) for guidance on local system log retention configuration options. Agencies shall ensure that its information systems produce audit records that contain sufficient information to, at a minimum establish; (i) what type of event occurred, (ii) when (date and time) the event occurred, (iii) where the event occurred, (iv) the source of the event, (v) the identity of the targeted resource (vi) the outcome (success or failure) of the event, (vii) the identity of any user/subject associated with the event.
- Procedures must be developed to routinely (for example daily or weekly) review audit records for indications of unusual activities, suspicious activities or suspected violations, and report findings to appropriate officials for prompt resolution. Information systems shall provide the capability to automatically process audit records for events of interest based on selectable event criteria and also provide report generation capabilities.
- To support the audit of activities, Agencies must ensure that audit information is archived for the [lesser of 3 years or until the Office of Legislative Audits completes the audit of the entity] to enable the re-creation of computer related accesses to both the operating system and to the application wherever confidential information is stored. Information systems must protect audit information and audit tools from unauthorized access, modification, and deletion.

7.2 Identification & Authorization Control Requirements

- Information systems must be configured to uniquely identify users, devices, and processes via the assignment of unique user accounts and validate users (or processes acting on behalf of users) using standard authentication methods such as passwords, tokens, smart cards, or biometrics.
- Agencies must manage user accounts assigned within its information systems. Effective user account management practices include (i) obtaining authorization from appropriate officials to issue user accounts to intended individuals; (ii) disabling user accounts, when no longer needed. (immediately upon user exit from employment, 60 days for inactive accounts.); (iii) not re-issuing inactive or terminated user accounts; and (iv) developing and implementing standard operating procedures for validating system users who request reinstatement of user account privileges suspended or revoked by information systems.
- Information systems must obscure feedback of authentication information during the authentication process to protect the information from possible exploitation/use by unauthorized individuals.
- Whenever information systems are employing cryptographic modules, the agency shall work to ensure these modules are compliant with NIST guidance, including FIPS PUB140-2 compliance.

7.2.1 User Authentication & Password Requirements

All users must be uniquely identified. Passwords must meet the following construction, usage and change requirements:

- The password must not be the same as the user id;
- Passwords must not be stored in clear text;
- Passwords must never be displayed on the screen;
- Change temporary passwords at the first logon;
- Passwords must be a minimum of eight (8) characters and consist of mixed alphabetic and numeric characters. Passwords must not consist of all numbers, all special characters, or all alphabetic characters;
- Passwords must not contain leading or trailing blanks;
- Change user-level passwords at regular intervals (at least annually);
- Administrative-level account passwords shall be changed every 90 days or sooner;
- Passwords protecting access to systems or applications that have been categorized as Moderate or High shall be changed every 90 days or sooner;
- Password reuse must be prohibited by not allowing the last 10 passwords to be reused with a minimum password age of at least 2 days;
- Where possible, users should be prohibited from only changing/or adding one (1) character to their previous password (i.e., users should be prohibited from using passwords that are similar to their previous password);
- State issued login credentials (username & password) shall not be used for ancillary 3rd party services (online Web accounts, e-mail, e-commerce, etc..)
- A password older than its expiration date must be changed before any other system activity is performed;
- User ids associated with a password must be disabled after not more than four (4) consecutive failed login attempts while allowing a minimum of a fifteen (15) minute automatic reset of the account;
- User ids associated with a password must be disabled or locked after 60 days of inactivity; and
- When a user password is reset or redistributed, the validation of the user identity must be at least as strong as when originally established.

Group or shared IDs are prohibited unless they are documented as “Functional IDs”. Functional IDs are user accounts associated with a group or role that may be used by multiple individuals (e.g., Emergency Problem/Fix IDs) or that are associated with a particular production job process (e.g., RACF ID used to run production jobs). Passwords associated with functional IDs must not be stored in clear text, must have a minimum of eight (8) characters and consist of mixed alphabetic and numeric characters, and must not be displayed on the screen. Functional IDs are exempt from the other user password characteristics described above.

7.3 System & Communications Control Requirements

- Information systems shall separate front end interfaces from back end processing and data storage.
- Information systems shall prevent unauthorized and unintended information transfer via shared system resources.
- Information systems shall be configured to monitor and control communications at the external boundaries of the information systems and at key internal boundaries within the systems.
- Information systems must protect the confidentiality of confidential information during electronic transmission. Agencies must encrypt all media containing confidential information during transmission. When cryptography (encryption) is employed within information systems, the system must perform all cryptographic operations using Federal Information Processing Standard (FIPS) PUB140-2 validated cryptographic modules with approved modes of operation.
- When Public Key Infrastructure (PKI) is used, Agencies shall establish and manage cryptographic keys using automated mechanisms with supporting procedures or manual procedures.
- Whenever there is a network connection (external to the system), the information system shall terminate the network connection at the end of a session or after no more than (15) minutes of inactivity. Exceptions can be authorized in writing by the agency CIO or authorizing official.

SECTION 8 Virtualization Technologies

Agencies must implement careful planning prior to the installation, configuration and deployment of virtualization solutions to ensure that the virtual environment is as secure as a non-virtualized environment and in compliance with all relevant state and/or agency policies. Security should be considered from the initial planning stage at the beginning of the systems development life cycle to maximize security and minimize costs. The security recommendations described in Sections 4 & 5 of NIST SP 800-125 *Guide to Security for Full Virtualization Technologies* shall be adopted as the state standard for securing virtualization solutions.

<http://csrc.nist.gov/publications/nistpubs/800-125/SP800-125-final.pdf>

NIST Guide to Security for Full Virtualization Technologies

SECTION 9 Cloud Computing Technologies

Cloud computing has been defined by NIST as a model for enabling convenient, on-demand network access to a shared pool of configurable computing resources (e.g., networks, servers, storage, applications, and services) that can be rapidly provisioned and released with minimal management effort or cloud provider interaction. If an agency plans on using a cloud-based solution for processing, transmitting or storing confidential information, security controls must be implemented to ensure that the compliance and

auditing requirements are met as stated in this policy in addition to any Federal regulations that may apply.

NIST SP 800-144 *Guidelines on Security and Privacy in Public Cloud Computing* provides an overview of the security and privacy challenges for public cloud computing and present recommendations that agencies should consider when outsourcing data, applications and infrastructure to a public cloud environment. Maryland shall adopt the security recommendations and guidelines described in SP 800-144. The key guidelines recommended to agencies include:

Preliminary Activities;

- Identify security, privacy, and other organizational requirements for cloud services to meet, as a criterion for selecting a cloud provider.
- Analyze the security and privacy controls of a cloud provider's environment and assess the level of risk involved with respect to the control objectives of the organization. A review of the provider's SOC 2 report is helpful.
- Evaluate the cloud provider's ability and commitment to deliver cloud services over the target timeframe and meet the security and privacy levels stipulated.

Initiating and Coincident Activities;

- Ensure that all contractual requirements are explicitly recorded in the service agreement, including privacy and security provisions, and that they are endorsed by the cloud provider.
- Involve a legal advisor in the review of the service agreement and in any negotiations about the terms of service.
- Continually assess the performance of the cloud provider and the quality of the services provisioned to ensure all contract obligations are being met and to manage and mitigate risk.

Concluding Activities;

- Alert the cloud provider about any contractual requirements that must be observed upon termination.
- Revoke all physical and electronic access rights assigned to the cloud provider and recover physical tokens and badges in a timely manner.
- Ensure that organizational resources made available to or held by the cloud provider under the terms of service agreement are returned or recovered in a usable form, and that information has been properly expunged.

Guidelines on Security and Privacy in Public Cloud Computing

http://www.nist.gov/customcf/get_pdf.cfm?pub_id=909494

Cloud Computing Synopsis and Recommendations

<http://csrc.nist.gov/publications/drafts/800-146/Draft-NIST-SP800-146.pdf>

SECTION 10: Mobile Devices

Tablets, and other mobile computing and communication devices have become very popular because of their convenience and portability. However, the use of such devices is accompanied by risks that must be recognized and addressed to protect both the physical devices and the information they contain. Laptops are specifically excluded from the scope of this policy because the security controls available for laptops today are quite different than those available for mobile devices.

The most effective way to secure confidential data is not to store it on mobile devices. As a matter of policy and best practice, data should always be secured where it resides.

State business requirements may, on occasion, justify storing confidential data on mobile computing devices. In these cases, Agencies are required to assure that steps have been taken to keep the data secure. It is the responsibility of the agencies to recognize these risks and take the necessary steps to protect and secure their mobile computing devices. Consideration of a mobile device management solution may be necessary to implement recommended controls.

Steps may include, but are not limited to:

- A list of supported mobile devices.
- Protection of data transmission that occurs between the mobile device and the agency assets.
- Protection of data storage on mobile devices including removable media.
- Procedures that should be followed if a mobile device is lost or is at risk of having its data recovered by an untrusted party (proper authority notification and device wipe options).
- All vendor recommended patches, hot-fixes or service packs must be installed prior to deployment and processes must be in place to keep system hardware, operating system and applications current based on vendor support recommendations (including patches, hot-fixes, and service packs);
- Proper asset management procedures shall apply to all mobile devices;
- Whenever possible, all mobile device application distribution and installation shall be centrally controlled and managed;
- Whenever possible, all mobile device operating system and application security patch installation shall be centrally controlled and managed;
- Mobile device options and applications that are not in use shall be disabled;
- Whenever possible, Bluetooth settings should be configured to notify users of incoming connection requests and to receive confirmation before proceeding;
- All mobile devices must be password or PIN protected;
- All mobile devices should have timeout/locking features and device erase functions (including removable memory) enabled;
- Whenever possible, all mobile devices should have anti-virus and/or firewall protection installed;

- No confidential information shall be stored on mobile devices unless it is encrypted and permission is granted from an authorized official;
- Confidential information should be sanitized from the mobile device before it is returned, exchanged or disposed of; and
- Whenever possible, mobile devices shall be scanned for viruses/malware before they can connect to State systems;

The physical security of State issued mobile devices is the responsibility of the employee to whom the device has been assigned. Devices shall be kept in the employee's physical presence whenever possible. Whenever a device is being stored, it shall be stored in a secure place, preferably out-of-sight. If a mobile device is lost or stolen, the employee is responsible for promptly reporting the incident to the proper authorities and all business applications shall be wiped.

NIST Guidance:

Guidelines for Managing and Securing Mobile Devices in the Enterprise

http://csrc.nist.gov/publications/drafts/800-124r1/draft_sp800-124-rev1.pdf

SECTION 11: Electronic Communications Policy

The State encourages the use of electronic communications and electronic communications systems to enhance efficiency. Electronic communications and electronic communications systems are to be used for business purposes in serving the interests of the State and the citizens, visitors, and commerce partners of the State of Maryland. All electronic communications created, received, or stored on the State's electronic communications systems are the sole property of the State and not the author, recipient, or user.

This document sets forth policy of the State with respect to access, disclosure, recording, and general usage of electronic communications created, received, or stored through the use of the electronic communications systems owned, leased, or otherwise affiliated with Executive Departments and Independent State Agencies. The purpose of this policy is to explain the ownership of the electronic communications created, received, or stored on the State electronic communications systems and to inform users of the systems about their rights and duties with respect to electronic communications.

This section applies to users of State electronic communications systems and may be changed by the Agency, in its discretion, without prior notice. This policy is in addition to, and not in replacement of, any other published policy or code of conduct of Executive Departments and Independent State Agencies.

Any non-government business use or intentional misuse of the State's electronic communications systems is a violation of this policy. Non-government business uses include, but are not limited to:

- Sending and responding to lengthy private messages;
- Sending political messages; and

- Operating a business for personal financial gain.

Intentional misuse includes, but is not limited to, receiving, displaying, storing, or transmitting threatening or sexually-explicit images, messages, or cartoons as well as epithets or slurs based upon race, ethnic or national origin, gender, religious affiliation, disability, or sexual orientation and harassing, offensive, discriminatory, or defamatory communications or images without a government business purpose. It also includes attempting to access a secure database, whether private or public, without permission.

The State's electronic communications systems may be used for minor, incidental personal uses, as determined by management that are not intentional misuses. Personal use shall not directly or indirectly interfere with the Agency's business uses, directly or indirectly interfere with another user's duties, or burden the State with more than a negligible cost.

Users shall have no expectation as to the privacy or confidentiality of any electronic communication, including minor incidental personal uses. The State reserves and will exercise the right to access, intercept, inspect, record, and disclose any and all electronic communications on the State's electronic communications systems, including minor incidental personal uses, at any time, with or without notice to anyone, unless prohibited by law or privilege.

The State reserves the right to monitor compliance with this policy by accessing, intercepting, recording, or disclosing any electronic communications, including minor incidental personal uses, unless prohibited by law or privilege.

The State reserves the right to access, intercept, inspect, record, and disclose any electronic communications during or after normal working hours and even if the electronic communications appear to have been deleted from the electronic communications systems. The use of a State password shall not restrict the Agency's right to access electronic communications.

Senior management or individuals with delegated authority, from Executive Departments and Independent State Agencies have the authority to determine when employee personal use exceeds minor, incidental, or inappropriate.

Authorized users are responsible for the security of their passwords and accounts. Users shall not disclose their passwords unless authorized by the Executive Departments or Independent State Agencies or disclosure is necessary to support the business of the government.

Users are not permitted to hinder or obstruct any security measures instituted on the State's electronic communication systems.

11.0 Acceptable/Proper Use

The following activities are examples of acceptable use of agency electronic communications:

- Sending and receiving electronic mail for job related messages, including reports, spreadsheets, maps etc.
- Using electronic mailing lists and file transfers to expedite official communications within and among state agencies, as well as other job related entities.
- Accessing on line information sources to gather information and knowledge on state and federal legislation, industry best practices, or to obtain specialized information useful to state agencies.
- Connecting with other computer systems to execute job related computer applications, as well as exchange and access datasets.
- Communicating with vendors to resolve technical problems.

11.1 Unacceptable/Improper Use

The following activities are examples of unacceptable use of agency electronic communications:

- Engaging in any activity that is illegal under Local, State, Federal or International law in conjunction with the usage of the State's electronic communications systems.
- Unauthorized collection, transmission or sharing of Confidential information which may include; Personally Identifiable Information, HIPPA protected information and Federal Tax Information ;Violating the rights of any person or company protected by copyright, trade secret, patent or other intellectual property or similar laws or regulations.
- Unauthorized reproduction of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the Agency or the user does not have a specific and active license.
- Exporting software, technical information, or technology in violation of International or regional export control laws.
- Introduction of malicious programs into the State's electronic communications systems infrastructure including, but not limited to, computer workstations, servers, and networks.
- Circumventing user authentication or security of any account, host, or network, including disclosing a user's password to others or allowing a user's account to be used by others.
- Interfering with or denying electronic communications system services to any user.
- Inappropriate purposes, in violation of the intended use of the network, as defined by this policy and DoIT.

- Interference or disruption of network users, services, or computers, including distribution of unsolicited advertising, and/or propagation of computer viruses.
- Effecting security breaches or disruptions of any electronic communications system. This includes, but is not limited to tampering with the security of State owned computers, network equipment, services or files.

User's access to State electronic communications systems resources shall cease when one of the following occurs:

- Termination of employment;
- Termination of a contractor's or consultant's relationship with the State;
- Leave of absence of employee;
- End of public official's term; or
- Lay-off of employee.

SECTION 12: Social Media Policy

Social media is content created using highly accessible Internet-based publishing technologies used to share opinions, insights, experiences, and perspectives with others. These emerging collaboration platforms offer new ways for State employees to build citizen and agency relationships. Social media can also be used by State employees to take part in national and global conversations related to activities within the State.

Choosing the option to utilize social media technology is a business decision. It must be made at the appropriate level for each department or agency, considering its mission, objectives, capabilities, and potential benefits.

The purpose of this section is to provide rules of conduct to State organizations and State employees when using social media technologies to engage with citizens on behalf of the State of Maryland. The State expects all authorized participants in social media on behalf of the State to understand and to follow these guidelines.

Should an agency choose to use social media networks, the agency should sanction official participation and representation on specific social media sites. State agencies have an overriding interest and expectation in deciding who may "speak" and what is "spoken" on behalf of the agency and of the State.

If approved within an agency, social media sites are to be used for business purposes only in serving the interests of the Agency, the State, and the citizens, visitors, and commerce partners of the State of Maryland. All electronic communications created, received, or stored on the Agency's or State's electronic communications systems are not the sole property of the author, recipient, or user. Furthermore, any non-government business use or intentional misuse of social media communications systems is a violation of this policy. Misuse of social media and prohibited activities include, but are not limited to:

- Sending and responding to private messages that are not related to state business;
- Engaging in vulgar or abusive language, personal attacks of any kind, or offensive terms targeting individuals or groups;

- Endorsement of commercial products, services, or entities;
- Endorsement of political parties, candidates, or groups;
- Lobbying; and
- Posting photos or videos that are not related to the mission of the agency.

State employees and/or contractors representing the State are responsible for the content they publish on social media sites.

Wherever possible, links to more information should direct users back to official websites for more information, forms, documents or online services necessary to conduct business with the State/agency.

12.0 Identification and Origin of Participant

During the use of a social media site channel on behalf of the State of Maryland, the response will either be “individual” (from a State Employee), or “organizational” (from a State Organization):

- Individual, originating from a State employee conducting State business on a State controlled social media site: The State Employee must disclose the following information within their communication: First and Last Name, Contact Information (at a minimum a State E-mail address must be provided - including more information is permitted), and their organization (Department or Agency Name).
- Individual, originating from a State employee clearly representing themselves as a State employee publishing content to any social media site outside of a Maryland domain and not conducting state business, must use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent Maryland's positions, strategies or opinions."
- Organizational, originating from a State Organization controlled social media site: The State Organization must disclose the following information as part of their use of a communication channel: Organization Name and a single point of contact for inquires about the channel (at the minimum, a general E-mail address - including more information, such as the Organization's Telephone Number, is permitted).

12.1 Moderating Comments

In some social media formats, state employees may be responsible for moderating comments. If user content is positive or negative and in context to the conversation, then the content should be allowed to remain, regardless of whether it is favorable or unfavorable to the State.

12.2 Ethical Conduct

State employees and organizations will act and conduct themselves according to the highest possible ethical standards. A summary of the key points of ethical social media conduct are reproduced below:

- Should an agency choose to use social media networks, state employees shall be familiar with and comply with the terms and conditions of the social media site.
- State employees and State organizations must not knowingly communicate inaccurate or false information. All reasonable efforts should be made by the State Employee or State Organizations to provide only verifiable facts—not unverifiable opinions. Agencies will strive to correct any information found to be in error.
- State employees and State organizations must maintain confidentiality of State of Maryland information that is considered to be confidential in nature.
- State employees and State organizations will respect the rules of the Social Media venue.

12.3 Guiding Principles

If you are developing a social media site on behalf of the state, utilize the state guidance provided at: <http://blogs.maryland.gov/socialmedia/>

If you participate in social media, it is recommended that you adhere to these guiding principles:

- Stick to your area of expertise and provide unique, individual perspectives on what is going on at the State, and in other larger contexts.
- Post meaningful, respectful comments, no spam, and no remarks that are off-topic or offensive.
- Respect proprietary information, content, and confidentiality.
- When disagreeing with others' opinions, keep it appropriate and polite
- Remain focused on customers, existing commitments, and achieving the State's/agency's mission.
- Your use of social media tools should never interfere with your primary duties, with the exception of where it is a primary duty to use these tools to do your job.
- Only public information can be disclosed on social media sites. Information on the Maryland Public Information act can be found at <http://www.oag.state.md.us/Opengov/pia.htm>
- Agencies should consider posting a disclaimer stating that information within the social media site is public information and the state cannot be responsible for blocking such access.

12.4 Secure Practices

- The information you post online could be used by those with malicious intent to conduct social engineering scams that attempt to steal confidential data. Be cautious in how much personal information you provide - remember that the more information you post, the easier it may be for an attacker to use that information to steal confidential data.
- Stealing passwords is a common way unauthorized users can gain access to social media accounts. When creating an account, follow password complexity best

practices and choose password reset questions that cannot be easily guessed or answered through research.

- Security technologies shall be implemented to protect State-represented social media sites from unwanted user-generated content.

SECTION 13: Data Loss Prevention Guidance

If currently implemented security controls have failed to reduce agency information security risk to an acceptable level, a data loss prevention solution should be considered.

Data loss prevention (DLP) refers to a comprehensive approach covering people, processes, and systems that identify, monitor, and protect data in use, data in motion, and data at rest, through deep content inspection and with a centralized management framework. DLP solutions go beyond securing the network to securing systems within the network, and to securing the data itself. DLP controls are based on policy, and include classifying sensitive data, discovering that data across an enterprise, enforcing controls, and reporting and auditing to ensure policy compliance. A comprehensive DLP solution should include the following controls.

- Use network monitoring tools to analyze outbound traffic looking for anomalies which may include; large file transfers, long-time persistent connections, connections at regular repeated intervals, unusual protocols and ports in use, and possibly the presence of certain keywords in the data traversing the network perimeter;
- Deploy an automated tool on network perimeters that monitors for certain sensitive information (i.e., personally identifiable information), keywords, and other document characteristics to discover unauthorized attempts to exfiltrate data across network boundaries and block such transfers while alerting information security personnel;
- The ability to scan systems using automated tools to determine whether confidential data is present in clear text;
- Use outbound proxies to be able to monitor and control all information leaving an organization;
- Use secure, authenticated, and encrypted mechanisms to move data between untrusted networks;
- Data stored on removable and easily transported storage media such as USB tokens (i.e., "thumb drives"), USB portable hard drives, and CDs/DVDs should be encrypted. Systems should be configured so that all data written to such media are automatically encrypted without user intervention;
- If there is no business need for supporting such devices, organizations should configure systems so that they will not write data to USB tokens or USB hard drives. If such devices are required, enterprise software should be used that can configure systems to allow only specific USB devices (based on serial number or other unique property) to be accessed, and that can automatically encrypt all data

- placed on such devices. An inventory of all authorized devices must be maintained;
- Monitor all traffic leaving the organization and detect any unauthorized use of encryption. Attackers often use an encrypted channel to bypass network security devices. Therefore it is essential that organizations be able to detect rogue connections, terminate the connection, and remediate the infected system.
 - DLP solutions should be tested periodically with results documented. Results of the tests can help identify if a business or technical process is leaving behind or otherwise leaking confidential information.

CSIS: 20 Critical Security Controls - Version 3.1

<http://www.sans.org/critical-security-controls/control/17>

SECTION 14 Enforcement

Data leakage incidents such as disclosure of non-public information, or making inappropriate public statements about or for the State/Agency, or using State resources for personal uses, and harassing or inappropriate behavior toward another employee can be grounds for reprimand or dismissal. Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment. Deliberate, unauthorized disclosure of non-public information may result in civil and/or criminal penalties.

Appendix A: IT Incident Reporting Form

IT Incident Reporting Form

Agency; _____

Date and time of Incident; _____

Point of Contact Name; _____ Phone; _____

Incident Details - Please provide as much information about the incident as possible.

Incident Category;

- 1 Unauthorized access
- 2 Denial of Service
- 3 Malicious Code
- 4 Improper Usage

Incident discovery method;

- 1 Anti-virus
- 2 Log Audit
- 3 Intrusion Detection (IPS/IDS)
- 4 User Complaint
- 5 System Administrator
- 6 Other

Source of Incident;

IP Address _____ Port # _____ Protocol _____

Destination;

IP Address _____ Port # _____

Affected Agency System; Please provide information about your affected system and the impact to your agency.

System Function (e.g., DNS, Web server etc..) _____

Operating System _____ Version _____ Date of Latest Updates _____

AntiVirus Installed _____ Version _____ Date of Latest Updates _____

Briefly describe the incident including the impact to your agency;

What actions were taken to reduce the risk of this type of incident happening again?

Does your agency require any additional assistance from DoIT?

Appendix B: Definitions

Approved Electronic File Transmission Methods	Includes Virtual Private Network (VPN) tunnels supported by Executive Departments and Independent State Agencies.
Approved Electronic Mail	Includes all mail systems supported by Executive Departments and Independent State Agencies.
Confidential Information	Non-public information that is deemed private, privileged or sensitive.
Critical Information	System-level security settings or configurations.
Electronic Communications	Including, but not limited to, messages, transmissions, records, files, data, and software, whether in electronic form or hardcopy.
Electronic Communications Systems	Including, but not limited to, hardware, software, equipment, storage media, electronic mail, telephones, voice mail, mobile messaging, Internet access, and facsimile machines.
Encryption	The process of transforming information (referred to as plain text) using an algorithm (called cipher) to make it unreadable to anyone except those possessing special knowledge, usually referred to as a key.
HTTPS	Hypertext Transfer Protocol over Secure Socket Layer is a URL scheme used to indicate a secure HTTP connection.
Media clearing	Media clearing is the removal of sensitive data from storage devices in such a way that there is assurance, proportional to the sensitivity of the data, that the data may not be reconstructed using normal system functions. The data may still be recoverable, but not without unusual effort.
Mobile Device	Devices such as smart phones and tablets that can connect to networks.
Network	A computer network is a system for communication among two or more computers.
Network Device	Includes; servers, desktop computers, laptop computers, printers, scanners, photocopiers, personal computing devices and other computing devices with networking interfaces capable of connecting to the Agency's network.
Obfuscation	To make obscure; using methods to hide the actual values of sensitive data.
Private	Personally Identifiable Information (PII); such as an individual's social security number, financial or health records.
Privileged	Records protected from disclosure by the doctrine of executive privilege which may include but not limited to records: <ul style="list-style-type: none"> • Relating to budgetary and fiscal analyses, policy papers, and recommendations made by the Department or by any person working for the Department; • Provided by any other agency to the Department in the course of the Department's exercise of its responsibility to prepare and monitor the execution of the annual budget; • Relating to a State procurement when a final contract award has not been made or when disclosure of the record would adversely affect future procurement activity; • Of confidential advisory and deliberative communications relating to the preparation of management analysis projects conducted by the Department pursuant to State Finance and Procurement Article, §7-103, Annotated Code of Maryland.
Portable Device	Any electronic portable device capable of storing data such as; Laptops, Mobile or Smart phones, MP3 Players, USB Thumbdrives, External Hard Drives, iPads, etc.

Publicly Accessible System	Systems such as Web and FTP applications that are exposed to the Internet and therefore, more vulnerable.
Public Information	Information that is a public record under the Maryland Public Information Act.
Remote Access	Any access to DoIT's managed network through a non-DoIT managed network, device, or medium.
Sanitization	Refers to the general process of removing data from storage media, such that there is reasonable assurance that the data may not be easily retrieved and reconstructed.
Sensitive	Information that, if divulged, could compromise or endanger the citizens or assets of the State.
Social Media	Online technologies and practices that people use to share opinions, insights, experiences, and perspectives with each other.
SNMP	Simple Network Management Protocol is used in network management systems to monitor network-attached devices for conditions that warrant administrative attention.
SSH	Secure Shell is a network protocol that allows data to be exchanged using a secure channel between two computers.
SSID	Service Set Identifier is a name used to identify the particular 802.11 wireless LAN to which a client wants to attach.
Untrusted Entity	An entity that can or may be potentially harmful to a system.
Wi-Fi Certified	Wi-Fi CERTIFIED is a program for testing products to the 802.11 industry standards for interoperability, security, easy installation, and reliability

Appendix C: Wireless Security

This policy specifies the conditions that wireless infrastructure devices must satisfy to connect to any state agency network. Only wireless systems that meet the criteria of this policy or have been granted an exclusive waiver by the Agency CIO (or similar delegated Agency authority) are approved for connectivity to agency networks. Agencies shall;

- Establish a process for documenting all wireless access points;
- Ensure proper security mechanisms are in place to prevent the theft, alteration, or misuse of access points;
- Restrict hardware implementation to utilize Wi-Fi certified devices that are configured to use the latest security features available;
- Change default administrator credentials;
- Change default SNMP strings if used, otherwise disable SNMP;
- Change default SSID;
- Deploy secure access point management protocols and disable telnet;
- Strategically place and configure access points to minimize SSID broadcast exposure beyond the physical perimeter of the building;
- Require wireless users to provide unique authentication over encrypted channels if accessing internal LAN services;
- Require wireless users to utilize encrypted data transmission if accessing internal LAN services;

Appendix D: Sample Media Sanitization Form

Organization:

Item Description:

Item Disposition:

- Sanitize
- Destroy

Date Conducted:

Conducted By:

Phone #:

Validated By:

Phone #:

Sanitization Method Used:

Appendix E: Sample Incident Handling Checklist and Forensics Guidelines

Action	Done
Detection and Analysis	
Prioritize handling the incident based on the relevant factors (functional impact, information impact, recoverability effort, etc.)	
Identify which resources have been affected and forecast which resources will be affected	
Report the incident to the appropriate internal personnel and external organizations	
Containment, Eradication, and Recovery	
Acquire, preserve, secure, and document evidence	
Contain the incident	
Eradicate the incident	
Identify and mitigate all vulnerabilities that were exploited	
Remove malicious code, inappropriate materials, and other components	
Recover from the incident	
Return affected systems to an operationally ready state	
Confirm that the affected systems are functioning normally	
If necessary, implement additional monitoring to look for future related activity	
Post-Incident Activity	
Create a follow-up report	
Hold a lessons learned meeting	

Refer to the corresponding tables within NIST SP 800-61 Revision 2 *Computer Security Incident Handling Guide* for specific incident category guidance.

<http://csrc.nist.gov/publications/nistpubs/800-61rev2/SP800-61rev2.pdf>

Incident Response and Forensics Guidelines

Preserving forensic data is an essential aspect of any incident response plan. The forensic data acquired during the overall incident response process is critical to containing the current intrusion and improving security to defend against a similar future attack. The following guidelines are provided to assist agencies in the retention of essential forensic data.

Keep detailed notes of all observations, including dates/times, mitigation steps taken/not taken, device logging enabled/disabled, and machine names for suspected compromised equipment. More information is generally better than less information.

When possible, capture live system data (i.e., current network connections and open processes) prior to disconnecting a compromised machine from the network.

Capture a forensic image of the system memory prior to powering down the system.

When powering down a system, physically pull the plug from the wall rather than gracefully shutting down. Forensic data can be destroyed if the operating system (OS) executes a normal shut down process.

After shutting down, capture forensic images of the host hard drives.

Avoid running any antivirus software “after the fact” as the antivirus scan changes critical file dates and impedes discovery and analysis of suspected malicious files and timelines.

Avoid making any changes to the OS or hardware, including updates and patches, as they might overwrite important information relevant to the analysis. Organizations should consult with trained forensic investigators for advice and assistance prior to implementing any recovery or forensic efforts.

When a compromised host is identified, it should be removed from the network for forensic data collection (but not powered off, as noted above). When all available data have been retained from the infected host, agencies should follow established internal procedures for recovering the host.

If an agency does not have an adequate incident response plan or the necessary staff to handle a serious cyber incident, it should consult trained forensic investigators to assist with developing a response plan and implementing recovery efforts.

Useful imaging tool by Access Data (FTK Imager) can be used to capture and preserve evidence.

<http://www.accessdata.com/support/product-downloads>

EXHIBIT H

DEPARTMENT OF INFORMATION TECHNOLOGY
MARYLAND SOCIAL MEDIA

SOCIAL MEDIA DIRECTORY

[Quick Links](#)[Quick Help](#)

Maryland State Government Social Handbook

Social Strategy for the State of Maryland

The advent and implementation of social media has provided state government with a highly public and powerful venue for connecting to our citizens. The State of Maryland is committed to developing an open and comprehensive relationship with our constituents through the extensive use of social media marketing. Social media thrives on conversation and interaction. These two way dialogues provide citizens with a feeling of ownership of their Maryland state government and a portal through which they can gain information and express their thoughts in a targeted setting. While as a state we are committed to participating in the social media world, it is essential that our departments and agencies incorporate social media tools into their communication activities in a thoughtful and strategic manner and by applying best practices. The guidelines presented are meant to assist the various departments as they move forward in their social media endeavors. Each department must introduce policies specific to their needs to ensure successful integration of social media into their marketing efforts.

Strategic Social Business Plan

Social media is, by nature ever evolving and should be continuously updated and analyzed to ensure that organizational goals are met. It requires a substantial commitment in time and human resources. A "fire, ready, aim" approach will preempt a program's ability to fully capitalize on the benefits of social media. One common pitfall is the miscalculation of the time commitment required to maintain social media accounts. The initial excitement and enthusiasm for social media can quickly become a daily grind. For social media to have value, steady monitoring and communication is essential and this is often not confined to regular business hours. Inconsistency through poor rigor is instantly visible to followers and can demonstrate incompetence or insincerity.

Take The First Step

A solid, well articulated strategy from the onset will increase the odds of a successful social

- **Develop a documented strategy** that incorporates measurable goals and expect to update these often as new opportunities arise. Carefully consider consistent branding and representation on multiple social media platforms. Each destination should have a unique presentation. For example do not sync your Tweets to post on your Facebook page or otherwise automate all of your social media accounts to broadcast the same information simultaneously.
- **Know the risks associated with your strategy.**
- **Insist that others are knowledgeable about the processes** involved and have access to the user identifications and passwords currently active.
- **Be familiar with the guidelines** posted on the social media web sites.
- **Establish New Media Partners** and continuously update and connect with emerging sources.

Hub and Spoke Social Business Plan

Our Maryland social strategic model is based on a hub and spoke business plan. In this model, the Office of Communications is established as the coordinated, centralized hub which manages all social activity within the individual departments.

These responsibilities include but are not limited to:

- The development of a high level social strategy that incorporates steady monitoring and communication.
- Implementation of training and education programs.
- Crafting of policies that involve input from the departmental legal team.
- Continuous research of new initiatives.
- Development of measurement requirements.
- Provide support to the programs as needed.

The Office of Communications should begin by establishing department specific rules and procedures based on the provided best practices found on this website. The departmental legal teams should be included in the crafting of all policies and procedures to mitigate any legal challenges that may arise from the use of social media. Once rules and procedures are in place, the hub should begin to incorporate extensive training and education programs to ensure that the social media managers have a solid understanding of the chosen social platforms and the expectations of leadership as well as concise measurement goals. It is vitally important to remember that the people you are entrusting as your social media managers are the face of your organization. Be sure that your social media managers have the character to professionally represent your department or program.



The Office of Communications acting as the hub in our business model should continuously research new initiatives, share their findings with the other social business units and establish cross promotional campaigns through regular meetings with the departmental account managers. In this fast paced industry it is important to stay ahead of changes in the social media industry and to continuously share new information and innovations that will enable all of the individual units to work cohesively for a shared success.

Initiate A Team Approach

The daily responsibility to maintain the social presence of a department or program through multiple social sites can be an added burden to a single account manager, particular as, by its nature, social media is not confined to a traditional work day. It is a good practice to establish a small team of managers for any given group of accounts so that no one person is constantly responsible for content, monitoring and response. This team approach requires three or four people to rotate the responsibility weekly. The team should work under a common set of goals and meet regularly to share calendar events and campaigns. The team approach keeps the social media accounts fresh and interesting to their followers and to the account managers themselves. It is a good idea to subscribe to our state social media newsletter, <http://blogs.maryland.gov/socialmedia/> as well as register your social media programs on our state social media directory, [Direct2U](#). The newsletter provides you with a weekly update on the latest industry news and updated best practices on social media.

Website Integration

Social media, as a component of a department's overall communication package offers a new and perhaps richer means of sharing information and addressing concerns on a platform that is already being utilized by stakeholders.

It offers many benefits over more traditional means of communication including:

- While it can be time consuming, social media is efficient and proven effective.
- **Communication** through social media is **instantaneous and universally available**.
 - **Concerns can be addressed to multiple people** on a single platform.
 - **It is a one-to-one-to-many conversation.**
 - **Information is unmediated.** Your intended message is relayed exactly as you chose without others interpretation or commentary.
 - **Instant Feedback is provided.** It is possible to gauge and respond to any comment or even criticism directly and immediately.
 - **Social media promotes trust.** As you responsively engage with your audience, a relationship is built and trust established adding to the value of your department or program in the eyes of your stakeholders.

By sharing and engaging with others through social media channels, you have the opportunity to establish yourself as a leader in your field.

Website integration with social media tools has many benefits and chief among them are search engine optimization, immediate link-based traffic and a greater awareness of your departmental activities and programs. Social media sites should compliment and support your website but not be a substitute for it. **It is essential that your departmental website be the definitive source for a deeper understanding of the information that you are presenting through social media.** The website must be updated continuously and the information available should be timely and relevant so that your followers can easily navigate from your post on a social platform to their area of interest on your website. Your social posts should entice and lead your followers to learn more from the information presented on your website. The relationship between your website and social platforms should be a reciprocal one. While your social posts direct followers to your website, your website should also prominently provide links to your social media accounts. Follow the state website template for placement and click here for the [suggested social platform buttons](#).

Measuring Social Engagement

Social media provides a significant advantage over more traditional forms of communication with its ability to provide data which measures and tracks the effectiveness of a given program. The various social media platforms provide basic measurement statistics which should be your starting block for developing a monitoring strategy. Measures such as fan and follower counts are of limited value, however you should still manually collect this data from key channels, calculate it weekly or monthly, save the figures in a basic spreadsheet and produce graphs to depict trend lines to be sure that you are moving in the correct direction. Steady growth within your social media account is important but you must understand your target audience and not always define success by the number of followers. It is more important for you to have fewer highly engaged followers rather than a great many that remain neutral. Measuring engagement is the next level of social monitoring and it is defined as the way we connect and interact with our followers. What is the take away value of our posts? Were there resulting actions such as a tweet, retweet, share or like? Did a like or retweet result in a click through to your website? The social actions that result from a post will determine how successful you are in influencing and adding value to the conversation. People are influenced most by those that are closest to them and this social connectivity will raise the value of your program in

There are a number of third party analytical tools available that are free of charge including www.48ers.com, www.socialmention.com, and www.google.com/alerts that will provide you with a deeper understanding of the effectiveness of your social program. Blend the various tools for a more in depth look. All of these monitoring tools require that you determine the correct keywords that will provide the desired data. Experiment with the different keywords and phrases until you hit on the ones that are the most accurate in reflecting your program and then establish a glossary of terms. Be sure to embed the glossary keywords in your social media posts. Use URL shorteners such as www.bitly.com and www.tinyurl.com to shorten your posts and track click-throughs from the posts to the link provided. This data is essential to tracking the level of engagement. Once you have a solid monitoring program established, you will be able to more effectively and expeditiously maintain your accounts and provide accurate data to defend the success of your program to leadership.

Selecting a Social Platform

The online conversation is a fluid and dynamic platform with many resources from which to communicate. In addition to social networking sites, blogs, wikis, podcasts, video sharing and e-newsletters are valuable tools for connecting with stakeholders. Each new resource that you deploy requires increased responsibility and regular attention. It is vital to reiterate that none of the following social media tools can successfully function without the support and synchronization of the department's principle website. Your website is the nucleus around which all social media platforms should lead. Most, if not all of your informational posts should direct your audience to more in depth information found on your website. Although many of the social media resources may garner real-time attention, they are by nature limited in scope and typically provide teasers to "learn more" on a department's primary website. To be of value, such interaction should drive visitors to the most specific, timely, and targeted news that arises out of their expressed interest.

Each social media program must determine their specific target audience. Analyzing the most current demographic data as it corresponds to social media usage is the best way to select a social platform. The most current data available was released by the [Pew Research Center from their Internet & American Life Social Network Site](#) survey conducted by landline and cell phone between October 20 and November 28, 2010. The Pew Research Center Study focused on the interesting and complex role that technology plays in the everyday lives of Americans; how we connect and how we communicate. The demographic data is a rich resource when determining the best fit in social media platforms.

Crisis Communication

The use of established social sites to effectively communicate with our Maryland constituents during an emergency has proven to be a powerful tool. Social media allows us to connect immediately, provide necessary and perhaps even life saving information while simultaneously quelling disinformation with a simple click.

It is vital that the channels of social communication are established prior to an emergency.

As you gain the confidence of your followers through disseminating value-added information on a day-to-day basis, you will gain their trust and they will look to you for reliable information, particularly when they need it the most. Constantly remind your audience that should an emergency arise, you will be a source of official information. Communication and power services may be interrupted, therefore they should remember to use their mobile devices to receive vital information. Before a crisis, plan for and train a number of account managers and have easy access to account passwords so communication can continue without relying on any single person. Pre-load tweets and posts for each anticipated emergency so they are readily available at the onset of an emergency. Identify critical keywords that should be used in communicating about your department and keep a glossary of terms available for use during the crisis.

During A Crisis

It is essential that you actively use all of your established social channels during an emergency so that you reach as many constituents as possible. During an emergency, communicate only relevant and timely information. It is important that the information that you convey be accurate. Your social media platforms should be a source of information gathering for your followers and a platform where you listen and respond to their needs and questions. It is vital you provide useful information at this time and quell any rumors that may arise during a crisis. Be sure to search keywords that pertain to the crisis and monitor other online conversations to ensure the accuracy of information.

After A Crisis

After a crisis has come to an end, spend a significant amount of time analyzing your performance and implement the necessary changes to your crisis plan. Every emergency situation offers an opportunity to learn and grow so that we are better prepared for the next crisis. In all probability, your follower count will increase during an emergency. Continue to provide compelling updates and information in order that you retain these followers and build your audience. Use your posts after a crisis to thank your followers for helping you to spread the word during the emergency and remind them of the vital role they play in community communication.

Comments Policy

Each department deploying social media should develop and post a comments policy that may include but not be limited to the following:

Once posted, we reserve the right to delete submissions that may contain:

- Vulgar language
- Personal attacks of any kind
- Offensive comments that target or disparage any ethnic, racial or religious group
- Spam
- Clearly off topic
- Advocate illegal activities

It is important that social media managers refrain from deleting posts or comments unless there is a specific violation of the posted comments policy. If a negative comment is posted, it opens the conversation and more times than not, your followers will respond in a

defensive manner or address your concerns for you. Taking down antagonistic comments may open your program up to backlash from your followers and you may lose credibility.

Security Considerations

The implementation of security measures similar to those currently in use which allow state employee's access to other sites such as Google and Yahoo should be encouraged when participating on social networking sites. Security threats could include account hijacking, phishing, and malware infection.

In order to minimize your risk to these threats and limit damage we recommend:

- **Proper Training of Your Social Media Managers** All account managers should conduct official business only on their program accounts. Social games have the greatest risk for cyber attacks and they should never be played on state accounts.
- **Use Strong Passwords.** When setting up your accounts, be sure that your password is 8 characters or greater and uses a combination of letters, numbers, and symbols. Do not use the same password for multiple accounts and change your password often.
- **Evaluate Links Before Clicking.** If you see a stand-alone link in a post, do not click through unless you are very familiar with the source of the post.

If your account is hacked, please change your password immediately.

[Contact Us](#) | [Privacy](#) | [Accessibility](#)

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SOCIAL MEDIA DIRECTORY

EXHIBIT I



Maryland Official Use of Social Media Policy

Last Updated: 01/31/2017

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1.0 Purpose

The Maryland Department of Information Technology (DoIT) is responsible for, and committed to, managing the confidentiality, integrity, and availability of the Executive Branch of Maryland State government Information Technology (IT) networks, systems, and applications.

This document establishes the DoIT policy for utilizing public **social media** for official communication. It incorporates best practices, acceptable use, and information management and control over State use of public social media platforms. The official use of social media allows State employees to build citizen and agency relationships, to provide timely and important updates to citizens, and to take part in national and global conversations relevant to the State.

2.0 Document and Review History

This policy supersedes the Maryland Information Security Policy v3.1 (2013) Section 12: Social Media Policy and any related policy regarding social media usage declared prior to the 2017 Cybersecurity Program Policy. This document will be reviewed annually and is subject to revision.

Date	Version	Policy Updates	Approved By:
01/31/2017	v1.0	Initial Publication	Maryland CISO

3.0 Applicability and Audience

This policy applies to all Maryland Executive Branch agencies and State employees assigned to use official social media accounts for purposes of communicating official state or agency information to the public.

4.0 Policy

The purpose of this policy is to provide rules of conduct for State organizations and State employees when using social media platforms to communicate in an official capacity on behalf of the State of Maryland. The Executive Branch expects all authorized **social media coordinators** to understand and to follow the requirements of this policy.

If an agency chooses to utilize a social media platform, the agency will designate the platform(s) for best representation of agency and State reputation and brand. Agencies will be expected to oversee and verify who may "speak" and what is "said" on behalf of the agency and the State.

4.1 Social Media for Official Use Only

Social media platforms will be used only for official, informal public communications intended as informational updates related to ongoing issues, engagement with the public, or agency specific information (e.g. inclement weather alerts and closures, public utilities status updates, and annual agency-hosted events). These public social media channels are intended only for

informal communications. All communications with legal and policy effect will be handled through more formal, State-owned channels.

State officials may have account types with varied disclosure requirements as shown in the table below. Accounts will be centrally created and managed in accordance with the current *Account Management Policy* and access controls.

#	Media Account Type	Requirements For Account Use
A	Individual – Official Account	Individual communication originating from a State employee conducting State business on a State-controlled social media account. The State employee must disclose the following information within their communication: <ul style="list-style-type: none"> ▪ First and last name ▪ Contact information (at a minimum a State email address must be provided; additional information is permitted) ▪ Individual’s organization (department or agency name)
B	Individual – Non Official Account	Individual communication originating from a State employee clearly representing themselves as a State employee, <i>but not conducting State business</i> , publishing content to any social media account outside of a Maryland domain. The State employee must include a disclaimer such as: <ul style="list-style-type: none"> ▪ "The postings on this site are my own and don't necessarily represent Maryland's positions, strategies or opinions."
C	Organization – Official Account	Organizational communication originating from a State organization controlled social media account. The State organization must disclose the following information whenever it uses the communication channel: <ul style="list-style-type: none"> ▪ Organization name and a single point of contact for inquiries about the communication (at the minimum, a general email address, additional information, such as the organization telephone number, is permitted).

4.2 Social Media Usage Requirements

The table below establishes the requirements for an agency’s official use of a social media platform.

#	Name	Requirement
A	State CISO Notification	All Executive Branch agencies will notify the Director of Cybersecurity/State CISO of any agency social media accounts, including the name of the account, who is authorized to post, and the purpose of the account (State employee representation or State agency engagement).
B	Official Use Only	Any use for non-government business or intentional misuse of social media platforms will be considered a security violation.
C	Accountability and Ethical Use	State employees representing an agency or the State are responsible for the content they publish on social media sites (see Section 4.4)
D	Information Linking	Whenever possible, messages shall direct users to official channels such as agency web page announcements, official online forms, State or agency documents or online services necessary to conduct business with the State/agency.

#	Name	Requirement
E	Account Protection	All official social media accounts will be audited by the DoIT Information System Security Manager (ISSM) and will adhere to the requirements in Section 4.7.
F	Continuous Monitoring	The DoIT Security Operations Center (SOC) will actively monitor social media accounts for indication of misuse or compromise.

4.3 Social Media Management

All Executive Branch agencies will manage their own official social media accounts and will be held responsible and accountable for its use. Each agency will provide the State CISO a list of all social media accounts to be audited periodically by the DoIT ISSM and actively monitored by the DoIT Security Operations Center.

Each agency will prepare an incident response plan (see *Cybersecurity Incident Response Policy*) for each social media platform in the event of a compromise, e.g. an account gets high-jacked or an unauthorized user gains access. The incident response plan will define the process for:

- Recovering the account
- Deleting the account
- Notifying all subscribers of the compromise

Each agency will ensure the immediate revocation of access by any user no longer authorized to publish to a social media platform (e.g., due to termination or relieving of social media duties). Agencies will protect accounts as directed in Section 4.7 and exercise due care and due diligence in ensuring proper use of social media platforms.

4.4 Social Media Ethical Conduct

In all social media use, the State employees and organizations will maintain professional behavior and conduct themselves according to the highest possible ethical standards. The table below describes the ethical conduct requirements.

#	Name	Requirement
A	Social Media Usage	All authorized social media users will be familiar and comply with the Terms and Conditions of the platform they are using.
B	Accurate Information	Authorized social media users will not knowingly communicate inaccurate or false information. All reasonable efforts will be made to verify facts and ensure status updates are accurate.
C	Confidential Information	Agencies will make every effort to prevent the inadvertent release of confidential information (see <i>Public and Confidential Information Policy</i>).
D	Agency and State Mission	Authorized users will remain focused on the State and agency missions, will address customer input professionally, and will engage customers with accurate and verified information.

4.5 Social Media Misuse

Any agency or State employee identified as misusing a social media platform will lose access to the account and the conduct will be treated as a security violation. The table below is a non-exhaustive list of examples of misuse.

#	Name	Example of Misuse Considered a Security Violation
A	Disregard of Agency or State Mission	Any authorized user sending or responding to private messages not related to agency or State mission or business.
B	Unprofessional Behavior	Any authorized user engaging in vulgar or abusive language, personal attacks, or use of offensive or demeaning language targeting individuals or groups.
C	Commercial Endorsements	No agency or State employee shall endorse or “sell” any commercial product, service, or capability.
D	Political or Religious Endorsements	No agency or State employees shall comment on, endorse, or engage in political or religious conversation.
E	Repost Content	Agencies or State employees shall not repost or forward content except official government or industry specific material. Preferably, references should link to official agency or State web pages containing the original content (e.g., a Governor’s public statement or IRS Tax information for MD residents).
F	Lobbying or Charity Solicitation	No agency or State employee shall post content attempting to influence decisions made by officials in government or advertise any charity programs other than those officially endorsed by the State.
G	Unapproved Content	No agency or State employee shall post or refer to unapproved content, including commenting on unauthorized disclosure of information to a public forum, and instead will refer to any official statements, if available (e.g. if State proprietary information is posted in WikiLeaks the State will not acknowledge, discuss, or confirm or deny any information within a social media platform).

4.6 Content Moderating

In some social media formats, State employees may be responsible for moderating comments.

- Customer comments that are either positive or negative *and* in context to the conversation will be allowed to remain visible within the forum, regardless of whether it is favorable or unfavorable to the State.
- Comments that violate professional use, e.g., containing disparaging remarks of individuals or groups, racist/sexist remarks, or other vulgar content, may be removed from the forum to keep the discussion on-topic and relevant.

4.7 Social Media Account Protection

Social media accounts will be protected with enhanced security, described below, to restrict (malicious) access to or unauthorized use of the account and to ensure the account remains available:

#	Name	Requirement
A	ISSM Auditing	The DoIT ISSM or delegated ISSM will audit agency and State social media accounts for misuse and unauthorized disclosure.
B	Password Security	Agencies will ensure proper passwords are generated and meet the following requirements: <ul style="list-style-type: none"> ▪ 20 character passwords (due to direct exposure from the Internet this ensures unauthorized users cannot easily crack the password) ▪ At least 3 capital letters, 3 lower case letters, 3 numbers, and 3 special characters unless password constraints within the site prohibit these combinations (this helps to reduce possible password cracking). ▪ Changed immediately any time a user is no longer authorized to use that account. ▪ Dual Factor authentication wherever applicable and managed by the agency.
C	Change Notification	Agencies, the DoIT ISSM, and the DoIT SOC will update the State CISO upon any social media account violations or suspected compromises.

5.0 Exemptions

This policy is established for use within the DoIT Enterprise. If an agency under the policy authority of DoIT requires an exemption from this policy then that agency must submit a DoIT Policy Exemption Request Form and clearly articulate the reason for the exemption. An operational risk assessment will be conducted to identify the risks and the agency's mitigation strategy associated with this exemption. If the agency can accept the risk, an exemption to this policy may be granted.

6.0 Policy Mandate and References

The Cybersecurity Program Policy mandates this policy. Related policies include:

- Acceptable Use Policy
- Account Management Policy
- Auditing and Compliance Policy
- Continuous Monitoring Policy
- Cybersecurity Incident Response Policy
- Public and Confidential Information Policy

7.0 Definitions

Term	Definition
Social Media	Publicly available websites and applications that enable users to create and share content or to participate in social networking.
Social Media Coordinators	A State representative, agency-designated individual, or group authorized to use a social media platform for the purposes of informally providing information or status updates to the public.

8.0 Enforcement

All Executive Branch agencies will abide by the requirements within this policy and will be audited and monitored, by the Director of Cybersecurity/State CISO and DoIT, as described with Section 4.0. Oversight of social media use by agencies ensures the integrity and proper use of Maryland State information assets.

If DoIT determines that an agency is not compliant with this policy, the agency will be given a sixty (60) day notice to become compliant or at least provide DoIT a detailed plan to meet compliance within a reasonable time before the issue is reported to the Secretary of Information Technology. After such time, if the agency remains out of compliance the Secretary of Information Technology will be notified and remediation will be mandated.

Any attempt to circumvent the requirements within this policy, such as intentionally or inadvertently changing account information while accessing official agency social media accounts or misusing the platform as indicated in this policy, will be treated as a security violation and subject to disciplinary action which may include written notice, suspension, termination, and possible criminal and/or civil penalties.

JS 44 (Rev. 07/16)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
 JAMES LAURENSON, MEREDITH PHILLIPS, JANICE LEPORE, and MOLLY HANDLEY

DEFENDANTS
 GOVERNOR LAWRENCE J. HOGAN, DOUGLASS V. MAYER, and ROBERT F. WINDLEY

(b) County of Residence of First Listed Plaintiff Montgomery
 (EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Anne Arundel
 (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(c) Attorneys (Firm Name, Address, and Telephone Number)
 Lisa B. Zycherman, Davis Wright Tremaine LLP
 1919 Pennsylvania Ave. NW, Ste. 800, Washington, DC 20006
 202-973-4200

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FOREFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Annuity <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PERSONAL PROPERTY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence Other: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION
 Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. §§ 1983 and 1988
 Brief description of cause:
Civil rights action to vindicate constitutional free speech rights

VII. REQUESTED IN COMPLAINT:
 CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.
 DEMANDS Amt. TBD by Court
 CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions):
 JUDGE _____ DOCKET NUMBER _____

DATE: 08/01/2017
 SIGNATURE OF A ATTORNEY OF RECORD: /s/ Lisa B. Zycherman

FOR OFFICE USE ONLY
 RECEIPT # _____ AMOUNT _____ APPLYING IFF _____ JUDGE _____ MAG. JUDGE _____

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

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Server's address

Additional information regarding attempted service, etc:

Civil Action No. _____

PROOF OF SERVICE

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_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Laurenson, et al.,

Plaintiff,

v.

Hogan, et al.,

Defendant.

*

*

*

*

Case No. 8:17-cv-2162

DISCLOSURE OF CORPORATE INTEREST

Check all that apply:

I certify, as party/counsel in this case that James Laurenson
(name of party)

is not an affiliate or parent of any corporation, and no corporation, unincorporated association, partnership or other business entity, not a party to the case, has a financial interest in the outcome of this litigation as defined in Local Rule 103.3 (D. Md.).

The following corporate affiliations exist with _____:
(name of party)

(names of affiliates)

The following corporations, unincorporated associations, partnerships or other business entities which are not parties may have a financial interest in the outcome of this litigation:

(names of entities with possible financial interests)

In a case based on diversity jurisdiction, the following is a list of all members of

_____ and their states of citizenship:

(name of LLC party)

(name of member)

(state of citizenship)

Note: If there are additional LLC members, please provide their names and states of citizenship on a separate sheet of paper.

August 1, 2017

Date

/s/ Lisa Zycherman

Signature

Lisa Zycherman # 16969

Printed name and bar number

Davis Wright Tremaine LLP; 1919 Pennsylvania
Ave. NW, Suite 800 Washington DC 20006

Address

lisazycherman@dwt.com

Email address

202-973-4200

Telephone number

202-973-4499

Fax number

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Laurenson, et al.,

Plaintiff,

v.

Hogan, et al.,

Defendant.

*

*

*

*

Case No. 8:17-cv-2162

DISCLOSURE OF CORPORATE INTEREST

Check all that apply:

I certify, as party/counsel in this case that Meredith Phillips
(name of party)

is not an affiliate or parent of any corporation, and no corporation, unincorporated association, partnership or other business entity, not a party to the case, has a financial interest in the outcome of this litigation as defined in Local Rule 103.3 (D. Md.).

The following corporate affiliations exist with _____:
(name of party)

(names of affiliates)

The following corporations, unincorporated associations, partnerships or other business entities which are not parties may have a financial interest in the outcome of this litigation:

(names of entities with possible financial interests)

In a case based on diversity jurisdiction, the following is a list of all members of

_____ and their states of citizenship:

(name of LLC party)

(name of member)

(state of citizenship)

Note: If there are additional LLC members, please provide their names and states of citizenship on a separate sheet of paper.

August 1, 2017

Date

/s/ Lisa Zycherman

Signature

Lisa Zycherman # 16969

Printed name and bar number

Davis Wright Tremaine LLP; 1919 Pennsylvania
Ave. NW, Suite 800 Washington DC 20006

Address

lisazycherman@dwt.com

Email address

202-973-4200

Telephone number

202-973-4499

Fax number

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Laurenson, et al.,

Plaintiff,

v.

Hogan, et al.,

Defendant.

*

*

*

*

Case No. 8:17-cv-2162

DISCLOSURE OF CORPORATE INTEREST

Check all that apply:

I certify, as party/counsel in this case that Janice Lepore
(name of party)

is not an affiliate or parent of any corporation, and no corporation, unincorporated association, partnership or other business entity, not a party to the case, has a financial interest in the outcome of this litigation as defined in Local Rule 103.3 (D. Md.).

The following corporate affiliations exist with _____:
(name of party)

(names of affiliates)

The following corporations, unincorporated associations, partnerships or other business entities which are not parties may have a financial interest in the outcome of this litigation:

(names of entities with possible financial interests)

In a case based on diversity jurisdiction, the following is a list of all members of

_____ and their states of citizenship:

(name of LLC party)

(name of member)

(state of citizenship)

Note: If there are additional LLC members, please provide their names and states of citizenship on a separate sheet of paper.

August 1, 2017

Date

/s/ Lisa Zycherman

Signature

Lisa Zycherman # 16969

Printed name and bar number

Davis Wright Tremaine LLP; 1919 Pennsylvania
Ave. NW, Suite 800 Washington DC 20006

Address

lisazycherman@dwt.com

Email address

202-973-4200

Telephone number

202-973-4499

Fax number

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Laurenson, et al.,

Plaintiff,

v.

Hogan, et al.,

Defendant.

*

*

*

*

Case No. 8:17-cv-2162

DISCLOSURE OF CORPORATE INTEREST

Check all that apply:

I certify, as party/counsel in this case that Molly Handley
(name of party)

is not an affiliate or parent of any corporation, and no corporation, unincorporated association, partnership or other business entity, not a party to the case, has a financial interest in the outcome of this litigation as defined in Local Rule 103.3 (D. Md.).

The following corporate affiliations exist with _____:
(name of party)

(names of affiliates)

The following corporations, unincorporated associations, partnerships or other business entities which are not parties may have a financial interest in the outcome of this litigation:

(names of entities with possible financial interests)

In a case based on diversity jurisdiction, the following is a list of all members of

_____ and their states of citizenship:

(name of LLC party)

(name of member)

(state of citizenship)

Note: If there are additional LLC members, please provide their names and states of citizenship on a separate sheet of paper.

August 1, 2017

Date

/s/ Lisa Zycherman

Signature

Lisa Zycherman # 16969

Printed name and bar number

Davis Wright Tremaine LLP; 1919 Pennsylvania
Ave. NW, Suite 800 Washington DC 20006

Address

lisazycherman@dwt.com

Email address

202-973-4200

Telephone number

202-973-4499

Fax number