

September 2, 2014

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Student Discipline Reforms Ongoing

On July 22, 2014 the State Board of Education approved new [Maryland Guidelines for a State Code of Discipline](#) which includes new:

- Philosophical Principles;
- Expectations for Staff, Students, Parents and Community Members;
- Descriptions of Types of Responses to Student Behavior; and
- Examples of Behaviors and Responses within 5 Levels of Progressive Discipline.

The new Guidelines represent a significant revision of the report approved by the State Board in 1997, which immediately followed the passage of legislation in 1996. The guidelines are the work product of a stakeholder group co-chaired by MSDE staff and a representative from the [Open Society Institute-Baltimore](#), a non-profit advocacy organization. This group developed updates to the previous materials, including the philosophical principals and expectations for all community members, but also developed for the first time a framework for describing appropriate levels of progressive disciplinary responses for separate types of student behavior.

The impetus for the revised guidelines arose from the State Board's multi-faceted initiative to promote a school discipline philosophy focused on keeping students in school. The guidelines are written in accordance with the

Legislative Committee Calendar

- September 22, 2014 – to be held at the Anne Arundel County Board office on [2644 Riva Road](#)
- October 2, 2015 – Annual Conference Legislative Committee Breakfast @ 7:00 a.m.
- October 20, 2014
- November 17, 2014
- December 15, 2014
- January 5, 2015
- (Session convenes Jan. 14, 2015)
- January 26, 2015
- February 9, 2015
- **2015 Legislative Day Luncheon – Feb. date TBD**
- March 2, 2015
- March 16, 2015
- April 6, 2015
- (April 13, 2015 – Sine Die)
- April 27, 2015 – Session Wrap-up

MABE's Legislative Committee meetings are held in the MABE office on Monday mornings, 10:00 to 12:30, unless otherwise indicated. Meeting agendas and materials are posted on the [MABE website](#).

State Board's July 2012 report entitled [School Discipline and Academic Success: Related Parts of Maryland's Education Reform](#). Following this report in 2012, the State Board developed and adopted [new student discipline regulations in January of 2014](#), which are in effect beginning in the 2014-2015 school year.

The guidelines reflect the reforms included in the recently adopted regulations, including the new definitions for suspension and expulsion, the conditions which must be met to impose out-of-school discipline, and the educational supports which must be provided to disciplined students.

MABE greatly appreciates the broadly inclusive stakeholder process established to develop the guidelines, and the emphasis at the time of the State Board's approval that these are guidelines intended to inform the work of local boards of education as they revise local student discipline policies and procedures, but that they are not binding in terms of the specific responses to student behaviors described in the report.

[Augenblick Adequacy Study Underway](#)

The passage of the 2002 Bridge to Excellence Act, and the subsequent increase of more than \$1.3 billion in state aid to education, was founded on the adequacy study conducted from 1999 through 2001 by the consulting firm, Augenblick and Myers. Fast forward to 2014 and Augenblick, Palaich, and Associates has been awarded the \$1.05 million state contract to conduct a comprehensive up-to-date adequacy study. The contract calls for Augenblick's services through April 30, 2017, which is after the conclusion of the 2017 Session of the Maryland General Assembly.

The 2002 law called for a follow up study of the adequacy of education funding in the State to be undertaken approximately 10 years after its enactment. MABE is extremely pleased that the new adequacy study is underway, and that a stakeholder workgroup has been formed to guide and monitor this important work.

The adequacy study must include, at a minimum, adequacy cost studies that identify a base funding level for students without special needs and per pupil weights for students with special needs to be applied to the base funding level, and an analysis of the effects of concentrations of poverty on adequacy targets. The adequacy cost study will be based on the Maryland College and Career Ready Standards (MCCRS) adopted by the State Board of Education and include two years of results from new State assessments aligned with the standards, which are scheduled to be administered beginning in the 2014-2015 school year.

Other components mandated to be studied include: the impact of school size, the Supplemental Grants program, the use of Free and Reduced Price Meal eligibility as the proxy for identifying economic disadvantage, the federal Community Eligibility Program in Maryland, prekindergarten services and funding, the current wealth calculation, and the impact of increasing and decreasing enrollments on local school systems. The study must also include an update of the Maryland Geographic Cost of Education Index.

The Maryland General Assembly enacted the Bridge to Excellence in Public Schools Act in 2002 in order to establish a new set of state education aid formulas based on adequacy cost studies using the professional judgment and successful schools method and other education finance analyses that were conducted in 2000 and 2001 under the purview of the Commission on Education Finance, Equity and Excellence. State funding to implement the Bridge to Excellence Act was phased-in over six years, reaching full implementation in fiscal 2008.

For more information, and to stay up-to-date with the Adequacy Study Workgroup, go to [MSDE's Adequacy Study webpage](#).

Post-Labor Day Start Date Mandate Roundly Opposed

The Task Force to Study a Post-Labor Day Start Date for Maryland Public Schools was created by Legislation enacted in 2013 (Senate Bill 963). The Task Force was charged with studying the impact of moving the start date of the public school year in the State to after Labor Day on the following areas: (1) the education system, including the academic calendar, planning, administration, and facilities use; (2) the economy; and (3) summer tourism. On June 25, 2014 the Task Force issued its final report, making the singular recommendation “to recommend to the Governor, a post-Labor Day start date for Maryland Public Schools.”

On July 8, 2014, MABE joined the Public School Superintendents Association of Maryland (PSSAM) and Maryland State Education Association (MSEA) in a letter voicing strong opposition to the Task Force recommendation – calling on the Governor and legislative leaders to recognize that “school-related decisions, should be determined locally and based on meeting the academic needs of our students, providing professional development for our faculties, and honoring the wishes of our communities.” To learn more, read the MABE/PSSAM [Joint Letter](#), the [Task Force Final Report](#), or visit the [MSDE web page for the Task Force](#).

“Make late start a non-starter – Our View: Delaying school opening until after Labor Day is a short-sighted way to boost tourism at the expense of public education”

This Baltimore Sun editorial header says it all. The editorial goes on to describe Comptroller Peter Franchot’s economic arguments in favor of a state mandated post-Labor Day start date as “familiar” and “not entirely without merit” but counters with harsh criticism of legislating based solely on these arguments, as follows:

“But here’s the real problem with forcing schools to comply: It has nothing to do with the quality of public education in Maryland. That’s what ought to be this state’s highest priority.”

The editorial concludes:

“Let school systems decide this issue for themselves. If some honestly believe that a late start is either helpful or at least unharmed to education, then fine. But don’t interfere with the real economic engine of Maryland - creating better opportunities for the next generation through quality education - for a far less consequential purpose. At a time when educators are dealing with major changes in curriculum, standardized testing and teacher evaluations to name just a few areas of reform and still face serious challenges in helping disadvantaged and minority children succeed, the last thing they need is this additional distraction to achieving their vital bottom line of better classes, better teaching, better learning for all.” (Baltimore Sun Editorial (Sept. 1, 2014))

MABE, on behalf of all 24 local boards of education, could not agree more.

“Delaying school’s start a backward-looking idea” This Annapolis Capital editorial calls for expanding student access to education, as follows:

“States should look at reducing, not expanding, summer break by redistributing vacation days around the calendar. Studies have shown that the two-months-plus break hurts academic performance, with the first weeks of school wasted re-teaching things students have forgotten over the summer. The damage is

particularly bad for kids from lower-income families that can't afford summer camp or enjoyable vacations." (CapitalGazette Editorial, August 23, 2013)

Burden of Proof Shift Not Recommended - As Meaningful Special Education Program Improvements Take Effect

In recent years, the General Assembly has considered and rejected legislation to place the burden of proof on the public agency (local school system or MSDE) in a special education-related due process hearings held to resolve disputes about the identification, evaluation, or educational placements of children with disabilities or the provision of a free appropriate public education (Senate Bill 779). MABE strongly opposes such legislation, and supports the Supreme Court decision in a Maryland case (*Shaffer v. Weast* (2005)) which maintains that parents should meet the burden to contest the IEP developed for their child (MABE Testimony).

While the "burden of proof" bill has failed to pass, several other special education-related bills have become law; intended to make significant improvements in the delivery and communication of special education programs and services. In 2014, [House Bill 413](#) passed to require each local board of education to develop and publish on its website a list of all special education service delivery models in the local school system; and the new law ensures that parents are provided a verbal and written explanation of the parents' rights and responsibilities and the procedural safeguards in the IEP process. Similarly, legislation passed to require each local school system to provide to parents of a child with a disability verbal and written information about access to habilitative services ([Senate Bill 701/House Bill 798](#)).

The Commission on Special Education Access and Equity was created by legislation enacted in 2013 ([House Bill 1161](#)). The Commission was charged with studying the extent to which parents and guardians of students with disabilities are made aware of their rights under the Individuals with Disabilities Education Act (IDEA) and State law and regulations, and ways to improve the awareness of these rights; the effects of workload, caseload, and paperwork requirements related to the special education process on the ability of educators to provide a free and appropriate public education, and potential methods for mitigating these factors; and the disparity between the parties in special education due process hearings and potential methods for improving the process. Importantly, the [Final Report of the Commission on Special Education Access and Equity](#) makes several recommendations for further actions to improve the delivery of special education services, but does not recommend shifting the burden of proof.

To learn more, read [MABE's 2014 testimony](#) opposing the legislation to shift the burden of proof, or visit the [MSDE web page for the Commission](#).

State Workgroup and MABE Committee Focus on College and Career Readiness Standards

Background

Emergency legislation was enacted in 2014 to create a State Workgroup to study and make recommendations regarding numerous "Common Core" implementation issues. (HB 1164 - [bill text](#) and [fiscal and policy note](#)). MABE has one designated member of the State Workgroup, Verjeana Jacobs. In light of the significance, breadth, and scope of the issues to be deliberated, MABE's President Katie Groth established an ad hoc

Committee as a forum for facilitating MABE's participation in the State Workgroup. MABE's Board of Directors received a briefing on the State Workgroup and MABE Committee at the Board's July 16, 2014 meeting.

State Workgroup

The State Workgroup has held three meetings focusing on the tasks assigned in the legislation to: identify and analyze the best practices of local school systems; assess how MCCRS and the PARCC assessments will affect students with special needs; determine new curriculum resources needed to fully implement MCCRS; identify how MSDE plans to assist local school systems in preparing parents and students for the PARCC assessments; and assess the needs of teachers and principals in the area of professional development related to the implementation of MCCRS.

The [Anne Arundel](#), [Prince George's](#), and [Carroll County](#) school systems have presented on best practices in the areas of professional development, technology, and curriculum and instructional reforms. In addition, the Workgroup has received presentations on [local school system technology readiness](#), and [MSDE's plan for transitioning from the HSAs to the PARCC assessments](#) in English and Algebra, and the impacts on the HSA graduation requirement program.

A [Preliminary Report](#) was distributed at the State Workgroup's August 12 meeting. The Preliminary Report and all other State Workgroup materials can be found on the [State Workgroup's page of the MSDE website](#).

By December 31, 2014 the State Workgroup is to issue a final report on the issues outlined above, and also: assess and recommend a plan to meet the technological infrastructure readiness and needs of the public schools for the implementation of the PARCC assessments; assess the new educator evaluation system; and develop a plan to transfer from the Maryland High School Assessments in English and Algebra/Data Analysis to the comparable PARCC assessments as a graduation requirement.

MABE's Ad Hoc Committee

MABE President Katie Groth established a MABE Committee on College and Career Readiness Standards in order to: provide a forum for discussing and informing MABE's participation in the State Workgroup; to assist MABE's representative on the State Workgroup; and assist MABE in developing positions on issues pertaining to the State's implementation of MCCRS and PARCC. (Link to [charge statement](#) for the MABE CCRS Committee) The ten-member MABE Committee is chaired by Verjeana Jacobs (Prince George's) and Co-Chaired by Nancy Reynolds (Harford).

MABE's Committee has held two meetings (July 30 and August 20). The first meeting focused on reviewing the charge and identifying communication strategies and priorities for future meetings. The second meeting focused on discussing the MSDE plan to transfer from the Maryland High School Assessments in English and Algebra/Data Analysis to the comparable PARCC assessments as a graduation requirement; and discussing the MABE Resolutions Committee's proposed amendments to Resolution on Curriculum and Assessments.

Future MABE Committee meetings are scheduled on October 27, and November 17, with a December date to be determined. MABE's CCRS Committee meeting materials can be found on the [Priority Issues page of the MABE website](#).

State Board Action on HSA to PARCC Transition

On July 22, 2014 the State Board approved the following recommendations:

- During the 2014-2015 school year, students will be administered the end of course tests in PARCC English 10, PARCC Algebra I and PARCC Algebra II ONLY. The PARCC English 10 and PARCC Algebra I tests are graduation requirement assessments and the PARCC Algebra II test is an assessment that will be used to determine college and career readiness as part of the Maryland College and Career Readiness and College Completion Act of 2013.
- The Maryland State Board of Education will determine the passing scores for students after administration during the 2014-2015 school year. Passing scores in Maryland may be different from the recommended passing scores designated by the PARCC consortium.
- During the 2015-2016 school year, the PARCC assessments in English 9, English 11 and Geometry may be added to the list of end of course assessments for high school students.
- HSAs/MOD HSAs in English 10 and Algebra I/Data Analysis will be administered for the final time during the summer of 2015.

Following the State Board's action on July 22, both the State Workgroup and MABE Committee have discussed the [State Board's HSA/PARCC transition plan](#).

Schaefer Center Studying State Charter School Law

In 2013, the General Assembly enacted a bill to require a study of Maryland's 2003 Charter School Act; and MSDE awarded the contract to conduct the study to the University of Baltimore's Schaefer Center on Public Policy. The study being conducted by the Center is based on the following research plan:

- Literature review; Case studies of 3 high performing Maryland charter schools; and Interviews with key stakeholders
- Development of teacher satisfaction survey; Development of structured interview guide for interviews with charter school leaders
- Conduct interviews with leaders from Maryland's 47 charter schools; Conduct teacher satisfaction survey with 400 randomly selected teachers (200 from charter schools and 200 from non-charter public schools)
- Conduct interviews with representatives of local boards of education and MSDE
- Conduct interviews with other state of Maryland representatives as required
- Preparation of draft report of findings; Meeting with stakeholders to review draft report of findings and to solicit their feedback; Prepare summary of stakeholder feedback for inclusion in the final report
- Preparation of final report
- Presentation of findings to the General Assembly

The Schaefer Center is now conducting public forums to solicit public input, and the current schedule includes the following dates and building locations on the UB campus (link to [UB Campus Map](#)):

Monday, September 8, 2014, 10:00 AM and Monday, September 15, 2014, 1:30 PM

Thumel Business Center, Room 135
 11 West Mount Royal Avenue (Building 9 on the map)
 Baltimore, Maryland 21201
 Parking: Street parking or Fitzgerald Garage, adjacent to the Modell Center (Building 2 on the map)

Wednesday, September 10, 2014, 5:30 PM and Wednesday, September 17, 2014, 5:30 PM

Schaefer Center for Public Policy
 5 West Chase Street (Building 18 on the map)
 Baltimore, Maryland 21201
 Parking: Street parking or Maryland Avenue Garage (Building 23 on the map)

MABE's long-standing legislative position on public charter schools is to support local control and authority over public schools, including public charter schools. MABE supported passage of the Public Charter School Act of 2003 because it was aligned with this principle. Further, MABE believes that:

1. local boards of education must retain the sole authority to grant charters and maintain overall accountability and funding control;
2. local boards must continue to receive full local, State, and federal funding allocations;
3. local boards must retain the option to decertify any public charter school;
4. public charter schools and students must be held to the same academic standards, including student assessments, as other public schools and students;
5. parochial schools and private schools must be ineligible for conversion to a charter school;
6. public charter schools must be allowed to request exemptions from rules and regulations which inhibit their flexible operation and management.

Importantly, MABE strongly opposes legislation which would diminish the local board's role as primary chartering authority, or otherwise weaken the Charter School Act's academic or fiscal accountability requirements.

MABE Resources

General Assembly

MABE strives to be the primary voice for public education in Annapolis. The unity of 24 local school boards lends strength to our increasing importance in the legislative process, ensuring that the Governor, General Assembly, and State Board of Education turn to MABE to help determine what is best for school children.

MABE's Legislative Committee holds monthly meetings to guide the Association's lobbying activities in Annapolis, and invites policy and legislative leaders to exchange ideas. The Director of Governmental Relations, in coordination with MABE leadership, conducts direct lobbying activities including written and oral testimony before the General Assembly. MABE adopts and publishes an annual Legislative Positions publication and a Session Summary.

MABE coordinates the Green Street Coalition, which is comprised of legislative liaisons from school systems and the superintendents association, and MABE staff pens the weekly GreenSheet update on legislative activity.

For more information go to [MABE's Annapolis Advocacy Center](#).

State Board of Education

In addition, MABE staff and members of the Board of Directors attend each meeting of the State Board of Education, and staff pens *The Monitor*, which provides a comprehensive summary of each meeting. MABE frequently informs the State Board of the Association's positions on priority issues through testimony, correspondence, and meetings.

For more information go to [MABE's State Board Advocacy Center](#).

Federal Government

MABE encourages all boards of education to engage in advocacy at the federal level to ensure that our federal officials are well informed on the priorities and perspectives of local school systems and the fiscal and policy issues arising under the myriad federal programs impacting public education. MABE's Federal Relations Network

(FRN) Committee is comprised of board members appointed to represent the association in communicating NSBA and MABE positions to Maryland's federal delegation, including our two U.S. Senators and eight members of the U.S. House of Representatives.

For more information go to [MABE's Federal Advocacy Center.](#)