

September 27, 2016

MABE Attendees

MABE President Warner Sumpter, MABE Secretary Joy Schaefer, and MABE Past President Katie Groth were present for the meeting, and were recognized by State Board President Andy Smarick.

PARCC Assessment Score Report

Dr. Carol Visintainer and Chandra Haislet, MSDE, presented the 2015-2016 school year results for the Partnership for Assessment of Readiness for College and Careers (PARCC) state assessments.

Dr. Visintainer reviewed the development of the PARCC assessments, new curriculum, alignment of formative assessments, and professional development. She emphasized that much work has been done, and much work is ongoing on the path of improvement. She acknowledged that last year it was not until October and on into December that local school systems had results. This year, MSDE is on schedule to provide the results being reported today for grades 3 through 8 and high school assessments.

Dr. Visintainer noted the shift from 2 testing windows in the prior year to 1 window at the estimated 80% course-completion point in the school year, and the overall student participation rate on assessments improved in the second year.

As Dr. Visintainer began to review test results, Board President Smarick clarified that at this point, three out of five students are not scoring at college and career readiness levels. Dr. Visintainer agreed, and predicted that following, we would see significant improvements in performance levels over time.

English Language Arts results for ELA 9, 10, and 11 show 40%, 44% and 38% scoring at the 4 and 5 level; and 67%, 63%, and 61% scoring at the 3, 4, and 5 levels. Grade 3 through 8 show relatively flat performance levels from 2015 to 2016 test administrations, with slightly more improvement at the high school level. Mr. Smarick noted that the state Board had been told and had hoped that 2015 was be the base year, and would be followed by dramatic improvement in scores. He shared his disappointment that this has not occurred with PARCC.

The board queried as to when parents would be receiving student reports, and MSDE staff responded that they don't know. Board Vice President Gates asked if it could be codified that local school systems inform MSDE as to when they provide these reports; and staff responded affirmatively.

Mathematics results for grades 3 through 8 were reported by performance level. Staff provided an additional slide displaying the anomaly in test results arising from the numbers of students taking the high school level assessments in middle school. Dr. Salmon emphasized that Maryland is in the second year of more rigorous assessments following the launch of the curriculum and professional development transition beginning in 2013. She shared that Maryland is on the same trajectory of test results following historical shifts to new assessment programs.

Mr. Smarick reiterated his concern for middle school students and parents of students not in the highest performing cohort of students because only one in five of these students is achieving at levels on track

to be college and career ready. At the same time, board member Finn highlighted that a third of eighth grade students are not reported as taking the middle school math assessments because they are already taking high school level algebra and that assessment. Staff noted that these students are also doing very well on the exam.

In response to a question from board member Weeldreyer, staff shared that growth data has been reported by PARCC to local school systems, is being studied prior to public release, and will be reported in the future. Board President Smarick requested that the State Board receive that report in October.

Board member Weeldreyer questioned the equitable distribution of the high level courses and opportunity gaps in access to the corresponding assessments. Staff stressed that the intent is that students take end of course exams aligned with the course of instruction, e.g. a seventh or eighth grader taking Algebra I should take the high school level Algebra assessment.

MSDE staff turned to high school level data, including Algebra I and II, and Geometry. 60%, 47%, and 62%, respectively, scored at the 3, 4 or 5 levels. In response to questions, staff clarified that most test takers are first time test takers. The comparison from 2015 to 2016 shows a decline in percentages of students scoring at the 2 or 3 levels, and corresponding increases in the number of students scoring at the 4 and 5 levels.

Results were presented by race and performance level, and staff shared that the high percentages of students scoring at the 1 and 2 levels, which is nearly 50%, shows much room for improvement. Board member Guffrie Smith asked if there are examples of where school systems are succeeding in this area. Staff responded that more work is needed to identify areas of weakness on specific concepts, and accountability team work at the local level across the state that has a sense of urgency.

Board member Sidhu noted the consistently high performance of Asian students and asked how we can find out what is working for this group of students. She stressed that she believes all students are smart, and that we need to know more about how to learn from that experience.

Board member Iszard voiced her concern that quality instruction must be insisted on in every local school system, and that she looks forward to receiving the report on local results. Ms. Weeldreyer described her desire for a PARCC implementation report which would allow the board to develop responses to instructional practices within local school systems. Dr. Gates joined his skepticism for simplistic presentations of data and his desire for more granular reporting on what is working to assist the state board in working with local school systems.

Board member O'Neill-Gonzalez shared her concerns that school systems and the state board take into consideration the other factors impacting communities which are clearly impacting student performance. Board member Guyton voiced her concern for the achievement gaps displayed for students in special education. Staff responded that reports on student groups including special education, limited English proficient, and Free and Reduced Price Meals. Board President Smarick noted his concern with the wide variation in performance by district.

Board members engaged in lengthy discussion about their concerns with the dramatic gaps in student performance for minority students. Board member Iszard and Smith stressed that this is a core issue for

the State Board, and much more needs to be done to communicate with parents and local school systems on the urgency and importance of this work.

MSDE staff reported student results by county, noting high performance in ELA in grades 3 through 8 in Worcester County; and in math in Calvert County. However, Dr. Visintainer noted that while most systems saw improvements over 2015 results, some of the highest performing systems did not. She reviewed the numbers of local school systems outperforming the state for the percentage of students earning a performance level of 4 or 5 in English 10, Algebra I and II.

Board members and staff also discussed the disappointingly low performance on English Language Arts. Staff responded that the literacy components in high school level science and other courses is well developed, but less so at the local grade levels. Staff also discussed the transition from fiction to non-fiction in ELA instruction.

Board President Smarick noted that only 1 in 8 students in Baltimore City are scoring at the 4 and 5 levels and for some courses it is even worse. He voiced his concern that this is not a small or new problem and that the State Board will engage this issue with a sense of urgency.

[Handouts](#)

Assessments and Testing in Public Schools

State Superintendent Salmon introduced report on the State Board's decisions on its comments on the recommendations of the state Commission on the Use of Assessments and Testing in Public Schools. Board President Smarick described the board's work sessions devoted to reviewing and developing responses to the Commission's findings and thanks the cooperation of local superintendents and boards in providing the State Board with information that facilitated their work. The Board unanimously endorsed the report of comments on the state assessments commission report and recommendations.

[Handout; Link to Assessment Commission's Final Report](#)

ESSA Accountability Plan - Remarks from Dr. David Steiner, Executive Director of the Johns Hopkins University Institute for Education Policy

Dr. Steiner described the ESSA requirement that each State develop specific timelines for student performance for each separate student subgroup. He emphasized that under ESSA for the first time these timelines and goals must be reported to the public and therefore any failure to meet these goals will receive unprecedented public scrutiny. He described the necessary "handshake" between standards and measure of growth to proficiency based on those standards, in every subject and every student subgroup.

He further described the application of annual measurable objectives the value added measure (VAM) of growth. He described Ohio's use of gap closure analysis and the imperative to define the gap actually being closed.

Dr. Steiner proceeded to describe how ESSA's requirement for interim and long-term goals has a significant impact on decisions to retain or modify state assessments which are the basis of any possible comparisons over time.

He described ESSA as a poisoned gift, poisoned intentionally and for good reasons, in order to require states to adopt a coherent and realistic system of standards and measures of growth to achieve those standards. Dr. Steiner outlined what is involved in setting the goal that all students be achieving a 4 or 5 by some future date; and the ramifications for accountability for reporting on all subgroups and for the supports required to make the progress on the adopted timeline.

Dr. Gates thanked Dr. Steiner for his bracing presentation, but countered that rather than a poison pill he views ESSA as a scale that you stand on each day to reinforce discipline to do better. He asked Dr. Steiner how ESSA relates to adopted goals for college and career readiness. Dr. Steiner responded that there was a conclusion made a decade ago that there is not a big gap between the cognitive demands of entry-level work in college or certification in a trade. However, he noted the tension between developing robust academic career path programs without tracking and trapping a student who chooses such a program and changes her mind.

Board member Iszard asked whether any documentation accompanied his presentation, and he provided a table displaying an example of the standards and goals for growth toward achieving that standard for students.

In response to Dr. Finn's question, Dr. Steiner responded that there are two ways to read ESSA. One is that by that date certain all subgroups will have reached the target (50% college and career ready), which Dr. Steiner views as not only unrealistic by dystopian. On the other hand, ESSA can be read to allow an accountability system that relies on whether the average of the state population has reached the target and that gap closing is evidenced for each subgroup. This option strikes Dr. Steiner as reasonable, in so far as the gap closure goals are realistic by ambitious and not set too low.

Board member Halverson asked how states will be measured against other states. Dr. Steiner responded that NAEP has been the general measure, and that PARCC is comparable with NAEP for these purposes. Therefore, he noted that the choice of PARCC 4 and 5 as a measure of proficiency is a clear college and career readiness measure. However, other states are choosing single assessments in single subject areas. Dr. Steiner stressed that there is nothing in the law that specifies what assessments and results are used to measure and indicate proficiency. He observed that one needs to be Houdini to connect the standards, assessments and accountability system requirements contained in ESSA.

Board member Weeldreyer asked for examples of best practices in other states and her concerns with gap closure analysis. Dr. Steiner responded that the deeper challenge of ESSA is that it is based on progress and the requirement that state's set ambitious goals and adopt accountability systems accordingly. However, he described ESSA as a narrative of continuous progress when we lack the track record, e.g. NAEP results have not progressed since 1995.

In conclusion, Dr. Steiner noted that parents will not be concerned with VAM analysis or other formulas, but want to know if their child on track for a decent future. He described New York and Maryland approaches to allow students performing within the gaps to graduate based on other assessment standards or, in Maryland's case, the Bridge Plans students complete.

Mr. Smarick discussed the PARCC production of growth figures that are relative to similarly situated students, showing a relative level of success that may be comparing a group of students to other low-performing students and providing a false level of satisfaction with a growth rate that is not indicative of being on track to performing at grade level. Dr. Steiner described the clear value of using criteria based assessments that are objectively comparing student performance; and the reluctance to adopt such a system. He also referred to his recent study of five cities' approaches to gap closing strategies and that this is beyond the scope of his presentation today. Board members stated that a report and discussion of those approaches and what Maryland could undertake would be very helpful.

Dr. Steiner observed that when you align good curriculum, professional development, and diagnostic system of accountability it works, whether in Singapore, New Orleans, or Chicago based on very different curriculum.

Board President Smarick asked Dr. Steiner for his thoughts on a number of assessment issues. He responded that polls show that parents like receiving a letter grade, and that he likes Ohio's use of a grading system that is based on five indicators and is very clear to parents and not difficult to understand. Dr. Steiner warned against allocating much significant to non-academic indicators, not more than 5%, due to the risks of abuse and unintended consequences. Objective factors such as student and teacher attendance are of much more value than subjective factors which will be reported differently once included in the accountability system. This is not to say that Dashboards could not report on non-academic indicators, but not as incorporated in the accountability system.

Dr. Finn asked Mary Gable if in Maryland the curriculum is entirely up to the LEAs. She responded that the State sets standards but not a model curriculum. Dr. Salmon responded it should be a package deal with curriculum accompanying the Title I funding. Dr. Steiner pointed to Louisiana as making procurement very streamlined for the level one curriculum and professional development available aligned with that curriculum, incentivizing but not mandating that curriculum.

Dr. Gates asked Dr. Steiner about the relative merits of the ACT, SAT and PARCC assessments as measure of college readiness and indicators of success in college. Dr. Steiner responded that the SAT is being reformed into less of an aptitude test and more of a content based, PARCC-like, assessment that will be more useful. He recommended bringing higher education to the table and backward mapping instruction and assessments leading up to college readiness.

Gifted and Talented Schools Recognition

Dr. Salmon introduced the recognition of Excellence in Gifted and Talented Education (EGATE) Schools. She welcomed members of the advisory council on Gifted and Talented Education and representatives from award winning schools, including:

- Calverton Elementary School, Kenmoor Middle School, and University Park Elementary School, Prince George's County Public Schools,
- Hamilton Elementary/Middle School & Hampstead Hill Academy, Baltimore City Public Schools
- Fountaindale Elementary School for the Arts and Academic Excellence, Washington County Public Schools.

[Handout](#)

Local Boards of Education Regulations

The State Board approved the request for permission to publish the repeal of regulations (COMAR 13A.02.01.01) concerning the meetings of local boards of education as outdated and replaced by provisions of the Open Meetings Act.

[Handout](#)

Limited English Proficient Students Regulations

The State Board agreed to the final adoption of regulations (COMAR 13A.05.07) regarding programs for English Language Learners.

[Handout](#)

School Counselor Regulations

The State Board agreed to final approval for regulations (COMAR 13A.12.03.02) proposed to meet new certification requirements for school counselors relating to awareness and skills in recognizing indicators of mental illness, depression, youth suicide and other factors. Board members spoke in support for the regulations and a continued focus on student safety.

[Handout](#)

World Languages Regulations

The State Board agreed to final approval for regulations (COMAR 13A.04.11) proposed to incorporate new national standards which focus on literacy and real-world applications of languages to communicate effectively.

[Handout](#)

FY 2018 Budget Estimates & Reports

The State Board approved the Departments FY 2018 budget request for submission to the Department of Budget and Management for inclusion in the FY 2018 State Operating Budget.

[Handout](#)

FY 2018 County Library Capital Grant Program

The State Board approved the list of FY 2018 County Library Capital Projects in the FY 2018 State Capital Budget.

[Handout](#)

Orange Ribbon for Health School Hours Program

The State Board received a briefing on the criteria developed for the new Orange Ribbon for Healthy School Hours program. Under legislation enacted in 2016, a school system that has changes school start times to times consistent with the recommendations and meet specific criteria relating to studying and adopting later school start times may qualify for Orange Ribbon Certification.

The presentation described in detail the criteria provided for Orange Ribbon Certification, Commended Certification, and Honorable Mention Certification.

Board member Guyton asked if there was any way for the State Board to strengthen the program, which is merely voluntary. Walter Sallee, MSDE, described the program as strictly voluntary and that the law would have to be amended to strengthen the program. Board member Sidhu noted the availability of no cost options to shift to later school start times and questioned the validity of claims that adopting the later times would cost millions of dollars and involve other significant factors impacting teachers, parents and students.

[Handout](#)

Bullying Harassment and Intimidation Policy Update

The State Board approved an update to Maryland's Model Policy to Address Bullying, Harassment, or Intimidation to include a definition of "electronic communication" which itself includes "social media" it relates to cyber bullying. This update is mandated by legislation passed in 2016, House Bill 365. Importantly, this updated State policy must be followed by actions in each of the 24 local school boards to update their respective local policies by January 1, 2017.

[Handout](#)

State Board Directs Staff to Draft Guidelines for Waivers from the Post-Labor Day Executive Order

Mr. Smarick spoke to the Post-Labor Day executive order, and the role of the State Board in developing guidelines and regulations. Mr. Smarick opened the topic for discussion by the board.

Board member Gates shared his frustration with the executive order in that he understands the independent role of the State Board in doing what is best for students. He described as deeply disturbing the notion that the State Board rubber stamp the action of the Governor.

Board member Finn stated that constraining the calendar options of public schools including charter schools when more, not less learning time is needed is a bad idea. He proposed a motion to direct staff to proceed immediately to develop waiver procedures to allow school systems to request waivers from the executive order based on educational benefit for students. The intent is that the State Board begin immediately to consider waivers following the presentation of the criteria at the October meeting.

Board member Weeldreyer described the evidence against this order as monumental and enormous regarding the “summer slide” and voiced her concern for the educational evidence ignored by the executive order. She shared her support for expedited consideration of waiver requests on a rolling basis at each monthly meeting.

Board member Shreeve asked for clarification on the outcome of this motion being the continued mandate under the executive order that school systems adopt calendars starting the school year after Labor Day for 2017. Board President Smarick responded that the executive order is clear both in terms of the impact on school calendars and the authority of the State Board to adopt waiver criteria.

The language of the adopted motion reads as follows:

- *“Direct Staff to draft guidance that the board can approve at its next meeting that makes clear to districts, charter schools, and the public that the board intends, beginning immediately, to approve expeditiously, requests for waivers from the calendar limits set by Executive Order 01.01.2016.19, provided that such requests are justified by reasonable explanations of the educational benefits to students that will be advanced by such waivers.”*
- *“And further direct staff to begin, during this interim, the process of developing suitable regulations to continue to carry out the board’s intent as stated in this motion.”*

State Superintendent’s Update

The State Superintendent provided an update on the Broadening Options and Opportunities for Students Today (BOOST) Scholarship Program.

The BOOST Program provides scholarships for students who are eligible for the free or reduced-price lunch program to attend eligible nonpublic schools. A total of \$5 million is allocated to the BOOST Scholarship Program in Fiscal 2017. In the August 2016 round of scholarship awards, \$4,862,000 was awarded. Some awardees declined their awards and some have not responded whether they will accept their awards. The Maryland State Department of Education continues to review and resolve issues with certain BOOST applications and awards. Following is a summary of the scholarships that have been awarded and accepted as of September 9, 2016. A document is attached that shows the same data by the county location of participating schools.

[Handout](#)

State Board Decisions

- Daryl Young v. Montgomery County Board of Education, upholding the decision of the local board to terminate the appellant's employment because of incompetency.
- Nikunj and Yogini P. v. Montgomery County Board of Education, affirming the decision of the local board denying the appellants' transfer request.
- Torraine Stubbs v. Anne Arundel County Board of Education, affirming the local board's employee dismissal decision.
- Devon and Bonnie C. v. Montgomery County Board of Education, dismissing the appeal for untimeliness.
- Jared H. and Matthew Murguia v. Montgomery County Board of Education, affirming the judgment of the local board declining to consider Mr. H's appeal because the board's decision was not arbitrary, unreasonable, or illegal. In addition, the State Board declared that wearing Washington Redskins team apparel, without any additional facts, does not constitute bullying as defined by Md. Code, Educ. 7-424. The State Board declined to issue a declaratory ruling on the remainder of both appellants' requests.
- Rajendra and Erika P. v. Montgomery County Board of Education, remanding the case to the local board, and ordering that the local board conduct an expedited review and issue a decision on the matter within thirty (30) days of the date of this decision.
- Ted and Diane G. v. Montgomery County Board of Education, remanding the decision of the local board for reconsideration consistent with the State Board opinion.
- Sandra A. v. Montgomery County Board of Education, dismissing the appeal for untimeliness.