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**Remarks to the Maryland State Board of Education
on
The Every Student Succeeds Act (ESSA)
October 25, 2016**

Introduction

On behalf of the Maryland Association of Boards of Education (MABE), representing all twenty-four local boards of education in Maryland, I thank you for your support for public education and respectfully request your consideration of MABE's perspectives and positions.

Founded in 1957, MABE is a private, non-profit organization to which all the school boards in the State voluntarily belong. MABE challenges, leads, and assists local boards to create and maintain excellent public schools for all of Maryland's children. MABE works collaboratively with all stakeholders to assure that all students achieve all that can be envisioned as learners, dreamers, and producers.

MABE believes that excellence in the classroom begins with excellence in the boardroom. Therefore, MABE provides a comprehensive array of advocacy, professional development, and other member services. MABE offers comprehensive training for new and experienced members, and for individuals and boards as a whole, through the annual conference, leadership programs, workshops, and retreats. In addition, member services include: Communications; Community Engagement; Insurance & Risk Management Services; Partnership & Financial Services; Policy & Legal Services; and Superintendent Searches.

Just as local boards of education are the primary voice for public education at the local level, MABE is the primary voice for local boards in the State of Maryland. MABE monitors and adopts positions on pending legislation, regulations and policies affecting public education. Advocacy services include lobbying representation and publications to inform and involve local boards and board members in the state and federal legislative process.

From NCLB to ESSA

The passage of the Every Student Succeeds Act (ESSA), signed by President Obama on December 10, 2015, represents a comprehensive revision of the Elementary and Secondary Education Act (ESEA), which since 2002 has been known as the No Child Left Behind Act (NCLB). MABE believes that ESSA provides a historic opportunity for school boards across the country to help shape how this law will impact their schools, teachers and students.

For Maryland and all other states, NCLB resulted in comprehensive reforms to student assessments, professional development and certification programs, and data collection and reporting requirements. However, in Maryland the passage of NCLB occurred at a unique juncture of other ongoing reforms developed by and for Maryland's public schools. NCLB's passage coincided with the Visionary Panel for Better Schools report, *Achievement Matters Most*. At the same time, the Maryland General Assembly passed the Bridge to Excellence in Public Schools Act of 2002. This legislation not only mandated significant increases in education aid, but also contained new accountability requirements. The State Board subsequently remodeled MSDE's long-range strategic plan to integrate NCLB and the goals and objectives of the Visionary Panel report and the Bridge to Excellence Act.

In these ways, major education reform initiatives have been undertaken through the collaboration of the State Board and the twenty-four local boards of education. MABE believes that it is time to renew our commitment to collaboration based on our shared core values and complimentary governance roles and responsibilities.

State and Local Accountability and Flexibility

In 2010, Maryland adopted the Education Reform Act which reformed tenure and made other changes consistent with applying for a \$250 million federal Race to the Top Grant. Maryland adopted the Common Core Standards, as the Maryland College and Career Readiness Standards, and reformed the statewide accountability system and student assessments. These state and local school system reforms were implemented under the multi-year Race to the Top grant and, more recently, under the terms of the “flexibility waiver” agreements Maryland entered into with the U.S. Department of Education.

During these years, MABE and many others advocated for a comprehensive reauthorization of NCLB to remove the most punitive provisions of the law and restore state and local control over education policy. ESSA was enacted in response to these concerns, and returns to states the authority to determine state standards for student performance and the accountability system to measure that performance. ESSA also includes several key provisions specifically directed at prohibiting future federal actions to mandate, or more precisely condition funding on mandates, in the education policy areas. This major thrust of ESSA is why it is referred by the National School Boards Association (NSBA) as the “New Federalism.”

ESSA provides substantial relief from federal mandates, even conditional mandates, and instead defers to state discretion to determine how to adopt a new statewide accountability system and which, if any, of the requirements of the prior system to retain. Key provisions of ESSA represent significant departures from the former NCLB law, including: eliminating the mandate and sanctions arising from adequate yearly progress (AYP); eliminating the mandate that teachers be highly qualified; and eliminating the Common Core State Standards as a condition for receipt of federal funding, as was the case with the Race to the Top grants and ESEA flexibility waivers.

Maryland’s Transition to Implementing ESSA

ESSA requires state education agencies to develop state accountability plans in order to receive federal Title I grant funding. These plans are to be “developed by the State educational agency with timely and meaningful consultation with the Governor, members of the State legislature and State board of education, . . . local educational agencies (including those located in rural areas), . . . teachers, principals, other school leaders, charter school leaders . . . specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents.”

Accordingly, MSDE established the “Every Student Succeeds Act (ESSA) Stakeholder Committee.” This MSDE stakeholder workgroup, on which MABE is represented by Howard County board member Ellen Flynn Giles, was created to participate in the development of Maryland’s State Plan to implement ESSA. Currently, the state workgroup is meeting bimonthly; and Maryland’s new ESSA State Plan is to be submitted to the U.S. Department of Education in 2017.

MABE has established a Committee on ESSA, chaired by MABE’s President-elect Joy Schaefer, in order to provide a forum for members of local boards of education to review, analyze, discuss and recommend MABE positions on issues pertaining to the federal, state, and local school system implementation of ESSA. This committee will guide MABE’s engagement with the National School Boards Association (NSBA), Maryland State Board and Department of Education (MSDE) and other educational stakeholders on ESSA implementation issues. MABE’s Committee on ESSA provides a forum for discussing and informing MABE’s participation on the state’s workgroup.

MABE’s Perspectives on ESSA

MABE supports the accountability system reforms contained in ESSA, which replace NCLB’s prescriptive approach to dictating state education policy and procedures with much broader and more discretionary parameters. ESSA requires each State Education Agency to have an accountability system that is State-

determined and based on multiple measures, including at least one measure of school quality or student success and, at the State's discretion, a measure of student growth.

Since the passage of ESSA, the U.S. Department of Education (ED) has proposed regulations which include requirements that exceed the scope and legislative intent of ESSA. MABE supports a regulatory approach that minimizes the emphasis on federal compliance by providing an opportunity for state leaders and local school board members to focus on the academic success of students. MABE strongly agrees that the Department should promulgate federal regulations that assist states and school systems in implementing ESSA; and to reaffirm ESSA's clear directive to restore local governance and community ownership of public education. Federal regulations should promote a balanced "federal-state-local partnership" that encourages states to work with local school districts, promotes flexibility, and ends the longstanding "top-down" approach to education that has proven so ineffective.

On the issue of assessments, MABE believes that federal regulations should support the authority granted through ESSA to local school board members, as locally elected officials, to participate in the process of determining the type of assessments that are administered at the local level. Similarly, states must meaningfully engage with local school systems and local boards to determine how statewide assessment systems can foster student success and growth. This collaborative approach is clearly envisioned by the letter and spirit of ESSA.

MABE's Priorities on Maryland's State Plan

MABE encourages the State Board to consider that ESSA provides Maryland with a welcomed and long overdue opportunity to re-envision our approaches to establishing, communicating, and administering our local and state student performance accountability systems.

MABE has identified opportunities as including:

- Continued alignment with Maryland's College and Career Readiness Standards;
- Optimal flexibility for local school systems and local boards to pursue excellence in accordance with these standards;
- State support for innovative local approaches to teaching and learning;
- The ability to consider the "whole child" in the context of a balanced and well-rounded set of state standards and local curriculum;
- Focus on equity of opportunity for all students;
- Setting high expectations early for all students;
- A more comprehensive consideration of teacher quality and effectiveness;
- An accountability system which clearly communicates performance standards, both in terms of meeting standards and also progress of schools and students toward meeting standards.

Just as the State Board must adopt a state accountability plan, each local board must adopt its own local plan. A local school system's plan must be "developed with timely and meaningful consultation with teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders (in a local educational agency that has charter schools), administrators ..., other appropriate school personnel, and with parents of children in schools served under this part."

Again, a high priority on community engagement is reflected in ESSA at the State and local levels, and points to the need for enhanced collaboration between the State board and local boards in moving forward. At the same time, MABE recognizes that local boards also represent their community's distinct beliefs and values; and are challenged by different circumstances in terms of resources to meet the educational needs of all students.

Conclusion

MABE, and the 24 local boards we represent, want to be continuous thought partners in a collaborative process to ensure the successful implementation of ESSA and a high quality education for all Maryland students. We are committed to the collective goal that every student has the opportunity to graduate from high school as college, career, and civic ready with the skills needed to meet the challenges of a rapidly changing world. MABE will continue to place a high priority on the role of local board governance and school system discretion to implement programs and allocate limited resources in the manner determined to be in the best interests of students.

MABE pledges to work collaboratively to develop Maryland's state accountability system in a manner that provides flexibility to local boards to adopt policies and invest available resources to support the academic achievement of all students, and provides resources for targeted support and improvement programs for consistently underperforming schools. We look forward to a renewed and enhanced partnership with MSDE and the State Board in pursuit of state standards; and the appropriate balance of state standards and state supports to assist school systems in implementing local plans to ensure that all students have the opportunity to achieve those standards.

Thank you for your leadership and vision in engaging MABE and all local boards in the process of transforming Maryland's state accountability plan and statewide accountability system.

The Federal Elementary and Secondary Education Act (ESEA)

(Adopted 2006; amended 2009, 2010, 2012, 2015, 2016)

WHEREAS, on January 8, 2002, the No Child Left Behind (NCLB) Act of 2001 was signed into law as the most recent reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA), and applies to all public schools and school systems; and

WHEREAS, the Maryland Association of Boards of Education (MABE) supported the goals of NCLB of raising student achievement; all students attaining proficiency; closing the achievement gaps; and ensuring that each child has highly qualified teachers; and

WHEREAS, NCLB mandated that each state define what constitutes adequate yearly progress (AYP) in increasing student achievement in reading and mathematics toward the goal of all students reaching proficient levels on uniform state assessments by 2014, and imposed significant punitive sanctions for failure to do so; and

WHEREAS, NCLB's accountability, testing, and reporting requirements imposed significant costs on state and local education agencies and federal funding has not been sufficient to meet the costs of implementing the law; and

WHEREAS, ESEA was scheduled for reauthorization in 2007 and in the absence of that action the U.S. Department of Education created a competitive Race to the Top grant program and ESEA flexibility waivers to provide conditional relief from NCLB accountability measures and funding restrictions; and

WHEREAS, Maryland was awarded a \$250 million competitive Race to the Top grant in 2011 based on the State's adoption of the Common Core Standards and assurances that education policies and reforms would be adopted in four areas:

- (1) Adopting rigorous college and career ready standards and high quality assessments;
- (2) Establishing data systems and using data to inform for improvement;
- (3) Increasing teacher effectiveness and equitable distribution of effective teachers; and
- (4) Turning around the lowest performing schools; and

WHEREAS, Maryland's initial ESEA flexibility waiver application was approved in 2012 to provide flexibility in the areas of state-level reservation of funds for school improvement, allocation of funds

within districts, the definition of annual measurable objectives (AMOs), adequate yearly progress (AYP) determinations, school-wide poverty thresholds, and school and school system improvement criteria; and

WHEREAS, in December 2015 Congress reauthorized the Elementary and Secondary Education Act (ESEA) as the Every Student Succeeds Act (ESSA); and ESSA eliminates many of the reporting requirements, mandates and sanctions contained in NCLB and transfers the policy-making and enforcement authority formerly exercised by the U.S. Department of Education to the States; and

WHEREAS, ESSA includes provisions to restrict and prohibit the exercise of federal authority to mandate, direct, control, coerce, or exercise any direction or supervision over state and local policies and implementation of standards or assessments; and

WHEREAS, ESSA requires a statewide accountability system that is based on the challenging state academic standards for reading/language arts and math to improve student academic achievement and school success; and that new state accountability systems be developed in conjunction with local boards of education;

NOW, THEREFORE, BE IT RESOLVED, that MABE pledges to work collaboratively to develop Maryland's state accountability system in a manner that provides flexibility to local boards to adopt policies and invest available resources to support the academic achievement of all students, and provides resources for targeted support and improvement programs for consistently underperforming schools; and

BE IT FURTHER RESOLVED, that MABE will oppose state and federal guidance, policies, regulations or laws proposed to establish reporting requirements, performance standards, assessments, sanctions or other conditions which do not adequately respect the governance role of local boards of education.



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About MABE

Founded in 1957, the Maryland Association of Boards of Education is a private, non-profit organization dedicated to serving and supporting boards of education in Maryland. MABE is a leading advocate for public education in the state. All 24 Maryland boards of education are members of MABE.

Goals

Professional Development: We provide the skills and knowledge required for our members to become effective leaders engaged in governance that promotes excellent public schools for all of Maryland's children.

Advocacy: We serve our members by being advocates for public schools, for local control of education, and for the leadership and legal authority of school boards.

Member Services: We provide value-added services that enhance the efficiency and capability of school system governance, management and operations.

Vision

- The Maryland Association of Boards of Education (MABE) is a champion for public education in Maryland.
- Members value the education, advocacy, and services they receive from MABE. The support, networking, and solidarity found at MABE enhance and inform a board member's service, enabling them to achieve their highest potential as leaders.
- The education community values MABE as a fully vested partner and strong advocate for public schools. Elected officials and public leaders look to and rely on MABE's perspective and principles to inform their decisions, enabling them to govern in the best interest of Maryland's public schools.
- Businesses view MABE as an association with the integrity and credibility to connect them with member boards. Members rely on MABE's expertise and vigilance in partnering with businesses that will enable them to operate their school systems more effectively and efficiently.
- MABE staff is respected for their work supporting local school board governance. Staff strive to support our members by regularly assessing our needs, keeping current, availing ourselves of learning opportunities, and insuring the financial health of the association in order to sustain MABE's mission.
- MABE remains dedicated and vigilant to our purpose – to advocate for local school board governance as the cornerstone of excellence and equity in public education. We consistently challenge, educate, and support our members, enabling them to create and maintain excellent public schools for all of Maryland's children.

Mission

The mission of the Maryland Association of Boards of Education is to provide members with a strong collective voice, and to support local school board governance through professional development, advocacy and member services.

Core Values

Our core values are integral to who we are and how we work. They are the guiding principles by which we conduct ourselves as we seek to fulfill our mission.

- We serve public school boards above all else.
- We champion local governance.
- We create collaborative relationships.
- We value the diversity that enriches our school communities.
- We are a safe place to learn, laugh, share, and network.