**Legislative Committee Meeting**  
Monday, October 15, 2018  
10:00 a.m. – Noon  
MABE Conference Room

Julie Hummer, Co-Chair  
Bob Lord, Co-Chair

**Agenda**

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<tbody>
<tr>
<td>1.</td>
<td>Welcome and Introductions</td>
<td>Information</td>
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| 2. | Reports from Board Members | Information  
All  
20 min. |
| 3. | Review DRAFT Legislative Positions for 2019  
• Identify and discuss priorities and updated position statements based on the 2018 session and MABE resolutions | Information & Discussion  
All  
60 min. |
| 4. | Issue Updates  
• Question 1 – Education Trust Fund  
• Kirwan Commission  
• Safe to Learn Act  
• Accountability (Executive Order/Compliance Office)  
• Regulations | Information & Discussion  
John Wooums/All  
30 min. |
| 5. | Session Forecast  
• School Calendar Legislation  
• Sports Gaming Legislation  
• Other Issues | Information & Discussion  
John Wooums/All  
10 min. |
| 6. | Legislative Committee Calendar  
• Next meeting on Nov. 26 to finalize the 2019 Legislative Priorities & Positions | Information  
5 min. |
| 7. | Adjournment | Closing Remarks |

See reverse for links to meeting materials and additional resources.
Item 3. Draft 2019 Legislative Priorities and Positions
- Draft Publication (Attached)

Item 4. Interim Issue Updates
- Education Trust Fund “Lockbox” Constitutional Amendment
  - Board of Elections Ballot Question Text and Summary
  - MABE “Vote Yes on Question 1” Priority Issue Webpage
- Kirwan Commission
  - The report on Governance/Accountability (May, 2018); and a set of Accountability Discussion Questions distributed in August.
  - School Based Health and Behavioral Health Services Recommendations (Oct. 10)
  - School Finance Primer (Oct. 10)
  - MABE position statements (Aug. 14, 2018)
- Safe to Learn Act
  - Bill Summary, PowerPoint, MABE Statement to the Federal Commission on School Safety, Maryland’s Approved SRO Curriculum, Safe Schools Fund Notice of Funding Availability.
- Executive Order on Educational Accountability Office
  - Executive Order and Governor’s Statement
  - Press: Capital News, Maryland Matters
- State Board of Education & Regulations
  - New Members & Leadership
  - Grading Policy Regulations
  - ESSA Implementation: Accountability System Presentation
- IAC regulations

Item 5. 2019 Session Forecast
- Gaming Revenue & Education Share
- School Calendar Bill Request Outline
- New members & committee leadership
  - Tentative leadership changes announced in House and Senate

Item 6. Legislative Committee Calendar

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>Oct. 15, 2018</td>
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<td>Nov. 26, 2018</td>
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<td>Dec. 17, 2018</td>
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<td>Jan. 7, 2019</td>
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<td>FYI – The Legislative Session begins on January 9, 2019</td>
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<tr>
<td>FYI – The NSBA Advocacy Institute in Washington, DC is Jan. 27-29</td>
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<td>Feb. 4, 2019</td>
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<tr>
<td>FYI – MABE’s Legislative Day in Annapolis is typically held in mid-February – 2019 date TBD</td>
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<td>Feb. 25, 2019</td>
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<td>March 11, 2019</td>
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<td>March 25, 2019</td>
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<td>FYI – The 2019 legislative session ends at midnight on April 8, 2019</td>
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<td>April 29, 2019</td>
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MABE’s Legislative Committee meetings are held in the MABE office on Monday mornings, 10:00 to 12:00, unless otherwise indicated.
Working Group 1
Early Childhood Education

Elements of the Preliminary Recommendations with a Fiscal Impact

Craig Rice (Moderator)
David Brinkley
Adrienne Jones
Nancy King
Leslie Pellegrino
Margaret Williams

Policy Area:

Early Childhood Education: Expands high-quality pre-K to four-year-olds based on a sliding scale and three-year-olds from low-income families; assesses all children to identify those who need supports to be ready to succeed in school; and expands Judy Centers, Family Support Centers, and the Maryland Infants and Toddlers Program for children ages 0-5 and their families
Element 1a: Expand full-day Pre-K at no cost for four-year-olds and three-year-olds from families with incomes up to 300% of the federal poverty level (FPL) (approximately $75,000 for a family of four), and for four-year-olds from families with incomes between 300% and 600% FPL (approximately $75,000 to $150,000 for a family of four) using a sliding scale.

Design Assumptions:
1. Research shows that investing in the early childhood learning and development of disadvantaged children yields a high return to society, offsetting taxpayer costs for poor health, dropout rates, poverty, and crime. Other benefits include reductions in special education costs, grade retention rates, teacher turnover and absenteeism costs, and costs for tutoring and other supports.
2. Expansion efforts must be accomplished in partnership with, and with significant investment from, the local jurisdictions and community-based providers.
3. The State, local jurisdictions, and local education agencies will expand access to publicly funded full-day pre-K for four-year-olds so that there will be no charge for low-income families (a family with an income up to 300% FPL/$75,000 based on a family of four). Full funding will be made available no later than the year in which the full-day pre-K requirement takes effect (e.g. year 4 for four-year-olds). Public funding will be provided to assist with the cost of pre-K for families with incomes between 300–600% FPL/$75,000–$150,000 based on a family of four, however, these families will still be expected to pay a portion of the cost using a sliding scale. Families with incomes above $150,000 will pay the full cost to attend a four-year-old pre-K program. This will be phased-in on a 10 year timeline.
4. The State, local jurisdictions, and local education agencies will expand access to publicly funded full-day pre-K for all three-year-olds from low-income families (a family with an income up to 300% FPL/$75,000 based on a family of four). This will be phased-in on a 10 year timeline with full funding made available no later than the year in which the requirement takes effect (e.g. year 10 for three-year-olds from low-income families).
5. Family enrollment in pre-K will be voluntary.
6. All publicly funded full-day pre-K programs will be a minimum of 6.5 hours and at least 180 school days.
7. Provision of publicly funded pre-K will include both public school-based pre-K programs and participating community-based pre-K programs. In order to participate in publicly funded pre-K, a provider may not charge more tuition for any student who receives public funding for the 6.5 hour school day than the total amount of public funding provided for the school year for a student from a low-income family (i.e. “cost of quality” amount).
8. A participating provider may not engage in explicitly religious activities during the portion of the day supported by publicly funded pre-K (6.5 hours), consistent with federal regulations governing use of funds. Any such activities must be offered separately in time or location, and participation must be voluntary.
9. A participating provider will not be required to adopt any rule, regulation or policy that conflicts with its religious or moral teachings. However, participating providers accepting public funds must agree not to discriminate, and may not discriminate, in either student admissions or retention on the basis of race, color, disability, national origin, or sexual orientation of the student or the student's parent or guardian. Any provider found to be in violation of this requirement will be required to return any public funds and may not participate in the program. The placement of a student with a disability will be made based on an individualized assessment about where the student may be best served in accordance with federal and State laws and whether the provider can meet the particular needs of the student with reasonable accommodations without fundamentally altering its program or posing an undue burden.

10. In order to receive public funding, all participating programs, whether based at public schools or in community settings, will be immediately required to follow State pre-K standards, which will require some changes to the Code of Maryland Regulations (COMAR). These will include requiring publicly funded pre-K teachers (for three-year-olds and four-year-olds) to have a BA with ECE certification. Pre-K classrooms must have an average staff to student ratio of 1 to 10 with a maximum of 20 students per classroom, including one pre-K teacher and one assistant teacher or aide per classroom. Assistant teachers/aides must have at least a Child Development Associate (CDA) certificate or an associate's degree. In addition, community providers must publish at least at a level 3 ranking on the EXCELS quality scale with a plan approved by MSDE to achieve level 5 within five years. Public school-based pre-K programs must publish in EXCELS at least at a level 4 with a plan approved by MSDE to achieve level 5 within five years.

11. Although the time it will take for a provider to move up the EXCELS levels depends on individual circumstances, on average, it currently takes a provider one year to move from EXCELS level 1 to 2, up to two years to move from EXCELS level 2 to 3, two to three years to move from EXCELS level 3 to 4, and two to three years to move from EXCELS level 4 to 5.

12. The costing out process should reflect the “cost of quality” funding levels recommended by APA in its Pre-K Report that incorporate the requirements detailed above in Item #10.

13. Income-eligible families will have access to extended day (before and after care) services through the State’s child care subsidy program. Chapters 563 and 564 of 2018 require the State to increase the program’s provider reimbursement rates for each region to the 60th percentile of child care provider rates by fiscal year 2022. Recently promulgated regulations expand the number of families who will be eligible for child care subsidies by updating eligibility for the program to reflect 65% of the State median income.

Implementation Decisions:
1. Expansion of pre-K will be focused on making pre-K available for all four-year-olds from low-income families in half-day slots, while half-day slots are being converted into full-day slots. By year four, all four-year-olds from low-income families will be offered high-quality, full-day pre-K. This will occur at the same time as full-day pre-K is expanded gradually for three-year-olds from low-income families.

2. Full-day pre-K for three-year-olds from low-income families will be phased-in over the 10 year period by a minimum of 10% per year. Therefore, by year 10, all three-year-olds from low-income families will be offered full-day pre-K.

3. The State will require that a minimum percentage of full-day pre-K slots in each local education agency be provided in participating community-based settings. This minimum requirement will be phased-in over the 10 year period in 10% per year increments in years one through four, and remain constant at 50% beginning in year five. It may be met by serving three-year-olds from low-income families and/or four-year-olds. Local education agencies will be given flexibility through waiver provisions if the local education agency annually demonstrates to the State: (i) that the agency already provides full-day pre-K to all four-year olds who enroll in public pre-K or (ii) that not enough community-based providers exist in the jurisdiction to meet the minimum percentage, even after reasonable cross-jurisdiction or regional efforts. A local education agency may receive an annual waiver until the applicable requirement takes effect (e.g. year 4 for full-day pre-K for four-year-olds, year 10 for full-day pre-K for three-year-olds from low-income families).

4. Priority in expansion of high quality pre-K for four-year-olds and three-year-olds will be given to: (a) students from families with the lowest incomes; (b) students with special education needs, regardless of income; and (c) students who are English Learners, regardless of income. Public funding to support special education students and English Learners will follow the student and go to the provider that is serving the student.

5. Local education agencies will enter into agreements with community-based providers to provide publicly-funded pre-K programs to four-year-olds and three-year-olds, including the provision of services for students with special needs, in accordance with federal education laws. The agreements may also include a process for parents to register four-year-olds and three-year-olds for pre-K and to indicate a preference for the program setting, if any (e.g. Denver allows a parent to rank his or her top 3 program choices).

6. Priority in expansion of high-quality pre-K programs through technical assistance, coaching, and workforce capacity building efforts (Element 1b) will be given to areas and regions where there are fewer providers and programs available to serve the four-year-old and three-year-old populations in the area or region. The State and local education agencies must prioritize these areas as part of accountability requirements. The State and local education agencies will be encouraged to collaborate to explore and possibly replicate innovative ways that
may currently exist to address child care deserts, including regional cross-jurisdiction programming and reciprocity with border states.

7. Year one of the implementation schedule will use 70% of families as a starting target for the voluntary enrollment of four-year-olds in publicly funded pre-K, as some families will make other child care arrangements or keep children at home until kindergarten. The target participation rate will increase to 80% in year five and continue at 80% through year 10 as more families take advantage of available publicly funded pre-K programs.

8. The implementation schedule will use 80% of families as the target for the voluntary enrollment of three-year-olds from low-income families in publicly funded pre-K, as some families will make other child care arrangements or keep children at home.

9. Publicly funded pre-K for four-year-olds will be available at no charge for families with incomes up to 300% FPL/$75,000 based on a family of four. Beginning in year five, public funding will be provided to assist with the costs of pre-K for families with incomes between 300–600% FPL/$75,000–$150,000 based on a family of four. Even with this public support, these families will still be expected to pay a portion of the cost to attend a pre-K program so that as a family’s income increases, the amount of public support decreases (sliding scale). Families with incomes above 600% FPL/$150,000 based on a family of four will pay the full cost. Income levels will be adjusted for family size. There will be administrative costs associated with implementing the sliding scale.

10. The State will prioritize public school construction funding requests for high-quality pre-K classrooms.

11. Local jurisdictions will be encouraged to partner with the State to develop innovative ways to meet physical space constraints during the phase-in period, such as utilizing available space at senior or community centers for early education programs, while meeting the standards of a high-quality pre-K program.

12. For K–12 students, all school systems are currently required to provide transportation to and from school for all public school students, including disabled students. State aid for K–12 students is currently distributed according to a formula that is adjusted for enrollment. It is assumed that pre-K students will be included in a transportation formula. The State, local education agencies, and community–based providers will partner to address transportation needs for pre-K students. As the State transitions to full–day pre-K that better aligns with parents’ working schedules, there may be a reduced need for transportation. In addition, child care subsidy funds will be available for eligible families to use for before and after care, which may include transportation services to and from a pre-K program.

Phase-in Timeline Decisions

1. EXCELS: To receive public funding, all participating programs will be immediately required to follow State pre-K standards. In addition, a community
provider must achieve at least a level 3 with a plan approved by MSDE to achieve level 5 within five years. Public school–based pre–K programs must achieve at least a level 4 with a plan approved by MSDE to achieve level 5 within five years.

2. Minimum Percentage of Pre–K Slots in Community–based Settings: Starting in year 1, there will be a requirement that a percentage of pre–K slots (for four-year-olds and/or three-year-olds) are provided in community–based settings. This minimum requirement will be phased–in over the 10 year period in 10% per year increments in years one through four, and remain constant at 50% beginning in year five. A local education agency may be able to receive an annual waiver from this minimum requirement in specified circumstances.

3. Expansion of slots for four–year–olds and three–year–olds from low–income families (Family income below 300% FPL/$75,000 for a family of four) will be phased–in over a 10–year period. One potential phase–in schedule is shown in the exhibit below. Pre–K will be available at no charge for four–year–olds and three–year–olds from low–income families. The following will be required in the year it takes effect:
   - In year four, all four–year–olds from low–income families will have access to full–day pre–K.
   - In year 10, all four–year–olds from low–income families will continue to have access to full–day pre–K. 100% of three–year–olds from low–income families will have access to full–day pre–K.

4. Sliding Scale for Four–Year–Olds (Family income between 300–600% FPL/$75,000–$150,000 for a family of four): Beginning in year five, public funding will be provided to assist with the cost of pre–K for families with incomes between 300–600% FPL/$75,000 and $150,000 for a family of four. Even with this public support, these families will still be expected to pay a portion of the cost to attend a pre–K program so that as a family's income increases, the amount of public support decreases (sliding scale). To avoid a cliff effect whereby a small increase in income results in a significant loss of public support, there will be approximately 15 steps, with a 6–7 percentage point difference between each step. Families with incomes above 600% FPL/$150,000 for a family of four will pay the full cost for four–year–old pre–K.

5. Workforce building for ECE: As the number of slots and students increase, additional capacity building of the early childhood workforce system, including credentialing, recruitment, and retention of educators and staff, will be needed to meet increased workforce demand (Element 1b).
<table>
<thead>
<tr>
<th></th>
<th>FY19</th>
<th>FY20</th>
<th>FY21</th>
<th>FY22</th>
<th>FY23</th>
<th>FY24</th>
<th>FY25</th>
<th>FY26</th>
<th>FY27</th>
<th>FY28</th>
<th>FY29</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 year olds</td>
<td>All below 185% FPL offered ½ day</td>
<td>All below 300% FPL offered ½ day</td>
<td>All below 300% FPL offered ½ day</td>
<td>All below 300% FPL offered full day</td>
<td>All below 300% FPL offered full day</td>
<td>All below 300% FPL offered full day</td>
<td>All below 300% FPL offered full day</td>
<td>All below 300% FPL offered full day</td>
<td>All below 300% FPL offered full day</td>
<td>All below 300% FPL offered full day</td>
<td>All below 300% FPL offered full day</td>
</tr>
<tr>
<td>3 year olds</td>
<td>None required</td>
<td>10% below 300% FPL offered full day</td>
<td>20% below 300% FPL offered full day</td>
<td>30% below 300% FPL offered full day</td>
<td>40% below 300% FPL offered full day</td>
<td>50% below 300% FPL offered full day</td>
<td>60% below 300% FPL offered full day</td>
<td>70% below 300% FPL offered full day</td>
<td>80% below 300% FPL offered full day</td>
<td>90% below 300% FPL offered full day</td>
<td>All below 300% FPL offered full day</td>
</tr>
<tr>
<td>Community -based (3 or 4 year olds)</td>
<td>None required</td>
<td>Min 10% in Community-based settings</td>
<td>Min 20% in Community-based settings</td>
<td>Min 30% in Community-based settings</td>
<td>Min 40% in Community-based settings</td>
<td>Min 50% in Community-based settings</td>
<td>Min 50% in Community-based settings</td>
<td>Min 50% in Community-based settings</td>
<td>Min 50% in Community-based settings</td>
<td>Min 50% in Community-based settings</td>
<td>Min 50% in Community-based settings</td>
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Footnote: This exhibit represents a potential phase-in for costing out purposes. The items in REd are the only requirements that will be recommended to be codified in law. A local education agency could choose to phase-in these requirements on a more aggressive timeframe.

<table>
<thead>
<tr>
<th>Percent of Federal Poverty Level</th>
<th>Approximate Income Level for Family of Four</th>
<th>Number of Four-year-olds (Year 5)</th>
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<tbody>
<tr>
<td>0 - 200%</td>
<td>$0 - $49,999</td>
<td>24,531</td>
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<tr>
<td>201% - 300%</td>
<td>$50,000 - $74,999</td>
<td>12,653</td>
</tr>
<tr>
<td>301% - 400%</td>
<td>$75,000 - $99,999</td>
<td>9,923</td>
</tr>
<tr>
<td>401% - 500%</td>
<td>$100,000 - $124,999</td>
<td>7,785</td>
</tr>
<tr>
<td>501% - 599%</td>
<td>$125,000 - $149,999</td>
<td>5,430</td>
</tr>
<tr>
<td>600% and above</td>
<td>$150,000 and above</td>
<td>13,402</td>
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Level of ECE Public Funding for Increments of FPL between 300% and 600% (Based on 15 Steps)

<table>
<thead>
<tr>
<th>Percent of Federal Poverty Level</th>
<th>Percent of Public Funding Provided</th>
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<tbody>
<tr>
<td>0–300</td>
<td>100%</td>
</tr>
<tr>
<td>301–320</td>
<td>94%</td>
</tr>
<tr>
<td>321–340</td>
<td>88%</td>
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<tr>
<td>341–360</td>
<td>81%</td>
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<tr>
<td>361–380</td>
<td>75%</td>
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<tr>
<td>381–400</td>
<td>69%</td>
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<td>401–420</td>
<td>63%</td>
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<tr>
<td>421–440</td>
<td>56%</td>
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<td>441–460</td>
<td>50%</td>
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<tr>
<td>461–480</td>
<td>44%</td>
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<tr>
<td>481–500</td>
<td>38%</td>
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<td>501–520</td>
<td>31%</td>
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<tr>
<td>521–540</td>
<td>25%</td>
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<tr>
<td>541–560</td>
<td>19%</td>
</tr>
<tr>
<td>561–580</td>
<td>13%</td>
</tr>
<tr>
<td>581–599</td>
<td>6%</td>
</tr>
<tr>
<td>600 and above</td>
<td>0%</td>
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</tbody>
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Percent of Federal Poverty Level (FPL)
Working Group 2
High Quality Teachers and Leaders

Paul Pinsky (Moderator)
Bob Caret
Karen Couch
David Helfman
David Steiner
Bill Valentine

Policy Area:

Higher paid, better educated, more rigorously trained teachers will work as professionals in schools that offer real careers in teaching and are organized to ensure that teachers have the time they need to work together in teams to continuously improve their practice and improve the performance of students. All schools will have highly trained principals who are prepared to create fully professional work environments for teachers.

Element 2a: Teacher preparation will be much more rigorous, and induction will be integrated with teacher preparation more systematically

Design Assumptions:
1. Universities offer teacher training programs and evaluate their students' competencies at a level of rigor comparable to the countries with the top student performance by:
   a. Requiring all future teachers to pass a set of courses and demonstrate competencies in basic research skills and methods and training on how to routinely evaluate and use research and data to help teachers improve student performance
   b. Requiring future teachers to take courses and demonstrate competencies designed to enable them to teach the Maryland curriculum frameworks, including how to teach students from different racial, ethnic, and economic backgrounds as well as different learning abilities in such a way to enable students to reach the college and career readiness standards
   c. Requiring elementary teachers to take courses in the core subjects they will teach in order to have deep content knowledge in the core subjects in elementary school
   d. Requiring future teachers to take courses and demonstrate competencies to enable them to conduct expert assessment of the typical problems students have as they work to succeed in courses, as well as the techniques most likely to help students with those diagnoses
e. Requiring future teachers to take courses and demonstrate competencies to enable them to recognize and effectively use high-quality instructional materials (including online) and to adapt existing curriculum to make it stronger using standards-aligned tools

f. Requiring future teachers to learn the skills necessary and demonstrate competencies to effectively manage student behavior

g. Requiring teacher candidates to pass edTPA, PPAT or a similar performance based assessment in order to exit a Maryland teacher preparation program no later than 5 years following implementation of the legislation

2. The practicum in teacher training will produce teachers whose knowledge and skill is comparable in every way to the knowledge and skills of the teachers produced by the teacher training institutions in the top-performing countries

a. Prospective teachers will complete a full school year of practical experience prior to completing a teacher education program no later than 5 years following implementation of the legislation. Each prospective teacher should have experience in it at least two different school settings. That experience can be consecutive or occur throughout the teacher training program. The second semester of the practicum may be part of a teacher’s first-year induction program if an extended induction program is under the auspices of the college or university. Teacher education majors should have an opportunity to have a classroom observation experience early in the program to determine if they have the aptitude and temperament for teaching. Institutions are encouraged to be creative and flexible in incorporating the additional practicum requirement into the existing program of study. Institutions must show cause to expand the teacher preparation program by up to 12 credits, but in no case should more than 132 credits be required to receive a teaching degree. Further, MSDE, MHEC, and the institutions should review the current State requirements for teacher preparation programs to ensure that they are aligned with the Commission’s recommendations. To the extent they are not aligned and are extraneous, redundant, or no longer necessary, those requirements should be eliminated to allow students to complete the practicum within the existing 120 credits required to earn a degree.

b. The instructional system and work organization of schools where teachers in training will be placed for their practicum will be designed to reflect the recommendations of the Commission

c. Mentors of practicum programs will be highly competent teachers (e.g. Master Teachers on the career ladder) selected by the district to instill in the next generation of teachers the kinds of skills, attitudes, values and knowledge they want in the people they hope to attract to teaching in their district.
3. Prospective teachers will develop strong action research skills through their university training as well as through completing their practicum
   a. The schools in which they practice will have all of their improvement strategies accompanied by research projects designed to gauge the extent to which those strategies achieve their goals

4. Mentors for induction programs, like those of practicum programs, will be highly competent teachers selected by the district to instill in the next generation of teachers the kinds of skills, attitudes, values and knowledge they want in the people they hope to attract to teaching in their district. The design of the induction program should build on the TIRA program currently being piloted in the State and utilize teachers in the Teacher Leadership Track of the career ladder.

5. Teacher training programs and districts must collaborate regularly and develop closer working relationships to strengthen teacher preparation, induction, and ongoing professional development. MSDE must increase its capacity to provide technical assistance and support to teacher training programs and develop a systematic means of providing feedback to ensure that the universities are better informed about the content and expectations of preK-12 classrooms.

6. Universities offering graduate level courses in school administration for certification must ensure (through the MSDE/MHEC program approval process) that they carefully evaluate the potential of candidates to be effective school leaders and that the curriculum will enable graduates to successfully organize and manage schools and systems in such a way as the top-performing systems, including managing highly skilled professionals in a modern professional work environment and effectively conducting peer observation and evaluation of other personnel. This will include both a clinical experience and an assessment to determine if candidates demonstrate the skills described above.

**Implementation Considerations:**

1. At first, collaboratives of districts, university-based teacher training institutions, and exclusive employee representatives will be seed grant funded to create 21st Century Professional Development Schools that build on the professional development schools currently in the State. These schools will be affiliated with the universities and organized and managed to provide state-of-the-art professional education for prospective teachers that reflects the best practices of the top-performing countries.
   a. The professional development schools will be organized in a career ladder system with a work organization consistent with the description of high performance work organizations provided in the Commission report.
   b. Those members of the school faculty serving as Professor Master Teachers on the career ladder will hold appointments as clinical faculty at the university and may teach in both institutions.
c. The members of school faculty serving in the Lead Teacher and Master Teacher rungs of the career ladder will be responsible for designing the school’s induction program for new teachers and mentoring new and struggling teachers. Districts will be responsible for making time available for Lead and Master Teachers to perform these roles, as described in Element 2i.

d. Both university faculty and district-based school faculty will be expected to be fully conversant with the policies and practices of professional development schools in the top-performing countries and to have the skills and knowledge needed to adapt those policies and practices to the needs of their own students.

2. The State will make seed grant awards available to the strongest applicants in the first year of the collaborative. Future awards will be contingent on strong performance and implementation of the design laid out in the applications.

3. These professional development schools will be public schools with student bodies reflecting the diversity of public schools in the State.

4. The State will make additional grants available in years 2 through 5 as word spreads and the initial grantees become proof points for the success of the effort.

5. In year 5, an evaluation will be done. Results of the evaluation will determine whether to continue the competitive grant program or whether to require all institutions throughout the State to meet the grant criteria through legislation, with some modifications based on the experiences of the pilot program grantees.

**Element 2b:** Raise standards for licensing new teachers in MD to levels comparable to the standards for teachers in the top performing nations

**Design Assumptions:**

1. Teachers will be required to pass a test of teaching ability to earn a Maryland license (e.g., PPAT, edTPA) no later than 5 years after implementation of legislation. This requirement applies to all teachers including alternative preparation programs except those who are teaching CTE courses. Teachers coming from out of state must pass the assessment within 18 months of being hired by a Maryland district or hold an active National Board Certification. After sufficient data has been collected that demonstrates that one assessment is more valuable than another, the State should adjust the licensure requirement.

2. Teachers will be required to pass State-specific exams of teacher mastery of reading and content that will be at least on par with the rigor of Massachusetts for elementary education (K-6) and for the middle and high school grade levels by a date certain.

3. The competencies laid out in Element 2a, Design Assumption 1 will also be assessed through a newly developed tool.
4. Teacher candidates who are midcareer changers and taking the one-year alternative certification option will participate in a three-year mentorship and induction program under an experienced mentor.

5. Alternative teacher preparation programs must require a minimum teaching practicum of at least 100 hours within 1 year of enactment of the legislation, and at least a full school year no later than 5 years after enactment.

**Implementation Considerations:**

1. The State will require a Basic Literacy Skills Test as soon as the test is developed (first-time pass rate in Massachusetts is currently 84 percent) and allow students to retake the test as many times as needed to pass.

2. The State will roll out more challenging special subject tests tailored to the subjects teachers will teach (for example, English for High School, Math for High School, History for High School, etc.) after implementation of the literacy test. The State or the contracted vendor will develop standards for these exams first and release these standards to teacher preparation institutions four years in advance of when the exam will take effect, so that preparation programs can adapt accordingly.

3. Once subject tests are required, test takers can retake the test as many times as needed to pass, if desired. (First-time pass rate in Massachusetts is currently 64 percent).

**Element 2c:** Expand incentives for highly skilled and diverse candidates to teach in high-need schools.

**Design Assumptions:**

1. HB 1415 provides funding for the Maryland Teaching Fellows scholarship program, which was created in 2014 but never funded, for prospective teachers who commit to teaching in high-need Maryland schools for at least two years if enrolled in a graduate program or the number of years the candidate received an incentive fund award if enrolled in an undergraduate program.

   a. The scholarship is available to either high school seniors, current college students or graduate students, who:

   i. are Maryland residents or attended a Maryland high school

   ii. earned either:

      1. a GPA of at least 3.3
      2. a combined math and reading SAT score of at least 1100 with neither reading nor math lower than 500
      3. a composite ACT score of at least 25 or
      4. the 50th percentile on the GRE

   iii. have demonstrated aptitude for teaching or exceptional dedication to teaching
b. HB 1415 defines a “high-need Maryland school” as one in which 50% of students qualify for free and reduced-price meals
c. The incentive fund award covers 100% of tuition, room, board and fees at a Maryland public institution of higher education, or 50% of these costs at a private institution, and fees for exit and licensure exams
d. HB 1415 requires teacher training programs that enroll 15 or more fund recipients to develop an enriched program of study for such recipients

2. Enhance the existing loan assistance repayment program to serve more teachers.
3. Increase awareness of the availability of these incentives for teachers.

Implementation Considerations:
1. HB 1415 has passed the General Assembly and been signed by the Governor. It requires $2 million annually for the Teaching Fellows scholarship. Funding should be increased to $4 million in year 2, $8 million in year 3, $12 million in year 4 and $18 million in year 5 and thereafter. Funding should continue at this level until a sufficient number of qualified teachers are produced and remain in the Maryland teaching profession. At such time that this occurs, the State may consider reducing the required amount of funding, but some level of scholarship funding should be maintained to ensure a diverse and qualified cadre of teachers in the State.

Element 2d: Encourage higher education institutions to take advantage of national foundation efforts to develop highly qualified teachers and leaders from diverse backgrounds

Design Assumptions:
1. State will provide matching funds, as needed, to institutions that secure grants to increase the quality and diversity of the teacher training applicant pool available to teacher training institutions, up to some maximum amount
2. Teacher preparation institutions engaged in the collaboratives described in Element 2a will be required to apply for these grant funds

Implementation Considerations:
1. State will provide technical assistance with grant writing to those institutions

Element 2e: Launch statewide public relations and communications initiative to rebrand teaching as an attractive career and attract students from diverse backgrounds

Design Assumptions:
1. HB 1415 establishes a teacher outreach and recruitment campaign to be run by the State Department of Education. (requires $250,000 annually)
2. The outreach program will be targeted toward the top 25% of high school students in each county to encourage them to consider teaching.

3. The State Department of Education shall establish a steering committee and consult with that committee on the outreach program and recruitment campaign. The steering committee must include faculty and student representatives of the State’s historically black colleges and universities and other institutions.

4. The program will include:
   a. A digital recruitment platform comprising free public service and paid media
   b. Email and social media
   c. Targeted outreach to interested candidates, with a focus on talented candidates historically underrepresented in teaching and teacher shortage fields
   d. Opportunities to connect candidates to resources about teaching and supervised experiences in schools to get them excited about teaching, including an increased awareness of racial disparities between student demographics and the teaching population.

Implementation Considerations:
1. HB 1415 has passed the General Assembly and signed by the Governor.
2. After the Commission report is completed and adopted by the State, consider launching a statewide outreach effort to promote all of the Commission’s recommendations, including a high quality media campaign to rebrand teaching as an attractive career. Consider strategies used by top systems such as pro bono services from leading communications firms in the state and region.

3. The State may consider modifying the campaign by:
   a. Decreasing the amount of funding provided as recruitment becomes less challenging and prestige increases
   b. Targeting or limiting the funding provided to certain critical shortage areas or demographic targets, as needed

**Element 2f: Raise teacher pay** to make it equitable with other highly trained professionals with the same amount of education.

Design Assumptions:
1. Teacher pay will continue to be negotiated collectively at the local level for cost of living increases and increases beyond the State Framework for the Educator Career Ladder.
2. The State will conduct periodic benchmarking studies of teacher salary to include comparability with other professionals with similar education and experience levels at the State and regional levels. Each county and local union will receive from the State at the start of each collective bargaining process the weighted
average salary of comparable professionals as identified by the Commission (see exhibit) (e.g., accountants, registered nurses) in the State and region.

3. Over the first three years of implementation, teacher salaries will be increased by 10% to reach the average salary of teachers in Massachusetts and New Jersey as a head start to improve teacher salaries and make teaching a more attractive profession prior to full implementation of the career ladder.

4. Pay increases above and beyond these initial increases will largely be a function of movement up the career ladder, described in Element 2g.

Implementation Considerations:

1. Formula funding will support increases to teacher pay under the career ladder.
2. All pay increases will go hand in hand with higher teacher standards.
Working Group 3
College and Career Readiness Pathways

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Scott Dorsey (CTE Subgroup Co-Moderator)
Anne Kaiser
Elizabeth Leight
Karen Salmon (CTE Subgroup Co-Moderator)
Steve Waugh

Policy Area:

Develop a world class instructional system that will enable Maryland high school graduates to match students in the highest achieving countries in the world in academic attainments, equip them with the complex skills they will need to be successful in a technologically sophisticated economy, contribute to their communities, and play their roles as informed and thoughtful citizens in the world’s oldest democracy.

In the United States today, these goals cannot be fulfilled for most adults without at least some postsecondary education, often at the community college level. In that sense, the ability to succeed in the first year of a regular, credit-bearing community college program is the keyhole through which the vast majority of high school graduates will have to pass to achieve their dreams and to make the contributions of which they are capable to their family, their employer, their community and their state.

Toward that ambitious but critical end, the State of Maryland will establish a standard of literacy in English and mathematics (and when practicable also science) at the level needed to assure a high probability of success in the first-year programs of the State’s community colleges and other open-enrollment postsecondary institutions. This will be called the College and Career Readiness or CCR standard. The Commission believes that its recommendations, if fully implemented, will yield a K-12 education for Maryland that succeeds, approximately ten years after serious implementation starts, in getting nearly about 80 percent of the high school cohort to CCR -- 65 percent by the end of grade 10, 75 percent by the time they are 18, and several percent more thereafter, perhaps another 5 percent by the age of 21.

Since a standard of this sort is met by fewer than half of Maryland’s students today, the Commission’s plan envisions massive improvement in performance and this will open opportunities to most of our young people that are far out of reach now. It will also provide an enormous boost in the capacity of the Maryland work force to compete effectively in the state, national and global economies. If the State continues to implement the Commission’s
recommendations with fidelity and determination, the Commission believes that, once a cohort of 3- and 4-year-old children experience the full education system recommended by the Commission and reach high school age, all but the most severely disabled students will leave high school with a CCR endorsement on their diploma.

One might wish that all students could immediately achieve CCR by the end of 10th grade. But it is very important to recognize that today, in Maryland, fewer than half the cohort leaves high school having attained a comparable standard. More than doubling the proportion of students who do so within ten years would be a remarkable achievement. Sustaining such gains over the following ten years so that those not able to meet the standard will be a small number of young people with significant disabiling conditions would be another remarkable—yet feasible—achievement.

These estimates are deliberatively conservative. The targets set forth above are goals that other countries have both met and gone on to exceed. It is entirely possible that Maryland will be able to match, perhaps even surpass them. Typically, reports and legislation of this kind are unrealistic and set lofty goals that have never proven achievable at scale in any U.S. state. (Consider, for example, the “universal proficiency by 2014” goal of No Child Left Behind.) Once everyone concludes that no such thing will actually happen, the entire report’s credibility is compromised and many don’t even try very hard to carry it out. The Commission does not want its report to fall into this trap of overreaching and thereby dooming its recommendations. To repeat, the goals we have set are credible because entire nations have achieved them—and Massachusetts has approached them.

It is also very important to bear in mind that one’s educational achievement depends on more than schooling. Indeed, study after study shows that other factors—in particular the education and socio-economic circumstances of a student’s parents—greatly outweigh the influence of the school on educational achievement. Closing the gap entirely between what students can achieve and what they actually achieve will, realistically, involve making changes in the environment in which many students grow up, changes that are beyond the reach of the schools. The Commission’s goals and recommendations, in total, take this reality into account.

It is also important to bear in mind that many who do not achieve the CCR by age 18 the time they leave high school will still be able to receive a high school diploma. Under the present system, many who receive such a diploma do so by passing a very undemanding “alternative” that undermines the diploma’s real-world value. In the new system, students will get a diploma by taking and passing a set of high school courses required for graduation by the State Board and assessments of their performance on those courses that will be incorporated into the course requirements. There will be no alternative to these assessments or these requirements.
Element 2g: Develop career ladders for teachers and school leaders comparable in design to the career ladders found in Singapore and Shanghai, with respect to standards for advancement and relationship to the system for compensating teachers and school leaders.

Design Assumptions:
1. The State will provide a set of design parameters for the career ladder system. Although districts can implement the ladder in different ways, they must remain within these parameters or they will not be eligible for State funding.
2. There are many more teachers at the bottom rungs of the ladder than at the top.
3. Movement up the ladder is a function of performance and experience, (i.e., knowledge, skills and responsibilities) as well as availability of the position the teacher is seeking.
4. The ladders will have two tracks: Teacher Leadership Track and Administrative Track.
5. Teachers can move laterally across the tracks if their interests change.
6. The first two levels will be common to both tracks: State Licensed Teacher and National Board Certified Teacher
   a. Roughly 50% of all teachers will be on one of these two levels and another 20% will be National Board Certified (NBC)
   b. During the first years of implementation, roughly 10% of all teachers will opt not to participate in the career ladder and will continue on the Advanced Professional Certificate (i.e. Master Degree/30 credits) path.
   c. At least five years after passage of legislation implementing a career ladder, and when the Maryland NBC pass rate reaches the national average (currently 65%), new teachers receiving a Maryland teaching certificate must participate in the Educator Career Ladder and are not eligible for salary increases based on years of experience and degrees or credits. By the tenth year of teaching, they must achieve National Board Certification (i.e., pass all four modules).
   d. Teachers who do not pass NBC, or for whom there is no assessment comparable to NBC in their subject area, by the 10th year must alternatively achieve Advanced Professional Certificate by earning a Master’s Degree/30 credits in an approved program of study.
   e. The timeline for implementing the career ladder and minimum salary increases associated with moving up the career ladder are still in development; the Working Group will make these recommendations at a future meeting.
7. Roughly 12% of all teachers are on the Teacher Leadership Track.
8. Teachers on the Teacher Leadership Track are responsible for mentoring their peers and serving as expert resources on content and pedagogy for their school, their district, and the State.
a. There will be three levels on the Teacher Leadership Track; for example, Lead Teacher, Master Teacher and Professor Master Teacher.

b. Districts will draw their mentor teachers for induction programs and teacher training practicums from this track.

c. Districts will draw experts to write curriculum and assessment items and develop model lessons from the highest levels of this track.

d. For the purposes of costing, we will assume that most teachers in the Teacher Leadership Track will be Lead Teachers (Level 4A-1) with a small number of Master Teachers (Level 4A-2) and very few Professor Master Teachers (Level 4A-3).

e. **Lead Teacher:** This step on the ladder certifies that the holder has:
   - All the knowledge and skill required for the previous steps on the ladder;
   - The capacity to lead other teachers working in teams to improve the curriculum, instruction and assessment in the school in an effective and disciplined way;
   - The skills and knowledge needed to mentor new teachers and other less skilled teachers to enable them to develop their skills;
   - Sufficient expertise in research, especially action research, to:
     - Lead teacher teams that will use research to develop programs, curriculum, teaching techniques and other interventions; and
     - Conduct formal evaluations to determine the extent to which those interventions are successful, correcting course as necessary to produce the outcomes for students they want.

f. Lead teachers will teach roughly 50% of their working hours, and spend most of the additional time mentoring newer and struggling teachers and leading workshops and demonstrations at the school level.

g. Selection of lead teachers made by school principal or, if negotiated at the local level, by an expanded panel.

h. **Master Teacher:** Teachers on this step of the ladder have demonstrated exceptional skill in all the areas described for Lead Teacher to the degree that they are ready to assume responsibility for leading the work of other Lead Teachers. Ways of demonstrating this skill include:
   - The people they have mentored will be unusually capable;
   - The teams they will have led will have consistently produced unusually effective improvements in curriculum, instruction and assessment;
   - Their research will be published in refereed journals and they will be in great demand within and beyond their school and district to counsel and guide others on the basis of their achievements;
   - They will have high ethical standards and know how to promote a school culture in which all students are expected to achieve at high
levels and all professionals are expected to do whatever it takes to make their students successful; and

- They are widely admired “teachers of teachers” who can inspire, guide and develop others to achieve real competence.

i. These teachers will teach roughly 40% of their working hours, and spend most of the additional time mentoring Lead Teachers and leading workshops and demonstrations at the school and district level.

j. Selection of master teachers made by school principals and approved by the LEA, in partnership with the union or, if negotiated at the local level, by an expanded panel.

k. **Professor Master Teacher:** The top step on the teachers’ ladder is reserved for a very small number of professionals whose exceptional accomplishments entitle them to very special recognition. They are:
   - They are among the very best teachers, leaders of teachers and developers of leaders;
   - Researchers who have as many published research papers to their credit as university professors, hence the title; and
   - Equally qualified to teach in university and in school, and to play leadership roles in both places.

l. This step is particularly appropriate for key senior faculty members in professional development schools, particularly senior teachers in those schools that hold a doctorate and are also qualified to serve as clinical professors in the university.

m. These teachers will be primarily based at universities, serving as the mentors and instructors of teachers in training, mentoring new teachers in induction, and designing and leading professional development across the State.

n. Professor Master Teachers will be selected by LEAs in partnership with IHEs.

o. Standards for Level 4 will be set by a local oversight board made up of advanced teachers and other stakeholders will use statewide criteria as minimum criteria and has the option to add additional criteria to their vetting process. To achieve Level 4 certification, they must take on additional roles, responsibilities and utilize advanced knowledge such as:
   - Consulting teachers (those used in Peer Assistance and Review Programs);
   - Staff Development Teachers;
   - Elementary team leaders;
   - Secondary department chairs or resource teachers;
   - Mentors;
   - Curriculum developers; and
   - School-based educators facilitating collaborative efforts.
Serving in these roles requires some continued teaching responsibility (e.g. teaching approximately 40–50% of working time) unless they are out of the classroom (i.e. a consulting teacher providing assistance, doing observation and/or evaluations) for a full year or longer, in which case, after a time specific, they must return to the classroom.

To achieve this level, among other requirements, teachers must have the following competencies:

- Teaching diverse communities (this includes low performance, high poverty schools or possibly low performing, high-poverty students within predominantly middle class schools);
- Leadership in professional development and mentoring;
- Successful passing of objective assessments (grading videos, etc.);
- Demonstrating accomplished instruction (to diverse populations);
- Credibility among peers; and
- Can demonstrate success in advancing colleagues instructionally.

9. Roughly 5% of all teachers are on the Administrative Track.

10. Teachers on the Administrative Track are responsible for managing administrative functions in the school. This track develops teachers to be school principals.

a. The primary way to become a school principal is to advance along this track. Similarly, the primary way to become a director-level staff of a district department is to advance along this track. However, districts must allow some flexibility in order to ensure that uniquely talented individuals from backgrounds outside education may still become school leaders. To that end, Assistant Principals are required to achieve either NBC or APC for administrators.

b. There will be two levels on the Administrative Track: Licensed Principal and Master Principal.

c. Additional levels may be added to this track for district office directors depending on the structure of the district central office and the staffing needs.

d. For the purposes of costing, we will assume that about 4% of teachers will become a Licensed Principal with very few (less than 1%) will become a Master Principal.

e. **Licensed Principal:** This step on the ladder will be attained by candidates who meet the requirement set by the state for full certification as principals.

f. This is sometimes not attained until after new principals complete an induction program or training program for newly serving principals.

g. **Master Principal:** Applicants who meet this standard will have shown that they have the skills and knowledge needed to:
   - Effectively identify, attract, lead and retain highly professional teachers;
Organize and manage their school so as to support those teachers in a way that provides them strong incentives and support to do the best work of which they are capable;
- Set high standards for themselves, their faculty and their students;
- Get all the stakeholders on board with their vision and the strategic skills needed to execute on that vision;
- Identify teachers with the highest potential and to help them develop that potential;
- Help students, parents and teachers embrace the conviction that all of the students can reach internationally competitive standards and do whatever it takes to get there;
- Develop other principals;
- Support other principals; and
- Lead other principals to very high levels of performance

11. Teachers can move between tracks with approval from their principal.
12. Teachers cannot be promoted up the ladder without receiving positive evaluation of instruction by at least the principal and others, as required by the district, and unless there is an opening for the position into which they wish to move
   a. Promotion requires mutual agreement with their principal or supervisor and others, as required by the district, that they are ready to take on the responsibilities at the next level and the understanding that they must complete those responsibilities to remain in good standing
   b. Because promotion happens only when there is an opening for the position in question, promotion is not guaranteed.
13. In general, the highest levels of the ladder should be reserved for exceptional teachers and leaders, with no more than 1% attaining the highest levels.
14. The highest level of the Teacher Leadership Track should have salary parity with principals.
15. Although individual bargaining units may have different salary scales (and salary sublevels within each rung of the ladder, if needed), the State expects that moving up each level in the career ladder will result in at least a minimum percent pay increase as defined in the State framework.
16. The State should use its program approval powers to require IHEs that offer programs leading to school leadership certifications to carefully evaluate the potential of candidates to be effective school leaders, including evidence that the identified candidate has a record of successful teaching and has performed well in teacher leadership roles.
17. IHEs wishing to offer graduate level courses in school administration for certification should present evidence their curriculum will enable their graduates to (1) successfully organize and manage schools and school systems as recommended by the Commission; (2) manage highly skilled professionals working in a modern professional work environment; (3) effectively conduct peer observation and evaluation of other school personnel.
18. As the success of a school leader grows as demonstrated by movement up the career ladder, more autonomy should be provided to that school leader for making school-level decisions.

19. Successful school leaders should have significant experience and success in schools that represent the demographic and economic diversity of the school system, and in the upper levels of the career ladder school leaders should serve as mentees to new leaders of schools serving large proportions of low-performing students.

Implementation Considerations:

1. The State framework provides design parameters, including titles and criteria for movement up the ladder, to districts as outlined above. Districts and unions are free to implement a wide variety of designs (including determining pay scale, roles for teachers within schools, the process for grandfathering in teachers and process for posting and hiring for needed positions) as needed as part of collective bargaining, provided they remain within the design parameters outlined by the State, or they risk losing out on State funding.

2. Specific salaries will be left up to districts.

3. NBC fees will be provided by State and local funds and the district will serve as the payor to the NBC organization.

4. Existing teachers holding NBC or completing 1–3 components can immediately move up the career ladder upon implementation of the career ladder and receive the designated salary increase; current NBC stipends will terminate at that time.
Maryland Career Ladder for Educators

August 2018

Teacher Leadership Track
(Assume 12% of educators)

A+B4/C+D

Master Principal
Level 4B-2

Administrator Track
(Assume 5% of educators)

A+B4/C+E

Professor Master Teacher
Level 4A-3

Master Teacher
Level 4A-2

Lead Teacher
Level 4A-1

Pursuing Master Degree
or 30 Credits**
(Year 4-10, assume
10% of educators)

State Licensed Teacher
(Years 1-3, assume 17% of educators)

Level 1

A

Pursuing National Board
Certification
(Year 4-10, assume
25% of educators)

Level 2

APC A+B1
(Assume 10% of educators)

Level 3...

A+B

B3

B2

B1

4 Modules

A+B4/C
(Assume 21% of educators)

* Letters relate to salary bump

** 30 Credits in an approved program of study

*** Educators in Level 3 include Assistant Principals

B4 is for working in a non-low-performing/non-high poverty school
C is for working in a low-performing/high poverty school (for a limited period)

Dotted lines are transition plan for existing teachers and administrators.

Teachers pursuing NBC may also be pursuing a Master's Degree.
Working Group 4
More Resources for At-risk Students

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Maggie McIntosh
Morgan Showalter
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Policy Area:

System that Ensures At-risk Students are Successful that supports these students and their families as soon as they arrive at school with both academic supports and extensive case management to address social, physical, mental, and family needs to enable success at school.
Element Detail 4a:

- Add a concentrated poverty weight to the funding formula to support intensive services for students and their families to enable them to succeed in school, that are coordinated and able to meet the additional needs of students in schools located in distressed communities.
- Add fixed, categorical funding amounts for each schools with concentrated poverty to be used to: 1) establish or enhance community schools and 2) establish or enhance school health and behavioral services. Establish community schools to provide wrap-around services and provide health and behavioral health services.

Design Assumptions:

1. Achievement gaps between socioeconomic and racial populations are far too large in Maryland. Funding from the compensatory education formula and the concentration of poverty formula should be used to implement programs and provide resources that will close the achievement gap that exists between many student demographic populations.

2. Maryland provides substantial funding for at-risk students through its foundation and compensatory education funding formula which many schools utilize to provide wrap-around services to students in need of additional supports. However, top performing systems around the world provide additional funds to provide a greater degree of additional services for those students that are at the highest risk of not succeeding in school.

3. Additional funding would be available to schools with concentrated poverty which will allow Maryland to provide funds to schools with high concentrations of poverty to enhance or establish programs and services to support the needs of students in those schools. The funding would be comprised of a fixed amount and a per pupil amount.

4. This additional funding would be available to every school with a high concentration-in which (at least X%) of students living in poverty qualify for free and reduced-price meals. This percentage must be set high enough so that the students with the most need will benefit. Each school would have to submit an implementation plan based on an assessment of need. This percentage will be set by the full commission after the full commission has determined the proxy that will be used to identify students who are at-risk of not succeeding in school.

4.5 A fixed amount would be provided for each school with a high concentration-in which (at least X%) of students are eligible for free or reduced price meals living in poverty. This fixed funding would be used to hire a community schools coordinator and a health services practitioner, who may work under a school health services program, school-based health center, or community-partnered school behavioral health services program. In addition to the fixed amount of funding would be an amount per student enrolled at the school. This per pupil funding (in combination with the compensatory education funding formula)
could be used to provide programs and services identified in a school’s needs assessment. This would include, but not be limited to:

a) additional extended learning time including before and after school, summer, and extended school year;

b) safe transportation to school;

c) vision and dental care services screening;

d) additional social workers, counselors, psychologists, and restorative practice coaches;

e) physical and behavioral health and wellness including providing food for in-school and out-of-school time and linkages to community providers;

f) behavioral health services such as mental health practitioners and providing professional develop to provide trauma informed interventions;

g) family and community engagement and supports including informing parents of academic course offerings, of opportunities for children, and of available social services as well as educating families on how to monitor a child’s learning;

h) linkages to Judy Centers and other early education programs that feed into the school;

i) student enrichment experiences;

j) improving student attendance; and

k) improving the learning environment at the school; and

l) other professional development for teachers and school staff to quickly identify students who are in need of these resources.

6. The per pupil allocation should be provided on a sliding scale based on the concentration of students living in extreme poverty so that a “cliff” effect is minimized. For illustrative purposes only, a school with 50% of students living in extreme poverty would receive a proportion of the per pupil amount whereas a school with at least 75% of students living in extreme poverty would receive the full per pupil amount.

7. Schools could use existing staff to be the community schools provider or the health services provider. This will provide more flexibility for how a school can implement this item particularly if a school already is a community school or already provides health services.

8. The State should provide the full resources for the fixed amount while the per pupil amount should be wealth equalized as are all other per pupil amounts under current law.

9. The requirement to establish a community school will be phased in as follows: 1) in year one a needs assessment will be completed and the fixed amount will be provided so that the coordinator can be hired to complete this assessment; 2) by year three all schools that qualify as a concentration of poverty school must have established a community school and the per pupil amount will be provided once the community school has been established (even if earlier than in year three). For
community schools that already exist, the fixed amount and the per pupil amount will be provided in year one.

Implementation Considerations:

1. For community schools, each school or school district would submit, as part of its master plan, an implementation plan based on an assessment of need. School or district level implementation plans should include but are not limited to:
   a) A community based needs assessment process that may be conducted in partnership with a local capacity building organization to develop an implementation strategy for addressing the needs of the students and their families, and building on and strengthening community resources near the school;
   b) Ensuring that an experienced and qualified community schools coordinator at a vice principal or appropriate administrative level is hired;
   c) Inclusion, if possible and practicable, of community partners in geographic proximity to the school who can assist in meeting the needs identified;
   d) Ensuring that time is made available to train staff on the — support available offered, identifying the need for the supports, and how to engage with the community school coordinator in engaging with in accessing these supports; and
   e) Development of strategies to maximize external non-State or local education funding.

2. Local school systems must demonstrate that funds provided under the weight are being provided to the schools in which the weight is applicable and are being used for the purpose of implementing the needs and implementation plans.

3. Local governments would be expected to demonstrate support through meaningful partnership and support that is supplemental to and does not supplant existing efforts.

4. Partner agencies such as local management boards should participate at the State level and provide necessary funding and support to enable local agencies to participate as partnering organizations.

5. Accountability measures should focus on indicators identified in the master plan that include, but are not limited to: successful implementation of the plan, number of students served and not served, time to receive services, attendance, enrichment opportunities, reduction in disciplinary actions, student and principal satisfaction, and meaningful family involvement. It is important that accountability measures and data points be clearly defined and developed locally in partnership with each school district.

6. Every year districts will be required to report on their program including progress on indicators. The full commission should include this element in their discussions of accountability and governance including whether there should be consequences and what those consequences should be if progress is not being made.
7. Schools with a lower poverty threshold could still provide wrap-around services, organize a community school, and/or provide health and behavioral health services using their compensatory education funding.

8. The full commission is responsible for making recommendations pertaining to the State requirement that county governments maintain their effort of school funding from year-to-year and, while doing this, should take into consideration the recommendations contained in this document.

Element Detail 4b (referred to full commission): Train school staff in all schools to recognize mental health issues as well as other issues related to trauma and coordinate access to needed mental health and other services for students, as part of effort to increase school safety (see SB 1265 – signed into law as Chapter 30)

Element Detail 4c: Revise funding formula weight for special education students.

Design Assumptions:

1. State and federal law require school systems to identify, locate, and evaluate all students who have or are suspected of having disabilities and in need of special education and related services.

2. To ensure students are not misidentified as being disabled, the law defines a list if eligible disabilities and students must meet one of those criteria.

3. The timeline for identifying, locating, and evaluating students for special education and related services is established in State and federal law and regulation. Parental consent is required for students to be evaluated. An Individualized Education Plan (IEP) must be developed within 30 days of the date a student is identified as a student with a disability.

4. Federal law (IDEA) requires that schools provide a free appropriate public education (FAPE) to students identified as having a disability. Federal law defines FAPE as the provision of special education and related services that are provided at public expense and without charge to the parent, that meet standards set by the state education agency, and that are provided in conformity with individualized education plans (IEPs) that meet the requirement of IDEA.

5. The United States Supreme Court, in *Endrew F. v. Douglas County School District*, 137 S. Ct. 988 (2017), held that FAPE must be tailored to the unique needs of a particular student and that the school system must offer an IEP that is reasonably calculated to enable a student to make progress appropriate in light of the student’s circumstances. The court ruled that a student’s education program must be “appropriately ambitious” in light of his or her unique circumstances. The court also held that a student’s IEP must include a statement of measurable annual
academic and functional goals and enable a student to be involved in and make progress in the general education curriculum.

4-6. HB1415 was enacted in the 2018 session and it required MSDE, in consultation with DBM and DLS, to contract for an independent study to evaluate funding methodologies used nationally and internationally and make recommendations regarding the appropriate level of funding for special education students in Maryland.

5-7. Differentiated weights are preferred in principle, but APA proposed a blended weight. It is anticipated that the special education study required by HB 1415 will propose differentiated weights. In the meantime, the Commission will propose a single placeholder weight.

6-8. To provide special education resources, local school systems spend more than the current funding formula provides.

7-9. Total State and local expenditures on special education equaled $1.567 billion in fiscal 2015. Of this, the State provided $272 million, or 17.3% of the total. Thus the local funding accounted for the remaining $1.296 billion.

8-10. A weight of 2.18 is recommended as the “stop-gap” weight until the completion of the special education study required by HB1415 and until any recommendations of the study are implemented in law. This weight is calculated based on the fiscal 2015 foundation per pupil base of $6,860. For context, the weight in current law is 0.74. The weight will be recalculated once the Commission determines a new foundation base such that an equivalent amount of State funds are generated as the weight of 2.18 would generate.

9-11. The result of this stop gap weight is that State funding, in fiscal 2015 dollars, increases by 195% from $272 million to $800 million. This increases the State proportion of expenditures from 17% to 51%.

Implementation Considerations:

1. Because a special education study required by HB 1415 is due by December 2019, the new weight may be revised again in response to the study recommendations. It is anticipated that the placeholder weight recommended by the Commission may be in place for up to 3 years while the completed study is being reviewed and incorporated into State law.

2. Although school districts will have discretion in repurposing approximately $529 million in local funds, they are encouraged to reinvest a portion back into special education as appropriate to provide a robust level of services to meet the needs of the special education students.

Table 1
Fiscal 2015 Special Education Expenditures
Adjusted Total Expenditures*  | Fall 2014 Enrollment | Per Pupil Expenditures | Equivalent Weight**
--- | --- | --- | ---
$1,567,335,305 | 104,618 | $14,982 | 2.18

* Fiscal 2015 Selected Financial Data, excluding federal funds, infants and toddlers, and nonpublic placements. Includes fixed charges.

** Weight assumes current law per pupil base of $6,860 in fiscal 2015 (weight of 0.74). Assuming the APA recommended base of $10,880, the equivalent weight is 1.38.

Table 2
Fiscal 2015 Special Education State Aid

<table>
<thead>
<tr>
<th>State Aid</th>
<th>% of Adjusted Total Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Actual</td>
<td>$271,702,887</td>
</tr>
<tr>
<td>Using 2.18 Weight</td>
<td>800,442,277</td>
</tr>
<tr>
<td>Difference</td>
<td>$528,739,390</td>
</tr>
<tr>
<td>% Difference</td>
<td>194.6%</td>
</tr>
</tbody>
</table>

** Element Detail 4d:** Revise funding formula weight for English Learner students.

**Design Assumptions:**

1. The Commission’s preliminary report recommends increasing support for at-risk students, including special education, low-income, and EL.

2. Because most of EL students also qualify for compensatory education funding, the compensatory education weight will provide for academic and social/emotional supports. Therefore, the EL weight as recommended by APA is only reflective of resources needed to specifically support language acquisition.

3. In addition to what APA recommended, the EL weight should be increased to allow for the provision of to provide a family liaison or services specific to supporting families and connecting home to school. The services that a family liaison would provide or coordinate could include: translation services for communication between school personnel and parents through a bilingual liaison, cultural competency training for school personnel, other family support and family engagement, and referrals to outside resources that a school may not be able to directly provide. A school can determine what services would best meet the needs of their students.

4. EL teachers must have specialized training, proficiency in the other language(s), and cultural competency.
Implementation Considerations:

1. The workgroup is concerned that changes at the federal level relating to immigration status of documented and undocumented students will result in an undercounting of students for compensatory education purposes. It may be necessary to adjust the EL weight to ensure that students who would otherwise qualify for compensatory education would receive the resources they need to be successful. It will be important to establish methods to identify low income immigrant students.
MSDE Staff Updates

MSDE recently announced the appointment of Richard Henry as Executive Director of the Office of Compliance and Monitoring, and Zachary Hands as Special Assistant to the State Superintendent.

The Office of Compliance and Monitoring (OCM) is now operational. This office was established to ensure local school systems are complaint with State Statutes and Regulations. Further, the office will interface with all levels of staff within the local school system and evaluate, respond, and recommend a corrective action plan concerning administrative and public inquiries. If a concern is substantiated, OCM will conduct an investigation and report its findings to the Deputy Superintendent of Finance. In addition to the responsibilities mentioned, OCM will monitor academic validation matters to ensure they follow established MSDE policies, processes, and procedures. Rick earned a master’s degree in Leadership Management from Johns Hopkins University, and is also certified in fraud investigation. He has extensive investigative experience from his previous position as Chief Inspector with the United States Marshals Service.

As Special Assistant to the State Superintendent, Zachary will lead, implement and track progress of key executive initiatives and special projects, as well as ensure effective coordination and collaboration among all divisions and offices - including assistance to local school systems. His initial focus will be working with the Maryland Center for School Safety, School Safety Subcabinet and the Interagency Commission on School Construction. Zachary earned his Master’s Degree in Public Policy from the UMBC and has experience with offices of the State legislature, Maryland Department of Health and the Maryland Association of Counties.
TO:        Members of the State Board of Education
FROM:     Karen B. Salmon, Ph.D.
DATE:      July 24, 2018
SUBJECT:  COMAR 13A.03.02.08
          Grading and Reporting
          PERMISSION TO PUBLISH

PURPOSE:

To request permission to publish amendments to COMAR 13A.03.02.08 Grading and Reporting. This regulation came before the State Board on April 24, 2018 and was again discussed at the June 20, 2018 meeting. Based on comments from the State Board, this regulation is coming back to the State Board with additional revisions.

REGULATION PROMULGATION PROCESS:

Under Maryland law, a state agency, such as the State Board, may propose an amendment to a regulation whenever the circumstances arise to do so. After the State Board votes to propose an amendment, the proposed regulation is sent to the Administrative, Executive, and Legislative Review (AELR) Committee for a 15-day review period. If the AELR Committee does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, the Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments. Thereafter, MSDE staff will present a recommendation to the State Board to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because suggested revision is not a substantive change. At any time during this process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

BACKGROUND/HISTORICAL PERSPECTIVE:

COMAR 13A.03.02.08 Grading and Reporting requires each local school system to develop a written policy on grading and reporting and to file its policies annually with the State Superintendent of Schools. The most recent grading policy for each of the local school systems was collected and reviewed for specific areas including grade changes, numerical value of a failing grade, impact of
attendance on grades, and grade appeals by parent/guardian. The collection of the local grading policies was shared with the State Board on February 27, 2018.

An additional review of information on the websites for each local school system was conducted by the Attorney General’s Office and shared with the State Board at the June 20, 2018 meeting. Following each of these reviews and comments from the April and June State Board meetings on the local grading policies, I am presenting recommendations for amended COMAR language to strengthen the grading and reporting policies in local school systems.

**EXECUTIVE SUMMARY:**

The proposed amendment requires school systems in Maryland to recognize and accept all credits a transfer student earns toward graduation in any other school system in Maryland. The amendment describes requirements that local school systems must incorporate into their grading and reporting policies. These requirements include: grading scales, calculation of final grades, explanation of weights for honors and other courses, how attendance factors into the grade, information on grade change procedures, and audit and appeal procedures. Local school systems will be required to file its policy on grading and reporting and submit a copy of the grade change validity audit to the State Superintendent of Schools. Upon submission, the MSDE will verify that the school system met the requirements of the regulation or direct the school system to develop a corrective action plan.

**ACTION:**

Request permission to publish amendments to COMAR 13A.03.02.08 *Grading and Reporting.*
Title 13A
State Board of Education
Subtitle 03 General Instructional Programs
Chapter 02 Graduation Requirements for Public High Schools in Maryland

.08 Grading and Reporting.

A. Each school system in Maryland shall recognize and accept any and all credits a student earned toward graduation in any other school system in Maryland.

B. Each local school system shall develop a written policy on grading and reporting that complies with the student record requirements as set forth in COMAR 13.A.08.02 and that includes:

(1) Explanation of the grading scale at the elementary and secondary levels.
(2) Explanation of the calculation of the final grade for a course which includes or may include marking period grades and exam grades.
(3) Explanation of weights of honors, Advanced Placement, International Baccalaureate, and/or dual enrollment courses.
(4) Explanation of how attendance factors into the student’s grade.
(5) Grade change procedures with explanations to include the following:
   (a) Timeline for final grade changes that cannot exceed 30 school days following the last day of the grading period;
   (b) Personnel at the school and central office level authorized to make final grade changes;
   (c) Documentation that authorized personnel are required to maintain to support the final grade changes. Documentation must include at minimum:
      (1) name of teacher requesting grade change;
      (2) reason for the grade change;
      (3) signature of person approving the grade change;
      (4) reason for the approval;
      (5) date of the approval; and
      (6) signature of the principal.
   (d) How and when the school system will audit the validity of the grade changes each year; and
   (e) Appeal procedures.

C. On October 1 of each school year, each local school system shall:

(1) file its policy on grading and reporting with State Superintendent of Schools; and
(2) submit a copy of the grade change validity audit (see .08A(5)(d)) to the State Superintendent of Schools.
D. Upon submission of C(1) and C(2), the Maryland State Department of Education will:

(1) Verify that the school system has met the requirements of this regulation; or
(2) Direct the school system to develop a corrective action plan to bring it into compliance with this regulation and monitor the schools system's progress in completing its corrective action.
[23.03.01] 14.37.01 Terminology

Authority: Education Article, §§4-126, 5-112, and 5-301-321, Annotated Code of Maryland

.01 Definitions

A. (text unchanged)

B. Terms Defined.

[(1) Architectural Services.
   (a) "Architectural services" means professional or creative work that:
      (i) Is performed in connection with the design and supervision of construction or landscaping; and
      (ii) Requires architectural education, training, and experience.
   (b) "Architectural services" includes:
      (i) Consultation, research, investigation, evaluation, planning, programming, architectural design, and preparation of related documents;
      (ii) Coordination of services furnished by structural, civil, mechanical, and electrical engineers and other consultants;
      (iii) Construction administration to ensure adherence to design and building standards;
      (iv) Construction inspection services; and
      (v) Project close-out services.]

[(2)] (1) - [(15)] (14) (text unchanged)

[(16) Engineering Services.
   (a) "Engineering services" means professional or creative work that:
      (i) Is performed in connection with utilities, structures, buildings, machines, equipment, and processes; and
      (ii) Requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences.
   (b) "Engineering services" includes consultation, research, investigation, evaluation, planning, programming, design, preparation of related documents, and inspection of construction for the purpose of interpreting and assuring compliance with specifications and design within the scope of inspection services.
   (c) "Engineering services" does not include the inspection of construction not requiring engineering training.]

[(17)] (15) (text unchanged)

(16) "Forward-funded project" means a school construction project that the State has approved for planning and for which the LED has paid some portion of the State share with local funds.

(17) "Free and reduced-price meal percentage" means the number of students eligible in the previous year for free and reduced-price meals, divided by the full-time equivalent enrollment from the previous year.

(18) "Funding approval" means pending the availability of funds, the State commits to fund, in the next fiscal year, the entire or a portion of the State share of eligible costs for a school construction project.

[(18)] (19) (text unchanged)

(20) "Gross square footage" means the sum of the net square footage (assignable space) and the tare, which includes all building areas as measured to the outside of the exterior walls.

[(19)] (21) (text unchanged)
School Calendar Bill Outline

- Establish that local boards of education are solely responsible for establishing annual school calendars for school systems and schools
- Establish local board authorization to modify adopted calendars in response to emergencies
- Establish State/Federal holidays subject to/not subject to local modifications
- Repeal/prohibit Executive Orders
- Repeal/prohibit regulations