July 19, 2024

Mr. Clarence C. Crawford, President
Maryland State Board of Education

Dr. Carey M. Wright, State Superintendent
Maryland State Department of Education

Sent via electronic mail only

Dear Mr. Crawford and Dr. Wright,

We want to express our appreciation for the effort put into the Draft MSDE Literacy Policy dated June 25, 2024. The policy presents numerous positive steps toward enhancing literacy, emphasizing evidence-based instruction, data-based decision-making, and job-embedded coaching for K-3 reading teachers. These measures align with best practices in literacy education and promise to improve classroom effectiveness. However, we offer the following comments and suggestions for further consideration for successful implementation.

Retention Policies

Our primary educational concern is the stipulation that students who do not meet reading proficiency by the end of 3rd grade will not be promoted to 4th grade. Research consistently indicates negative consequences for students who repeat an elementary grade. Grade retention disproportionately affects Black, Latino, and Native students and English language learners (Davis, 2021). Studies report that repeating a grade often negatively impacts students' academic self-concept, self-confidence, pleasure in learning, academic motivation, school well-being, behavior, and interpersonal relationships (Goos, Pipa, & Peixoto, 2021). Moreover, students retained in elementary grades are more likely to be suspended in subsequent years, face bullying, and exhibit bullying behavior (Schwartz, 2022). Being retained nearly doubles a student's likelihood of dropping out, with failing twice almost guaranteeing it (Hattie, 1999).

Additionally, we have concerns about basing promotion on performance on assessments. Research suggests that high-stakes testing, where test results are used to make significant decisions such as grade promotion, can lead to adverse outcomes. Standardized tests often fail to capture the full range of a student’s abilities and learning progress, particularly for students from diverse backgrounds. Using a single assessment to determine promotion can unfairly

disadvantage students and does not account for other important aspects of learning and development.

Current data reflects over half of Maryland's third graders (52% on the 2022-2023 MCAP) fall into this category. This is not an acceptable outcome, or what we want for our students, but it does present significant concerns about the logistical and financial implications of retaining this many students, including physical capacity limits and extensive staffing adjustments.

Funding and Staffing

As the chief executives of our school systems, we must consider the tremendous operational impacts of this policy. The development of our Fiscal Year 2025 budgets was one of the most difficult in recent history, and the new financial obligations of this proposed policy would seriously compound an already stressful and dire fiscal situation in many school systems. With the end of the federally funded ESSER III and the MD LEADS grants, the reduction and eventual elimination of TSI funding, and the myriad of mandated Blueprint salary and staff requirements, school systems will have even less flexibility in their budgets, and will be forced to make incredibly difficult decisions to implement this policy.

This policy will require extensive staff training to effectively address the needs of retained students. Professional development programs, particularly those focusing on literacy instruction and intervention strategies, come with high costs. The policy's requirements including job-embedded coaching, modeling lessons, co-teaching, and providing timely feedback necessitate substantial investment. Implementing these effectively demands hiring additional instructional coaches and specialized staff. School systems will need to allocate funds for ongoing professional development, ensuring that coaches and teachers are well-versed in the latest literacy instruction methodologies.

Additionally, running before and after-school interventions necessitates additional funding for staff salaries, materials, and facility usage. Given the current teacher shortage, finding enough qualified staff to support these programs also poses a considerable challenge.

Furthermore, the necessity for continuous professional development, including workshops, seminars, and one-on-one coaching sessions, requires substantial financial outlay for materials, trainers, and additional personnel to cover classes during teacher absences. The challenge is exacerbated by the need for technology and resources to support these activities, such as video equipment for lesson modeling and software for real-time feedback and collaboration.

Lastly, overburdened teachers may struggle to provide the individualized attention that retained students need, potentially diminishing the effectiveness of these interventions.

The combined costs of professional development, extended school programs, and logistical adjustments for increased retention could strain already limited school budgets. For many school systems, the current budgets do not have flexibility to absorb these new expenses without cutting other vital programs. Without additional funding, many school systems may find it difficult to sustain the level of support and training required by this policy, potentially compromising its effectiveness and the overall quality of education.

Statutory and Legislative Landscape

The Draft Policy references evidence of legislative intent aligned with the proposed grade retention practices. We request that the Draft Policy be revised to reference not only §7-202 of the Education Article (a section of law not amended since 1987), but also §4-136, which contains the Ready to Read Act of 2019 which then led to even more comprehensive regulations adopted by the State Board in 2021 (COMAR 13A.03.08). In addition, the Blueprint for Maryland's Future Act added new requirements that school systems use targeted Blueprint funds to provide transitional supplemental instruction (TSI) to struggling learners in kindergarten through grade 3 (§5-226 of the Education Article).

Regarding §7-202, this decades-old law merely authorizes local school systems to either retain students in grades 2 through 12 based on reading proficiency or provide supplemental reading instruction. We believe that the comprehensive legislative and regulatory changes adopted in the past five years should form the basis for the development of any new state mandated changes in this critically important policy area.

We are concerned the Draft Policy does not reference the extensive reforms to reading screening and supplemental reading instruction required by very recently adopted laws and regulations. The current laws and regulations governing reading instruction and interventions are already comprehensive and were quite recently overhauled through passage of the Ready to Read Act in 2019 and regulations adopted by the State Board of Education in 2020. Under the law enacted in 2019, local school systems are required to screen all students in kindergarten to identify students at risk for reading difficulties. In addition, school systems must screen first grade students not screened in kindergarten or who demonstrated difficulty with grade level reading in kindergarten (SB 734, Ch. 512, 2019; adding §4-135 to the Education Article). The State Board of Education then adopted regulations to implement the Ready to Read Act and included additional mandated screenings and supplemental reading instruction in grades 2 and 3 (COMAR 13A.03.08).

Under these laws and regulations, Maryland's local school systems are already required to conduct comprehensive reading screenings in grades K-3 and provide supplemental reading instruction, progress monitoring, annual reporting, and evaluation of the screening program.

We look forward to collaborating with MSDE and the State Board on efforts to build on the current legislative and regulatory framework to identify and support best practices for reading

screenings, interventions, and supports to significantly improve the numbers of students achieving reading proficiency at grade level.

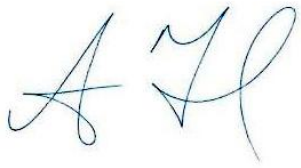
Recommendations

1. Remove the mandated retention of third-grade students and provide additional resources and support for early intervention strategies.
2. Determine and provide an appropriate, timely dyslexia screener and funding for the purchase and training to ensure a high-quality assessment and standardized process is used.
3. Provide a list of vetted and approved intensified intervention products and practices in conjunction with MSDE-led and financially supported training on the implementation of the product.
4. Provide clear details on the funding sources to support the initiatives, especially for training, staffing, and purchasing required screeners and materials. Ensure that funding is allocated for professional development and the necessary infrastructure to support the coaching model and other requirements.
5. Provide clarity around the Tier III intervention portion, ensuring these do not disrupt essential subjects like science, social studies, or math (or electives students value and enjoy). We recommend scheduling Tier III interventions outside of whole-group core ELA instruction - but still in the ELA block. This approach safeguards students' content and vocabulary knowledge acquisition, which are vital for their overall academic development.
6. The Draft Policy should reflect the major legislative actions referenced above, as well as the status of the extensive reading programs and services intended to be funded and carried out on behalf of students.
7. Develop and publish a list of alternative standardized reading assessments approved by MSDE before policy enactment.

The proposed MSDE Literacy Policy has the potential to significantly improve literacy outcomes across Maryland. However, addressing the concerns related to retention of students, funding, staffing, and any needed statutory changes are necessary for the policy's feasibility and effectiveness. We urge MSDE to consider these recommendations and work collaboratively with LEAs and local boards of education to ensure the policy supports the long-term success of all students.

We sincerely appreciate your attention to these critical issues. Your dedication to improving literacy education in Maryland is evident, and we look forward to working together to create a robust and equitable literacy education framework for our students.

Sincerely,



Dr. Andrae Townsel, Superintendent
Calvert County Public Schools
President, PSSAM

Michelle Corkadel, President
MABE

CC: Maryland Superintendents
Members of the State Board of Education (via Zach Hands, Executive Director)
Cheryl Bost, President, MSEA

References

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Goos, M., Pipa, J. & Peixoto, F. (2021). Effectiveness of grade retention: A systematic review and meta-analysis, Educational Research Review, 34. https://doi.org/10.1016/j.edurev.2021.100401.

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