

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 550 (Montgomery County Delegation)
Ways and Means and Appropriations

Montgomery County - Education - School Site Council Pilot Program
MC 21-21

This bill establishes the School Site Council Pilot Program in Montgomery County to hold schools accountable for the investment of tax dollars. The bill specifies the composition and duties of school site councils. The bill requires each public school in Montgomery County to create a school site council. Each school site council must create a school plan for student achievement, and the governing body of the school must review and approve the plan within a specified timeframe. The plan must include specified elements including goals, evidence-based strategies to improve student outcomes, and proposed expenditures. Prior to the plan’s development, a school site council must conduct a needs assessment containing specified elements and identify a process for evaluating and monitoring the implementation of the plan. The school site council must also oversee the implementation of school specific funds allocated by the Blueprint for Maryland’s Future (the Blueprint). School plans for student achievement may serve as a school improvement plan as required by federal law, and a school may use the school site council to meet the stakeholder requirements established in the federal Every Student Succeeds Act (ESSA). The Montgomery County Board of Education must adopt policies to carry out the bill’s provisions. **The bill takes effect July 1, 2021.**

Fiscal Summary

State Effect: None.

Local Effect: This bill may increase Montgomery County Public Schools (MCPS) expenditures, as discussed below. No effect on local revenues.

Small Business Effect: Minimal.

Analysis

Bill Summary: A school site council must include members from two groups in equal number and be representative of the members of the school community to the extent practicable. Members from Group A must include:

- the principal of the school (or principal's designee);
- classroom teachers; and
- noncertificated staff employed at the school.

Teachers must make up a majority of the members of Group A. Members from Group B must include:

- parents of students who attend the school, as selected by such parents;
- members of the greater community, as selected by parents of students who attend the school; and
- students attending the school as selected by such students.

Each public school must create a school plan for student achievement, which describes the goals and strategies used to improve student performance, as well as proposed expenditures to achieve those goals based on projected resource allocations from the Montgomery County Board of Education.

Prior to the creation of a school plan for student achievement, each school must conduct a needs assessment that must form the basis of goals contained in the plan and include an analysis of verifiable State data. The needs assessment may include an analysis of data developed by the local school system.

After the creation of a plan, the governing body of the school must review, update, and approve the plan at least annually or whenever there are changes that affect academic programs for students. The governing body of the school must give specific reasons to disapprove of a plan.

Current Law: In 2017, as required by ESSA, the most recent reauthorization of the federal Elementary and Secondary Education Act and the parameters set by the Protect Our Schools Act of 2017 (Chapter 29), the State Board of Education developed a Maryland school accountability system. Schools are rated on a variety of weighted measures and then awarded between one and five stars based on their scores. This system was first implemented during the 2017-2018 school year.

The Protect Our Schools Act specifies parameters for academic and school quality indicators, comprehensive support and improvement (CSI) plans, and targeted support and improvement plans. It also prohibits specified school interventions.

School Improvement Requirements under the Every Student Succeeds Act

Beginning with the 2018-2019 school year, and at least once every three school years thereafter, under ESSA, the State must use the accountability system to identify for CSI (1) the 5% lowest performing of Title I schools and (2) schools with a high school graduation rate of less than 67%. In April 2019, MSDE [published](#) the list of 42 schools that qualify: 2 in Anne Arundel County; 37 in Baltimore City; and 3 in Prince George's County. This list includes 5 schools identified for improvement under the previous accountability program.

The local school system must, for each school identified by the State and in partnership with stakeholders (including principals and other school leaders, teachers, and parents), locally develop and implement a CSI plan for the school to improve student outcomes. The CSI plan must be informed by all indicators in the accountability program, including student performance against State-determined long-term goals and other specified measures. It must be approved by the school, local school system, and MSDE, and upon approval and implementation, be monitored and periodically reviewed by MSDE.

Likewise, MSDE must use the accountability system to identify schools for targeted support and improvement (TSI). There are two categories of schools that will be identified as a targeted support and improvement: (1) any school where one or more student groups have performed below the summative performance of all students based on all indicators of the State accountability system and (2) any school where one or more underperforming student group does not meet school-level annual targets over a two-year period. A Title I TSI school that does not show improvement after implementing the required plan over a three-year period will be reclassified as a chronically low-performing CSI school. In August 2019, MSDE published a [list](#) of 376 schools identified for TSI under the first condition based on the 2018-2019 school year. The subgroups identified for TSI are identified on that list.

Requirements for CSI and TSI Plans

CSI and TSI plans must be implemented in compliance with existing collective bargaining agreements between the local boards of education and the exclusive bargaining representative.

MSDE must distribute federal funds for the implementation of both plans based on a formula and driven by the identified needs of each school identified by MSDE.

After a two-year period from the date of a plan's implementation, if a local board of education determines that student outcomes have not improved at a public school, the local board must consult with the school to develop additional strategies and interventions including funding community supports, and grants provided in the Public School Opportunities Enhancement Program. However, MSDE is not authorized to require a local board of education to implement a specific intervention strategy during the two-year period. Notwithstanding any law, regulation, or executive order, a plan may include a lengthening of the school year beyond 180 days or any other limitation.

After a three-year period from the date of a plan's implementation, if MSDE determines that student outcomes have not improved at a public school and intervention is necessary, MSDE must collaborate with the local board of education in determining the appropriate intervention strategy, subject to existing collective bargaining agreements between the local board of education and the exclusive bargaining representative. An intervention strategy may not include (1) creating a State-run school district; (2) creating a local school system in addition to the 24 school systems established in the Education Article; (3) converting or creating a new public school without local board approval; (4) issuing scholarships to public school students to attend nonpublic schools through direct vouchers, tax credit programs, or education savings accounts; and (5) contracting with a for-profit company. A decision by MSDE regarding an intervention strategy is final.

The Maryland ESSA Consolidated Plan requires schools identified as CSI schools to complete specific actions to improve school performance. CSI schools must:

- complete a needs assessment;
- have a root cause analysis completed by an external party;
- use the outcomes of the needs assessment and root cause analysis to inform the development of an intervention plan. The intervention plan must be written in partnership with the school community and identify evidence-based interventions that will be implemented to address the root cause(s) of school performance problems. The intervention plan must be approved by the school, school system, and MSDE;
- use curriculum vetted by MSDE;
- participate in customized professional learning experiences and leadership coaching as part of the Leading for School Improvement Institute;
- participate in on-site and virtual progress monitoring visits by the MSDE; and
- develop a sustainability plan and have it approved by the school, local school system, and MSDE.

A plan created by the school site council under the bill may serve as a school improvement plan required in ESSA for targeted or comprehensive support schools, however it must meet all the above elements in addition to the requirements of the school site council to be sufficient. Currently, Montgomery County does not have any schools identified as CSI schools.

The Blueprint for Maryland's Future

Chapter 771 of 2019 established the Blueprint as the policy goals for Maryland's education system based on the policy recommendations of the Commission on Innovation and Excellence in Education. Legislation was introduced in the 2020 session, passed by the General Assembly, and vetoed by the Governor (House Bill 1300) to implement the full set of policy and funding recommendations of the commission that will encompass the Blueprint.

Under the legislation, the Blueprint would, beginning in fiscal 2022, substantially alter State aid and State policy for public schools. It would establish in law the policies and accountability recommendations of the commission, including creation of a new Accountability and Implementation Board to oversee implementation of the policies and funding provided under the Blueprint. Funding for existing education formulas, including the foundation program and targeted programs, is altered and new funding formulas are established for specific purposes, such as the concentration of poverty grant program and publicly funded full-day prekindergarten program.

Local Expenditures: The Department of Legislative Services advises that costs associated with conducting a needs assessment and developing a plan for student achievement at every public school in Montgomery County may increase. In order to conduct the needs assessment, every school in the county must include an analysis of State data, which, depending on the depth of analysis required, may require additional expenditures, or the diversion of staff and resources from other priorities. While sufficient information from MCPS was not available at the time of writing, MCPS did advise that their schools already have instructional leadership teams that perform this work. These teams may be able to mitigate or completely absorb any additional costs under the bill. Additionally, school principals, teachers, and staff may be able to access verifiable data as needed by the council.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Montgomery County Public Schools; Department of Legislative Services

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