



## The Education Trust

Closing the gaps in opportunity and achievement, pre-k through college.

Ways and Means Committee of the Maryland House of Delegates  
Room 131, House Office Building  
Annapolis, Maryland 21401

March 4<sup>th</sup>, 2020

### **Testimony in Support of HB 1421**

Dear Chair Kaiser, Vice Chair Washington, and the members of the House Ways and Means Committee,

Thank you for the opportunity to submit testimony in support of HB1421 Education-Advanced Courses-Automatic Enrollment. We would like to thank Delegate Cain, Delegate Mosby, Delegate Wilkins, and Delegate Guyton for introducing this important piece of legislation. The Education Trust is a national nonprofit that, through our advocacy and research, works to shine light on and close opportunity gaps for students of color and those from low-income families. The Education Trust is also a member of the Maryland Alliance for Racial Equity in Education (MAREE), which is a coalition of education advocacy, civil rights, and community-based organizations that are committed to eliminating racial disparities in Maryland's education system.

Enrolling students in advanced courses, such as gifted and talented programs, eighth grade algebra, Advanced Placement (AP), International Baccalaureate (IB), and dual enrollment programs, has tremendous benefits for the student who are enrolled and the school as a whole. Students in advanced courses work harder, are more engaged, are less likely to be absent or suspended, and have higher graduation rates.<sup>1</sup> In January, we released a report entitled “Inequities in Advanced Coursework: What’s Driving Them and What Leaders Can Do”, and we found that in spite of these benefits, students of color in Maryland and around the country are under-enrolled in advanced courses. HB 1421, if enacted, would address the systemic biases and the barriers that have kept too many deserving Black and Latino students from taking these incredibly beneficial classes. North Carolina, Colorado, and Washington State have all adopted similar policies, and the preliminary data suggests that they have led to more equitable access to advanced coursework.

### **What the Data Says: Maryland is Not Providing Equitable Access to Advanced Courses to Students of Color.**

<sup>1</sup> K. Patrick, A Socol, I. Morgan, “Inequities in Advanced Coursework: What’s Driving Them and What Leaders Can Do,” (Washington, D.C.: The Education Trust, January 2020): 4-5

Nationally, in order for Black and Latino students to be fairly represented in advanced courses, you would need: an additional 75,893 Black students and 103,026 Latino students enrolled in gifted and talented programs in elementary schools, an additional 43,019 Black students and 59,452 Latino students in eighth grade Algebra I courses, and 157,513 more Black students and 68,102 more Latino students in AP courses.<sup>2</sup> In total, that means if schools across the country were fairly enrolling Black and Latino students in advanced coursework opportunities (gifted and talented programs, 8<sup>th</sup> grade algebra I, and Advanced Placement) we would expect to see half a million more Black and Latino students enrolled in these courses.

Unfortunately, in Maryland the data mirrors these national trends, and, in some cases, suggests that Maryland is one of the worst states in the country, particularly in providing Black students access to advanced courses:

- When it comes to access to AP classes, there are only 67 Latino students are enrolled in AP courses for every 100 needed to have fair representation, and there were only 61 black students enrolled for every 100 needed.<sup>3</sup>
- **In Maryland, Black and Latino students are nearly as likely as their peers to attend a school offers AP courses. However, both Black and Latino students are unfairly denied access to Advanced Placement courses offered *within* their schools.** Black students face an additional challenge to fair representation: the schools serving the most Black students have fewer students enrolled in Advanced Placement courses — these schools enroll just 16% of all students in AP courses, even though 25% of all high school students attend them.<sup>4</sup> That makes Maryland second worst in the country (among the states in our analysis) – ahead of only South Carolina when it comes to providing a sufficient number of seats in AP courses in schools serving high concentrations of Black high school students.<sup>5</sup>
- The problems begin long before students are old enough to take AP courses. We see the same trends in access to 8<sup>th</sup> Grade Algebra. There are only 88 Latino students enrolled in 8<sup>th</sup> grade algebra for every 100 needed to have fair representation, and there are 69 Black students enrolled in Algebra 1 for every 100 who would need to be enrolled in order to have fair representation.<sup>6</sup>

### **What Is Causing Maryland’s Gaps: Systemic Bias and Systemic Barriers**

Resource inequities plague Maryland’s school systems. Nearly half of Maryland’s Black and Latino students attend school in one of the 3 most underfunded districts in the state, for example. Similarly, schools with the highest percentage of students of color are twice as likely to have first year teachers. Those inequities must be addressed. **But contrary to common beliefs, these types of opportunity gaps, as reflected in students’ previous years’ achievement data, only**

<sup>2</sup> Ibid; 8-9

<sup>3</sup> The Education Trust “Advanced Coursework in Your State Tool,” <https://edtrust.org/resource/advanced-coursework-tool/>

<sup>4</sup> K. Patrick, A Socol, I. Morgan, “Inequities in Advanced Coursework: What’s Driving Them and What Leaders Can Do,” (Washington, D.C.: The Education Trust, January 2020): 18

<sup>5</sup> The Education Trust “Advanced Coursework in Your State Tool,” <https://edtrust.org/resource/advanced-coursework-tool/>

<sup>6</sup> Ibid

**explains half of the gap in enrollment in advanced courses** between students of color and their White peers when we look at district level data.<sup>7</sup> **The other half of the gap is explained by flawed systems of deciding how many advanced coursework seats to offer in each school and how to enroll students in those seats within schools.**<sup>8</sup>

While we do not have data from across the entire state, data gathered by Education Resource Strategies<sup>9</sup> from Montgomery County schools suggests that this trend holds true here: even when Black and Latino Students have demonstrated that they are academically prepared for these courses and these courses are available in their schools, they are less likely to be enrolled in these classes than their white peers. **Even when Black and Latino students from low-income families get the same score on the 6<sup>th</sup> grade math assessment, they were enrolled in 7<sup>th</sup> grade algebra at lower rates than their peers. Only 71% of Latino students from low-income families who get the highest score on the 6<sup>th</sup> grade year end assessment is assigned to algebra 1 for 7<sup>th</sup> grade compared to 92% of their higher income, non-Black or Latino peers.**

While we should address resource inequities, in Maryland we also have an immediate need to address the flawed and, in some cases, biased systems of determining edibility for these courses combined with unnecessary barriers to enrolling in these courses.

### **How This Bill Addresses These Gaps: Minimizing Bias and Reducing Unnecessary Barriers**

HB1421 addresses one of the biggest barriers for Black and Latino students: the overreliance on the recommendations of teachers and counselors, whose judgments may be shaped by implicit (or even explicit) racial bias, and who may have a singular idea about who or what is considered “gifted,” for example.<sup>10</sup> **Rather than relying on subjective and varying definitions of “readiness”, HB1421, if enacted, would create universal and objective standards for readiness by automatically enrolling students** who “exceeds grade level standards on the Maryland school assessment, is identified as gifted and talented, or has reached college and career ready benchmarks on the PSAT, SAT, or ACT”. While the bill does not exclude students from being admitted to courses due to recommendations, it creates a floor that ensures that qualified students of color are not denied access due to implicit or explicit biases.

**HB1421 removes the burden that students and families face due to “opt in” policies by automatically enrolling students.** Sometimes, schools make it difficult for families to find out about advanced coursework opportunities or establish burdensome criteria that students and families must satisfy before enrolling such as attending meeting at school or completing a form.<sup>11</sup> A lack of communication and meaningful engagement with families — for example, a failure to accommodate parents’ work schedules or to provide materials in a language other than English can lead to fewer advanced coursework opportunities for Black and Latino students.<sup>12</sup> HB1421

<sup>7</sup> K. Patrick, A Socol, I. Morgan, “Inequities in Advanced Coursework: What’s Driving Them and What Leaders Can Do,” (Washington, D.C.: The Education Trust, January 2020): 12

<sup>8</sup> Ibid

<sup>9</sup> Education Resource Strategies “ERS Summary Report to MCPS,” (October 2019): 100-115  
<https://www.montgomeryschoolsmd.org/uploadedFiles/learning-journey/Board%20Report%20-%20All%20sections%20v28%209%2030.pdf#page=100>

<sup>10</sup> K. Patrick, A Socol, I. Morgan, “Inequities in Advanced Coursework: What’s Driving Them and What Leaders Can Do,” (Washington, D.C.: The Education Trust, January 2020): 19

<sup>11</sup> Ibid

<sup>12</sup> Ibid

both removes all of these requirements for qualified students, and mandates that schools explain to families the courses that are offered to students as well as the benefits of taking these courses.

Lastly, HB1421 would give legislators, communities members, and students access to critical data on course offerings and student enrollment. This transparency and accountability is needed to ensure that all students are being given access to these critical opportunities.

### **Best Practices: North Carolina and Washington State**

Several other states including Washington State and North Carolina have adopted similar policies to HB1421, and these policies have already shown benefits. Washington State passed HB 1599, under which students who meet standard on state-level exams are automatically placed into the next more rigorous course in the matching content area(s) in their high school. While this policy was only recently enacted in 2019, evidence from 50 early adopting school districts in Washington is encouraging: the majority of these districts saw the number of students of color enrolled in these classes increase.<sup>13</sup> Similarly, North Carolina passed House Bill 986 in 2018 which required that all students who score a level five (*the highest level*) on their End Of Grade tests in math be automatically placed in an advanced math class the following year. In the first year of implementation, Best NC found that 10,000 additional students were given access to advanced math courses, and that in 8<sup>th</sup> grade alone, 2,100 students more students were “placed up” into Math I (typically taken in 9<sup>th</sup> grade) during the summer of 2018 after they had been originally placed in regular or even remedial 8<sup>th</sup> grade math.<sup>14</sup>

### **Maryland’s Opportunity to Lead**

HB1421 is a common-sense policy that would be supported by a wide swath of Marylanders and aligns with the priorities already set by this committee and the general assembly. Nearly 50% of [Maryland administrators, teachers, and staff surveyed in 2019](#) said that if they learned that there were disproportionately low numbers of students enrolled in AP/IB they would want to make it an important responsibility.<sup>15</sup> Nearly a third said it was a core responsibility. Moreover, automatically enrolling students who have demonstrated readiness in advanced courses was one of the key policy recommendations of the Maryland Alliance for Racial Equity in Education, and this recommendation was endorsed by more than 2 dozen organizations across the state.

Both the *Blueprint for Maryland’s Future’s* goal of students being college and career ready by the 10<sup>th</sup> grade and Maryland’s goal to have at least 55% of Maryland’s residents age 25 to 64 holding at least one-degree credential by 2025, have raised both the academic expectations of students as well as accelerated the timeline by which students will need to be prepared. HB 1421 is a crucial step towards reaching these goals and an important commitment towards addressing historical educational inequities in the state. For this reason, we urge the committee to give HB 1421 a favorable report.

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<sup>13</sup> J. Mayorga, “First-In-Nation Law To Reduce Barriers To Advanced Classes For All Students Adopted In Washington State,” (Stand For Children, May 2019) <https://www.globenewswire.com/news-release/2019/05/07/1818737/0/en/FIRST-IN-NATION-LAW-TO-REDUCE-BARRIERS-TO-ADVANCED-CLASSES-FOR-ALL-STUDENTS-ADOPTED-IN-WASHINGTON-STATE.html>

<sup>14</sup> Best NC, “Increasing Access to Advanced Math Coursework in North Carolina,” <http://best-nc.org/advancedmath/>

<sup>15</sup> <http://marylandpublicschools.org/stateboard/Documents/07232019/TabK-LeadHigherUpdate.pdf>