



House Appropriations Committee and House Ways and Means of the Maryland House of Delegates

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House Office Building

Annapolis, Maryland 21401

February 17th, 2020

Maryland Alliance for Racial Equity in Education Testimony on House Bill 1300/Senate Bill 1000: Favorable with Amendments

Chair McIntosh, Chair Kaiser, and members of the House Ways and Means and Appropriations Committee,

Thank you for the opportunity to comment on HB1300/Senate Bill 1000. We the Maryland Alliance for Racial Equity in Education (MAREE) are a coalition of 15 education advocacy, civil rights, and community-based organizations that are committed to eliminating the long-standing racial disparities in Maryland's education system. Our research has found that Maryland's disparities in academic outcomes stem from inequities in access to resources and opportunities. Maryland provides Black and Latino students with the least of the resources that matter most.

Over the last year MAREE worked in partnership with stakeholders from across the state to develop policy recommendations to ensure that Black and Latino students in Maryland have access to the resources that matter most. These recommendations are supported by more than two dozen organizations across the state, as well as Dr. William Kirwan himself. It is our belief that HB1300/SB1000 represents a significant step forward relative to the current status quo in Maryland, but improvements must be made to the bill to address historical inequities in the state.

In this document you will find our assessment of the aspects of the bill that we believe are positive as well as the areas that we believe need to be improved. We have also attached our proposed amendments for how the bill can be strengthened. Our goal is to continue to work in partnership with the General Assembly, and we thank you for your commitment to ensuring that all students have access to a world class education. Please reach out to Cathryn Paul at cpaul@wearecasa.org if you have any questions or if we can be of assistance.

Sincerely,

The Members of the Maryland Alliance for Racial Equity in Education



MARYLAND ALLIANCE FOR RACIAL EQUITY IN EDUCATION ASKS: Implementing the Kirwan Commission's Recommendations

1. EQUITABLE FUNDING: Ensure that the funding formula for Maryland schools addresses race- and class-based inequities by targeting the bulk of new money to the schools and educators serving our students with the greatest needs.



i. Maintain Maryland's progressive funding weights for low-income students, English learners, and students with disabilities. (While also adopting the proposed concentration of poverty investment.)

incomplete

ii. Close loopholes to ensure that state resources are focused on the highest-need districts (e.g., by adjusting remaining "floor" to account for the differing capacities of districts to pay, preserving requirements for local contribution to education, **and ensuring equity in college and career readiness funding**).



iii. Require that the funds generated to address the needs of low-income students, English learners, and students with disabilities are actually used to support those students within the district and include appropriate accountability mechanisms.



iv. Ensure that Maryland counts all students living in poverty, regardless of their immigration status or their family's decision to participate in public assistance programs, by using a blend of both direct outreach to families through income surveys and expansion of Maryland's use of "direct certification" data to include enrollment in Medicaid.

To ensure that this money is spent in ways that improve opportunities and outcomes, particularly for students of color, the Coalition also asks that the Legislature implement the following policies:

2. HIGH-QUALITY AND DIVERSE TEACHERS AND LEADERS: The Kirwan Commission's recommendations to turn teaching in Maryland into a high-status profession are a good start. In implementing these recommendations, MAREE urges the Legislature to:

(a) Require that districts address the inequitable access to strong teachers for students of color and students from low-income backgrounds.

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i. In exchange for new Kirwan funding, require districts to annually report data on assignment to novice, out-of-field, and ineffective teachers and disaggregated data on turnover AND take meaningful action to address those inequities (which must include providing incentives — financial or otherwise — to recruit or retain strong teachers in high-need schools and to teach high-need students within those schools).

incomplete

ii. In exchange for new Kirwan funding, require districts to prioritize teacher leader roles in the highest-need schools or teachers of high-need students.



iii. Require all future general education teachers to take at least one course and demonstrate competencies in teaching English learners.

(b) Support the quality preparation of teacher candidates to teach a diverse student population, including supporting the preparation and retention of more educators of color.



- i. Fund grants for HBCUs, HACUs, and MSIs, and alternative certification programs with a track record of preparing diverse and high-quality teachers and leaders, to support their efforts to prepare candidates for success in the classroom, including as measured by new licensure exams. To ensure these awards fund programs that provide high-quality preparation, the state could require the programs to demonstrate high first-time pass rates on licensure exams.



- a. Fund grants for the development of partnership programs between community colleges, four-year colleges and universities, and graduate programs with the goal of building a better pipeline into the teaching and school leadership professions for people of color.

incomplete

- ii. Require all teacher preparation programs and alternative certification programs to publicly report data on the diversity of students, graduates, and graduates who pass licensure exams the first time.



- iii. Create and fund a “grow-your-own” pathway into the teaching profession for candidates from untapped sources (e.g., local high schools, paraprofessionals, after-school staff, youth development workers, etc.) who are likely to reflect the student population and are already dedicated to serving students of color.

incomplete

- iv. Expand teaching scholarships and loan assistance for highly skilled and diverse candidates to teach in high-need schools — and require a commitment of four years, target the program to the highest-need schools in the state, and require MHEC to report on the geographic and racial diversity of recipients of scholarships and loan assistance.



- v. Invest in a state-funded annual salary supplement for bilingual educators who both fill a critical need for the state’s rapidly growing English learner population and enhance the racial and ethnic diversity of the workforce.

(c) **COLLEGE AND CAREER READINESS PATHWAYS:** Address disparities in access to rigorous coursework by addressing financial barriers and ensuring that high-achieving students are automatically enrolled in advanced courses, rather than relying solely on the recommendations of educators.



- i. Require that districts use universal screening to identify students for elementary gifted and talented programs.



- ii. Require that districts automatically enroll any high-performing student in the next most rigorous level of courses or programs available in that subject.

incomplete

- iii. Address financial barriers to participation in Advanced Placement and dual enrollment, by waiving the cost of AP exams for students from low-income families and prohibiting public post-secondary institutions from charging fees to low-income students who are dually enrolled.



- iv. Require data transparency to identify and address any racialized tracking due to the new pathways.

4. CAREER AND TECHNICAL EDUCATION: Put guardrails in place to ensure that all curricular and instructional programs and offerings provide essential competencies for students to be successful in college and career.



i. Require districts to provide adequate planning and provision of CTE programs that are aligned with the highest market demand and appropriate industry standards for all students.

incomplete

ii. Require districts to annually report data on rates of enrollment, success on technical assessments, proficiency rates on high school reading and math assessments, attainment of college credit, and percentage of students employed in job in CTE field within six months of graduating for students overall, by racial/ethnic and socioeconomic group, and by CTE program. Require districts with disparities to explain the root causes of those gaps and to take meaningful action to address them.



iii. Ensure that districts have the resources (operational and capital) to design and provide high-quality CTE programs aligned with the highest market demand and appropriate industry standards for all students.

incomplete

iv. Fund grants for students from low-income backgrounds to participate in paid externships.



v. Require that, by the end of eighth grade, schools support every student and their family in developing and following an individualized plan to assist the student in making decisions about curricular and instructional programs and offerings as part of their overall postsecondary plan.

5. EARLY CHILDHOOD EDUCATION: Increase access to high-quality early childhood education for children of color, children from low-income families, children with disabilities, and dual-language learners.

incomplete

i. Provide guidance on how districts should determine who gets access to full-day Pre-K slots and extended-day services, prioritizing (a) students from families with the lowest incomes, (b) students with special education needs, and (c) students who are English learners, and especially (d) students who qualify as having multiple needs.

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ii. Require that any participating early childhood program be subject to the same regulations as public prekindergarten programs, including the ban on suspensions and expulsions, in order to access public funds.

MEMBERS



SUPPORTING ORGANIZATIONS



MAREE Amendments to the Blueprint for Maryland's Future (HB 1300/SB 1000)

Overall, the Blueprint for Maryland's Future bill is a good first step for Maryland students and families. However, improvements must be made to the bill to address historical inequities in the state. The Maryland Alliance for Racial Equity in Education (MAREE) proposes released a set of recommendations that would ensure that Black and Latino students in Maryland have access to the resources that matter most. To support the bill, the coalition asks that the General Assembly to make the following changes.

College and Career Readiness

After reviewing the bill, MAREE is most concerned about the equity implications of the college and career readiness pathways. The General Assembly must address disparities in access to rigorous coursework by:

1. Identifying and addressing any racial tracking in new college and career readiness pathways.

On page 137, after line 32, insert the following:

“(5)(I) Each county board shall publicly report on participation information in each Post-CCR pathway by each school, and the county school system as a whole. Each county board shall report such participation information to the Department. The Department shall produce an annual report that is publicly available on such participation.

(II) The participation described in item (I) shall be disaggregated by major racial and ethnic groups, gender, English learner status, status as a child with a disability and [family income].

(III) The participation information described in item (I) shall include the following:

- 1. the number of students with CCR scores on assessments sufficient to meet the CCR standard;*
- 2. the number of students enrolled in a post-CCR pathway based on such scores;*
- 3. the number of students not enrolled in a post-CCR pathway;*
- 4. the number of students opting out of a post-CCR pathway;*
- 5. the number of students in post-CCR pathways described in items (1)(I) and (1)(II) compared to item (1)(III); and*

6. the number of students receiving a passing grade or score on an assessment or course related to a post-CCR pathway.

“(6) Each county board shall develop and implement a plan (which shall be subject to public input through a process defined by the Department) to address [significant] differences in participation in post-CCR pathways based on the disaggregated data described in item (5)(II).”.

2. Proactively avoiding racial tracking by using multiple measures and robust communication to determine if students are college and career ready.

On page 132, strike lines 24 through 29 and insert the following:

“(2)(I) Meeting the CCR standard shall initially require:

(1) a student to achieve to the equivalent of a score of 4 or 5 in the mathematics and English portions of the Partnership for Assessment for College and Career Readiness Grade 10 Assessments on the Maryland Comprehensive Assessment Program Grade 10 Assessments or any successor assessments; or

(2) a student to have a qualifying cumulative grade point average, as defined by the Department; or

(3) a student to have achieved grade level or college and career ready benchmarks (as defined by the developer of such benchmarks) on the PSAT, SAT or ACT.”.

On page 133, after “systems” on line 26, insert “Such recommendations must include multiple approaches to demonstrating achievement of the CCR standard, including an analysis of bias in assessments and bias in any recommendations made by such entity.”.

On page 133, after “subsection” on line 31, insert “, which such new CCR standard shall allow multiple approaches to demonstrating achievement of the CCR standard”.

On page 133, after “standard” on line 34, insert “with such determination including consideration of the analysis of bias in assessments”.

On page 134, after “accordingly” on line 2, insert “which shall include any adjustments necessary pursuant to the analysis and consideration of bias under this item with the goal of eliminating any such bias from such assessments.”

On page 132, after the period on line 19, insert “Such communication strategy shall utilize the most common languages spoken by such parents and students in the State.”

3. Requiring that districts automatically enroll any high-performing student in advanced coursework opportunities.

On page 135, strike lines 31 through line 2 on page 136 and insert the following:

"(G)(1) Beginning in the 2023-2024 school year, each County Board shall require that all students who meet the CCR standard required under subsection (C) of this section to be enrolled in at least one of the following post college and career readiness (post-CCR) pathways (with an opportunity to opt-out of such enrollment), at no cost to the student or the student's parents, including the cost of any fees:".

On page 142, after line 31 insert:

"All middle and high school students, regardless of whether they have met the CCR standard, shall be automatically enrolled in the next most rigorous course offered in the district in the same or related subject matter after such student demonstrates readiness, as defined by state standardized exam, GPA, PSAT/SAT, or ACT, including but not limited to honors courses, advanced placement, dual enrollment, or other classes included as one part of the CCR pathway.".

On page 142, after line 31, insert:

"§8-108

All middle and high school students, regardless of whether they have met the CCR standard, as defined under §7-205.1, shall be automatically enrolled in the next most rigorous course offered in the district in the same or related subject matter (at no cost to a student from a low income family or the parents of such student, including the cost of any materials or fees) after such student demonstrates readiness. Readiness may be demonstrated by results (in such same or related subject matter) on a state standardized exam, grade point average, score on the PSAT, SAT, or ACT, performance in honors courses, performance in advanced placement courses or on an advanced placement exam, performance in a dual enrollment course, or other classes included in a post-CCR pathway as described under §7-205.1.".

4. Supporting students who are not yet demonstrating college and career readiness standards.

On page 135, after line 17, insert:

"(VI) The extended curriculum [may/shall] include supports provided to students [that are tailored to the specific circumstances and needs of the student], such as individualized tutoring, academic counseling, enrollment in summer and afterschool courses. The parent of the student, or as applicable the student, designated to be provided such supports shall have the option to decline such supports.".

5. Addressing inequities in Gifted and Talented program participation.

On page 142, after line 31, insert:

“(3)(I) Each local school system shall automatically enroll any child who is identified through the [universal screening requirement as defined in Administrative Code Sec. 13a.04.07.02] in such systems gifted and talented programs. and (II) Each local school system shall publicly report data on participation in gifted and talented programs by each school and the system as a whole with such data disaggregated by major racial and ethnic groups, gender, English learner status, status as a child with a disability, and family income. The Department shall produce an annual report on a statewide basis that is publicly available on such disaggregated data.

(III) The data described in item (II) shall include the following:

- 1. the [number] of students identified through such universal screening requirement as gifted and talented;*
- 2. the number of students identified who are enrolled in gifted and talented programs;*
- 3. the number of students identified who are not enrolled in such programs;*
- 4. the number of students identified who opt out of such programs; and*
- 5. The number of students identified who, for at least one hour of the school day, are in classrooms designated for gifted and talented programs.*

(IV) Each local school system shall develop and implement a plan (which shall be subject to public input through a process defined by the Department) to address [significant] differences in participation in gifted and talented programs based on the disaggregated data described in item (II).”.

Equitable Funding

1. Change the floor of the state share of the foundation program from 15% to 5%.

On page 15, strike lines 3 through 5 and insert:

“(2) The result obtained by multiplying the target per pupil foundation amount by the county’s enrollment count, and multiplying this product by 0.05 in fiscal year 2008 and each fiscal year thereafter.”.

2. Provide more uniform college and career readiness (CCR) funding across districts so that every district gets at least as much funding to support the statewide average number of CCR students.

On page 24, strike lines 9 through 11 and insert:

“(4) “CCR program amount” means, for each county, the greater of:

(I) the product of the CCR per pupil amount and the total number of CCR students in the prior school year; or

(II) the product of;

1. the CCR per pupil amount; and

2. the number equal to the product of the full-time equivalent enrollment in the prior school year and the percentage equal to the number of CCR students in the state divided by the state full-time equivalent enrollment in the prior school year.”.

3. Add additional guardrails for school or districts that may have funds withheld under section 5-405.

On page 67, line 14, after “student performance”, insert:

“Which must include steps to improve student performance with a specific focus on closing any within-district gaps identified under section 5-408(A)(2).”.

On page 68, after line 32, insert:

“(L) Beginning in fiscal year 2025, any funds withheld from a public school or local school system shall be reserved by the Department. In the same fiscal year, such reserved funds shall

(1) be released to the public school or local school system from which they were withheld no later than thirty (30) days after the board receives a recommendation to release funds as described in subsection (D) (if such recommendation is provided to the Board);

(2) be used by the Department or a designee of the Department to provide technical assistance to assist the public school or local school system from which funds were withheld to make sufficient progress on an implementation plan or improve student performance; or

(3) be released to the public school or local school system from which they were withheld.”

High Quality and Diverse Teachers

1. Monitor student assignment to teachers and teacher turnover, and take meaningful action to address inequities.

In the matter amending §5-408(A), redesignate items (3) through (8) as items (4) through (9)

On page 71, after line 4, insert:

“(3) Monitor and review data (which shall be disaggregated by major racial and ethnic groups, gender, English learner status, status as a child with a disability and family income) on –

(I) student assignment to:

- 1. novice, out-of-field, ineffective teachers; and*
- 2. each level of teacher under the career ladders established in §6-1002(E); and*

(II) teacher turnover at the school level disaggregated by major racial and ethnic groups, experience, and evaluation rating.”.

On page 99, after line 21, insert:

“(J) A county board must annually:

(1) publish data (disaggregated by major racial and ethnic groups) on student assignment to novice, out-of-field, ineffective teachers and each level of teacher under the career ladders established in §6-1002(E); and

(2) publish an annual report that includes a description of its plan to address any inequities identified in such data between major racial and ethnic groups, which must include a review of whether financial incentives to work in high poverty and low-performing schools are sufficient and an assessment of any needed investments to improve the working conditions in those schools.”.

2. Monitor racial and ethnic diversity among educators.

On page 71, after “bodies” on line 12, insert “, including diversity by major racial and ethnic groups”.

3. Prioritize new teacher leader roles in highest need schools and promote educator diversity within the new roles.

On page 97, after line 10, insert “(5) Incentivize teachers described in level three and level 4 in item (E)(4) to choose to work in low-performing schools, schools serving high concentrations of students living in poverty, and schools serving high concentrations of English learners.”

On page 99, after line 21, insert “(J) The county board shall annually identify the number of level three and level four teacher positions (as described under item (E)(4)) necessary in each school based on the needs of the student body. With such identification, the county board shall ensure that schools with (1) the highest concentration of students living in poverty and English learners, and (2) the lowest performing schools have a significantly greater number of level 3 and 4 teachers per student to reflect the needs described in the preceding sentence.”

On page 111, line 19, replace “\$5,000” with “10,000”.

On page 112, after “\$15,000“, insert “and shall be at least twice as large for becoming a master principal at a low-performing school identified by the county board.”.

On page 82, after “ladder” on line 8, insert “, disaggregated by major racial and ethnic groups.”

On page 82, after “ladder” on line 10, insert “disaggregated by major race and ethnic groups.”

On page 94, line 14, after “assessment” insert “, as well as recommendations for action to address any identified negative impact,”

4. Require master principals to have a proven ability to attract, retain, and support diverse teachers.

On page 106, line 21, after “lead,” insert “diverse,”.

On page 106, line 28, after “cultivate” insert “diverse”.

5. Require teacher preparation programs to publicly report critical data.

On page 81, strikes lines 20 through 22 and insert:

“(2) A description of the measure taken to increase the proportion of highly qualified individuals who apply to teacher education institutions from major racial and ethnic groups that are underrepresented in the teaching profession;”

On page 81, strike lines 17 through 19 and insert the following:

“(VI) The proportion of graduates of each teacher education program and an alternative certification program who pass required tests for licensure on the first attempt and after subsequent attempts, disaggregated by major racial and ethnic groups.”.

6. Require that teacher preparation programs regularly communicate and collaborate with school systems to build an effective pipeline into the teaching and school leadership profession for people of color.

On page 88, strike lines 4 through 8 and insert:

“(C) A teacher preparation program shall develop a method for regularly communicating and collaborating with local school systems, including if necessary, through financial memorandum of understanding, to -

(1) strengthen teacher preparation, induction and professional development programs; and

(2) build an effective pipeline into the teaching and school leadership professions for highly qualified individuals, including individuals from major racial and ethnic groups that are underrepresented in such professions.”.

7. Require teacher preparation programs to include a focus on instruction for English learners.

In the matter amending §6-121(A)(1) redesignate items (VII) and (VIII) as items (VIII) and (IX).

On page 87, after line 17, insert:

“(VII) methods, skills and techniques for providing effective instruction to English learners.”.

8. Create and fund a “grow-your-own” pathway into the teaching profession for candidates from untapped sources who are likely to reflect the student population and are already dedicated to serving students of color.

On page 92, after line 5, insert:

§6-124A

(A) In this section “program” means a grow your own pathway program which is designed to maximize the number of individuals entering the teaching profession who are likely to reflect the student population of the area in which they teach and are effective, or are likely to be effective, at providing instruction to students from diverse racial and ethnic backgrounds.

(B) The Department shall create and implement a program to maximize the number of individuals who:

(1) become teachers at public schools in the state which are located in communities in which such individuals reside; and

(2) reflect characteristics of the student population of the schools of such communities;

(3) may be:

1. from local public high schools;

2. paraprofessionals;

3. after-school staff from programs serving local public schools; and

4. youth development workers; and

(4) have demonstrated the ability to effectively provide instruction, or the likelihood of being effective in providing instruction, to students from diverse racial and ethnic backgrounds.”.

9. Require that all general education teachers demonstrate mastery of teaching English learners. Require that teachers of English learners pass a mastery exam.

On page 93 –

(1) strike “and” on line 16;

(2) strike the period on line 18 and insert “; and”; and

(3) after line 18, insert the following:

“(IV) Pass a rigorous examination of the mastery of teaching English learners for the grade level in which such individual will be teaching.”.

On page 98 –

(1) strike “or” on line 8;

(2) strike “and” on line 9 and insert “or”; and

(3) insert after line 9 the following:

(IV) A teacher with mastery of a foreign language that fills a critical need for supporting English learners; and”.

10. Fund grants for HBCUs, HACUs, and MSIs, and alternative certification programs with a track record of preparing diverse and high-quality teachers and leaders.

On page 157, after “background” on line 21, insert “and to identify best practices for recruiting and preparing such teachers. Such program shall include grants for institutions of higher education, including Historically Black Colleges and Universities, Hispanic Serving Institutions and other Minority-Serving Institutions (as such terms are defined in the Higher Education Act of 1965) with a track record of preparing diverse and high- quality teachers and school leaders to support the efforts of such institutions to recruit and prepare high-quality teacher and leader candidates from underrepresented racial and ethnic groups. Any institution receiving such a grant shall publicly report, to the Maryland Higher Education Commission, on best practices for recruiting and preparing such candidates.”.

11. Expand and target loan forgiveness program to incentivize educators to work in high need schools.

On page 158, on line 12, strike “2” and insert “4”.

On page 158, strike 14-18 and insert the following:

“(ii) in a school in which at least 75% of the students are counted in the district’s compensatory education enrollment counts under section 5-222(A)(2).”.

On page 158, after line 22 insert “The office shall publish data about the recipients of the scholarships disaggregated by major racial and ethnic group and geographic location of the employing school.”.

Early Childhood Education

1. Expand priority access to full-day Pre-K slots to students who are dual language learners and students who qualify as having multiple needs.

On page 128 –

(1) On line 11, strike “Notwithstanding” and insert “Except as provided in (E), Notwithstanding”;

(2) strike “and” on line 14;

(3) strike the period at the end of line 15 and insert “; and”;

(4) insert after line 15 the following:

“(3) dual language learners.

(5) insert (after executing the amendment made by (4)) the following before line 16:

“(E) 3- and 4-year olds who meet more than one category described in (D) shall receive such priority before 3- and 4-year olds described in one such category.”.

2. Require that any participating early childhood program be subject to the same regulations as public prekindergarten programs, including the ban on suspensions and expulsions, in order to access public funds.

On page 127, after line 6, insert:

“(5) The state superintendent shall require any early childhood program which is not operated by a county school system and receives any funds from the state to meet any requirements that apply to any early childhood program which is operated by such system. Such requirements shall apply the prohibitions in state statute §7-305.1 regarding suspension and expulsion to children in such programs not operated by a county school system.”

3. Disaggregated data by race/ethnicity and English learners.

On page 129, line 11, strike “age and tier” and insert “age, tier, each major racial and ethnic group, and dual language learners”.

Career and Technical Education

1. Broaden the power of CTE review boards to identify schools and CTE programs with racial disparities in outcomes or offerings.

On page 165, strike lines 21 through 25 and insert the following:

(15) Identify local school systems, schools and CTE programs to be investigated by CTE Expert Review Team in which:

1. insufficient numbers of students or groups of demographically distinct students are not making adequate progress towards the completion of the CTE pathway (using State accountability data); and

2. racial disparities in success exist:

(A) on technical assessments or proficiency rates on high school reading and math assessments;

(B) on attainment of college credit; and

(C) in the percentage of students employed in a CTE field within six months of graduating any such school.”.

2. Require the CTE board to report disparities as part of its annual report.

On page 166, after “state” on line 21, insert the following:

“including (which shall be reported for each local school system, school and CTE program, disaggregated by major racial and ethnic groups and family income):

1. Data on rates of enrollment;

2. Success on technical assessments;

3. proficiency rates on high school reading and math assessments;

4. attainment of college credit; and

5. the percentage of students employed in a CTE field within six months of graduating from any such school.”.

3. Provide paid externships for low-income students.

On page 165, strike “and” on line 30

On page 165, strike the period on line 32 and insert “; and

On page 165, after line 32, insert the following:

“(19) provide paid externship opportunities for low-income students with such externships covering wages, transportation and any other associated materials or fees.”.