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**TO:** Members of the State Board of Education

**FROM:** Nancy S. Grasmick *Nancy*

**DATE:** December 10-11, 2009

**RE:** *Maryland State Department of Education Federal Priorities for Pre-K-12 Education for the 2<sup>nd</sup> Session of the 111<sup>th</sup> Congress*

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### **PURPOSE**

The purpose of this agenda item is to request the State Board's approval of the *Maryland State Department of Education (MSDE) Federal Priorities for Pre-K-12 Education* for the 2<sup>nd</sup> Session of the 111<sup>th</sup> Congress and to authorize the State Superintendent to submit MSDE's Federal Priorities to the Governor's Washington Office.

### **BACKGROUND**

Each year, MSDE is asked to submit to the Governor's Washington Office its *Priorities for Pre-K-12 Education* for consideration during the upcoming session of the United States Congress. The Governor's Office reviews each State agency's *Federal Priorities*, makes a determination as to those that are of the highest priority for the State as a whole, and combines them into one *Maryland Federal Priorities* document. The Governor formally presents the document to the Maryland Congressional Delegation, usually in late February. MSDE's *Priorities for Pre-K-12 Education* is due to the Governor's Washington Office in late January, just before the January State Board meeting.

### **EXECUTIVE SUMMARY**

The attached document was prepared with input from the members of the MSDE Executive Team and their respective staff, as well as consideration to federal issues that have been raised by members of the State Board. At the direction of the Governor's Washington Office, the Priorities are grouped in 3 categories: Reauthorization Requests; Bill or Report Language Requests; and Programmatic (Budget) Requests.

While we are uncertain as to when reauthorization of the Elementary and Secondary Education Act will occur, recommendations have been developed and are included in the attached document for your consideration and approval.

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**ACTION**

State Board approval of the Maryland State Department of Education Federal Priorities for Pre-K-12 Education for the 2nd Session of the 111th Congress and authorization to submit the Priorities to the Governor's Washington Office is requested.

Attachment

**FEDERAL PRIORITIES**  
**FOR**  
**PRE-K-12 EDUCATION**

**111<sup>TH</sup> CONGRESS – 2<sup>ND</sup> SESSION**

**JAMES H. DEGRAFFENREIDT, JR.**  
President  
Maryland State Board of Education

**DR. NANCY S. GRASMICK**  
State Superintendent of Schools  
Maryland State Department of Education

**DECEMBER 2009**

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## **REAUTHORIZATION REQUESTS**

## REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

**Legislative Vehicle:** Elementary and Secondary Education Act

**Specific Requested Action:** Reauthorize the Elementary and Secondary Education Act

### **Description of Reauthorization Request:**

The State of Maryland has fully supported the broad goals of the *No Child Left Behind Act* (NCLB). In fact, Maryland has embraced the role of standards-based reform in education for almost two decades, before the enactment of NCLB, by setting high expectations for all students and developing an assessment and accountability system, the quality of which has been recognized nationally for the past six years. Further, over the past several years, Maryland has invested unprecedented levels of state funding in public education as a result of the *Bridge to Excellence in Maryland Public Schools Act of 2002*. The Maryland State Department of Education considers the following to be priorities for the Reauthorization of the Elementary and Secondary Education Act:

### **STRENGTHEN RESOURCES:**

ESEA reauthorization must continue to support the work of state education agencies and local school systems including increased and continued funding for standards, assessments, teacher quality, data systems, accountability systems, and working in partnership with states to develop research-based instructional programs and best practices. High standards cannot be met, and strict accountability measures have no meaning, until the appropriate resources are provided and the capacity of each school and classroom to meet the individual needs of children is increased. Provision of such funding would allow schools to closely monitor and support each child's progress in a way never before possible. This degree of individual attention would provide more equitable opportunities for all children. It would, in essence, level the playing field. This federally mandated educational initiative must be adequately funded and sustained in order to achieve the goal of this law. While the American Recovery and Reinvestment Act provided significant increases in education funding, these are temporary increases. States will need sustained funding to continue to make progress with their reform agendas.

### **RECONSIDER IDENTIFICATION OF PERSISTENTLY DANGEROUS SCHOOLS:**

The Maryland State Department of Education adopted state regulations intended to implement an unsafe school choice policy with rigor. Maryland's policy stipulates that a school will be designated "persistently dangerous" if for three consecutive school years the total number of student suspensions for more than ten days or expulsions for the certain offenses (arson or fire; drugs; explosives, firearms; other guns; other weapons; physical attack on a student; physical attack on a student; physical attack on a school system employee or other adult; and sexual assault) equals 2.5 percent of the students enrolled in that school.

In the years since *NCLB* was enacted, the Maryland State Board of Education has been facing the annual task of identifying persistently dangerous schools with increasing apprehension and serious reservation. Schools are an extension of the communities in which they are located. The persistently dangerous label is demoralizing to communities, school staff, students and parents. We hear anecdotal stories that principals are reluctant to suspend students in order to avoid the

persistently dangerous label and, as a result, the very students who exhibit unsafe behaviors and actions remain in the school. Additionally, while the intent of the law is good, that is, to allow children attending unsafe schools to transfer to safer schools, very few families actually take advantage of the transfer option. Most want their children to attend schools in or near the communities in which they live and/or have a deep respect for the history and the traditions that school has provided over the years. These neighborhood schools were often attended by the parents and other family members of the current students.

Further, Maryland is concerned about the lack of consistency in the designation from state to state. While NCLB requires states to label schools as persistently dangerous, it allows states sole discretion to establish the parameters for this identification. Many states have established parameters such that no schools have actually been identified as persistently dangerous, while Maryland has 4 such schools. The lack of national standards in this area and the varying degree of rigor in implementing this provision of *No Child Left Behind* leads to certain schools receiving this pejorative label while others that might actually be less safe proceed with business as usual. For example, all of the Maryland schools labeled persistently dangerous are located in Baltimore City which suggests that some jurisdictions are more impacted than others by the policy. Should the persistently dangerous designation stay in place in the reauthorized law, a national standard for identifying schools as persistently dangerous is necessary to advance the intent of the law for the benefit of all schools and the communities they serve.

#### **PROPERLY INCLUDE EARLY CHILDHOOD EDUCATION AS A SEPARATE TITLE:**

The benefits of high quality early childhood education are well documented. A total of 38 states have expanded prekindergarten services over the past 10 years. Early childhood education is considered part of the education continuum and the inclusion of early childhood as a separate title will support the administration's goal of integrating high quality early education as a key strategy to closing the achievement gap.

The title could be structured to serve two major purposes:

- Include provisions for states to require LEAs to initiate a strategic planning process to improve school readiness for traditionally disadvantaged students by addressing the areas of teacher quality, curriculum implementation, and comprehensive services, such as health and family involvement in programs serving preschool age children.
- Establish a fund program (from existing or new resources) to support LEAs to establish formal partnerships with early childhood programs, including standards defining teacher quality, curriculum, and assessment for the provision of high quality early childhood services. Require LEAs to strategically align high quality early education services in school attendance areas of high poverty and/or school improvement needs.

#### **PROPERLY INCLUDE STUDENTS WITH DISABILITIES:**

While schools recognize and support the need for high standards and accountability for **all** students, there are some fundamental issues that need to be addressed in the reauthorization of the Elementary and Secondary Education Act (ESEA) as it relates to students with disabilities. First, there is a major federal law that dictates all aspects of a student with disabilities educational program - from qualifications for identification to the implementation of a student's Individualized Education Program (IEP). The Individuals with Disabilities Education Act (IDEA 2004) requires that for a student to be identified and be eligible for services, the student

must have a disabling condition that has educational impact and requires the need for special education instruction. Thus, one can expect that most students with IEP's are demonstrating below grade level academic performance in the core content areas being tested. This is not congruent with the expectations of ESEA, which expects ALL students, including those with disabilities to achieve on grade level each year.

The expectations of IDEA and ESEA must be aligned and congruent. Decisions about educational programs for students with disabilities should be based on their Individualized Education Programs that are designed to ensure their achievement. Instruction and assessment must be consistent with the IEP goals of the student with disabilities. Additionally, it is paramount that the student's achievement of the IEP goals is a component in measuring student success along with other accountability measures.

#### **PROPERLY INCLUDE ENGLISH LANGUAGE LEARNERS:**

English Language Learners (ELL) present special challenges to school systems within the context of *NCLB*. Depending on the level of English language proficiency attained, a student's performance on English-only assessments may not portray an accurate profile of a student's actual gains or progress during the course of a school year. Furthermore, a large number of ELL students have had their educations interrupted due to war, poverty, political strife, mobility, or other factors prevalent in their countries. These aforementioned factors are often the reasons the students have immigrated to the United States to begin with. It is not unusual to encounter a student whose chronological age would place him in high school, yet his total years of formal schooling are limited, or not much beyond the third or fourth grade levels.

The above factors need to be taken into account in the reauthorization of *ESEA* and factored into any redesign of the accountability system for English Language Learners. First and foremost, ELL students must be able to meet a benchmark standard on an English, "academic" proficiency (not merely oral proficiency) assessment before participating in the State Assessment Program. English proficiency attainment can and should be a part of the total accountability process, and progress on English language attainment can and should measure how well a school is performing with this population of students.

Secondly, flexibility in designing accountability systems to measure progress of ELL students must be given to State agencies. If appropriate "qualifying" assessments are given to students, exemption from State assessment systems will satisfy the intent of the law.

Third, multiple measures of growth and achievement are essential for ELL students. Given the double handicap of low English proficiency and interrupted education, other measures such as a growth model, work sampling, or basic skills assessments in the native language could all serve to create a true picture of a student's actual progress.

Finally, with a growing immigrant population, research at the federal level related to English Language Learners is desperately needed. The use of native language instruction, native language assessment, and the appropriate time to include ELL students in state assessments are all hot-button issues and the available current research is quite disparate in conclusion.



## **SUPPORT DEVELOPMENT OF VOLUNTARY NATIONAL STANDARDS AND ASSESSMENTS:**

The development of fifty sets of standards and assessments across the United States has led real innovation, state-level ownership of reform, and more clarity as to what should be taught and assessed. At the same time, fifty sets of standards have led to immense costs to states, charges of watered down standards, lack of instructional continuity for students moving from state to state, the inability to make valid comparisons across states to help develop policy, and the realization that standards should not be that different among states—algebra is algebra no matter where you live.

The need for national standards and assessments continues to grow clearer and clearer as we continue to move forward with school reform and as we face an increasingly competitive global economy. Maryland has signed onto the Common Core Standards Initiative sponsored by the Council of Chief State School Officers and the National Governor’s Association. We fully support this state-led collaborative approach to developing standards, but also understand that the development of Common Standards is just the beginning of a rather arduous task. Further, Secretary Duncan has reserved \$350 million in ARRA funds for the development of assessments based upon the Common Core Standards. However, tremendous efforts will need to be made to provide teachers with substantial professional development opportunities in order for the standards to be taught with fidelity. Additionally, curricular and instructional materials will need to be developed that are aligned with the Common Core Standards and assessments. Federal financial and coordinating support would be extremely helpful in moving the Common Core Standards and assessment agenda forward and ensuring successful implementation across the country.

## **INCLUDE RESPONSE TO INTERVENTION (RTI) IN ESEA:**

When Congress reauthorized IDEA in 2004, they changed the law about identifying children with specific learning disabilities. Schools will “not be required to take into consideration whether a child has a severe discrepancy between achievement and intellectual ability ...” (Section 1414(b)) Maryland was a state that relied solely on the use of the discrepancy model. *This change removed* the requirements of the “significant discrepancy” formula for learning disabilities classification based on I.Q. tests and requires that states must permit school systems to instead adopt alternative models including the “Response to Intervention (RtI)” model. Response to Intervention (RtI) is a pre-identification scientifically-based strategy. It is available as an instructional intervention strategy only to students who are not yet identified as eligible for special education. This is usually a "three-tier" system (beginning in general education and ending in referral to special education) that serves to identify students at risk for learning problems, provide early intervention, and reduce placement of students into special education due to instruction failures.

Specific learning disabilities (LD) are defined as:

...a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which disorder may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations.

In attempting to avoid misdiagnosis or inappropriate diagnosis, the Act restates the exclusionary clause and references No Child Left Behind (NCLB) by restating that “lack of appropriate instruction in reading” cannot result in LD diagnosis. Nor can a student meet LD eligibility

requirements if the determinant factor is diversity in a student's racial, cultural, and language background.

Since this is solely a regular education initiative implemented by regular education teachers, it is more appropriately included in ESEA, not IDEA. As currently written, RTI does not fall directly under the responsibility of a particular program at USDE and there is lack of implementation throughout the states due to this confusion and a lack of designated funding.

#### **PROVIDE FLEXIBILITY IN SCHOOL CHOICE AND SUPPLEMENTAL EDUCATIONAL SERVICES:**

Currently, students are eligible for school choice when their school has not made AYP for two years or more and for supplemental educational services (SES) after three years or more. As in most states, Maryland has found that students and their parents are taking advantage of SES at a much higher rate than choice. In fact, Maryland has the highest rate of SES participation in the country. The reauthorized ESEA should provide states with the flexibility to determine the order in which choice and SES are offered or whether both options should be available to students after a school has not made AYP for two years. Providing states this flexibility may better serve students' needs and parents' wishes.

#### **TEACHER PROFESSIONAL DEVELOPMENT:**

NCLB needs to reflect the same high quality professional development message in Title I and throughout the statute. The reauthorization bill should:

- a. Define high quality professional development *attributes* (see Maryland Teacher Professional Development Standards), rather than *activities* (workshops, or study groups for example). Emphasize focus on subject matter knowledge and instructional and assessment strategies.
- b. Designate directed spending of Title I and IIA, B and D funds for professional development that meets the revised definition of high quality professional development.
- c. Separate language for principal professional development from teacher professional development as both content and delivery systems are different.
- d. Designate a specified portion of Title IIA funding to support comprehensive teacher induction programs at state and district levels (Model after The New Teacher Center at the University of California Santa Cruz).
- e. Require a percentage of funds in (b) above (15%) to be spent on evaluating the impact of professional development on measurable teacher outcomes.
- f. Do not include language requiring local school districts to jointly develop and submit applications with local teacher organizations. This could become problematic in interpreting that professional development must be negotiated. Instead, emphasize teacher involvement in planning, implementing and evaluating stages of major professional development activities.
- g. Require stronger teacher preparation programs in institutions of higher education.

#### **CONTINUE TO INCLUDE AN EDUCATION TECHNOLOGY PROGRAM IN ESEA:**

Reauthorization of ESEA must include the continuation of the Title II-D Education Technology (Ed Tech) Program. Budget cuts to this program over the past several years seem to indicate an

assumption that this program is no longer needed and is being phased out. Although a significant amount of funding was provided for the Ed Tech Program in the American Recovery and Reinvestment Act, the President's proposed 2010 budget cuts the program for the fifth consecutive year, to \$100 million nationwide from a high of over \$700 million in 2002.

Most State and local technology funding is spent on infrastructure and data systems, leaving little funding available for curriculum integration, which is vital in preparing American students for success in the 21<sup>st</sup> century. Local school systems rely on the federal Educational Technology funding to supplement State and local funding. These funds have been instrumental in helping school systems integrate technology resources and systems with professional and curriculum development to promote research-based instructional methods, in supporting student academic achievement and in assisting all students in becoming technologically literate. The Title II-D Program has allowed school systems to: fund technology resource teacher positions to assist other teachers in integrating technology into their classrooms; establish a purchasing consortium so that all 24 Maryland school systems have equitable access to online databases; provide online courses for students and teachers; develop student and administrator technology standards and tools to measure attainment of these standards, Maryland's Teacher Technology Standards, and other initiatives.

Without the continuation of the Education Technology Program, many teacher resource positions will not be funded, limiting teacher access to a technology coach/mentor who can provide high quality professional development; technology equipment purchases will dwindle, further widening the digital divide; and provision of content-specific resources and related professional development will be severely limited. There will be no funds for partnerships that allow local school systems, working in collaboration with the Maryland State Department of Education, to create systemic, innovative changes in teaching and learning through strategic technology initiatives such as: creating online courses aligned to the Maryland Teacher Technology Standards for educators; developing model STEM instructional programs; or providing open education resources and digital content aligned to Maryland and, in the future, to Common Core Standards. In addition, although previous State funding has helped to address infrastructure issues, school systems are struggling to maintain, improve and continue to acquire equipment and to create more robust networks to meet the growing technology needs of students, teachers and administrators. These challenges also impact the State's move to a 1:1 student to computer ratio for secondary schools, online testing, the growing demand for online courses for students and online professional development for educators. Continuation of the Education Technology Program is an imperative if American students are to be competitive in our increasingly competitive global economy.

**Responsible State Agency:** Maryland State Department of Education

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**REAUTHORIZATION OF THE WORKFORCE INVESTMENT ACT OF 1998  
TITLE IV, REHABILITATION ACT OF 1973, AS AMENDED**

**Legislative Vehicle:** Workforce Investment Act (WIA)

**Specific Requested Action:**

1. Reauthorize the Rehabilitation Act, Title IV of WIA to assure that persons with significant disabilities have access to high-quality disability workforce services.
2. In Section 8 of Title IV, Allotment Percentage, institute a “hold harmless” provision in the funding formula so that all states receive no less than a cost-of-living increase based on the prior year consumer price index.
3. In Title I, address required cost sharing among WIA partners to prevent the diversion of vocational rehabilitation funds to support infrastructure costs and core services in the Department of Labor One-Stops.

**Maryland Impact:**

The Maryland State Department of Education, Division of Rehabilitation Services (DORS) administers the public vocational rehabilitation (VR) services program. Last year, over 2,300 individuals with significant disabilities achieved employment as a direct result of DORS services, demonstrating very significant gains in earnings and a substantial reduction in the receipt of public benefits. Eighty percent (80%) of DORS completers report wages as their primary source of support during their first year of work.

**The Maryland State Department of Education’s vocational rehabilitation services program has been one of the most negatively impacted state VR agencies in the nation by the current allocation formula.** The current federal distribution formula uses state per capita income and growth in state population to allocate funding. A September 2009 report (Vocational Rehabilitation Funding Formula, GAO-09-798) by the US Government Accountability Office (GAO) documented that Maryland receives the lowest funding per working-aged person with a disability in comparison to other states in the Mid-Atlantic region. The GAO determined that Maryland’s federal funding is 22% below Virginia and 147% below the District of Columbia. **MSDE estimates that up to 5,300 persons with significant disabilities will be left unserved in FY 2010 by Maryland’s public VR program due to this shortfall in federal funding.** These individuals will remain unemployed and dependent on public income maintenance programs.

The Maryland VR program has demonstrated a very positive return on investment by facilitating economic self-sufficiency of persons with disabilities through employment and careers, earning wages and paying taxes, and reducing dependence on public benefits. It is estimated that individuals who receive VR services and go to work will pay back fully the cost of their rehabilitation services through taxes in 2-4 years.

**Responsible State Agency:** Maryland State Department of Education

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## REAUTHORIZATION OF THE CHILD NUTRITION PROGRAMS

**Legislative Vehicle:** Child Nutrition Reauthorization Act of 2009

**Specific Requested Action:** Expand Eligibility for Free Meals to 185 Percent above the National Poverty Level.

**Description of Project:** Under the National School Lunch and School Breakfast Programs, children from families whose income falls between 130-185 percent above the poverty level are eligible for reduced-price meals. Typically these children pay 30 cents to eat school breakfast and 40 cents to eat school lunch. The project would eliminate the reduced-price category and allow students in the reduced-price income category to eat school meals at no charge. Federal reimbursement to schools would be increased to make up for the lost revenue from student contributions.

**Maryland Impact:** Currently, underutilization of the school breakfast and lunch programs is exacerbated by several access barriers. The reduced-price co-payment made by many families is a deterrent to student participation. For many hardworking low-income Maryland families, the 40 cents cost of a reduced-price lunch, and 30 cents for breakfast is more than they can afford. Research shows that school districts that voluntarily eliminated the reduced-price category saw a 44 percent average increase in breakfast participation and a 31 percent average increase in lunch participation. By expanding eligibility for free meals to 185 percent above the poverty line, Maryland school districts have the potential to provide greater access to nutritious meals and receive an additional \$5.3 million dollars annually in federal reimbursement. This represents an increase of nearly 7,000 children receiving breakfast per day, or an additional 1.2 million breakfasts per year, and an increase of over 13,000 children receiving lunch per day, or an annual total lunch increase of 2.4 million meals.

In addition, if reduced-price children were reclassified in the free category, the Maryland State Department of Education would be able to expand the Maryland Meals for Achievement (MMFA) classroom breakfast program. Currently, MMFA schools receive 30 cents for each breakfast served to a reduced-price-eligible child. If the reduced-price category were eliminated, that 30 cents would be provided by federal reimbursement, freeing up over \$350,000 in State funds annually, which could potentially be used to offer the program to over 6,500 students in 25 additional schools.

**Responsible State Agency:** Maryland State Department of Education

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## **BILL OR REPORT LANGUAGE REQUESTS**

## POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS (PBIS)

### **Legislative Vehicle:**

Reintroduce HR. 3407 and S. 2111 of the 2<sup>nd</sup> Session of the 110<sup>th</sup> Congress, with amendments

### **Specific Requested Action:**

Pass legislation amending the Elementary and Secondary Education Act encouraging states to implement Positive Behavioral Interventions and Supports (PBIS) and authorize funding for competitive grants to State Education Agencies in order to implement PBIS in school systems and schools. Similar legislation was considered during the 2<sup>nd</sup> Session of the 110<sup>th</sup> Congress in the forms of HR. 3407 and S. 2111 without accompanying funding authorizations.

### **Description of Project:**

Maryland has been implementing PBIS since 1999 through a partnership between the Maryland State Department of Education and Sheppard Pratt Health System. Johns Hopkins University has been conducting studies on the effectiveness of PBIS in improving school climate and student behavior. PBIS is an evidenced-based initiative that involves school teams analyzing discipline data on an ongoing basis, implementing school-wide behavioral expectations, teaching students what appropriate behavior looks like in various contexts, and rewarding students for demonstrating positive behavior. Behavioral coaches provide ongoing assistance to schools in their implementation of PBIS.

PBIS consists of a three-tier paradigm based on primary, secondary, and tertiary prevention and intervention. While Maryland has been able to train over 500 schools in the primary level of PBIS, **a need exists for funding in order to implement the secondary and tertiary tiers.** These federal funds would be used to provide statewide and regional trainings on secondary and tertiary interventions, ongoing technical assistance, competitive grants to local school systems in order to leverage the services needed to intervene with students not responding to first tier interventions, and staff at the State Education Agency to coordinate these efforts.

### **Maryland Impact:**

The ability to fully implement all three tiers of PBIS would mean that climate would improve in those schools affected. Moreover, students not responding to the first tier of PBIS would receive services that would allow them to remain in school and in class. Thus, they would be available for learning for more time. PBIS is currently being implemented in all 24 school systems. These funds would have an impact in all Congressional districts in Maryland.

**Responsible State Agency:** Maryland State Department of Education

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**STUDENT AID AND FISCAL RESPONSIBILITY ACT OF 2009**  
**TITLE IV: THE EARLY LEARNING CHALLENGE FUND**

**Legislative Vehicle:**

The Student Aid and Fiscal Responsibility Act of 2009 (aka Higher Education Bill) – HB 3221

**Specific Requested Action:**

Ensure passage and the President's signing of the Higher Education Bill which includes Title IV, entitled Early Learning Challenge Fund, to establish an early childhood program within the U.S. Department of Education. The goal of the Early Childhood Challenge Fund is to improve the infrastructure of early childhood education in terms of investing \$10 billion over 10 years in competitive grants to challenge states to build comprehensive, high-quality, early learning systems for children birth to age 5 that includes:

- Early learning standards reform;
- Evidence-based program quality standards;
- Enhanced program review and monitoring of program quality;
- Comprehensive professional development;
- Coordinated system for facilitating screenings for disability, health, and mental health needs;
- Improved support to parents;
- Process for assessing children's school readiness; and
- Using data to improve child outcomes.

**Maryland Impact:**

The Early Learning Challenge Grant, which could be considered the corresponding legislation to the Race to the Top state grants, will build on past accomplishments and further transform Maryland's early childhood system. Maryland, with its early childhood reform efforts over the past ten years, is in a very competitive position to be awarded this grant. It would enable the following:

- Improve the school readiness skills and subsequent academic performance of children with disabilities, English Language Learners, and low income children by expanding high quality early learning opportunities in low income school attendance areas and in support of schools in school improvement;
- Build an effective, qualified, and well-compensated early childhood workforce by supporting more effective providers with degrees in early education and providing sustained, intensive, classroom-focused professional development to improve the knowledge and skills of early childhood providers.
- Fund quality initiatives that improve instructional practices, programmatic practices, and classroom environment to promote school readiness.
- Establish quality standards and accountability benchmarks for meeting school readiness outcomes by coordinating early childhood services, birth to five, in terms of:
  - enhancing scientifically-based early learning opportunities in early childhood programs; and
  - promoting parent and family involvement by developing outreach strategies to parents to improve their understanding of their children's development.



- Establish a data management system to enhance the existing longitudinal data project to track the performance levels of children from preschool to grade 12, thereby informing programs and policymakers on the effectiveness of early education strategies;

**Responsible State Agency:** Maryland State Department of Education

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## **PROGRAMMATIC REQUESTS**

**VOCATIONAL REHABILITATION SERVICES**  
Vocational Rehabilitation State Grants, WIA Title IV

**Legislative Vehicle:**

FY 2011 Labor/HHS/Education and Related Agencies Appropriations Bill

**Specific Requested Action:** Request a **10% increase** to funding levels for the public Vocational Rehabilitation (VR) program, Title I of the Rehabilitation Act of 1973 as amended.

**Description of Program:** The public vocational rehabilitation services program provides individualized workforce and rehabilitation services that enable persons with disabilities to become employed, achieve economic self-sufficiency, and have successful careers in the 21<sup>st</sup> century workplace. In Maryland, the State Department of Education (MSDE), Division of Rehabilitation Services (DORS) administers the public vocational rehabilitation services program. Last year, over 2,300 DORS clients achieved their employment goal, demonstrating very significant gains in earnings and a substantial reduction in the receipt of public benefits.

**Maryland Impact:** From 2001 – 2009 federal funding for the public VR program in Maryland increased by only 7.5%, whereas national VR funding had grown by 19.8% and the compounding effect of inflation has exceeded 20% during this same time frame. Despite a challenging resource environment, Maryland DORS has demonstrated a very positive return on investment by facilitating economic self-sufficiency of persons with disabilities through employment and careers, earning wages and paying taxes, and reducing dependence on public benefits.

- Individuals who receive VR services and go to work will pay back fully the cost of their rehabilitation services through taxes in 2-4 years
- For every dollar invested in VR services, \$14.00 to \$18.00 are returned to the economy through increased earnings and reduced public benefits
- Last year, Maryland DORS enabled 1,135 individuals receiving SSI/SSDI to go to work enabling these individuals to reduce or eliminate their dependence on federal disability benefits
- 80% of individuals who successfully complete Maryland DORS services have wages as their primary source of support compared to only 14% of those same individuals before DORS services.

**Responsible State Agency:** Maryland State Department of Education

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**BEGINNING READING PROGRAMS**  
Elementary and Secondary Education Act (ESEA) Title I, Part B, Subpart 1

**Legislative Vehicle:**

FY2011 Labor/HHS/Education and Related Agencies Appropriations Bill

**Specific Requested Action:**

Restore funding for an early reading program to the FY 2007 level of \$1.029 billion nationally and \$12 million in Maryland.

**Description of Program:**

*A Beginning Reading Program* is a collaborative, focused strategy between local school districts and the Maryland State Department of Education (MSDE) to strengthen classroom instruction to improve student achievement. Funds are used to provide:

- reading coaches for the early elementary (K-3) grades, to lead staff in planning for student progress, assessment and data monitoring and implementing the Response to Intervention (RtI) process in local schools
- intervention teachers and staff to work with “at risk”, special education and ELL populations
- classroom books and materials to assure that every classroom contains the full complement of materials needed to teach reading, and
- research-based professional development for 800 teachers on effective practices of classroom reading instruction.

**Maryland Impact:**

In FY 2008, Maryland’s *Reading First* funding was cut 66%, to \$4.02 million. The improvement of instruction and student achievement in struggling schools as a result of *Reading First* will be threatened by the \$7.9 million reduction in the FY 2008 federal budget which will impact Maryland in 2009/2010. In 2010/2011 the Maryland Reading First Initiative will not be funded resulting in a loss of school based coaches, intervention services, reading program materials and professional development.

The results of the *Reading First* program are evidenced by increases in student achievement. The 2008 Maryland School Assessment results indicate that there has been a 12% increase in the pass rate of students in Reading First schools. The amount of change varied from 4 percent in Baltimore County to 19 per cent in Montgomery County. 61% of third graders in Reading First schools met or exceeded proficiency. Overall 59% of the children in Reading First schools scored at a proficient level. The percentage of Reading First schools that made Annual Yearly Progress (AYP) increased from 82 percent in 2007 to over 94%. Maryland has been successful in closing the achievement gap for minority and economically disadvantaged children. The *Reading First Program* has contributed greatly to this success. Every one of the *Reading First* schools has experienced increases in reading scores.

Pass rates among students in *Reading First* schools increased in all eight participating LEAs, an indication that benefits from the program have been spread throughout the state. However, Baltimore City schools appear most often on the list of most improved schools, especially in grades 1 and 3. Each year many students who entered kindergarten needing intensive assistance leave the kindergarten year as benchmark “readers.” Additionally, *Reading First* school systems have replicated the program by identifying *Reading First* “model” schools within their districts. Baltimore, Allegany, and Dorchester counties have identified 35 schools that model the *Reading First* tenets. Calvert and Kent Counties are implementing these beginning reading practices as a part of our statewide effort to expand the use of this “best practice” in all beginning reading instruction. Garrett County has used Reading First funds to develop a comprehensive RtI model in their school. Professional development in reading instruction has

been provided to Maryland university, college and community college staff to prepare pre-service and current teachers in evidence-based reading practices.

**Responsible State Agency:** Maryland State Department of Education

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## CHILD CARE AND DEVELOPMENT FUND

**Legislative Vehicle:** FY 2011 Labor/HHS/Education and Related Agencies Appropriations Bill

**Specific Requested Action:**

1. Increase funding levels by 10% to meet current maintenance of effort.
2. Consider additional increase to reform the State's Child Care Subsidy Program in accordance with MSDE's and DHR's Study Group Recommendations of 2005.

**Description of Program:**

The Maryland State Department of Education, Division of Early Childhood Development (DECD), administers the CCDF funded initiatives. Last year, over 11,792 child care facilities and 214,597 children benefited directly or indirectly from initiatives funded through the CCDF. The Child Care Subsidy component of the CCDF will experience a shortfall of 15% in FY2011, thereby requiring the establishment of a waiting list for new applicants of all low-income income brackets with the exception of clients receiving temporary cash assistance unless additional Federal funds are provided. CCDF regulations require a one-for-one State match of any Federal funding.

**Maryland Impact:**

The Maryland State Department of Education's early childhood programs and services have not been able to meet the growing need for child care subsidy.

**If the CCDF does not include an increase in funding for FY2011, Maryland will be forced to establish a waiting list for new enrollees into the program.** The program currently services more than 24,700 children, representing an increase of almost 2,000 children since March 2007. Depending on the ECONOMIC RECOVERY, MSDE forecasts low growth rate in participation through June 2011 with a cost increase of an estimated \$14 million more than FY2010.

Maryland's early education system has demonstrated a positive return on investment by supporting quality early childhood learning environments, child care subsidies for eligible families and high quality professional development opportunities for child care professionals through the CCDF. MSDE considers the Child Care Subsidy Program one of several affordable early care and education options for low-income families. Access to Child Care Subsidy is essential to maintain or increase the number of children ready for school.

**Responsible State Agency:** Maryland State Department of Education

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## STATE ASSESSMENTS

**Legislative Vehicle:** FY 2011 Labor/ HHS/Education and Related Agencies Appropriations Bill

**Specific Requested Action:** Increase federal funding for state assessments by 25%; from \$400 million to \$500 million nationally; from \$7.4 million to \$8.9 million in Maryland.

**Description of Project:** An important aspect of NCLB accountability systems is the federal approval of state assessments for use in calculating AYP. To meet the diverse needs of students with disabilities and English Language Learners, more varied types of assessments are needed. These assessments are not the efficient and feasible formats utilized to assess the general student population, but are more expensive to design, administer and score. The additional funds will continue to support this enhanced development. In addition, each new assessment is subjected to peer review requiring results from numerous studies of a test's validity, alignment and other psychometric properties. These studies are expensive and not included in current vendor contracts (some studies require independent reviews). In order to make all assessment more efficient and at the same time lessen the environmental impact, states need to move toward more on-line testing. Adapting tests for on-line administration requires an increase in funding to support the new development process, software and hardware technology and training required before the inevitable cost and environmental savings are realized. Finally, as more states are developing more tests the competition for the services of testing vendors is fierce and prices are rising with each re-bid of a contract.

**Maryland Impact:** Maryland has made progress in instituting on-line testing and would like to continue this progress, but it will take more investment dollars to accomplish. Maryland also has been quite successful in receiving federal approval to use the state assessments for accountability under NCLB. This allows the state to implement NCLB in a timely and consistent way, and allows staff to move on to other projects without having to re-submit work. Peer review will be held up for the tests mentioned above if Maryland does not receive additional funding to conduct the required studies on each additional test. Finally, the current testing budgets are being stretched to the limit, and Maryland does not want the quality of the testing program compromised in any way. With the re-bid of a major contract this year, it is expected that Maryland's testing program costs will increase substantially just to maintain the current program.

**Responsible State Agency:** Maryland State Department of Education

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