

# TEACHER LEADER RECOMMENDATIONS FOR MARYLAND'S NEW ACCOUNTABILITY FRAMEWORK: POLICY BRIEF TO THE MARYLAND STATE BOARD OF EDUCATION AND MARYLAND STATE DEPARTMENT OF EDUCATION



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## +++++ INTRODUCTION +++++

The Protect Our Schools Act of 2017 (POSA), enacted by the Maryland legislature in April 2017, will profoundly impact Maryland's implementation of the Every Student Succeeds Act (ESSA). Both laws will have a significant impact on students across our state—and among the most impactful decisions will be those on the new accountability framework. As members of the Teach Plus Maryland Teacher Leader Advisory Board<sup>1</sup>, we believe a well-crafted accountability system can—and must—serve as a lever for school equity, particularly for those students who are most vulnerable and who have been traditionally underserved by public schools. This report lays out our recommendations to guide the creation of such a system, within the parameters of both statutes, in order to ensure that each and every student in Maryland has access to the high-quality education they deserve.

## ACCOUNTABILITY UNDER THE +++++ EVERY STUDENT SUCCEEDS ACT (ESSA) +++++

Since the Elementary and Secondary Education Act's reauthorization as ESSA in 2015, Maryland and other states have taken steps to comply with the law's new accountability requirements. ESSA provides states with increased flexibility in measuring individual student, school, and district performance while requiring that states develop a system of accountability to guarantee that every student, regardless of income or identity, receives a high-quality education. ESSA outlines specific criteria for both academic and qualitative indicators in a school's composite score, but maintains that academic indicators—such as high school graduation rates, performance on state exams, and English language proficiency—must count more than non-academic, or qualitative, indicators.

As high-performing Maryland teachers, we know that a strong accountability system

is an essential lever to ensure an equitable education for all students. We see the addition of qualitative indicators in school accountability systems as an opportunity to paint a more holistic picture of educational success<sup>2</sup>. But we also recognize that if implemented haphazardly or without careful consideration of unintended consequences, such indicators could muddy the waters and make it more difficult for students, parents, teachers, policymakers, and other education stakeholders to identify both successful and unsuccessful schools. Done wrong, accountability systems could actually perpetuate inequities—the exact opposite of the law's intent—so it is essential that the Maryland State Board of Education and Maryland State Department of Education (MSDE) recognize this danger and keep in mind the students who fill our classrooms as they develop the state's new accountability system.

# ACCOUNTABILITY UNDER MARYLAND'S

## +++++PROTECT OUR SCHOOLS ACT+++++

In April 2017, the Maryland legislature enacted the Protect Our Schools Act of 2017 (POSA), which provides legally binding guidance on Maryland's education accountability system. A key element of the accountability plan will be academic indicators and non-academic indicators (also known as school quality indicators) that will be combined into a composite score in order to provide for meaningful differentiation of schools under the school accountability system.

POSA requires that **academic indicators** receive a maximum weight of 65 percent in a school's overall composite score<sup>3</sup>. **Non-academic or quality indicators** must make up 35 percent of each composite score. The

law requires school climate surveys to be one of the three non-academic indicators and to count for no less than 10 percent. That leaves two indicators, totaling 25 percent, at the discretion of MSDE and the State Board of Education. Other potential indicators allowed by the law are: Class size; caseload; opportunities to enroll in Advanced Placement courses and International Baccalaureate programs; opportunities for dual enrollment; opportunities to enroll in career and technology education programs; chronic absenteeism; data on discipline and restorative practices; and access to teachers who hold an advanced professional certificate or have obtained National Board certification. None of the school quality indicators may be based on student testing.<sup>4</sup>

## +++++++ELEMENTARY SCHOOL INDICATORS+++++++

### Elementary schools indicators will include:

1. Achievement and gap narrowing
2. Academic growth or progress
3. English language proficiency
4. School and student success. Maryland's Framework of Indicators, shared by MSDE at its most recent stakeholder meeting, lays out additional details

<b>DRAFT MARYLAND STATE PLAN: ELEMENTARY SCHOOL INDICATORS</b>	
<b>Academic Achievement</b>	
Proficiency in ELA/Math Assessments	15%
Participation in ELA/Math Assessments	5%
<b>English Language Proficiency</b>	
Progress in Achieving English Language Proficiency	10%
<b>Academic Progress</b>	
Growth in ELA/Math	20%
Growth in K-3	5%
Proficiency for Science	5%
Access to or credit for completion of a well-rounded curriculum that is indicative of on-track progress at key transition points within elementary and secondary education (art, music, PE, social studies, science)	5%
	<b>65%</b>
<b>School Quality</b>	
School Climate Survey (required by POSA to be included at 10%)	10%
Chronic Absenteeism	15%
Access to Effective Teachers	10%
	<b>35%</b>
<b>TOTAL</b>	<b>100%</b>

<b>TEACH PLUS RECOMMENDATIONS ELEMENTARY SCHOOL INDICATORS</b>	
<b>We recommend revising the elementary school plan as follows. Our changes are in bold.</b>	
<b>Academic Achievement</b>	
Proficiency in ELA/Math Assessments @10% each	<b>20%</b>
Participation in ELA/Math Assessments	5%
Participation in ELA/Math/ <b>Science</b> Assessments (grades 3-5)	<b>5%</b>
<b>English Language Proficiency</b>	
Progress in Achieving English Language Proficiency	10%
<b>Academic Progress</b>	
Growth in ELA/Math	20%
Growth in K-3	5%
	<b>65%</b>
<b>School Quality</b>	
School Climate Survey (required by POSA to be included at 10%)	10%
Chronic absenteeism	<b>10%</b>
Access and/or credit for completion of a well-rounded curriculum (e.g. art, music, PE, social studies, <b>health, world languages, International Baccalaureate Primary Years Program</b> ) that is indicative of on-track progress at key transition points during elementary education	<b>15%</b>
	<b>35%</b>
<b>TOTAL</b>	<b>100%</b>

### **Recommendation #1: Increase ELA and Math Assessments to 20 percent (10 percent each).**

**Rationale:** We recommend increasing the ELA and Math Assessments from 7.5 percent each to 10 percent each, for a total of 20 percent for assessment. The quality of state assessments has improved thanks to PARCC,

and we believe this broader accountability system with many new indicators beyond assessment will address any past concerns with “teaching to the test.”

### **Recommendation #2: Move the “Proficiency in Science” indicator from the “Academic Progress” to the “Academic Achievement” category, and include student participation in science assessment in the participation rate indicator.**

**Rationale:** Since science is a tested subject (Maryland Integrated Science Assessment in grades 5 and 8) and is aligned with the new national standards (Next Generation Science Standards), tracking “academic achievement” sends a strong message to public schools across the state that there are minimum science standards we expect students to meet. Limiting science to “academic progress” and excluding it from the “participation” category, on the other hand, relegates the subject to secondary status and potentially permits schools to discard MISA testing and/or limit MISA testing to higher-achieving students.

We understand that a more recent version of the state plan that has not yet been shared with stakeholders may remove this indicator. We see that as problematic given the importance of this subject. We see limiting science to five percent in academic achievement as striking an appropriate balance between sending the message that science is an important subject in our elementary schools and recognizing that high-poverty schools may need to prioritize ELA/Math above science in schools where proficiency scores in those core subjects are low.

### **Recommendation #3: Remove “Teacher Effectiveness” Indicator but add this information to the School Climate Survey and ESSA-required State Report Cards.**

**Rationale:** While we appreciate and agree strongly with the intent of this indicator, it does not appear to comply with ESSA because it is clear that only measures that can be disaggregated are allowable under the law.

A stronger and ESSA-compliant alternative is to include teacher effectiveness and administrator effectiveness in the school climate survey. (See our recommendations on the 5E climate survey where such categories are well-defined and measured.) We know it is essential for all students to have access to effective teachers. Ineffective teachers have been shown to have a

negative impact on students’ on-grade literacy and numeracy skills, while effective teachers have been shown to produce net gains. It is imperative that MSDE prioritize the goal of ensuring all students have access to effective teachers and take every available step to bring this about. The recent changes to Title II of ESSA offer exciting new opportunities to advance this goal and we urge MSDE to closely adhere to the guidance on this topic from the Obama Administration. Even though it is no longer required, the ideas are sound and deserve careful consideration.

**Recommendation #4: Move the well-rounded curriculum indicator from the “Academic Indicators” to the “School Quality Indicators.”**

**Rationale:** We see curriculum offerings as an indicator of a quality school. This change would ensure that elementary schools provide broader course offerings and help students become global citizens with 21st century competencies in subject areas that explicitly promote creativity, invention,

intercultural exchange, and mutual understanding. It is also measurable and thus satisfies ESSA requirements. Making this change frees up an additional 5 percent that can be added to assessments, as discussed above.

**Recommendation #5: Add world languages, health, and International Baccalaureate Primary Years Program as part of a well-rounded curriculum.**

**Rationale:** 1) World languages are essential in our global environment. They increase cognitive abilities in reading and general intelligence, create better focus and academic concentration, increase creative abilities, yield higher scores on standardized tests in reading and math, and increase social abilities.<sup>5</sup> 2) Health education builds positive attitudes about health teaches about physical, mental, emotional and social health.<sup>6</sup> 3) A small number of Maryland elementary schools offer the International Baccalaureate Primary Years Program, which

has proven an excellent feeder option for middle school and high school IB programs.<sup>7</sup> The benefits are well documented<sup>8</sup> and Maryland should continue to grow its reputation as a leader in offering this exceptional option to as many students as possible.

+++++++MIDDLE SCHOOL INDICATORS+++++++

**Middle school indicators will include:**

- 1. Achievement and gap narrowing
- 2. Academic growth or progress
- 3. English language proficiency
- 4. School and student success. Maryland’s Framework of Indicators, shared by MSDE at its most recent stakeholder meeting, lays out additional details

<b>DRAFT MARYLAND STATE PLAN: MIDDLE SCHOOL INDICATORS</b>	
<b>Academic Achievement</b>	
Proficiency in ELA/Math Assessments	15%
Participation in ELA/Math Assessments	5%
<b>English Language Proficiency</b>	
Progress in Achieving English Language Proficiency	10%
<b>Academic Progress</b>	
Growth in ELA/Math	25%
Proficiency for Science	5%
Access to or credit for completion of a well-rounded curriculum that is indicative of on-track progress at key transition points within elementary and secondary education (art, music, PE, social studies, science)	5%
<b>65%</b>	
<b>School Quality</b>	
School Climate Survey (required by POSA to be included at 10%)	10%
Chronic Absenteeism	15%
Access to Effective Teachers	10%
<b>35%</b>	
<b>TOTAL</b>	<b>100%</b>

<b>TEACH PLUS RECOMMENDATIONS MIDDLE SCHOOL INDICATORS</b>	
<b>Academic Achievement</b>	
Proficiency in ELA/Math Assessments (grades 6-8) @10% each	<b>20%</b>
Participation in ELA/Math Assessments (grade 8)	5%
Participation in ELA/Math/ <b>Science</b> Assessments (grades 3-5)	<b>5%</b>
<b>English Language Proficiency</b>	
Progress in Achieving English Language Proficiency	10%
<b>Academic Progress</b>	
Growth in ELA/Math (grades 6-8)	<b>25%</b>
<b>65%</b>	
<b>School Quality</b>	
School Climate Survey (required by POSA to be included at 10%)	10%
Chronic Absenteeism	<b>10%</b>
Credit for completion of a well-rounded curriculum (e.g. art, music, PE, social studies, <b>health, world language, IB MYP</b> ) that is indicative of on-track progress at key transition points during secondary education)	<b>15%</b>
<b>TOTAL</b>	<b>35%</b>
<b>100%</b>	



### **Recommendation #1: Increase ELA and Math Assessments to 20 percent (10 percent each.)**

**Rationale:** See above discussion in Recommendation #1 in the elementary section.

### **Recommendation #2: Move proficiency in science from “Academic Progress” to “Academic Achievement” category, and include science assessment in participation rate.**

**Rationale:** See above discussion in Recommendation #2 in the elementary section.

### **Recommendation #3: Remove “Teacher Effectiveness” Indicator but add this information to the School Climate Survey and ESSA-required State Report Cards**

**Rationale:** See above discussion in Recommendation #3 in the elementary section.

### **Recommendation #4: Move the “Well-Rounded Curriculum” indicator from the “Academic Indicators” to the “School Quality Indicators” and focus on completion, not access.**

**Rationale:** This change would ensure that middle schools provide broader course offerings with increasing academic weight to help students become global citizens with 21st century competencies in subject areas that explicitly promote creativity, invention, and intercultural understanding and exchange.

Where “access” is appropriate in elementary school, it is not in middle school because students attend classes in these subjects at

least every other day, if not daily. Moreover, because these subjects are generally not tested until high school, middle school administrators tend to think of them as less serious or, even worse, in some cases as “babysitting classes.” A focus on “access” would enshrine such attitudes into law because “access” merely connotes availability and does not demand a more rigorous notion of successful completion of such courses.

### **Recommendation #5: Remove “Teacher Effectiveness” Indicator but add this information to the School Climate Survey and ESSA-required State Report Cards.**

**Rationale:** See above discussion in Recommendation #5 in the elementary section.

### **Recommendation #6: Increase Growth in ELA/Math (grades 6-8) to 25 percent**

**Rationale:** The elementary section allows for five percent “growth in K-3 under “academic progress.” For obvious reasons, this indicator does not fit in middle school. We recommend moving the remaining five percent to “Growth in ELA/Math (grades 6-8)” to allow for students and teachers in high-poverty schools to balance potentially lower proficiency scores with growth scores. This change could allow for such a school to demonstrate and get recognition for the concerted and effective efforts of a teaching staff to improve student academic performance, while offsetting low proficiency

scores during times of transition or rapid flux in migrant or transitory student populations. The December version of the state plan talked about using a combination of a value table (criterion-based) measure and student growth percentiles (a normative measure), but didn’t specify how much weight each would receive. Given that progress carries a lot of weight in the new system, this is going to be extremely important to the integrity of the new accountability system. We are happy to help the MSDE weigh the pros and cons of various approaches.

# +++++++HIGH SCHOOL INDICATORS+++++++

## High schools students in grade 9-12 have five indicators:

1. Achievement and gap narrowing
2. Graduation rate
3. English language proficiency
4. College and career readiness
5. School and student success. Maryland's Framework of Indicators, shared by MSDE at its most recent stakeholder meeting, lays out additional details.

<b>DRAFT MARYLAND STATE PLAN: HIGH SCHOOL INDICATORS</b>	
<b>Academic Achievement</b>	
Proficiency in ELA/Math Assessments	15%
Participation in ELA/Math Assessments	5%
<b>Graduation Rates</b>	
Graduation Rate 4-year adjusted cohort	10%
Graduation Rate 5-year adjusted cohort	5%
<b>English Language Proficiency</b>	
Progress in achieving English Language Proficiency	10%
<b>Academic Progress</b>	
On-track in 9th grade	5%
CR - AP, IB, SAT, ACT, Dual Enrollment, CTE concentrator, Postsecondary Enrollment	15%
<b>65%</b>	
<b>School Quality</b>	
School Climate Survey (required by POSA to be included at 10%)	10%
Chronic Absenteeism	15%
Access to Effective Teachers	10%
<b>35%</b>	
<b>TOTAL</b>	<b>100%</b>

<b>TEACH PLUS RECOMMENDATIONS HIGH SCHOOL INDICATORS</b>	
<b>Academic Achievement</b>	
Proficiency in ELA/Math Assessments	15%
<b>Proficiency in Science<sup>o</sup></b>	<b>5%</b>
Participation in ELA/Math <b>Science</b> Assessments	<b>5%</b>
<b>Graduation Rates</b>	
Graduation Rate 4-year adjusted cohort	10%
Graduation Rate 5-year adjusted cohort	5%
<b>English Language Proficiency</b>	
Progress in achieving English Language Proficiency	<b>10%</b>
<b>Academic Progress</b>	
On-track in 9th grade	5%
CCR - AP, IB, SAT, ACT, Dual Enrollment, CTE concentrator, Postsecondary <b>measured by SUCCESS</b>	10%
<b>65%</b>	
<b>School Quality</b>	
School Climate Survey (required by POSA to be included at 10%)	10%
Chronic Absenteeism	15%
CCR - AP, IB, SAT, ACT, Dual Enrollment, CTE concentrator, Postsecondary <b>measured by ENROLLMENT/ACCESS</b>	10%
<b>35%</b>	
<b>TOTAL</b>	<b>100%</b>

**Recommendation #1: Add “Science Proficiency” @ five percent to the “Academic Achievement” category, and include science assessment in the participation rate.**

**Rationale:** This change is important given that in the very near future science will be a tested subject in 10th grade through the Maryland Integrated Science Assessment (MISA), aligned with new national standards (Next Generation Science Standards). MISA field testing for high school students should begin in the 2017-18 school year.

As stated above, tracking “academic achievement” in science sends a strong message to public schools across the state that there are minimum standards we expect

students to meet. Omitting science from the high school indicators relegates the subject to secondary status. If we reduce “success” in CCR advanced coursework to 10 percent, we can afford to give science proficiency the remaining five percent. See above discussion in Recommendation #2 in the elementary section for further elaboration on why leaving science at five percent mitigates tension between a comprehensive set of indicators and traditionally/low ELA/math proficiency in high-poverty schools.

**Recommendation #2: Differentiate between “success” and “enrollment” on CCR-AP, IB, SAT, ACT, Dual Enrollment, CTE concentrator and put “success” at 10 percent under “academic progress” and “enrollment” at 10 percent under “school quality.”**

**Rationale:** Access to or enrollment in these types of rigorous courses is necessary but not sufficient. Both participation and success need to count. The best thinking on this that we have seen is from the Education Trust, which states: “While generally, schools with higher participation rates in advanced courses also have higher success rates, the data show that some schools with high participation rates have low success rates, and vice versa. This suggests that some schools are placing students into advanced courses without sufficient preparation and support, while other schools may be restricting access for all but the perceived highest performers.”<sup>10</sup> Moreover, “including only participation rates will create incentives to enroll all students without providing the necessary supports for success, while

*including only success rates will incentivize schools to make access available only to the perceived highest performers.”<sup>11</sup>*

If dual enrollment is included, Maryland will need to take steps to ensure that students get credit that will be accepted by the University of Maryland and other institutions of higher education. We agree strongly with Education Trust’s recommendation that “All students who count as participants should be in the success rate denominator. And to the extent possible, make sure the definition of success is tied to something meaningful for students, such as a score of 3 or higher on an AP exam, or the grade needed to earn college credit in a dual enrollment course.”<sup>12</sup>

+++++++ **DISCUSSION OF OTHER INDICATORS** ++++++

**SCHOOL CLIMATE SURVEYS**—School climate surveys measure the perceptions of students, parents, teachers, and other educational stakeholders on topics such as engagement, safety, and environment. As noted above, the Protect Our Schools Act of 2017 requires that school climate account for a minimum of 10 percent of a school’s composite score and that each survey include at least one question to educators regarding the receipt of critical instructional feedback.

**Pros:** High-quality school climate surveys can provide important information about a wide range of a school’s strengths and weaknesses to students, parents, and other educational stakeholders.

**Cons:** There are many problems with this indicator and it is unfortunate that the legislature required it. First, low participation can raise questions about the survey’s validity. For example, in the 2015 school climate survey for Prince George’s County Public Schools, the participation rate was

below 10 percent, with only 7.3 percent of high school parents and 26.4 percent of high school students participating. Second, students, parents, and other survey participants may feel pressure to “make our school look good” for the sake of morale, property values, etc. Third, administrators and principals may feel pressure to withhold problematic or damaging information about the school for fear it could harm survey results. Fourth, surveys could be expensive and time-consuming for schools and districts to collect, validate, and aggregate. This would be especially damaging to high-poverty districts and schools with budgetary shortfalls. The Maryland Safe and Supportive Schools (MDS3) survey is used in 12 districts, 58 schools, but is not focused on school improvement, thus closing the feedback loop and negating the purpose of school climate survey. Worst of all, teachers report seeing no changes whatsoever in school climate or culture after years of administering MDS3 surveys.

**Recommendation: Use the “Five Essentials Survey” because it is holistic and researchers at the University of Chicago Consortium on School Research found that “schools strong on at least three of the Five Essentials are 10 times more likely to improve in math and reading.” The Five Essentials<sup>13</sup> are:**

1. *Effective leaders*, the principal works with teachers to implement a clear and strategic vision for school success;
2. *Collaborative teachers*, the staff is committed to the school, receives strong professional development, and works together to improve the school;
3. *Involved families*, the entire school staff builds strong relationships with families and communities to support learning;
4. *Supportive environment*, the school is safe and orderly, teachers have high expectations for students, students are supported by their teachers and peers;
5. *Ambitious instruction*, classes are academically demanding and engage students by emphasizing the application of knowledge.

This indicator might need to be phased in over time. The Illinois accountability plan includes the 5E survey in the future but not right away because it is not designed to be disaggregated by students' groups. We understand this is being addressed.

In light of the case of low participation in the PGCPs climate survey, we further recommend that schools should also be

required to report rates of participation alongside their disaggregated school climate score, or that a participation weight against the final survey score be considered. Moreover, the “collaborative teachers” component of the survey includes several questions regarding the receipt of critical instructional feedback, a requirement of the Protect our Schools Act of 2017.

**CHRONIC ABSENTEEISM** is currently defined by MSDE as missing 20 days of school per year with a minimum of 90 days enrolled at the school. MSDE is considering this indicator at 15 percent. A brief survey of current accountability plans in other states among those that have already submitted their plans to the Department of Education shows that 15 of 17 define chronic absenteeism as 10 percent of the total number of school days. Only New Mexico counts only unexcused absences.

**Pros:** 1) Students cannot learn if they are not in school. If we want every student to succeed, they must be consistently present in school and feel safe and comfortable in their school environment. 2) This is an objective measure that schools should be able to provide without incurring additional costs. 3) The measure is relevant to all

grades, including early elementary grades. 4) Schools and districts sometimes feel that absenteeism is a family issue beyond their control. Including absenteeism as an indicator sends a clear message that school/districts can and must control for absenteeism and develop plans to reduce it.<sup>14</sup> Some charter schools serving high-poverty students have successfully improved absentee rates through interventions that MSDE should review and consider with the hope that we might be able to adopt some of their best practices.<sup>15</sup> 5) Schools with higher chronic absenteeism rates have lower proficiency rates,<sup>16</sup> so efforts to curb absenteeism should statistically increase a school's proficiency scores. 6) Schools with higher chronic absenteeism rates also have higher discipline rates for students overall, so efforts to curb absenteeism should statistically decrease disciplinary issues.<sup>17</sup>

**Cons:** 1) Some students may have long-term illness or injury that may prevent them from attending school. If such absences are excused, they should not count against the school's rating. 2) The measure may be gameable. States will need to have processes in place for ensuring data accuracy. 3) The measure's inclusion may provide schools with incentive to define "absence" as narrowly as possible. 4) Including the measure in accountability may lead districts to unjustifiably pursue legal action against families whose kids are missing lots of school. 5) In some of the high-poverty schools where we teach,

**Recommendation:** When defining chronic absenteeism, both excused and unexcused absences should factor into the measure. All lost instructional days resulting from disciplinary action should be counted. Currently, many—but not all—states consider out-of-school suspension as absences. Many consider students suspended in-school to be present.<sup>18</sup> MSDE will need to recognize that

**SCHOOL DISCIPLINE** is an important concern when it comes to school safety, academic success, and positive student attitudes toward school. "Research shows that exclusionary discipline practices place students at greater risk for numerous academic and personal consequences, including lower achievement, disengagement from school, and increased risk of dropping out."<sup>19</sup> The current trend in many districts across the country is to drastically reduce out of school suspension rates. In 2015, for example, the Illinois Legislature passed Senate Bill 100 (SB100) to create more effective discipline practices in both district and charter schools. In the 2016-2017, schools began to implement the new law which sets guidelines and limits exclusionary discipline, which includes any disciplinary action measures that removes a student from his/her usual education

some students have extenuating family circumstances, such as needing to stay home to take care of younger siblings while parents work. Including such students in measures of chronic absenteeism would have a disproportionately negative impact on schools with the most vulnerable student populations so how to address this warrants further discussion. Ideally, inclusion of chronic absenteeism should lead districts to work with their schools to come up with ways to support students outside of school, too, so as to mitigate as many of these circumstances as possible.

there are exemptions in place for students absent for chronic medical conditions. If MSDE is planning to hold schools accountable for chronic absenteeism rates, they need to have quality controls in place to make sure the data are accurate, as well as a process for reviewing the data once it becomes part of the accountability system.

setting—also known as suspensions and expulsions. The bill is intended to foster restorative rather than punitive disciplinary practices.<sup>20</sup>

**Pros:** 1) This indicator could discourage excessive suspensions/expulsions and encourage schools and districts to seek more creative and effective disciplinary measures, such as increased counseling. 2) Including discipline measures in school ratings could draw attention to exclusionary discipline practices that negatively impact students and are not used equitably.<sup>21</sup> 3) High discipline rates identify an actionable problem. This indicator could prompt schools to identify more appropriate interventions that improve school climate and reduce suspensions and expulsions.<sup>22</sup> 4) While schools with high proficiency and graduation rates generally have lower discipline rates, there

are schools that use suspension or expulsion to artificially boost their academic scores. These schools could slip under the radar if school ratings don't take discipline rates into account.<sup>23</sup>

**Cons:** 1) Discipline data may be easy to game. If suspension/expulsions are included in school ratings, this could incentivize districts/schools to under-report these occurrences, or to keep students in school who have violated rules. 2) If schools (and districts) know that reducing discipline rates will improve their school ratings, they may respond in unhelpful ways—e.g., by disallowing the use of suspension, without introducing practices such as restorative approaches or providing teacher training.<sup>24</sup>

**Recommendation:** 1) School discipline should be a subcategory under chronic absenteeism with data on suspension and expulsion clearly distinguishable from excused and unexcused absences. If a student is suspended, that is tantamount to an absence and research shows that frequent absence and frequent punitive discipline reduces a student's academic aptitude and test scores. The main reason we have not already included this in our recommended indicator tables is that POSA requires that all school quality indicators be at least 10 percent. Including a fourth quality indicator would require to reduce the weight of the academic indicators to at most 60

percent.

2) Maryland will need to take steps to ensure accuracy of the data, and to ensure that policies are not changed in ways that would result in students remaining in school if they are chronically disruptive or a threat to other students. In other words, if MSDE is planning to hold schools accountable for discipline rates, it needs to have quality controls in place to make sure the data are accurate, as well as a process for reviewing the data once it becomes part of the accountability system. For example, if discipline rates drop dramatically—rather than steadily—once schools are held accountable for reducing them, that may be an indication of gaming.<sup>25</sup>

3) This indicator can and should also focus on programs/partnership to prevent discipline problems (i.e. suspensions) or programs in place to respond to the students who violate rules. We would want to know: How many students were suspended/expelled AND what the school has in place to prevent or remediate disciplinary problems.

4) MSDE must measure discipline rates based on both the raw number of disciplinary actions and the percentage of students disciplined. The first shows how many students are subjected to disciplinary action and the second method captures the total number of disciplinary actions.<sup>26</sup> If a suspension counts as an absence for chronic absenteeism, it should be clearly reported separately from other absences.

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## PARTICIPATION IN ASSESSMENTS

**Pros:** This ensures that schools will be responsible for administering all tests to all students, including special education and ELL students who traditionally score lower on standardized assessments.

**Cons:** MSDE is currently considering these five percentage points as all or nothing, with a 95 percent participation rate being the cut-off

to receive the five points. While recent data shows that PARCC participation in Baltimore City and Prince George's County Public School districts is already higher than 95 percent, it is possible that this indicator could be a challenge for schools that make honest efforts to promote regular attendance and participation, but fall just short of the 95 percent required. How to address schools that just barely miss this indicator may warrant further discussion.<sup>27</sup>

**Recommendation:** Consider a sliding scale rather than an all or nothing rule for awarding points so as not to doubly penalize schools with low attendance rates (i.e. since attendance is already a non-academic indicator, a school would be penalized twice—both here and under the chronic absenteeism indicator.) If the five percent

is omitted from the plan, consider moving this five percent to ELA/Math assessments instead. We understand that MSDE may be considering eliminating this indicator. We think that would be problematic since to get accurate data on student success, as many students as possible need to take the state assessments.

+++++ **CONCLUSION** +++++

We appreciate the Maryland State Board of Education and the Maryland State Department of Education reviewing our recommendations. We urge you to carefully consider them and hope that you will reach out to us for further details and discussion. The stakes for our students could not be higher given that a loosely-formed accountability system could hide inequities, or even work against equity. We stand ready to work with you to prevent this from occurring in Maryland and to do everything possible to ensure that the ESSA accountability system prioritizes the needs of students and contributes to improving the quality of education across our state. In addition to our thoughts on indicators, we leave you with one final thought related to equity: A school's composite score must reflect how a school is doing on these measures for every group of students it serves.





March 27, 2017

Dear Legislator:

As high-performing teachers from high-need Maryland schools, we are writing to share our perspective on House Bill 978 and Senate Bill 871 in the Maryland State General Assembly. We cannot support these bills in their current form due to two serious flaws with them.

We would like to make two important recommendations to increase school accountability before the final vote on this legislation. We believe these recommendations will make the eventual law more effective, thereby ensuring higher academic achievement standards for students and teachers across our great state.

**Recommendation 1:** Clarify that the Maryland State Department of Education is responsible for issuing guidance and legally binding regulations on what constitutes an acceptable "Comprehensive Support and Improvement Plan" to improve student outcomes.

**Rationale:** We feel that leaving the responsibility for developing such plans without MSDE guidance will create confusion and inequities from one school district to another. If MSDE is to successfully monitor and annually review "Comprehensive Support and Improvement Plans," such plans should first be subject to review and approval from the monitoring authority to ensure that all districts will be held to the same level of expectations and prevent failing schools or low-performing districts from setting excessively low targets in their improvement plans.

**Recommendation 2:** Increase the "combined total of the academic indicators" to a minimum of 65% (or more) of the composite score.

**Rationale:** The 55% percent cap on academic indicators is not high enough to give an accurate reading of a school's ability to produce academic achievement in its student body. We fear that non-academic indicators at 45% may be used to mask low academic achievement. Also, 55% is still roughly half and does not live up to the spirit of the federal law, which states that academic indicators must be given a "much greater weight" than non-academic indicators.

As teachers, we believe that accountability standards are crucial to moving the academic performance of our students in the right direction. ESSA should be put into action in our state in a way that empowers teachers, principals, and education boards to have a strong clear voice in determining what works best for our students. But we want to be sure that the law allows for honest monitoring of all

schools, real consequences for failing schools, and improvement plans, interventions, and resources that meet a minimum set of requirements that will help schools improve. This will ensure that all of our students -- from every school, and every district -- receive the same educational opportunities across our state, no matter where they reside.

Sincerely,  
Teach Plus-Maryland Teacher Advisory Board

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## +++++ ENDNOTES +++++

<sup>1</sup> The Teach Plus-Maryland Teacher Leader Advisory Board is comprised of 12 high-performing teachers in high-poverty public schools Baltimore City and Prince George's County. Since August 2015, we have been reading and discussing education research, meeting with state and federal policy leaders, and developing our skills as change agents for our students.

<sup>2</sup> A recent analysis by Education Week showed that the most common non-academic indicators selected by states to date are college and career readiness, 9th grade on track, and student absenteeism. Klein, A. (April 6, 2017). Which School Quality Factors Are States Including in Their ESSA Plans. Education Week, Education Week Blogs. Retrieved from [http://blogs.edweek.org/edweek/campaign-k-12/2017/04/which\\_school\\_quality\\_factors\\_d.html](http://blogs.edweek.org/edweek/campaign-k-12/2017/04/which_school_quality_factors_d.html).

<sup>3</sup> When POSA was being debated, Teach Plus teachers successfully urged lawmakers to change the maximum weight for academic indicators from 55 percent of the composite score to 65 percent in order for the composite score to give a better reading of a school's ability to produce academic gains among its student body. Our letter is attached as Appendix A.

<sup>4</sup> See Maryland State Education code § HB 978 Education—Accountability—Consolidated State Plan and Support and Improvement Plans (Protect Our Schools Act of 2017), [http://mgaleg.maryland.gov/2017RS/fnotes/bil\\_0008/hb0978.pdf](http://mgaleg.maryland.gov/2017RS/fnotes/bil_0008/hb0978.pdf)

<sup>5</sup> Kilberg, M. (March 30, 2016). Why Aren't We Teaching a Second Language in Public Elementary Schools? Edutopia, George Lucas Educational Foundation. Retrieved from <https://www.edutopia.org/discussion/why-arent-we-teaching-second-language-public-elementary-schools>

<sup>6</sup> Various Contributors. (Accessed June 2017). Why is Health Education Important? New Hampshire Department of Education. Retrieved from [https://www.education.nh.gov/instruction/school\\_health/health\\_coord\\_education.htm](https://www.education.nh.gov/instruction/school_health/health_coord_education.htm)

<sup>7</sup> Frank Smith, D. (December 2011). International Baccalaureate Makes Waves at Elementary Schools. Broadneck Patch. Retrieved from <https://patch.com/maryland/broadneck/international-baccalaureate-program-makes-waves-at-el87e392f961>.

<sup>8</sup> Various Contributors. (Accessed June 2017). Benefits of the IB. International Baccalaureate. Retrieved from <http://www.ibo.org/benefits/>.

<sup>9</sup> Until the MISA is piloted and implemented in high school, 5 percent participation would be only for ELA/math and the CCR indicator would remain at 15 percent.

<sup>10</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/advanced-coursework/>.

<sup>11</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/advanced-coursework/>.

<sup>12</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/advanced-coursework/>.

<sup>13</sup> Various Contributors. (Accessed June 2017). Survey of CPS Schools: The Five Essentials. University of Chicago Consortium on School Research. Retrieved from <https://consortium.uchicago.edu/surveys>.

<sup>14</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/chronic-absenteeism/#Footnote5>.

<sup>15</sup> Cullotta, K. A. (March 24, 2011) As Student Absenteeism Rises, a Charter School Fights Back. New York Times. Retrieved from: <http://www.nytimes.com/2011/03/25/>

us/25cncabsent.html

<sup>16</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/chronic-absenteeism/#Footnote3>.

<sup>17</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/chronic-absenteeism/#Footnote4>.

<sup>18</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/chronic-absenteeism/#Footnote6>.

<sup>19</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/school-discipline/>

<sup>20</sup> Key provisions include: 1) Elimination of zero-tolerance policies, under which schools require suspension or expulsion in response to specific behaviors, regardless of context or circumstance. 2) Exclusionary discipline can only be used to preserve a safe environment, not as punishment. Suspensions of longer than three days can only be used when other behavioral interventions have been exhausted. 3) When suspensions longer than four days are imposed, schools must create a plan for the student's return to school in order to address the student's problematic behavior and its causes before returning to school. Opportunities Schools must also provide the opportunity to complete missed work for full credit must also be provided. 4) To ensure effective implementation, districts were are encouraged to provide ongoing professional development on "the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates." (Teach Plus Policy Memo, Illinois Teach Plus Teaching Policy Fellows, May 2017)

<sup>21</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/school-discipline/>

<sup>22</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/school-discipline/>

<sup>23</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/school-discipline/>

<sup>24</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/school-discipline/>

<sup>25</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/school-discipline/>

<sup>26</sup> Various Contributors. (2016). Students Can't Wait Workgroup. The Education Trust. Retrieved from <https://edtrust.org/students-cant-wait/school-discipline/>

<sup>27</sup> Maryland State Department of Education. (2016). PARCC Assessment Participation Results Summary for Prince George's County (middle schools). Retrieved from [http://reportcard.msde.maryland.gov/DataDownloads/2016/PARCC\\_Participation/2016\\_PARCC\\_Participation\\_Summary\\_16AAAA.pdf](http://reportcard.msde.maryland.gov/DataDownloads/2016/PARCC_Participation/2016_PARCC_Participation_Summary_16AAAA.pdf).

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