

# ISSUE PAPERS 2018 LEGISLATIVE SESSION



DEPARTMENT OF LEGISLATIVE SERVICES 2017

# Education

## State Submits Required Accountability Plan Under the Every Student Succeeds Act

The Maryland State Department of Education submitted its consolidated State plan to the United States Department of Education (USDE) in September 2017, as required by the federal Every Student Succeeds Act. Prior to its submission, the plan was revised to comply with the Protect Our Schools Act of 2017 that set forth requirements for the plan. USDE must approve the plan within 120 days of submission or provide the State with an opportunity to revise and resubmit the plan.

### Federal Every Student Succeeds Act

In 2015, President Barack Obama signed the Every Student Succeeds Act (ESSA), the most recent reauthorization of the Elementary and Secondary Education Act (ESEA), which provides federal funds for elementary and secondary education. Under the previous authorization of ESEA, known as No Child Left Behind, each state educational agency was required to hold schools accountable based solely on results of statewide assessments and one other academic indicator. Under ESSA, each state must have a consolidated state plan (plan) that requires accountability based on performance on various academic indicators such as proficiency on assessments and high school graduation rates, and a nonacademic indicator, also known as school quality or student success. The plan was required to be submitted to the U.S. Department of Education (USDE) no later than September 18, 2017, for approval.

### Protect Our Schools Act of 2017

During the 2017 legislative session, the General Assembly overrode the Governor's veto of House Bill 978 ([Chapter 29](#)), known as the Protect Our Schools Act of 2017 (POSA). Chapter 29 establishes a set of parameters for Maryland's plan, including the number and weights of the academic and nonacademic indicators, the methodology for calculating the composite score, and how the score must be reported. Chapter 29 also set forth requirements for improvement plans for schools that are identified for comprehensive or targeted support and improvement.

### Maryland's Consolidated State Plan

The Maryland State Department of Education (MSDE) submitted a draft plan to the Governor and Legislative Policy Committee (LPC) for review and comment on June 30, 2017. The Department of Legislative Services (DLS) provided LPC with an analysis of whether Maryland's plan complied with federal and State law. DLS found several potential issues, including that certain provisions of the plan may conflict with POSA. The Attorney General's Office subsequently advised that the plan did not comply with POSA. The co-chairs of LPC

provided comments relaying this information and DLS' analysis to MSDE on August 10, 2017. Prior to submission to USDE, the State Board of Education (State board) revised the plan to comply with POSA.

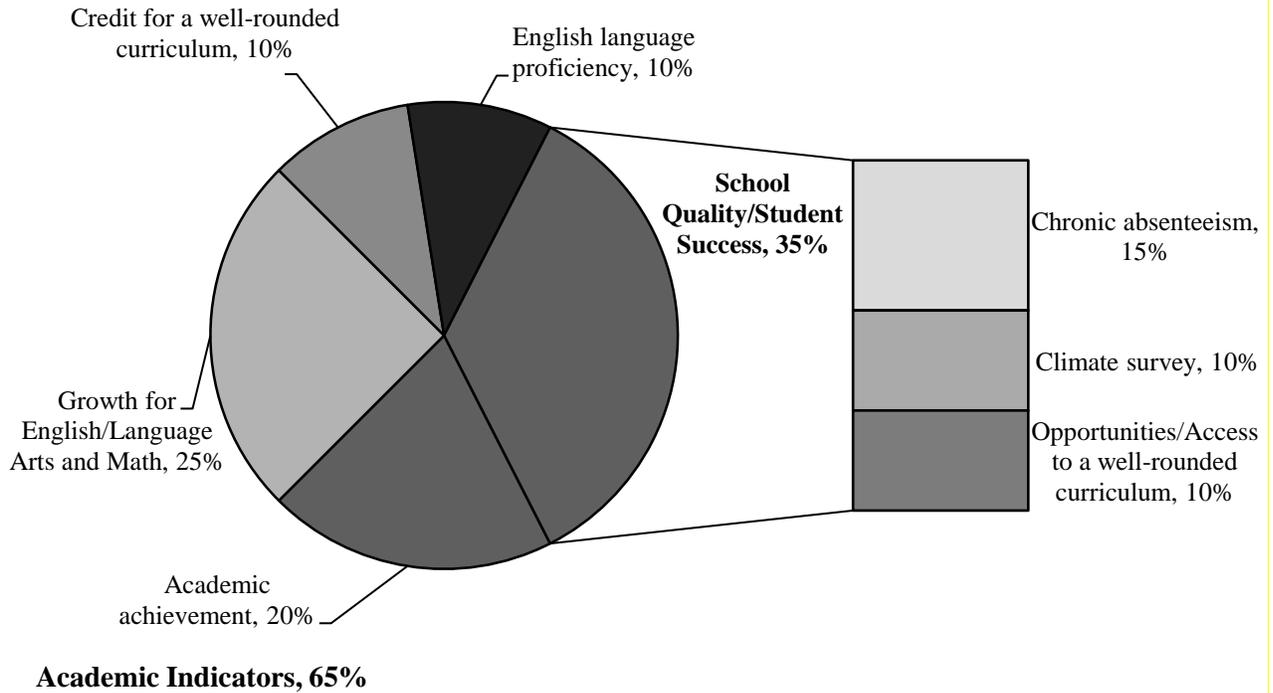
MSDE provided the final plan to Governor Lawrence J. Hogan, Jr. for his signature. However, Governor Hogan sent letters indicating his decision not to sign the plan to the President of the State board and the U.S. Secretary of Education. ESSA requires the State Superintendent of Schools to sign the plan but does not require the Governor to sign it. State Superintendent Karen B. Salmon signed the plan on September 15, 2017, and MSDE submitted the plan on September 18, 2017.

### **Academic and School Quality Indicators and a Five-star Rating System**

As it was submitted to USDE, the accountability system in the plan will operate as follows: each indicator is weighted at least 10% of the composite score, the combined total of the academic indicators does not exceed 65% of the composite score, and a five-star rating system for schools, with green and red arrows indicating positive or negative movement, will be based on all the indicators that comprise the composite score.

**Exhibit 1** details the weights for each assigned indicator for elementary and middle schools, and **Exhibit 2** details the weights for the indicators for high schools. As required by Chapter 29, academic indicators comprise 65% of the composite score, and the other 35% is comprised of school quality/student success indicators.

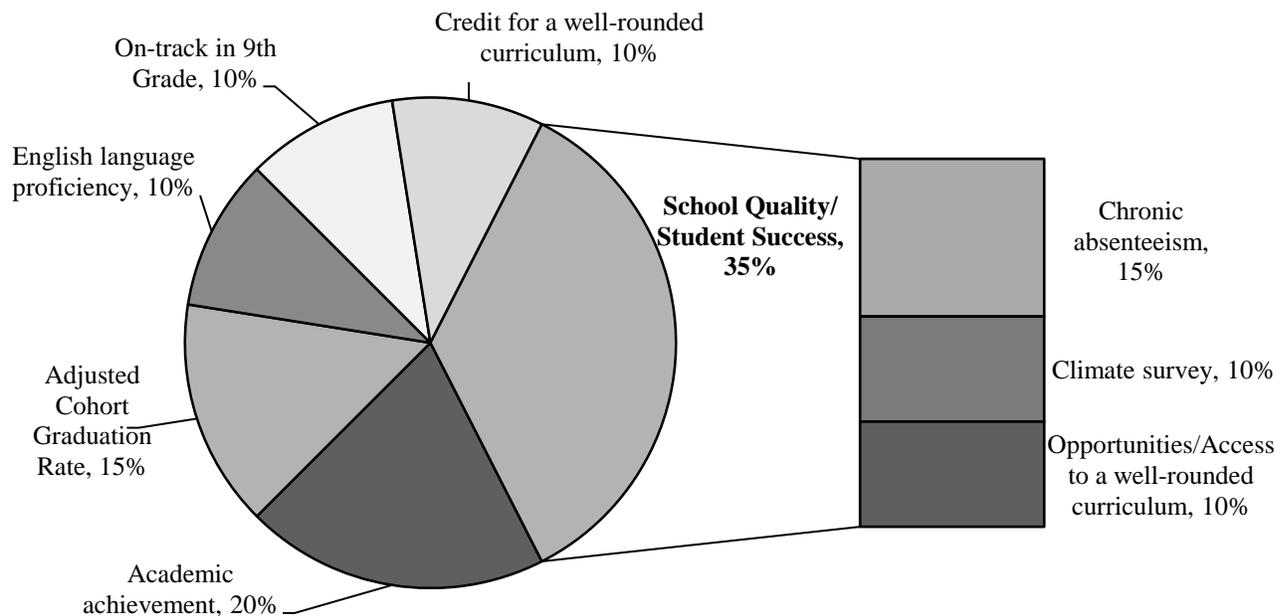
**Exhibit 1**  
**ESSA Plan Composite Score Distribution**  
**Elementary/Middle School**



ESSA: Every Student Succeeds Act

Source: Maryland State Department of Education

**Exhibit 2**  
**ESSA Plan Composite Score Distribution**  
**High School**



**Academic Indicators, 65%**

ESSA: Every Student Succeeds Act

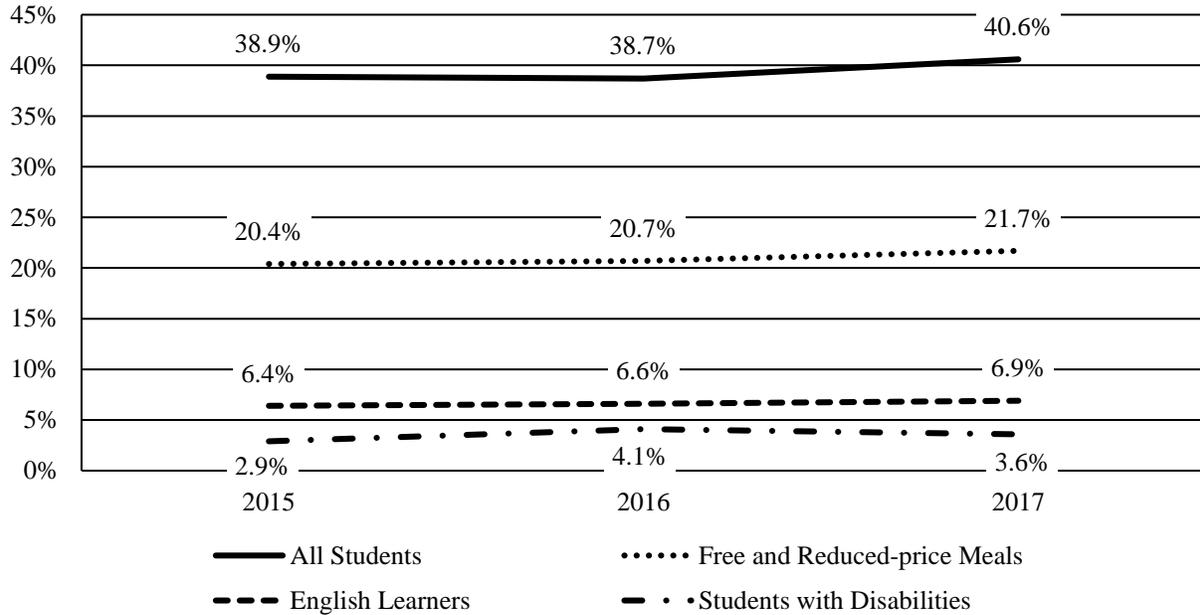
Source: Maryland State Department of Education

According to the plan, using each school's composite score, a statewide percentile ranking will be calculated. The percentile will be converted into a five-star rating system. Using equity gap "rules," which have not yet been developed by MSDE, the equity gap will be factored into a school's final five-star rating, and a school with significant equity gaps may be reclassified into a lower star level.

**Assessment Scores Used in Maryland's Plan**

The Partnership for Assessment of Readiness for College and Careers (PARCC) assessments were administered for the third year during 2016-2017, and the scores will be used as the baseline for the new accountability system in the State's plan. The PARCC assessments have five performance levels. A score of four or five is considered proficient. On all the PARCC assessments, proficiency gaps between all students and subgroups, including racial and service groups (free and reduced-price meals, English learners, and students with disabilities) remain significant. For example, as shown in **Exhibit 3**, only about 40% of students statewide in grades three through eight earned a four or five on the English/Language Arts PARCC assessment, and the proficiency gaps between all students and subgroups are significant.

**Exhibit 3**  
**Proficiency Rates on PARCC by Student Group in 2015-2017**  
**English/Language Arts**  
**Grades 3 through 8**



PARCC: Partnership for Assessment of Readiness for College and Careers

Source: Maryland State Department of Education

The State’s plan proposes to reduce the percentage of students and subgroups who score nonproficient on PARCC assessments by half by the year 2030. For the academic achievement indicator (20% of the composite score), half of a school’s score will be the percentage of students receiving a four or five on a PARCC assessment or the equivalent on the multi-state alternative assessment (MSAA) for students with a severe cognitive disability. The other half of the score for this indicator will be a performance index, equal to the average of all student performance levels on PARCC assessments (or the equivalent on MSAA). The academic growth indicator for elementary and middle schools (25% of the composite score) will be measured by student growth percentile (SGP) on the PARCC assessments. SGP reflects student growth by comparing a student with a student’s academic peers who had similar academic performance on the PARCC assessments in the previous year. However, the State board directed MSDE to include in the plan that beginning in 2017-2018, MSDE will study using a growth-to-standard measure in combination with SGP for the accountability system for the 2020-2021 school year. Growth-to-standard reflects student growth by measuring the progress of students toward an agreed upon achievement outcome. The method developed by MSDE will affect the overall composite score calculation and the school rankings.

**Next Steps**

Maryland's plan, along with the plans submitted by other states, will undergo a peer review process that meets certain requirements, per ESSA. Based on the results of the peer review process, unless the Secretary determines that the plan fails to meet the requirements for a consolidated State plan as detailed in ESSA, the Secretary must approve the plan no later than 120 days after its submission, which will be January 16, 2018. If the Secretary determines that the State's plan fails to meet the requirements, USDE must offer the State an opportunity to revise and resubmit its plan.