

July 18, 2024

Dear President Crawford, Vice President Michael, and Superintendent Wright:

On behalf of the 75,000 members of the Maryland State Education Association, I am writing to provide feedback on MSDE's new proposed literacy policy.

We appreciate the department's increased focus on the important topic of literacy, especially in the primary grades. We all share the belief of how integral early literacy is to student success academically and in the career and/or college choices and readiness.

There is also a great deal of complexity to this policy and issue. The goal to have all students reading at grade level by the end of third grade is certainly a laudable goal, but much more needs to be done before a consequential decision for a student to be retained is made. It is critically important that all students are provided with the supports outlined in the Blueprint for Maryland's Future, such as expanded tutoring and pre-kindergarten, and outlined in this draft policy before contemplating student retention. As educators, we know that retention can be beneficial but is not necessarily so; it has social emotional implications as well, and we need to be mindful of doing what is developmentally appropriate. Multiple studies exist that conclude that retention, particularly when based on high-stakes testing, can disproportionately affect minority students, leading to higher dropout rates and negative socio-economic impacts.

We do not believe that retention should never happen; but we do believe that expanding retention without expanding supports will not have the desired effect sought by this policy. When retention is not done with proper supports before and after retention, research has shown long-term negative impacts on students' academic progression, social relationships, and emotional well-being.

We've heard from educators across the state that the many promised supports of the Blueprint are just now beginning to be implemented as try to recover from historic educator shortages. The expected expansion of pre-k access has been slow to get started, tutors for primary grade students have not been fully implemented or built into daily schedules, and everyone, including paraeducators, being thoroughly trained in science of reading pedagogy is not in place in most schools. In addition, class sizes are high in many schools and reading specialist caseloads have increased, that is if a

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school even has access to a reading specialist or literacy coach. These critical personnel and supports must be in place and educators must be given the time and support to administer quality instruction and designed interventions well before students are up for retention consideration. Additionally, there must be a plan and personnel identified to support students who are retained. This can be done in our districts, but prioritization must take place and current educator workloads must be examined to allow them the time and space to fulfill what is outlined in this policy—not to mention the five other subjects elementary school teachers plan and teach and the importance of students fully taking part in the arts.

In light of the laudable goal and the challenges to get there, we recommend the following steps:

- Correcting the current misalignment with established state statute. Specifically, any retention of students must be compliant with §7-202 of the Education Article, which expressly forbids retention more than one time if the sole basis for doing so is a failure to meet the minimum reading level as required by the State Board.
- The retention portion of this policy should be deferred until the 2028-2029 school year for several reasons:
 - This allows for a cohort (students starting kindergarten in SY24-25) of students to progress through the revised curriculum, providing essential data on its effects on student outcomes.
 - The postponement gives school districts sufficient time to develop the necessary support systems before students are subject to retention under this new policy.
 - While the policy allows for good cause exemptions from retention, the criteria for these exemptions might not cover all students who would benefit from them (e.g. multilingual learners), potentially leading to unfair retention decisions.
 - This allows for the analysis of data from the Education Commission of the States to see supports offered by states.
 - This allows for a more comprehensive expansion of pre-kindergarten, especially for Tier I and II students, as designed in the Blueprint and thus more students entering kindergarten ready to read,
 - This timeline allows the state to effectively roll out training for early childhood, elementary, special education, and ESOL educators in accordance with the recently updated Educator Licensure regulations.
- Conduct an assessment of the additional workload for educators, including the impact of ongoing staff shortages and the requirement



that locals must take non-aligned requirements and assessments off the plates of teachers.

- In addition, implementing intensive interventions and continuous assessments could strain school resources. If not adequately funded or if resources are not equitably distributed, this could result in uneven implementation across different schools, especially in under-resourced districts.
- Identify opportunities to embed the science of reading into existing requirements for initial teacher licensure—for example, the basic literacy skills assessment — so as not to expand the overall volume of testing required to enter the profession.
- Require that all elementary schools have at least one reading specialist or literacy coach to support both students and educators.
- Ensure that paraeducators and tutors in elementary schools are fully trained (and paid for their time in training) in the science of reading
- Ensure monitoring assessments are aligned with the outcomes expected in this policy and the local doesn't conduct additional assessments on top of those determined to meet the requirements of this policy. Additionally, ensure that monitoring assessments that are done three times a year comply with state law on the amount of testing allowed, especially in third grade, so that time to deliver curriculum is protected.
- Require local districts, with state assistance, to develop intervention plans, including personnel support, where individual schools may be trending to retain a large number of students.
- When determining retention of a student, take into consideration the social emotional impact on that student. Optional teacher and parent input letters should also be factored in, as are accepted for some gifted and talented track placement. There should also be automated score notification to parents or guardians of their child's literacy score(s).
- When determining retention of multilingual learners or students with IEPs who do not qualify for one of the good cause exemptions, consult with ESOL or special education teacher(s) of record, respectively.
- Require ongoing monitoring of disaggregated data of subgroups that experience retention, with percentage comparisons between groups, to provide a deeper understanding of the impact of the policy across various segments of our student body.
- For students who fail a second assessment, enact a 1:4 tutoring ratio through paraeducators or collaborative time as outlined in the Blueprint.
- Refrain from restricting alternative literacy strategies that may prove to be beneficial for the diverse student body of learners. The approach to



literacy proficiency cannot be one-size-fits-all, especially if a student is not making progress to goal.

- Identify and create a plan of action/program for students not retained due to the good-cause exemption. This plan/program must include educators and parents in its development.
- Ensure that class sizes do not surpass local districts' guidelines as a result of the retention policy for students who do not meet assessment requirements.

Thank you for your work to make progress in this important area and for listening to the implementation concerns of educators for how this policy can be most successful. As always, we stand ready to have further discussions and collaborate as we work towards our shared goal of ensuring that all students have the opportunity to pursue their dreams.

Sincerely,

A handwritten signature in black ink that reads "Cheryl Bost". The signature is written in a cursive, flowing style.

Cheryl Bost
MSEA President

Cc: Zach Hands, State Board Executive Director
Alex Reese, MSDE Chief of Staff
Rachel McCusker, Board member, Policy Committee Chair