
R00A01

MSDE Headquarters

Maryland State Department of Education

Response to the Analyst's Review and Recommendations

House Education & Economic Development Subcommittee –
February 20, 2019
Senate Education, Business & Administration Subcommittee –
February 21, 2019



Karen B. Salmon, Ph.D.
State Superintendent of Schools

The Maryland State Department of Education (MSDE) welcomes this opportunity to share with the Committee some of its success stories and to address questions raised by the analyst.

Personnel and New Offices

The Department of Legislative Services (DLS) recommends deleting the funding for the State superintendent's general salary increase.

MSDE Response: MSDE concurs.

This adjustment occurred as a result of a processing error in the new Budget Analysis and Reporting System (BARS). The system incorrectly assigned a Cost of Living Adjustment (COLA) to this position. The Maryland State Department of Education (MSDE) fully understands that the State Superintendent of Schools is under a fixed contract through June 30, 2020. The State Superintendent did not request this funding, and salary of the State Superintendent did not increase.

MSDE should provide an overview to the budget committees on how and why it has restructured its offices, including which of its staff have changing job descriptions under the restructuring.

The MSDE used existing resources to reorganize the agency to a more service oriented, productive operation capable of leading the State in "world-class" educational programs. Responsibilities were aligned in a structure that grouped functions with the managers best suited to pursue and achieve positive results. This was accomplished efficiently with minimal changes to the job classifications for current staff.

The Office of Research was created, which consists of a Director and two additional staff. This office provides educators and leaders with better educational data and analysis, which can be used to strengthen schools and classrooms. Through original research and collaborative projects, as well as through analysis of pre-existing information, the Office stands at the nexus of Maryland's school improvement efforts.

The Division of Curriculum, Assessment, and Accountability, combined under the former state superintendent, has been reconstituted into the Division of Curriculum, Instructional Improvement and Professional Learning and The Division of Assessment, Accountability and Information Technology. With the recent goals for the Maryland Comprehensive Assessment Program (MCAP), as well as, the emphasis on accountability and monitoring, it was necessary to make these separate divisions. The Division of Student, Family and School Support and the Division of Academic Policy were combined into the Division of Student Support, Academic Enrichment, and Educational Policy.

The Division of Educator Certification and Program Approval, formerly the Division of Educator Effectiveness was restructured. A vacant position was repurposed to serve as an administrator of certificate suspensions and revocations due to the significant increase in these

actions. Additionally, the Division of Early Childhood Development has been renamed the Division of Early Childhood and the Division of Special Education Services/Early Intervention has been renamed the Division of Early Intervention and Special Education Services.

The MSDE Office of Compliance and Monitoring consists of three staff members, a Director and two compliance monitors, who joined our staff during FY 2019. This office was established to ensure that local school systems are compliant with State statute and regulations. The office will respond to public and administrative inquires and monitor academic validation matters to ensure MSDE policies, processes and procedures are followed. It will also review nonpublic school textbook awards, certification issues, and other areas as needed.

DLS recommends that all funding and positions for the Office of Compliance and Monitoring be made contingent on the enactment of the Accountability in Education Act.

MSDE Response: MSDE respectfully disagrees with this recommendation. MSDE supports the Governor's Allowance.

The Division of Rehabilitation Services (DORS)

MSDE should explain to the budget committees why it is projecting a lower caseload for DDS in fiscal 2020 and how much smaller it anticipates its caseload to be.

The Division of Rehabilitation Services/Disability Determination Services (DDS) projects fewer cases being adjudicated based on two factors. First, the DDS operates on a reimbursement basis from the Social Security Administration (SSA), which lifted a two-year hiring freeze in the summer of 2018. At the end of September, 30 vacancies at DDS, mostly case examiner positions, were either recently filled or were in the recruitment process. Individual case examiners do not initially receive a full case load because of the complexities of learning both the medical and vocational aspects of determining Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) eligibility determination.

The second factor is that the DDS is expected to move the entire office, including all staff, during the first quarter of 2020. There will be several weeks where case processing will be well below the DDS's normal production level as staff prepare for the move and then to come back up to speed once the move has occurred. The DDS expects its case production to increase beginning in fiscal 2021, provided the SSA does not implement another hiring freeze.

ISSUES

Implementation of the Maryland Comprehensive Assessment Program (MCAP)

MSDE should explain to the budget committees what its timeline is so that MCAP will be ready to be administered for students in spring 2020. It should also explain to the budget committees if PARCC will be used for students who require retesting in fall 2019. Finally,

MSDE should provide to the budget committees details on the contract for the new middle school social studies assessment under MCAP, which has been renegotiated.

The Division of Assessment, Accountability and Information Technology held the initial planning meeting in January 2019. The MSDE is reviewing the item bank and working on ensuring the new assessments can be equated to the old assessments. New item development is currently in progress. All items will be reviewed with Maryland educators this summer. Operational forms will be built and finalized in early fall. MCAP Math Grades 3-8, Algebra I, Geometry, Algebra II and English/Language Arts (E/LA) Grades 3-8, and 10 will be ready for operational administration in the spring of 2020. Additionally, MCAP Math – Algebra 1 and ELA 10 will be operationally administered in fall 2019-2020. PARCC will not be used for administration in fall 2019.

The middle school social studies assessment is part of our current MCAP contracts. The development follows the same process as the other assessments with the only exception being it is field tested in spring 2020 as it is brand new.

Direct Certification

MSDE should describe to the budget committees the steps that are necessary for it to include matching counts for Medicaid in its direct certification system and what, if anything, it is currently working on to do so.

MSDE issued a contract with a vendor to develop a state-level Direct Certification System.

The build out of the Maryland Direct Certification System (MDCS) has been funded by a grant from the USDA and includes matching processes for Supplemental Nutrition Assistance Program (SNAP), Temporary Cash Assistance (TCA), and Foster Care children. Medicaid matching is precluded by USDA from inclusion as a categorical criteria to determine directly certified children in the School Meals programs in Maryland.

The inclusion of Medicaid matching would require a fully developed business process prior to project inception, in coordination with all interested parties, to achieve the desired results. State funding will be necessary to add the Medicaid match to the Maryland Direct Certification System (MSCS). The MSDE estimates this cost to be about \$500,000.

Contractor Requesting Extension to Complete Special Education Study

MSDE should update the budget committees on the current status of the special education study and its recommendation for a reasonable extension of time for the study to be completed.

A Request for Proposals (RFP) developed in conjunction with the Department of Budget and Management (DBM) and the Department of Legislative Services (DLS) was issued on August 17, 2018. The contract was awarded to WestEd in December 2018. WestEd has requested an extension until November 2019 to complete the work of the study. The MSDE shared the request

for an extension with DBM and DLS, and all three agencies felt that it was in the best interest of the results of the study that an extension be provided. MSDE believes that November 29, 2019 is a reasonable extension of the deadline for completing the study.

OPERATING BUDGET RECOMMENDED ACTIONS

DLS Recommended Actions:

1. Add the following language to the general fund appropriation:

, provided that \$1,370,983 of this appropriation in general funds and 11 positions made for the purpose of an Education Monitoring Unit and an Office of Compliance and Oversight within the Maryland State Department of Education is contingent on the enactment of SB 92 or HB 45.

Explanation: This language makes all funding and positions for the new Office of Compliance and Oversight within the Maryland State Department of Education, which includes funding and positions for an Education Monitoring Unit (EMU), contingent on the Accountability in Education Act of 2019 (SB 92 or HB 45) that would establish an EMU.

MSDE Response: MSDE respectfully disagrees with this recommendation. MSDE supports the Governor's Allowance.

2. This reduction removed the general salary increase received by the State Superintendent of Schools as this position operates under a fixed salary for his or her entire term in accordance with the contract with the Maryland State Board of Education.

Amount Reduction: \$4,720 GF

MSDE Response: MSDE concurs.

3. Amend the following language:

State Superintendent of Schools 1 ~~240,720~~ 236,000

Explanation: This action changes the State Superintendent's salary in the executive pay plan to reflect the reduction of a general salary increase in the Maryland State Department of Education – Headquarters (R00A01).

Total General Fund Reductions \$ 4,720

MSDE Response: MSDE concurs.