



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

TO: Members of the State Board of Education

FROM: Karen B. Salmon, Ph.D.

DATE: December 4, 2018

SUBJECT: COMAR 13A.06.09
Maryland Early Literacy Initiative
ADOPTION

PURPOSE:

The purpose of this action is to adopt COMAR 13A.06.09 *Maryland Early Literacy Initiative*.

REGULATION PROMULGATION PROCESS:

Under Maryland law, a state agency, such as the State Board, may propose a new regulation whenever the circumstances arise to do so. After the State Board votes to propose such a regulation, the proposed regulation is sent to the Administrative, Executive, and Legislative Review (AELR) Committee for a 15-day review period. If the AELR Committee does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments. Thereafter, MSDE staff will present a recommendation to the State Board of Education to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because suggested revision is not a substantive change; or (3) revise the regulation and re-propose it because the suggested revision is a substantive change. At any time during this process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

BACKGROUND/HISTORICAL PERSPECTIVE:

House Bill 1415 *Education – Commission on Innovation and Excellence in Education*, approved by Governor Hogan on May 8, 2018, establishes, among other initiatives, the Maryland Early Literacy Initiative. This is a competitive grant program for up to 50 qualifying Title I schools to develop an evidence-based early literacy program in the school to work with participating students to meet literacy proficiency targets by the end of third grade or other literacy targets as determined by the Department. The MSDE is directed to administer the grant program. The Request for Applications for the Maryland Early Literacy Initiative was posted on the MSDE website in July 2018; fifteen local school systems representing 74 Title I schools submitted applications. Review of the applications is in process with grant awards projected for December 2018.

EXECUTIVE SUMMARY:

House Bill 1415 requires adoption of regulations for the Maryland Early Literacy Initiative. The State Board reviewed the proposed regulations and granted permission to publish at the July 24, 2018 State Board Meeting. The MSDE received no comments during the public comment period.

ACTION:

Request that the State Board adopt COMAR 13A.06.09 *Maryland Early Literacy Initiative*.

Attachment:

COMAR 13A.06.09 *Maryland Early Literacy Initiative*

Title 13A
STATE BOARD OF EDUCATION
Subtitle 06 SUPPORTING PROGRAMS
Chapter 09 Maryland Early Literacy Initiative

.01 Purpose.

The Maryland Early Literacy Initiative is a grant program that will assist up to 50 qualifying schools in at least three school systems to implement an evidence-based literacy program in the school to work with participating students to meet literacy proficiency targets by the end of eighth grade.

.02 Definitions.

A. In this regulation, the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Initiative” means the Maryland Early Literacy Initiative.
- (2) “Interventionist” means a trained professional whose primary responsibility is to deliver evidence-based early literacy intervention.
- (3) “Nonprofit organization” means a nonprofit organization that:
 - (a) Is based in the State;
 - (b) Is incorporated or registered under the laws of the State;
 - (c) Is exempt from Federal income tax under §501(c)(3), (4), or (6) of the Internal Revenue Code
 - (d) Is current in the payment of all tax obligations to the State or any unit or subdivision of the State; and
 - (e) Has been in active business for three years or more at the time of the application submitted under this section or has a fiscal sponsor who can meet the requirements of this section.
- (4) “Participating student” means a student:
 - (a) In Prekindergarten through eighth grade; or
 - (b) A student who performs below a certain score, as determined by the Department, on the assessment the Department uses to assess reading level.
- (5) “Qualifying school” means a public school categorized by the local school system as a Title I school.

.03 Program Requirements

A. For the 2018-19 school year through the 2021-22 school year, a qualifying school may apply to the Department to receive a grant to develop an evidence-based early literacy program.

B. A qualifying school may apply for a grant only if the local superintendent endorses the

school's grant application.

- C. A qualifying school may coordinate and partner with other qualifying schools in the county to apply jointly for a grant to develop a literacy program among the partnering qualifying schools.
- D. A qualifying school may apply for and accept donations, grants, or other financial assistance from a governmental entity, a nonprofit organization, or any other private organization to benefit the literacy program.
- E. A local school board may apply on behalf of one or more qualifying schools in the local school system.

.04 Grant Application

A. An application shall:

- (1) Identify whether the qualifying school will work in collaboration with a nonprofit organization or the local board of education to implement the literacy program;
- (2) Provide the name and qualifications of the nonprofit organization, if the qualifying school will work in collaboration with a nonprofit organization;
- (3) Include a description of:
 - (a) The literacy program to be implemented at the qualifying school;
 - (b) The training that will be provided to the interventionist to provide the services in this section;
 - (c) How the literacy program will meet the grant requirements in this section;
 - (d) Any other information required by the Department.

B. A Literacy Program developed under the Initiative shall:

- (1) Provide early literacy intervention services for participating students;
- (2) Require participating students to receive direct services at least twice a week;
- (3) Have clear literacy targets at each grade level for participating students;
- (4) Have benchmark assessments multiple times a year to identify students who need one-on-one interventions;
- (5) Collect data on student progress at least monthly;
- (6) Be implemented by staff hired and supervised by the collaborating nonprofit organization or the local board of education; and
- (7) Use literacy programs that utilize various evidence-based approaches and methodologies for:
 - (a) Comparison purposes; and
 - (b) The collection of multiple data points for long-term review.

.05 Grant Award

- A. To the extent that funds are available, the Department shall distribute up to 50 grants in at least three school systems for a 2-year period.
- B. In awarding grants under the Initiative, the Department will fund only those qualifying schools that use literacy programs that utilize various evidence-based approaches and methodologies for:
 - (1) Comparison purposes; and
 - (2) The collection of multiple data points for long-term review.
- C. If the number of applications exceed the number of available grants, the Department shall give priority to a qualifying school serving a high concentration of students living in poverty in Prekindergarten through third grade.
- D. A grant made to each qualifying school may not exceed \$75,000 each year.
- E. A grant made under this section shall be renewed by the Department after a 2-year period if the qualifying school presents evidence that the qualifying school is:
 - (1) In compliance with all grant requirements; and
 - (2) Meeting identified targets and benchmarks.