



Committee: Directly to Council
Committee Review: N/A
Staff: Nicole Rodriguez-Hernandez, Legislative Analyst
Purpose: To receive testimony/final action - vote expected
Keywords: #MCPS

AGENDA ITEM #6
May 3, 2022
Public Hearing/Action
ADDENDUM ADDED

SUBJECT

Supplemental Appropriation to the FY22 Operating Budget, Montgomery County Public Schools, \$1,370,888 for the Individuals with Disabilities Comprehensive Coordinated Early Intervening Service Plan Grant (Source of Funds: Federal funds)

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

Vote expected

DESCRIPTION/ISSUE

The County Council will receive testimony and consider action on a supplemental appropriation to the FY22 Operating Budget, Montgomery County Public Schools, \$1,370,888 for the Individuals with Disabilities Comprehensive Coordinated Early Intervening Service Plan Grant. The source of funds is Federal funds.

SUMMARY OF KEY DISCUSSION POINTS

- The Board of Education requested this appropriation on March 10. The County Executive recommended this appropriation on March 30. The Council introduced this appropriation on April 19.
- This supplemental appropriation is needed because MCPS received notice from the Maryland State Department of Education of this supplemental appropriation for the Comprehensive Coordinated Early Intervening Service—American Rescue Plan under the *Individuals with Disabilities Education Act*, Part B Grant.
- MCPS will utilize these funds to enhance the services offered to Black and African American students with disabilities. MCPS plans to hire three behavior support teachers, two social workers, and one psychologist. The goal of the grant is to close the disproportionality of outcomes between this group of students and all students.

This report contains:

County Executive Transmittal, Draft Resolution, BOE Transmittal

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OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

M E M O R A N D U M

March 30, 2022

TO: Gabe Albornoz, President
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Supplemental Appropriation #22-75 to the FY22 Operating Budget
Montgomery County Public Schools
ARPA Individuals with Disabilities Act Comprehensive Coordinated Early
Intervening Services Plan Grant, \$1,370,888

I am recommending a Supplemental Appropriation to the FY22 Operating Budget of Montgomery County Public Schools (MCPS) in the amount of \$1,370,888 for the Comprehensive Coordinated Early Intervening Services Plan Grant, a part of the American Rescue Plan Act of 2021. This Appropriation will fund targeted services for Black/African American students with disabilities.

This increase is needed because funds are available to enhance the services offered to Black/African American students with disabilities. Specifically, MCPS will use the funds to hire three behavior support teachers, two social workers, and one psychologist. The goal of the grant is to close the disproportionality of outcomes between this group of students and all students.

I recommend that the County Council approve this Supplemental Appropriation in the amount of \$1,370,888 and specify the source of funds as Federal funds.

I appreciate your prompt consideration of this action.

Attachment: Supplemental Appropriation #22-75

c: Jennifer R. Bryant, Director, Office of Management and Budget

Resolution No: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Supplemental Appropriation #22-75 to the FY22 Operating Budget
Montgomery County Public Schools
ARPA Individuals with Disabilities Act Comprehensive Coordinated Early
Intervening Services Plan Grant, \$1,370,888

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. The County Executive has requested the following FY22 Operating Budget appropriation increases for Montgomery County Public Schools:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
\$958,596	\$412,292		\$1,370,888	Federal Funds

3. This increase is needed because funds are available to enhance the services offered to Black/African American students with disabilities. Specifically, MCPS will use the funds to hire three behavior support teachers, two social workers, and one psychologist. The goal of the grant is to close the disproportionality of outcomes between this group of students and all students.
4. The County Executive recommends a supplemental appropriation to the FY22 Operating Budget in the amount of \$1,370,888 for the Comprehensive Coordinated Early Intervening Services Plan Grant and specifies that the source of funds will be Federal funds.
5. Notice of public hearing was given, and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

A supplemental appropriation to the FY22 Operating Budget of Montgomery County Public Schools is approved as follows:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
\$958,596	\$412,292		\$1,370,888	Federal Funds

This is a correct copy of Council action.

Selena Mendy Singleton, Esq.
Clerk of the Council

Office of the Superintendent of Schools
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

March 10, 2022

MEMORANDUM

To: The Honorable Marc Elrich, County Executive
The Honorable Gabe Alborno, President,
Montgomery County Council

From: Monifa B. McKnight, Interim Superintendent of Schools 

Subject: Transmittal of Board of Education Agenda Item #11.9

Recommended Fiscal Year 2022 Supplemental Appropriation for the Comprehensive Coordinated Early Intervening Services Plan—American Rescue Plan under the *Individuals with Disabilities Education Act*, Part B Grant

BOE Meeting Date: February 24, 2022

Amount: \$1,370,888

Type of Action: Approval

MBM:ESD:RR:jp

Attachment

Copy to:

Dr. Dawson

Mr. Reilly


Montgomery County Office of Management and Budget

Office of the Superintendent of Schools
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

February 24, 2022

MEMORANDUM

To: Members of the Board of Education

From: Monifa B. McKnight, Interim Superintendent of Schools 

Subject: Recommended Fiscal Year 2022 Supplemental Appropriation for the Comprehensive Coordinated Early Intervening Services Plan—American Rescue Plan under the *Individuals with Disabilities Education Act*, Part B Grant

Recommendation in Brief

Authorization is requested to receive and expend, subject to Montgomery County Council approval, a Fiscal Year (FY) 2022 supplemental appropriation of \$1,370,888 for the Comprehensive Coordinated Early Intervening Services Plan—American Rescue Plan under the *Individuals with Disabilities Education Act*, Part B Grant.

Background

Montgomery County Public Schools (MCPS) is using grant funds to reduce disproportionality. After examining trends and identifying factors that contribute to impacts on different racial and ethnic groups, data illustrates the need to better serve Black/African American students with disabilities with few-to-no suspensions or, at least, at rates comparable to other representative groups of students.

The funds will support professional learning and coaching behavior interventions and monitoring implementation of policies and procedures to reduce disproportionality. Additionally, funds will support the salary for three behavior support teachers, two social workers, and one psychologist supporting students receiving Social Emotional Special Education Services. Funds also will support a supervisor position in the Office of Student and Family Support and Engagement to monitor the implementation of restorative justice practices.

Support of Montgomery County Board of Education Mission

The grant aligns with the MCPS strategic priorities of learning, accountability, and results for students with disabilities, opportunity for achievement of academic, functional, and behavioral outcomes specific to MCPS' children and youth with disabilities and their families. The grant focuses on reducing and eliminating disparities in student learning to ensure that student outcomes are not predictable by race, ethnicity, socioeconomic status, or educational need.

The grant activities will promote racial equity and social justice by looking through the lens of equity and culturally responsive practices, resulting in perspectives, instruction, and interventions that promote equal access to learning and success for all students.

Use of Funds

Funds will be used to provide for:

- Special education instructional salaries
- Fixed charges

Recommended Resolution

WHEREAS, Montgomery County Public Schools has received notification from the Maryland State Department of Education that it will receive an additional \$1,370,888 for the Comprehensive Coordinated Early Intervening Services Plan—American Rescue Plan under the *Individuals with Disabilities Education Act*, Part B Grant; now therefore be it

Resolved, That the interim superintendent of schools be authorized to receive and expend, subject to Montgomery County Council approval, a Fiscal Year 2022 supplemental appropriation of \$1,370,888 for the Comprehensive Coordinated Early Intervening Services Plan—American Rescue Plan under the Individuals with Disabilities Education Act, Part B grant in the following categories:

Category	Positions*	Amount
03 Instructional Salaries	1.0	\$ 151,780
06 Special Education	3.0	493,627
07 Student Personnel Services	2.0	313,189
12 Fixed Charges		412,292
<u>Total</u>	<u>6.0</u>	<u>\$ 1,370,888</u>

Positions*

Positions	FTE
Teacher, Special Education	3.0
Psychologist	1.0
Social Worker	2.0
<u>Total</u>	<u>6.0</u>

and be it further

Resolved, That a copy of this resolution be forwarded to the Montgomery county executive and Montgomery County Council; and be it further

Resolved, That the Montgomery county executive be requested to recommend approval of this resolution to the Montgomery County Council.

MBM:ESD:RR:jp



OFFICE OF RACIAL EQUITY AND SOCIAL JUSTICE

Marc Elrich
County Executive

Tiffany Ward
Director

MEMORANDUM

May 2, 2022

To: Jennifer Bryant, Director
Office of Management and Budget

cc: Gabe Albornoz, President
County Council

From: Tiffany Ward, Director
Office of Racial Equity and Social Justice

Re: Racial Equity Impact Assessment (REIA) for Supplemental Appropriation (SA) #22-75
ARPA IDEA Early Intervention Grant

- I. **FINDING:** The Office of Racial Equity and Social Justice (ORESJ) finds that Supplemental Appropriation #22-75 American Rescue Plan Act (ARPA) Individuals with Disabilities in Education Act (IDEA) Early Intervention Grant is likely to advance racial equity and social justice in the County as it provides targeted resources to address disproportionalities in school discipline impacting students of color, particularly Black students, and students with disabilities. To sustain and leverage these system-level investments, ORESJ notes the importance of continued data collection, monitoring, and policies that enable continual staff development and resources for restorative justice practices.
- II. **BACKGROUND:** The purpose of Supplemental Appropriation #22-75 is to utilize funding under the Comprehensive Coordinated Early Intervening Services Plan Grant to hire three behavior specialist, two social workers, and one psychologist. The goal of additional staff resources is to reduce disproportionalities in school suspension, particularly for Black students with disabilities, by providing additional staff training and coaching, monitoring the implementation of restorative justice practices, and equitably applying the student code of conduct.

To assess the extent to which this supplemental appropriation is likely to advance racial equity and social justice in the County, we looked at data about the disciplinary experiences of students with disabilities, particularly for students of color with disabilities. We then looked at research related to the structural inequities that create disparities in discipline and other outcomes for students of color with disabilities. Finally, we compared the targeted approach outlined in this supplemental appropriation with best practices for addressing disproportionalities in student discipline. Our analysis leaned heavily on the Office of Legislative Oversight (OLO) Racial Equity and Social Justice statement for Bill 7-21¹, which provided a thorough analysis of the root causes and promising interventions for curbing disparities in school discipline in the County.

Available information suggest that the targeted approach outlined in this Supplemental Appropriation request emerged from examining trends and factors that contribute to impacts on different racial and ethnic groups. Specific details about this examination were not available at the time of this assessment, but available county-level data confirms disproportionalities in out-of-school suspension by race, ethnicity, income, and disability status. The RESJ Statement for Bill 7-21 documents the following differences between student enrollment and out of school suspension rates:

	Student Enrollment (2018-19)	Out-of-School Suspension (2018-2019)	Difference
Race and ethnicity:			
White/Asian/Other	47%	20%	-27%
Black	22%	43%	+21%
Latinx	32%	36%	+4%
Other characteristics:			
FARMS/Low-Income	36%	58%	+22%
Special Education	13%	26%	+13%
Total Number	164,679.00	2,630.00	

Source: The Office of Legislative Oversight RESJ Impact Statement for Bill 7-21. February 18, 2021. Available at:

<https://www.montgomerycountymd.gov/OLO/Resources/Files/resjis/2021/resij-Bill7-21.pdf>

The RESJ statement and additional research confirms that these trends are like those seen across the US, where there are disparities by race and disability in the administration of

¹ Dr. Elaine Bonner-Tompkins. Office of Legislative Oversight. Montgomery County, Maryland. "RESJ Statement Bill 7:21 Police – School Resource Officers." February 18, 2021. Available at:

<https://www.montgomerycountymd.gov/OLO/Resources/Files/resjis/2021/resij-Bill7-21.pdf>

school discipline². This is particularly true for Black students and students served under the Individuals with Disabilities in Education Act (IDEA)³. Research is clear that exclusionary discipline practices in schools are ineffective in creating safe, healthy learning environments for students, teachers, and staff⁴.

Disproportionalities are driven by a number of factors; however, research suggests that as with other system-level inequities, these factors are largely shaped by policies and practices not behavioral differences based on race or other status. The RESJ Statement for Bill 7-21, states: *“the consensus among most researchers is that differences in treatment and support for students with similar behaviors and between-school sorting are stronger drivers of disparities in school discipline than differences in student conduct by race, ethnicity, or income.”*

Addressing these disproportionalities—and keeping kids in school—involves several coordinated efforts: replacing exclusionary practices with supportive approaches, auditing disciplinary practices and related data; building the capacity of teachers and other in-school professionals to understand the causes of challenging classroom behavior and how to prevent it⁵. The RESJ Statement for Bill 7-21 highlights the following:

- Additional funding for counselors, psychologists, and social workers;
- Expanding positive behavioral interventions and supports; and
- Expanding restorative justice, social and emotional learning, and empathetic discipline programs.

Supplemental Appropriation #22-75 includes funding for three behavioral support teachers, two social workers, and one psychologist. The funding will also support a supervisor position in the Office of Student and Family Support who will monitor the utilization of restorative justice practices. These investments are aligned with practices for addressing disparities in school discipline disproportionately burdening students of color, particularly Black students, and students with disabilities.

cc: Ken Hartman, Director, Office of Strategic Partnerships, Office of the County Executive
Monifa McKnight, Superintendent, Montgomery County Public Schools

² Kristen Harper, Renee Ryberg, and Deborah Temkin. Child Trends. “Black students and students with disabilities remain more likely to receive out-of-school suspensions, despite overall declines.” April 2019. Available at: <https://www.childtrends.org/publications/black-students-disabilities-out-of-school-suspensions>

³ Kristen Harper, Renee Ryberg, and Deborah Temkin

⁴ US Commission on Civil Rights. Beyond Suspensions: Examining School Discipline Policies and Connections to the School-to-Prison Pipeline for Students of Color with Disabilities. July 2019. Available at: <https://www.usccr.gov/files/pubs/2019/07-23-Beyond-Suspensions.pdf>

⁵ Courtney Perkes. Disability Scoop. “Report: Students with Disabilities Disciplined Twice as Often as Peers.” February 28, 2018. Available at: <https://www.disabilityscoop.com/2018/02/28/report-disciplined-twice/24783/>