



**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 #8  
May 3, 2022  
**Public Hearing/Action**  
**ADDENDUM ADDED**

## SUBJECT

Supplemental Appropriation to the FY22 Operating Budget, Montgomery County Public Schools, \$6,985,349 for the Individuals with Disabilities Part B 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, \$6,985,349 for the Individuals with Disabilities Part B 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 Passthrough—American Rescue Plan under the *Individuals with Disabilities Education Act*, Part B.
- MCPS will utilize these funds to enhance the services offered to special education students enrolled in the Montgomery Virtual Academy. MCPS plans to hire special education instructors and obtain new learning materials for the elementary school level.

### **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 #22-77 to the FY22 Operating Budget  
Montgomery County Public Schools  
ARPA Individuals with Disabilities Act Part B Grant, \$6,985,349

I am recommending a Supplemental Appropriation to the FY22 Operating Budget of Montgomery County Public Schools (MCPS) in the amount of \$6,985,349 for the Individuals with Disabilities Act Part B Grant, a part of the American Rescue Plan Act of 2021. This Appropriation will expand special education programs offered by the Montgomery Virtual Academy.

This increase is needed because funds are available to enhance the services offered to special education students enrolled in the Montgomery Virtual Academy. Specifically, MCPS will focus on the elementary school level by hiring special education instructors and learning materials.

I recommend that the County Council approve this Supplemental Appropriation in the amount of \$6,985,349 and specify the source of funds as Federal funds.

I appreciate your prompt consideration of this action.

ME:rh

Attachment: Supplemental Appropriation #22-77

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

Resolution No: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive

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SUBJECT: Supplemental Appropriation #22-77 to the FY22 Operating Budget  
Montgomery County Public Schools  
ARPA Individuals with Disabilities Act Part B Grant, \$6,985,349

**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>
\$4,841,749	\$2,143,600		\$6,985,349	Federal Funds

3. This increase is needed because funds are available to enhance the services offered to special education students enrolled in the Montgomery Virtual Academy. Specifically, MCPS will focus on the elementary school level by hiring special education instructors and learning materials.
4. The County Executive recommends a supplemental appropriation to the FY22 Operating Budget in the amount of \$6,985,349 for the Individuals with Disabilities Act Part B 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>
\$4,841,749	\$2,143,600		\$6,985,349	Federal Funds

This is a correct copy of Council action.

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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 #11.10

Recommended Fiscal Year 2022 Supplemental Appropriation for the Passthrough—American Rescue Plan under the *Individuals with Disabilities Education Act*, Part B Grant

BOE Meeting Date: February 24, 2022

Amount: \$6,985,349

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 Passthrough—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 County Council approval, a Fiscal Year (FY) 2022 supplemental appropriation of \$6,985,349 for the Passthrough—American Rescue Plan under the *Individuals with Disabilities Education Act*, Part B Grant.

**Background**

The purpose of this grant is to ensure that the Montgomery Virtual Academy is staffed to support special education students. The Montgomery Virtual Academy has special education teachers, a transition support teacher, a psychologist, and paraeducator positions. This grant also provides additional staff to elementary schools to allow more inclusive opportunities.

**Support of Board of Education Mission**

These funds support Montgomery County Public Schools (MCPS) strategic priorities of learning, accountability, and outcomes for students with disabilities while assuring equity, access, and opportunity for the achievement of academic, functional, and behavioral goals specific to MCPS children and youth with disabilities and their families. MCPS is dedicated to reducing and eliminating disparities in student learning. The increase in special education staff at the elementary level allows more inclusive opportunities for students. Further, 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
- Contractual services
- Materials and supplies
- 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 \$6,985,349 for the Passthrough—American Rescue Plan under the *Individuals with Disabilities Education Act*, Part B Grant; now therefore be it

Resolved, That the interim superintendent of schools is authorized to receive and expend, subject to County Council approval, a Fiscal Year 2022 supplemental appropriation of \$6,985,349 for the Passthrough Grant—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	\$ 75,890
06 Special Education	64.0	4,765,859
12 Fixed Charges		2,143,600
<u>Total</u>	<u>65.0</u>	<u>\$ 6,985,349</u>

Positions\*

Positions	FTE
Administrative Assistant	1.0
Instructional Specialist	1.0
Teacher, Special Education	33.0
Paraeducator, Special Education	29.0
Psychologist	<u>1.0</u>
<u>Total</u>	<u>65.0</u>

and be it further

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

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

MBM:ESD:RR:jp



## OFFICE OF RACIAL EQUITY AND SOCIAL JUSTICE

Marc Elrich  
*County Executive*

Tiffany Ward  
*Director*

### MEMORANDUM

April 28, 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) #22-77  
ARPA IDEA Part B1 Grant and SA#22-78 ARPA IDEA Part B2 Grant

- I. **FINDING:** The Office of Racial Equity and Social Justice (ORESJ)'s finding is inconclusive. ORESJ determined that while Supplemental Appropriations #22-77 American Rescue Plan Act (ARPA) Individual with Disabilities Education Act (IDEA) Part B1 Grant and #22-78 American Rescue Plan Act (ARPA) IDEA Part B2 Grant make important investments in special education instruction and supportive services, there's little evidence to conclude that these investments will advance racial equity and social justice. While bolstering instructional capacity is a key input for addressing disparities in student opportunities and outcomes, without a clear link to structures, policies, or practices it is difficult to anticipate whether the investments will have their intended impacts.
- II. **BACKGROUND:** Supplemental Appropriations (SA) #22-77 and #22-78 relate to County's utilization of American Rescue Plan Act funding for the enhancement and expansion of special education programming for pre-k students and students attending the Montgomery Virtual Academy. The purpose of SA #22-77 is to provide funding for special education teachers, a transition support teacher, a psychologist, and a paraeducator position in the Montgomery Virtual Academy; a total of 65 FTEs. The purpose of SA #22-78 is to provide



funding for professional learning and coaching of classrooms staff working with three-and-four-year-old students with disabilities; a total of 4 FTEs.

To assess the extent to which these two supplemental appropriations are likely to advance racial equity and social justice in the County, ORESJ looked at racial and other inequities shaping disparate outcomes for Pre-K to 12 students with disabilities and the extent to which the funding provided under these supplemental appropriations is likely to reduce those disparities.

ORESJ assessed available information about both supplemental appropriations, and has provided specific analysis for each, however, to provide a larger framing about the issues impacting outcomes of students with disabilities, ORESJ suggests reviewing a REIA it conducted in November 2021, of SA #22-24. While this REIA focused on high-quality early childhood inclusion of students with disabilities under IDEA, the structural inequities are likely similar to those affecting K-12 students with disabilities. The REIA described the importance of and barriers to high-quality early childhood education and found that while the Supplemental Appropriation was likely to advance equity for pre-kindergarten students with disabilities and their families, limitations in the data made it difficult for ORESJ to determine to what extent this supplemental would also advance racial equity. As the core issues in SA#22-77 and 78 are like those outlined in SA#22-24, ORESJ suggests that those interested in understanding the potential racial equity impacts SA#22-77 and 78, do so by first reviewing the REIA for SA#22-24.

*Analysis of SA#22-77:*

Supplemental Appropriation #22-77 makes a sizable investment in targeted resources for elementary-level students with disabilities attending the Montgomery Virtual Academy, with 65 FTE designated specifically for special education instruction and supports. While this certainly has the potential to bolster instructional capacity, limitations in available data make it difficult for ORESJ's to assess potential impacts. Necessary information includes:

- How many students with disabilities are enrolled in Montgomery Virtual Academy and from what base schools?
- What is the demographic and service group breakdown of students enrolled in Montgomery Virtual Academy?
- What are the Evidence of Learning measures for students enrolled in the Montgomery Virtual Academy and/or what other measures are used to determine student success?
- How many special education teachers are currently working with Montgomery Virtual Academy?
- What is known about the specific barriers impacting students with disabilities in the virtual setting?

- How does this investment, additional teachers, address structural barriers affecting students with disabilities in the virtual setting? What policies or practices will be used to overcome these barriers and/or change the systems creating them?

Responses to these questions would help ORESJ gain a better understanding of which students are likely to benefit from the investment, how the students will be impacted, and whether those impacts will address any known gaps in measures of student success for students with disabilities, particularly students of color with disabilities.

*Analysis of SA#22-78:*

ORESJ noted two parts of Supplemental Appropriation #22-78 with the potential to positively affect the outcomes of pre-k students with disabilities. However, an absence of detail about these areas prevents ORESJ from comprehensively assessing their impact. First, information accompanying SA#22-78 refers to how this funding creates an opportunity for systemic change. Racial equity best practices call us to change policies, practices, systems and structures to drive equitable outcomes<sup>1</sup>, so this reference is strength. However, it's unclear (based on available information) to what extent this funding will enable the type of systemic changes necessary to drive greater inclusion and success of Pre-K students with disabilities. The Early Childhood Technical Assistance Center offers a guide called Considerations for Implementing Systemic Change<sup>2</sup> that helps decisionmakers understand the kinds of questions to ask when developing and implementing a systems-change initiative. While it's possible many of the factors outlined in the guide have been considered, it's unclear (based on available information) whether questions like:

- Does the plan address activities to reduce organizational barriers and strengthen system capacity, such as policy, procedures, funding, organizational structures etc.?
- Are data and information being collected in a timely manner on how well things are going?
- Are data and feedback from the early users being used to quickly make any adjustments or changes system structures?
- What plans do you have to ensure long-term sustainability?

For the systemic change described in this supplemental request, some of the considerations might be:

- How will additional staff hired using ARPA funding be supported (addressing organizational or institutional barriers)?

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<sup>1</sup> Race Forward. "What is Racial Equity?". Available at: <https://www.raceforward.org/about/what-is-racial-equity-key-concepts>

<sup>2</sup> Lynda Pletcher & Joicey Hurth. The Early Childhood Technical Assistance Center. Considerations for Implementing Systemic Change. April 6, 2015. Available at: [https://ectacenter.org/~pdfs/pubs/ecta-considerations\\_for\\_implementing.pdf](https://ectacenter.org/~pdfs/pubs/ecta-considerations_for_implementing.pdf)

- What data is or will be collected to understand how the capacities of classroom teachers are being strengthened to address barriers to inclusion? How are those strengthened capacities affecting academic, functional, and behavioral outcomes of Pre-K students with disabilities?
- How will the expertise and coaching be institutionalized and sustained if the funding source changes or goes away? Relatedly, what steps will be taken to ensure the continuity, evaluation, and possible expansion of service?

The second area where this Supplemental Appropriation has the potential to address disparities in outcomes for Pre-K students with disabilities is with its outlined approach for promoting racial equity and social justice:

“...the grant will promote racial equity and social justice by working with staff to look 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”<sup>3</sup>.

There is evidence from the Board of Education of Montgomery County Policy statement on Nondiscrimination, Equity, and Cultural Proficiency <sup>4</sup> and MCPS Equity Accountability Model of a commitment to understanding and eliminating gaps in student access, opportunity and success. However, there’s an absence of detail in this request (and more generally) related to the structures, policies, or data that will ensure this commitment is realized in the early childhood special education setting. For example, the Evidence of Learning (EOL) performance measures for students with disabilities are available for a sample school, but there don’t appear to be kindergarten readiness measures for the Pre-K environment. Also, available data does not make it possible to look at the important intersection of disability and race for Pre-K students.

So, while bolstering instructional capacity through this supplemental request is likely to benefit Pre-K students with disabilities and their families, there isn’t enough information to explain how this targeted resource will be delivered in a way that strengthens kindergarten readiness among students with disabilities, addresses racial disparities in kindergarten readiness, nor how this resource will be sustained should the funding source change.

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

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<sup>3</sup> Office of the Superintendent of Schools Montgomery County Public Schools. Memorandum. February 24, 2022.

<sup>4</sup>Policy Board of Education of Montgomery County. Nondiscrimination, Equity, and Cultural Proficiency. Available at: <https://www2.montgomeryschoolsmd.org/departments/policy/pdf/policy%20aca,%20nondiscrimination,%20equity,%20and%20cultural%20proficiency%20updated.pdf>