

## Legislative Committee & Federal Relations Network (FRN) Committee Meeting

Monday, June 6, 2016  
1:00 – 3:00 p.m.  
MABE Conference Room

Joy Schaefer, Legislative Committee Chair  
Stacy Korbela, Legislative Committee Vice Chair  
Marnell Cooper, FRN Committee Chair

### Agenda

1.	Welcome and Introductions	Information	Joy Schaefer	5 min.
2.	Reports from Board Members	Information & Discussion	All	15 min.
3.	The Every Student Succeeds Act (ESSA) Guest Speaker: Kimberly Richey, NSBA Senior Government Relations Counsel	Information & Discussion	Joy Schaefer	60 min.
4.	NSBA Advocacy Institute Update	Information & Discussion	Marnell Cooper/ John Woolums	10 min.
5.	Post-Session Updates <ul style="list-style-type: none"> <li>• Bill Signings</li> <li>• Commissions/Task Forces</li> <li>• Charter School Funding Study</li> </ul>	Information & Discussion	John Woolums	25 min.
6.	Calendar <ul style="list-style-type: none"> <li>• September 19, 2016</li> <li>• Future Dates TBD</li> </ul>	Information	Joy Schaefer	5 min.
7.	Adjournment	Closing Remarks	Joy Schaefer	

## **Meeting Materials & Resources for the June 6, 2016 Meeting**

### **The Every Student Succeeds Act**

The passage of the Every Student Succeeds Act (ESSA), signed by President Obama on December 10, 2015, represents a comprehensive revision of the Elementary and Secondary Education Act (ESEA), which since 2002 has been known as the No Child Left Behind Act (NCLB). MABE and the National School Boards Association (NSBA) agree that ESSA provides a historic opportunity for school boards across the country to help shape how this law will impact their schools, teachers and students. Unlike NCLB, ESSA reduces the specificity of federal requirements while increasing the ability of States and school systems to define how school boards individual schools are held accountable for student achievement. With the passage of this law, the U.S. Department of Education (USDE) and States are now embarking on the work to implement its provisions.

It is important to note that while ESSA has passed Congress, the U.S. Department of Education (USDE) must publish regulations, guidance and program applications that will shape requirements for States, school districts and schools under the law. The law requires USDE to finalize regulations within one year of the passage of ESSA. Under the rulemaking process, a proposed regulation, referred to as a Notice of Proposed Rulemaking (NPRM) must be issued. An NPRM is a draft regulation that is open for public comment. In addition to the typical NPRM process, ESSA requires the Department to conduct negotiated rulemaking on a subset of statutory requirements, including standards, assessments and supplement/not supplant requirements. The standards and assessments are those which States are required to adopt under Title I.

### **ESSA Negotiated Rulemaking Update**

The ESSA negotiated rulemaking committee completed its third and final session on April 19, 2016, coming to consensus on the assessment (testing) issues but failing to reach agreement on supplement, not supplant (ESSA provisions requiring that federal Title I funds be used in addition to state and local education investments and not as a substitute for such). The U.S. Department of Education (the Department) is bound to the agreement on the assessment regulations.

However, because consensus was not reached on supplement, not supplant issues, the Secretary of Education can proceed in publishing those regulations without being bound to the negotiations or the draft regulations discussed during negotiations.

### **MSDE Resources**

- [MSDE's ESSA Web Page](#)
- [MSDE Presentation on Transitioning to the Every Student Succeeds Act](#)

## NSBA Resources

- [ESSA Initial Implementation Guide:](https://cdn-files.nsba.org/s3fs-public/07-NSBA-ESSA-Implementation-Guide-Paper.pdf?IDLP1rg9kHPOsXbv5VcWgacz7RD5Vh_Q)  
[https://cdn-files.nsba.org/s3fs-public/07-NSBA-ESSA-Implementation-Guide-Paper.pdf?IDLP1rg9kHPOsXbv5VcWgacz7RD5Vh\\_Q](https://cdn-files.nsba.org/s3fs-public/07-NSBA-ESSA-Implementation-Guide-Paper.pdf?IDLP1rg9kHPOsXbv5VcWgacz7RD5Vh_Q)
- [ESSA Transition Timetable and FAQ: A Local School Board Primer](https://www.nsba.org/essa-transition-timetable-and-faq-local-school-board-primer)  
<https://www.nsba.org/essa-transition-timetable-and-faq-local-school-board-primer>
- [ESEA Conference Committee Framework with NSBA Commentary](https://www.nsba.org/esea-conference-committee-framework-nsba-commentary)  
<https://www.nsba.org/esea-conference-committee-framework-nsba-commentary>
- [Background on ESSA](https://www.nsba.org/advocacy/federal-legislative-priorities/every-student-succeeds-act-essa/background-essa)  
<https://www.nsba.org/advocacy/federal-legislative-priorities/every-student-succeeds-act-essa/background-essa>
- [NSBA's Actions in Support of ESSA](https://www.nsba.org/advocacy/federal-legislative-priorities/elementary-and-secondary-education-act-reauthor)  
<https://www.nsba.org/advocacy/federal-legislative-priorities/elementary-and-secondary-education-act-reauthor>

## U.S. Dept. of Education Resources

- [U.S. Dept. of Education's ESSA Web Page](http://www2.ed.gov/policy/elsec/leg/essa/index.html)  
<http://www2.ed.gov/policy/elsec/leg/essa/index.html>
- [Read the Every Student Succeeds Act \(Bill Text\)](https://www.gpo.gov/fdsys/pkg/BILLS-114s1177enr/pdf/BILLS-114s1177enr.pdf)  
<https://www.gpo.gov/fdsys/pkg/BILLS-114s1177enr/pdf/BILLS-114s1177enr.pdf>
- [Sign up for news about ESSA](https://public.govdelivery.com/accounts/USED/subscriber/new?topic_id=USED_5)  
[https://public.govdelivery.com/accounts/USED/subscriber/new?topic\\_id=USED\\_5](https://public.govdelivery.com/accounts/USED/subscriber/new?topic_id=USED_5)
- [Sign up for email updates about ESSA](https://public.govdelivery.com/accounts/USED/subscriber/new?topic_id=USED_5)  
[https://public.govdelivery.com/accounts/USED/subscriber/new?topic\\_id=USED\\_5](https://public.govdelivery.com/accounts/USED/subscriber/new?topic_id=USED_5)
- Send questions to [essa.questions@ed.gov](mailto:essa.questions@ed.gov).

## NSBA's Advocacy Institute – June 12-14 – Registration Now Open

Join your school board colleagues from across the country at the NSBA Advocacy Institute June 12-14, 2016 in Washington, D.C. Get the inside scoop on the 2016 congressional and presidential elections, learn the impact of the Every Student Succeeds Act on your district and state, and let your voice be heard with your Members of Congress during congressional visits as Federal Relations Network members.

View this [video](#) to hear from past participants. Take a look at the [program agenda](#). (This document will be updated regularly as speakers are confirmed).

To register, please visit [www.nsba.org/events/advocacy-institute](http://www.nsba.org/events/advocacy-institute). If you registered for the January conference that was postponed, due to weather, you are automatically registered for the June conference unless you cancelled. However, you must re-book your sleeping rooms at the Marriott Marquis directly through NSBA's housing company, Convention Management Resources (CMR). [Click here to make your hotel reservations](#).

If you have questions regarding your conference registration please send an email to [registration@nsba.org](mailto:registration@nsba.org).

**Equity Symposium – June 11** – Consider arriving a day early to participate in NSBA's first Equity Symposium. The registration fee is \$189 which includes a full day of learning as well as breakfast and lunch. Registration is now open. Additional program and registration information can be found at [www.nsba.org/equity](http://www.nsba.org/equity)

## **Commissions & Task Forces**

**Commission on Innovation and Excellence in Education** ([HB 999/SB 905](#)) and [Fiscal and Policy Note](#) This bill establishes the Commission on Innovation and Excellence in Education. The commission must review the findings of the study on adequacy of funding for education, due on December 1, 2016, and related studies, and provide recommendations on preparing students in the State to meet specified objectives. The Department of Legislative Services (DLS), in consultation with the Maryland State Department of Education (MSDE), must provide staff for the commission. The commission must provide a preliminary report and a final report of its finding and recommendations to the Governor and specified committees by December 31, 2016, and December 31, 2017, respectively. The bill takes effect June 1, 2016, and terminates May 31, 2018.

**ESSA/Master Plan Stakeholder Group** ([HB 999/SB 905](#)) and [Fiscal and Policy Note](#) The bill to create the Commission on Innovation and Excellence in Education (HB 999/SB 905) was amended at the request of the State Board of Education to reduce the scope of items that must be reported in the annual update of a school system's comprehensive master plan. MSDE must convene a stakeholder group to review current master plan requirements and the new requirements of the federal Every Student Succeeds Act (ESSA). MSDE must report by October 1, 2017 to the State Board of Education, the General Assembly, and the commission created by the bill, regarding what information should be included in future comprehensive master plans and whether they should be completed in a digital form that can be periodically updated.

**Task Force to Combat Habitual Student Truancy** ([HB 429](#), and [Fiscal & Policy Note](#)) The Task Force is to: • study and assess how the structure and effectiveness of the State's existing truancy courts can be improved; • study the State's chronic absentee rates and assess whether chronic student absenteeism influences truancy rates; • identify best practices regarding how records relating to student absences are gathered and maintained and the proper time a pupil personnel worker should be notified of a student's chronic absenteeism or habitual truancy; • determine methods of encouraging State agencies to work collaboratively to reduce habitual student truancy; • determine whether specified actions would be helpful in combatting habitual student truancy, including requiring each local school system to provide evening high school programs; and • make recommendations on how best to combat habitual student truancy in the State. By July 1, 2017, the task force must report its findings and recommendations to the Governor and the General Assembly. The bill takes effect July 1, 2016, and terminates June 30, 2018.

### **Diabetes School Health Services Stakeholder Process** ([HB 771](#) and [Fiscal and Policy Note](#))

Public Schools - Administration of Diabetes Care Services - Guidelines This bill requires the Maryland State Department of Education (MSDE) and the Department of Health and Mental Hygiene (DHMH), to establish guidelines for public schools regarding the administration of health care services to students with diabetes and provide specified technical assistance to schools to implement the guidelines. MSDE and DHMH, in consultation with the other stakeholders, must establish a plan for all public school health services programs in the State to provide diabetes care services so that students with diabetes can (1) remain safe in school; (2) be supported for optimal academic achievement; and (3) fully participate in all aspects of school programming, including after-school activities and other school-sponsored events. By December 1, 2016, MSDE and DHMH must report to specified committees on the implementation of the plan. The bill takes effect July 1, 2016.

### **21st Century School Facilities Commission**

ANNAPOLIS, MD (Dec. 18, 2015) – Today, Senate President Thomas V. Mike Miller, Jr. and House Speaker Michael E. Busch announced the formation of a commission to review the State's school construction policies and make recommendations for more efficient and effective school construction practices into the future. The 21st Century School Commission will be chaired by Martin Knott, President of Knott Mechanical, a mechanical services company working in 10 counties across Maryland. The Commission will be comprised of private sector representatives from the construction services and development industry; local government and educational members; as well as State officials. The Commission met for the first time on April 25, 2016 and will report back to the General Assembly by December 2016.

**Public Charter School Improvement Act** ([SB 595](#)) This bill passed on the final day of the 2015 legislative session, and makes major changes to Maryland long-standing Charter School Act of 2003. In addition, the legislation mandates a "Public School Funding and Expenditures Study" which is now ongoing. MSDE, in consultation with DLS, has contracted for the study of the amount of funding provided to public charter schools and other public schools by local school systems. The purpose of the study is to calculate the average operating expenditures by each local school system for students enrolled in a public school that is not a public charter school or stand-alone special education school, to be aggregated at the State level to serve as the baseline for determining commensurate funding for all public schools. The report on the study is to be reported to the General Assembly and Governor by October 31, 2016.

### **2016 Legislative Committee Calendar**

- September 19, 2016
- Future Dates TBD

