

September 13, 2017

Dr. William (Brit) Kirwan, Chair
Commission on Innovation and Excellence in Education
Room 121, House Office Building
Annapolis, Maryland 21401

Dear Dr. Kirwan:

The Maryland Association of Boards of Education (MABE), representing Maryland's 24 local boards of education, appreciates the opportunity to voice strong support for meaningful improvements to Maryland's public school finance system, including substantial funding increases aligned with accountability for successful academic outcomes for all students.

In 2016, the Maryland General Assembly enacted legislation creating the Commission on Innovation and Excellence in Education; action taken in response to MABE's adopted legislative priority and the support of a broad coalition of education advocates. The primary charges to the Commission are to review the findings and recommendations of the *Study on Adequacy of Funding for Education in the State of Maryland*, a study the state commissioned for more than \$1 million and conducted by national consultants led by Augenblick, Palaich and Associates (APA); and to recommend how to update the base funding level for all students and the additional per pupil funding for students with special needs (students receiving special education services, English Language Learners, and students eligible for free and reduced price meals).

Other important Commission charges are to recommend how to provide adequate and equitable funding for programs including prekindergarten, community schools, dual enrollment, and career technology education. Importantly, the Commission must review how local school systems are spending education funds and ensuring that education funds are being spent efficiently and effectively. MABE led the advocacy effort to create the Commission precisely so that the adequacy study and other funding and accountability issues are deliberated and transformed into legislation to update and improve Maryland's school finance system.

MABE urges the Commission to fulfill its primary charge and address the adequacy study's overarching finding that there is an enormous statewide funding gap. The Adequacy Study results are clear. Substantially more per pupil funding is required not only to prepare all students to succeed based on higher standards but also to fund new programs such as universal prekindergarten and more robust college and career readiness programs, including dual enrollment, career technology education, and apprenticeship programs. The funding gap is substantial, with the national consultants calling for increases in state funding of nearly \$2 billion and increases in local government investments of nearly \$1 billion.

MABE joins other education advocates' alarm at how out of date and inadequate our school finance system has become, though we are not surprised. Maryland's funding formulas were developed in 1999-2001, and resulted in funding increases that began in 2003, but flattened out by 2008 – a decade ago. Fortunately, we know that during those years of significant funding increases Maryland's students outperformed the nation and achieved top national rankings. In 2008, a national consulting firm conducted "*An Evaluation of the Effect of Increased State Aid to Local School Systems Through the Bridge to Excellence Act*" and found that in the years since the implementation of Bridge to Excellence, local school systems "demonstrated substantial improvements in the percentages of their student populations who were proficient in reading and mathematics" (MGT of America, Inc. (Dec. 19, 2008)).

The Bridge to Excellence Act was a nationally recognized success, and the same principles and objectives should be applied to updating and enhancing the state's public school finance system. Therefore, MABE urges the Commission's adoption of the primary objectives embedded in this landmark legislation:

1. Standards-based Adequacy – Sufficient state and local funding to enable all students to meet Maryland's rigorous performance standards;
2. Wealth-based Equity – Allocations of state funding to local school systems based on local wealth;
3. Performance Accountability – Academic accountability through state assessments and local master plans reviewed by the state; and fiscal accountability through state oversight and transparent reporting; and
4. Local Governance – Flexibility for each local board of education to make community-based decisions on how state and local resources should be allocated toward the goal of meeting student performance standards.

As before, achieving funding adequacy will require not only state and local political will, but also the commitment of educators and local school systems to be effective and innovative in educating all students to achieve higher standards. MABE is confident that through incremental implementation of funding recommendations developed by the Commission and enacted by the General Assembly, Maryland can renew its commitment to fulfilling its constitutional mandate to fully fund and support an excellent education for all students in every school.

MABE urges the Commission to adopt recommendations to close the funding gap that now exists between what currently is provided under the Bridge to Excellence funding formulas adopted in 2002, and what school systems should be receiving today. The Commission learned in January of 2017 that public education in Maryland is severely underfunded (*Adequacy of Education Funding in Maryland*, DLS, Jan. 9, 2017). According to the report, in 2002 the statewide adequacy gap was \$1.1 billion. The Bridge to Excellence Act closed this gap by 2008. But by 2015, statewide adequacy was funded at 88% and there was a statewide adequacy gap of \$1.6 billion.

Since 2008, when funding adequacy was achieved, the General Assembly has imposed major mandates on local school systems, and the State Board has adopted much higher academic standards. Imposing such programs and standards without commensurate funding increases is not only unsustainable, but also unconstitutional.

Article VIII, Section 1, of the Maryland Constitution mandates that the General Assembly “shall by Law establish throughout the state a thorough and efficient System of Free Public Schools; and shall provide by taxation, or otherwise, for their maintenance.” Courts have interpreted this to mean that funding must be sufficient to provide all students with “an adequate education measured by contemporary educational standards” (*Hornbeck v. Somerset County Board of Education*, 295 Md. 597 (1983)); and that if such funding is not provided, the state is failing to meet its constitutional duty to local school systems and students (*State Board of Education v. Bradford, et al.*, 387 Md. 353 (2005)).

The Commission has devoted considerable time to research and analysis performed by the Center on International Education Benchmarking of the National Center on Education and the Economy (NCEE); focusing on NCEE’s “*Nine Building Blocks For A World-Class State Education System.*” MABE appreciates the value of a gap analysis comparing Maryland to top performing education systems in other states and countries. Not surprisingly, successful systems exist where there are strong supports for children and families before entering school; additional resources for at-risk children; internationally bench-marked standards; highly competent and collaborative teachers and principals; strong career and technology education programs; and strong state oversight. MABE recognizes the merits of pursuing continuous improvement in all of these areas, with one major caveat – the role of local governance.

The Commission recently broached the subject of governance of public education and the role of not only the State Board of Education and the 24 local boards, but also the potential for creating a new state governing body. MABE strongly supports maintaining and strengthening Maryland’s highly successful governance model which features the strong executive function of the State Superintendent; the strong legislative and quasi-judicial functions of the State Board of Education; the governance roles of the 24 local boards of education; and the academic and administrative leadership of the local superintendents. Maryland has a proven track record as the best statewide school system in the nation for many years. MABE sees no rationale for adopting a new governance model, or creating a new board or bureaucracy, when we know that Maryland’s state and local boards of education and educational leaders are capable of achieving excellence when provided constitutionally adequate resources.

Today Maryland stands poised to usher in a new era of school funding reform designed to provide the foundations of the adequate and equitable state and local funding contributions necessary to support 24 world class local school systems throughout Maryland – schools serving more than 870,000 prekindergarten through 12th grade students. Our students deserve bold recommendations for significant funding increases for the base amount of per pupil funding, and increases for targeted funding for students with disabilities, English Learners, and the 45% of our students who are economically disadvantaged. For all students, high quality early learning opportunities are key, and the Commission should recommend a fully funded path forward to expand prekindergarten, including per pupil funding for every full and half-day prekindergarten student enrolled, and a facilities plan to address the influx of 4 year olds eager to learn. In all of these instances, increased local funding, in excess of the minimum maintenance of effort amount carried over from one year to the next, will be essential to achieving state and local adequacy targets and ensuring that all students in every school system receive the world class education envisioned by the Commission.

Thank you for your consideration of the positions and priorities outlined above. Please do not hesitate to contact MABE regarding our focused interest in the success of the Commission's work and the adoption of an enhanced finance system aligned with achieving success for all students.

Sincerely,



Joy Schaefer
President

JS:kwb

Copy to:

MABE Board of Directors

Board Presidents/Chairs

Superintendent of Schools/Chief Executive Officers

Ms. Frances Hughes Glendening, Executive Director

Ms. Renee Spence, Public School Superintendents Association of Maryland