

January 25, 2018

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**Legislative Committee Highlights**

MABE’s Legislative Committee met on Monday, January 22 to take positions on several pending bills and to receive updates on the Governor’s proposed FY 2019 state operating and capital budgets funding public education and public school construction.

MABE voted to support Senate Bill 131, which would mandate periodic training of educators on the professional duty to report suspected child abuse and neglect and the identification of abused and neglected children. The Family Law statute has long required health practitioners, police officers, educators, and human service workers, as “mandatory reporters”, to notify the local department of social services of suspected child abuse.

[Read more ...](#)

MABE also voted to support Senate Bill 132 to establish, as a misdemeanor crime, the knowing failure of a “mandatory reporter” to report child abuse.

[Read more ...](#)

MABE voted to oppose SB 92, legislation introduced to streamline alternatively financed school construction projects by exempting them from most laws and regulations governing the quality controls and design specifications for other public school facilities. The bill would also create a new incentive program to promote much less expensive school construction projects, also by exempting them from laws and regulations governing other school projects, but also by providing financial incentives through increased state funding.

MABE objects to establishing the program set forth in this bill to provide significant state funding incentives to encourage public school systems to build lower quality schools. The cost reductions are to

**Legislative Committee  
2018 Calendar**

- Feb. 12, 2018 – Bill Status & Positions
- Feb. 20, 2018 – MABE Legislative Day Luncheon
- Feb. 26, 2018 – Bill Status & Positions
- Mar. 12, 2018 – Bill Status & Positions
- Mar. 26, 2018 – Bill Status & Positions
- Apr. 23, 2018 – Session Summary

MABE’s Legislative Committee meetings are held in the MABE office on Monday mornings, 10:00 to 12:00, unless otherwise indicated. Meeting agendas and materials are posted on the [MABE website](#).

**MABE Advocacy Resources**

- [The Education Advocate & Calls to Action](#)
- [Bill Testimony, Hearing Schedules, and more on the 2018 Legislative Session](#)
- [Background & Positions on Priority Issues and MABE’s Committees on Funding and ESSA](#)
- [Legislative Committee](#)

be made possible by exempting school projects from the statutory and regulatory requirements and standards governing other public schools. MABE does not believe this program necessarily represents innovation, but rather the promotion of building schools which are less expensive because they are exempt from many if not all school quality standards. Again, under the incentive program, a school construction project would be exempt from the statutes pertaining to the IAC and BPW, and all regulations that govern the public school construction program.

Additional information on bill positions and [meeting materials](#) for the January 22 Legislative Committee meeting is available on MABE's website.

### **MABE Briefs Ways & Means Committee**

On January 23, MABE leadership presented a briefing to the House Ways and Means Committee on MABE's mission, legislative positions and priorities for the 2018 legislative session. ([Presentation](#) and [PDF](#))

Tolbert Rowe, MABE's President Elect, Joy Schaefer, MABE's immediate Past President, and Bob Lord, MABE's Legislative Committee Vice Chair, each presented and responded to committee members' questions.

Mr. Rowe shared MABE's mission is to provide members with a strong collective voice, and to support local school board governance through professional development, advocacy and member services. He outlined the professional development, advocacy, legal and policy services, and insurance programs provided by MABE. He shared that MABE provides the skills and knowledge required for our members to become effective leaders engaged in governance that promotes excellent public schools for all of Maryland's children; and that we serve our members by being advocates for public schools, for local control of education, and for leadership and legal authority of school boards.

Mr. Rowe reviewed MABE legislative priorities in support of governance autonomy for local boards of education to set education policy and school budgets; and opposition to unfunded mandates; full State funding for Maryland's outstanding public schools; robust State funding for school construction and renovation projects; and sustained local government investments in education. She emphasized that these priorities are evident as MABE advocates on the state operating and capital budgets, and before the House Ways and Means Committee on a wide array of education policy issues.

Joy Schaefer presented MABE's legislative positions on major funding and policy issues including the Kirwan Commission on Innovation and Excellence in Education, the Knott Commission on 21st Century School Facilities. She informed the committee that MABE has established special Committees on the Kirwan and Knott Commissions, and on the state's implementation of the Every Student Succeeds Act (ESSA), to provide a forum for our members to review, analyze, discuss and recommend MABE positions. She noted that the Kirwan Commission is recommending increased funding for all students, targeted per pupil increases, universal PreK, enhanced CTE programs, more individualized tutoring, and significant increases in teacher pay; and that any legislative proposals to increase the scope of mandated education programs must be accompanied by funding increases.

Regarding the Knott Commission, Ms. Schaefer highlighted MABE's support for the Commission's funding and policy recommendations. Specifically, she highlighted MABE's support for a short-term funding goal of at least \$345 million, but that this should be increased to \$400 million after Fiscal Year 2019, and that the facility needs assessment may result in an even higher goal.

Bob Lord presented on the range of policy issues on which MABE has adopted legislative positions. He shared MABE's positions of student health and fitness, student safety and security, student discipline, and testing and curriculum. On special education, he noted that MABE does not believe that the current levels of federal or state special education funding are adequate and that MABE is supporting a significant increase

per pupil funding weight for students receiving special education services. On student discipline, he noted that legislation passed in 2017 to prohibit the suspension of PreK through second graders, with limited Exceptions; and that MABE anticipates the need for additional state and local funding to meet the staffing, professional development, and facility demands imposed by the law's new mandate for the use of restorative in-school practices. On federal issues, he shared that MABE is very pleased that on January 17th, 2018, the U.S. Department of Education approved Maryland's accountability plan for the Every Student Succeeds Act (ESSA); but that MABE is extremely concerned at the prospect of significant federal funding cuts as proposed in the Trump Administration's budget.

## **Governor's Budget for Education**

On January 16, 2018, Governor Hogan held a press conference and issued a [press release](#) to announce his FY 2019 State Budget, including priorities for investing in education. The [Governor's Budget Highlights](#) include the following investments in PreK-12 education:

- For the fourth consecutive year, the Hogan administration is providing record funding for K-12 education. The FY 2019 budget includes a \$6.5 billion state investment in Maryland's public schools, fully funding state aid programs.
- Direct aid to local schools grows by \$139.2 million, or 2.5 percent.
- The budget goes above and beyond required statutory funding formulas to ensure that every Maryland jurisdiction receives more direct education aid than in FY 2018. Five jurisdictions will receive \$15.2 million in FY 2019 to ensure that their direct K-12 education formula aid grows by at least \$100,000 over FY 2018: Baltimore City (\$11.1 million), Cecil County (\$3.4 million), Calvert County (\$540,610), Carroll County (\$99,799), and Garrett County (\$47,626).
- The budget includes \$855,000 to continue operations at eight P-TECH 9-14 schools in Maryland, all created as a result of a Hogan administration initiative. Graduates from Maryland's P-TECH schools will earn their high school diploma and a two-year postsecondary degree in a STEM field from an accredited community college.
- The budget includes \$3 million in grant funding for local boards of education to implement policies and practices that address heroin and opioid addiction and prevention as part of the administration's comprehensive approach to the opioid crisis.

Unfortunately, the Governor's budget also proposes to eliminate funding for several programs supported by MABE and other public education advocates. The Governor's [Budget Reconciliation and Financing Act](#) (BRFA) (SB 187) would amend state law in order to repeal mandated funding for the Teacher Induction, Retention, and Advancement Pilot Program, Robotics Grant Program, and Public School Opportunities Enhancement Program. MABE will be urging the General Assembly to restore funding for these and other educational programs to support the highest quality teaching and learning opportunities for all of Maryland's public school students.

MABE will be advocating vigorously for full funding for public schools by defending the amount of funding provided in the FY 2018 budget; and opposing any legislative initiatives to roll back funding in the pending [FY 2019 budget](#) (SB 185) through cuts to discretionary programs or to divert new funding away from public education. MABE opposes the BOOST private school voucher program, and will be urging the rejection of the Governor's request to increase the \$5.5 million program to \$9 million. According to the Governor's budget highlights:

- The Broadening Options and Opportunities for Students Today (BOOST) Program grows by \$3.5 million to \$9 million, continuing the governor's commitment to double funding for the program over three years. BOOST provides scholarships for low-income students in areas with under-performing schools to attend non-public schools, giving them the opportunity for a better education. This is in addition to the \$5.5 million increase approved by the General Assembly last year.

## **Fiscal Briefing Highlights**

On January 22, The Department of Legislative Services (DLS) presented the first annual [fiscal briefing](#) on the Governor's proposed state budget for FY 2019. The briefing presents the Governor's FY 2019 proposed operating and capital budgets, the State's economic and revenue outlook, the impact on the state economy of recent federal tax changes, and the general fund forecast.

The briefing emphasized that the revenue estimates and FY 2019 budget analysis were developed prior to enactment of the federal Tax Cuts and Jobs Act. The Comptroller's Office is expected to release an analysis of the impact of the federal legislation on Maryland revenues on January 25.

The proposed budget leaves an FY 2018 closing balance of \$207.5 million and an FY 2019 closing balance of \$100 million. The Governor's spending plan leaves a Rainy Day Fund balance of \$879 million, or 5%, of general fund revenues. Combined cash balances at the close of fiscal 2019 of \$979 million represent about 5.6% of revenues.

The fiscal briefing provided the FY 2017 through FY 2019 funding allocations for [public education formulas](#) for major education programs. These programs are proposed to be fully funded with an additional \$15.2 million of discretionary funds provided to ensure every jurisdiction receives at least a very small increase in their formula funding.

## **Knott Commission Briefing**

On January 22, Martin Knott, chair of the 21<sup>st</sup> Century School Facilities Commission, provided a [Briefing on the Draft Final Report](#) of the Commission. MABE supports the Commission's recommendation and looks forward to the final report and specific legislative proposals to implement the recommendations.

MABE believes the recommendations for significant funding and policy reforms reflect a shared commitment to the collaborative responsibility of school systems, state and local funding authorities, and state regulators, to ensure high quality school facilities for all Maryland students. Therefore, MABE supports the Knott Commission recommendations as outlined in the [21st Century School Facilities Commission Draft Final Report](#).

## **Commission on Innovation and Excellence in Education "Kirwan Commission" Briefing**

On January 16, Dr. William E. Kirwan, the chair of the commission, [presented](#) to the Senate Budget & Taxation and Education, Health, & Environmental Affairs Committees and the House Appropriations and Ways & Means Committees. He described the charge to the 25-member commission, created in the 2016 legislative session, to review and update the current funding formulas and competitive policies for Maryland schools.

Dr. Kirwan began his presentation by recommending that the commission's work be extended into 2018. Next, he outlined the commission's workgroups, Early Childhood Education, High Quality and Diverse Teachers and Leaders, Rigorous College and Career Pathways, More Support for At-risk Students, and Governance and Accountability. Finally, Kirwan ended his presentation with proposed legislation for the 2018 session. This proposed legislation is as follows:

- Extending the Commission into 2018.
- Establish a Career and Technical Education (CTE) group to develop CTE pathways that lead to industry certified credentials.
- Expand and fully fund the Maryland Teaching Fellows Scholarship.
- Expand current early childhood education program by increasing funding for prekindergarten expansion grants.

- Establish grant program for jurisdictions or schools with high concentrations of poverty to provide after school and summer programs. Require assessment to determine program’s impact on learning outcomes.
- Require MSDE, in collaboration with stakeholders, to develop a recruitment program aimed at the top 25% of high school graduates (in each school system) to encourage them to consider a teaching profession.
- Require a study of the cost of providing special education services by school systems to be contracted by MSDE in collaboration with DBM and DLS. Until a comprehensive cost study can be completed, the Commission will make a “placeholder” recommendation for a new special education weight in its final report.
- Establish a program to provide tutoring services for struggling learners that would supplement regular classroom instruction, with a priority on reading for students in elementary schools serving communities with high concentrations of poverty.

The commission will continue be active during the 2018 session through several workgroups on major policy areas, and APA will be costing out the commission’s recommendations under the “9 Building Blocks” recommended by NCEE. Then the commission will reconvene in April to begin development of its final policy and funding recommendations.

[Read more ...](#)

**Hearing Schedule Highlights** (Link to full [bill hearing schedule](#))

<b>Bill Number</b>	<b>Title</b>	<b>Hearing</b>	<b>MABE Position</b>
<a href="#">SB 92</a>	Maryland School Overcrowding Reduction Act of 2018	Hearing 1/31 at 2:30 p.m.	Oppose
<a href="#">SB0217</a>	Public Schools - Student Sunscreen Use - Policy	Hearing 1/31 at 2:00 p.m.	Oppose

<b>Budget Hearings</b>	<b>House Hearing</b>	<b>Senate Hearing</b>
MSDE Aid to Education	2/28/2018 - 1:00 p.m.	3/1/2018 - 1:00 p.m.
Education – Public School Construction	3/19/2018 - 4:00 p.m.	3/12/2018 - 3:00 p.m.

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