

March 5, 2018

In this issue:

- School Safety Funding
- Kirwan Commission Bill
- Knott Commission Bill
- Employee Relations Bills
- Juvenile Services Bills
- Accountability Bills
- Bill Report & Hearing Schedule

**Legislative Committee
2018 Calendar**

- 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](http://MABE.org).

Governor's School Safety Initiatives

The [Governor announced on February 28](#) that he would be introducing emergency legislation to provide \$125 million for school safety enhancements, plus \$50 million in annual grants. In addition, the legislation would create statewide standards for school safety planning.

“To bolster school security efforts in the state, Governor Hogan announced that the administration would commit an additional \$125 million to accelerate and enhance safety improvements in schools, including secure doors and windows, metal detectors, security cameras, panic buttons, and other capital improvements, as well as an additional \$50 million in operating funds each year for new school safety grants, which could be used for school resource officers, counselors, and additional safety technology. The funding will be allocated through the governor's education lockbox proposal, which provides an additional \$4.4 billion in education spending from casino revenues.”

The [Governor announced on March 5](#) that he was submitting a supplemental budget request to the legislature to provide \$5 million to enhance safety in Maryland's public schools to enable the Maryland Center for School Safety to hire analysts and social media trackers, allocate staff in more regions of the state, and assist schools with conducting the mandated safety assessments. The proposal includes \$2.5 million in additional funding for the Center for School Safety, and \$2.5 million for local school systems to conduct mandatory safety assessments.

Regarding the Governor's reference to his “lockbox proposal”, he [announced on February 14](#) that he would introduce “The Commitment to Education Act of 2018” in order to: “increase education spending by more than \$4.4 billion over the next decade by phasing in casino revenues from the Education Trust Fund over the next four years. The legislation also dedicates the first 20 percent of these revenues to school construction starting immediately, which will add an additional \$1 billion over the decade.”

As of this writing, neither the Governor's school safety legislation nor gaming revenue legislation have been introduced.

Kirwan Commission Bill Hearings Scheduled

On March 7, MABE will join many other education advocates in supporting the passage of [House Bill 1415](#) and [Senate Bill 1092](#), the legislation to implement several recommendations of the [Kirwan Commission on Innovation and Excellence in Education](#).

As a precursor to the Kirwan Commission's final report and comprehensive reforms and enhancements to Maryland's public school finance system, this bill would establish a comprehensive teacher recruitment and outreach program, a K-8 literacy grant program, a learning in extended academic programs grant program, and career and technology education innovation grant program. In addition, the bill would ensure funding for current prekindergarten grant programs and the teaching fellows for Maryland scholarship program.

Much more detailed information on the work ahead for the Kirwan Commission to develop final recommendations is provided in its [Preliminary Report](#).

Knott Commission Bill Introduced & Hearing Scheduled

[House Bill 1783](#), the 21st Century School Facilities Act, was introduced on March 1 and is scheduled for a bill hearing on March 8 in the Appropriations Committee. MABE generally supports the recommendations of the Knott Commission to make numerous changes to the school facility project review and approval and funding process. The proposed legislation includes many provisions consistent with the recommendations in [Commission's final report](#), and others which appear for the first time in the bill. MABE is carefully reviewing the legislation to determine how amendments can improve the bill to address school system concerns.

Grounds for Certificated Employee Discipline Bill Heard

MABE testified in opposition to [Senate Bill 639](#), which would radically alter the procedures for suspending or dismissing certificated staff (such as a teacher, principal, supervisor, assistant superintendent, or other educational professional) by authorizing the employee to request a hearing before an outside arbitrator instead of the local board of education.

MABE strongly opposes this bill, and has for several legislative sessions, because it would remove the authority to discipline employees from the local board of education. This bill would adversely affect the ability of local boards to respond to employee misconduct consistent with the best interests of the students, the school system, and community.

MABE appreciates the contributions of Darren Burns, school attorney with Carney, Kelehan, Bresler, Bennett & Sherr, in delivering a clear rationale for opposing the expanded protections for certificated employees; employees already guaranteed "just cause" due process protections whenever a disciplinary or discharge action is proposed by the superintendent. [Read more ...](#)

Negotiating Union Access to New Employees

MABE offered testimony in opposition to bills which would negatively impact school system bargaining rights with employee unions.

[House Bill 811](#), would create a new mandatory subject of bargaining by requiring school systems to negotiate the time, place and manner of providing the unions with access to new employee processing when new employees are advised of employment-related matters. This subject of bargaining is newly proposed because of a pending Supreme Court case that threatens all unions' ability to collect dues, or representative fees, from non-members. In anticipation of such a blow to the automatic, system-wide scope

of employee generated revenue, teachers unions are promoting legislation to secure structured access to new employees to promote union membership. [Read more...](#)

[House Bill 808](#), a bill proposed by the Public School Labor Relations Board, would remove the determination of the definition of “supervisory employee” from the local board of education, even in the context of negotiations. [Read more...](#)

MABE greatly appreciates the testimony provided by the following school system professionals who dedicated their time to contributing to panel presentations in opposition to these bills: Dr. Jane Wildesen, Director of Human Resources and Employee Relations for Garrett County Public Schools, Jean Montegna, Assistant Superintendent for Human Resources for Harford County Public Schools, and Mark Farley, Director of Human Resources for Queen Anne’s County Public Schools.

Juvenile Services Reform Bills Heard

MABE offered testimony in support of bills to establish a workgroup to study optimal ways to deliver educational programming in Department of Juvenile Services (DJS) facilities. One approach would study only one option, the creation of an independent state board responsible for overseeing all DJS programs in the State ([SB 657/](#)[HB 1244](#)).

The other approach would allow the Montgomery County school system to operate its own facility and program as a pilot and also create a workgroup to study the three options: an MSDE operated system, an independent board operated system, or local school system operated systems ([HB 1607](#)). MABE’s testimony emphasized support for HB 1607 and its combination of authorizing a local pilot program and creating a workgroup on a broader set of issues. Testimony also requests an amendment to add a MABE representative to the workgroup. [Read more...](#)

Investigator General Bills Heard

MABE offered testimony opposing [House Bill 355](#), the Governor’s proposed legislation to establish the Education Monitoring Unit as an independent unit in the State, and the office of investigator general, to investigate, analyze, and report on upholding of teacher, student, and parent civil rights; on fraud, abuse, and waste regarding public funds and property; on child abuse, neglect and safety; and on a range of specified matters relating to public schools and public school facilities. [Read more...](#)

MABE also spoke against [House Bill 1492](#), which would authorize the county council or county commissioners or, in Baltimore City, the city council to establish an Office of the Inspector General (OIG) in the local school system. The extent of authority this bill would grant to an officer of the local government is wholly inconsistent with the independent and quasi-state agency character of local boards; boards already held thoroughly accountable both for academic and fiscal performance. [Read more ...](#)

MABE Bill Tracking Report & Testimony

During the 2018 session, as bills are introduced and hearings are scheduled, MABE provides a regularly updated [hearing schedule](#), [bill tracking report](#), and [all bill testimony](#).

Hearing Schedule Highlights

Bill Number	Title	Hearing	MABE Position
HB 760	Handguns - School Employees - Handgun Permits and Carrying Weapons on School Property	Judiciary Hearing 3/06 at 1:00 p.m.	Oppose
HB 1415	Education - Commission on Innovation and Excellence in Education	Ways and Means Hearing 3/07 at 1:00 p.m.	Support
HB 1638	Public Information Act - Revisions	Health and Government Operations Hearing 3/07 at 1:00 p.m.	Support
SB 740	State Department of Education – Breakfast and Lunch Programs – Funding (Maryland Cares for Kids Act)	Budget and Taxation Hearing 3/07 at 1:00 p.m.	Support
SB 818	Education - Maryland Meals for Achievement In-Classroom Breakfast Program - Eligibility and Annual Appropriation	Budget and Taxation Hearing 3/07 at 1:00 p.m.	Support
SB 1092	Education - Commission on Innovation and Excellence in Education	Education, Health, and Environmental Affairs Hearing 3/07 at 1:00 p.m.	Support
HB 557	Primary and Secondary Education - Education Trust Fund - Use of Fund	Appropriations Hearing 3/08 at 1:00 p.m.	Support
HB 1234	Career Youth Apprenticeship and Apprenticeship in State Employment Opportunity Act	Ways and Means Hearing 3/08 at 1:00 p.m.	Oppose
HB 1495	Public School Construction Assessment and Maintenance Reform Act	Appropriations Hearing 3/08 at 1:00 p.m.	Oppose
HB 1599	Career Education Policy Act	Ways and Means Hearing 3/08 at 1:00 p.m.	Oppose
HB 1697	Education - Commercial Gaming Revenues - Constitutional Amendment	Appropriations Hearing 3/08 at 1:00 p.m.	Support
HB 1783	21st Century School Facilities Act	Appropriations Hearing 3/08 at 1:00 p.m.	Support w/Amendments
HB 1300	Education - Foreign Language Requirement - Computer Programming Language Courses	Ways and Means Hearing 3/09 at 1:00 p.m.	Oppose
HB 1373	Education - Assessments - Administration	Ways and Means Hearing 3/09 at 1:00 p.m.	Oppose
HB 1382	Public Schools - Student Misconduct - Parent or Guardian Liability	Ways and Means Hearing 3/09 at 1:00 p.m.	Oppose
HB 1530	Education - Student Health Screenings - Brain Injury	Ways and Means Hearing 3/09 at 1:00 p.m.	Oppose
HB 1533	Students With a Disability - Brain Injury Screening - Evaluation for Individualized Education Program	Ways and Means Hearing 3/09 at 1:00 p.m.	Oppose
HB 1661	Task Force to Study Partnership for Assessment of Readiness for College and Careers (PARCC) Testing Time	Ways and Means Hearing 3/09 at 1:00 p.m.	Oppose
SB 1122	Education – Commercial Gaming Revenues – Constitutional Amendment	Budget and Taxation Hearing 3/09 at 1:00 p.m.	Support
HB 1235	Education - Maryland Meals for Achievement In-Classroom Breakfast Program - Eligibility and Annual Appropriation	Ways and Means Hearing 3/13 at 1:00 p.m.	Support
SB 1147	Juveniles – Reportable Offenses	Judicial Proceedings Hearing 3/13 at 1:00 p.m.	Support with Amendments
HB 1702	Juveniles - Reportable Offenses	Judiciary Hearing 3/14 at 1:00 p.m.	Support with Amendments
SB 775	Education - Salaries of Noncertificated Public School Employees - Minimum Living Salaries	Finance Hearing 3/15 at 1:00 p.m.	Oppose
SB 819	Education – Collective Bargaining – Exclusive Representative’s Access to New Employee Processing	Finance Hearing 3/15 at 1:00 p.m.	Oppose

Disclaimer The Maryland Association of Boards of Education (MABE) provides the materials and information contained in this newsletter and on this website for its members and non-member internet users for informational purposes only. Using or accessing this newsletter or website does not create an attorney client relationship between MABE and the accessing user or browser. This newsletter and our website are not a substitute for legal advice. Please consult with your legal counsel for specific advice and information.