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MABE Legislative Committee Update

On November 26, the Legislative Committee met to approve the [2019 Legislative Positions](#) publication, which highlights the association’s legislative priorities and provides one-page position statements on major policy areas.

The Committee thanked several members transitioning off of their local boards for their service, including Stacy Korbela (Anne Arundel County) who has served as chair of the Legislative Committee; Bob Lord (Carroll County) who has served as chair of the Federal Relations Network (FRN) Committee and vice chair and co-chair of the Legislative Committee; and Jill-Ortman Fouse (Montgomery County) who has served on both the Legislative Committee and FRN.

The meeting included a thorough review and approval of the updated [2019 Legislative Positions](#), and updates on issues including the passage of Question 1 and the Kirwan Commission’s work. Other items included [MABE’s testimony for the Kirwan Commission](#) Hearing on Nov. 29, 2018; [MABE’s Comments on Draft IAC Regulations](#); and [MABE’s Comments on State Board Proposed Grading Policy Regulations](#).

MABE 2019 Legislative Priorities & Positions

MABE’s top priorities for the 2019 Legislative Session include:

- Support for continued governance autonomy for local boards of education to set education policy and school budgets which provide educational benefits for all students; and opposition to unfunded mandates. Specifically, MABE is seeking approval of enhanced local school calendar flexibility.
- Support for full State funding for Maryland’s outstanding public schools. Specifically, MABE is seeking passage of the Kirwan Commission legislation to update and enhance the constitutional

**Legislative Committee
2018-2019 Calendar**

- Dec. 17, 2018
- Jan. 7, 2019
 - FYI – The Legislative Session begins on January 9, 2019
 - FYI – The NSBA Advocacy Institute in Washington, DC is Jan. 27-29
- Feb. 4, 2019
 - FYI – **MABE’s Legislative Day in Annapolis is February 21, 2019**
- Feb. 25, 2019
- March 11, 2019
- March 25, 2019
 - FYI – The 2019 legislative session ends at midnight on April 8, 2019
- April 29, 2019

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](#).

adequacy and equity of state and local funding. A top priority for MABE is establishing a per pupil funding allocation for all prekindergarten students.

- Support for robust State funding for school construction and renovation projects. Specifically, MABE is seeking funding of at least \$400 million and implementation of the process reforms in the 21st Century School Facilities Act consistent with the law's intent to enhance local flexibility.
- Support for sustained local government investments in education. Specifically, MABE is seeking to update state law to ensure local funding increases above maintenance of effort include the local share for students in prekindergarten, special education, economically disadvantaged, and English learner state funding categories.

The Legislative Positions publication includes position statements on the following major policy areas: [Local Board Governance](#), [State Education Funding](#), [School Facilities Funding](#), [Local Funding](#), [Unfunded Mandates](#), [School Safety & Security](#), [Special Education](#), [Charter Schools](#), [Vouchers & Funding](#), [Testing & Curriculum](#), [Student Discipline](#), [Student Health](#), [Employee Relations](#), [Federal Education Funding & Policy](#), and the composition of [Local Boards of Education](#).

Kirwan Commission Update

The Kirwan Commission on Innovation and Excellence in Education was established in 2016 to review the current education financing formulas and accountability measures and make legislative recommendations for updating and enhancing the funding formulas established by the Bridge to Excellence in Public Schools Act of 2002. The Commission considered the Adequacy Study recommendation for a \$1.9 billion increase in state funding for major state education programs.

Recommended school improvements included additional instructional staff and staffing to support art, music, physical education, world languages, technology, career and technology education, and advanced courses; small class sizes; significant time for teacher planning, collaboration, and imbedded professional development; high level of student support, such as counselors, nurses, behavior specialists, and social workers, for all students; and many other resource enhancements. Throughout 2017 and 2018 the Commission has focused on developing policy recommendations based on the work of the National Center for Education and the Economy (NCEE).

The Commission is engaged in final deliberations and is poised to issue a final report featuring major policy and funding recommendations centered on five major policy areas. Final drafts of working group and Commission recommendations and costing out reports (updated as of Dec. 6, 2018), include:

1. [Early Education](#), ([Costing Out](#), [Alternative Costing Out](#))
2. [Teachers & Leaders](#), ([Costing Out Report](#))
3. [College and Career Readiness and CTE](#), ([Costing Out Report](#))
4. [More Resources for At-Risk Students](#), ([Costing Out](#)), ([Special Education Costs](#)), ([Mental Health Services Costs](#))
5. [Governance & Accountability](#).
[Costing Out Decision Point Presentation](#)
[Preliminary Total Cost Estimates](#)

Generally, MABE is supportive of the core recommendations included in each of the four policy areas developed by the working groups. However, several concerns and objections were raised in [MABE's](#)

[testimony before the Kirwan Commission](#) on Nov. 29, 2018. As the testimony stresses, MABE is also strongly opposed to the drafted recommendations on Governance and Accountability.

Specifically, MABE's comments requested the following adjustments to the pending policy recommendations:

- To avoid the need for income-adjusted tuition for publicly provided prekindergarten, MABE supports a phase-in of state and local per pupil funding to support the expansion of voluntary universal prekindergarten for all four year olds and low-income three year olds.
- MABE supports introducing students to career and academic options early, including during middle school to give students the opportunity to take introductory CTE coursework before meeting the 10th grade college and career readiness standard to engage their interest and retain them in high school.
- MABE opposes granting unlimited governing and regulatory authority to an oversight board in a manner that would conflict with State Board and local board governing authority.
- MABE believes that the proposal to require school systems to demonstrate that no less than 75% of per pupil funding follows the student is fraught with implementation challenges and unintended consequences and contrary to local decision-making on budgeting and employee relations.
- MABE urges the Commission to not adopt the recommendation relating to withholding funding, and instead focus efforts on developing a rigorous system of local school system accountability for student performance including local school system master plans with budgetary alignment.

Since November, the Commission's focus has shifted to deliberating on the "Costing Out" reports associated with each of the four major policy areas. During the Commission meetings on November 29 and December 6 presentations were made on each of the four policy areas, and highlights include:

- To [expand full-day prekindergarten](#) (pre-K) at no cost for four-year-olds and three-year-olds from families with incomes up to 300% of the federal poverty level (FPL) (approximately \$75,000 for a family of four), and for four-year-olds from families with incomes between 300% and 600% FPL (approximately \$75,000 to \$150,000 for a family of four) using a sliding scale. The following amounts reflect the costs of free access to families with incomes of up to 300% of poverty.
 - 3-year-olds - \$24 million (FY 21), \$55 million (FY 22), \$190 million (FY 30).
 - 4-year-olds - \$128 million (FY 21), \$177 million (FY 22), \$374 million (FY 30).
- To enhance [high quality teachers and leaders](#) by adopting career ladders and minimum teacher salaries of \$60,000 and increasing numbers of teachers totals: \$392 million (FY 21), \$683 million (FY 22), \$2.5 billion (FY 30).
- To enhance access to [College and Career Readiness Pathways](#) by providing additional resources for students achieving and not achieving the college and career readiness standard by the end of 10th grade: \$42 million (FY 21), \$82 million (FY 30). And providing every middle and high school student should have ready access to individuals who can counsel and advise them on CTE pathway options: \$45 million (FY 21-FY 30).
- To provide [increased funding and resources for all students](#), including students receiving special education, English learners, economically disadvantaged students, and students attending schools with high concentrations of poverty.
 - Special Education weight: \$373 million (FY 20), \$763 million (FY 21), \$1.1 billion (FY 30).
 - English Learner weight: \$69 million (FY 20), \$149 million (FY 21), \$404 million (FY 30).
 - Compensatory weight: \$154 million (FY 20), \$310 million (FY 21), \$474 million (FY 30).
 - Concentration of Poverty weight: \$61 million (FY 20), \$100 million (FY 21).

By the conclusion of the December 6 meeting, it was clear that the Commission still has numerous decisions to make, including the selection of a base foundation per pupil amount on which to build all of the other cost estimates. This is to say that the estimates provided above are based on the consultant's recommended base (\$10,880), which is higher than the amount often discussed. However, if a lower base amount is selected (\$8,880), then the weights will presumably be adjusted accordingly, and the [total cost estimates](#) should remain relatively accurate. Also of concern, to date there has been no cost estimates differentiating between state and local costs or the potential impact on local maintenance of effort amounts based on the new foundation and weights.

The Commission is scheduled to meet in all-day sessions on December 18 and 19. Go to the [Commission's webpage](#) for access to the meeting materials, video recordings, and live streaming of the proceedings.

Safe to Learn Act Updates & Transitions

MABE thanks Mike Durso (Montgomery County) for his years of service as a founding member of the governing board of the Maryland Center for School Safety (MCSS) and also thanks Ed Clarke for his leadership as the Center's Director. Both Mr. Durso and Mr. Clarke served through the significant expansion of the Center's role following passage of the [Safe to Learn Act of 2018](#). Mr. Durso did not seek re-election, and Mr. Clarke is the Chief Safety Officer for Montgomery County Public Schools.

MABE is now represented on the School Safety Advisory Board by Karin Bailey (St. Mary's County). In addition, MABE welcomes [Kate Hession](#) as the new Director of the Maryland Center for School Safety. Ms. Hession was serving as Deputy Executive Director of the Maryland Emergency Management Agency (MEMA).

Other updates on school safety include the development and approval of the School Resource Officer (SRO) Curriculum, Assessment Team Model Policy, School Facilities Safety Improvement Grants and Safe Schools Fund Grants. For more detailed information and links to materials go to MABE's priority issue page on [School Safety & Security](#).

Governor Hogan's Announced School Construction Funding Initiative

On December 11, Governor Hogan [announced](#) that he will introduce legislation in 2019 to utilize the education trust fund revenue from casinos (approximately \$500 million and just under 30% of total casino revenues) to finance revenue bonds to support a major expansion of the State's investment in school construction projects through a new Building Opportunity Fund. MABE will continue to monitor the development of this proposal, particularly in light of the association's strong support for passage of Question 1 on the 2018 statewide ballot, an initiative to generate a funding source to launch the major innovations in teaching and learning called for by the Kirwan Commission.

As a reminder, the constitutional amendment approved by 90% of Maryland voters in on November 6, 2018 requires the Governor to identify in the annual State budget how the casino revenue assigned to the education trust fund is being used to increase spending on public schools, and that the increased funding be used for the following purposes:

- Ensure access to public education that allows children in the State to compete in the global economy of the future;
- Provide funding for high-quality early childhood education programs;

- Provide opportunities for public school students to participate in career and technical education programs that lead to an identified job skill or certificate;
- Allow students to obtain, at no cost to the student, college credit and degrees while in high school;
- Support advancement and professionalization of educators in public schools; and
- Maintain, renovate, or construct public schools.

Regulations Updates

MABE has submitted comments on the following proposed regulations, and is preparing to do so on the Gifted & Talented regulations.

- IAC Regulations to Implement the 21st Century School Facilities Act
 - [Proposed Regulations](#), [MABE Comments](#), and [PSCP Response](#)
- State Board of Education Regulations (Read [The Monitor](#) for more information.)
 - [Grading Policy Regulations](#) and [MABE Comments](#)
 - [Appeals Regulations](#) and [MABE/PSSAM Comments](#)
 - [Gifted & Talented Program Regulations](#) (Approved Oct. 23, 2018; not yet published for comment.)

Resources

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| <ul style="list-style-type: none"> • MABE's Annapolis Advocacy Center | <ul style="list-style-type: none"> • General Assembly |
| <ul style="list-style-type: none"> • MABE's State Board Advocacy Center | <ul style="list-style-type: none"> • State Board of Education/MSDE |
| <ul style="list-style-type: none"> • MABE's Federal Advocacy Center | <ul style="list-style-type: none"> • NSBA Advocacy |

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