

March 30, 2019

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State Budget Updates

On March 25, the General Assembly approved the [Report of the Conference Committee on House Bill 100](#), the FY 2020 State Budget Bill. The agreement reached between the House and Senate provides an additional \$255 million for public education contingent on passage of the Kirwan Commission’s Blueprint for Maryland’s Future legislation, ([Senate Bill 1030](#)/[House Bill 1413](#)).

In addition to the \$255 million provided to launch the initial phase of the Kirwan Commission legislation, the FY 2020 State Budget also includes all of the annual funding provided through the existing formulas. Formula funding for public schools includes the per pupil base amount of funding for all students, and the additional amounts provided for students under the special needs categories of Compensatory Education, Limited English Proficiency, and Special Education. Other major funding components and categories

include the inflation factor applied to the foundation amount (2.5%), the Geographic Cost of Education Index (GCEI), the Guaranteed Tax Base Program, and Student Transportation.

In total, direct education aid to local school systems in FY 2020 will increase by an estimated \$435 million, or 7.5%.

**Legislative Committee
2019 Calendar**

FYI – The 2019 legislative session ends at midnight on April 8, 2019

- **April 29, 2019 – Session Wrap-Up**

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](#).

Funding Restricted for The Blueprint for Maryland’s Future (Kirwan Commission) in the Fiscal 2020 Budget and the Budget Reconciliation and Financing Act of 2019 (\$ in Millions)

Contingent on Enactment of SB 1030 or HB 1413 – The Blueprint for Maryland’s Future and Release by the Governor:	
Full-day Prekindergarten for Four-year-olds	\$31.7
Special Education Grants	65.5
Concentration of Poverty School Grants (Includes MSDE Coordinator Position)	54.6
Teacher Salary Incentive Grants	75.0
Transitional Supplemental Instruction Grants	23.0
Mental Health Coordinators for Each Local School System	2.0
Teacher Collaboratives	2.5
Outreach and Training	0.3
MSDE IT System	0.5
Total	\$255.0

Kirwan Legislation Update

Now that the State Budget for FY 2020 is finalized, the legislature is moving forward to take final action on the Kirwan Commission's recommended legislation, ([Senate Bill 1030/House Bill 1413](#)). The final week of session will see the Senate advancing the legislation to not only launch Kirwan in the 2019-2020 school year, based on the FY 2020 budget, but also set the mandated amount of funding called for in the Governor's FY 2021 budget to be submitted next session. The difference between the House and Senate approaches to FY 2021 funding levels is already well known based on the deliberations on the FY 2020 amount. The initial House approach would have provided \$325 million in FY 2020 and called for \$750 million in FY 2021. By contrast, the Senate approach offered \$225 million in FY 2020 and then \$345 million in FY 2021.

In 2018, the legislature established the Commission on Innovation and Excellence in Education (CIEE) Fund and required the Comptroller to distribute \$200 million in individual income tax revenue to the fund by June 30, 2019. The State Budget Bill directs the Governor to process a budget amendment adding \$150.3 million of these special funds earmarked for education to implement the recommendations of the Kirwan Commission. Doing so is at the Governor's discretion, so MABE and other education advocates are urging the release of these much needed resources.

School Calendar Control Returns to Local Boards

[Senate Bill 128](#), "The Community Control of School Calendars Act," is now law, following the overwhelming support for the legislation in the Senate and House, the [Governor's veto](#), and the swift veto override votes of 32 to 15 in the Senate and 93 to 43 in the House. Passage of this legislation was a top priority for MABE in the 2019 legislative session.

MABE's support emphasized the need to remove barriers to local decision making on school calendars. School calendars reflect decisions on holidays, professional development days, parent conferences, election days and many other factors. Importantly, another factor may include the local decision to start the school year before Labor Day to maximize the benefits to students of the learning gains they achieved in the previous school year. Such gains can erode over extended summer breaks, and negatively impact the progress students are able to make beginning on day one of the new school year. ([MABE Testimony](#))

This bill requires each local board of education to set start and end dates each year for public schools in the county. The bill effectively repeals any law prohibiting a local board from beginning or ending its school year before or after a certain date. The bill takes effect July 1, 2019.

Notably, the bill also specifies the language to be used on sample ballots if, as is anticipated, the Act is submitted to the voters on the statewide ballot in 2020. The sample ballot language would read:

“This Act would allow a county board of education to set the start date and end date of the school calendar for the public schools in that county. Public schools must be open for at least 180 days and 1,080 school hours at elementary and middle schools and 1,170 hours at high schools during a 10-month period. A county board may apply to the State Board of Education for a waiver from these requirements if normal school attendance is prevented because of natural disaster, civil disaster, or severe weather conditions. This Act would return to a county board the sole authority to set the start and end dates of the school calendar year. A county board would still be required to meet other requirements, such as the minimum number of days and hours, when setting the school calendar.”

MABE greatly appreciates the leadership of Senate Education Committee Chair Paul Pinsky and Budget and Taxation Committee Chair Nancy King in introducing the school calendar legislation, and the longstanding support of Ways and Means Committee Chair Anne Kaiser and Education Subcommittee Chair Eric Luedtke for local, community-based, decision-making on school calendars.

School Construction Funding Bill Heard

On March 27, the Senate Budget and Taxation Committee held a hearing on [House Bill 727](#), the major school construction funding bill passed by the House Appropriations Committee. Those testifying with the bill sponsors, House Appropriations Committee Chair Maggie McIntosh and House Majority Leader Kathleen Dumais, were Anne Arundel County Executive Stuart Pittman, Baltimore County Executive John Olszewski Jr., Frederick County Executive Jan Gardner, Howard County Executive Calvin Ball, Montgomery County Executive Marc Elrich, and Prince George's County Executive Angela Alsobrooks.

As introduced, this bill would have authorized the Maryland Stadium Authority (MSA) to issue up to \$1.8 billion in revenue bonds, backed by annual payments of \$125 million from State Lottery revenues beginning in FY 2021, with the proceeds to be used for public school construction projects. As amended, the bill would authorize the Maryland Stadium Authority (MSA) to issue up to \$2.2 billion in revenue bonds, backed by annual payments of \$125 million from Education Trust Fund (ETF) revenues beginning in FY 2021.

The bill also includes provisions for the use of public private partnerships in Prince George's County and an expanded definition of eligible costs for small school systems. MABE provided testimony in support of the overall intent of this legislation to promote a much needed increase in the State's investment in high quality public school facilities. As amended, the bill reflects MABE's support for local flexibility in retaining the ability to design and build schools without having to shift this role to the Stadium Authority. However, MABE's testimony reiterated concerns about using the Education Trust Fund as the funding source for this initiative. In addition, the eligibility for the \$2.8 billion to be provided by the new initiative is targeted heavily toward 7 of the State's 24 school systems.

Budget and Taxation Committee Chair Nancy King thanked the panel of County Executives and assured them that her committee is with them, but is looking for the responsible way to move forward in a way the State can afford. She stated that this would involve looking at what revenues the State is going to have to raise in partnership with the counties.

Reading Screening Bill Passing

After two years of deliberations, and MABE's strong opposition to the bill as introduced again in 2019, the House and Senate are poised to pass a heavily amended version of legislation to require that students are screened to identify if the student is at risk for reading difficulties. ([MABE Testimony](#)) The bill as amended is significantly less prescriptive regarding both the screening instruments and the supplemental instruction responses. [Senate Bill 734](#) has passed the Senate, with major amendments, and is passing the House with the same major amendments and a few very minor technical amendments.

Under this new law, local school systems must select one or more screening instruments that accurately and reliably identify students at risk for poor learning outcomes; are developmentally

appropriate; are economical in time and cost to administer; and use norm-referenced or criterion-based scores. The screening instruments must be based on foundational reading skills that include phonological and phonemic awareness and processing. Upon enrollment, school systems must provide parents or guardians with a description of the screening and supplemental instruction process in the county and any checklists or forms needed to support the screening protocol.

Bill Reports – Priority Bills and Full Report

The updated [Bill Report](#), containing MABE’s positions and the status of all the bills we are tracking is also available on the MABE website. Other reports include [Priority Bills by Subject Area](#), and [Bills Passed](#) and [Bills Failed](#).

Resources

<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

For more information, contact John R. Woolums, Esq., MABE’s Director of Governmental Relations, at jwoolums@mabe.org or 410-841-5414.

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