

March 19, 2021

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Legislative Committee Update

On Monday, March 15, MABE’s Legislative Committee met to review and discuss the status of priority legislation and other bill highlights. Legislative Committee Chair Karen Yoho (Frederick County) welcomed board members from across the State to another well-attended Zoom meeting. Staff presented updates on the Blueprint for Maryland’s Future Act “Revisions Bill” (House Bill 1372) and updated members on priority bills focusing on pending amendments and new developments.

In addition, the committee received a [presentation on the American Rescue Plan Act](#) and discussed the enormously beneficial role of more than \$1 billion in direct education aid to Maryland’s 24 local school systems to respond to the COVID-19 pandemic.

One bill of note is a late-filed bill governing virtual learning programs in public schools ([House Bill 1376](#)). This bill would establish requirements related to (1) temporary and permanent virtual schools; (2) teacher preparation and professional development; (3) addressing and mitigating the effects of learning loss; and (4) expanding computer and Internet security infrastructure for virtual education. The bill also requires MSDE and local school systems to meet requirements, including implementing a statewide learning management system by July 1, 2022, for all public schools. Also, the bill establishes a Flip the Classroom Pilot Program.

The committee reviewed this and many other education-related bills summarized in the [Bill Highlights Report](#).

MABE Supports "Revisions" Bill to Smooth Launch of Blueprint for Maryland's Future Act

On March 8, House Bill 1372/Senate Bill 965 were introduced under the title “Blueprint for Maryland’s Future Act – Revisions.” On March 15, bill hearings were held in both the House and Senate, with MABE President Tammy Fraley testifying in support.

Legislative Committee

2021 Calendar

- January 4, 2021
* (January 12, 2021 - Session convened)
- February 1, 2021
- February 22, 2021
- March 15, 2021
- April 5, 2021
* (April 12, 2021 - Session adjourns "Sine Die")
- April 28, 2021

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

MABE is committed to the success of the Blueprint for Maryland's Future Act (House Bill 1300 of 2020), which was passed by veto override earlier this session; therefore, MABE supports the "Blueprint Revisions" legislation.

The proposed update extends implementation dates, make technical changes, secure local maintenance of effort funding, correct for declining enrollment counts in the fall of 2020, increase funding to close the digital divide, and address the paramount needs for summer school and other supplemental services in response to the COVID pandemic.

House Bill 1372 was reported favorably by the Appropriations Committee on Friday, March 19, with several technical amendments. The amendments address issues including assuring that community schools are fully funded by 2030, ensuring that educational standards referenced in the Blueprint include those already set in state regulations for gifted & talented, the arts, music, civics, and other programs. Other amendments specify school system reporting on the use of federal COVID relief funding for tutoring and summer school, the expert review teams' role, the negotiation of incentive pay for employees providing summer school, and the accountability and implementation board's authority. These amendments reflect minor changes to the original "Revisions" bill, which legislative leaders have described as not intended to make any significant changes to the Blueprint legislation itself.

School Construction Updates

Bob Gorrell, Director of the Public School Construction Program (PSCP), and staff held a meeting and question and answer session on March 10. This meeting was to brief attendees representing local school construction programs on the agency's planned implementation of the [Built to Learn Act](#) (House Bill 1 of 2020, which was delayed in taking effect until this year following the veto override of the Blueprint bill).

On March 11, the Interagency Commission on School Construction (IAC) held its monthly meeting, including a briefing on the Built to Learn Act and a discussion of regulations to implement the new law. Link to the [IAC meeting agenda and Built to Learn Act presentation](#) and regulations; and [video of the IAC meeting](#).

The Built to Learn Act authorizes the Maryland Stadium Authority (MSA) to issue up to \$2.2 billion in revenue bonds, backed by annual payments from the Education Trust Fund (ETF) beginning in fiscal 2022 for public school construction projects in the State. In general, MSA is responsible for the construction and improvements to local school facilities financed with the revenue bonds' proceeds. However, except for Baltimore City, MSA may authorize a local school board to contract for, manage, and oversee public school facility projects under its jurisdiction. Before allowing a local school board to manage its projects, MSA must consider the board's (1) track record of managing public school facility projects and (2) expertise and capacity to manage the proposed projects. Projects managed by MSA and local school systems are subject to the same requirements and procedures that govern the PSCP.

The bill also expands school construction costs eligible for State funding and increases or establishes new mandated State funding for other public school construction programs. The bill also includes provisions for the public-private partnership (P3) agreement for school construction in Prince George's County.

The launch of the Built to Learn Act in FY 2022 should be bolstered by the availability of state and federal funding, recognizing the one-year delay in enacting the 2020 legislation. The public school

construction program, MSA, and local school systems are eagerly awaiting the General Assembly's provision of funding for this much-needed program to accelerate the completion of school construction and renovation projects benefitting thousands of students across the State. Similarly, MABE is advocating for significantly increased funding for the capital improvement program (CIP), which the Governor reduced in his proposed budget.

School Security and Student Supports

The House Ways and Means Committee reported House Bill 522 favorably with amendments on March 19, including several significant amendments to clarify the role of school security officers (SROs) regarding student discipline and to require school-based behavioral health and safety plans.

MABE has testified on several SRO-related bills this session, supporting House Bill 522 and opposing other bills that propose prohibiting or severely restricting the placement of SROs in schools. MABE recognizes the significant contributions SROs make in schools across the State to benefit school climate, culture, and safety. SROs and teachers, principals, and other school personnel collaborate to provide mentoring, counseling, and instruction concerning appropriate student behaviors and are responding accordingly to violations of school policy and law. MABE also recognizes the need to pursue expanded training of SROs, principals, behavioral health staff, and teachers on the optimal classroom and school-based practices to maintain safe and supportive schools conducive to learning and the dignity and well-being of each student.

Therefore, MABE supports House Bill 522 to prohibit SROs from unilaterally enforcing discipline-related school policies, rules, regulations, or procedures to ensure that SROs do not make determinations regarding student discipline. This legislation is aligned with Maryland's training program for SROs. Therefore, the policies and procedures that should already be in place regarding the appropriate role of SROs relate to students, educators, administrators, and student disciplinary actions. MABE believes that this holistic approach to training SROs and other school security staff is essential to maintaining safe schools and access to equitable, high-quality education for all of Maryland's students.

As the amended House Bill proceeds to the Senate, MABE will continue to advocate for local board discretion to adopt programs and allocate resources for school safety and security and student behavioral health services.

Financial Aid Awareness & Access

MABE supports legislation to encourage school systems to significantly increase efforts to promote and assist students and families in completing state and federal student financial aid forms ([House Bill 96](#) and [Senate Bill 664](#)). MABE supports the intent of this legislation to promote the completion of the Free Application for Federal Student Aid (FAFSA) to the US Department of Education or the Maryland State Financial Aid Application (MSFAA) to the Maryland Higher Education Commission (MHEC) by as many students as possible before graduating from high school.

However, as introduced in 2020 and reintroduced in 2021, the bill raised serious concerns regarding the unintended consequences of administering this program as a rigid graduation requirement on which a student's eligibility for graduation could hinge. MABE appreciates the development of several amendments to address these concerns. The Senate is passing Senate Bill 664 with major amendments consistent with clarifying that the completion of these forms is not a graduation requirement, but is worthy of increased outreach and efforts to have as many students and families as possible complete

financial aid forms, and thereby become fully informed of the available financial aid offerings to continue their education.

Pregnant & Parenting Students

MABE raised objections to several provisions of legislation (Senate Bill 438 and House Bill 401) mandating services for pregnant and parenting students and is pleased that the bill is passing the Senate with amendments. Local boards certainly appreciate this legislation's intent to address concerns with the accommodation of the lactation, transportation, and childcare needs of pregnant and parenting students. However, MABE opposed the approach of legislating such specific elements of service delivery, which we maintain are best suited to regulations, guidelines, and local policies and procedures. MABE is pleased that [Senate Bill 438](#) is passing with amendments to clarify definitions, staff responsibilities, and school facility accommodations.

Bill Report

A [Bill Report](#) and [Hearing Schedule](#) containing MABE's positions and the status of all the bills we are tracking is available on the MABE website and updated weekly during session.

Federal Updates

CDC Announces New Guidance for Schools

Today the Centers for Disease Control and Prevention (CDC) announced a change in their school mitigation guidance. The [new guidance](#) states that when there is the proper use of masking, three feet of spacing is acceptable under certain conditions. The US Department of Education Department (ED) will be updating their guidance soon with the new information. Before that updating, they are going to place a disclaimer on their current document.

FCC Seeks Comment on Connectivity Fund

On Tuesday, March 16, the Federal Communications Commission (FCC) [announced](#) that it is seeking input from the public on how best to structure rules regarding the Emergency Connectivity Fund. \$7.171 billion in funding authorized by the American Rescue Plan Act of 2021 ([PL 117-2](#)) allowing schools and libraries to use these funds to purchase eligible connectivity equipment and devices. These funds are intended to help more students afford internet-capable devices and reduce the homework gap exacerbated by the ongoing pandemic. Comments are due by April 5, with reply comments due April 23.

USED Announces Next Round of K-12 Funding

The recently enacted American Rescue Plan Act of 2021 (PL 117-2) authorizes over \$122 billion in additional funding specifically for K-12 schools. On Wednesday, March 17, Secretary Cardona sent a [letter](#) to Chief State School Officers notifying them of these funds' availability. In this letter, Cardona encourages states and local school districts to use these funds, to the greatest extent possible, to pursue strategies [outlined](#) by the CDC aimed at helping schools safely reopen for in-person instruction. Earlier in the week, USED released a [factsheet](#) related to these funds' use and published a [table](#) detailing state-by-state allocations. More information related to this announcement can be found in the accompanying press [release](#).

For additional updates, visit MABE's [Federal Advocacy Center](#).

NSBA Advocacy Institute

2021 NSBA Advocacy Institute Registration Now Open

MABE encourages local board members to join other board of education leaders from across the country, June 8-10, 2021, for the National School Boards Association (NSBA) [2021 Advocacy Institute Online](#), where you will:

- Explore and discuss the latest developments in key education policy and legislation, including pandemic-related funding and policies, waivers, testing, the Individuals with Disabilities Education Act (IDEA), and more.
- Get advocacy training and tips to enable you to effect change through your congressional representatives.
- Hear the results of a new national education poll from two renowned political pollsters.

Engage in discussions with industry experts on topics including the Public School Transformation Now! Campaign, efforts to close the Homework Gap, the Dismantling Institutional Racism in Education (DIRE) initiative and other equity issues, and much more.

Virtual Visits to Capitol Hill

Capitol Hill Day goes online! Join your local colleagues in a series of virtual appointments with your representatives on Capitol Hill on the last day of the conference. NSBA will host a virtual congressional luncheon at mid-day.

Early bird registration ends April 30.

Advocacy Resources

- [MABE's Annapolis Advocacy Center](#)
- [MABE's State Board Advocacy Center](#)
- [MABE's Federal Advocacy Center](#)

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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