MABE

MARYLAND ASSOCIATION OF BOARDS OF EDUCATION

2025-2026 Continuing Resolutions

Amendments to Resolutions Adopted as of October 20, 2025

Table of Contents

Local Board of Education Governance Authority 2
School Choice & Public Funding for Nonpublic Schools 5
Before and After School Programs 7
Eliminating Achievement and Opportunity Gaps for All Students 9
The Federal Elementary and Secondary Education Act (ESEA) 12
Public Charter Schools 14
Safety and Security in Public Schools 16
School Board Member Professional Development 20
Student Health and Fitness 22
Curriculum and Assessments 26
Maintenance of Effort 31
Quality Early Childhood Programs 34
Adequate and Equitable Federal, State and Local Funding of Public Education 38
Adequate and Equitable School Facility Funding 45
Closing of School Buildings 50
Digital and Distance Learning 51
Educational Equity 54
Employee Relations and Negotiations 56
Line Item Control 59
New School Board Member Orientation 60
School Board Member Professional Development 61
School System Employees' Retirement and Other Benefits and Costs 63
Special Education 66
Student Discipline 69
Student Transportation 73

Continuing Resolutions 2025 - 2026

MABE
Maryland Association of Boards of Education

Local Board of Education Governance Authority
(Adopted 2012; amended 2013, 2016, 2019, 2021; readopted 2024)

WHEREAS, local school boards are among the nation's preeminent expressions of grassroots democracy; and

WHEREAS, a basic premise of our nation's system of public education is that public schools should be governed locally; and

WHEREAS, the Maryland Association of Boards of Education (MABE) believes the principle of local governance by boards of education is fundamental to a sound system of public education; and

WHEREAS, MABE believes that a sound system of public education is fundamental to sustaining the well-educated citizenry essential to a flourishing democracy; and

WHEREAS, the local governance authority of boards of education in Maryland and throughout the nation are continuously challenged by state, federal, and private sector initiatives; and

WHEREAS, Maryland statute provides that "educational matters that affect the counties shall be under the control of a county board of education" and that local boards "determine, with the advice of the county superintendent, the educational policies of the county school system" (§§4-101 and 4-108, Education Article); and

WHEREAS, local boards of education exercise governance authority in compliance with state and federal laws and in conjunction with the State Board of Education, which adopts statewide regulations in accordance with state and federal statutory authority; and

WHEREAS, in 2016 the Governor exercised unprecedented authority over local boards of education by issuing an executive order intruding upon the authority of the State Board of Education and all local boards in Maryland; and

WHEREAS, local boards of education work in conjunction with the State Board of Education, which has long held exclusive visitatorial power over educational policy and public school administration, a power that the Court of Appeals has described as "comprehensive" and "exclusive." *Chesapeake Charter, Inc. v. Anne Arundel County Board of Education*, 358 Md. 129,137 (2000); and

WHEREAS, MABE commends the General Assembly for enacting the Bridge to Excellence Act and other significant education related legislation and funding initiatives, while at the same time consistently delegating the governance and administration of public education to the State Board and local boards of education; and

WHEREAS, MABE believes that by retaining decision-making authority at the local level, local boards of education can best balance educational practices, available resources to implement those practices, public input, and academic and financial accountability; and

WHEREAS, local boards play a vital role in governing the local school system, advocating for public education, and engaging local communities and promoting participation by parents and other community members in the education process so that everyone feels a responsibility for, and ownership of, Maryland's public schools and our students' futures; and

WHEREAS, MABE believes that legislation which limits local board decision-making authority may weaken the board's bond with the local community and adversely impact the community's participation in the governance and operation of their local school system; especially in light of the critical role of local tax revenues in funding schools and school facilities; and

WHEREAS, the General Assembly enacted legislation in 2013 which authorizes the unprecedented intrusion of the local government into the appointment and operation of the Prince George's County local board of education and office of the superintendent; and

WHEREAS, the General Assembly enacted legislation in 2016 which requires the Baltimore City Board of School Commissioners to include one delegate and one senator from the Baltimore City delegation as nonvoting members of the local board's chief executive officer (CEO) selection committee; and

WHEREAS, in 2019 the General Assembly enacted legislation which returns to local boards full governance authority to establish annual school calendars including starting and ending dates; and

WHEREAS, in 2019 the General Assembly enacted legislation expanding the governance authority of local boards by allowing them to remove local superintendents for one or more just causes, including: immorality, incompetence, insubordination, willful neglect of duty, or misconduct in office; and

WHEREAS, in 2019 the General Assembly enacted the preliminary Blueprint for Maryland's Future legislation to launch the funding and policy recommendations of the Kirwan Commission on Innovation and Excellence in Education, including the establishment of an office of inspector general with investigative authority over school systems, but not including provisions limiting local board governance authority; and

WHEREAS, the Blueprint law enacted in 2021 establishes the Accountability and Implementation Board (AIB) which has unprecedented plenary authority over decisions of the State Board and local boards regarding the planning, implementation, and allocation of increased state funding consistent with the Blueprint law;

NOW, THEREFORE, BE IT RESOLVED, that MABE will advocate for the maintenance and expansion of the governance authority of local boards to set education policy and administration; and

BE IT FURTHER RESOLVED, that MABE supports local board control of, and accountability for, appropriations within the budget categories outlined in statute; and

BE IT FURTHER RESOLVED, that MABE will advocate for State Board of Education and AIB acknowledgment of the governance role of local boards, and the need to preserve local discretion and flexibility when adopting statewide regulations and policies; and

BE IT FURTHER RESOLVED, that MABE will vigorously defend against any action to intrude upon the authority of local boards and encourages local boards to work in conjunction with the State Board of Education and AIB, which have visitatorial power over educational policy and public school administration; and

BE IT FURTHER RESOLVED, that MABE advocates for and supports legislation to clarify that local board governance authority is not subject to executive orders by the Governor; and

BE IT FURTHER RESOLVED, that MABE supports adequate and equitable state funding for state mandated programs and priorities, including the provision of rigorous accountability measures, provided that local board governance authority is not usurped; and

BE IT FURTHER RESOLVED, that MABE opposes any executive or legislative initiatives that have the effect of reducing or circumscribing local board authority, including the authority to appoint or remove the local superintendent/CEO.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

School Choice & Public Funding for Nonpublic Schools
(Adopted 1992; amended 1995, 1998, 2001, 2002, 2005; readopted 2008, 2011; amended 2014, 2016, 2018, 2021; readopted 2024)

WHEREAS, public school choice is available in accordance with state law and local board of education policy, and includes a wide array of schools and school programs such as Science, Technology, Engineering and Mathematics (STEM), Performing and Visual Arts, International Baccalaureate (IB), Business and Finance, Information Technology, Construction, Automotive, Culinary Arts, Health Care, and Biomedical Science, among others; and

WHEREAS, public charter schools play a significant role in providing public school choice opportunities for parents and students; and

WHEREAS, public school choices are provided under state law and through local board policies that reflect a commitment to serving all students, in compliance with federal and state requirements for academic and fiscal accountability; and

WHEREAS, nonpublic school choice is available to all parents and students in accordance with Maryland laws and regulations which provide for varying degrees of state regulation and autonomy for nonpublic, parochial, and church-exempt schools; and

WHEREAS, nonpublic schools, with the exception of nonpublic special education schools, are not subject to the same legal requirements as public schools in areas such as teacher education and certification; academic standards, student assessments and other performance accountability measures; civil rights and anti-discrimination laws; and special education; and

WHEREAS, publicly funded nonpublic school choice programs typically include vouchers, which are direct payments of taxpayer money by the government for nonpublic school tuition; and tuition tax credit programs, which offset expenditures for nonpublic school tuition by reducing a person's or business entity's tax liability; and

WHEREAS, for many years the General Assembly considered, but did not enact, legislation to create a nonpublic tuition tax credit system, often entitled the "Building Opportunities for All Students and Teachers," or B.O.A.S.T., to provide a tax credit for 60 to 75 percent of the contributions made by a business to an eligible nonprofit organization that either: (1) provides scholarships to eligible nonpublic school students, e.g., vouchers, or scholarships to teachers at nonpublic schools; or (2) provides grants to public schools to support innovative educational programs; and

WHEREAS, in 2016 the General Assembly enacted the state budget bill with a conference committee amendment establishing the $5 million Broadening Options and Opportunities for Students Today (BOOST) Program to provide scholarships for students who are eligible for free or reduced-price meals to attend eligible nonpublic schools. To be eligible to participate in the BOOST program, a nonpublic school must administer student assessments in accordance with state and federal law; participate in the Aid to Non-Public Schools Program for textbooks and

computers administered by MSDE; and comply with Title VI of the Civil Rights Act of 1964 as amended; Title 20, Subtitle 6 of the State Government Article; and not discriminate in student admissions on the basis of race, color, national origin, or sexual orientation; and

WHEREAS, the annual state budget bill has, for many years, appropriated several million dollars to support the purchase of textbooks, computer hardware and software, and other electronically-delivered learning materials for loan by MSDE to nonpublic schools; and

WHEREAS, the Non-Public School Textbook/Technology Program provides nonreligious textbooks and computer hardware and software to students attending nonpublic schools whose tuition does not exceed the state average per pupil cost; and

WHEREAS, MABE and other public education advocates opposed the creation of the Nonpublic School Textbook/Technology Program, and consistently oppose the expansion of this program; and

WHEREAS, in 2013 the General Assembly approved $3.5 million for a new Nonpublic Aging Schools Program to allow eligible nonpublic schools to receive grants for school facility projects that are eligible under the Aging Schools Program, including school security improvements. This $3.5 million program has continued to be funded in subsequent capital budgets, with an additional $3.5 million provided since FY 2019 for school security projects; and

WHEREAS, MABE and other public education advocates opposed the creation, and oppose continued funding, of the Nonpublic Aging Schools Program; and

WHEREAS, in 2020 MABE joined the National School Boards Association and other organizations in successfully opposing a final interim rule adopted by Secretary of Education Betsy DeVos to require the allocation of a disproportionate share of COVID-19 relief funding to nonpublic schools.

NOW, THEREFORE, BE IT RESOLVED, that MABE supports local discretion to develop and implement policies that facilitate public school choice, including public charter schools, and opposes efforts to establish or expand publicly funded or state administered nonpublic school choice programs in the state; and

BE IT FURTHER RESOLVED, that MABE opposes maintaining or enhancing the BOOST program or establishing any other nonpublic school voucher program in the state budget or through separate legislation; and

BE IT FURTHER RESOLVED, that MABE supports requiring private and parochial schools receiving state funding to comply with state and federal anti-discrimination standards applicable to both students and staff; and

BE IT FURTHER RESOLVED, that MABE supports sustained public investments in public elementary and secondary education and opposes continued or increased public expenditures for nonpublic school programs.

Continuing Resolutions 2025 - 2026

MABE
Maryland Association of Boards of Education

Before and After School Programs

(Adopted 1990, 1993; amended 1996, 1999, 2002, 2005, 2008, 2011; readopted 2014; amended 2016, 2019, 2021, 2024)

WHEREAS, the Maryland Association of Boards of Education (MABE) believes that the parents and children in Maryland would best be served through a coordinated effort by all those charged with the care of school age children in the state; and

WHEREAS, local boards of education facilities are utilized for many community activities serving as focal points in the lives of school age children in Maryland; and

WHEREAS, the need for before and after school child care is a community and business need as well as a school system need; and

WHEREAS, the COVID-19 pandemic and resulting economic crisis severely negatively impacted the operation of before and after school programs by private providers; and

WHEREAS, the COVID-19 relief funding to states and local governments was provided by the American Rescue Plan Act in FY 2022 through December 31, 2024, to support before and after school programs by public and private providers;

WHEREAS, local boards of education have the capability to identify age-appropriate education resources for before and after school programs; and

WHEREAS, local boards of education resources are utilized to provide quality instruction for students; and

WHEREAS, before and after school programs should support the formal education of participating children; and

WHEREAS, in December 2015 Congress reauthorized the Elementary and Secondary Education Act (ESEA) as the Every Student Succeeds Act (ESSA); and ESSA authorizes federal funding for the 21st Century Community Learning Centers (21st CCLC) initiative to support afterschool and summer learning programs; and

WHEREAS, in 2016 the General Assembly enacted legislation to establish the Public School Opportunities Enhancement Grant Program within MSDE to assist local school systems, public community schools, and nonprofit organizations in expanding or creating extended day and summer enhancement programs for economically disadvantaged students; and

WHEREAS, in 2019 legislation was enacted to establish state standards for community schools serving communities with high concentrations of poverty in order to promote (1) active family and community engagement; (2) expanded and enriched learning time and opportunities provided after school, during weekends, and in the summer that emphasize mastering 21st Century skills;

and (3) collaborative leadership and practices for parents, students, teachers, principals, and community partners; and

WHEREAS, in 2019 the preliminary Blueprint for Maryland's Future legislation was enacted and, in part, established concentration of poverty grants to support staffing of community schools and the provision of wraparound services such as school-based health and mental health services, as well as extended learning time, including before and after school, weekends, summer school, and an extended school year; and

WHEREAS, the Blueprint for Maryland's Future Act of 2021 mandates the long-term phase-in of per pupil and personnel grants to establish and support community schools based on the percentage of school poverty; and

NOW, THEREFORE, BE IT RESOLVED, that MABE recommends that boards of education work collaboratively with state and local agencies and private providers to promote high quality, affordable before and after school programs; and

BE IT FURTHER RESOLVED, that MABE supports robust local, state, and federal funding to support the development and expansion of the Blueprint's community schools programs and initiatives adopted by local boards of education; and

BE IT FURTHER RESOLVED, that any state or federal mandated program related to before and after school programs be fully funded.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Eliminating Achievement and Opportunity Gaps for All Students
(Adopted 1998; amended 2001, 2004, 2007, 2010, 2012, 2015, 2016, 2017, 2018, 2021, 2024)

WHEREAS, boards of education in the State of Maryland are uncompromisingly committed to the academic success of all students; and

WHEREAS, significant numbers of students, and groups of students, demonstrate wide achievement gaps on state assessments relative to the performance of other groups of students; and

WHEREAS, in 2001 the State Board of Education adopted the goal of eliminating the achievement disparity between minority and majority students within five years; and

WHEREAS, Maryland enacted the Bridge to Excellence in Public Schools Act of 2002 to enhance state funding for public education by adopting higher per pupil funding amounts for all students, and significantly higher per pupil amounts for limited English proficient, economically disadvantaged, and special education students; and

WHEREAS, the Bridge to Excellence Act mandated five-year comprehensive master plans which included specific strategies to accelerate the achievement of all students, including students failing to meet state and local academic content and achievement standards, and including strategies to eliminate achievement gaps among legally defined groups of the student population; and

WHEREAS, the federal No Child Left Behind Act of 2001 (NCLB) imposed strict performance accountability measures for schools, school systems, and States based on the achievement of Adequate Yearly Progress (AYP) toward the goal of 100 percent of all students demonstrating proficiency in reading and mathematics by the 2013-2014 school year; and

WHEREAS, NCLB resulted in significant changes to Maryland's student assessment program, including the administration of Maryland School Assessments (MSAs) in reading and mathematics in grades 3 through 8, and grade 10; and three NCLB-mandated High School Assessments (HSAs) in English, Algebra/Data Analysis, Biology; and

WHEREAS, Maryland adopted College and Career Readiness Standards and state assessments developed in conjunction with the Partnership for Assessment of Readiness for College and Careers (PARCC); and

WHEREAS, NCLB was replaced by the Every Student Succeeds Act (ESSA) which continues to require grade level state assessments in math and reading/language arts in grades three through eight, and once in grades nine through 12; and science assessments at least once in grades three through five, grades six through nine, and grades 10 through 12; and

WHEREAS, the MSAs were replaced by PARCC assessments, and federal and state mandated high school assessments include PARCC Algebra 1, PARCC English 10, Government, and the Maryland Integrated Science Assessment (MISA); and

WHEREAS, state officials determined that the 2018-2019 school year would be the last year for the administration of the PARCC assessments, and developed and administered revised state assessments through the Maryland Comprehensive Assessment Program (MCAP), beginning in the 2019-2020 school year; and

WHEREAS, ESSA requires disaggregated data collection and public reporting by local school systems and states of student assessment results for all students and groups of students based on race, ethnicity, gender, disability status, English proficiency, homeless status, foster care status, migrant status, and status as economically disadvantaged; and

WHEREAS, disaggregated student assessment results on state assessments for African American, Hispanic, Multilingual learner, economically disadvantaged (based on Free and Reduced Price Meal eligibility), and special education students reveal significant achievement gaps in reading and mathematics and high percentages of these students not achieving the adopted passing scores; and

WHEREAS, in 2023~~,~~ White students comprised 32.2 percent of public school enrollment; African American students comprised 32.5 percent; Hispanic students constitute a growing percentage from less than 3 percent in the early 1990s to 23 percent); Asian Americans, Native Hawaiians, and Pacific Islanders (AANHPIs) students comprised 6.8 percent; Free and Reduced Price Meal eligible students increased to more than 47 percent; Multilingual learners comprised 12 percent; and students receiving special education services comprised more than 12 percent; and

WHEREAS, the COVID-19 pandemic and resulting school closures disrupted student assessment programs in Maryland and nationally, and disruptions in access to high quality online learning negatively and disproportionately impacted Multilingual learners, African American, and economically disadvantaged students, and students receiving special education services; and

WHEREAS, in 2021 the Blueprint law was amended to mandate summer school programs and student transportation services in 2021 and 2022 to address the effects of the COVID-19 pandemic on teaching and learning with particular focus on achievement gaps; and

WHEREAS, the Every Student Succeeds Act (ESSA), enacted in 2015 as the reauthorization of the Elementary and Secondary Education Act (ESEA), reduces the scope of federally mandated reporting requirements, standards, and sanctions relating to student achievement; and

WHEREAS, ESSA requires each State to set statewide, long-term goals and interim progress targets for improving outcomes for all students and student groups, including economically disadvantaged students, students from major ethnic and racial groups as defined by ESSA, children with disabilities, and Multilingual learners; and

WHEREAS, ESSA requires the identification of: (1) schools for comprehensive support and improvement and (2) schools in which any subgroup of students, on its own, would place the school among the lowest-performing five percent of all schools receiving Title I, Part A funds and that must implement targeted support and improvement plans; and

WHEREAS, Maryland's Consolidated State Plan to implement ESSA includes the goal to provide all children significant opportunity to receive a fair, equitable, and high-quality education and to close achievement gaps between children meeting the challenging State academic standards and those children who are not meeting such standards; and

WHEREAS, the Blueprint law requires the Accountability and Implementation Board (AIB) to hold school systems accountable for eliminating achievement gaps based on race, ethnicity, disability status, household income, linguistic status, and other student group characteristics; and

WHEREAS, in 2021 the State Board adopted the final report of the Task Force on Achieving Academic Equity and Excellence for Black Boys, which includes findings and recommended strategies to improve the educational experiences and outcomes, including addressing achievement gaps in reading, mathematics, and science, for Black boys in Maryland's schools; and

WHEREAS, in 2023 the State Board adopted a Strategic Plan which includes goals to implement evidence-based strategies to address opportunity and achievement gaps so that every child has equitable access to a world-class education, especially those who have been historically underserved; and

NOW, THEREFORE, BE IT RESOLVED, that a top priority for local boards of education continues to be eliminating opportunity and achievement gaps among ALL legally defined groups of students, with continuing emphasis on the gap between white students and students of African American and Hispanic heritage while also focusing on excellence for all students; and

BE IT FURTHER RESOLVED, that the Maryland Association of Boards of Education (MABE) supports the appropriate use of summative assessments and formative, diagnostic assessments to inform instruction and transform the teaching and learning of students as promptly and meaningfully as possible; and

BE IT FURTHER RESOLVED, that MABE commends all groups and individuals who have demonstrated leadership in addressing the underachievement of all students and groups of students; and

BE IT FURTHER RESOLVED, that MABE pledges to work with the State Board of Education, superintendents, and local boards of education to identify causes of and to implement solutions to the achievement gaps indicated by state and local assessment results.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

The Federal Elementary and Secondary Education Act (ESEA)
(Adopted 2006; amended 2009, 2010, 2012, 2015, 2016, 2017, 2018, 2021, 2024)

WHEREAS, the Elementary and Secondary Education Act (ESEA) was first enacted in 1965 to launch new federal funding programs, including Title I, which provides funding to support the education of children attending schools with a high percentage of students from low-income families; and

WHEREAS, ESEA has nine Titles, including: Title I: Improving the Academic Achievement of the Disadvantaged, Title II: Preparing, Training, and Recruiting High Quality Teachers and Principals, Title III: Language Instruction for Limited English Proficient and Immigrant Students, Title IV: 21st Century Schools, Title V: Promoting Informed Parental Choice and Innovative Programs, Title VI: Flexibility and Accountability, Title VII: Indian, Native Hawaiian, and Alaska Native Education, Title VIII: Impact Aid, and Title IX: General Provisions; and

WHEREAS, federal funding for ESEA totaled $29 billion in 2023; and

WHEREAS, ESEA has been reauthorized several times, including major amendments adopted in the Education Amendments Act of 1978, the Improving America's Schools Act of 1994, and No Child Left Behind Act (NCLB) of 2001; and

WHEREAS, on January 8, 2002, the No Child Left Behind (NCLB) Act of 2001 was signed into law as the reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA), and applies to all public schools and school systems; and

WHEREAS, the Maryland Association of Boards of Education (MABE) supported the goals of NCLB of raising student achievement; all students attaining proficiency; closing the achievement gaps; and ensuring that each child has highly qualified teachers; and

WHEREAS, NCLB mandated that each state define what constitutes adequate yearly progress (AYP) in increasing student achievement in reading and mathematics toward the goal of all students reaching proficient levels on uniform state assessments by 2014, and imposed significant punitive sanctions for failure to do so; and

WHEREAS, ESEA was scheduled for reauthorization in 2007 and in the absence of that action the U.S. Department of Education created a competitive Race to the Top grant program and ESEA flexibility waivers to provide conditional relief from NCLB accountability measures and funding restrictions; and

WHEREAS, Maryland was awarded a $250 million competitive Race to the Top grant in 2011 based on the State's adoption of the Common Core Standards and assurances that education policies and reforms would be adopted in four areas: (1) Adopting rigorous college and career ready standards and high quality assessments; (2) Establishing data systems and using data to inform for improvement; (3) Increasing teacher effectiveness and equitable distribution of effective teachers; and (4) Turning around the lowest performing schools; and

WHEREAS, in 2015 Congress reauthorized ESEA as the Every Student Succeeds Act (ESSA); and ESSA eliminated many of the reporting requirements, mandates and sanctions contained in NCLB and transferred the policy-making and enforcement authority formerly exercised by the U.S. Department of Education to the States; and

WHEREAS, ESSA includes provisions to restrict and prohibit the exercise of federal authority to mandate, direct, control, coerce, or exercise any direction or supervision over state and local policies and implementation of standards or assessments; and

WHEREAS, ESSA requires a statewide accountability system that is based on the challenging state academic standards for reading/language arts and math to improve student academic achievement and school success; and that new state accountability systems be developed in conjunction with local boards of education which must develop local ESSA plans through broad stakeholder input; and

WHEREAS, in 2016 MABE formed an Ad Hoc Committee on ESSA to provide a forum for discussing and informing MABE's participation on the MSDE stakeholder group and MABE's advocacy in Annapolis and at the federal level; and

WHEREAS, in 2017 state legislation was enacted to require that the State's ESSA consolidated state plan complies with parameters for academic and school quality indicators; comprehensive support and improvement plans; and targeted support and improvement plans; and prohibit the State Board from imposing specified interventions; and

WHEREAS, the COVID-19 pandemic had a major impact on the administration of ESSA and was particularly disruptive to the regimen of mandated student assessments, teacher evaluations, and accountability measures; and

WHEREAS, the comprehensive funding and policy reforms in the Blueprint for Maryland's Future Act of 2021 are aligned with the focus in ESSA on providing equitable supports to highest need schools and students;

NOW, THEREFORE, BE IT RESOLVED, that MABE pledges to work collaboratively to develop and implement Maryland's state accountability system in accordance with ESSA and in a manner that provides flexibility to local boards to adopt policies and invest available resources to support the academic achievement of all students,-and provides resources for targeted support and improvement programs for consistently underperforming schools; and

BE IT FURTHER RESOLVED, that MABE will oppose federal guidance, policies, regulations, or laws proposed to establish reporting requirements, performance standards, assessments, sanctions, or other conditions which do not adequately respect the governance role of local boards of education.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Public Charter Schools

(Adopted 1998; amended 1999; readopted 2002; amended 2003, 2005, 2008, 2009, 2010; readopted 2013; amended 2015, 2018; readopted 2021; amended 2024)

WHEREAS, the Maryland Association of Boards of Education (MABE) has consistently contributed positively to the development of state policy and legislation regarding public charter schools, while strongly advocating that local boards of education retain sole chartering authority in order to ensure that high academic and fiscal accountability standards are maintained; and

WHEREAS, the Public Charter School Act of 2003 created Maryland's first public charter school program "to establish an alternative means within the existing public school system in order to provide innovative learning opportunities and creative educational approaches to improve the education of students" (§9-101, Education Article); and

WHEREAS, the Public Charter School Improvement Act of 2015 amended the law to allow enrollment preferences based on geographic area and student needs, provide certain charter schools greater hiring flexibility upon renewal, limit the State Board's role in charter authorization, and commission a funding and expenditure study; and

WHEREAS, the 2015 Act reserves sole chartering authority to local boards of education and repeals the State Board of Education's limited chartering authority for restructured schools and in its appeal review capacity; and

WHEREAS, the law defines a public charter school as a new public school or conversion of an existing public school to which parents choose to send their children, and which is: nonsectarian; tuition-free; open to all students; not operated fully online; operated in compliance with state and federal health, safety, and civil rights laws; operated in compliance with local school system policies, unless waived; and operated in pursuit of a specific set of educational objectives; and

WHEREAS, the law requires public charter schools to comply with provisions of law and regulation governing other public schools, while providing that waivers may be granted by the State Board on appeal, except regarding audit requirements, student assessments, and health, safety, and civil rights laws and regulations; and

WHEREAS, the law defines public charter school employees as public school employees and requires that professional staff members of a public charter school hold the appropriate Maryland certification; and

WHEREAS, in accordance with the law, each local board has adopted a public charter school policy, including guidelines and procedures regarding the evaluation of public charter schools, revocation of a charter, reporting requirements, and financial, programmatic, or compliance audits of public charter schools; and

WHEREAS, in accordance with the law, the Maryland State Department of Education (MSDE), in collaboration with MABE and local school systems, established and disseminated to each local

board of education model public charter school policy language which can be used to create a public charter school policy; and

WHEREAS, the State Board has issued opinions defining the applicable standard of review regarding appeals from the evaluation and denial of a charter application by a local board of education, defining the local board's decision as prima facie correct and clarifying that the State Board may not substitute its judgment unless it finds the local board's decision to be arbitrary, unreasonable, or illegal; and

WHEREAS, the State Board has issued opinions defining "commensurate funding" to mean the average per pupil amount resulting from dividing the total annual school system budget by the annual enrollment count for the school system in the previous year, minus a two percent reduction for required central office functions; and

WHEREAS, the State Board has issued opinions providing charter school operators with the authority to choose whether they will provide special services directly to eligible students or whether those services will be provided by the school system; and

WHEREAS, in 2007 Maryland's highest court, the Court of Appeals, upheld the State Board's funding formula, finding that the State Board has broad authority to interpret the statutory intent of the Charter School Act of 2003, including the definition of commensurate funding; and

WHEREAS, in 2023 the State Board issued a declaratory ruling rejecting the argument made by multiple charter schools in the Baltimore City School System which alleged that the school system was improperly withholding a 25% fee when it developed a funding formula that met the Blueprint for Maryland's Future requirement to allocate at least 75% of certain funding directly to public schools, including public charter schools; and

WHEREAS, Maryland's legal framework for public charter schools, including statute and State Board opinions, affirms the local board's role as primary charter authorizer and the presumed reasonableness of local school system approval and denial of charter applications; and

WHEREAS, Maryland's charter school program, as governed and administered by local school systems in accordance with state law, is among the most successful charter school programs in the nation, resulting in dozens of successful charter schools which have generally not experienced the serious academic, administrative, and financial dilemmas that have routinely arisen in other States with charter school laws often misleadingly described as "stronger" than Maryland's; and

WHEREAS, in 2018 MSDE received a federal grant for more than $17 million for the purposes of assisting new and existing charter schools in: compensating teachers and principals and providing professional development; acquiring supplies, equipment and technology; repairing school facilities; providing one-time startup costs for student transportation; carrying out community engagement; and funding other non-sustained costs;

NOW, THEREFORE, BE IT RESOLVED, that MABE urges the State Board of Education and MSDE to collaborate with MABE and local school systems in developing public charter school regulations, policies, and procedures to successfully implement Maryland's charter school law; and

BE IT FURTHER RESOLVED, that MABE supports the administration of the MSDE Charter Schools Grant Program in a manner that is consistent with each local board's charter authorizing authority and Maryland's public charter school law; and

BE IT FURTHER RESOLVED, that MABE opposes any amendments to Maryland's public charter school law which would diminish the local board's role as sole chartering authority or otherwise weaken the law's academic or fiscal accountability requirements.

Continuing Resolutions 2025 - 2026

MABE
Maryland Association of Boards of Education

Safety and Security in Public Schools

(Adopted 1999; amended 2002, 2005, 2008, 2011, 2014, 2017, 2018, 2021, 2024, 2025)

WHEREAS, safety in public schools is important to local boards of education for the protection of students and staff, as well as a necessary element for a good learning environment; and

WHEREAS, threats to maintaining public school safety may be caused by a variety of factors both within and outside the school environment; and

WHEREAS, school safety issues arise in the daily operation of school facilities and services involving buses, science labs, kitchens, and boiler rooms; and

WHEREAS, school safety issues arise in the daily administration of school discipline policies and procedures, including the suspension and expulsion of students for disruptive behavior; and

WHEREAS school safety and security issues arise as school systems develop plans to respond to natural, accidental, and technological incidents, including weather events, industrial accidents, network security and data breaches, acts of terrorism, hate crimes and other criminal acts; and

WHEREAS, public school safety and security issues and strategies vary from school system to school system; and

WHEREAS, safety in public schools requires adopting and implementing policies and procedures to educate staff, students, and families about ways to reduce risks in the school setting and to respond to safety incidents when they arise; and

WHEREAS, safety in public schools is the joint responsibility of local boards of education, school administrators and staff, students, parents and guardians, law enforcement and other public safety agencies, human services agencies, and the community in general; and

WHEREAS, public school systems are mandated by state law to admit all individuals between the ages of 5 and 21 free of charge; and

WHEREAS, providing a free public education for all in safe and secure learning environments requires that students maintain regular school attendance and are responsible for complying with rules of conduct and the law; behaviors which are essential to their learning, graduation, and success in college and career; and

WHEREAS, maintaining safe schools sometimes requires the suspension or expulsion of students, and suspension and expulsion are essential disciplinary tools that should be complemented with a continuum of school and community-based counseling and alternative education services; and

WHEREAS, students involved in gangs and gang-related activities in Maryland's public schools present serious school safety issues and the Safe Schools Act of 2010, supported by MABE, was enacted as a comprehensive approach to enhancing state and local gang-related policies and programs in conjunction with local law enforcement; and

WHEREAS, the tragic events of September 11, 2001, resulted in federal, state, and local efforts to ensure that school systems develop coordinated emergency readiness, response, and recovery plans and procedures; and

WHEREAS, in 2004 the State Board of Education adopted regulations requiring local school systems to adopt emergency plans and conduct drills to prepare for violent or traumatic events on school grounds, including technological or natural disasters; and

WHEREAS, following the tragic school shooting in Newtown, Connecticut at Sandy Hook Elementary School in 2012, the General Assembly called for a review of all emergency plans and the State Board adopted new regulations to specify the six types of emergency drills that all schools must conduct each year; and

WHEREAS, in 2013 the state capital budget included $25 million to support projects such as facility risk assessments, security cameras, photo identification systems for visitor sign-in, lockset changes for interior and exterior doors, hardening glass areas, and relocating school office areas to a school's primary entrance area, among others; and

WHEREAS, in 2013 the General Assembly enacted and funded the creation of the Maryland Center for School Safety, which is to serve as a clearinghouse for information and best practices, to provide and facilitate professional staff development, conduct training, and facilitate coordination and collaboration between local school systems; and

WHEREAS, in addition to fire drills, regulations adopted in 2013 mandate six emergency drills to be conducted annually, including: evacuation; shelter in place; reverse evacuation; lock down; drop, cover and hold; and severe weather; and

WHEREAS, in 2017 legislation was enacted to reduce the number of mandatory fire drills on schools based on whether the building is equipped with sprinklers and in accordance with the State Fire Prevention Code; and

WHEREAS, a mass school shooting occurred on Feb. 14, 2018, at Marjory Stoneman Douglas High School in Parkland, Florida; and a tragic school shooting occurred on March 20, 2018, at Great Mills High School in St. Mary's County, Maryland; and

WHEREAS, the Maryland Safe to Learn Act was enacted to comprehensively reform school security by:

- Establishing a School Safety Subcabinet and an Advisory Board;
- Increasing funding for programs, staff, and regional locations for the Maryland Center on School Safety (MCSS);
- Requiring local assessment teams for the identification of, and intervention with, students or other individuals who may pose a threat to school safety;
- Requiring school systems to designate a certified school safety coordinator;
- Requiring school systems to conduct annual safety evaluations of each school;
- Requiring all school resource officers (SROs) and school safety and security personnel to complete a specialized curriculum;

- Requiring school systems to report on schools with assigned SROs and, if not, how adequate local law enforcement will be provided;
- Authorizing regulations to incorporate active shooter preparedness training in the annual schedule of school safety drills;
- Requiring local school systems to designate a mental health services coordinator; and
- Exempting local school system and law enforcement safety evaluations, plans and policies from the Public Information Act; and

WHEREAS, when the Safe to Learn Act passed in 2018, it mandated the development of a comprehensive curriculum for all SROs and any other designated school security personnel, including a 40-hour, 5-day training program focusing, in part, on restorative practices, school-based mediation, implicit bias, maintaining a positive school climate, and informal counseling roles and responsibilities; and

WHEREAS, the death of George Floyd on May 25, 2020, after being handcuffed and pinned to the ground under the knee of a police officer who was subsequently convicted of murder, sparked nationwide protests and debates on the need for police reforms, including reforms to SRO programs; and

WHEREAS, in 2021 the Maryland legislature considered but did not enact bills to reform or eliminate SRO programs; however, major police reform legislation that was enacted regarding the police officers' bill of rights, police misconduct, use of force and arrest procedures, use of body-worn cameras, and training, will impact all law enforcement officers including SROs; and

WHEREAS, in 2024 legislation passed to prohibit active shooter drills or trainings in schools other than on a voluntary basis for students and staff outside regular school hours from including activities that may be traumatic for students or school personnel, including (1) loud sounds intended to imitate gunfire or explosions; (2) live exercises with individuals role-playing as an active shooter or a victim; or (3) similar activities that may cause the drill or training to be traumatic for students or school personnel; and

WHEREAS, in 2024 the legislature repealed the sunsetting of the School Safety Grant Program which provides $10 million annually for school facility safety improvements; and

WHEREAS, emergency management involves: 1. mitigation and prevention strategies to reduce risks to life and property; 2. preparedness and planning strategies, including drills, for routine and worst-case scenarios; 3. response strategies including internal and intergovernmental communication and coordination; and 4. recovery strategies to restore a positive learning environment after a crisis; and

WHEREAS, the adoption and implementation of risk management school safety programs, and security enhancements, both programmatic and capital, are sound educational and economic policy, recognizing the critical need to ensure continuity of operations in each of Maryland's public school systems; and

WHEREAS, school systems in Maryland and nationally are experiencing an increased rate of cyberattacks, including ransomware attacks, which can disrupt teaching and learning and other school system operations and impose burdensome costs; and

WHEREAS, in 2022 the Local Cybersecurity Support Act and other legislation passed to establish the Local Cybersecurity Support Fund and require local government entities, including local school systems, to annually complete cybersecurity preparedness assessments;

WHEREAS, in 2025 legislation passed to require schools to provide same-day notification to parents/guardians for each student attempt to elope or upon accomplishing elopement (leaving campus without permission); and

WHEREAS, legislation passed in 2025 requires the Maryland Center for School Safety (MCSS) to study how best to detect deadly weapons on public middle and high school properties and how best to have schools rapidly report the detection of a deadly weapon to a law enforcement agency, with reports to be submitted to the General Assembly in 2025 and 2026.

NOW, THEREFORE, BE IT RESOLVED, that MABE will strive to provide programs and services that enhance school safety and security through identifying and educating school boards and administrators about sound risk management and school safety and security policies and/or procedures; and

BE IT FURTHER RESOLVED, that MABE urges federal, state, and local elected officials and other interested parties to work collaboratively with local boards of education to develop and implement local public school safety programs; and

BE IT FURTHER RESOLVED, that MABE will advocate for increased state funding to support the work of local school systems, and partner with local government organizations and others to advocate for state and local agency funding, to ensure that the Safe to Learn Act is implemented with fidelity in accordance with local board policies and school system determinations of the programs and services necessary to keep all Maryland students safe in school; and

BE IT FURTHER RESOLVED, that MABE supports a holistic approach to training SROs and other school security staff as essential to maintaining safe schools and access to an equitable, high-quality education for all of Maryland's students; and

BE IT FURTHER RESOLVED, that MABE urges federal, state, and local governments to ensure adequate and equitable funding for local public school safety and security programs, capital improvements, alternative education programs, and the wide array of mental health and public safety services provided by other public and private entities, which are essential to maintaining safe and secure schools and access to a quality education for all of Maryland's students.

Continuing Resolutions 2025 - 2026

MABE
Maryland Association of Boards of Education

School Board Member Professional Development
(Adopted 1991; readopted 1994, 1997; amended 2000, 2002, 2004; readopted 2007, 2010; amended 2013, 2016, 2019, 2021, 2024, 2025)

WHEREAS, ensuring the highest quality of educational services by Maryland's public school systems requires a continuing comprehensive program of professional development for teachers and administrators; and

WHEREAS, effective governance of public school systems also requires a continuing comprehensive program of professional development for school board members, and

WHEREAS, effective governance and administration of public school systems requires diligent adherence to the letter and the spirit of state and local ethics laws and procedures by board members and staff; and

WHEREAS, professional development for school board members should focus on leadership development and the key work and actions of school boards designed to promote student achievement and community engagement; and

WHEREAS, the key work of school boards focuses on leadership for higher levels of student achievement, and the key actions of school boards include developing and supporting a vision, standards, assessment, accountability, alignment, climate, collaborative relationships, and continuous improvement; and

WHEREAS, the Maryland Association of Boards of Education (MABE) and the National School Boards Association (NSBA) provide ongoing professional development programs for school board members focused on the key work and actions of school boards; and

WHEREAS, the professional development programs and services provided by MABE include, but are not limited to:

- Board Service Academy seminars;
- New Board Member Orientation;
- Board retreats;
- Legal Services Association (LSA) seminars;
- The Annual Conference; and
- Other ad hoc meetings; and

WHEREAS, the professional development programs and services provided by the NSBA include:

- The Annual Conference;
- The Annual Leadership Conference;
- The Northeast Regional Meeting;

- The Annual Presidents' Retreat;
- The Annual Advocacy Institute; and
- The Annual Equity Symposium; and

WHEREAS, in 2024 the Blueprint for Maryland Future law was amended to establish a mandatory School Leadership Training Program for the State Superintendent of Schools, local superintendents of schools, and the presidents/chairs and vice presidents/vice chairs of the State Board of Education, local boards of education, and the Accountability and Implementation Board (AIB); and

WHEREAS, the law encourages all members of the State Board, AIB, and local boards, as well as all school principals and senior instruction–related staff, to complete the School Leadership Training Program;

WHEREAS, legislation in 2025 requires local board members to complete, at least once during their terms, antibias training, separately from the public school employee training that all LEA staff are required to complete.

NOW, THEREFORE, BE IT RESOLVED, that MABE strongly encourages local boards of education to participate in ongoing professional development through MABE and other providers, including the Blueprint School Leadership Training Program, designed to help school board members provide the leadership needed to ensure quality public education; and

BE IT FURTHER RESOLVED, that individual board members be strongly encouraged to develop a continuing professional development plan based on a personal needs analysis; and

BE IT FURTHER RESOLVED, that each local board of education is strongly encouraged to develop a local policy affirming the importance of ongoing professional development that is integral to individual roles and responsibilities for board members as well as for staff.

BE IT FURTHER RESOLVED that MABE will advocate for the mandatory School Leadership Training Program to be relevant to the governance role and timely in the offering.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Student Health and Fitness
(Adopted 2013; amended 2016, 2017, 2018, 2019, 2020, 2021, 2024)

WHEREAS, local boards of education are committed to providing school facilities, school meals, and programs of instruction designed to promote the physical and mental health and fitness of students and to prepare them to maintain a healthy lifestyle as adults; and

WHEREAS, federal and state standards for student health and fitness, especially regarding nutrition, continue to be reformed and enhanced to address the alarming national epidemics of juvenile diabetes and obesity; and

WHEREAS, local boards of education are committed to providing quality physical education programs in Maryland's public schools within the current state and federal statutory and regulatory framework; and

WHEREAS, state regulations require yearly physical education instruction for all students in grades kindergarten through 8, and elective classes for students in grades 9 through 12 and that physical education programs provide an "individualized, developmentally appropriate, and personally challenging instructional program that advances the student's knowledge, confidence, skills, and motivation to engage successfully in a lifelong healthy and active lifestyle; and

WHEREAS, legislation enacted in 2010 required MSDE to adopt regulations requiring public school buildings that are newly constructed or completely renovated and occupied on or after January 1, 2013, to include a gymnasium and support spaces for physical education instruction; and the regulations governing facilities required in public schools for physical education programs were updated to include a gymnasium in the list of minimum spaces required in all new schools; and

WHEREAS, in 2021 the State Board adopted regulations to increase the health course graduation requirement from one-half to one full credit to provide the increased instructional time for content mandated by legislation, including opioid abuse, sexual abuse, and suicide prevention; and

WHEREAS, state regulations were revised in 2022 to increase the graduation requirement for high school health education from one half credit to one full credit; and

WHEREAS, the 2004 Child Nutrition and Women, Infants and Children (WIC) Reauthorization Act required all local school districts to put "wellness" programs in place by the beginning of the 2006-07 school year; required school districts to appoint wellness councils responsible for developing plans to address the types of food sold in schools, physical education, and nutrition. School districts are also required to appoint monitoring officers to ensure compliance; and

WHEREAS, the 2010 Child Nutrition and WIC Reauthorization Act, entitled the "The Healthy, Hunger-Free Kids Act," mandated major reforms in school meal programs to improve the nutritional value of the meals served to Maryland students each day; and

WHEREAS, child hunger impacts many students as an obstacle to learning and therefore school systems are increasingly involved in summer and weekend meal programs and partnerships to help ensure daily access to healthy food for all students; and

WHEREAS, Maryland has enacted legislation to allow eligible school systems to use the Community Eligibility Provision (CEP) program to provide free school meals to all students in a school system or school based on rates of free and reduced price meal (FRPM) eligibility, while also reducing administrative paperwork and personnel hours; and

WHEREAS, in 2017 legislation was enacted to extend the CEP program and to enhance high school student access to free school meals; and

WHEREAS, in 2018 legislation was enacted to make the State responsible for the student share of the costs of (1) reduced-price breakfasts provided under the federal School Breakfast Program by FY 2022 and (2) reduced-price lunches provided under the National School Lunch Program (NSLP) by FY 2023; and legislation passed to extend for one-year program eligibility for schools dropping below the 40% FRPM enrollment threshold; and

WHEREAS, in 2020 legislation passed requiring local school systems to revise school meal policies to prohibit practices identifying and stigmatizing students unable to pay for school meals; and

WHEREAS, in 2020 the COVID-19 pandemic and resulting school closures necessitated the distribution of millions of school meals to all eligible students, which required unprecedented investments of staff and volunteer time and unbudgeted resources to distribute meals from outside schools and other sites; expenses which were substantially covered by federal COVID relief funding; and

WHEREAS, in 2017 legislation was enacted to require a needs assessment of student school-based behavioral health services; and to develop best practices for local boards of education to provide to students (1) behavioral needs assessments and (2) individualized or group behavioral health counseling services with a health care provider through a school-based health center or community-partnered school-based behavioral health services; and

WHEREAS, in 2017 legislation was enacted to require annual training of all certificated school personnel who have direct contact with students on a regular basis to complete training by December 1 each year in the skills required to (1) understand and respond to youth suicide risk and (2) identify professional resources to help students in crisis; and

WHEREAS, in 2024 legislation was enacted to require public schools to provide mental health training to coaches in recognizing the indicators of mental illness and behavioral distress in students, including depression, trauma, violence, youth suicide, and substance abuse; and

WHEREAS, in 2017 legislation was enacted to require school systems to respond to the opioid and heroin abuse crisis by (1) expanding the existing drug addiction and prevention education curriculum to include a unit on opioids and heroin; (2) requiring local boards to establish a policy requiring each public school to store naloxone and authorize school personnel to administer it; and (3) requiring local boards or local health departments to hire a county or regional community action official or existing personnel to coordinate public outreach including school-based community forums; and

WHEREAS, Governor Hogan’s Executive Order establishing a compressed school year beginning after Labor Day and ending by June 15 created a greater need for school systems to provide meals for students during the extended summer break; and

WHEREAS, in 2018 the Safe to Learn Act included requirements for local school systems to designate the position of Mental Health Services Coordinator and the following responsibilities:

- To coordinate existing mental health services and referral procedures for mental health services within the local school system;
- To work in collaboration with the local health department, the local department of social services, and other local entities that provide mental health services, to ensure that a student who is referred for mental health services obtains the necessary services;
- To maximize external funding for mental health and wraparound services; and
- To develop plans for delivering behavioral health and wraparound services to students who exhibit behaviors of concern; and

WHEREAS, the Blueprint for Maryland's Future Act of 2021 establishes the Maryland Consortium on Coordinated Community Supports to develop a statewide framework for the creation of coordinated community-based behavioral supports partnerships, and to require each local school system to develop a plan to enhance and expand behavioral health service availability; and

WHEREAS, in 2020 legislation passed to require MSDE, the Maryland Department of Health (MDH) and Department of Human Services to develop guidelines for schools on trauma-informed education, including methods for understanding and responding to an individual with symptoms of chronic interpersonal trauma or traumatic stress; and

WHEREAS, in 2021 legislation passed to require each local board to provide menstrual hygiene products free-of-charge to students via dispensers installed in middle and high schools in at least 2 women's restrooms by Oct. 1, 2022, and in all women's restrooms by Aug. 1, 2025; and in at least one elementary school restroom by Oct. 1, 2022; and

WHEREAS, in 2021 legislation passed to require MSDE and MDH to authorize a health care practitioner at a school-based health center (SBHC) to provide services through telehealth; and legislation passed to shift the oversight of SBHCs from MSDE to MDH; and

WHEREAS, in 2021 legislation passed to require MSDE to develop a model policy, and local boards to develop policies based on the model, to support the educational and parenting goals and improve the educational outcomes of pregnant and parenting students; and

WHEREAS, in 2022 legislation passed to require local school systems to adopt seizure action plans including the availability of trained school personnel to respond to emergencies and administer medication; and

WHEREAS, in 2022 legislation passed to require each middle school and high school to develop a venue-specific emergency action plan for athletic facilities regarding the operation and use of automatic external defibrillators (AEDs) and heat acclimatization. The plan must include coordination of care for other injuries including cervical spinal injury, concussion and closed head injury, major orthopedic injuries, and severe weather for outdoor facilities; and

WHEREAS, in 2023 legislation passed to require MSDE and MDH to jointly update the State guidelines to reduce the risk of exposure to major food allergens in classrooms and common

areas and develop a system to disclose the foods served in the school and the major allergens contained in them; and

WHEREAS, in 2024 legislation passed to require MSDE and MDH to jointly develop State guidelines for school health services regarding student access to telehealth appointments during the school day in public middle and high schools, and require each local board of education to establish a policy before the start of the 2025-2026 school year; and

WHEREAS, in 2024 budget language was adopted to allow school systems to access up to $12 million in Medicaid reimbursements for school-based behavioral health services in addition to services provided to students receiving special education services; and

WHEREAS, online social media platforms have been linked to negative mental health effects in school-age youth, and Maryland may receive revenues relating to judgments or settlements from social media companies found liable for damages; and

WHEREAS, many legislative proposals intended to enhance student health and fitness would impose significant costs on local school systems;

NOW, THEREFORE, BE IT RESOLVED, that MABE supports local board discretion to adopt policies and to allocate resources to support improvements in student mental and physical health, fitness, and nutrition; and

BE IT FURTHER RESOLVED, that MABE supports state and federal laws to preserve and enhance the ability of local school systems to choose to participate in the Community Eligibility Provision (CEP) program as an option to provide free school meals to all students; and

BE IT FURTHER RESOLVED, that MABE will work collaboratively with stakeholders in urging the Governor and General Assembly to increase funding for school nutrition programs to support summer meal programs for students; and

BE IT FURTHER RESOLVED, that MABE opposes state or local government unilateral determination of the methods of delivering student health services, including the employment status of school health providers; and

BE IT FURTHER RESOLVED, that MABE opposes the unfunded mandating of additional physical, mental, and behavioral health services; and

BE IT FURTHER RESOLVED, that MABE opposes the unfunded mandating of increased physical education instruction which would impose significant costs for additional school facilities and instructional staff; and

BE IT FURTHER RESOLVED, that MABE opposes the unfunded mandating of additional requirements for school-based nutritional programs; and

BE IT FURTHER RESOLVED, that MABE will urge the Governor and the Legislature to fully fund the increased costs of the behavioral and mental health services requirements in the Safe to Learn Act of 2018 or mandated by other legislation or regulations; and

BE IT FURTHER RESOLVED, that MABE will urge the Governor and the legislature to invest judgments or settlements from social media companies as supplemental state funding to local school systems to support mental and behavioral health services for students.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Curriculum and Assessments
(Adopted 2013; amended 2014, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2024, 2025)

WHEREAS, in creating the State Board and local boards of education the General Assembly has delegated the responsibility for the development of curriculum and student assessments; and

WHEREAS, the State Board establishes state standards and graduation requirements; and local boards implement locally developed curriculum to ensure that standards are met and students are prepared to meet graduation requirements; and

WHEREAS, the General Assembly has considered and at times enacted legislation usurping State Board and local board authority by mandating public school curriculum and student assessments; and

WHEREAS, the State Board adopted the Visionary Panel for Better Schools report in 2002, including the development of a voluntary statewide curriculum, with which local curriculum must be aligned; and in 2009 the State Board amended its regulations to clarify that the requirement to align local curriculum with the state curriculum was no longer voluntary; and

WHEREAS, notwithstanding established local board authority over curriculum and assessments, the federal No Child Left Behind Act (NCLB) of 2001 mandated an array of new student assessments and curriculum reforms, requiring the investment of significant state and local government resources; and

WHEREAS, Maryland complied with NCLB by adopting the Maryland School Assessments (MSAs) in reading, mathematics, and science in grades 3 through 8, and grade 10; and adopting the High School Assessments (HSAs) in English 10, Algebra 1, and Biology which serve as the NCLB mandated accountability tests at the high school level; and

WHEREAS, the State Board adopted regulations in 2004 to tie graduation and receipt of the Maryland High School Diploma beginning in 2009 to passage of four High School Assessments (HSAs) in Algebra/Data Analysis, English 10, Government, and Biology; and

WHEREAS, in 2008 the State Board approved the Bridge Plan for Academic Validation which allows students not passing one or more HSAs to complete projects for credit toward the minimum score required to receive a diploma; and

WHEREAS, in 2011 the Government HSA was abolished as a cost saving measure; and was restored by legislation enacted in 2012 which also mandated a middle school assessment in social studies; and

WHEREAS, MSDE adopted Maryland College and Career Ready Standards, curricular framework, and uniform state assessments developed in conjunction with the Partnership for Assessment of Readiness for College and Careers (PARCC); and

WHEREAS, legislation was enacted in 2013 mandating that all high school juniors be given assessments to demonstrate college and career readiness; and mandating new transitional courses for students not passing these assessments; and

WHEREAS, in 2014 legislation was enacted to require MSDE to develop a plan to transfer from the Maryland High School Assessments in English and Algebra/Data Analysis to the comparable PARCC assessments as a graduation requirement; and

WHEREAS, in 2015 the legislature formed the Commission to Review Maryland's Use of Assessments and Testing in Public Schools to assess the state's use of and approach to mandated assessments and testing; and

WHEREAS, the Commission did not adopt a recommendation to establish a statutory cap on the amount of instructional time allotted for student assessments; and

WHEREAS, in December 2015 Congress reauthorized the Elementary and Secondary Education Act (ESEA) as the Every Student Succeeds Act (ESSA); and ESSA maintains grade level assessment requirements but eliminates many of the mandated accountability requirements and sanctions tied to assessment results; and

WHEREAS, in 2016 legislation was enacted to require local boards to publish, by October 15 of each year, information for each assessment administered, including: the title and purpose of the assessment; whether the assessment is mandated by a local, state, or federal entity; the grade level or subject area; the testing window; and the accommodations available for students with special needs; and

WHEREAS, in 2016 the State Board adopted regulations establishing an incremental increase in passing scores required for graduation on the PARCC Algebra 1 and PARCC English 10 Maryland High School Assessments beginning in the 2016-2017 school year and phased-in through the 2019-2020 school year; and

WHEREAS, the Maryland High School Assessment in Biology was last administered as a high school graduation requirement in the 2015-2016 school year; and in 2016-2017 the transition began to administer the Maryland Integrated Science Assessment (MISA), which is aligned with the Next Generation Science Standards, and intended to be phased-in as a score-based graduation requirement; and

WHEREAS, in 2016 legislation was enacted to limit the state administration of the Kindergarten Readiness Assessment (KRA) to a representative sample of students; and require that the assessment is completed by October 1 of each year; 2017 legislation extended the deadline to October 10; and

WHEREAS, in 2017 legislation was enacted to restrict school systems to administer the Early Learning Assessment (ELA) under the condition that: "Before administering the early learning assessment, a county board shall consult with prekindergarten teachers, including teachers nominated by the exclusive bargaining representative, in determining how to implement the assessment;" and

WHEREAS, in 2017 legislation was enacted to establish the following procedures regarding student assessments:

- Require, in odd numbered years, local boards of education and exclusive employee representatives to meet and confer regarding school assessments and, by December 1,

2017, and every two years thereafter, mutually agree to a limited amount of time that may be devoted to federal, state, and locally mandated assessments for each grade;

- Provide that if the parties fail to mutually agree, the time that may be devoted to all assessments must be limited to 2.2 percent of the minimum required annual instructional hours for every grade except for eighth grade, which must be limited to 2.3 percent;
- Allow local boards of education and exclusive employee representatives to mutually agree to amounts of time devoted to assessments that exceed the 2.2 and 2.3 percent thresholds; and
- Require, in even numbered years, school systems to convene District Committees on Assessments comprised of teachers selected by the exclusive bargaining unit and parents and guardians, to advise and make recommendations on the time required to administer each assessment, purpose, timeliness of results; and

WHEREAS, state officials determined that the 2018-2019 school year would be the last year for the administration of the PARCC assessments, and developed and administered revised state assessments through the Maryland Comprehensive Assessment Program (MCAP), beginning in the 2019-2020 school year; and

WHEREAS, Maryland's state plan for compliance with the federal Every Student Succeeds Act (ESSA) features a school, school system, and statewide accountability system based on student performance levels on the uniform statewide assessments; and

WHEREAS, in 2018 MABE urged the State Board to pause in implementing high stakes graduation requirements based on minimum cut scores on any statewide assessments until the new statewide assessments in reading/language arts and mathematics were field tested and subsequently administered for multiple years; and

WHEREAS, in 2019 legislation passed with MABE's support to prohibit state assessments from being used as high stakes graduation requirements based on minimum cut scores until the new statewide assessments were field tested for one school year; and

WHEREAS, in 2020 and 2021, in response to the COVID-19 pandemic and resulting school closures and state and local continuity of learning and education recovery plans, the State Board approved numerous waivers of timelines and other laws and regulations regarding state assessments and graduation requirements, locally adopted graduation requirements, and other areas; and

WHEREAS, in 2021 the U.S. Department of Education provided a waiver from administering federally mandated assessments for accountability purposes, and approved Maryland's request to defer assessments for diagnostic purposes until the fall of 2021; and

WHEREAS, harassment and violence against many marginalized groups including but not limited to Asian Americans, Native Hawaiians, and Pacific Islanders (AANHPIs), African Americans, Latino Americans, Native Americans, LGBTQ+ persons, and persons with disabilities has a long history in the United States. The struggles and triumphs of these groups include past and current xenophobia, the invisibility of their contributions to the United States, and a narrow understanding of the diversity and complexity within these groups; and

WHEREAS, the State Content Standards and Framework for Grade 6-8 Social Studies are designed so that each "student will understand the diversity and commonality, human

interdependence, and global cooperation of the people of Maryland, the United States, and the World through a multicultural and a historic perspective;"

WHEREAS, in 2021 the State Board adopted regulations based on the recommendations of the High School Graduation Task Force to:

- Increase the number of credits required for graduation from 21 to 22;
- Increase in the number of credits in mathematics from three to four;
- Increase in the number of credits in health from one-half to one; and
- Modify the graduation requirement that students must pass assessments in Algebra, English, Science, and Government from a stand-alone assessment to an end-of-course assessment to count for 20 percent of the student's course grade; and

WHEREAS, the Blueprint for Maryland's Future Act of 2021 requires MSDE to commission a study and determine whether to revise college and career readiness (CCR) standard and develop curriculum standards and curriculum resources in core subjects, including course syllabi, sample lessons, and examples of student work that meet standards, for each subject at each grade level, that build on one another in logical sequence and that may be used by local school systems and public school teachers; and

WHEREAS, in 2024 the State Board adopted a revised CCR standard to require that students 1. Earn a high school grade point average (GPA) of 3.0 or higher and either earn a grade of A, B, or C in Algebra I or score proficient or above on the Algebra I MCAP assessment, or 2. Score proficient or above on both the ELA 10 and Algebra I MCAP assessments; and

WHEREAS, in 2024 the State Board adopted a resolution on the "Statewide Adoption and Implementation of the Science of Reading" which requires that "All literacy instruction in Maryland public schools must be aligned to the Science of Reading, including structured literacy, effective School Year 2024-25;

WHEREAS, in 2025 legislation was passed to reiterate the required alignment between MSDE content standards and local school system curriculum guides; and

WHEREAS, the State Board approved a new PreK-12 Maryland Mathematics Policy in 2025, a strategic initiative designed to transform mathematics teaching, learning, and achievement from early childhood through secondary education in support of the foundational goals of The Blueprint for Maryland's Future;" and
NOW, THEREFORE, BE IT RESOLVED, that MABE supports local decision-making authority in developing curriculum and assessments, in conjunction with the State Board of Education, as these entities are charged with the responsibility to research, investigate, and evaluate curriculum and assessments, and are ultimately accountable for student performance; and

BE IT FURTHER RESOLVED, that MABE supports the state's adoption, administration, and funding of federally required statewide reading/language arts, mathematics, and science assessments; and supports the continued administration of the statewide high school assessment in government; and

BE IT FURTHER RESOLVED, that MABE supports the exercise of local board authority to ensure that local curriculum and instruction reflect the diversity, commonality, and right to be free from harassment and violence of all persons, including but not limited to Asian Americans, Native Hawaiians, and Pacific Islanders (AANHPIs), African Americans, Latino Americans, Native Americans, LGBTQ+ persons, and persons with disabilities; and

BE IT FURTHER RESOLVED, that MABE opposes efforts by the General Assembly or federal government to usurp local board authority over public school curriculum or student assessments.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Maintenance of Effort
(Adopted 1991; amended 1992, 1993, 1994, 1996, 1999, 2000, 2002; readopted 2005; amended 2008, 2009, 2010, 2011, 2012, 2015, 2018, 2021, 2023, 2024)

WHEREAS, Maryland's twenty-four local school systems are fiscally dependent on state funding, provided primarily through statutory formulas on a per pupil basis, and local government funding, provided in accordance with a statutory "maintenance of effort" provision that requires each county government, including Baltimore City, to provide on a per pupil basis at least as much funding for the local school system as was provided in the prior fiscal year; and

WHEREAS, since first enacted in 1984, the maintenance of effort law has been amended to provide a balance of flexibility and accountability to ensure ongoing local government investments in their public school systems; and

WHEREAS, in 1996 the maintenance of effort law was amended to allow the State Board to grant annual waivers of the maintenance of effort requirement to local governments and to permit local governments to exclude certain supplemental nonrecurring costs, in excess of the minimum amount required by law, from the maintenance of effort calculation for the next fiscal year; and

WHEREAS, the State Board's waiver process was not tested until 2009 when three counties sought waivers and in each instance the State Board denied the waiver requests; and

WHEREAS, in 2010 the State Board granted the two waiver requests submitted by local governments; and

WHEREAS, in 2011, the General Assembly adopted amendments to the law, and the State Board issued a declaratory ruling, which highlighted weaknesses in the maintenance of effort law; and

WHEREAS, following the State Board's declaratory ruling in May 2011, seven local governments appropriated less than the maintenance of effort amount, without requesting a waiver from the State Board, potentially creating a cascading decline in local funding referred to as "rebasing;" and

WHEREAS, MABE advocated successfully for legislation enacted in 2012 to amend the maintenance of effort law to provide a constitutionally adequate combination of state and local funding by making maintenance of effort the local funding floor, and placing the penalty for failing to meet maintenance of effort on the local government, not the school system; and

WHEREAS, the maintenance of effort reforms enacted in 2012:

- Provided a constitutionally adequate combination of state and local funding by ensuring that the maintenance of effort amount, and not the local share of the foundation program, is enforced as the annual local funding floor;
- Provided greater flexibility by improving the State Board of Education's waiver process;

- Provided greater accountability by requiring a county intending to provide less than maintenance of effort to request a waiver;
- Provided for mandatory increases in local funding based on the local government's education effort relative to local wealth and the statewide average education effort;
- Provided a fair and reasonable penalty for a county not meeting maintenance of effort that applies directly to the county government, rather than the school system; and

WHEREAS, adequate local funding is essential to the current and continued success of Maryland's public schools, as the Commission on Education Finance, Equity, and Excellence that proposed the Bridge to Excellence Act concluded in its report: "Meeting adequacy goals ... will require that counties continue to exceed maintenance of effort" and "if counties provide increases in education funding comparable to the increases provided from fiscal 1997 to 2000, most school systems would meet or exceed adequacy goals...;" and

WHEREAS, Maryland's public school students deserve the affirmative commitment of all county governments to provide annual increases in public education funding which meet or exceed the minimum maintenance of effort funding level; and

WHEREAS, the Blueprint for Maryland's Future Act of 2021 includes revisions to the Maintenance of Effort law to increase the amount of local funding for public schools by maintaining the local share requirement for the foundation amount and establishing new local share requirements for compensatory education, English learner, special education, full-day prekindergarten, and career-ladder grant programs; and

WHEREAS, the Blueprint law also eliminates the Maintenance of Effort escalator after FY 2023 and establishes the Education Effort Adjustment program; and

WHEREAS, although the COVID-19 pandemic imposed significant costs on local governments and threatened their capacity to fully fund local school system budgets, the state and local federal relief funding provided by the American Rescue Plan Act and state adjustments to Maintenance of Effort requirements ensured that local governments were able to meet and exceed the minimum maintenance of effort funding requirement; and

WHEREAS, legislation enacted in 2022 allowed counties to subtract specific and substantial funding amounts from the calculation of their highest local appropriation amounts in FY 2023 used to calculate their minimum Maintenance of Effort amounts for FY 2024; and

WHEREAS, in 2024 the Maryland Association of Counties (MACo) requested legislation which passed, in part, to require school systems to prepare their annual budgets to include as major categories (1) specified current funds held in reserve; (2) the amount of any federal funds received in the last fiscal year; and (3) the amount of funds held in trust or otherwise dedicated toward long-term obligations for retiree health care costs or other postemployment benefits;

NOW, THEREFORE, BE IT RESOLVED, that MABE pledges to promote the successful implementation of the significant maintenance of effort reforms enacted in 2012 and the Blueprint law's provisions enacted in 2021, and to highlight best practices in the fiscal relations between local boards of education and local governments; and

BE IT FURTHER RESOLVED, that MABE opposes any legislation or agency action that would weaken the Maintenance of Effort law, such as the 2015 proposal to repeal the provision mandating local funding increases above maintenance of effort based on measures of local wealth and effort; and

BE IT FURTHER RESOLVED that MABE supports reasonable growth in local funding based on inflation, supplemental per pupil funding for special needs students, and other factors; and

BE IT FURTHER RESOLVED, that MABE supports legislation to restore the Maintenance of Effort escalator, or similar law, to require mandatory increases in local funding above Maintenance of Effort or the local share of major education aid based on the local government's education effort relative to local wealth and the statewide average education effort.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Quality Early Childhood Programs
(Adopted 2005; amended 2008; readopted 2011; amended 2014, 2016, 2017, 2018, 2019, 2021, 2022, 2024)

WHEREAS, the Maryland Association of Boards of Education (MABE) serves as the voice of the public in public education and has demonstrated its commitment to the continued achievement of all students served by local boards of education; and

WHEREAS, decades of research have confirmed that quality educational components to early child care arrangements have a positive impact on children's development, well-being, and academic potential; and

WHEREAS, school readiness research shows that children with formal child care experiences prior to entering kindergarten show higher levels of school readiness than children without formal child care; and

WHEREAS, recognizing that many families throughout Maryland cannot afford formal child care arrangements, for many years the Maryland State Department of Education (MSDE) administers a program to provide financial assistance with child care costs to low-income families; and

WHEREAS, beginning in 2001, MSDE, local school systems, and early education providers implemented the Maryland Model for School Readiness (MMSR), which incorporated research-based instruction, age-appropriate assessment of children's learning, and effective communication among teachers, parents and guardians, and early childhood providers to enhance school readiness through common goals and program assessments; and

WHEREAS, for many years Maryland employed the Work Sampling System (WSS) as the early childhood assessment system used in kindergarten for the purpose of assessing entering kindergartners' skills in seven areas: social and personal development, language and literacy, mathematical thinking, scientific thinking, social studies, the arts, and physical development; and

WHEREAS, MSDE launched a school readiness assessment system in 2014-2015, which includes Kindergarten Ready Assessments (KRAs); and

WHEREAS, the Bridge to Excellence in Public Schools Act of 2002 mandated that by the 2007-2008 school year all local school systems provide universal full-day kindergarten and targeted half-day prekindergarten programs for all economically disadvantaged four-year olds based on 185% of the federal poverty guidelines; and

WHEREAS, legislation enacted in 2005 transferred the Child Care Administration (CCA) from the Department of Human Resources (DHR) to MSDE; required the State Superintendent of Schools to establish an early childhood development division within MSDE; and required MSDE to develop a plan for the accreditation of all existing early learning programs and child care programs

providing full-day kindergarten classes or publicly funded prekindergarten programs for low-income four-year old children; and

WHEREAS, since 2013 MSDE has used the EXCELS framework to award ratings to child care centers, school-age child care programs, family child care homes and public prekindergarten programs based on five core disciplines: compliance, professional development, accreditation, developmentally appropriate activities, and administrative practices; and

WHEREAS, in 2007 the Task Force on Universal Preschool Education recommended the creation of a voluntary, free, universal preschool program, Preschool for All, with the goal of providing early education to all four-year-olds in Maryland by 2014; and

WHEREAS, the 2009 Preschool for All Business Plan called for expanding access to prekindergarten to families earning less than 300% of the federal poverty guidelines, and proposed funding the expansion through a new categorical fund program similar to the previous Extended Elementary Education Program (EEEP); and

WHEREAS, Maryland received a $50 million federal Race to the Top Early Learning Challenge Grant to support improvements in school readiness for economically disadvantaged, English language learners, students with disabilities, and all students, to increase the school readiness rate from 81% to 92%; and

WHEREAS, in 2014 the General Assembly enacted the $4.3 million Prekindergarten Expansion Grant Program to expand access to prekindergarten services to additional eligible four-year-old children from families whose income is no more than 300% of the federal poverty guidelines (FPG). The competitive grant program is available to qualified public and private prekindergarten providers; and

WHEREAS, including prekindergarten students as enrolled students would require critically needed increases in state and local funding, including funding for school facilities based on total enrollment; and

WHEREAS, the funding adequacy study contracted by the state between 2014 and 2016 includes the study of prekindergarten services and proposes alternative funding structures, including income-based fees, and recommends providing funding for 80% of Maryland's four-year-olds to attend either a public prekindergarten program or a high quality private program based on state and national ratings; and

WHEREAS, legislation enacted in 2016 created the Commission on Innovation and Excellence in Education which was charged with reviewing the Study on Adequacy of Funding for Education in the State of Maryland, and making recommendations regarding the preferred approach to expanding publicly funded prekindergarten education; and

WHEREAS, legislation enacted in 2017 created the Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4-Year-Olds to make recommendations regarding an implementation plan, based on APA Consulting's January 2016 report "A Comprehensive Analysis of Prekindergarten in Maryland," to make quality, full-day prekindergarten universally available through public and nonpublic school programs to children who are four years old; and

WHEREAS, in 2017 the legislature provided more than $17 million in supplemental grants for local school systems which offer a full-day program for all four-year-olds who are enrolled in public prekindergarten; and

WHEREAS, in 2018 legislation was enacted to require the Governor to annually appropriate to the Prekindergarten Expansion Fund an amount that is at least equal to all state and federal revenues received by the fund in the previous fiscal year; and

WHEREAS, in 2019 the preliminary Blueprint for Maryland's Future legislation was enacted and, in part, provided increased state funding for the prekindergarten expansion program and supplemental grant program for full-day prekindergarten provided by a local school system; and

WHEREAS, in 2021 the Blueprint for Maryland's Future Act was enacted and, in part, mandates the availability of a new, voluntary, publicly funded full-day prekindergarten program for four-year-olds and three-year-olds from low-income families to be provided by public schools and private providers; and

WHEREAS, the COVID-19 pandemic had severe negative impacts on the enrollment and business operations of public and private child care and early education programs; and in response the legislature passed multiple bills to fund stabilization grants for child care providers, bonuses for employees, expanded child care scholarships for low-income families, and a childcare capital revolving loan fund; and

WHEREAS, the Blueprint law required that beginning in the 2022-2023 school year, prekindergarten slots provided by eligible private providers must account for at least 30% of the total slots provided, increasing by at least 5% each year until the 2026-2027 school year when private providers are to enroll at least 50% of the eligible students in each county; and

WHEREAS, in 2024 the Blueprint was amended to revise the phase-in of the increased share of Private prekindergarten to require that, beginning in the 2024-2025 school year, private slots shall account for at least 10% of the total by county, and increase by 10% per year until 2028-2029 when private slots must account for 50%; and

WHEREAS, in 2024 the Blueprint was amended to alter the credentials required for staff for prekindergarten providers; establish a career ladder for private prekindergarten providers; authorize a local board to apply for State funding for leased space for a prekindergarten program; and establish prekindergarten provider hubs and programs to aid private prekindergarten providers in meeting requirements; and

WHEREAS, the Blueprint requires that 100% of State and local per pupil formula funding for private prekindergarten be directed to private providers and requires local governments to provide MSDE with the local share of funding for private prekindergarten;

WHEREAS, the Blueprint law mandates a significant increase in the number of Judith P. Hoyer Early Child Care and Family Education Centers (Judy Centers) and Family Support Centers (Patty Centers); and

NOW, THEREFORE, BE IT RESOLVED, that MABE urges the Governor and General Assembly, the Congress of the United States, and the executive branches of both state and federal governments, to increase funding for quality early childhood programs, to include but not be limited to Judy Centers; and

BE IT FURTHER RESOLVED, that MABE urges the General Assembly and Governor to ensure adequate and equitable capital and operating funding, including full funding for any mandated early childhood programs; and

BE IT FURTHER RESOLVED, that MABE supports sustained increases in state and local operating and capital funding to support the successful expansion of public full-day prekindergarten programs; and

BE IT FURTHER RESOLVED, that MABE supports statewide initiatives that provide funding for and access to affordable, high quality early childhood programs, including child care services, that are aligned with state and local school system learning standards and goals.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Adequate and Equitable Federal, State and Local Funding of Public Education

(Adopted 1990; amended 1993, 1994, 1997, 2000, 2002, 2004, 2007, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2024, 2025)

WHEREAS, the Maryland Association of Boards of Education (MABE) provides a strong collective voice for local boards of education, and has consistently advocated vigorously for adequate and equitable funding for Maryland public schools; and

WHEREAS, there are substantial differences in the ability of local boards of education to fund programs; and historically this resulted in substantial inequity in the provision of educational opportunity to the children of Maryland; and

WHEREAS, the Maryland State Constitution requires that the General Assembly "shall by law establish throughout the state a thorough and efficient system of free public schools; and shall provide by taxation or otherwise for their maintenance;" and

WHEREAS, the Commission on Education Finance, Equity, and Excellence convened by the General Assembly in 1999:

- Determined, based on the conclusions of thorough expert analysis conducted by Augenblick and Myers, that current per pupil funding was significantly inadequate;
- Recommended consolidating categorical programs, increasing the base amount of per pupil funding, and enhancing supplements to this amount in order to address the increased costs arising from educating students with special needs; and
- Recommended providing local school systems maximum flexibility in allocating resources; and

WHEREAS, the Bridge to Excellence in Public Schools Act of 2002, based substantially on the recommendations of the Commission:

- Eliminated twenty-seven categorical programs and phased in significant state funding increases through fiscal 2008 to enhance the adequacy, equity, and flexibility of state public school funding;
- Enhanced local school system accountability for student performance by requiring that all local school systems must develop a five-year comprehensive master plan for student achievement;
- Mandated that all local school systems provide by 2007 universal kindergarten and targeted prekindergarten programs for all economically disadvantaged four-year-olds; and
- Required increased state education aid and local school system performance accountability without modifying the maintenance of effort law; and

WHEREAS, the Bridge to Excellence Act reformed the State's school finance system to include: an increased per pupil foundation amount; increased per pupil funding for students with special needs based on economic disadvantage, special education, or limited English proficiency;

guaranteed tax base grants for school systems with low wealth and high education effort; and Geographic Cost of Education Index (GCEI) funding for school systems with high personnel and non-wage costs; and

WHEREAS, in FY 2008 the State achieved full funding of the Bridge to Excellence Act's mandated per pupil funding levels and targeted funding programs, after years of significant, incremental increases in state aid and local government funding that met or exceeded their minimum maintenance of effort funding amounts; and

WHEREAS, in 2009, MGT of America issued a report confirming that the increased funding provided by the Bridge to Excellence Act had resulted in significantly increased student performance for all students, including minority and economically disadvantaged students; and

WHEREAS, in a Special Session convened in the fall of 2007 the State significantly increased its sales tax and income tax rates, in large part to sustain full funding of the Bridge to Excellence Act; and

WHEREAS, Maryland's public school students deserve the affirmative commitment of all county governments to provide annual increases in public education funding which meet or exceed the minimum maintenance of effort funding level; and

WHEREAS, adequate local funding is essential to the current and continued success of Maryland's public schools, as it represents half of the total revenues provided to Maryland's 24 fiscally dependent school systems; and

WHEREAS, Maryland's county governments have significant revenue generating capacity through countywide local income taxes and countywide property taxes, taxing authority not available to county governments in much of the United States; and

WHEREAS, providing local boards of education with taxing authority has not been proposed in light of the ample scope of local taxing authority and the State's authority to control the investment of those local revenues; and

WHEREAS, the federal government, Maryland's General Assembly, Governor, and State Board and Department of Education, continue to adopt and promote new mandates in areas such as curriculum, assessments, student discipline, school safety and security, collective bargaining, professional development, and procurement, that impose significantly increased costs on local school systems; and

WHEREAS, in 2015 MABE formed an Ad Hoc Committee on School Funding to provide a forum for discussing and informing MABE's participation on the MSDE stakeholder group, panels convened during the consultant's adequacy studies, and the Kirwan Commission on Innovation and Excellence in Education, and MABE's advocacy in Annapolis for legislation to ultimately enact the school funding reforms and increases in state aid based on this work; and

WHEREAS, in response to the leading advocacy of MABE, in 2016 the General Assembly enacted legislation to create the Commission on Innovation and Excellence in Education 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 to provide adequate and equitable state and local funding to ensure that all school systems, schools, and students have the resources needed to succeed based on the requirements of the Maryland College and Career Ready Standards adopted by the State Board of Education; and

WHEREAS, the final Study of Adequacy of Funding for Education in the State of Maryland issued in November 2016 recommended changes to the methods used to determine local wealth; regional cost adjustments; student enrollment; transportation aid; and per pupil weights for limited English proficient, special education, compensatory education, and prekindergarten programs; and

WHEREAS, the total costs of the Adequacy Study recommendations included a $1.9 billion increase in state funding for major state education programs over FY 2015 amounts, an increase of 39 percent; and a $1 billion increase in local government funding, an increase of 19 percent; and

WHEREAS, legislation enacted in 2017 created the Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4-Year-Olds to make recommendations regarding an implementation plan, based on APA Consulting's January 2016 report "A Comprehensive Analysis of Prekindergarten in Maryland," to make quality, full-day prekindergarten universally available through public and nonpublic school programs to children who are four years old; and

WHEREAS, in 2017 and 2018 the Kirwan Commission engaged the National Center for Education and the Economy (NCEE) as a consultant to provide a framework for making Maryland's public schools globally competitive based on comparisons with education systems in nations and states such as Shanghai (China), Finland, Singapore, Ontario (Canada) and Massachusetts; and

WHEREAS, the Kirwan Commission was charged with recommending legislation to reform Maryland's public school finance system, and agreed to do so based on APA Consulting's cost analysis of implementing NCEE's framework, "9 Building Blocks for World-Class Education Systems;" and

WHEREAS, the Kirwan Commission organized its work through four workgroups and five major policy areas, including: early childhood education, high quality teachers and leaders, college and career readiness pathways, more resources for at-risk students, and governance and accountability; and

WHEREAS, in 2018 legislation was enacted to require the Comptroller to dedicate $200 million in income tax revenue to a special fund to support the implementation of the recommendations of the Commission on Innovation and Excellence in Education; and

WHEREAS, in 2018 legislation was enacted to propose a constitutional amendment, which was approved by the voters at the 2018 general election, to require the Governor to provide supplemental state funding for public education through the use of commercial gaming revenues that are dedicated to public education in the state budget beginning in FY 2020. Supplemental funding must total $125 million in FY 2020, $250 million in FY 2021, and $375 million in FY 2022. In all subsequent years, 100% of the gaming revenues dedicated to public education must be used for supplemental funding; and

WHEREAS, in 2019 the General Assembly enacted preliminary Blueprint for Maryland's Future legislation (SB 1030) to launch the funding and policy recommendations of the Kirwan Commission on Innovation and Excellence in Education, including full-day prekindergarten grants, teacher salary grants, concentration of poverty grants, special education funding, teacher collaborative grants, mental health coordinator funding, and supplemental instruction grants, and the establishment of an office of inspector general with investigative authority over school systems, but not including provisions limiting local board governance authority; and

WHEREAS, in 2020 the General Assembly passed comprehensive Blueprint for Maryland's Future legislation (HB 1300), which was vetoed by Governor Hogan in 2020 and enacted by veto override in 2021, thereby launching comprehensive funding and policy reforms to be implemented over a 13 year period to: expand public and private prekindergarten for 3 and 4 year olds, increase teacher pay and require educator and administrator career ladders, expand career technology education (CTE) and college readiness pathways, expand funding and services for students within special education, English language learner, economically disadvantaged, and concentration of poverty categories, expand community schools and family support centers, establish behavioral health networks, and establish a new education accountability and implementation board; and

WHEREAS, the Blueprint for Maryland's Future Act of 2021:

- Increases the amount of state funding for public schools by increasing the target per pupil foundation amount, including per pupil increases for educational technology costs;
- Increases the amount of local funding for public schools by maintaining the local share requirement for the foundation amount and establishing new local share requirements for compensatory education, English learner, special education, full-day prekindergarten, and career-ladder grant programs;
- Eliminates the Maintenance of Effort escalator after FY 2023 and establishes the Education Effort Adjustment program;
- Establishes a Comparable Wage Index to replace the GCEI;
- Enhances the Concentration of Poverty grant program, including per pupil and personnel grants, to schools with high percentages of students eligible for free and reduced-price meals to support community school programs;
- Mandates minimum salary increases for educators and administrators in accordance with locally adopted career ladders;
- Generally requires at least 75% of formula funding, based on the enrollment count of students within certain categories, to be allocated to the schools those students attend (i.e., money follows the students);
- Requires 100% of formula funding for concentration of poverty and full-day prekindergarten funds for private providers to be allocated to schools those students attend;
- Requires local governments to provide MSDE with the local share of funding for private prekindergarten providers;
- Requires a new state financial management system and student data system;
- Requires local school systems to provide detailed year-end expenditure estimates and prior year actual expenditures as school-level reports for review by the Accountability and Implementation Board (AIB);
- Requires the AIB to withhold a percentage of increased state funding contingent on local implementation of the Blueprint law and related implementation plans; and

WHEREAS, in 2021 MABE formed an Ad Hoc Committee on the Blueprint for Maryland's Future to provide a forum for coordinated monitoring, inquiry, analysis, and communications relating to the State and local implementation of the Blueprint for Maryland's Future, with particular emphasis on educational and funding equity and local board governance authority; and

WHEREAS, in 2020 the COVID-19 pandemic led to a public health and economic crisis which resulted in school closures from mid-March of 2020 through the end of the 2019-2020 school year and necessitated the emergency provision of distance learning access and school meals to students during school closures, and the development of a long-term State Education Recovery

Plan and local education recovery and continuity of learning plans for the 2020-2021 school year; and

WHEREAS, the COVID-19 pandemic led to the passage of emergency federal legislation to fund public health services and equipment, sick leave and unemployment benefits, and additional costs imposed on state and local governments and school systems; and

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act (CARES) enacted in March 2020 established the Elementary and Secondary School Emergency Relief Fund (ESSER I) and the Governor's Emergency Education Relief Fund (GEER), the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) enacted in December 2020 provided additional funding (ESSER II), and the American Rescue Plan (ARP) Act enacted in March 2021 provided a total of nearly $122 billion to States and school districts to support the safe operation of schools and address the impact of the coronavirus pandemic on the nation's students (ESSER III); and

WHEREAS, local school systems were authorized to spend ESSER funds on any activity authorized by ESEA, IDEA, and other federal education laws, with discretion to spend ESSER funds on programs and services, including:

- COVID-19 preparedness and response efforts including purchasing personal protective equipment (PPE) and supplies to sanitize and clean LEA and school facilities;
- Providing principals and other school leaders with resources to address individual school needs, including on how to provide meals, technology for online learning, and guidance for carrying out IDEA requirements;
- Activities to address the unique needs of low-income children, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including outreach and service delivery;
- Purchasing educational technology including hardware, software, and connectivity;
- Providing mental health services and supports;
- Planning and implementing summer learning and supplemental after-school programs;
- Addressing learning loss among students, including vulnerable populations, by administering and using valid and reliable high-quality assessments to assess academic progress, implementing evidence-based activities to meet the comprehensive needs of students, providing information and assistance to parents and families on how to effectively support students, and tracking student attendance and improving student engagement in distance education;
- Inspection, testing, maintenance, repairs, and installation of new systems to improve the indoor air quality in school facilities, including heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement; and
- Other activities necessary to maintain LEA operations and services and employ existing school system staff; and

WHEREAS, the American Rescue Plan Elementary and Secondary School Emergency Relief ("ARP ESSER") Fund, authorized under the American Rescue Plan ("ARP") Act of 2021, provided $1.95 billion to Maryland and nearly $122 billion in total to support the nation's schools in safely reopening and sustaining safe operations while meeting the academic, social, emotional, and mental health needs of students resulting from the COVID-19 pandemic; and

WHEREAS, MSDE and each local school system adopted implementation plans for investments of ARP ESSER funds, including plans to serve students most severely impacted by the COVID-19 pandemic and are likely to have suffered the most because of longstanding inequities in our communities and schools that have been exacerbated by the COVID-19 pandemic; and

WHEREAS, the expiration of ESSER funding in the fall of 2024 presents a challenging "funding cliff" for local school systems requiring the reduction or termination of programs, services, and staff positions supported by these federal funds; and

WHEREAS, the Blueprint's costs and funding projections were based on projected increases in student enrollment and decreases in the numbers of students receiving special education services, neither of which are occurring;

WHEREAS, legislative changes to the Blueprint included, in part, delays in collaborative time to July 1, 2028, with per-pupil foundation amount (PPFA) for FY 26-27 retained at $163 per pupil, and expansion of community schools flexibility to LEAs with at least 10 eligible schools or 35% of schools; and

WHEREAS, many valued services and programs are not addressed in the Blueprint, and must be supported by local budgets in excess of Local Share and Maintenance of Effort, including, among others: transportation; utilities; safety and security; arts, athletics and extracurricular activities; and employee benefits.

NOW, THEREFORE, BE IT RESOLVED, that MABE will work collaboratively and vigorously with all stakeholders to ensure broad public support for full funding of public elementary and secondary education by federal, state, and local governments; and

BE IT FURTHER RESOLVED, that MABE will engage proactively with the Public School Superintendents Association of Maryland, local school system personnel, educational organizations, and MSDE, to lead in the development of the programs, plans, policies, and regulations essential to the success of the Blueprint law and the educational transformation it represents; and

BE IT FURTHER RESOLVED, that MABE will advocate for funding and policy reforms by the Governor, General Assembly, and State Board of Education to ensure that all 24 school systems are provided with adequate and equitable state and local funding to support full implementation of the Blueprint, including increased state and local investments to support unmet needs and updated Blueprint cost projections while avoiding unfunded mandates; and

BE IT FURTHER RESOLVED, that MABE supports the rigorous adherence to conducting public meetings and transparent policy development and decision-making in any state workgroup, taskforce, commission, or oversight body engaged in education funding, policy making, or oversight; and

BE IT FURTHER RESOLVED, that MABE will support local flexibility in adopting policies and procedures intended to optimize student learning while at the same time reducing costs, and MABE will oppose the implementation of new state or federal policies or programs that impose any new unfunded mandates on local school systems; and

BE IT FURTHER RESOLVED, that MABE will consider supporting legislation, regulations, and MSDE policies and procedures, that permanently or temporarily repeal mandated programs, services, and other requirements imposing costs on local school systems that are not directly related to school systems' abilities to provide high quality classroom instruction; and

BE IT FURTHER RESOLVED, that MABE will vigorously oppose any effort to reduce state funding and/or shift funding responsibilities from the state to county governments; actions which would reduce levels of education programs and services for students, and erode the state's progress toward an adequate and equitable education for all students in Maryland's public schools; and

BE IT FURTHER RESOLVED, that MABE opposes proposals to reduce or eliminate the governance and decision-making authority of local boards and administrators as a condition for receiving increased state funding.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Adequate and Equitable School Facility Funding

(Adopted 1999; amended 2001, 2002, 2005, 2008, 2011, 2013, 2016, 2017, 2018, 2020, 2021, 2023)

WHEREAS, the Maryland Constitution requires that the state provide a "thorough and efficient" system of public education, and providing a "thorough and efficient" system of public education requires adequate public school facilities; and

WHEREAS, Maryland's local school systems manage 1,400 school facilities constituting nearly 140 million gross square feet of building space with a total public asset value of over $50 billion and annual maintenance and operations costs of more than $1 billion; and

WHEREAS, all 24 school districts are in urgent need of adequate capital funding and annually request state and local funding to construct, renovate, and maintain school facilities; and

WHEREAS, adequately maintaining school facilities requires significant investments from both state and local governments; and

WHEREAS, needs and uses of public schools are dynamic, and local boards of education must be able to adequately address and finance the range of facility needs in capital projects; and

WHEREAS, local school systems develop capital improvement plans (CIPs) and construct and maintain school facilities in accordance with adopted procurement and construction laws and regulations; and

WHEREAS, the Bridge to Excellence in Public Schools Act of 2002 mandated that all local school systems provide universal full-day kindergarten and targeted pre-kindergarten programs for all economically disadvantaged four-year-olds; and

WHEREAS, the Task Force to Study Public School Facilities created by the Bridge to Excellence in Public Schools Act of 2002 conducted a statewide facilities needs assessment and recommended revisions to the state school construction program which were included in the School Facilities Act of 2004; and

WHEREAS, the School Facilities Act of 2004 revised state and local cost share formulas, reduced the state rated capacity for grades 1 to 5 from 25 to 23 students per classroom, enhanced opportunities to use alternative financing methods to fund projects, and adopted the goal of providing $250 million per year in state capital funding for school facilities; and

WHEREAS, school construction costs continue to escalate, resulting in project costs that can dramatically exceed projected cost estimates and the anticipated state and local appropriations for pending projects; and

WHEREAS, the General Assembly has enacted significant mandates affecting school construction procedures and project costs, including: expanding the scope of prevailing wage

rates; raising minority business enterprise contracting participation standards; and strict environmental design standards; and

WHEREAS, state policy regarding prevailing wage and school construction shifted in 2000 when the General Assembly enacted legislation to lower the percentage of state funding triggering prevailing wage requirements from 75 percent to 50 percent. Following 2000, the 50 percent threshold resulted in dramatically increased project costs for many school systems and unnecessarily diluted the benefit of the state and local investment in public school construction during these years. In 2014 the threshold of state funding mandating prevailing wage from 50 percent to 25 percent, resulting in school facility project cost increases of more than 10 percent. In 2021 the minimum project cost triggering prevailing wage requirements was lowered from $500,000 to $250,000; and

WHEREAS, in 2007 the General Assembly enacted the High Performance Buildings Act, which requires that all new school buildings be constructed to meet or exceed the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) criteria for a silver rating or satisfy a comparable numeric rating; and

WHEREAS, Maryland's High Performance Green Building Program requires the use of one of the three approved green building rating programs or codes in the design, construction, and operation of school facilities: 1. LEED; 2. International Green Construction Code (IgCC); or 3. The Green Globes protocol of the Green Building Initiative; and school systems must utilize these standards but are exempt from certification requirements; and

WHEREAS, since the late 1970s Maryland's Minority Business Enterprise (MBE) program has promoted the awarding of state contracts, including school construction projects, to certified MBEs; and the level of monitoring and enforcement of MBE program compliance by the Governor's Office of Small, Minority & Women Business Affairs (GOSBA) has grown significantly since the 2000s; and

WHEREAS, in 2013 the General Assembly enacted a school construction and renovation funding initiative to provide more than $1 billion in state and local funding for the Baltimore City Public School System over a ten-year period; and

WHEREAS, the state capital budget has provided additional funding for the Capital Grant Program for Local School Systems with Significant Enrollment Growth or Relocatable Classrooms established in 2015; and for heating, ventilation, and air conditioning improvements, and for school safety improvements; and

WHEREAS, in 2016 the Speaker of the House and President of the Senate established the 21st Century School Facilities Commission to: review existing educational specifications; identify best practices and efficiencies from the construction industry; identify a long-term plan for jurisdictions with growing or declining enrollment; identify innovative financing mechanisms including public-private partnerships and alternatives to general obligation debt; and evaluate the appropriate role for state agencies including the Maryland Department of Planning, Department of General Services, Board of Public Works, and Interagency Committee for Public School Construction; and

WHEREAS, in 2015 MABE formed an Ad Hoc Committee on School Funding and in 2016 expanded the charge of this committee to include capital funding issues and to provide a forum for discussing and informing MABE's participation on the Knott Commission on 21st Century School Facilities; and

WHEREAS, the interim report of the Commission on 21st Century School Facilities issued in January 2017 identified major themes including: providing local flexibility while ensuring quality

and accountability, streamlining the state's review process, providing incentives for local school systems to be innovative, exploring an alternative sustainability standard to LEED certification, and providing a state clearinghouse for best practices and to provide technical assistance to local school systems; and

WHEREAS, in 2018 the 21st Century School Facilities Act was enacted to make more than 30 reforms to school facilities project procurement, design review and approval, and funding approval process, including:

- altering the name, composition, and role of the Interagency Committee on School Construction;
- requiring the expanded, restructured, and renamed Interagency "Commission" on School Construction, rather than the Board of Public Works, to make final decisions on 100% of state funding for school construction projects;
- requiring educational facility sufficiency standards, a facility condition index, and periodic facility assessments;
- streamlining the state approval process for school construction projects;
- adopting the best value method of procurement, as an alternative to lowest price; and
- adopting the new baseline amount of at least $400 million for public school construction annually; and

WHEREAS, in 2020 the Built to Learn Act (HB 1), legislation to establish a $2 billion school construction program administered by the Maryland Stadium Authority, passed in the General Assembly but did not take effect because it was contingent on the passage of the Blueprint for Maryland's Future legislation (HB 1300) which Governor Hogan vetoed, but which took effect in 2021 following the veto override of the Blueprint legislation; and

WHEREAS, in 2021 legislation entitled the "Safe School Drinking Water Act" passed to redefine "elevated level of lead" to mean a lead concentration in drinking water that exceeds 5 parts per billion (ppb) for the purposes of lead water testing and required remedial measures in public and nonpublic schools by Aug. 1, 2022; and

WHEREAS, in 2021 legislation passed to require school systems to adopt or update a school district energy policy by July 1, 2022, including provisions on: energy purchasing, conservation and efficiency, and the monitoring and reporting; and

WHEREAS, the Climate Solutions Now Act (CSNA) enacted in 2022 provides an additional five percent increase in the state share of school construction costs if a new school is built to net-zero design standards; and

WHEREAS, the federal Inflation Reduction Act ("IRA") enacted in 2022 allows local school systems to access renewable energy installation tax credits and energy-efficient design tax credits and provides assistance to monitor and reduce greenhouse emissions and air pollutants at schools in low-income and disadvantaged communities; and

WHEREAS, the federal Infrastructure Investment and Jobs Act enacted in 2022 includes the United States Environmental Protection Agency's Clean School Bus Program that will provide $5 billion in funds over five years to replace existing school buses with zero-emission and low-emission models; and in 2023 Maryland enacted legislation to provide rebates for the costs of electrical vehicle recharging equipment incurred by local school systems and other public and private entities; and

WHEREAS, legislation enacted in 2022 (HB 264) requires that any individual public school that on or after January 1, 2024 produces over one ton of food waste weekly divert the food waste from the residual waste system; and legislation (HB 566) also passed to require new schools to be designed for the separate disposal of food waste; and

WHEREAS, legislation enacted in 2023 (HB 458) establishes the Interagency Commission on School Construction (IAC) as an independent state agency, requires feasibility analyses of the use of alternative energy sources, including wind, solar, and geothermal, for new school construction projects, and makes other statutory reforms regarding procurement; and

WHEREAS, Maryland's local school systems manage a significant amount of building space and energy usage and therefore are integral to the implementation of many statewide environmental and energy related policies; and

WHEREAS, Maryland's public schools have the potential to be an essential tool in the fight against climate change and the leading educational force toward climate action, solutions, and environmental justice; and

WHEREAS, PreK-12 public schools serve nearly one in six Americans and can play a critical role in moving our country towards environmental sustainability. If all Maryland schools were to shift to clean energy, sustainable food use, and non-fossil fuel transportation over the next decade, the State would have successfully transitioned one of the largest public sectors in Maryland impacting the environment; and

WHEREAS, the transition of Maryland's schools to sustainable learning environments would benefit student instruction aligned with the State's Environmental Literacy standard that "Environmentally literate students construct and apply understanding of individual, collective, and societal responses to human-induced environmental change;" and

WHEREAS, the COVID-19 pandemic led to a public health and economic crisis which resulted in school closures from mid-March of 2020 through the end of the 2019-2020 school year and necessitated the emergency provision of distance learning access and school meals to students during school closures, and the development of a long-term State Education Recovery Plan and local education recovery and continuity of learning plans for the 2020-2021 school year; and

WHEREAS, the COVID-19 pandemic resulted in revisions to public health and safety standards for all commercial buildings, including revised guidance from the Centers for Disease Control (CDC) for school facilities, and endorsed by MSDE, which resulted in a wide array of unbudgeted investments in building systems, equipment, supplies, and school maintenance and custodial personnel; and

WHEREAS, significant funding was provided to States and local school systems by the Federal Emergency Management Administration (FEMA) and U.S. Department of Education to support COVID-19 response efforts and the safe operation of school facilities, including:

- Purchasing personal protective equipment (PPE) and supplies to sanitize school facilities; and
- Inspection, testing, maintenance, repair, and installation of new systems to improve the indoor air quality in school facilities, including heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement; and

WHEREAS, the COVID-19 pandemic resulted in initiatives including expanded summer school programs which directly impact the operation and maintenance of school facilities;

NOW, THEREFORE, BE IT RESOLVED, that MABE urges a continued commitment by the Governor and General Assembly in future years to provide the state's share of the funding needed to address the school facility needs identified by local school systems; and

BE IT FURTHER RESOLVED, that MABE supports legislation to exempt school construction from prevailing wage requirements or, in the alternative, to raise the state funding threshold for the application of prevailing wage rates to school construction projects significantly above 25 percent in order to reduce construction costs; and

BE IT FURTHER RESOLVED, that MABE supports maintaining the option for local school systems to use alternative methods of project delivery, and to procure school construction by methods other than competitive bidding, in order to optimize cost savings and efficiencies in procurement; and

BE IT FURTHER RESOLVED, that MABE opposes any state mandated school sizes for elementary, middle, or high schools; and

BE IT FURTHER RESOLVED, that MABE supports maintaining a state school construction program that annually funds major construction and renovation projects, and systemic projects, to the benefit of all school systems; and

BE IT FURTHER RESOLVED, that MABE shall make every reasonable lobbying effort supporting sufficient state funding for school construction and renovation projects and building maintenance to ensure quality sustainable school facilities for all Maryland students; and

BE IT FURTHER RESOLVED, that MABE supports the Built to Learn Act, which establishes a school construction program administered by the Maryland Stadium Authority to supplement the capacity of the program administered by the Interagency Commission on School Construction, in a manner that ensures local school system decision making on school design, construction standards, and project management; and

BE IT FURTHER RESOLVED, that MABE urges the Governor and the General Assembly to take steps to ensure that state funding for public school facilities is allocated equitably.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Closing of School Buildings

(Amended 1981, 1984, 1987, 1990, 1993, 1996, 1999; readopted 2002, 2005, 2008, 2011, 2014, 2017, 2020, 2023)

WHEREAS, Section 4-115 of the Education Article authorizes and empowers the county boards of education with the approval of the State Superintendent of Schools to determine when grounds, school sites, or buildings are no longer needed for school purposes; and

WHEREAS, from time to time legislation has been introduced which, if enacted, would have required the board of education to obtain the approval of the local government when school buildings are determined to be no longer needed and are to be transferred to the local government; and

WHEREAS, the present law governing the acquisition and sale of school grounds, sites, and buildings is satisfactory;

NOW, THEREFORE, BE IT RESOLVED, that the Maryland Association of Boards of Education (MABE) opposes any legislation that would change the current law which places the authority to determine when a school building is no longer needed for school purposes with the local superintendent of schools, the local board of education, and the State Superintendent of Schools; and

BE IT FURTHER RESOLVED, that MABE opposes any effort by the state to require local subdivisions to reimburse the state for any existing debt service before a school is permitted to be conveyed to the local government.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Digital and Distance Learning

(Adopted 1994; readopted 1997; amended 2000, 2003, 2006, 2009, 2012, 2014, 2017, 2020, 2021, 2023)

WHEREAS, the Maryland Association of Boards of Education (MABE) has consistently supported the expanding role of digital learning and educational technology as integral to college and career readiness for all students; and

WHEREAS, MABE has advocated for funding and policy initiatives to close the "digital divide" to provide and promote access inside and outside the school setting for all students to educational resources through information technology; and

WHEREAS, MABE has supported state efforts to ensure student data privacy and the incorporation of universal design for learning (UDL) standards in the use of educational technology; and

WHEREAS, MABE has supported state legislation to enhance local school system flexibility to implement virtual learning programs and federal legislation to enhance the E-Rate program's funding for digital devices and information technology through fees assessed to telecommunications companies; and

WHEREAS, in 2020, the COVID-19 pandemic resulted in statewide school facility closures and necessitated the immediate transition to distance learning through access to online platforms and other instructional materials from mid-March through the end of the school year; and

WHEREAS, the demands on local school systems to provide almost exclusively online instruction to Maryland's nearly 1 million students, including the provision of tens of thousands of digital devices, highlighted the significant and inequitable gaps in student, family, and community access to the broadband services needed to access online instruction; and

WHEREAS, in response to the COVID-19 pandemic, the Maryland State Department of Education (MSDE) required each school system to develop and submit continuity of learning plans including the following components:

- An overall description of how continuity of learning will be delivered to all students, including the distance learning platform, available technology, and how students will be accommodated who do not have access to a device or the internet;
- A description of the roles and responsibilities of district staff, school administrators, teachers, instructional assistants, students and parents;
- A sample teacher's day and student's day is included for elementary, middle, and high school students;
- A plan of accountability that identifies how they monitor and assess student performance;

- A description of how the school system plans to address equity, specifically concerning students in special education, English language learners, students with academic needs, homeless students, and gifted students;
- A section that identifies the professional development plan for staff; and
- A description of the resources available for students; and

WHEREAS, in June of 2020, MSDE issued a State Education Recovery Plan which extended the requirement for local continuity of learning plans within each local education recovery plan for the 2020-2021 school year; and

WHEREAS, the COVID-19 pandemic resulted in the shifting of the federal, state, and local focus from the digital learning needs of students within schools to outside school facilities; and

WHEREAS, in response to the COVID-19 pandemic the federal government enacted the American Rescue Plan which included $7 billion for an “Emergency Connectivity Fund” (ECF) to support schools and libraries in purchasing connectivity equipment and devices on behalf of students and educators and to close the digital divide and homework gap; and

WHEREAS, in response to the COVID-19 pandemic Maryland enacted the Digital Connectivity Act of 2021 which created the Office of Statewide Broadband, Digital Inclusion Fund, and Digital Connectivity Fund to provide grants to local governments and nonprofits to increase access to affordable high-speed internet and require collaboration with local school systems and community colleges to ensure that students have the ability to connect to broadband Internet that allows for full engagement in remote learning without disruptive lagging and periodic disconnection; and

WHEREAS, MSDE and local school systems have consistently collaborated on the development of digital learning standards which MABE believes are applicable to in-school instruction and distance learning; and

WHEREAS, Maryland’s digital learning standards for students adopted by the State Board in 2019 include the following objectives:

- Empowered Learner: Students leverage technology to take an active role in choosing, achieving, and demonstrating competency in their learning goals, informed by research;
- Digital Citizen: Students recognize the rights, responsibilities, and opportunities of living, learning, and working in an interconnected digital world safe, legal and ethical;
- Knowledge Constructor: Students curate (select and evaluate) a variety of digital resources to build knowledge and produce creative artifacts to make meaningful learning experiences for themselves and others;
- Innovative Designer: Students use a variety of technologies within a design process to identify and solve problems by creating new, useful, or imaginative solutions;
- Computational Thinker: Students develop processes and employ strategies for understanding and solving problems in ways that leverage the power of technology;
- Creative Communicator: Students communicate clearly and express themselves creatively using the platforms, tools, styles, formats, and digital media appropriate to their goals;
- Global Collaborator: Students use digital tools to broaden their perspectives and enrich their learning by collaborating with others and working effectively in teams locally and globally; and

WHEREAS, in 2023 legislation was enacted to provide new definitions and standards for the short-term use of virtual learning due to inclement weather, the operation of permanent virtual schools established by local boards with State Board approval, and the terms and conditions for a long-term shift to virtual learning, as occurred during the COVID-19 pandemic;

NOW, THEREFORE, BE IT RESOLVED, that the Maryland Association of Boards of Education (MABE) supports state and local efforts to pursue the effective use of blended and virtual learning initiatives; and

BE IT FURTHER RESOLVED, that MABE urges the Governor, General Assembly, and State Board to develop, implement, and fund an initiative to ensure equitable investments in Maryland's 24 local school systems in the educational technology necessary to accommodate student learning, whether in a school building or through distance learning, for all Maryland public school students; and

BE IT FURTHER RESOLVED, that MABE urges the Governor, General Assembly, and State Board to develop, implement, and fund an initiative to ensure equitable investments in Maryland's 24 local school systems in the educational technology necessary to accommodate student learning to eliminate the "digital divide" in all Maryland schools, communities, and students' residences; and

BE IT FURTHER RESOLVED, that MABE will advocate for federal funding and programs, including reforms to the E-Rate program, to ensure universal access to broadband services essential to the ability of all students and educators to engage in digital learning in schools, communities, and students' residences; and

BE IT FURTHER RESOLVED, that MABE will advocate for sufficient state and federal funding to ensure that MSDE and local school systems can meet the state and federally mandated student assessment, data analysis, and reporting requirements; and

BE IT FURTHER RESOLVED, that MABE will continue to support programs to:

- Prepare students for college and career readiness through access to online learning, personalized learning, digital devices, and high-quality digital content;
- Create a fully technology-proficient PreK-12 educator workforce; and
- Provide equitable access to current and emerging digital resources and infrastructure for all students and educators and expanded opportunities for parents and guardians, families, and communities.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Educational Equity

(Adopted 2019; amended 2021, 2022; readopted 2025)

WHEREAS, in March 2017 MABE's President established an ad hoc Committee on Equity to provide a forum for local boards of education to participate in examination and discussion of the concept and issue of "equity" as it relates to student opportunity, learning and instruction in Maryland public schools, as well as to encourage shared learning on equity; and to make recommendations for a shared definition of "equity" and relationship to the work of Boards of Education in terms of MABE's work and the efforts of local boards of education; and

WHEREAS, in 2018, based on the recommendations of the ad hoc Committee on Equity, MABE's Board of Directors adopted an equity core value statement, a definition of educational equity, an equity lens, and an equity strategic plan goal; and

WHEREAS, MABE's equity core value states: "We champion educational equity and excellence for each student;" and

WHEREAS, MABE's definition of educational equity states: "For MABE, educational equity in Maryland means providing access to essential academic, social, emotional, and economic supports in order to engage each student in rigorous instruction with appropriate educational resources to achieve their highest potential;" and

WHEREAS, MABE's equity strategic plan goal is to: "Assist member boards in developing a shared understanding and vision of educational equity; by helping them to formulate and implement an equity policy that provides educational equity for each student by creating and maintaining equitable, inclusive, and diverse environments;" and

WHEREAS, during the 2018 MABE Annual Conference, the Equity Ad Hoc Committee debuted the MABE Equity Lens, comprised of five questions which should be considered when making a decision for any policy, program, practice, decision, or action;

- Who are the under-represented groups affected by this policy, program, practice, decision, or action? What are the potential impacts on these groups?
- Does this policy, program, practice, decision, or action worsen existing disparities or produce other unintended consequences?
- How have you intentionally involved stakeholders who are also members of the communities affected by this policy, program, practice, decision, or action? Can you validate your assessments in #1 and #2, having considered this stakeholder reaction?
- What are the barriers to more equitable outcomes (e.g., mandated, political, emotional, financial, programmatic, or managerial)?
- How will you (a) mitigate the negative impacts and (b) address the barriers identified above?; and

WHEREAS, MABE has developed a Model Policy on Educational Equity, which includes definitions, desired outcomes, guidelines, and procedures for review and reporting; and

WHEREAS, in 2019 the State Board of Education approved State regulations, under COMAR 13A.01.06.01-.05, requiring each local board of education to adopt an educational equity policy that is consistent with the State Board's approved requirements; and

WHEREAS, in 2021 the State Board amended its equity policy to reflect recommendations of its Task Force on Achieving Academic Equity and Excellence for Black Boys which focused on three key areas: social, emotional and behavioral supports; recruitment and training of skilled, competent teachers and administrators; and curricula and instruction; and

WHEREAS, in 2021 MABE membership adopted amendments to the association's bylaws to convert the Ad Hoc Committee on Educational Equity to the standing Educational Equity Committee; and

WHEREAS, in 2022 MABE and the Educational Equity Committee published an Equity Workbook, entitled, "Leading for Educational Equity Through School Board Governance: Getting Your Board Ready for Analysis, Action & Accomplishment;" and

WHEREAS, the federal American Rescue Plan Act of 2021 included not only a maintenance of effort requirement regarding overall levels of state funding but also a maintenance of equity requirement to prohibit states from disproportionately reducing per pupil spending or staffing levels in high-poverty school systems and schools; and

WHEREAS, MABE participates in the Maryland Coalition for Equity which includes the Public School Superintendents Association of Maryland, National Association for the Advancement of Colored People of Maryland, Casa de Maryland, Maryland Parent Teacher Association, Maryland Education Coalition, Maryland State Education Association, Baltimore Teachers Union, American Civil Liberties Union of Maryland, Maryland State Department of Education, and others; and

WHEREAS, since 2016, MABE, local board members, superintendents, and staff have participated in the annual Equity Symposium held by the National School Boards Association (NSBA) to provide a forum for school board members, public school advocates, and community leaders to examine and discuss the strategies, current trends, research, and best practices that are positively impacting the educational outcomes of academically and economically disadvantaged students in traditional K-12 public settings;

NOW, THEREFORE, BE IT RESOLVED, that MABE pledges to continue to provide a forum for local boards of education to participate in examination and discussion of the concept and issue of educational equity as it relates to student opportunity, learning and instruction in Maryland public schools, as well as to encourage shared learning on equity; and

BE IT FURTHER RESOLVED, that MABE pledges to continue to utilize the MABE Equity Lens in the decision-making processes of the MABE Board of Directors, standing committees, ad hoc committees, and other decision-making processes within the association; and

BE IT FURTHER RESOLVED, that MABE is committed to providing ongoing board development and facilitator-led training in the use of the Equity Workbook; and

BE IT FURTHER RESOLVED, that MABE urges the State Board of Education and local boards to use the MABE Equity Lens in their decision-making processes.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Employee Relations and Negotiations

(Adopted 2001; amended 2002, 2005, 2008, 2010, 2013; readopted 2016; amended 2017, 2018, 2021, 2023)

WHEREAS, the Maryland Association of Boards of Education (MABE) appreciates and values the work and dedication of all school employees to deliver high quality educational and operational programs and services in support of a world class education for Maryland's nearly 1 million students; and

WHEREAS, the COVID-19 pandemic imposed enormous burdens on school employees as schools closed, meals and learning devices were delivered, all teaching transitioned to virtual and hybrid learning, facilities were sanitized and upgraded, and continuity of learning plans were implemented in accordance with Centers for Disease Control guidelines to ensure the health and safety of all employees; and

WHEREAS, MABE supports the legitimate interests of employees to be party to decisions involving their working conditions; and

WHEREAS, the existing structure and process for collective bargaining for Maryland's public education personnel have been tested over a period of more than 40 years since its adoption through legislation; and

WHEREAS, the State Board and the Maryland courts have defined and refined the collective bargaining process to ensure that educational policy decisions are not subject to labor negotiations; and

WHEREAS, the State Board and the courts have recognized that, in setting policy, local boards must balance the legitimate and sometimes competing interests of parents and guardians, students, educational personnel, and the community, and seek advice from all key stakeholders in order to reach credible decisions; and

WHEREAS, the program of educational improvement in Maryland is dependent on clearly defined policies and affirmative action by the State Board and local boards of education that put children and high standards for learning first and foremost; and

WHEREAS, boards of education are entrusted with the responsibility to represent the community's interests in public education and to foster community engagement in policy and planning decisions; and

WHEREAS, in 2002 legislation amended amending the public education collective bargaining law to:

- Maintain the requirement that "salaries, wages, hours, and working conditions" must be negotiated;

- Create a new category of “all other subjects” which may be negotiated, by certificated and non-certificated staff, if both the employee organization and local board mutually agree;
- Shift the negotiation of discipline and discharge of non-certificated employees from an illegal to permissive subject;
- Allow non-certificated employees in the nine counties on the Eastern Shore to establish bargaining units; and
- Prohibit certain subjects from being negotiated, including the maximum number of students in a class, school calendar, and all matters precluded by applicable statutory law; and

WHEREAS, in 2010 legislation amended the public education collective bargaining law to:

- Establish a new Public School Labor Relations Board (PSLRB) for the purposes of assuming all responsibilities previously assigned to the State Board of Education with regard to labor relations, including the resolution of disputes and the determination of mandatory, permissive, and illegal subjects of bargaining;
- Repeal the authority of the State Superintendent of Schools to declare labor impasses and replace the impasse process with mediation and binding arbitration; and
- Repeal the authority of local boards of education to make final determinations of matters that have been the subject of negotiation; and

WHEREAS, in 2013 legislation required each local board of education to negotiate a representation fee to be charged to nonmembers of the employee organizations representing both certificated and non-certificated employees; and

WHEREAS, in 2018 the U. S. Supreme Court decision, *Janus v. AFSCME*, held that public sector unions may no longer require nonconsenting workers to pay fees to cover the cost of collective bargaining; and

WHEREAS, legislation enacted in 2017 provides whistleblower protection for school employees to prohibit a public school employer from taking, or refusing to take, any personnel action as reprisal against a public school employee because the employee discloses or threatens to disclose unlawful behavior; provides information or testifies for an investigation of unlawful behavior; or objects to or refuses to participate in unlawful behavior; and

WHEREAS, legislation enacted in 2018, by overriding the Governor’s veto, alters the procedures for suspending or dismissing a teacher, principal, supervisor, assistant superintendent, or other professional assistant by authorizing such an individual to request a hearing before an arbitrator at the expense of the local school system for a binding arbitration decision instead of appealing to the local board of education; and

WHEREAS, in 2018 the General Assembly enacted legislation to require local boards of education to provide employee unions access to new employee processing, including employee names, position classifications, and personal cell phone numbers, and to negotiate the process for providing such access; and

WHEREAS, the Blueprint for Maryland’s Future Act of 2021 mandates significant employee relations and compensation reforms, including mandated career ladders and salary increases; and

WHEREAS, the Public Employee Relations Act enacted in 2023 consolidates the State Labor Relations Board (SLRB), the State Higher Education Labor Relations Board (SHELRB), and the Public School Labor Relations Board (PSLRB) into the Public Employee Relations Board (PERB),

and substantially restructures the State's rules, procedures, processes, rights, and prohibitions regarding collective bargaining by public employees; and

WHEREAS, the Public Employee Relations Act enacted in 2023 preserves the scope of bargaining for school systems regarding mandatory, permissive, and illegal subjects of bargaining, and binds the PERB to prior opinions and decisions of the PSLRB;

NOW, THEREFORE, BE IT RESOLVED, that MABE supports the successful implementation of the employee relations reforms contained in the Blueprint law through locally negotiated collective bargaining agreements and based on available and sustainable state and local funding resources; and

BE IT FURTHER RESOLVED, that MABE will collaborate with the Public School Superintendents Association of Maryland (PSSAM) and the Maryland Negotiation Service (MNS) to promote decisions by the PSLRB that employ a balancing test that defines matters as illegal for bargaining if the employee interests are outweighed by the interests of students; and

BE IT FURTHER RESOLVED, that MABE will work affirmatively in support only of changes to the present collective bargaining structure that preserve or enhance the authority of the State Board and local boards to establish educational policy in a collaborative and broadly based context that promotes the confidence and support of the public in its schools.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Line Item Control

(Adopted 1995; readopted 1998, 2001, 2004, 2007, 2010, 2013; amended 2016; readopted 2019, 2022; readopted 2025)

WHEREAS, the responsibility for establishing, selecting, and developing educational programs in the public schools belongs to local boards of education; and

WHEREAS, local boards are knowledgeable in methods of achieving educational excellence and are accountable for both student performance and fiscal management; and

WHEREAS, line item control of local education budgets by county government officials would grant them the ability to control the smallest detail of education programming; and

WHEREAS, line item control by county government officials would shift the governance of the public schools from the local boards of education to county government officials; and

WHEREAS, in funding the public schools, fiscal control over categorical authorization of local education funding already resides with the county government officials;

NOW, THEREFORE, BE IT RESOLVED, that the Maryland Association of Boards of Education opposes granting to county government officials line item control or any increased authority over local education budgets.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

New School Board Member Orientation

(Adopted 2002; readopted 2005, 2008, 2011, 2014; amended 2017; readopted 2020, 2023)

WHEREAS, boards of education are committed to and accountable for establishing and maintaining excellent public schools in the districts that they serve; and

WHEREAS, the complexity as well as the import of the decisions that local boards must make have increased significantly in response to public expectations for the performance of public school students; and

WHEREAS, effective board service requires deep understanding of myriad complex issues and uncommon analytical and interpersonal skills to serve the public well; and

WHEREAS, boards of education are called upon to lead by example and to promote the value of continuous learning by adults as well as children; and

WHEREAS, the Maryland Association of Boards of Education provides a continuum of professional development for board members beginning with a comprehensive new board member orientation; and

WHEREAS, most new board members do enroll for new board member orientation and other professional development program opportunities;

NOW, THEREFORE, BE IT RESOLVED, that the members of the Association do hereby affirm the responsibility of every board member to participate in a new board member orientation program.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

School Board Member Professional Development

(Adopted 1991; readopted 1994, 1997; amended 2000, 2002, 2004; readopted 2007, 2010; amended 2013, 2016, 2019, 2021, 2024, 2025)

WHEREAS, ensuring the highest quality of educational services by Maryland's ~~the~~ public school systems requires a continuing comprehensive program of professional development for teachers and administrators; and

WHEREAS, effective governance of public school systems also requires a continuing comprehensive program of professional development for school board members, and

WHEREAS, effective governance and administration of public school systems requires diligent adherence to the letter and the spirit of state and local ethics laws and procedures by board members and staff; and

WHEREAS, professional development for school board members should focus on leadership development and the key work and actions of school boards designed to promote student achievement and community engagement; and

WHEREAS, the key work of school boards focuses on leadership for higher levels of student achievement, and the key actions of school boards include developing and supporting a vision, standards, assessment, accountability, alignment, climate, collaborative relationships, and continuous improvement; and

WHEREAS, the Maryland Association of Boards of Education (MABE) and the National School Boards Association (NSBA) provide ongoing professional development programs for school board members focused on the key work and actions of school boards; and

WHEREAS, the professional development programs and services provided by MABE include, but are not limited to:

- Board Service Academy seminars;
- New Board Member Orientation;
- Board retreats;
- Legal Services Association (LSA) seminars;
- The Annual Conference; and
- Other ad hoc meetings; and

WHEREAS, the professional development programs and services provided by the NSBA include:

- The Annual Conference;
- The Annual Leadership Conference;
- The Northeast Regional Meeting;

- The Annual Presidents' Retreat;
- The Annual Advocacy Institute; and
- The Annual Equity Symposium; and

WHEREAS, in 2024 the Blueprint for Maryland Future law was amended to establish a mandatory School Leadership Training Program for the State Superintendent of Schools, local superintendents of schools, and the presidents/chairs and vice presidents/vice chairs of the State Board of Education, local boards of education, and the Accountability and Implementation Board (AIB); and

WHEREAS, the law encourages all members of the State Board, AIB, and local boards, as well as all school principals and senior instruction–related staff, to complete the School Leadership Training Program;

WHEREAS, legislation in 2025 requires local board members to complete, at least once during their terms, antibias training, separately from the public school employee training that all LEA staff are required to complete.

NOW, THEREFORE, BE IT RESOLVED, that MABE strongly encourages local boards of education to participate in ongoing professional development through MABE and other providers, including the Blueprint School Leadership Training Program, designed to help school board members provide the leadership needed to ensure quality public education; and

BE IT FURTHER RESOLVED, that individual board members be strongly encouraged to develop a continuing professional development plan based on a personal needs analysis; and

BE IT FURTHER RESOLVED, that each local board of education is strongly encouraged to develop a local policy affirming the importance of ongoing professional development that is integral to individual roles and responsibilities for board members as well as for staff.

BE IT FURTHER RESOLVED that MABE will advocate for the mandatory School Leadership Training Program to be relevant to the governance role and timely in the offering.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

School System Employees' Retirement and Other Benefits and Costs

(Adopted 1981; amended 1984, 1985, 1988, 1991, 1992, 1993, 1994, 1997, 2000, 2002, 2004, 2007, 2010, 2011, 2014, 2017, 2020, 2023, 2025)

WHEREAS, the Maryland Association of Boards of Education (MABE) believes that the men and women who work for the public school systems are the key to educating our young people; and

WHEREAS, MABE believes that providing adequate retirement benefits is essential to recruiting and retaining highly qualified educators and making Maryland more competitive relative to our neighboring states; and

WHEREAS, MABE has supported legislation to increase the level of teachers' and school employees' pension benefits when the pension system was failing to provide an adequate level of income and benefits to ensure economic independence for retirees; and

WHEREAS, MABE strongly supported the General Assembly's action in 2006 to phase in significant increases to the teachers' and school employees' retirement systems; and

WHEREAS, MABE recognizes that funding adequate teacher and employee retirement benefits is a significant and growing financial obligation of the state and local budgets; and

WHEREAS, MABE strongly opposed the Maryland state legislature's decision in 1991 to shift 100% of the state's funding responsibility for Social Security costs to county governments and local school systems, and unsuccessfully sought the restoration of this funding in subsequent legislative sessions; and

WHEREAS, local governments and boards of education already make a significant contribution to the costs of providing for the retirement benefits of school system employees by paying 100% of Social Security costs for school employees; a total cost of approximately $500 million per year which complements the State's nearly $1 billion in annual teachers' and school employees' retirement costs; and

WHEREAS, the Governmental Accounting Standards Board (GASB) issued Statement No. 45, "Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions (OPEB)," which imposed new and costly accounting, reporting, and funding requirements for health insurance and other post-employment benefits provided to eligible school system retirees; and

WHEREAS, in response to GASB 45, MABE created a Pooled OPEB Investment Trust in 2008 to provide participating school districts a structure to pool assets to reduce investment costs and to share administrative expenses relating to local board investments in employees' post-retirement health and welfare benefits; and

WHEREAS, in 2011, the General Assembly enacted comprehensive pension reforms impacting the employee contribution, benefit level, average final compensation, vesting period, early retirement allowance, and cost of living adjustment; and

WHEREAS, the pension reforms enacted in 2011 were intended to significantly reduce costs, improve the solvency of the state retirement system, and generate revenues contributing to the reduction of the State's structural deficit; and

WHEREAS, MABE supported the Governor's and General Assembly's effort to craft a more sustainable teachers' and employees' retirement system, including requiring employees to contribute more to retain current benefit levels; but MABE opposed reducing the benefit level for new employees and the roll-back of pension enhancements made in 2006 for all future employees because of the adverse impact such a reduction will have on school systems' ability to recruit and retain highly qualified teachers and principals; and

WHEREAS, MABE consistently opposed any shift in funding responsibility for teacher retirement costs from the state to county governments and local school systems; and

WHEREAS, legislation enacted in 2012 shifted teacher retirement costs from the state to local governments by phasing in over four years school board payments of 100% of the annual "normal" costs attributable to a school system's employer contributions on behalf of current employees; set out the payment required from each school board for FY 2013 through FY 2016, at increments of 50-65-85-100%; and mandated that local governments provide additional local school board maintenance of effort (MOE) payments during each year of the phase-in; and

WHEREAS, beginning in FY 2015, the amount each county is required to provide their local board of education in addition to the MOE amount, may not be sufficient to satisfy the amount the local board is obligated to pay the State Retirement Agency; and

WHEREAS, in 2017 the legislature and Governor provided relief to local boards of education from their FY 2017 obligation to pay the State Retirement Agency nearly $20 million, the amount attributable to unfunded increases in the local share of retirement costs for current employees; and

WHEREAS, the Budget Reconciliation and Financing Act of 2025, reduces, by $97.7 million, beginning in FY 2026, the State share of annual employer pension contributions for members of the Teachers' Retirement System and the Teachers' Pension System (TRS/TPS), and establishes a requirement for employer contributions by county governments, in proportion to their respective shares of TRS/TPS membership totaling $97.7 million in aggregate;

WHEREAS, in 2022 the "Time to Care Act" was enacted to establish the Family and Medical Leave Insurance (FAMLI) program and fund and mandate that employers, including local school systems, provide up to 12 weeks of paid benefits to employees taking leave from employment due to caring for family members, the employee's serious health condition, or a qualifying exigency arising out of a family member's military deployment; and

WHEREAS, the Time to Care Act's expansion of employee paid leave benefits imposes a challenge to maintaining adequate staffing levels in schools and classrooms and an unfunded mandate on local school systems to expand the scope of paid employee leave benefits, either by participating in and contributing to the state family leave program or providing the same level of benefits through state approved private plans, with enrollment extensions until January 2027,

as approved in 2025 legislation;

NOW, THEREFORE, BE IT RESOLVED, that MABE urges the Governor and General Assembly to continue to fully fund the state share of pension and retirement costs and pursue legislative and budgetary action to sustain the level of benefits provided through the state teacher pension and retirement systems; and

BE IT FURTHER RESOLVED, that MABE urges local governments to adequately fund retiree health care benefit programs in accordance with the requirements of GASB 45 and in a manner that does not supplant investments in educational programs and services; and

BE IT FURTHER RESOLVED, that MABE urges the Governor and General Assembly to support increases in state and local funding to compensate school systems for the full costs of expanding paid leave benefits for school employees; and

BE IT FURTHER RESOLVED, that MABE urges the Governor and General Assembly to pursue legislative and budgetary action to ensure that local board obligations to pay the State Retirement Agency are fully funded in a manner that does not supplant investments in educational programs and services.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Special Education

(Adopted 2002; amended 2005; readopted 2008, 2011; amended 2014, 2017, 2020, 2021, 2022, 2025)

WHEREAS, local boards of education place a very high priority on ensuring that students receive high quality special education programs and instruction; and

WHEREAS, in 1975 Congress enacted the Education for All Handicapped Children Act (P.L. 94-142) to: improve access to education for children with disabilities by guaranteeing a Free Appropriate Public Education (FAPE) in the least restrictive environment; ensure that the rights of children with disabilities and their parents or legal guardians are protected; assist States and school systems to provide for the education of all children with disabilities; and to assess and ensure the effectiveness of efforts to educate all children with disabilities; and

WHEREAS, Congress has routinely reauthorized the federal special education law, entitled the Individuals with Disabilities Education Act (IDEA), and Maryland has amended state laws and regulations to ensure compliance with the expanded scope of federal law; and

WHEREAS, Maryland not only complies with federal special education requirements, but has adopted laws and regulations which exceed federal requirements; and

WHEREAS, the General Assembly has enacted laws to require school personnel to provide parents or legal guardians with an accessible copy of all documents the Individualized Education Program (IEP) team plans to discuss at the meeting at least five business days before the scheduled meeting; and also requires school personnel to provide parents or legal guardians an accessible copy of the completed IEP not later than five days after the IEP meeting; and

WHEREAS, the General Assembly has enacted laws to require each local school system to provide to parents or legal guardians of a child with a disability verbal and written information about access to habilitative services; and to develop and publish on its website a list of all special education service delivery models in the local school system; and

WHEREAS, in Maryland, the party initiating the action in a special education due process hearing, whether the parent or legal guardian or the school system, bears the burden of proof; consistent with a 2005 Supreme Court case which arose from a complaint against the Montgomery County school system (*Schaffer ex rel. Schaffer v. Weast*, 546 U.S. 49 (2005)); and

WHEREAS, legislation has been introduced, but not enacted, to shift the burden of proof to the local school system in special education disputes; and

WHEREAS, in 2013 the General Assembly created the Commission on Special Education Access and Equity which, in 2014, adopted recommendations to: enhance procedural safeguards through informing parents and legal guardians; provide professional development for educators and

administrators; train administrative law judges in special education; create a workgroup to identify and resolve disparities; set statutory or regulatory caps on the workload and caseload of special educators and school psychologists; adopt new state policies and technical assistance and monitor for standards-based results driven accountability; and increase state funding for special education; and

WHEREAS, the Commission on Special Education did not adopt a recommendation to shift the burden of proof; and

WHEREAS, the General Assembly enacted legislation in 2017 to require the individualized education program (IEP) team to obtain written consent from a parent or legal guardian if the team proposes to (1) enroll the child in an alternative education program that does not issue or provide credits toward a high school diploma; (2) identify the child for the alternate assessment aligned with the State's alternate curriculum; and/or (3) include restraint or seclusion in the IEP to address the child's behavior; and

WHEREAS, legislation was enacted in 2017 to require both internal and external studies of special education programs and services and the Individualized Education Program (IEP) process; and the final study released in December of 2019 focused on the need for additional funding and accountability for student learning outcomes; and

WHEREAS, in 2017 legislation was enacted to require MSDE to convene a task force to examine policies and practices related to behavioral interventions in schools, including the use of restraint, seclusion, and trauma-informed interventions; and to develop revised regulations on the use of seclusion; and

WHEREAS, in 2017 legislation was enacted to require annual reporting on the specialized early intervention services provided to students in kindergarten through grade 3 who are not currently identified as needing special education or related services and who need additional academic and behavioral supports; and

WHEREAS, in 2020 legislation was enacted to establish the Special Education Ombudsman in the Office of the Attorney General to serve as a resource to provide information and support to parents, students, and educators regarding special education rights and services; and

WHEREAS, in 2020 the COVID-19 pandemic and resulting school closures presented enormous challenges for local school systems in providing all students eligible for special education services with access to continuity of learning, including instruction and related health services; and

WHEREAS, in 2021 Maryland enacted legislation requiring that each IEP includes a learning continuity plan to be implemented during emergency conditions, in order to ensure that the IEP is proceeding appropriately; and

WHEREAS, in 2021 Maryland enacted legislation to enhance requirements and conditions on local school system responses to requests for educational evaluations conducted by the school system and requests for independent educational evaluations at the school system's expense; and

WHEREAS, in 2022 legislation was enacted to eliminate the use of seclusion in public schools, but not nonpublic schools, and impose new standards and limitations on the use of restraint in public and nonpublic schools; and

WHEREAS, the Blueprint for Maryland's Future legislation passed in 2021 provides increases in state funding for special education and includes long-term funding projections based on the

expectation that improvements in early interventions will result in a dramatic reduction in the identification of students for special education services and result in reduced costs; and

WHEREAS, the Individuals with Disabilities Education Improvement Act of 2004 reauthorized the Individuals with Disabilities Education Act (IDEA) through 2011, making significant changes to the federal law and incorporating many of the recommendations offered by the National School Boards Association; and

WHEREAS, the 2004 reauthorization of IDEA includes pilot programs for multi-year IEPs, and paperwork reduction efforts to "reduce excessive paperwork and non-instructional time burdens that do not assist in improving educational and functional results for children with disabilities;" and

WHEREAS, the law now permits a school district to use up to 15 percent of its IDEA funds for early intervention services; and allows States to reserve up to 10 percent of their allocation of federal funds to create a risk pool to help school districts provide services to high-need children with disabilities; and

WHEREAS, IDEA includes improved due process provisions including the requirement that parents or legal guardians and a school district must meet before a due process hearing can be scheduled, the ability for school districts to recover legal fees in frivolous cases, and shorter time limitations for filing due process complaints; and

WHEREAS, when IDEA became law in 1975, the federal government promised to fund 40 percent of the additional cost of educating children with disabilities; and yet the federal government has failed to adequately fund the mandated programs and services arising under IDEA, never providing more than 15 percent of the additional cost; and

WHEREAS, sufficient federal funding for IDEA would significantly enhance the ability of local school systems to provide an excellent education for all students;

NOW, THEREFORE, BE IT RESOLVED, that MABE urges Maryland's Governor, General Assembly, State Board of Education, and State Superintendent of Schools to strenuously advocate for significant increases in federal special education funding and meaningful special education reforms at the federal and state levels; and

BE IT FURTHER RESOLVED, that MABE supports sustained increases in special education funding through the Blueprint for Maryland's Future law and will advocate for full funding for early intervention programs and services for students with disabilities; and

BE IT FURTHER RESOLVED, that MABE urges the Governor and General Assembly to continue to reject legislative proposals to require an IEP team to obtain written consent from a parent or legal guardian regarding a change in student services provided or the student's placement; and

BE IT FURTHER RESOLVED, that MABE urges the Governor and General Assembly to continue to reject legislative proposals to shift the burden of proof to local school systems in special education cases.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Student Discipline

(Adopted 2013; amended 2014, 2017, 2019, 2022, 2025)

WHEREAS, every local board of education has established policies and regulations concerning student discipline, based on a framework established by the General Assembly and the State Board of Education; and

WHEREAS, current laws and regulations give much needed flexibility to local boards to create rules at the local level which best suit their settings, the nature of the particular disciplinary offense, and the particular circumstances of the individual student; and

WHEREAS, MABE appreciates the legislature's recognition, in statute, that principals and superintendents have broad discretion to make student discipline decisions "as warranted" (Section 7-305 of the Education Article); and

WHEREAS, State regulations have long mirrored this deference to local decision making, as well as placing a clear emphasis on school safety; and

WHEREAS, the foundational principle stated in the student discipline regulations is that "Each local board of education shall adopt a set of regulations designed to maintain an environment of order and discipline necessary for effective learning;" and

WHEREAS, in 2004, in response to concerns about high rates of suspensions and expulsions, the General Assembly passed a bill to require elementary schools with a suspension rate in excess of 18% to implement a Positive Behavioral Interventions and Support (PBIS) program; legislation passed in 2006 to reduce the threshold percentage to 16%, 14%, 12% and 10% by the 2009-2010 school year; and in 2007 a bill passed to mandate the PBIS program in schools with high truancy rates; and

WHEREAS, in 2007, legislation passed requiring MSDE to review the policies and procedures of each local board of education relating to student discipline, student suspension, and student expulsion; and the MSDE submitted a report to the General Assembly which recommended improved communication between schools, parents and guardians, and students regarding local codes of discipline, sharing best practices to reduce suspensions, increased conflict resolution and positive communication skill-building, and expanding PBIS training and implementation; and

WHEREAS, following its decision in the *Atanya C. v. Dorchester County Board of Education* case in 2009, the State Board conducted a series of briefings, issued reports, revised the student records manual, and proposed regulations regarding definitions and standards relating to student discipline; and

WHEREAS, in 2013, MSDE convened workgroups to recommend best practices for student discipline, and to develop revised guidelines for a state code of student discipline with standards of conduct and consequences for violations of the standards; and

WHEREAS, the regulations proposed by the State Board in July 2013 included changes requested by MABE to remove the reference to a “rehabilitative” philosophy, and extended the deadline to adopt new local policies and procedures to the 2014-2015 school year; and

WHEREAS, in 2014, the State Board adopted revised student discipline regulations to reform definitions, standards, and reporting requirements in state regulations and mandate new local school system policies and procedures. Major changes included:

- Minimum standards for all local student discipline policies and regulations;
- A mandate to review and revise local student discipline policies and regulations by the beginning of the 2014-2015 school year;
- Definitions of "expulsion,” "extended suspension,” "long-term suspension,” and "short term suspension;”
- Standards and conditions for excluding students from school through extended suspensions or expulsions;
- Mandates to provide excluded students with educational and behavioral support services;
- A 45-day timeline and deadline for hearing appeals, even if using a hearing officer;
- A requirement for school systems to share all documents and witness lists with parents/guardians as appellants but no corresponding requirement for the appellants to do so;
- A requirement to provide "minimum education services" to students suspended or expelled out of school, including daily classwork and assignments from each teacher that must be reviewed, corrected, and returned on a weekly basis;
- A requirement to assign a staff liaison between teachers and out of school suspended and expelled students;
- Data reporting requirements for school arrests and referrals to law enforcement or the juvenile justice system;
- Mandates for MSDE to develop a method to analyze whether there is a disproportionate impact on minority students, or a discrepant impact on special education students; and
- A requirement that, based on MSDE's finding of a disproportionate or discrepant impact, the local school system must implement a plan to reduce the impact within one year and eliminate it within 3 years; and

WHEREAS, since 1997 MSDE and the State Board have adopted Maryland Guidelines for a State Code of Discipline which provide expectations for students, staff, parents and guardians, and community organizations; and guidance for local school systems on standards of student conduct and consequences for violations of the standards; and

WHEREAS, on July 22, 2014, the State Board approved revised Maryland Guidelines for a State Code of Discipline; and

WHEREAS, on January 8, 2014, the U.S. Department of Education and Department of Justice issued a joint Dear Colleague Letter, and additional guidance and resources, to assist public elementary and secondary schools in meeting their obligations under federal civil rights laws to administer student discipline without discriminating on the basis of race, color, or national origin; and

WHEREAS, legislation enacted in 2017 prohibits a child enrolled in a public prekindergarten program through second grade from being suspended or expelled from school, subject to certain exceptions; and

WHEREAS, the 2017 legislation allows a student to be expelled if required by federal law or to be suspended for up to five school days if the school administration, in consultation with a school psychologist or mental health professional, determines that there is an imminent threat of serious harm to other students or staff that cannot be reduced or eliminated through interventions and supports; and

WHEREAS, legislation enacted in 2017 created the Commission on the School-to-Prison Pipeline and Restorative Practices to make recommendations on establishing a Collaborative Action Plan to create a statewide framework for redesigning public school discipline practices; and legislative and policy initiatives to enact the plan, and the Commission issued its final report in December 2018; and

WHEREAS, MABE participated fully in the work of the Commission on the School-to-Prison Pipeline and Restorative Practices toward the goal of making recommendations based on Maryland and national best practices and which maintain local flexibility to create and enforce fair disciplinary standards, and which address the costs of implementing any newly mandated restorative practices; and

WHEREAS, legislation enacted in 2019 requires local board policies and regulations related to discipline to provide for restorative approaches and state that the primary purpose of any disciplinary measure is rehabilitative, restorative, and educational; and

WHEREAS, the law defines restorative approaches as a relationship-focused discipline model that may include: conflict resolution, mediation, peer mediation, circle processes, restorative conferences, social emotional learning, trauma-informed care, positive behavioral intervention supports, and rehabilitation; and

WHEREAS, in 2022 legislation was enacted to provide the right to counsel in the school conference held to determine exclusionary discipline following a reportable offense; ensure that the exclusionary discipline of students with disabilities is conducted in accordance with federal special education law; and mandate annual disaggregated reporting of all school disruptions and reportable offenses; and

WHEREAS, in 2022 juvenile justice reform legislation was enacted to establish that a child younger than age 13 is not subject to the jurisdiction of the juvenile court for purposes of a delinquency proceeding and may not be charged with a crime; and child interrogation legislation was enacted to strengthen requirements for law enforcement notice of rights to children in custody and notice to parents and counsel; and

WHEREAS, in 2022 legislation was enacted to, in part, authorize the State Superintendent to adopt evidence-based and trauma-informed positive behavioral intervention training requirements for teachers, administrators, and other employees;

WHEREAS, in 2025 legislation was enacted to, in part, require MSDE to develop a comprehensive plan for restorative practices and require schools to use MSDE's plan – to be created by July 2026 – if the LEA chooses to establish a restorative practices school.

NOW, THEREFORE, BE IT RESOLVED, that MABE pledges to continue to collaborate with the legislature and MSDE in the development of policy initiatives intended to improve the student discipline process to promote successful classroom strategies and student attendance; and

BE IT FURTHER RESOLVED, that MABE supports reducing the rate of out-of-school suspensions for non-violent behaviors, requiring that educational services be provided to students

receiving suspensions or expulsions, and reducing and ultimately eliminating disproportionate and disparate impacts of student discipline policies on minority students and students with disabilities; and

BE IT FURTHER RESOLVED, that MABE supports local flexibility to create and enforce consistent and fair disciplinary standards; and

BE IT FURTHER RESOLVED, that MABE supports the adoption of Maryland Guidelines for a State Code of Discipline and student discipline regulations which preserve local board and school administrator discretion; and

BE IT FURTHER RESOLVED, that MABE opposes legislation and regulations that propose mandated penalties for specific infractions or include other proposals which would reduce the ability of the local board and school administrators to respond appropriately and effectively to student discipline situations on a case-by-case basis; and

BE IT FURTHER RESOLVED, that MABE supports increased state and local funding to support programs, services, and professional staffing levels determined by local school systems as necessary to successfully administer best practices in student discipline and any related mandates in law or regulations.

CONTINUING RESOLUTIONS 2025 - 2026

MABE
Maryland Association of Boards of Education

Student Transportation

(Adopted 1981, 1984, 1987; amended 1990, 1992; readopted 1995, 1997; amended 2000, 2002, 2005; readopted 2008, 2011; amended 2014, 2016, 2017, 2020, 2021, 2022, 2025)

WHEREAS, adequate state funding for public school transportation has been a long-time goal of the Maryland Association of Boards of Education (MABE); and

WHEREAS, the Bridge to Excellence in Public Schools Act of 2002 increased state funding for student transportation to address chronic underfunding through the 1980s and 1990s; and

WHEREAS, for nearly twenty years, state funding for disabled student transportation was limited to $500 times the number of disabled students requiring special transportation services who were transported by the local board in excess of the number transported during the 1980-1981 school year; and

WHEREAS, the Bridge to Excellence in Public Schools Act of 2002 increased the base transportation grant for 15 counties that experienced aggregate enrollment increases between 1980 and 1995, a time when the transportation formula did not include annual adjustments for enrollment increases, and phased-in increases by FY 2008 in per pupil funding for students receiving special transportation services from $500 to $1000; and

WHEREAS, additional requirements for student transportation have been created through mandated programs; and

WHEREAS, the federal McKinney-Vento Homeless Assistance Act requires that homeless students must be provided with transportation to and from their school of origin at parent or guardian request; transportation services may include crossing district boundaries or providing special education busing; and if the student transportation needs cross district boundaries, the two districts must determine how to divide the responsibility and cost; and

WHEREAS, the state mandates that school systems provide targeted prekindergarten for low-income four-year olds and yet prekindergarten students are not included in the per pupil calculation of student transportation funding; and

WHEREAS, rapid increases in gasoline prices can present significant unanticipated expenditures from transportation budgets and potentially reduce available funding for other educational programs and services; and

WHEREAS, in 2016 the General Assembly enacted legislation to exempt from the motor fuel tax, motor fuel that is purchased for use in a school bus owned by a county board of education or used to transport students by a school bus operator under contract with a county board of education; and

WHEREAS, the Blueprint for Maryland's Future Act of 2021 redefines the annual full-time equivalent (FTE) student enrollment count to be the greater of the prior year's FTE enrollment or the average of the three prior years' FTE enrollment, which will result in higher enrollments and transportation aid amounts in declining enrollment districts; and

WHEREAS, in 2016 and 2017 legislation was introduced, but not enacted, which would have imposed an unfunded mandate that all school buses be equipped with seatbelts, either as a requirement to retrofit current buses or as a design standard for new buses; and

WHEREAS, federal law requires small school buses, weighing 10,000 pounds or less, to be equipped with seat belts; and in this way, federal requirements regarding seat belts are reasonably related to the size and relative safety of school buses; and

WHEREAS, transportation services to and from public schools play a critical role in addressing the educational opportunity gap; and

WHEREAS, in 2020 the COVID-19 pandemic and resulting state and local education recovery plans, especially the social distancing standards, presented enormous student transportation funding and policy challenges for local school systems and bus contractors and drivers; and

WHEREAS, federal COVID-19 relief funding provided by the Governor's Emergency Education Relief (GEER) Fund and Elementary and Secondary Emergency Relief (ESSER) Fund include student transportation services as eligible costs; and

WHEREAS, in 2021 legislation mandating summer school programs in 2021 and 2022 to address the effects of the COVID-19 pandemic also required school systems to provide student transportation services for these programs; and

WHEREAS, Maryland's school systems and bus contractors are experiencing a severe shortage of school bus drivers which is negatively impacting daily student transportation to and from school; and

WHEREAS, in 2021 legislation was enacted with local school system support to authorize the expanded use of non-school bus vehicles for student transportation for (1) preschool-age students; (2) students with disabilities; (3) homeless youth; (4) children in foster care; (5) students without access to school buses; (6) students in a nonpublic school placement; or (7) students in dual enrollment programs or work programs or other educational programs based off the school campus; and

WHEREAS, in 2022 legislation was enacted to mandate the purchasing of zero emission school buses beginning in 2025, including buses purchased by school systems and contractors, with waivers available based on incremental costs and availability; and legislation was enacted to establish the Electric School Bus Pilot Program to incentivize electric utilities to finance the purchase of zero emission school buses and development of interconnective infrastructure including school bus charging stations;

WHEREAS, in 2022 legislation was enacted to require school systems to develop pedestrian safety plans for new and expanded schools to identify safe routes for students to walk or bike to school and evaluate state and county road and sidewalk infrastructure; and

WHEREAS, despite numerous provisions, funding remains inadequate to meet the growing transportation costs faced by local school districts.

NOW, THEREFORE, BE IT RESOLVED, that MABE will cooperate with other interested groups to advocate for increased public school transportation funding, including transportation funding to support the hiring and retention of bus drivers, and transportation services for expanded full-day prekindergarten and expanded dual-enrollment and career and technical education programs under the Blueprint for Maryland's Future; and

BE IT FURTHER RESOLVED, that MABE supports increased state, local, and federal funding and flexibility to facilitate the statewide transition to the procurement and use of electric school buses, including the development of supporting infrastructure, and availability of waivers; and

BE IT FURTHER RESOLVED, that MABE will oppose new unfunded mandates impacting student transportation, including mandatory seatbelts on school buses, or a reduction of the state share of per pupil student transportation costs.