



Karen B. Salmon, Ph.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • marylandpublicschools.org

TO: Members of the Maryland State Board of Education

FROM: Karen B. Salmon, Ph.D.

DATE: January 30, 2018

SUBJECT: State Legislative Update

PURPOSE:

The purpose of this item is to provide a legislative overview and status of issues related to education that are currently before the 2017 General Assembly. Please find attached a synopsis of several pieces of significant legislation that have been introduced since the opening of the 2017 legislative session.

EXECUTIVE SUMMARY:

Patrick A. Fleming, Director of Education Policy and Government Relations will update the members of the State Board of Education on the status of significant legislation that has been introduced during the 2017 legislative session.

ACTION:

No action is necessary, for discussion only.

**Maryland State Board of Education
Legislative Synopsis
As of January 17, 2018**

Bills for Information:

House

[HB 10 \(Walker\) State Lottery – Unclaimed Prizes – Public Prekindergarten Programs](#)

The bill would disperse unclaimed prize money to County Boards of Education to supplement existing funding for pre-kindergarten programs. The funding shall be distributed on a pro-rated basis determined by the total lottery sales made in each County.

Hearing Date – *01/17/2018*

[HB 23 \(Long\) – Baltimore County – Public Schools – Active Assailant Event Training Drills](#)

The bill would require active assailant event training for all school personnel annually, and each school will need to conduct active assailant event drill three times each school year.

Hearing Date – *02/01/2018*

[HB 30 \(Angel\) – Domestic Violence – Education and Definition of Abuse](#)

The bill adds “domestic violence” to the list of subjects the Board is to encourage LEAs to incorporate into their health education curriculum. Also, the bill adds “harassment” and “malicious destruction of property” to the definition of abuse and creates definitions for each.

Hearing Date – *01/18/2018*

[HB 57 \(Angel\) – Large Family Child Care Homes and Child Care Centers – Green Product Cleaning Supplies – Regulations](#)

The bill would require the Board of Education to adopt regulations which would require “to the extent practicable and economically feasible” Large Family Child Care Home facilities to use green cleaning products.

Hearing Date – *01/23/2018*

[HB 68 \(Angel\) - Income Tax Credits – Employer Child Care Center and Employer – Provided Child Care Services](#)

The bill would allow self-employed, and non-self-employed individuals to claim a credit against state income tax for the cost of establishing and maintaining a child care facility for its employees. MSDE would be required to issue credit certificates to individuals for qualified expenses related to the child care facility.

Hearing Date – *01/17/2018*

[HB 74 \(Grammer\) - Education - Career Exploration and Development Activities - Coffee \(Java Act\)](#)

This is a local Baltimore County bill that would prevent the Executive Branch from regulating or preventing the sale of coffee that is sold in conjunction with a career exploration or development program in a public high school.

Hearing Date – 02/01/2018

[HB 76 \(Grammer\) - Baltimore County Board of Education - Education Transparency Act](#)

This bill would require the Baltimore County Boards of Education to conduct all meeting open to the public, require the taking of minutes, require all action to be taken by voice vote, require action items to be posted on the county website within 12 hours of action, and to including a full description of the action taken and a video recording of the meeting. Closed meetings would be allowed only when the item to be discussed in closed session complied with the Open Meetings Act (§3-305 of the General Provisions Article).

Hearing Date – 02/01/2018

[HB 87 \(Ebersole\) - Baltimore County Board of Education - Nonstudent Members – Compensation](#)

This bill would increase the compensation that nonstudent members of the Baltimore County Board of Education receive from \$100 annually, to \$7,500 annually.

Hearing Date – 02/01/2018

[HB 103 \(Atterbeary\) - Education - County Boards of Education - Removal of County Superintendents](#)

This bill would allow Local School Boards to remove Local Superintendents for: immorality; misconduct in office; insubordination; incompetency; or, willful neglect of duty. Currently, only the State Superintendent may remove a Local Superintendent for these reasons. The County Board will need to follow the existing appeal process as the State Superintendent. The Local Superintendent that is removed will be compensated consistent with terms of their contract or for the remainder of their term.

Hearing Date – 02/01/2018

[HB 154 \(Ebersole\) - State Board of Education - Membership - Teachers and Parent](#)

This bill would increase the State School board from 11 to 14 members. Two of the new members would be individuals who are certified teachers, who is elected amongst all teacher of the State. One will be a parent of a student, who is suggested by the Maryland PTA.

Hearing Date – 02/01/2018

[HB 156 \(Mautz\) - Talbot County Board of Education – Start Date of Term for Members](#)

This bill moves the beginning of the term of the Talbot County Board of Education from January 1, to December 1, after the election.

Hearing Date – 02/01/2018

Senate

[SB 29 \(Kagan\) – State Government – Websites – Language Access](#)

The bill would require state agencies, including MSDE, to provide access to versions of their website in languages spoken by 0.5% of the State population as identified by the census if the translation can be translated free of charge.

Hearing Date – 01/24/2018

[SB 31 \(Bates\) – State Retirement and Pensions System – State Employees and Teachers – Benefits](#)

The bill would modify the State Employees and Teachers State Retirement and Pension Plan for current and new employees to create a defined benefit plan, reduced from current amounts, and a defined contribution savings plan. The State's contribution to these plans would be lower than the current amount.

Hearing Date- 01/25/2018

[SB 43 \(Dept. of Labor, Licensing and Regulation\) – High School Diploma by Examination – Eligibility Requirements – Exemption](#)

The bill expands eligibility requirements to participate in the GED program to include students that participate in the GED Option Program, administered by MSDE.

Hearing Date – 01/16/2018

[SB 44 \(Young\) – Vehicle Laws – School Buses – Inspection, Repair, and Maintenance Requirements](#)

The bill requires the owner of a school bus to ensure that the vehicle is inspected, repaired and maintained in accordance with federal safety regulations, prohibits the operation of the vehicle unless it has been inspected, and enables the MVA to suspend the registration of a non-compliant vehicle.

Hearing Date – 01/17/2018

[SB 58 \(Dept. of Health\) – State Board for Certification of Residential Child Care Program Professionals – Revisions](#)

The bill removes a provision granting immunity from liability for participating in activities of the State Board of Certification of Residential Child Care Program Professionals, requires, except under certain circumstances, that an applicant successfully complete an approved training program, and removes a provision that requires the publication of approved training programs on the Boards website.

Hearing Date – 01/18/2018

[SB 92 \(Rosapepe\) – Maryland School Overcrowding Reduction Act of 2018](#)

SB 92 pertains to alternative financing of school buildings. First, the bill would extend to Counties the ability to hold title of property used for school purposes. Currently a private entity and a local school board have this ability. The bill would also allow a County or private entity to "lease" the property to the school district if the County or private entity "operates and maintains the property." Second, the bill would remove the regulatory authority of the Board of Public works to promulgate regulations for alternatively financed projects and instead places requirements in statute. Finally, a new incentive program would be created to encourage lower cost school facility construction costs.

Hearing Date – 01/31/2018

[SB 103 \(Benson\) – Task Force to Study the Impact of Student Cell Phone Use in the Classroom](#)

The bill would create a task force to study the impact of student cell phone use in the classroom on student learning teacher instruction, benefits associated with cell phone use in the classroom, and any other related matters determined by the task force. MSDE would be required to provide staff.

Hearing Date – 01/17/2017

[SB 131 \(Zirkin\) - Child Abuse and Neglect - Training](#)

This bill will require health practitioners, police officers, educators, and human service workers to be periodically trained in compliance with §5-704 of the Family Law Article and on identifying abused and neglected children.

Hearing Date – 01/23/2018

[SB 132 \(Zirkin\) - Crimes - Child Abuse and Neglect - Failure to Report](#)

This bill would subject a person who knowingly does not report child abuse or neglect as under §5-704 of the Family Law Article will be guilty of a misdemeanor and subject to a penalty of \$1,000, six month in jail, or both.

Hearing Date – 01/23/2018

[SB 161 \(Nathan-Pulliam\) - Public and Nonpublic Schools - Student Sickle Cell Disease Management Programs](#)

This bill requires MSDE and the Maryland Department of Health, along with stakeholders, to develop guidelines for local school system employees to use in the management of student's sickle cell disease during the school day and while attending school-sponsored activities.

Hearing Date – 01/24/2018

[SB 164 \(Nathan-Pulliam\) - Education - Student Use of Backpacks - Assessment and Reduction of Health Effects](#)

This bill would require Local School Boards to provide all school personnel, parents, and students with information about potential impact of heavy backpacks and measures that can be taken to prevent those impacts. It also requires the Boards to allow Chiropractors to conduct scoliosis exams, as often as the Board deems necessary.

[SB 171 \(Eckardt\) - Talbot County Board of Education - Start Date of Term for Members](#)

This bill moves the beginning of the term of the Talbot County Board of Education from January 1, to December 1, after the election.

Hearing Date – 01/24/2018



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TO: Members of the State Board of Education

FROM: Karen B. Salmon, Ph.D.

DATE: January 30, 2018

SUBJECT: FY 2019 Budget Update

PURPOSE:

The purpose of this item is to provide the State Board of Education an overview of the Governor's FY 2019 budget.

EXECUTIVE SUMMARY:

Governor Larry Hogan submitted his FY 2019 budget proposal to the General Assembly on January 17, 2018. The attached documents summarize the budget as it relates to funding for K-12 education and the Maryland State Department of Education.

ACTION:

This item is provided for informational purposes.

Attachment

**Maryland State Department of Education
Fiscal Year 2019 Budget Allowance
Funding by Budgetary Unit**

	General Funds	Special Funds	Federal Funds	Reimbursable Funds	Total Funds
Headquarters	\$ 104,144,195	\$ 9,771,669	\$ 210,449,298	\$ 3,870,307	\$ 328,235,469
Aid to Education	6,087,992,190	509,619,110	1,006,599,987	30,000	7,604,241,287
Funding for Educational Organizations	30,154,318	14,890,000	-	-	45,044,318
Children's Cabinet Interagency Fund	18,490,376	-	-	-	18,490,376
Maryland Longitudinal Data System Center	1,995,051	-	2,500,000		4,495,051
Total Department	\$ 6,242,776,130	\$ 534,280,779	\$ 1,219,549,285	\$ 3,900,307	\$ 8,000,506,501

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Summary of Major Changes in the Governor's Fiscal Year 2019 Budget K-12 Education and MSDE Programs

Aid to K-12 Education:

- Bridge to Excellence formulas are funded according to statutory mandate. Formulas increase by \$137 million, or 2.5% from FY 2018. State Aid for Education totals \$5.6 billion.
- \$15.2 million to ensure every local school systems receives at least a \$100,000 increase in State Aid in FY 2019 (Baltimore City - \$11 million, Calvert - \$541k, Carroll - \$100k, Cecil - \$3.4 million, Garrett - \$48k).
- \$3.0 million in grant funding for local school systems to implement policies and practices to address heroin and opioid addiction and prevention.
- \$8.5 million to expand access to prekindergarten throughout the state.
- \$300,000 to maintain funding for the Bard Early College Program in Baltimore City.
- The Governor introduced legislation eliminating the mandates and associated funding for the following programs:
 - Next Generation Scholars of Maryland Program (\$5.0 million)
 - Teacher Induction, Retention, and Advancement Pilot Program (\$5.0 million)
 - Stipends for specific Anne Arundel County Public School teachers (\$1.9 million)
 - Robotics Grant Program (\$250,000)
- The Governor introduced legislation eliminating the mandate for the Public Schools Opportunities Enhancement Program and reducing the associated funding from \$7.5 million to \$2.5 million.
- The Governor introduced legislation decreasing the stipends for National Board certified teachers working in schools with comprehensive needs from \$4,000 to \$2,000. The legislation also alters the statutory language so that the stipends are no longer entitlements, but instead will be available based upon funding in the budget.

MSDE Budget:

- Ten vacant positions are eliminated from MSDE's budget.
- Funding is included in the Department of Budget and Management's budget for a two percent cost of living adjustment for State employees, effective January 2019.
- Six contractual positions are eliminated in the Division of Rehabilitation Services.

Other Budget Items:

- \$11.5 million in the Child Care Subsidy Program to end the wait list and increase child care provider rates by eight percent.
- \$2.7 million increase for the Autism Waiver program to expand services to an additional 100 children. This program allows children with severe autism to receive services in their community rather than institutional settings.
- The Broadening Options and Opportunities for Students Today (BOOST) Program increases by \$3.5 million to a total of \$9 million.
- The budget includes \$10,000 for a new State Aided Institution – the Fire Museum of Maryland.

FY 2018 Adjustments

- The Governor's budget balancing plan includes adjustments to the current year budget in the following programs based on spending trends and projections:
 - Quality Teacher Stipends (\$1.5 million)
 - Teacher Induction, Retention, and Advancement Pilot Program (\$1.1 million)
 - Stipends for specific Anne Arundel County Public School teachers (\$950,000)
 - Juvenile Services Education Program (\$700,000)
 - Out of County Living Arrangements (\$200,000)