

**State Board Legislation
February 23, 2016**

For Discussion:

**SB 619/HB 533 – State Board of Education – Employment Categories and Practices
(Senators Klausmeier, et. al. and Delegate Jones, et. al)**

SB 619 Hearing on 3/3 in FIN

HB 533 Hearing on 2/23 in App

- Alters the categories of positions that the State Board may use for new employees hired on or after October 1, 2016
- Eliminates the “professional assistant” category and places employees in executive service, management service, professional service or skilled service as non-special appointments
- The State Board would be required to change the status for current employees no later than January 1, 2017
- Bill effects approximately 900 MSDE positions
- MSDE estimates that 800 of the “professional assistants” will become skilled service and professional service and would be eligible for collective bargaining rights

SB 905/HB 999 – Commission on Innovation and Excellence in Education (Senators King, et. al, and Delegates Kaiser, et. al)

SB 905 Hearing on 3/1 in B & T

HB 999 Hearing on 3/3 in W & M

- Establishes the Commission to review the Adequacy Study and make recommendations on funding and other policy and legislative initiatives. *See attached bill for duties and membership*
- 25 members of the Commission (one State Board member appointed by the President)
- Chair chosen jointly by the Governor, President, and Speaker
- Preliminary report due December 31, 2016
- Final report due December 31, 2017
- Staffed by the Department of Legislative Services in consultation with MSDE

Notification/Data Gathering on Assessments:

**SB 533/HB 412 – Education – Administration of Assessments – Provision of Information
(Senator Pinsky, et. al and Delegate Kaiser, et, al)**

SB 533 Hearing on 3/2 in EHEA

HB 412 Hearing on 3/3 in W & M

- Requires a county board by October 15 to update, post on their website and include within the master plan submittal the following information about an assessment:
 - Title and purpose of assessment;
 - Whether the assessment is mandated by local, state, or federal entity;
 - Grade level or subject area to which the test is administered;
 - Testing window of the assessment; and

- Whether accommodations are available for students with special needs and what the accommodations are.
- July 1 effective date

Other assessment legislation:

SB 786/HB 397 – Education – Assessments – Best Practices in Assessments (Senator Madaleno and Delegate M. Washington)

SB 786 Hearing on 3/2 in EHEA

HB 397 Hearing on 3/3 in W & M

- Requires MSDE to develop best practices for the Department and LEAs to consider when deciding whether to administer an assessment to students
- MSDE to administer an audit of all state mandated assessments to ensure conformity with the best practices
- LEA to administer an audit of all locally mandated assessments to ensure conformity with the best practices

SB 407/HB 141 – Education – Education Accountability Program – Limits on Testing (Senators Manno, et. al and Delegate Luedtke, et. al)

SB 786 Hearing on 3/2 in EHEA

HB 141 Hearing on 2/11 in W & M

- Requires the State Board to adopt regulations that limit the amount of time in the aggregate that may be devoted to federal, state, and locally mandated tests for each grade to 2% of the minimum instructional hours
- Teacher selected quizzes and exams, portfolio reviews or performance assessment are not included in the testing limit

SB 794/HB 657 – Education – Pre-Kindergarten and Kindergarten Assessments – Administration (Senator Jennings, et. al and Delegate Shoemaker, et. al)

SB 794 Hearing on 3/2 in EHEA

HB 657 Hearing on 2/18 in W & M

- Limits the Kindergarten Readiness Assessment (KRA) to a random sampling test
- Prohibits a standardized test to be given to pre-kindergarten students

SB 787/HB 1427 – Education – Federal Innovative Assessment Pilot Program – Application (Senator Madaleno and Delegate Hettleman)

SB 787 Hearing on 3/2 in EHEA

HB 1427 Hearing on 3/3 in W & M

- Requires MSDE to apply to participate in the USED’s pilot program to develop, test, implement, and evaluate innovative assessment systems
- June 1, 2016 effective date

FOR Information:

SB 422/HB 709 – Education – Maryland School for the Blind – Funding (Senators Kasemeyer, and Delegates Jones)

SB 422 Hearing on 2/24 in B & T

HB 709 Hearing on 3/7 in W & M

- Alters the funding of the primary operational grant for MSB by adding an enrollment category which increases the State contribution to MSB by \$1.06 million in FY 2017
- Requires an additional \$1 million to be provided annually for residential services

SENATE BILL 905

F1

6lr1437
CF 6lr1439

By: Senators King, Miller, Astle, Conway, DeGrange, Ferguson, Gladden, Guzzone, Kagan, Klausmeier, Madaleno, Manno, McFadden, Middleton, Muse, Nathan-Pulliam, Peters, Pugh, Ramirez, Raskin, Rosapepe, Zirkin, and Zucker

Introduced and read first time: February 5, 2016

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Commission on Innovation and Excellence in Education**

3 FOR the purpose of establishing the Commission on Innovation and Excellence in
4 Education; providing for the composition, chair, and staffing of the Commission;
5 requiring certain appointments to be made to ensure diversity within the
6 Commission; prohibiting a member of the Commission from receiving certain
7 compensation, but authorizing the reimbursement of certain expenses; requiring the
8 Commission to review the findings and recommendations of a certain study, review
9 certain education finance formulas, review certain accountability measures and
10 review certain other matters; requiring the Commission to make certain
11 recommendations on certain matters; requiring the Commission to make a
12 preliminary and a final report of its findings and recommendations to the Governor
13 and the General Assembly on or before certain dates; requiring certain appointments
14 to the Commission to be made within a certain period of time; providing for the
15 termination of this Act; and generally relating to the Commission on Innovation and
16 Excellence in Education.

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That:

19 (a) (1) There is a Commission on Innovation and Excellence in Education.

20 (2) The Commission shall review the findings of the Study on Adequacy of
21 Funding for Education in the State of Maryland that is to be completed on or before
22 December 1, 2016, and provide recommendations on preparing students in the State to
23 meet the challenges of a changing global economy, to meet the State's workforce needs, to
24 be prepared for postsecondary education and the workforce, and to be successful citizens in
25 the 21st century.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The Commission consists of the following members:

2 (1) two members of the Senate Education, Health, and Environmental
3 Affairs Committee, appointed by the President of the Senate;

4 (2) two members of the Senate Budget and Taxation Committee, appointed
5 by the President of the Senate;

6 (3) two members of the House Committee on Ways and Means, appointed
7 by the Speaker of the House;

8 (4) two members of the House Appropriations Committee, appointed by the
9 Speaker of the House;

10 (5) the State Superintendent of Schools;

11 (6) the Secretary of Budget and Management;

12 (7) the Chancellor of the University System of Maryland;

13 (8) one representative of the State Board of Education, appointed by the
14 President of the Board;

15 (9) one representative of the Maryland State Education Association,
16 appointed by the Executive Director of the Association;

17 (10) one representative of the Baltimore Teachers Union, appointed by the
18 President of the Union;

19 (11) one representative from a county board of education, appointed by the
20 Maryland Association of Boards of Education;

21 (12) one local school superintendent, appointed by the Public School
22 Superintendents Association of Maryland;

23 (13) one chief financial officer of a local school system, appointed by the
24 Association of School Business Officials;

25 (14) two representatives of the Maryland Association of Counties, one
26 representing an urban county and one representing a rural county, appointed by the
27 Executive Director of the Association;

28 (15) one representative of a group that advocates for public education,
29 appointed by the State Superintendent of Schools;

1 (16) one parent of a student who attends a public school in the State,
2 appointed by the Maryland PTA;

3 (17) one member of the public, appointed by the Governor;

4 (18) one member of the public, appointed by the President of the Senate;

5 (19) one member of the public, appointed by the Speaker of the House; and

6 (20) one chief executive or owner of a business located in the State,
7 nominated by the Maryland Chamber of Commerce and appointed by the Governor.

8 (c) To the extent practicable, appointments shall be made to ensure regional,
9 ethnic, economic, and gender diversity on the Commission.

10 (d) The Governor, the President of the Senate, and the Speaker of the House shall
11 jointly designate the chair of the Commission.

12 (e) The Department of Legislative Services, in consultation with the State
13 Department of Education, shall provide staff for the Commission.

14 (f) A member of the Commission:

15 (1) may not receive compensation as a member of the Commission; but

16 (2) is entitled to reimbursement for expenses under the Standard State
17 Travel Regulations, as provided in the State budget.

18 (g) The Commission shall:

19 (1) review the findings and recommendations of the Study on Adequacy of
20 Funding for Education in the State of Maryland, including the studies conducted in
21 accordance with Chapter 288 of the Acts of 2002, as amended by Chapter 397 of the Acts of
22 2011, and Chapter 709 of the Acts of 2012, and determine what recommendations should
23 be made, including:

24 (i) the proxy used to identify economically disadvantaged students;

25 (ii) how to address issues of increasing and declining student
26 enrollment;

27 (iii) the preferred approach to expanding publicly funded
28 prekindergarten education;

29 (iv) how to achieve greater equity in school finance and local wealth
30 measures; and

1 (v) the appropriate regional cost of education index and how the
2 index should be used to adjust education funding;

3 (2) review and assess the current education financing formulas and
4 accountability measures;

5 (3) determine how the federal Every Student Succeeds Act, which provides
6 additional flexibility and authority to states over assessments and accountability measures,
7 will affect primary and secondary education in the State;

8 (4) determine how the State can better prepare students to be competitive
9 in the workforce and with other high performing countries in the global economy;

10 (5) review how local school systems are spending education funds,
11 including the increased State funding provided under the Bridge to Excellence in Public
12 Schools Act of 2002;

13 (6) make recommendations for:

14 (i) updating the base funding level for students without special
15 needs and updating the per pupil weights for students with special needs to be applied to
16 the base funding level as established by the Bridge to Excellence in Public Schools Act of
17 2002 to ensure that students are adequately prepared for college and careers;

18 (ii) ensuring excellence in local school systems, student performance,
19 and career and college readiness in the State;

20 (iii) preparing students for postsecondary education and the
21 workforce, including addressing how to increase participation in innovative public school
22 models that may require additional funding or alternative funding mechanisms, such as:

23 1. dual enrollment programs;

24 2. early and middle college programs;

25 3. Pathways in Technology Early College High schools;

26 4. apprenticeships and internships;

27 5. career and technology education programs;

28 6. community schools, including how the State can leverage
29 federal 21st Century Community Learning Center Grants to expand community schools in
30 the State; and

31 7. other schools that provide innovative education through
32 curriculum, structure, and socioeconomic diversity;

1 (iv) ensuring the adequacy and equity of funding for prekindergarten
2 and other early childhood education programs;

3 (v) addressing the impact of high concentrations of poverty on local
4 school systems; and

5 (vi) ensuring that education funds are being spent efficiently and
6 effectively and that local school systems are allocating their resources to improve student
7 achievement; and

8 (7) make any other recommendations on legislation and policy initiatives
9 to enhance the availability of innovative educational opportunities and to enhance the
10 adequacy and equity of State funding for prekindergarten through grade 12 public
11 education in the State.

12 (h) (1) On or before December 31, 2016, the Commission shall provide a
13 preliminary report of its findings and recommendations to the Governor and, in accordance
14 with § 2-1246 of the State Government Article, the Senate Education, Health, and
15 Environmental Affairs Committee, the Senate Budget and Taxation Committee, the House
16 Committee on Ways and Means, and the House Appropriations Committee.

17 (2) On or before December 31, 2017, the Commission shall provide a final
18 report of its findings and recommendations to the Governor and, in accordance with §
19 2-1246 of the State Government Article, the Senate Education, Health, and Environmental
20 Affairs Committee, the Senate Budget and Taxation Committee, the House Committee on
21 Ways and Means, and the House Appropriations Committee.

22 SECTION 2. AND BE IT FURTHER ENACTED, That all appointments to the
23 Commission shall be made within 60 days of the effective date of this Act.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
25 1, 2016. It shall remain effective for a period of 2 years and, at the end of May 31, 2018,
26 with no further action required by the General Assembly, this Act shall be abrogated and
27 of no further force and effect.

