

Carroll County Board of Education



Pre-Session Legislative Outlook

January 7, 2019



Carroll County Public Schools
Building the Future

Legislative Outlook – January 7, 2019

The 2019 General Assembly begins on January 9, 2019 and will end on April 8, 2019. The Governor's budget, both operating and capital, is required to be submitted by January 18, 2019. Within approximately two weeks, we then will receive preliminary State aid figured from the Maryland State Department of Education. Other key dates include:

February 4th – Bill filing date in the Senate;

February 8th – Bill filing date in the House;

March 18th – Opposite chamber cross-over date; and

April 1st – Date by which both bodies must pass the budget.

We anticipate the usual number of proposed bills that directly or indirectly impact our system in the upcoming session. As in the past, we will track all education bills that are filed and then highlight certain key bills which we believe have the greatest impact or the greatest likelihood of passing. These reports, as well as any testimony offered in alignment with the Board's Legislative Position Statements, will be posted and maintained on the Board's website.

Given the broad scope, potential impact, and Board interest, this initial pre-session report will focus on the work of the Kirwan Commission and the outlook for its policy recommendations in the 2019 Legislative Session.

Background of Commission

When the Bridge to Excellence in Public Education Act passed in 2002 thereby enacting recommendations and the funding formula evolving from the Thornton Commission, the law required the reconvening of a study to review and make recommendations in 10 years following implementation. In the 2016 legislative session, the General Assembly passed a bill enacting [the Commission on Innovation and Excellence in Education](#). This Commission was formed to review the current education funding formula and accountability, and make legislative recommendations.

Ultimately, former University of Maryland System Chancellor, William "Britt" Kirwan was named to chair the Commission and it has since been called the Kirwan Commission. The Commission convened in September 2016 and has met through the present. The Commission's work was preceded by a period of gathering input from stakeholder groups and a report from the State's consultant.

The initial law required the Commission to conclude its work within one year but the Commission was extended until December 2018. In December 2018, the Commission adopted policy recommendations, largely the work of its four working groups, and announced the final report on policy recommendations will be produced in January 2019. The Commission also received an extension into fall 2019 to finalize its recommended changes to the State education funding formula.

One final piece of background involves one legislative action that earmarked certain funds in fiscal year 2020 for the implementation of Kirwan recommendations. In 2018, the General Assembly passed, [HB 1415, Education - Commission on Innovation and Excellence in Education](#), which required the Comptroller to set aside \$200 million in FY20 as a down payment on Kirwan recommendations.

All meeting dates and details for the Kirwan Commission may be located here on the Department of Legislative Services website: <http://dls.maryland.gov/policy-areas/commission-on-innovation-and-excellence-in-education#!>.

Commission Policy Recommendations

As noted, the Commission's final report on policy recommendations will be issued in January 2019. However, from its final December 2018 meeting, it is evident that the policy recommendations will be based on the work of the Commission's four working groups and may be accessed directly here:

[Early Childhood Education](#);
[High Quality and Diverse Teachers and Leaders](#);
[College and Career Readiness Pathways](#); and
[More Resources for At-Risk Students](#).

In addition to these four policy area working groups, the Commission has drafted significant policy recommendations in the areas of [Governance and Accountability](#).

This report will focus on the potential for legislation related to Kirwan policy recommendations in the upcoming 2019 legislative session. However, it is important that the Board, staff, employees, and citizens review and understand the significant ramifications contained within these overall policy recommendations.

To summarize only a few of the highlights:

Early Childhood Education – The Commission's focus is to expand full-day pre-K for four year olds and three-year olds with family incomes up to 300% of the federal poverty level, and four year olds with family incomes between 300 – 600% of the federal poverty level;

High Quality Teachers and Leaders – The focus is to establish a minimum starting teacher salary of \$60,000 and increase the number of educators through “professionalizing” teaching through a career ladder approach. Simultaneously, the Commission is on record indicating they do not endorse any change to the collective bargaining law;

College and Career Readiness Pathways – The recommendations in this area in many ways re-invent the high school programs in the state. They establish college and career ready status by the end of 10th grade, without alternatives to required assessments, and provide access to staff who will counsel and advise them on CTE pathway options. The Commission is on record as considering these policy recommendations prospective and not requiring any local board to change its existing programs and centers without available funding;

More Resources for At-Risk Students – The focus is on students who receive services for special education, are English language learners, are economically disadvantaged, or who attend schools with high a concentration of poverty; and

Governance and Accountability – The focus is to establish a new accountability Oversight Board that would either share or assume certain accountability from the Maryland State Board of Education. Local board plans would be submitted to both the State Board and the Oversight Board, which may make its own recommendations for improvement. The Oversight Board would have the authority to withhold up to 25% of new funding. Critical terms, including new funding, remain undefined in this area.

Outlook for 2019 General Assembly

While in theory it is possible to divorce policy from requisite funding required to implement, it is impossible for such separation to exist in reality. Therefore, the specific recommendations that are likely to be legislated need to relate to some reasonable expectation for available funding. To that end, the Commission, at its final 2018

meeting, proposed a “[Down Payment on Commission Recommendations](#)” totaling \$200 million. In addition, the Commission verbalized support for an additional \$125 million from the so-called “lock-box” funding to be earmarked for the special education placeholder weight. This is funding attached to the recently adopted referendum of casino revenue.

It is not an accident that the \$200 million outlined aligns with the funding the General Assembly required the Comptroller to earmark for FY20 through the passage in 2018 of HB 1415, Education - Commission on Innovation and Excellence in Education. This bill was passed on the prospect of an increase in State revenue in individual income tax based on changes previously enacted to the federal tax code. The additional \$125 million suggested by the Commission from the “lock-box” for special education are likely subject to more powerful political currents during the 2019 legislative session.