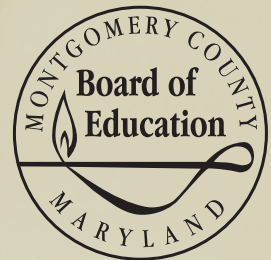
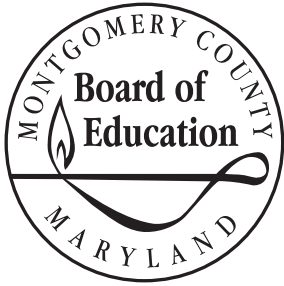


MONTGOMERY COUNTY BOARD OF EDUCATION

# Legislative Platform

2013 Session of the  
Maryland General Assembly





## VISION

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*A high-quality education is the fundamental right of every child. All children will receive the respect, encouragement, and opportunities they need to build the knowledge, skills, and attitudes to be successful, contributing members of a global society.*

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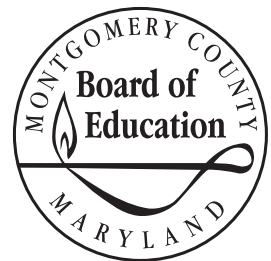
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# Legislative Platform

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## LEGISLATIVE POSITIONS

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## ■ INVESTING IN OUR CHILDREN'S FUTURE

THE MONTGOMERY COUNTY BOARD OF EDUCATION believes that today's investments in the Montgomery County Public Schools (MCPS) are crucial to a prosperous economy, strong business growth, and students' ability to compete for good jobs in the global, high-tech economy. School systems must be adequately funded to prepare our youth to support future economic health. We urge you and the entire General Assembly to remain vigilant against the potential negative impacts of unfunded mandates, including significant additional workload burdens with no accompanying source of revenue. We look forward to a successful 2013 legislative season in which children's welfare continues to be paramount.

### **Maintenance of Effort**

The Passage of the *Bridge to Excellence in Public Education Act of 2002* (BTE) resulted in a dramatic change to education funding in Maryland. Even during challenging fiscal times, the General Assembly has held the line on education funding evidenced by having annually provided \$5.7 billion in education aid since 2008. Maryland's Maintenance of Effort (MOE) requirement, in place since 1984, requires school systems receive, at a minimum, the same per-pupil local funding in a subsequent year as was received in a current year. This provision, along with the BTE funding paradigm, provides assurance that the goals of adequacy, equity, and excellence are met.

We are grateful that the 2012 General Assembly both clarified and strengthened Maryland's longstanding MOE law. Those actions now make clear that MOE is the required funding floor for all local jurisdictions, rather than the funding amount required to receive any increase in state education aid. Furthermore, the enacted law is the hallmark of good governance, providing flexibility and transparency. The historical legacy of support for quality education for Montgomery County Public Schools is greatly appreciated and we pledge to continuing to work cooperatively with our county partners.

### **Common Core State Standards**

Governor Martin O'Malley and former State Superintendent Nancy Grasmick committed Maryland to the Common Core State Standards. This initiative provides a clear understanding and expectation of what each student should learn and master. The initiative develops a set of standards that are common across states with a resulting curriculum continuing to be a local responsibility (or state-led, where appropriate). As these standards are being implemented across Maryland and within our school district, we must ensure that this is not an unfunded mandate and that resources are available to bring to fruition the goals and objectives of these standards.

### **Long-range Planning and Capacity Issues**

MCPS continues to experience a burgeoning increase in enrollment and diversity along racial, ethnic, and socioeconomic lines. At the same time, we are challenged by limited capacity in school facilities. The projections over the next several years call for significant expenditures in the capital and operating budgets to accommodate these student enrollment increases. State construction dollars are critical and we urge allocation be proportional to our share of statewide student enrollment. Over the years, MCPS has sought to balance the fiscal difficulties facing the county with the need to address our overcrowded schools and aging facilities and infrastructure. We are committed to working with our local county government and our local state delegation to address our tremendous needs in the most responsible way possible, while continuing to provide our students with an adequate learning environment.

### ■ STATE EDUCATION FUNDING

Maryland's public schools are ranked Number One in the nation. The *Bridge to Excellence in Public Schools Act of 2002* (BTE) represents the resources invested to support this achievement. Full funding of the BTE, including the Geographic Cost of Education Index (GCEI) and the annual inflation factor, is needed to sustain successful programs and services for our students.

To keep pace with rising standards for student performance, including the Common Core Standards, state aid must be sustained. The *Bridge to Excellence in Public Schools Act of 2002* (BTE), conceived to ensure adequacy and equity in education funding, has led to increased student performance in Maryland. The Common Core Standards initiative, agreed to by Maryland, has significant budgetary impacts yet to be accounted for. Additionally, if the January 2013 across-the-board cuts, or sequestration, to all federal education programs take place, they will have a devastating impact on some of our most vulnerable students. Since 2008, the BTE targeted funding level has been maintained.

#### **The Montgomery County Board of Education supports—**

- Full-commitment to BTE funding, including the GCEI and student transportation.
- Mandating GCEI funding.
- Annual inflation adjustment.

#### **The Montgomery County Board of Education opposes—**

- Any retreat from funding identified in BTE.
- Additional state mandates, unless accompanied by sufficient and ongoing state funding.

In addition, meeting the needs of our rapidly expanding diverse student population requires recognition of the additional resources needed to both meet educational needs and fulfill mandated monitoring and reporting requirements.

#### **The Montgomery County Board of Education also supports—**

- Additional funding to support English for Speakers of Other Languages
- Reimbursement for students placed by state agencies at the Regional Institute for Children and Adolescents (RICA).

### ■ CAPITAL BUDGET/SCHOOL CONSTRUCTION

State construction funds continue to be inadequate to meet the substantial needs of our burgeoning student enrollment. Rapid enrollment growth, coupled with maintenance needs in older schools, continues to put enormous pressures on school facilities. Without adequate school construction funding, MCPS will be forced into an over-reliance on relocatable classrooms while increasingly aging and less than adequate facilities will become the norm making it hard to meet the educational needs of our students. Limited state funding has forced Montgomery County to forward-fund critical projects that are eligible for state funding but for which no state funds are ever received.

For Fiscal Year 2013, the total state Capital Budget for school construction was \$349.2 million, including \$25 million held in reserve for projects that will improve the energy efficiency of schools. MCPS was eligible for \$184.5 million and received \$43.1 million. This year, there are 385 relocatables in use at schools to address enrollments that exceed capacity, with more anticipated next year. Increasingly, aging and less-than-adequate facilities will become the norm, making it hard to meet the educational needs of our students.

#### **The Montgomery County Board of Education supports—**

- Robust school construction and renovation funding for FY 2014 to address school facility needs.
- Expanding the state's bonding capacity to meet Maryland's growing school facility needs.
- Establishing distribution of school construction funds equal to the percentage share of student enrollment statewide and taking into consideration systems with a rapid rate of enrollment growth.
- Revising current standards for the Interagency Committee square footage allowances for new and modernized schools to eliminate penalty for building additional classrooms intended to reduce class size in support of student achievement.
- Developing a mechanism to ensure that locally forward-funded projects remain eligible for state funding, even after the project has been completed.
- Changing the Public School Construction Program to address inequities in funding needs related to the size and location of a Local Education Agency.
- Establishing incentives for green and energy-efficient school construction.
- Continuing the funding for the Energy Efficiency Initiative (EEI).

#### **The Montgomery County Board of Education opposes—**

- Any reduction in the state and local cost-share formula.
- Any change to the threshold requirements for prevailing wages.

### ■ SPECIAL EDUCATION NONPUBLIC TUITION

Montgomery County Public Schools (MCPS) and the Maryland State Department of Education (MSDE) share the costs for providing services for special education students who are served in nonpublic schools. The program requires local school systems to pay 300 percent of the average per-pupil cost and, since 2010, 30 percent, rather than 20 percent, of any amount in excess; MSDE is required to fund the remaining 70 percent, rather than 80 percent. The Nonpublic Tuition Assistance Program has been beneficial in supporting our obligation to provide appropriate services to students who require intensive special education services.

#### **The Montgomery County Board of Education supports—**

- Restoring the 80/20 cost-sharing formula of the Nonpublic Tuition Assistance Program.

#### **The Montgomery County Board of Education opposes—**

- Any attempts to increase the local share of tuition for special education students served in nonpublic schools.

### ■ PUBLIC FUNDING FOR PRIVATE SCHOOLS

Nonpublic schools are neither subject to state accountability measures nor to the same legal requirements as public schools, such as those set out in special education laws and teacher certification regulations. With the increasing unmet needs in public schools, state funds must be targeted to address the needs of public school students in Montgomery County and throughout the state.

#### **The Montgomery County Board of Education supports—**

- Strong accountability for all public dollars spent on education.

#### **The Montgomery County Board of Education opposes—**

- Appropriation of public funds for private and parochial schools.
- Direct aid to private and parochial students.
- Tuition tax credits, vouchers, or tax credits as a means of reimbursing parents who choose to send their children to private or parochial schools.
- Continuation or expansion of providing textbooks to private schools.





THE MARYLAND STATE BOARD OF EDUCATION establishes, through regulations, broad statewide policies and mandates, with local boards of education responsible for establishing policies and procedures for the public schools within their jurisdiction. While the General Assembly has a role in crafting Maryland's Education Article, any unfunded requirements should be discretionary or authorizing, rather than mandatory. By retaining decision-making authority at the local level, a board of education can best balance educational practices, available resources, public input, and accountability.

### ■ CURRICULUM AND ASSESSMENTS

In creating the State Board and local boards of education, the General Assembly has delegated to them the responsibility for development of content standards, curriculum, and assessments. The State Board establishes standards and the local boards adopt and implement locally developed programs with local funding to ensure that these standards are met and students are prepared to meet graduation requirements. The state and local boards of education can best balance educational practices and available resources to ensure that all students, schools, and school systems are held accountable for their work.

#### **The Montgomery County Board of Education supports—**

- Maintaining the authority of local boards of education to determine educational policy, curriculum, graduation requirements, and administration.
- Retaining decision-making authority at the local level.

#### **The Montgomery County Board of Education opposes—**

- Any efforts by the General Assembly to legislate curriculum or assessments, firmly believing that this role belongs to local boards of education in conjunction with the State Board.

### ■ CHARTER SCHOOLS

In 2003, the General Assembly enacted legislation that created a charter school program. While the Maryland Public Charter School Act establishes an alternative means within a public school system to provide teaching and learning, there remains the need for a strong accountability system to ensure that any public charter school funds are appropriately spent.

#### **The Montgomery County Board of Education supports—**

- Reaffirming that the sole authority for establishing public charter schools is vested in local boards of education, with an appropriate procedure for appeals of local decisions.

#### **The Montgomery County Board of Education opposes—**

- Efforts to expand charter school authority beyond local school boards.
- Efforts to weaken academic or fiscal accountability requirements.
- Any attempt to deprive charter school employees of the rights and responsibilities of other public employees.

THE MONTGOMERY COUNTY BOARD OF EDUCATION is committed to providing a high-quality, world-class education that ensures success for every student through excellence in teaching and learning. A high-quality education is the fundamental right of every child. Montgomery County Public Schools is steadfast in ensuring that all students will receive the respect, encouragement, and opportunities they need to build the knowledge, skills, and attitudes to be successful, contributing members of a global society.

### ■ EARLY CHILDHOOD EDUCATION

Montgomery County Public Schools (MCPS) believes that investments in early childhood education are both wise and essential to ensuring success for every student. A longitudinal study by the National Institutes of Health concluded that investing in early childhood education can yield impressive economic benefits, including an 18 percent return on investment. MCPS is a significant partner in Montgomery County's Early Childhood Initiative, which ensures that family-focused programs and services for young children are neighborhood-based, effective, responsive to cultural diversity, make a measurable, positive difference in children's well-being, and help prepare them for success in school.

#### **The Montgomery County Board of Education supports—**

- State fiscal support for any expansion of local prekindergarten services.
- Statewide initiatives fostering school readiness through the provision of high-quality early childhood programs, including child care.
- Efforts that encourage the provision of an array of services by a variety of agencies.
- Efforts to ensure affordable child care co-payments for parents.
- Efforts that protect the safety, health, and well-being of children in child care.



## ■ NUTRITION AND HEALTH

Thousands of low-income children in Maryland depend on school meals for the nutrition they need to learn and grow. *Maryland Meals for Achievement* provides funding for schools with high concentrations of poverty to provide breakfast to all students, regardless of family income. Most recently, of the 50 schools that are eligible to apply for the program and not in the program, only 8 were approved for the program in FY 2013. As a result, only 40 of the 82 eligible schools have been selected to participate in the program. The Maryland State Department of Education (MSDE) would only accept applications for the currently enrolled schools and a priority list for those eligible but not in the program. Additionally, the *Summer Food Service Program* ensures that children in lower income areas continue to receive nutritious meals during the summer months when school breakfasts and lunches are not available.

### **The Montgomery County Board of Education supports—**

- Expansion of Maryland Meals for Achievement as an entitlement to include all eligible schools that choose to apply.
- Efforts to increase federal funding for the Summer Food Service Program

### **The Montgomery County Board of Education opposes—**

- Limiting the number of eligible schools from participation in Maryland Meals for Achievement.

## ■ SAFETY AND SECURITY

Safety in public schools has become increasingly important as threats to national and community security have taken on new meaning. The prevention of disruption and violence has always been a key component of long-term effective school safety strategies. The pursuit of a safe environment must be tempered by a balanced emphasis on the protection of individual student rights.

### **The Montgomery County Board of Education supports—**

- Innovative initiatives and funding that speak to strategies that ensure a safe and secure learning and working environment for students and staff, including those that address gang prevention and involvement and promote targeted interventions to reduce gang activity.

### **The Montgomery County Board of Education opposes—**

- Statewide approach to discipline that limits a school system's ability to respond to unique and unusual circumstances.

## ■ HOME SCHOOLING

Maryland law recognizes home instruction as an alternative to public school enrollment and as a means for students to receive regular, thorough instruction. Currently, home school students are expressly authorized to participate in public school standardized testing.

### **The Montgomery County Board of Education opposes—**

- Any requirement that home school students be allowed to participate in public school athletics or other extracurricular activities.



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