

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: November 7, 2012

TO: **BOARD OF EDUCATION**

FROM: S. Dallas Dance, Superintendent

SUBJECT: **CONSIDERATION OF THE BOARD OF EDUCATION'S
LEGISLATIVE PLATFORM**

ORIGINATOR: David Uhlfelder, Chairperson, Government Relations Committee

**RESOURCE
PERSON(S):** Robert Barrett, Executive Officer
Edward Novak, Governmental Relations Liaison

INFORMATION

That the Board of Education approves the 2013 Legislative Platform to be presented to the Baltimore County Delegation at the Legislative Forum on November 19, 2012.

Attachment I – Legislative Platform

*Baltimore County Public Schools
2013 Legislative Platform*





The Baltimore County Public Schools is committed to a high quality education, in a safe and positive learning environment, that prepares all students to pursue college and career paths of their choice.

For the past twelve years, Baltimore County Public Schools has advanced with the Blueprint for Progress as its foundational document. For the next five years, Blueprint 2.0 will guide the school system toward being the best school system in the nation. The focus areas for Blueprint 2.0 are academics, safety and security, communications, and organizational effectiveness.

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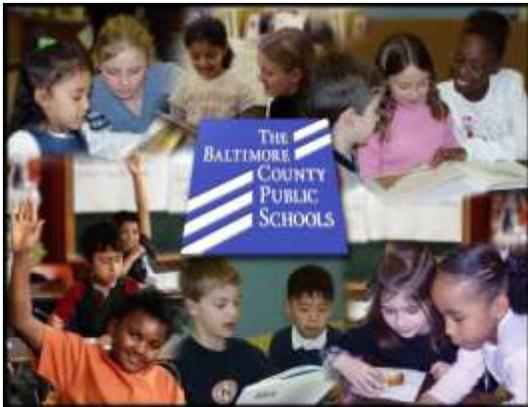
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BALTIMORE COUNTY BOARD OF EDUCATION

LEGISLATIVE PLATFORM

Maryland General Assembly -
2013 Session



LEGISLATIVE Priorities

- Students
- School Funding
- Maintenance of Effort
- School Construction
- Charter Schools
- Curriculum and Testing
- Local Board Authority

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BALTIMORE COUNTY PUBLIC SCHOOLS

VISION

Baltimore County Public Schools graduates will choose and enter college and career paths for which they have been well prepared by meeting rigorous standards. All Baltimore County Public School employees will participate in professional growth plans that enhance their ability to provide a world class education for every student.

MISSION

Baltimore County Public Schools will provide a high quality education, in a safe and positive learning environment, that prepares all students to pursue college and career paths of their choice.

GOALS

Building a Culture of Deliberate Excellence by:

- Providing a high quality, rigorous curriculum for all students
- Creating healthy, safe, and orderly learning environments
- Providing open, transparent and honest communication to all stakeholders
- Maximizing organizational efficiency and effectiveness to promote student achievement

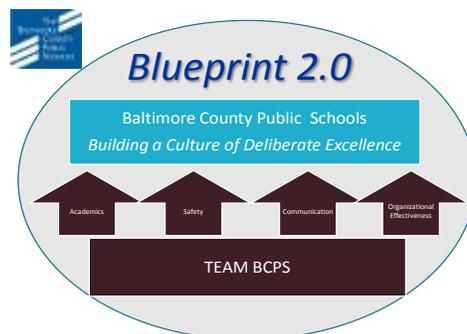
INTRODUCTION

Our “2013 Legislative Platform” supports the Baltimore County Public Schools (BCPS) goal to provide a high quality and comprehensive educational program designed to meet the needs of a large and diverse student population. It is consistent with the direction provided to the system and all of its employees by the *Blueprint for Progress* and its successor, *Blueprint 2.0*.

The Legislative Platform contains the legislative priorities adopted by the Board of Education of Baltimore County. These priorities are significant to the enhancement of public education and are likely, based on prior experiences, to be considered during the 2013 General Assembly Session. A number of these topics are also part of the federal government’s involvement in K-12 public education process.

Although there are signs of improvements in both the national and Maryland economic climate, it is widely anticipated that a significant portion of the 2013 Session will again involve the critical need to address another challenging budgetary year. The economic downturn has continued to adversely affect tax revenues for all levels of government, resulting in the potential for less funding for public education activities and for local government aid to Maryland’s counties. Initial estimates indicate that the General Assembly will need to address a structural deficit of about \$638 million as part of its FY2014 Budget deliberations.

The Board and the Superintendent are committed to work diligently with Baltimore County’s elected officials to ensure the continued delivery of excellent education opportunities for all students. To enhance the educational experiences in Baltimore County, we urge avoidance of unfunded mandates as well as ineffective efforts to modify curriculum and instruction.



LEGISLATIVE PRIORITIES

■ STUDENTS

EARLY CHILDHOOD EDUCATION

BCPS believes that investment in early childhood education is both wise and essential to preparing students for future academic success. A recently released study by the National Institutes of Health concluded that investing in early childhood education can yield impressive economic benefits.

BCPS early childhood programs, which are family-focused, neighborhood-based, effective, responsive to cultural diversity; make measurable, positive differences in children's well-being, and help prepare them for success in school.

The Board of Education of Baltimore County Supports:

- Statewide initiatives fostering school readiness through the provision of high-quality early childhood programs.
- Expansion of local prekindergarten education with necessary State provided additional funding.
- Efforts that encourage the provision of an array of services by a variety of agencies supporting early childhood learners.
- Efforts to ensure availability of child care, with affordable co-payments for parents; efforts that protect the safety, health, and well-being of children in related child care.

SAFETY AND SECURITY

Safety in public school has become increasingly important as threats to national and community school security have become more prevalent. The prevention of disruption and violence in our schools 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.

There is also a relationship between the statutory compulsory attendance requirements and the suspension/expulsion requirements that is a continuing challenge. This is of increased significance given the passage of legislation during the 2012 Legislative Session that will increase the age of compulsory

attendance from age 15 to age 17 with a phased-in process that will to be fully implemented for the 2017-2018 school year.

The Board believes that it is important that public education be recognized as a comprehensive community responsibility and every participant and stakeholder needs to be engaged and accountable.

The Board of Education of Baltimore County Supports:

- Safe and orderly teaching and learning environments by providing all staff and students with the opportunity to teach and learn in an environment that is free of disruptive and detrimental behavior to allow for strong student achievement.
- Innovative initiatives and funding for strategies that ensure a safe and secure learning and working environments for students and staff, including those aimed at addressing gang prevention and involvement and promoting targeted interventions to reduce gang activity; such efforts should include conflict management and resolution techniques, positive behavioral intervention techniques.

The Board of Education of Baltimore County Opposes:

- Statewide approach to disciplinary matters that limits a local school system’s ability to respond to unique and unusual circumstances.



■ **SCHOOL FUNDING**

The Board strongly believes that Baltimore County's and Maryland's economic development is fundamentally supported by the level of quality of our public schools. Today's students are tomorrow's work force professionals, government leaders, business owners and skilled employees and must be supported to attain the best educational opportunities to meet the demands of a dynamic world.

It is evident that the quality of BCPS's education program as demonstrated by the academic performances of students has a direct connection to the decision of individuals who desire to remain or become residents of Baltimore County. Similarly, businesses, government and other entities clearly consider the quality of public education available at all levels as part of their determination to remain, expand or relocate to the County.

It is critical that strong and sustained investment by state and local government in BCPS continues so that the County can realize the benefits of an increased residential and commercial tax base to fund core government functions.

The Board of Education of Baltimore County Supports:

- Full funding of the Bridge to Excellence in Public Schools Act for Fiscal Year 2014 (Thornton Commission) including the annual inflation adjustment.
- Full funding of the Geographic Cost of Education Index (GCEI) for Fiscal Year 2014 and beyond to continue to recognize regional differences in the cost of education that are due to factors outside the control of local jurisdictions.
- Consideration of all available revenue options to support Maryland's public schools, including efforts to supplement not supplant existing funding sources.
- Full funding for the student transportation provisions of the Bridge to Excellence Act so that increases in public school transportation costs do not prevent local boards from meeting other funding responsibilities.
- Advocating to the Congress to provide full funding of all mandated public education programs, including reauthorization in whole or in part of key provisions of the "No Child Left Behind" Act.

The Board of Education of Baltimore County Opposes:

- Any mandates, unless accompanied by adequate, recurring state funding.
- Unfunded mandates which impair the local school system's ability to address unique needs and circumstances.

- Any public monies to support private schools, including vouchers, certificates, scholarships, tax credits, or any effort that results in the diversion of existing public education funds to create new alternative programs or school choice processes, given the many needs in public schools that lack adequate funding.



■ **MAINTENANCE OF EFFORT**

Funding for Public Education in Maryland has been a shared responsibility between state and local governments. Maintenance of Effort (MOE) was established to ensure that, as the state substantially increased its contribution of education aid, local communities would maintain or enhance their financial support.

For a number of years, more than 50% of the funding for Maryland's public schools has been provided by most county governments. Because local school boards do not have any authority to impose any taxes or fees (such authority exists in the majority of school districts in the nation), county governments are the primary funding source for local school systems. State law requires that local governments maintain a minimum level of local education funding effort each year on a per pupil basis to ensure that the local share of education funding is at least equal to the funding provided in the prior year. This minimum MOE provision is intended to ensure that local governments maintain funding levels, adjusted for enrollment, to reflect continued, appropriate levels of investment in public schools.

In 1996, the Maryland General Assembly created a process that allows the Maryland State Board of Education to grant a waiver of the MOE requirement based upon application by a local government. The law also altered the MOE requirement to permit local governments to exclude nonrecurring costs from the maintenance of effort calculation.

In 2002, the Maryland General Assembly enacted the Bridge to Excellence in Public Schools Act (referred to as "Thornton Funding"), which provided a significant increase in state funding without modifying the minimum MOE requirement for county governments funding.

In 2005, a Maintenance of Effort Commission (Commission) was established to review the funding activities of local governments in maintaining (and exceeding) the maintenance of effort required level. The Commission reviewed the MOE formula to determine if any modifications should be made. The Commission issued a final report in March 2007, but did not recommend any major changes to the current MOE formula.

During the 2012 Legislative Session, the General Assembly enacted legislation to strengthen and enhance the required local government funding level. This legislation eliminated the penalty that would have been imposed in FY 2013 for failure to meet MOE funding for three Counties, excludes debt service from the MOE calculation, modified the waiver process and authorizes the State to withhold any MOE deficiency amount from a County's local income tax revenues.

The Board of Education of Baltimore County (Board) believes that MOE funding reflects the long-standing, strong commitment that Baltimore County Government has made to K-12 public education to ensure sufficient funding is required to support the delivery of high quality educational programs. In meeting the obligation to provide a free and appropriate public K-12 education, the Board applauds the recently enacted legislation that reiterates that MOE is considered a floor but not a ceiling for the County's funding for BCPS.

The Board of Education of Baltimore County Supports:

- Continuation of the current MOE processes and required local funding level, retaining the MOE level as the local funding floor.
- The Board's continued cooperative work with County Government to enhance local K-12 public education funding that is consistent with the adequacy goals involving a thorough and efficient education as incorporated into the Thornton Commission Report.
- A request for a waiver from MOE funding level should be the last resort for a local government to consider because of the potential for damaging the outstanding progress that has been made in K-12 education in Baltimore County.

The Board of Education of Baltimore County Opposes:

- Any legislation that would allow local governments to fund school systems in any manner that would be inconsistent with MOE requirements.
- Any effort to diminish the enhancements made to the MOE process during the 2012 General Assembly Session.



■ **SCHOOL CONSTRUCTION**

The Board is truly appreciative of the funding contributed by the State of Maryland and by Baltimore County Government in support of its public school construction and renovation program. 80% of our school facilities are over 40 years old. Rapid enrollment growth, coupled with critical maintenance needs and aging facilities continues to put enormous pressure on the school system.

Our facilities-related needs are numerous and costly, ranging from the need for funding to continue progress in adding air conditioning to more of our aged schools as well as the need to procure equipment to ensure that our schools are technologically able to support the critical need to prepare students for the ever-increasing technological demands found in higher education and in the workplace.

Despite the approval of approximately \$350 million in State of Maryland Construction Funds to Baltimore County during the past 10 years, available funding continues to be inadequate to meet the requirement to provide a high quality, twenty-first century physical environment for Baltimore County Public Schools. These needs are estimated to require construction and maintenance projects funding of approximately \$1.7 billion plus an additional \$470 to \$600 million to provide air conditioning to the remaining 46 schools that lack air conditioning.

Without adequate school construction funding to address increasingly aging and less-than-adequate facilities, BCPS will be forced into an overreliance on relocatable classrooms, making it extremely difficult to meet and enhance the educational experiences for all students.

BCPS has benefitted from the strong efforts of Baltimore County Government in providing \$1.3 billion during the past 10 years for public school construction and renovation projects. To meet rapidly expanding facility funding needs, the County, through a bond borrowing ordinance referendum that requires approval by the voters on November 6, 2012, anticipates:

- Ensuring at least \$148,875 million in bond borrowing authority for school construction and renovation projects.
- Continuing to expand bond authority to meet growing school facility needs.
- Broad support for full funding of BCPS' current year school construction request of \$76 million through the State's public school construction program.

The Board of Education of Baltimore County Supports:

- Enhanced State and local government funding levels that would allow BCPS to address critical infrastructure needs.

The Board of Education of Baltimore County Opposes:

- New State initiatives, regardless of their merit, that require funding to be diverted or reprogrammed from annual allocation of funds to the Public School Construction Program rather than being provided by an additional funding source.



■ 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. Additionally, local boards of education need to maintain oversight of any charter schools to ensure that students are learning and achieving.

BCPS has one public charter that began operation as a limited grades elementary school in August 2008 (with scheduled phase-in of additional grades to create a full elementary and middle school program). Because this was the first charter school in BCPS and because the school elected to create its own curriculum in lieu of utilizing BCPS' standardized curriculum, the Board, the Superintendent and BCPS staff was required and continue to devote substantial guidance, resources, and support to assist the charter school with achieving programmatic operational efficiencies.

The Board of Education of Baltimore County Supports:

- Requirements to establish and maintain academic rigor for any charter school curriculum and for required assessment of student achievement and performance
- Legislation to promptly recover funds when a student transfers from a charter school to any other county public school; such legislation should ensure that BCPS be held harmless for certain fixed costs that do not decrease when a student no longer attending a charter school – examples include facilities leasing or capital costs, utility charges and maintenance costs.
- Legislation to ensure proper accounting of assets (purchased with public funds) including the necessary disposition of assets upon any charter school's closure or dissolution.
- Any legislative effort to review the organization and operation of charter schools in Maryland should be comprehensive in approach and must include representation of all stakeholders in any formal study, workgroup or taskforce.

The Board of Education of Baltimore County Opposes:

- Any legislative or regulatory effort that would create a "blanket waiver" that would release a charter school from full compliance with applicable state law and regulation.

- Any legislative or regulatory effort that would adversely impact academic and/or fiscal accountability and adherence to our Board's policies, given the need to ensure accountability and compliance with various legal requirements
- Any change to Maryland's Public Charter School Act, adversely affecting our Board's responsibilities as the primary school chartering authority, or otherwise weaken its oversight mandate.



■ CURRICULUM & TESTING

The Maryland State Board of Education (MSDE) and local boards of education are charged with responsibility for developing content standards and curriculum for K-12 public education. Maryland has a state curriculum for reading English/language arts, mathematics, science, and social studies. Each of the 24 school systems is authorized to use the state curriculum as a guide to develop their curriculum for students. The process provides the benefit of use a standardized academic approach but maintains the flexibility for local school systems to balance rigorous educational practices, available resources, public input, and local accountability.

Proposed legislation has been regularly introduced in the General Assembly that would mandate various changes in local public school system curriculum, sometimes based upon advocacy by special interest groups. The program of studies in each school system is developed as a whole and is linked to state and local assessment systems. The authority to establish and modify curriculum and related academic tracking is provided to the state board and to local boards because these bodies have the responsibility to direct the respective superintendents to provide high quality and consistent academic instruction to students. Superintendents and their staffs have the expertise to effectively research and evaluate curriculum and assessments from a system-wide perspective.

Legislative efforts to impose individual curriculum programs or assessment processes can create implementation difficulties because there is greater likelihood of programmatic inconsistencies reflective of a piecemeal approach that can weaken comprehensive and rigorous instruction. In addition, local boards and superintendents must be able to rely on adequate funding for new initiatives or programs; such funding is not often adequately addressed in such proposed legislation.

Maryland schools have achieved academic excellence that is nationally recognized. To ensure effective preparation of all students to meet the increasing challenges of the twenty-first century workplace and academic worlds, every student must have access to a challenging instructional program, which is relevant and consistent and provides the best opportunities to achieve that level of preparation. The ultimate decision-making authority regarding curriculum and assessments must be maintained and effectively implemented at the local school system level.

BCPS curricula is written, taught, and assessed curricula that is in alignment with the Common Core State Standards and is guided by a systemic teaching and learning framework utilizing a research-based set of components for instruction,

incorporating Interstate Teacher Assessment and Support Consortium for instructional standards.

The Board of Education of Baltimore County Supports:

- The authority to establish curriculum and assessments is better left with the State Board and the local boards, the same entities charged with the responsibility to research, investigate, and evaluate both the curriculum and assessments. Maintaining the authority of local boards of education to determine educational policy, curriculum, and administration from a comprehensive, systematic perspective based on guidelines and assessments established by the state board.

The Board of Education of Baltimore County Opposes:

- Efforts to have local public school curriculum content mandated or controlled by the State Legislature.
- Imposition of any unfunded mandates.
- Imposition of new or additional reporting requirements requiring additional resource utilization.



■ **LOCAL BOARD AUTHORITY**

The Board of Education of Baltimore County (Board) strongly believes that any changes to the current appointed school board structure will have detrimental effects on students and schools. Our board is comprised of dedicated volunteer members who work countless hours. The Board's focus is "to do what is needed to maintain and enhance the besting learning environment for our 107,000 students." In support of those efforts, the Board makes policy determinations and other decisions based on what is best for the entire school system.

Board members honor their legal duties and maintain an independent and highly effective working relationship with the Superintendent, who by law must be appropriately enabled to manage the operations of the 26th largest school system in the nation.

The current appointment structure allows decisions to be based on what is in the best interests of BCPS students free of political and localized influences. Experience in other Maryland Counties indicates the need for individuals to raise money to run in an election for a board position, raising the potential for involvement of narrow, special interest groups in this process.

The Board believes that passage of ANY form of an elected school board or an elected and appointed board bill will impair the Board's operation and effectiveness. Additionally, the creation of a partial or full elected board has cost implications for the school system with the potential for creation of salaries and related expenses for elected members, as is the situation in other Maryland counties.

Board members are committed to continuing the effective public dialog regarding all educational matters with all stakeholder groups and to ensure that the decision-making process properly considers all stakeholders' input. Board members communicate on a daily basis with citizens and other stakeholders by telephone, e-mails, and letters. Board members regularly attend numerous school and community events that provide opportunities for regular dialogue with the public.

Legislation was enacted in 2011 to create a 12 member group, known as the Task Force on the Selection Process, Accountability and Professionalism of the Baltimore County Board of Education (consisting of four Senators, four Delegates and four individuals appointed by the County Executive (3 appointees) and the County Council (1 appointee). The Task Force studied the current Board member selection process, the ideal size of the Baltimore County Board of Education, the most appropriate method of selecting members of the Baltimore County Board of Education (including consideration of the following: all elected,

gubernatorial appointments, Baltimore County executive appointments, partially elected and appointed, county nominating commission, and appointments with additional approval) and improving transparency and professionalism of the Baltimore County Board of Education.

The Task Force concluded three public hearing around the County and received testimony and comments from approximately 60 interested individuals. It issued a Final Report in November 2011 but did not make any recommendations regarding a change in the board member appointment process.

The Maryland Association of Boards of Education (MABE) advocates on behalf of both elected, hybrid and appointed boards of education in Maryland. While MABE does not take any formal position on whether a board should be elected or appointed, it does note that there is no evidence that demonstrates that either elected boards or appointed boards are more effective or accountable.

The Board of Education of Baltimore County Supports:

- Local control of educational policy, curriculum, and administration.
- The current appointment process for the appointment of members.

The Board of Education of Baltimore County Opposes:

- Legislative efforts reducing or impacting local board authority or which create unfunded mandates.
- Any legislation that would change the current appointed board process or establish an elected or partially elected board.

