

HOUSE BILL 1410

F1, F2, F5

6lr3597
CF SB 493

By: **Delegate M. Washington**

Introduced and read first time: February 12, 2016

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: April 3, 2016

CHAPTER _____

1 AN ACT concerning

2 **Teacher Induction, Retention, and Advancement Act of 2016**

3 FOR the purpose of altering the maximum amount of a certain State stipend awarded to
4 certain teachers or other school-based employees who hold certain certificates and
5 who teach in certain public schools; requiring certain public schools to utilize certain
6 teachers in certain leadership roles; requiring certain teachers who teach in certain
7 public middle and high schools in Anne Arundel County to receive a certain stipend
8 from the State under certain circumstances for certain academic years; establishing
9 the Teacher Induction, Retention, and Advancement Pilot Program; authorizing
10 each county board of education to choose to participate in the Pilot Program;
11 requiring a county board to select certain teachers to participate in the Pilot
12 Program; requiring a certain teacher to meet certain qualifications to participate in
13 the Pilot Program; requiring certain teachers to be afforded a certain amount of time
14 to be spent on mentoring, peer observation, assistance with planning, or other
15 preparation activities under the Program; prohibiting a certain amount of time from
16 including student supervision or administrative responsibilities; authorizing a
17 certain amount of time to include support from certain teachers under certain
18 circumstances; requiring a certain county ~~boards of education~~ board to provide
19 certain information regarding the availability of certain resources to be provided to
20 certain teachers; providing for the sharing of certain costs incurred under a certain
21 program; requiring the Governor to include annually a certain appropriation in the
22 State budget; providing for the use of certain funds under a certain program;
23 requiring the State Department of Education to develop certain criteria; requiring
24 the Department to disburse certain funds subject to certain provisions of law;
25 specifying the intent of the General Assembly; ~~defining certain terms;~~ requiring the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Department to convene a certain workgroup and submit certain reports on or before
2 certain dates; providing for the termination of certain provisions of this Act; defining
3 certain terms; and generally relating to the induction, retention, and advancement
4 of public school teachers.

5 BY repealing and reenacting, without amendments,
6 Article – Education
7 Section 6–306(a)
8 Annotated Code of Maryland
9 (2014 Replacement Volume and 2015 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – Education
12 Section 6–306(b)(2) and (5), (c), (d), and (e)
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2015 Supplement)

15 BY adding to
16 Article – Education
17 Section 6–117.1 and 6–306(b)(5) and (c)
18 Annotated Code of Maryland
19 (2014 Replacement Volume and 2015 Supplement)

20 Preamble

21 WHEREAS, Teacher turnover in Maryland remains a persistent problem, as it does
22 in many parts of the country; and

23 WHEREAS, Between 40% and 50% of all first year teachers will leave the profession
24 by the end of their fifth year of teaching; and

25 WHEREAS, A large amount of teacher turnover contributes to both school instability
26 and student instability, particularly in communities that are highly impacted by instances
27 of instability; and

28 WHEREAS, Teacher turnover is costly to local school systems, costing as much as
29 \$50,000 for every teacher leaving the system according to the National Center for Teaching
30 and America’s Future, for recruiting, inducting, and other personnel matters relating to
31 new teacher training; and

32 WHEREAS, There are almost 3,000 teachers in Maryland on whom National Board
33 Certification has been conferred; and

34 WHEREAS, There are 634 teachers in Maryland currently pursuing National Board
35 Certification; and

1 WHEREAS, In 2015, two new studies found that National Board Certified teachers
2 are more effective at advancing student learning than teachers who are not National Board
3 Certified, building on more than a decade of research finding similar results; and

4 WHEREAS, During the 2015 Legislative Session, a \$1,500 stipend that was required
5 to be awarded to public school teachers that hold an advanced professional certificate and
6 who teach in a public school having comprehensive needs was eliminated; now, therefore,

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
8 That the Laws of Maryland read as follows:

9 **Article – Education**

10 6–306.

11 (a) (1) In this section the following words have the meanings indicated.

12 (2) “County grant for national certification” means an annual grant
13 distributed to a teacher certified by the National Board for Professional Teaching
14 Standards established:

15 (i) Outside of the collective bargaining process; or

16 (ii) As part of a collective bargaining agreement with the local
17 employee organization.

18 (3) “School–based employee” means a certificated employee who works
19 directly with students or teachers at a public school.

20 (b) (2) A classroom teacher or other nonadministrative school–based employee
21 in a public school identified by the State Board as having comprehensive needs who holds
22 a standard professional certificate or an advanced professional certificate who is employed
23 by a county board and who holds a certificate issued by the National Board for Professional
24 Teaching Standards shall receive a stipend from the State in an amount equal to the county
25 grant for national certification, up to a maximum of [\$2,000] ~~\$5,000~~ \$4,000 per qualified
26 individual.

27 **(5) TO THE MAXIMUM EXTENT PRACTICABLE, EACH PUBLIC SCHOOL**
28 **SHALL UTILIZE TEACHERS WHO HAVE OBTAINED NATIONAL BOARD CERTIFICATION**
29 **IN LEADERSHIP ROLES WITHIN THE SCHOOL.**

30 [(5)] (6) (i) 1. The State Board shall establish a program to
31 support locally negotiated incentives, governed under Subtitles 4 and 5 of this title, for
32 highly effective classroom teachers and principals to work in public schools that are:

33 A. In improvement, corrective action, or restructuring;

1 B. Categorized by the local school system as a Title I school;
2 or

3 C. In the highest 25% of schools in the State based on a
4 ranking of the percentage of students who receive free and reduced priced meals.

5 2. The program established under subparagraph 1 of this
6 subparagraph may include financial incentives, leadership changes, or other incentives.

7 (ii) 1. The State Board shall adopt guidelines to implement this
8 paragraph.

9 2. Nothing in this paragraph shall be construed to prohibit a
10 local school system from employing more stringent standards than the guidelines adopted
11 under this subparagraph.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
13 as follows:

14 Article – Education

15 6–306.

16 **(c) (1) THIS SUBSECTION APPLIES ONLY IN ANNE ARUNDEL COUNTY.**

17 **(2) IN THIS SUBSECTION, “COUNTY GRANT FOR TEACHING IN AN**
18 **ECONOMICALLY DISADVANTAGED SCHOOL” MEANS AN ANNUAL GRANT**
19 **DISTRIBUTED TO A TEACHER WHO TEACHES IN AN ECONOMICALLY DISADVANTAGED**
20 **SCHOOL ESTABLISHED:**

21 **(i) OUTSIDE OF THE COLLECTIVE BARGAINING PROCESS; OR**

22 **(ii) AS PART OF A COLLECTIVE BARGAINING AGREEMENT WITH**
23 **THE LOCAL EMPLOYEE REPRESENTATIVE.**

24 **(3) FOR FISCAL YEARS 2017 THROUGH 2019, THE GOVERNOR SHALL**
25 **INCLUDE IN THE STATE OPERATING BUDGET FUNDING FOR THE STIPENDS**
26 **PROVIDED IN THIS SUBSECTION.**

27 **(4) FOR ACADEMIC YEARS 2016–2017 AND 2017–2018, A CLASSROOM**
28 **TEACHER SHALL RECEIVE A STIPEND FROM THE STATE IN AN AMOUNT EQUAL TO**
29 **THE COUNTY GRANT FOR TEACHING IN AN ECONOMICALLY DISADVANTAGED**
30 **SCHOOL, UP TO A MAXIMUM OF \$1,500 IF THE TEACHER:**

31 **(i) TEACHES IN A PUBLIC MIDDLE OR HIGH SCHOOL IN WHICH**
32 **AT LEAST 30% OF THE STUDENTS AS A PERCENTAGE OF FULL–TIME EQUIVALENT**

1 STUDENTS AS DEFINED IN § 5-202 OF THIS ARTICLE QUALIFY FOR FREE AND
 2 REDUCED-PRICE MEALS UNDER THE NATIONAL SCHOOL LUNCH PROGRAM;

3 (II) HOLDS A STANDARD OR ADVANCED PROFESSIONAL
 4 CERTIFICATE; AND

5 (III) IS EMPLOYED BY THE COUNTY BOARD.

6 [(c)] (D) An individual who receives a stipend or bonus under subsection (b) OR
 7 (C) of this section may not be deemed an employee of the State.

8 [(d)] (E) The employer of an individual who receives a stipend or bonus under
 9 subsection (b) OR (C) of this section shall pay the increase in fringe benefit costs associated
 10 with the stipend or bonus.

11 [(e)] (F) The Department shall act as fiscal agent for funds disbursed under this
 12 section.

13 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 14 as follows:

15 Article – Education

16 **6-117.1.**

17 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
 18 **INDICATED.**

19 **(2) “FIRST YEAR TEACHER” MEANS A PUBLIC SCHOOL TEACHER WHO**
 20 **HAS NOT PREVIOUSLY HAD ANY FULL-TIME TEACHING EXPERIENCE.**

21 **(3) “PROGRAM” MEANS THE TEACHER INDUCTION, RETENTION, AND**
 22 **ADVANCEMENT PILOT PROGRAM.**

23 **(B) (1) THERE IS A TEACHER INDUCTION, RETENTION, AND**
 24 **ADVANCEMENT PILOT PROGRAM IN THE STATE.**

25 **(2) (I) EACH COUNTY BOARD MAY CHOOSE TO PARTICIPATE IN THE**
 26 **PILOT PROGRAM.**

27 **(II) A COUNTY BOARD SHALL SELECT THE FIRST YEAR**
 28 **TEACHERS TO PARTICIPATE IN THE PILOT PROGRAM.**

29 **(III) A COUNTY BOARD IS ENCOURAGED TO GIVE PRIORITY TO**
 30 **TEACHERS THAT TEACH IN SCHOOLS THAT ARE A PART OF A CLUSTER OF SCHOOLS**

1 IN WHICH THE MAJORITY OF THE ELEMENTARY AND MIDDLE SCHOOLS THAT FEED
2 INTO ONE HIGH SCHOOL ARE TITLE I SCHOOLS.

3 (3) TO PARTICIPATE IN THE PILOT PROGRAM, A TEACHER MUST
4 TEACH IN A TITLE I SCHOOL OR A SCHOOL THAT HAS BEEN IDENTIFIED BY THE
5 COUNTY BOARD AND APPROVED BY THE DEPARTMENT AS A SCHOOL WITH A
6 CRITICAL MASS OF ECONOMICALLY DISADVANTAGED STUDENTS.

7 (c) (1) UNDER THE PILOT PROGRAM, EACH PARTICIPATING FIRST YEAR
8 TEACHER SHALL BE AFFORDED AT LEAST 20% MORE TIME THAN TEACHERS WHO
9 ARE NOT FIRST YEAR TEACHERS DURING THE ACADEMIC WEEK TO BE SPENT ON
10 MENTORING, PEER OBSERVATION, ASSISTANCE WITH PLANNING, OR OTHER
11 PREPARATION ACTIVITIES.

12 (2) THE ADDITIONAL TIME AFFORDED UNDER PARAGRAPH (1) OF
13 THIS SUBSECTION MAY NOT INCLUDE STUDENT SUPERVISION OR ADMINISTRATIVE
14 RESPONSIBILITIES.

15 (3) AT THE REQUEST OF A FIRST YEAR TEACHER MADE TO THE
16 PRINCIPAL OF A SCHOOL, THE ADDITIONAL TIME AFFORDED UNDER PARAGRAPH (1)
17 OF THIS SUBSECTION MAY INCLUDE SUPPORT FROM A VETERAN TEACHER.

18 (4) ~~EACH A COUNTY BOARD THAT HAS A PARTICIPATING FIRST YEAR~~
19 ~~TEACHER~~ SHALL PROVIDE EACH FIRST YEAR TEACHER PARTICIPATING IN THE
20 PILOT PROGRAM FROM THAT COUNTY WITH INFORMATION REGARDING RESOURCES
21 AVAILABLE TO THE FIRST YEAR TEACHER THAT MAY BE USED DURING THE
22 ADDITIONAL TIME THAT INCLUDE:

23 (I) MENTORING;

24 (II) PEER OBSERVATION; AND

25 (III) ASSISTANCE WITH PLANNING.

26 (d) ANY COSTS INCURRED UNDER THE PILOT PROGRAM SHALL BE BORNE
27 80% BY THE STATE AND 20% BY THE COUNTY BOARD.

28 (e) (1) THE GOVERNOR ANNUALLY SHALL INCLUDE AN APPROPRIATION
29 OF ~~\$7,000,000~~ \$5,000,000 IN THE STATE BUDGET FOR THE DEPARTMENT TO
30 ADMINISTER THE PILOT PROGRAM.

31 (2) THE DEPARTMENT SHALL DEVELOP CRITERIA BY WHICH FUNDS
32 SHALL BE ALLOCATED TO LOCAL SCHOOL SYSTEMS TO ALLOW FIRST YEAR
33 TEACHERS TO PARTICIPATE IN THE PILOT PROGRAM.

1 **(3) (I) IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION,**
 2 **AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT**
 3 **SHALL DISBURSE FUNDS TO EACH COUNTY BOARD THAT HAS FIRST YEAR TEACHERS**
 4 **PARTICIPATING IN THE PILOT PROGRAM.**

5 **(II) THE DEPARTMENT SHALL INCLUDE ANY COSTS INCURRED**
 6 **BY A COUNTY BOARD IN MEETING THE REQUIREMENTS OF SUBSECTION (C)(3) AND**
 7 **(4) OF THIS SECTION WHEN DISBURSING FUNDS TO A COUNTY BOARD.**

8 **(4) IT IS NOT THE INTENT OF THE GENERAL ASSEMBLY THAT**
 9 **ENOUGH FUNDS BE PROVIDED TO ENSURE THAT EVERY FIRST YEAR TEACHER IN THE**
 10 **STATE BE ABLE TO PARTICIPATE IN THE PILOT PROGRAM.**

11 SECTION ~~3~~ 4, AND BE IT FURTHER ENACTED, That ~~en~~:

12 (a) On or before December 1, 2021, the State Department of Education shall
 13 report to the Governor and, in accordance with § 2-1246 of the State Government Article,
 14 the General Assembly regarding the retention of first year teachers that participate in the
 15 Teacher Induction, Retention, and Advancement Pilot Program.

16 (b) The report shall:

17 (1) include the number of first year teachers who participated in the Pilot
 18 Program and are still teaching 4 and 5 years after participating in the Pilot Program,
 19 versus the number of teachers who were similarly situated first year teachers but who did
 20 not participate in the Pilot Program and are still teaching 4 and 5 years later; and

21 (2) make recommendations on whether to continue, modify, or eliminate
 22 the Pilot Program.

23 SECTION ~~4~~ 5, AND BE IT FURTHER ENACTED, That:

24 (a) The State Department of Education shall convene a workgroup composed of
 25 stakeholders from primary and secondary education, higher education, and other education
 26 policy experts to:

27 (1) determine how ~~to~~:

28 (i) to recruit, retain, and promote quality teachers at all levels of
 29 education in the State;

30 ~~(i)~~ (ii) to incorporate and interweave the principles of National Board
 31 Certification with the Advanced Professional Certificate, Master of Education programs,
 32 and other teacher preparation programs;

1 ~~(2)~~ (iii) to make the teacher recertification process more valuable,
2 including an exploration of how to link recertification to career ladders and content or high
3 need area specializations;

4 ~~(3)~~ (iv) to link loan forgiveness to teaching in high need schools; ~~and~~

5 ~~(4)~~ (v) to incorporate induction best practices into professional
6 eligibility certificates; and

7 (vi) existing state laws and regulations impact teacher recruitment,
8 retention, and promotion for each of the following areas:

9 1. individual and team competency;

10 2. performance measurement and management;

11 3. reward and recognition for excellent work; and

12 4. discipline in the classroom; and

13 (2) evaluate whether the stipend created under § 6–306(c) of the Education
14 Article, as enacted by Section 2 of this Act, was effective in retaining effective teachers in
15 schools with a critical mass of economically disadvantaged students.

16 (b) The workgroup established under subsection (a) of this section shall make
17 recommendations regarding:

18 (1) its findings under subsection (a) of this section; ~~and~~

19 (2) legislative changes that will ensure that teacher preparation
20 academies, as authorized under the federal Every Student Succeeds Act, will be of the
21 highest quality and rigor if they are implemented in Maryland, and the individuals that
22 participate in these academies will be fully prepared and trained to be in a classroom in
23 Maryland;

24 (3) a coordinated statewide strategy for recruiting, retaining, and
25 promoting quality teachers at all levels of education by the State Department of Education,
26 the Maryland Higher Education Commission, the University System of Maryland, and
27 other education stakeholders; and

28 (4) the best methods of incentivizing effective teachers to choose to teach
29 in low-performing schools and schools with a critical mass of economically disadvantaged
30 students in light of federal regulations that require the equitable distribution of effective
31 teachers.

32 (c) (1) On or before ~~September~~ November 1, 2016, the Department shall
33 submit ~~a~~ an interim report regarding the recommendations of the workgroup established

1 under this section to the Governor and, in accordance with § 2-1246 of the State
2 Government Article, the General Assembly.

3 (2) On or before November 1, 2017, the Department shall submit a final
4 report regarding the recommendations of the workgroup established under this section to
5 the Governor and, in accordance with § 2-1246 of the State Government Article, the
6 General Assembly.

7 SECTION ~~5~~ 6. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 2016. Section 2 of this Act shall remain effective for a period of 3 years and, at the
9 end of June 30, ~~2018~~ 2019, with no further action required by the General Assembly.
10 Section 2 of this Act shall be abrogated and of no further force and effect. ~~Section 2~~ Section
11 3 of this Act shall remain effective for a period of 6 years and, at the end of June 30, 2022,
12 with no further action required by the General Assembly, ~~Section 2~~ Section 3 of this Act
13 shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.