

**Department of Legislative Services**  
 Maryland General Assembly  
 2002 Session

**FISCAL NOTE**

Senate Bill 256 (Senator Kelley, *et al.*)  
 Education, Health, and Environmental Affairs

**Public Schools - Certificated Teachers - Reconstitution Schools or  
 Reconstitution-Eligible Schools**

This bill prohibits a provisionally certified teacher from teaching in a public school that is under State or local reconstitution.

**Fiscal Summary**

**State Effect:** General fund expenditures would increase by an estimated \$2.4 million annually to pay stipends to teachers holding advanced professional certification and working in reconstituted schools. No effect on revenues.

(\$ in millions)	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	2.4	2.4	2.4	2.4	2.4
Net Effect	(\$2.4)	(\$2.4)	(\$2.4)	(\$2.4)	(\$2.4)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** Significant increase in Baltimore City school expenditures resulting from the recruitment and hiring of professionally certified teachers. Potential increases in school system expenditures for Anne Arundel, Baltimore, and Prince George's counties. ***This bill imposes a mandate on a unit of local government.***

**Small Business Effect:** None.

## Analysis

**Current Law:** All public school teachers must be either professionally or provisionally certified. In COMAR, a provisional certificate is defined as a degree or non-degree certificate issued for one year while the applicant pursues professional certification. Professional certification falls into two categories, standard professional certification and advanced professional certification.

Local boards of education employ individuals in the positions necessary to operate public schools. Local school superintendents assign teachers to positions in schools and transfer teachers to new schools as needed.

**Background:** Local school systems with one or more schools under local or State reconstitution are shown in **Exhibit 1** with the percentage of professional school-based staff in the school systems that are provisionally certified. The exhibit demonstrates that the two school systems with the most reconstituted schools, Baltimore City and Prince George's County, also have many provisionally certified teachers.

### Exhibit 1

#### Percent of Provisionally Certified Professional School-based Staff (October 2000) in School Systems with Schools Under Local or State Reconstitution

School System	# of Schools Under Local Reconstitution	# of Schools Under State Reconstitution	% of Professional School Staff in County Provisionally Certified
Anne Arundel	1	0	3.2%
Baltimore City	82	4	25.0%
Baltimore County	1	0	3.8%
Prince George's	15	0	18.0%
State Totals	99	4	8.1%

Source: Maryland State Department of Education

The State Board of Education decides what schools to place under State and local reconstitution based on student and school performance data. Schools under local reconstitution receive additional funding and additional technical assistance from the State. The schools are also required to develop improvement plans and are monitored by the State to see how the plans are implemented. After several years, the State board may place a school under State reconstitution if student performance does not improve. Only

four schools have been placed under State reconstitution. Three of them were placed under State reconstitution before the 2000-2001 school year and are being operated by Edison Schools, Inc. The fourth school is in its first year under management by Victory Schools, Inc.

**State Expenditures:** The State provides a \$2,000 annual stipend to teachers with advanced professional certification who teach in schools under State or local reconstitution. Among professionally certified teachers in Maryland, approximately 67% hold advanced professional certification and 33% hold standard professional certification. The Maryland State Department of Education reports that 1,764 provisionally certified teachers are teaching in reconstituted schools. If these teachers were replaced with professionally certified teachers, with 67% holding advanced professional certification, approximately 1,183 additional teachers would receive the State stipend annually at a total cost of \$2.4 million. It is assumed that this amount would remain relatively stable as schools that are removed from the reconstitution list are replaced by newly-reconstituted schools.

**Local Fiscal Effect:** Among the 1,764 provisionally certified teachers working in schools that have been placed under local reconstitution, 2 work in Anne Arundel County, 1,558 work in Baltimore City, 30 work in Baltimore County, and 174 work in Prince George's County. **Exhibit 2** shows the percent of school teachers in local reconstitution schools that hold a provisional certificate. It is assumed that Anne Arundel, Baltimore, and Prince George's counties could transfer provisionally certified teachers out of schools under local reconstitution and replace them with professionally certified teachers already working in the school systems. It is further assumed, therefore, that requiring professionally certified teachers in reconstituted schools would not measurably impact the overall number of provisionally certified teachers in these counties. It could, however, make teacher recruitment efforts more difficult, require larger class sizes in reconstituted schools, or require school systems to provide incentives for professionally certificated teachers who teach in reconstituted schools. Any costs associated with these impacts cannot be reliably estimated at this time.

There would be a more substantial fiscal impact on Baltimore City, where more than half of the public schools are under State or local reconstitution and a quarter of the teachers are provisionally certified, including 42% of the teachers in schools under local reconstitution. Baltimore City would be forced to recruit a substantial number of professionally certified teachers to replace provisionally certified teachers. To recruit new teachers, it is assumed that Baltimore City would raise salaries for teachers, particularly teachers working in reconstituted schools. Furthermore, replacing the salaries of provisionally certified teachers with the higher salaries paid to professionally certified teachers would also increase costs. Although the exact costs associated with

these changes cannot be accurately estimated at this time, they are expected to be substantial.

As additional schools are placed under local and State reconstitution, other school systems could also be impacted by this legislation.

**Exhibit 2**  
**Percent of Professionally Certified School Teachers**  
**at Schools Under Local Reconstitution**

---

<b>School System</b>	<b>Number of Provisional Certified Teachers</b>	<b>Percent of Total Teachers in Reconstituted Schools</b>
Anne Arundel	2	4.3%
Baltimore City	1,558	42.5%
Baltimore	30	33.7%
Prince George's	174	25.5%

---

Source: Maryland State Department of Education

---

**Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland State Department of Education, Allegany County Board of Education, Department of Legislative Services

**Fiscal Note History:** First Reader - January 29, 2002  
ncs/hlb

---

Analysis by: Mark W. Collins

Direct Inquiries to:  
John Rixey, Coordinating Analyst  
(410) 946-5510  
(301) 970-5510