

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 759
Ways and Means

(Delegate Owings, *et al.*)

Education - "Adequate Education" for Students Defined

This bill defines adequate education as a level of student achievement that: (1) is consistent with the State's constitutional responsibility to provide a thorough and efficient system of free public schools; and (2) equates to student proficiency in reading, writing, and computational skills at the tenth grade level or higher. Comprehensive master plans submitted by local school systems must describe the strategies that will be used to provide an adequate education to all students. The State Superintendent of Schools may review the comprehensive master plan of a local school system that fails to make progress towards providing an adequate education, and the State Board of Education may withhold funds from a local school system that fails to provide an adequate education.

Fiscal Summary

State Effect: Clarifying the definition of adequate education would not materially affect State finances.

Local Effect: Requiring local school systems to provide an adequate education as defined by the bill would not have a measurable impact on local school finances.

Small Business Effect: None.

Analysis

Current Law: The Maryland Constitution requires the State to establish a thorough and efficient system of free public schools and provide by taxation or otherwise for their maintenance.

Local boards of education are required to develop and submit comprehensive master plans that describe the goals, objectives, and strategies that will be used to improve student achievement and meet State and local performance goals. If a local school system fails to demonstrate progress toward improving student achievement, the State Superintendent of Schools may review the comprehensive master plan and may require specific revisions to the plan. The State Board of Education may withhold funds from a local school system that fails to demonstrate progress toward improving student achievement and fails to develop an acceptable comprehensive master plan.

Background: Over the last 20 years, “adequacy” has become a part of the education lexicon and has been used often in education litigation to assert that school districts are not providing adequate educational services or states are not providing school districts with adequate funding. The Commission on Education Finance, Equity, and Excellence (Thornton Commission) reviewed education finance litigation in Maryland and other states where adequacy has been an issue. For its purposes, the commission defined an adequate education as one that allows a student to achieve State performance standards. Adequate funding, therefore, was defined as the funding needed to acquire the resources necessary to reasonably expect that students can meet the State’s academic performance standards. Adequacy studies conducted for the Thornton Commission were used to provide a measurable estimate of adequate funding, and the estimates were employed in the development of State aid formulas that were later adopted in the Bridge to Excellence in Public Schools Act of 2002.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, Department of Legislative Services

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lc/hlb

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