

SENATE BILL 493

F1, F2, F5

6lr1521

By: **Senators Pinsky, Conway, King, and Madaleno**

Introduced and read first time: February 3, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

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; establishing the Teacher Induction, Retention,
7 and Advancement Program; requiring certain teachers to be afforded a certain
8 amount of time to be spent on mentoring, peer observation, assistance with planning,
9 or other preparation activities under the Program; prohibiting a certain amount of
10 time from including student supervision or administrative responsibilities;
11 authorizing a certain amount of time to include support from certain teachers under
12 certain circumstances; requiring certain county boards of education to provide
13 certain information regarding the availability of certain resources to be provided to
14 certain teachers; providing for the sharing of certain costs incurred under a certain
15 program; requiring the Governor to include annually a certain appropriation in the
16 State budget; providing for the use of certain funds under a certain program;
17 requiring the State Department of Education to develop certain criteria; requiring
18 the Department to disburse certain funds subject to certain provisions of law;
19 specifying the intent of the General Assembly; defining certain terms; requiring the
20 Department to convene a certain workgroup and submit certain reports on or before
21 certain dates; providing for the termination of certain provisions of this Act; and
22 generally relating to the induction, retention, and advancement of public school
23 teachers.

24 BY repealing and reenacting, without amendments,
25 Article – Education
26 Section 6–306(a)
27 Annotated Code of Maryland
28 (2014 Replacement Volume and 2015 Supplement)

29 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Education
2 Section 6–306(b)(2) and (5)
3 Annotated Code of Maryland
4 (2014 Replacement Volume and 2015 Supplement)

5 BY adding to
6 Article – Education
7 Section 6–117.1 and 6–306(b)(5)
8 Annotated Code of Maryland
9 (2014 Replacement Volume and 2015 Supplement)

10 Preamble

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

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

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

18 WHEREAS, Teacher turnover is costly to local school systems, costing as much as
19 \$50,000 for every teacher leaving the system according to the National Center for Teaching
20 and America’s Future, for recruiting, inducting, and other personnel matters relating to
21 new teacher training; and

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

24 WHEREAS, There are 634 teachers in Maryland currently pursuing National Board
25 Certification; and

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

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

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

34 Article – Education

1 6–306.

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

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

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

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

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

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

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

21 ~~[(5)]~~ **(6)** (i) 1. The State Board shall establish a program to
22 support locally negotiated incentives, governed under Subtitles 4 and 5 of this title, for
23 highly effective classroom teachers and principals to work in public schools that are:

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

25 B. Categorized by the local school system as a Title I school;
26 or

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

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

31 (ii) 1. The State Board shall adopt guidelines to implement this
32 paragraph.

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

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

6 **Article – Education**

7 **6–117.1.**

8 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
9 **INDICATED.**

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

12 **(3) “PROGRAM” MEANS THE TEACHER INDUCTION, RETENTION, AND**
13 **ADVANCEMENT PROGRAM.**

14 **(B) THERE IS A TEACHER INDUCTION, RETENTION, AND ADVANCEMENT**
15 **PROGRAM IN THE STATE.**

16 **(C) (1) UNDER THE PROGRAM, EACH PARTICIPATING FIRST YEAR**
17 **TEACHER SHALL BE AFFORDED AT LEAST 20% MORE TIME THAN TEACHERS WHO**
18 **ARE NOT FIRST YEAR TEACHERS DURING THE ACADEMIC WEEK TO BE SPENT ON**
19 **MENTORING, PEER OBSERVATION, ASSISTANCE WITH PLANNING, OR OTHER**
20 **PREPARATION ACTIVITIES.**

21 **(2) THE ADDITIONAL TIME AFFORDED UNDER PARAGRAPH (1) OF**
22 **THIS SUBSECTION MAY NOT INCLUDE STUDENT SUPERVISION OR ADMINISTRATIVE**
23 **RESPONSIBILITIES.**

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

27 **(4) EACH COUNTY BOARD THAT HAS A PARTICIPATING FIRST YEAR**
28 **TEACHER SHALL PROVIDE EACH FIRST YEAR TEACHER WITH INFORMATION**
29 **REGARDING RESOURCES AVAILABLE TO THE FIRST YEAR TEACHER THAT MAY BE**
30 **USED DURING THE ADDITIONAL TIME THAT INCLUDE:**

31 **(I) MENTORING;**

1 **(II) PEER OBSERVATION; AND**

2 **(III) ASSISTANCE WITH PLANNING.**

3 **(D) ANY COSTS INCURRED UNDER THE PROGRAM SHALL BE BORNE 80% BY**
4 **THE STATE AND 20% BY THE COUNTY BOARD.**

5 **(E) (1) THE GOVERNOR ANNUALLY SHALL INCLUDE AN APPROPRIATION**
6 **OF \$7,000,000 IN THE STATE BUDGET FOR THE DEPARTMENT TO ADMINISTER THE**
7 **PROGRAM.**

8 **(2) THE DEPARTMENT SHALL DEVELOP CRITERIA BY WHICH FUNDS**
9 **SHALL BE ALLOCATED TO LOCAL SCHOOL SYSTEMS TO ALLOW FIRST YEAR**
10 **TEACHERS TO PARTICIPATE IN THE PROGRAM.**

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

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

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

21 SECTION 3. AND BE IT FURTHER ENACTED, That on or before December 1,
22 2021, the State Department of Education shall report to the Governor and, in accordance
23 with § 2-1246 of the State Government Article, the General Assembly regarding the
24 retention of first year teachers that participate in the Teacher Induction, Retention, and
25 Advancement Program. The report shall include the number of first year teachers who
26 participated in the Program and are still teaching 4 and 5 years after participating in the
27 Program, versus the number of teachers who were similarly situated first year teachers but
28 who did not participate in the Program and are still teaching 4 and 5 years later.

29 SECTION 4. AND BE IT FURTHER ENACTED, That:

30 (a) The State Department of Education shall convene a workgroup composed of
31 stakeholders from primary and secondary education, higher education, and other education
32 policy experts to determine how to:

1 (1) incorporate and interweave the principles of National Board
2 Certification with the Advanced Professional Certificate, Master of Education programs,
3 and other teacher preparation programs;

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

7 (3) link loan forgiveness to teaching in high need schools; and

8 (4) incorporate induction best practices into professional eligibility
9 certificates.

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

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

13 (2) legislative changes that will ensure that teacher preparation
14 academies, as authorized under the federal Every Student Succeeds Act, will be of the
15 highest quality and rigor if they are implemented in Maryland, and the individuals that
16 participate in these academies will be fully prepared and trained to be in a classroom in
17 Maryland.

18 (c) On or before September 1, 2016, the Department shall submit a report
19 regarding the recommendations of the workgroup established under this section to the
20 Governor and, in accordance with § 2–1246 of the State Government Article, the General
21 Assembly.

22 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2016. Section 2 of this Act shall remain effective for a period of 6 years and, at the end of
24 June 30, 2022, with no further action required by the General Assembly, Section 2 of this
25 Act shall be abrogated and of no further force and effect.