

# SENATE BILL 905

F1

(6lr1437)

## ENROLLED BILL

— Budget and Taxation / Ways and Means —

Introduced by **Senators King, Miller, Astle, Conway, DeGrange, Ferguson, Gladden, Guzzone, Kagan, Klausmeier, Madaleno, Manno, McFadden, Middleton, Muse, Nathan-Pulliam, Peters, Pugh, Ramirez, Raskin, Rosapepe, Zirkin, and Zucker**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Commission on Innovation and Excellence in Education**

3 FOR the purpose of establishing the Commission on Innovation and Excellence in  
4 Education; providing for the composition, chair, and staffing of the Commission;  
5 requiring certain appointments to be made to ensure diversity within the  
6 Commission; prohibiting a member of the Commission from receiving certain  
7 compensation, but authorizing the reimbursement of certain expenses; requiring the  
8 Commission to review the findings and recommendations of a certain study, review  
9 certain education finance formulas, review certain accountability measures and  
10 review certain other matters; requiring the Commission to make certain  
11 recommendations on certain matters; requiring the Commission to make a  
12 preliminary and a final report of its findings and recommendations to the Governor

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#### 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.

*Italics indicate opposite chamber / conference committee amendments.*



1 and the General Assembly on or before certain dates; requiring certain appointments  
2 to the Commission to be made within a certain period of time; requiring a certain  
3 master plan to include certain information during certain calendar years; requiring  
4 the State Department of Education to convene a certain group of stakeholders to  
5 review certain requirements of a certain master plan and the federal Every Student  
6 Succeeds Act; requiring the Department to make a certain report on or before a certain  
7 date; providing for the termination of this Act; and generally relating to the  
8 Commission on Innovation and Excellence in Education.

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

10 That:

11 (a) (1) There is a Commission on Innovation and Excellence in Education.

12 (2) The Commission shall review the findings of the Study on Adequacy of  
13 Funding for Education in the State of Maryland that is to be completed on or before  
14 December 1, 2016, and provide recommendations on preparing students in the State to  
15 meet the challenges of a changing global economy, to meet the State's workforce needs, to  
16 be prepared for postsecondary education and the workforce, and to be successful citizens in  
17 the 21st century.

18 (b) The Commission consists of the following members:

19 (1) two members of the Senate Education, Health, and Environmental  
20 Affairs Committee, appointed by the President of the Senate;

21 (2) two members of the Senate Budget and Taxation Committee, appointed  
22 by the President of the Senate;

23 (3) two members of the House Committee on Ways and Means, appointed  
24 by the Speaker of the House;

25 (4) two members of the House Appropriations Committee, appointed by the  
26 Speaker of the House;

27 (5) the State Superintendent of Schools;

28 (6) the Secretary of Budget and Management;

29 (7) the Chancellor of the University System of Maryland;

30 (8) one representative of the State Board of Education, appointed by the  
31 President of the Board;

32 (9) one representative of the Maryland State Education Association,  
33 appointed by the Executive Director of the Association;

1 (10) one representative of the Baltimore Teachers Union, appointed by the  
2 President of the Union;

3 (11) one representative from a county board of education, appointed by the  
4 Maryland Association of Boards of Education;

5 (12) one local school superintendent, appointed by the Public School  
6 Superintendents Association of Maryland;

7 (13) one chief financial officer of a local school system, appointed by the  
8 Association of School Business Officials;

9 (14) two representatives of the Maryland Association of Counties, one  
10 representing an urban county and one representing a rural county, appointed by the  
11 Executive Director of the Association;

12 (15) one representative of a group that advocates for public education,  
13 appointed by the State Superintendent of Schools;

14 (16) one parent of a student who attends a public school in the State,  
15 appointed by the Maryland PTA;

16 (17) one member of the public, appointed by the Governor;

17 (18) one member of the public, appointed by the President of the Senate;

18 (19) one member of the public, appointed by the Speaker of the House; and

19 (20) one chief executive or owner of a business located in the State,  
20 nominated by the Maryland Chamber of Commerce and appointed by the Governor.

21 (c) To the extent practicable, appointments shall be made to ensure regional,  
22 ethnic, economic, and gender diversity on the Commission.

23 (d) (1) The Governor, the President of the Senate, and the Speaker of the  
24 House shall jointly designate the chair of the Commission.

25 (2) *If by August 1, 2016, the Governor, the President of the Senate, and the*  
26 *Speaker of the House do not jointly appoint a chair, the President of the Senate and the*  
27 *Speaker of the House shall jointly appoint the chair of the Commission.*

28 (e) The Department of Legislative Services, in consultation with the State  
29 Department of Education, shall provide staff for the Commission.

30 (f) A member of the Commission:

31 (1) may not receive compensation as a member of the Commission; but

1 (2) is entitled to reimbursement for expenses under the Standard State  
2 Travel Regulations, as provided in the State budget.

3 (g) The Commission shall:

4 (1) review the findings and recommendations of the Study on Adequacy of  
5 Funding for Education in the State of Maryland, including the studies conducted in  
6 accordance with Chapter 288 of the Acts of 2002, as amended by Chapter 397 of the Acts of  
7 2011, and Chapter 709 of the Acts of 2012, and determine what recommendations should  
8 be made, including:

9 (i) the proxy used to identify economically disadvantaged students;

10 (ii) how to address issues of increasing and declining student  
11 enrollment;

12 (iii) the preferred approach to expanding publicly funded  
13 prekindergarten education, including expanding the services and supports needed in special  
14 education prekindergarten;

15 (iv) how to achieve greater equity in school finance and local wealth  
16 measures; and

17 (v) the appropriate regional cost of education index and how the  
18 index should be used to adjust education funding;

19 (2) review and assess the current education financing formulas and  
20 accountability measures;

21 (3) determine how the federal Every Student Succeeds Act, which provides  
22 additional flexibility and authority to states over assessments and accountability measures,  
23 will affect primary and secondary education in the State;

24 (4) determine how the State can better prepare students to be competitive  
25 in the workforce and with other high performing countries in the global economy;

26 (5) review how local school systems are spending education funds,  
27 including the increased State funding provided under the Bridge to Excellence in Public  
28 Schools Act of 2002;

29 (6) make recommendations for:

30 (i) updating the base funding level for students without special  
31 needs and updating the per pupil weights for students with special needs to be applied to  
32 the base funding level as established by the Bridge to Excellence in Public Schools Act of  
33 2002 to ensure that students are adequately prepared for college and careers;

1 (ii) ensuring excellence in local school systems, student performance,  
2 and career and college readiness in the State;

3 (iii) preparing students for postsecondary education and the  
4 workforce, including addressing how to increase participation in innovative public school  
5 models that may require additional funding or alternative funding mechanisms, such as:

6 1. dual enrollment programs;

7 2. early and middle college programs;

8 3. Pathways in Technology Early College High schools;

9 4. apprenticeships and internships;

10 5. career and technology education programs;

11 6. community schools, including how the State can leverage  
12 federal 21st Century Community Learning Center Grants to expand community schools in  
13 the State; and

14 7. other schools that provide innovative education through  
15 curriculum, structure, and socioeconomic diversity;

16 (iv) ensuring the adequacy and equity of funding for prekindergarten  
17 and other early childhood education programs;

18 (v) addressing the impact of high concentrations of poverty on local  
19 school systems; ~~and~~

20 (vi) ensuring that education funds are being spent efficiently and  
21 effectively and that local school systems are allocating their resources to improve student  
22 achievement; and

23 *(vii) ensuring that State laws promote collaboration between county*  
24 *governments and local school systems; and*

25 (7) make any other recommendations on legislation and policy initiatives  
26 to enhance the availability of innovative educational opportunities and to enhance the  
27 adequacy and equity of State funding for prekindergarten through grade 12 public  
28 education in the State.

29 (h) (1) On or before December 31, 2016, the Commission shall provide a  
30 preliminary report of its findings and recommendations to the Governor and, in accordance  
31 with § 2-1246 of the State Government Article, the Senate Education, Health, and

1 Environmental Affairs Committee, the Senate Budget and Taxation Committee, the House  
2 Committee on Ways and Means, and the House Appropriations Committee.

3 (2) On or before December 31, 2017, the Commission shall provide a final  
4 report of its findings and recommendations to the Governor and, in accordance with §  
5 2–1246 of the State Government Article, the Senate Education, Health, and Environmental  
6 Affairs Committee, the Senate Budget and Taxation Committee, the House Committee on  
7 Ways and Means, and the House Appropriations Committee.

8 SECTION 2. AND BE IT FURTHER ENACTED, That all appointments to the  
9 Commission shall be made within 60 days of the effective date of this Act.

10 SECTION 3. AND BE IT FURTHER ENACTED, That:

11 (a) Notwithstanding any other provision of law, for calendar years 2016 and 2017,  
12 a county board of education's annual update of the comprehensive master plan required by  
13 § 5–401(b)(3) of the Education Article shall include only:

14 (1) the budget requirements required by § 5–401(b)(5) of the Education  
15 Article;

16 (2) the goals, objectives, and strategies regarding the performance of:

17 (i) students requiring special education, as defined in § 5–209 of the  
18 Education Article;

19 (ii) students with limited English proficiency, as defined in § 5–208  
20 of the Education Article; and

21 (iii) students failing to meet, or failing to make progress toward  
22 meeting, State performance standards, including any segment of the student population that  
23 is, on average, performing at a lower achievement level than the student population as a  
24 whole;

25 (3) the strategies to address any disparities in achievement for students in  
26 item (2)(iii) of this subsection; and

27 (4) the requirements of § 7–203.3 of the Education Article, as enacted by  
28 Chapter (S.B. 533/H.B. 412) of the Acts of the General Assembly of 2016.

29 (b) (1) The State Department of Education shall convene a group of  
30 stakeholders to review the current statutory and regulatory requirements of the master plan  
31 and the new requirements of the federal Every Student Succeeds Act.

32 (2) On or before October 1, 2017, the Department shall report to the State  
33 Board of Education, the Commission on Innovation and Excellence in Education, as enacted

1 by Section 1 of this Act, and, in accordance with § 2-1246 of the State Government Article,  
2 the General Assembly on recommendations regarding:

3 (i) what information future comprehensive master plans should  
4 contain; and

5 (ii) whether future comprehensive master plans should be completed  
6 in a digital form that can be updated periodically.

7 SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 June 1, 2016. It shall remain effective for a period of 2 years and, at the end of May 31,  
9 2018, with no further action required by the General Assembly, this Act shall be abrogated  
10 and of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.