

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 791

(Senator Elfreth, *et al.*)

Education, Energy, and the Environment and
Budget and Taxation

Ways and Means

Primary and Secondary Education - Public School Employees - Job Duties

This bill modifies requirements related to the career ladder for educators. First, it alters the classroom duty and teacher activity requirements for an assistant principal. Second, it delays, until after the Accountability and Implementation Board (AIB) has determined that the career ladder is well established throughout the State, the existing requirement that a local board of education select a teacher from the distinguished teacher and professor distinguished teacher tiers of the career ladder to write curriculum and assessment items and develop model lessons. Third, it clarifies that the existing requirement that a mentor teacher for induction programs and teacher training practicums be selected from the teacher leadership track also applies only after AIB has determined that the career ladder is well established throughout the State. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: None. The bill changes job duties for assistant principals and employment requirements for curriculum and assessment items experts employed by local school systems. The bill does not impact State aid to education formulas.

Local Effect: Changing the job duties for assistant principals and employment requirements for curriculum and assessment items experts employed by local school systems does not materially affect local finances.

Small Business Effect: None.

Analysis

Bill Summary:

Requirements for an Assistant Principal

Under the bill, an assistant principal must *lead academic instruction for students in a classroom, small groups, or a one-on-one interaction* for at least 20% of their working hours rather than teach in the classroom for at least 20% of their working hours (under current law). The bill also requires that assistant principals spend *a portion of* the remainder of their working time (rather than all) on other teacher activities. However, these requirements and related requirements of current law may not be construed to require that an assistant principal be designated as a teacher of record.

Induction Programs and Teacher Training and Curriculum and Assessment Items Expert

Under current law, a local board of education must select an expert to write curriculum and assessment items and develop model lessons from the distinguished teacher and professor distinguished teacher tiers of the teacher leadership tracks. Under the bill, these requirements are delayed until AIB determines that the career ladder is well established throughout the State.

Other provisions of law (Education Article §§ 6-117 and 6-120) currently delay the career ladder requirements for mentor teachers until after the career ladder is well established. The bill conforms the section of law changed by the bill with other sections of law and specifies that AIB must determine when the career ladder is well established.

Current Law:

Career Ladder for Educators

Under Chapter 36 of 2021, a four-level career ladder must be implemented by each county board of education by July 1, 2023. Level one is a State-certified teacher. Level two is a teacher pursuing a master's degree, 30 credits of a State board-approved program of study, or National Board Certification (NBC). Level three is a teacher who has an NBC, if NBC or a comparable assessment is not available in the teacher's content area, a master's degree in that area; level three includes an assistant principal. Level four is a teacher on the teacher leadership track or administrative track of the career ladder, each of which are further divided into tiers. If a teacher achieves level three or four on the career ladder by being an NBC teacher, the teacher must retain NBC status in order to remain at that level.

Minimum salary increases are required as specified beginning in fiscal 2023 for certain accomplishments associated with movement up the career ladder. Teachers with NBC may receive salary increases (of \$10,000) beginning in fiscal 2023 and an additional amount (\$7,000) if they teach in a low performing school. To receive additional increases associated with moving up the career ladder, the county board must have established a career ladder that has been approved by AIB. Salary increases associated with each recertification of NBC are subject to collective bargaining, with the State share of those increases capped as specified. The costs associated with these salary increases are shared between the State and county government through a new wealth-equalized formula. The State must provide the cost of fees for initially attaining and renewing NBC to each teacher who pursues NBC, including one retake of each NBC assessment. County boards must pay one-third of the cost of the NBC fees to the State for each teacher pursuing an NBC.

County boards must also demonstrate to AIB by July 1, 2024, that teachers in the county received at least a 10% salary increase over the preceding five-year period. By fiscal 2027, all teachers must receive a salary of at least \$60,000.

There is a program within the Maryland State Department of Education (MSDE) to (1) encourage and support teachers to obtain and maintain NBC, including teachers from groups historically underrepresented in the teaching profession and (2) develop a culture of collaborative support for accomplished teaching. MSDE must establish a National Board Coordinator to direct the program, and each local superintendent must designate a local coordinator. The program must provide a virtual course for teachers interested in pursuing NBC, virtual and in-person support for teachers pursuing NBC, and training and support for local National Board facilitators.

Chapter 36 established an average teaching time of 60% as a percentage of total working time for all teachers to be phased in over eight years beginning in fiscal 2026 as well as additional average teaching percentage targets as teachers ascend the career ladder. It also expressed the General Assembly's intent that as the Blueprint for Maryland's Future is implemented and teachers are provided with additional collaborative time, the student-to-teacher ratio in public schools will be reduced.

Requirements for an Assistant Principal

An assistant principal is on level three of the career ladder and must (1) be an NBC teacher or (2) have an advanced professional certificate for administration. Further, beginning with teachers on level three of the career ladder, as specified by SBE, an assistant principal must (1) teach in the classroom for at least 20% of his or her working hours and (2) spend the remaining time on other teacher activities, including setting priorities for the subject level departments of the school and fulfilling specialized roles, such as head of professional development.

Induction Programs and Teacher Training

A local board of education must select a mentor teacher for induction programs and teacher training practicums from the teacher leadership track.

Curriculum and Assessment Items Expert

A local board of education must select an expert to write curriculum and assessment items and develop model lessons from the distinguished teacher and professor distinguished teacher tiers of the teacher leadership track.

Mentor Teacher

According to § 6-117 of the Education Article, a mentor teacher for a teacher in an induction program must be a highly competent teacher selected by the local school system who will work to instill in the teacher the skills and knowledge for the next generation of teachers. After the career ladder system is well established, mentor teachers will be selected using criteria from the career ladder system.

According to § 6-120 of the Education Article a mentor teacher for a participant in a teacher training practicum must be a highly competent teacher, trained and selected by the partner school, who will work to instill in the participant the skills, attitudes, values, and knowledge necessary for the next generation of teachers. After the career ladder system is well established, mentor teachers will be selected using criteria from the career ladder system.

Distinguished Teacher and Professor Distinguished Teacher

The second tier of the teacher leadership track on the career ladder is a distinguished teacher. A distinguished teacher must have demonstrated exceptional skills in all the requirements for a lead teacher, which may be demonstrated as specified. When a distinguished teacher position becomes available in a jurisdiction, a distinguished teacher must be selected by the principal of the school and the local superintendent as specified. Beginning with teachers on level three of the career ladder, as specified by SBE, a distinguished teacher must (1) teach in the classroom on average 40% of his or her working time and (2) spend the remaining time of other teacher activities including, mentoring lead teachers and leading workshops and demonstrations and the school and district level.

The third tier of the teacher leadership track on the career ladder is a professor distinguished teacher. A professor distinguished teacher is a distinguished teacher with exceptional accomplishments, which may be demonstrated by (1) the publication of research papers as a university professor or (2) being qualified to teach and be a leader in both an institution

of higher education and an elementary or secondary school. A local board of education must appoint a professor distinguished teacher in consultation with the appropriate institution of higher education as specified.

Teacher

For the purposes of the career ladder for educators, a “teacher” is defined as a certified public school employee who is primarily responsible and accountable for teaching the students in the class. Teacher does not include, unless otherwise provided, specified personnel, including instructional aides, social workers, or individuals with a Resident Teacher Certificate.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 883 (Delegate Feldmark) - Ways and Means.

Information Source(s): Anne Arundel County Public Schools; Baltimore City Public Schools; Frederick County Public Schools; Prince George’s County Public Schools; State Retirement Agency; Maryland State Department of Education; Department of Legislative Services

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