

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 698 (Senator M. Washington)
Education, Energy, and the Environment

Accountability and Implementation Board - Scope of Authority - Alterations

This bill repeals the Accountability and Implementation Board’s (AIB) plenary authority over all matters within its jurisdiction and specifies that AIB has the authority over the monitoring and evaluation of the intended outcomes of the Blueprint for Maryland’s Future (Blueprint) through approval of implementation plans and other required reports. The bill clarifies that AIB’s decision or policy must control in the event of a conflict with the decision or policy of another entity required to implement an element of the Blueprint and to submit an implementation plan or related report under the Blueprint (instead of any entity), and only on a matter related to an implementation plan or report (instead of any matter within AIB’s jurisdiction). The State Board of Education is added to the list of entities whose operational authority may not be usurped or abrogated by AIB. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances, as discussed below.

Local Effect: Local operations and finances are not materially affected, as discussed below.

Small Business Effect: None.

Analysis

Current Law: The Blueprint legislation (including Chapter 771 of 2019, Chapters 36 and 55 of 2021, and Chapter 33 of 2022) established new programs, updated education funding

formulas, and, among other provisions, included mechanisms for holding units of State and local government accountable for implementing the Blueprint. State policy indicates that achieving the principles of the Blueprint will require a sustained and coordinated statewide effort and a strong accountability system that will hold all entities accountable for implementing the policies effectively so that the public and especially parents will have confidence that the investment in Blueprint policies will achieve the desired outcomes and to ensure that funds are being spent effectively, consistent with Blueprint, to ensure that all students are successful.

State and local government units responsible for implementing an element of the Blueprint must develop implementation plans consistent with AIB's Comprehensive Implementation Plan that describe the goals, objectives, and strategies that will be used to improve student achievement and meet the Blueprint recommendations for each segment of the student population. These plans are submitted to AIB for approval or disapproval.

AIB is an independent unit of State government designed to hold other units of government accountable for implementing the Blueprint and evaluating the outcomes of the Blueprint during the implementation period. It must strive to provide equal access to a high-quality education with equitable outcomes for each Maryland student. It exists through fiscal 2032. Among its other responsibilities, AIB must review the use of school-level expenditures, including concentration of poverty grants and special education funding, and monitor school system compliance with minimum school funding requirements through reports submitted by the Maryland State Department of Education (MSDE) by January 1 of each year through 2031.

Annually, 25% of the increase for the next fiscal year in the State's share of major education aid over the amount provided in the current fiscal year is automatically withheld from a school system or public school. For fiscal 2023 through 2025, AIB must release these funds if a local school system has submitted and then adopted an approved implementation plan. Beginning in fiscal 2026, AIB must consider releasing withheld funds if the board receives a recommendation to release the funds from MSDE, the Career and Technology Education Committee, an Expert Review Team, or in AIB's judgment. AIB may also withhold additional funds if it finds appropriate steps to improve student progress or implement the Blueprint have not been taken. AIB must issue warnings to public schools or local school systems on or before December 1 that funds may not be released in the coming year and must make a final decision by February 1 on whether to release funds. A public school or local school system may appeal this decision in an appeals process developed by AIB.

AIB has plenary authority over all matters within its jurisdiction, including the intended outcomes of the Blueprint. In the event of a conflict between a decision or policy of AIB and the decision or policy of another entity on a matter within AIB's jurisdiction, AIB's

decision or policy controls. AIB is otherwise not intended to usurp or abrogate (1) the operational authority of MSDE, the Governor’s Workforce Development Board, the Maryland Higher Education Commission, the Department of Commerce, or the Maryland Department of Labor; or (2) the day-to-day decision making of local boards of education, local superintendents, institutions of higher education, or other stakeholders with a role to play in the implementation of the Blueprint.

State/Local Fiscal Effect: AIB advises that altering its authority with respect to other State and local agencies implementing the Blueprint does not alter the AIB’s statutory charge or responsibilities to support and monitor implementation of the Blueprint and hold entities accountable for achieving the expected outcomes AIB further advises that to date it has been able to resolve issues related to implementation of the Blueprint through means other than use of its plenary authority to reverse or disallow policy decisions made by other entities charged with implementing some aspect of the Blueprint. Thus, it is assumed that repealing AIB’s plenary authority does not substantially alter AIB’s operations or expenditures. Similarly, the bill is not anticipated to substantially alter expenditures for other State or local entities charged with carrying out Blueprint provisions. State and local revenues are not affected.

Additional Information

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

Designated Cross File: None.

Information Source(s): Baltimore City Public Schools; Baltimore County Public Schools; Department of Commerce; University System of Maryland; Morgan State University; St. Mary’s College of Maryland; Maryland Independent College and University Association; Maryland Department of Labor; Maryland State Department of Education; Office of the Attorney General; Accountability and Implementation Board; Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2024
rh/mcr

Analysis by: Scott P. Gates

Direct Inquiries to:
(410) 946-5510
(301) 970-5510