

**R12**  
**Accountability and Implementation Board**

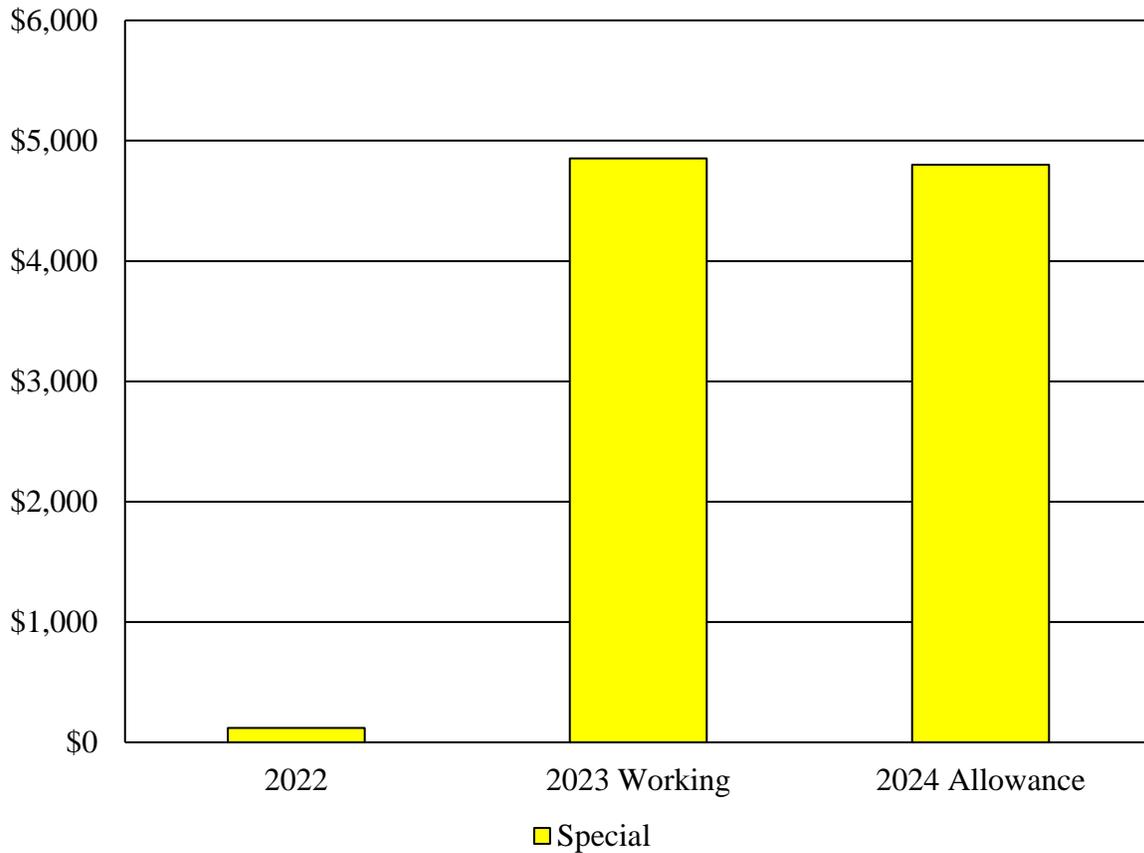
**Program Description**

The Accountability and Implementation Board (AIB) was established as part of Chapter 36 of 2021. AIB is an independent agency responsible for the oversight of Blueprint for Maryland’s Future program implementation and evaluation of its outcomes. AIB is led by a seven-member board appointed by the Governor for staggered terms of six years.

***Operating Budget Summary***

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**Fiscal 2024 Budget Decreases \$54,000 or 1.1%, to \$4.8 Million  
(\$ in Thousands)**



Note: Numbers may not sum due to rounding. The fiscal 2023 working appropriation includes deficiency appropriations including this agency’s share of a deficiency appropriation budgeted in the Statewide Account within the Department of Budget and Management (DBM). Fiscal 2024 salary enhancements are budgeted in the Statewide Account within DBM.

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For further information contact: Laura H. Hyde

Laura.Hyde@mlis.state.md.us

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- AIB is funded through the Blueprint for Maryland’s Future Fund, which is a special fund created as part of Chapter 36, Blueprint for Maryland’s Future Grant Program – Implementation. The agency receives its minimum mandated funding of \$4.8 million in the fiscal 2024 proposed budget.

### **Fiscal 2022 and 2023**

AIB is responsible for oversight of the Blueprint for Maryland’s Future Grant program. From February to June 2022 (fiscal 2022), the agency operated under the Maryland State Department of Education (MSDE); for fiscal 2023, the Department of Budget and Management (DBM) moved the agency under a new budget code, R12, independent from MSDE.

In fiscal 2022, as part of Chapter 356 of 2021, AIB could receive an appropriation of up to \$4.8 million from sports wagering revenues to the Blueprint for Maryland’s Future Fund, if and when those revenues became available. Two fiscal 2022 budget amendments appropriated a total of \$1.4 million in gaming revenue to AIB for initial operating expenses. The fiscal 2023 operating budget provided an additional allocation of 5 positions and \$280,000 through a deficiency appropriation, bringing the total appropriation for AIB in fiscal 2022 to \$1.6 million. Under Chapter 33 of 2022, the agency is allowed to retain unused funds allocated in fiscal 2022. However, budget data from fiscal 2022 closeout for AIB shows \$119,675 in actual expenditures, without encumbrances. DBM reports that while Chapter 33 allows AIB to retain these funds, and funds do not expire, the statute does not explicitly authorize their reappropriation to the agency.

AIB reports that, due to unexpected difficulties during the transition to an independent agency, AIB did not have access to their budget for operating expenses from February to November 2022. Agency employees received pay in fiscal 2022, but the agency was not able to pay outstanding bills until December 2022.

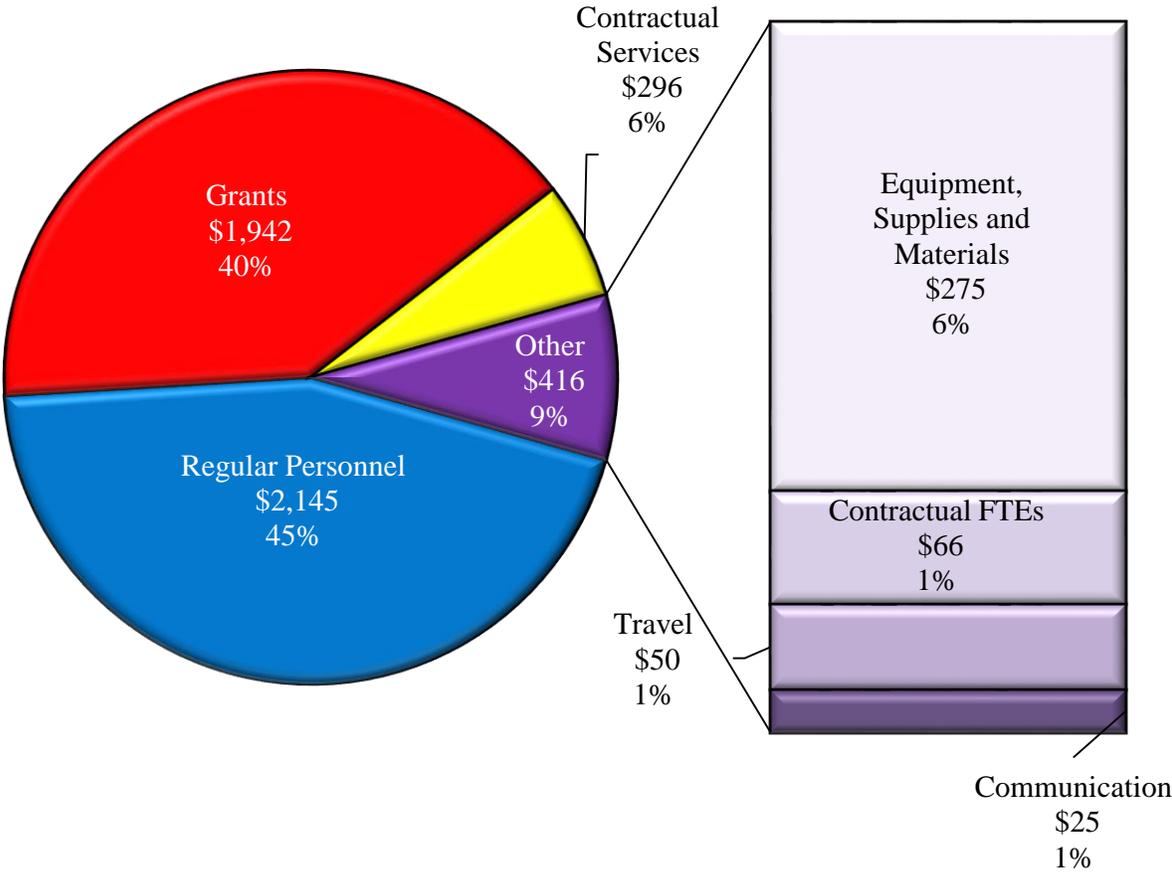
The allowance includes a \$53,604 fiscal 2023 special fund deficiency appropriation for the AIB costs associated with the 4.5% cost-of-living adjustment provided to State employees on November 1, 2022. The funds are currently in DBM's budget and will get distributed to agencies via budget amendment after the budget is passed by the legislature.

**AIB should brief the committees on the current status of its operations and availability of allocated funds to support those operations.**

### **Fiscal 2024 Overview of Agency Spending**

In the fiscal 2024 proposed budget, AIB receives a total of \$4.8 million. **Exhibit 1** displays this budget by object.

**Exhibit 1**  
**Overview of Agency Spending**  
**Fiscal 2024 Allowance**  
**(\$ in Thousands)**



FTE: full-time equivalent

Source: Fiscal 2024 Governor’s Budget Books

In fiscal 2024, salaries and wages account for the majority of AIB’s funding with \$2.1 million, or 45%, of funds allocated for this purpose. In this budget, grant funding operates as a temporary placeholder. Contractual services account for \$296,000, or 6%, of which \$250,000 is allocated to an independent evaluation of Blueprint for Maryland’s Future Grant program as required per § 5-410 of the Education Article. The remaining \$416,000, or 9%, of this budget is allocated for routine operating expenses.

**Proposed Budget Change**

Comparing the fiscal 2023 working appropriation to the fiscal 2024 allowance, AIB’s proposed budget decreases by \$54,000, or 1.1%. **Exhibit 2** shows these changes. The agency’s sole funding source is special funds from the Blueprint for Maryland’s Future Fund.

**Exhibit 2  
Proposed Budget  
Accountability and Implementation Board  
(\$ in Thousands)**

<b>How Much It Grows:</b>	<b><u>Special Fund</u></b>	<b><u>Total</u></b>
Fiscal 2022 Actual	\$120	\$120
Fiscal 2023 Working Appropriation	4,854	4,854
Fiscal 2024 Allowance	<u>4,800</u>	<u>4,800</u>
Fiscal 2023-2024 Amount Change	-\$54	-\$54
Fiscal 2023-2024 Percent Change	-1.1%	-1.1%

<b>Where It Goes:</b>	<b><u>Change</u></b>
<b>Personnel Expenses</b>	
Turnover adjustments .....	\$477
Employee and retiree health insurance .....	276
Retirement.....	11
Annualization of 4.5% COLA in fiscal 2024 .....	27
Regular salaries and wages .....	25
Social Security .....	1
<b>Other Changes</b>	
Contract for an independent evaluation to meet Chapter 36 of 2021 requirements.....	250
New 0.75 contractual position .....	26
Savings for contractual services .....	-89
Technical adjustment reflecting alignment of the budget with actual areas of expenditure in fiscal 2024, attributable to startup.....	-1,058
<b>Total</b>	<b>-\$54</b>

COLA: cost-of-living adjustment

Note: Numbers may not sum to total due to rounding.

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Fiscal 2024 personnel expenses increase by \$817,000, more than half of which is attributable to a lower budgeted turnover rate reflective of the agency’s ability to continue filling existing vacancies as it moves beyond the startup phase. Additional areas of growth include \$26,000 for a new contractual position for a management associate and an increase of \$250,000 for a contract for the independent evaluation mandated as part of Chapter 36, which requires an independent evaluation of the Blueprint for Maryland’s Future Grant program through fiscal 2032. This is considered to be an ongoing expense. This budget also includes \$1.9 million for grants, which are most likely to be redistributed for operating expenses.

In fiscal 2023 and in the Governor’s fiscal 2024 proposed budget, AIB receives the mandated annual allocation of \$4.8 million per year, which was an amount that accommodated anticipated startup costs. Starting in fiscal 2025, Chapter 36 reduces the mandated amount for AIB to \$1.8 million, which is considered to be the agency’s base spending allowance. The fiscal 2024 allowance of \$2.1 million for personnel expenses exceeds the \$1.8 million figure.

**AIB should comment on how the agency expects to use grant funds to cover operating expenses in fiscal 2024.**

***Personnel Data***

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	<b><u>FY 22</u></b> <b><u>Actual</u></b>	<b><u>FY 23</u></b> <b><u>Working</u></b>	<b><u>FY 24</u></b> <b><u>Allowance</u></b>	<b><u>FY 23-24</u></b> <b><u>Change</u></b>
Regular Positions	5.00	15.00	15.00	0.00
Contractual FTEs	<u>0.25</u>	<u>0.00</u>	<u>0.75</u>	<u>0.75</u>
<b>Total Personnel</b>	<b>5.25</b>	<b>15.00</b>	<b>15.75</b>	<b>0.75</b>

***Vacancy Data: Regular Positions***

Turnover and Necessary Vacancies, Excluding New Positions	0.28	2.03%
Positions and Percentage Vacant as of 12/31/22	11.00	73.33%
Vacancies Above Turnover	10.72	

- The fiscal 2024 proposed budget provides AIB 15 regular positions and 0.75 contractual positions. The agency’s fiscal 2024 budgeted turnover rate is 2%, and vacancies above turnover total 10.72, which allows the filling of 10 positions in fiscal 2024.

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- In fiscal 2023, the agency filled 4 full-time positions: executive director, implementation plan director, operations and policy director, and finance director. In fiscal 2023 and 2024, the agency plans to hire the following positions:
  - 1 assistant Attorney General;
  - 1 deputy director;
  - 1 research and accountability director;
  - 1 outreach and communications director; and
  - 6 to 7 additional programmatic, fiscal, and support staff.
- AIB adds a 0.75 contractual position for a management associate to help with additional duties until the regular positions are filled.

## ***Key Observations***

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### **1. AIB Comprehensive Implementation Plan Completed; State Agencies and Local Education Agencies Prepare Comprehensive Implementation Plans**

AIB has responsibilities that fall into four distinct areas: implementation of plans and use of funds; oversight and training; monitoring performance and evaluations; and consultation and collaboration. Chapters 36 and 55 of 2021, as revised in Chapter 33, also require AIB to meet certain reporting requirements. However, with the Governor’s veto and the need for a legislative override in the 2021 session, not only has implementation of the Blueprint for Maryland’s Future Grant programs been delayed, but the establishment of AIB as an independent agency and AIB’s oversight of Blueprint for Maryland’s Future Grant program implementation was unavoidably delayed.

Despite these delays, as required in Chapter 33, AIB completed its Comprehensive Implementation Plan (CIP) in December 2022. This process included the following actions:

- public outreach and CIP development sessions from March to September 2022;
- a review and public comment period in October 2022 on the draft CIP; and
- adoption of the initial CIP and approval of MSDE criteria in December 2022.

In addition to all 24 local education agencies (LEA) CIPs, multiple State entities are responsible for submitting their CIPs to AIB by March 2023. These include the State Board of Education, MSDE, the Governor’s Workforce Development Board and the Career and Technical Education (CTE) Committee, Maryland Higher Education Commission, and the Juvenile Services Education Board.

**Exhibit 3** shows this proposed timeline for completion of these CIPs and upcoming reporting requirements.

**Exhibit 3**  
**Timetable for Reporting Requirements**  
**Calendar 2023-2030**

<u>Report</u>	<u>Date</u>	<u>Action</u>
AIB Interim Report	November 2022 (annually)	<ul style="list-style-type: none"> <li>• First annual report on AIB progress; subsequent annual reports due in November (<b>delayed</b>)</li> </ul>
LEA and State Agency CIPs	January to July 2023	<ul style="list-style-type: none"> <li>• Outcome Measures Workgroup appointed by AIB meets to make recommendations on outcome measures (adopted in the initial Blueprint CIP), data metrics to measure progress, and targets to assess progress made toward Blueprint goals.</li> </ul>
	March 2023	<ul style="list-style-type: none"> <li>• LEAs and State agencies submit initial CIPs to AIB for approval</li> </ul>
	March to June 2023	<ul style="list-style-type: none"> <li>• AIB reviews plans and approves or disapproves (with MSDE recommendation for LEA plans)</li> </ul>
AIB CIP	August 2023 (annually)	<ul style="list-style-type: none"> <li>• AIB adopts changes to the initial CIP by August 1 each year</li> </ul>
	Ongoing in 2023 and 2024	<ul style="list-style-type: none"> <li>• Provide LEAs with technical assistance and training to develop and write phase two of their CIPs (Fiscal 2025-2027)</li> </ul>
Blueprint Interim Evaluation Report	October 2024	<ul style="list-style-type: none"> <li>• Contract with a public or private entity to conduct an independent evaluation of the State’s progress in Blueprint implementation and meeting the intended outcomes</li> </ul>
Report on Teacher Diversity	December 2026	<ul style="list-style-type: none"> <li>• In consultation with MLDC, evaluate the effectiveness of efforts to increase diversity in teacher preparation programs and teachers and school leaders in the State.</li> </ul>

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<u>Report</u>	<u>Date</u>	<u>Action</u>
Final Blueprint Evaluation Report	December 2030	• Final report to include recommendations on whether AIB should continue to monitor Blueprint implementation after June 30, 2032.

AIB: Accountability and Implementation Board  
CIP: Comprehensive Implementation Plan  
LEA: local education agency  
MLDSC: Maryland Longitudinal Data System Center  
MSDE: Maryland State Department of Education

Source: Accountability and Implementation Board; Department of Legislative Services

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AIB also made progress on other internal agency goals in calendar 2022, including:

- hiring and training of four new AIB staff;
- establishing advisory committees for all five pillars of Blueprint for Maryland’s Future; and
- providing training to MSDE and the Career and CTE Committee’s expert review teams, LEAs, members of the State Board of Education, and other key stakeholders.

AIB had its first annual report due to the General Assembly in November 2022, which the agency reports should be available in draft form shortly. Additionally, as part of the agency’s calendar 2022 goals, AIB was supposed to complete a communications and outreach plan to work with LEAs on Blueprint for Maryland’s Future implementation, goals, and outcomes. AIB reports that once the agency hires a communications director, it will start work on a communications plan.

**AIB should provide the committees with an update on the status of the agency’s annual report and communication plan.**

### **Managing for Results Measures Submitted**

As part of a 2022 *Joint Chairmen’s Report* (JCR) request, AIB submitted two new Managing for Results (MFR) measures. These measures focus on one of the two goals of AIB:

- overseeing the successful implementation of the five pillars of the Blueprint for Maryland’s Future program; and
- supporting implementation of the Blueprint for Maryland’s Future Grant program.

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Performance measures for Goal 1 remain under development because the agency has established an Outcome Measures Workgroup to refine these measures. In the MFR for Goal 2, for fiscal 2023 and 2024, AIB reports that the agency estimates it will host 41 technical assistance sessions with LEAs, State agencies, and other stakeholders, as well as 20 public outreach sessions. Other estimated MFR goals include 100% livestreamed meetings; 80% of LEA implementation plans reviewed within three months of submission; and 75% of State agency plans reviewed within one month of submission. **AIB should comment as to whether review of LEA and State and implementation plans is impacted by vacant positions.**

## ***Operating Budget Recommended Actions***

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1. Adopt the following narrative:

**Status Update on Expenditures, Personnel, and Managing for Results (MFR) Measures:** The Accountability and Implementation Board (AIB) was established as part of Chapter 36 of 2021 as an independent agency responsible for oversight of Blueprint for Maryland’s Future Grant program implementation and evaluation of its outcomes. The agency started work in fiscal 2022; fiscal 2023 is the agency’s first year of operations and MFR measures. With this in mind, the budget committees request that AIB submit a status update by December 1, 2023, on expenditures, hiring, and MFR measures with the following information:

- closeout expenditures for fiscal 2023 and expenditures to date for fiscal 2024;
- staff hired in fiscal 2022, 2023, and 2024, including position, salary, responsibilities, and vacancies; and
- completed MFR objectives for Goal 1 and how the agency might improve estimated response times for State and local education agency Comprehensive Implementation Plan reviews.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Status update on expenditures, hiring, and MFR measures	AIB	December 1, 2023

**Appendix 1**  
**Description of Accountability and Implementation Board**

**Purpose and Charge**

The rationale for AIB was founded on lessons learned from the implementation of recommendations of the Commission on Education, Finance, Equity, and Excellence (Thornton Commission, calendar 1999 to 2001), which asked Maryland taxpayers to substantially increase spending on education to improve student performance outcomes. In the following 15 years, the cost of education in Maryland increased substantially but without significant increases in student performance. One of the goals of the subsequent Commission on Innovation and Excellence in Education (Kirwan Commission, calendar 2016 to 2019) was to examine this result and find a solution that increased both governance and accountability for the next revision of Maryland’s education funding model and policies.

After studying other top-performing countries, the Kirwan Commission realized that Maryland needed a governmental mechanism that coordinated functions across departments responsible for educational excellence. This charge fell under the Kirwan Commission’s Policy Area 5, Governance and Accountability, which was included as a goal to ensure gaps that developed between policy and practice after the Thornton Commission did not materialize after Kirwan Commission recommendations were implemented. The Kirwan Commission recommended an independent board or unit of State government that worked across agencies responsible for the education of Maryland students and had the authority to ensure that the commission’s recommendations were successfully implemented and produced the desired results. In keeping with this charge, Chapters 36 and 55 established AIB to:

- develop a comprehensive implementation plan, including intended outcomes, for Blueprint for Maryland’s Future that all units of State and local government will follow;
- hold State and local governments accountable for this plan;
- monitor the plan and ensure that it is implemented; and
- evaluate outcomes achieved during implementation.

As part of this charge, AIB is intended to provide equal access to a high-quality education with equitable outcomes for each student regardless of the student’s race, ethnicity, gender, address, disability status, socioeconomic status, or the language spoken in the student’s home.

## **Roles and Responsibilities**

As an independent unit of State government, AIB’s role is to oversee and monitor State educational agencies and LEAs in implementing Blueprint for Maryland’s Future policies. In this role, AIB has plenary authority, which means that in the event of a conflict between AIB and other agencies, AIB’s decision or policy is considered final. AIB has the authority to adopt regulations to carry out provisions of the law; adopt bylaws for the conduct of its business; sue or be sued; accept loans, grants, or assistance of any kind; enter into contracts as necessary, including with independent experts to fulfill its duties; subpoena data needed to complete its functions and duties; and appoint an executive director and hire staff to carry out its powers and duties. State agencies are required to collaborate or consult with AIB on Blueprint for Maryland’s Future implementation, and AIB can withhold State funds from LEAs and State agencies if a plan is not being implemented as requested. AIB can also develop appeals processes, monitor LEA expenditures to ensure that minimum school funding requirements are being met, and offer grants for innovative programs that further AIB’s purpose or goals.

AIB is not intended to usurp or abrogate the operational authority of agencies that are also involved in the delivery of public education in the State or the lawful collective bargaining process. It is subject to the Public Information Act, the Open Meetings Act, and the Maryland Public Ethics Law, and members will be required to file an annual financial disclosure form with the State Ethics Commission. Open meetings of the AIB must be made available to the public through live video streaming and archived on the Internet for at least five years.

## **Membership**

Chapter 36 details the criteria for nomination and membership of AIB. The Governor, the President of the Senate, and the Speaker of the House of Delegates jointly appoint the AIB chair, and members serve six years, which are staggered for initial members as follows: three terms expire July 1, 2024; two terms expire July 1, 2025; and two terms expire July 1, 2026.

**Appendix 2**  
**2022 Joint Chairmen’s Report Responses from Agency**

The 2022 JCR requested that AIB prepare one report. Electronic copies of the full JCR responses can be found on the Department of Legislative Services Library website.

- ***Status Report on MFR Measures:*** Because AIB is a new agency, the budget committees were concerned that the agency did not have MFR measures. In response to this request, AIB submitted two goals and 10 objectives associated with their second goal related to agency operations. Further discussion of this JCR request is in the Issues section of this analysis.

**Appendix 3  
Object/Fund Difference Report  
Accountability and Implementation Board**

<u>Object/Fund</u>	<u>FY 22 Actual</u>	<u>FY 23 Working Appropriation</u>	<u>FY 24 Allowance</u>	<u>FY 23 - FY 24 Amount Change</u>	<u>Percent Change</u>
<b>Positions</b>					
01 Regular	5.00	15.00	15.00	0.00	0%
02 Contractual	0.25	0.00	0.75	0.75	N/A
<b>Total Positions</b>	<b>5.25</b>	<b>15.00</b>	<b>15.75</b>	<b>0.75</b>	<b>5.0%</b>
<b>Objects</b>					
01 Salaries and Wages	\$ 110,400	\$ 1,275,000	\$ 2,145,470	\$ 870,470	68.3%
02 Technical and Special Fees	9,275	40,000	66,178	26,178	65.4%
03 Communication	0	25,000	25,000	0	0%
04 Travel	0	50,000	50,000	0	0%
08 Contractual Services	0	135,000	296,092	161,092	119.3%
09 Supplies and Materials	0	75,000	75,000	0	0%
10 Equipment – Replacement	0	200,000	200,000	0	0%
12 Grants, Subsidies, and Contributions	0	3,000,000	1,942,260	-1,057,740	-35.3%
<b>Total Objects</b>	<b>\$ 119,675</b>	<b>\$ 4,800,000</b>	<b>\$ 4,800,000</b>	<b>\$ 0</b>	<b>0%</b>
<b>Funds</b>					
03 Special Fund	\$ 119,675	\$ 4,800,000	\$ 4,800,000	\$ 0	0%
<b>Total Funds</b>	<b>\$ 119,675</b>	<b>\$ 4,800,000</b>	<b>\$ 4,800,000</b>	<b>\$ 0</b>	<b>0%</b>

Note: The fiscal 2023 appropriation does not include deficiencies. The fiscal 2024 allowance does not include contingent reductions or cost-of-living adjustments.