

SB 468 Councilman David Marks.pdf

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Position: FAV



BALTIMORE COUNTY COUNCILMAN DAVID MARKS
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TESTIMONY OF BALTIMORE COUNTY COUNCILMAN DAVID MARKS
SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
SB 468
FEBRUARY 9, 2021

I would like to thank Senator Chris West for his sponsorship of this legislation, and thank the members of the committee for their consideration.

This legislation would allow the Baltimore County Council to increase oversight of the Baltimore County Public School system. Currently, the County Council cannot set conditions or restrictions on spending. The Council can only cut, which is sometimes an unwieldy way to exert influence.

BCPS funding constitutes more than 50 percent of county funding. Over the past decade, we have seen many times when it may have been useful for the County Council to set conditions on spending. For example, many parents and community leaders would have liked better oversight of spending on technology when a previous Superintendent supported the purchase of tens of thousands on laptop computers. It is also very difficult to get answers on such basic information as student residency or discipline. Recently, the County Council received almost no information on the ransomware attack even though we are the funding authority.

I believe this legislation, along with the proposal to allow broader power for our Inspector General, can greatly improve oversight of this critical function of government.

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Senator West - SB 468 – Baltimore County Board of

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Position: FAV

CHRIS WEST
Legislative District 42
Baltimore County

Judicial Proceedings Committee

Vice Chair, Baltimore County
Senate Delegation



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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February 11, 2021

Senate Education, Health and Environmental Affairs Committee
The Honorable Paul G. Pinsky
2 West Miller Senate Building
Annapolis, Maryland 21401-1991

RE: SB 468 – Baltimore County Board of Education – Annual Budget – Conditions on Expenditures

Dear Chairman Pinsky and Members of the Committee:

I am pleased to introduce Senate Bill 468. This bill was triggered by a virtual meeting that the members of the Baltimore County Senate Delegation held with the Baltimore County Superintendent of Schools and his legal counsel last December concerning the ransomware attack on the Baltimore County School System.

For those who are not familiar with what had occurred that precipitated this meeting, the day before Thanksgiving, the Baltimore County School System was shut down by a ransomware attack that hit all its network systems. The cyberattack brought classes to a halt for days for the 115,000 students in Baltimore County. School officials publicly described it as a “catastrophic attack on our technology system”. An audit of the Baltimore County School System several years earlier had warned of vulnerabilities in the System’s computer system, and other school systems across the United States had been hit by similar ransomware attacks demanding the payment of ransom as a condition of restoring access to their computer systems. Unfortunately, the Baltimore County School System never corrected the identified deficiencies, and a new audit issued just the day before the Baltimore County attack once again found “significant risks” in the School System’s computer system. According to the new audit, the network was not adequately secured, and sensitive personal information was not properly safeguarded.

The Baltimore County Senate Delegation set up a private, confidential briefing with the School Superintendent to find out what had happened, whether any personal student or family information had been compromised and whether any taxpayer money had been paid in ransom to the hackers. What we encountered was a total stonewall. The Superintendent did not answer our questions. Rather, the Superintendent and his legal counsel responded to each question by reciting answers contained on a script. No matter how we re-worded our questions, we received

word for word the same prepared answers. To say the virtual meeting was unenlightening would be an understatement. During the meeting, several Baltimore County State Senators of the other political party sent me text messages stating “This is ridiculous”. Over two months have now passed since that Delegation meeting, and the Baltimore County School System has still not provided County elected officials with any information about the ransomware attack.

Following the meeting, I contacted one of Baltimore County’s seven County Councilmen and was told that the County Council had held their own meeting with the School Superintendent and had encountered the same stonewall. I inquired whether the County Council had any way of requiring that, as a condition of funding the School System the School Superintendent be required to provide the County Council with relevant information about the ransomware attack or other information about the operations of the County schools. He checked with the County attorney and was told that without permission from the State of Maryland, the County had no legal right to require the Superintendent provide any information about how the County School System was operating.

This bill was prepared as a reaction to what I believe is an unacceptable situation. The Baltimore County School System receives billions of dollars of taxpayer money. There must be a functioning system of transparency and accountability so that when things like ransomware attacks occur in the future, there is a mechanism in place for county elected officials to obtain needed information about what happened, why it was allowed to happen, what is being done to solve the problem and what is going to be done to ensure that the problem never recurs.

Senate Bill 468 is very short and merely grants to the Baltimore County Executive and the Baltimore County Council the same right to “fence off” money in the annual Budget of the County Board of Education that the General Assembly has to “fence off” money in the Governor’s Budget. It provides that the County Executive and County Council may prohibit the Board of Education from spending designated sums of money unless specified conditions are met. With the passage of this bill, the County Executive and County Council may, for example, provide that certain money in the School System’s Budget may not be spent unless the Board of Education takes measures to properly secure the School System’s computer network, acts to safeguard sensitive personal information of the students and their families and renders a report by a certain date about the ransomware attack.

The Baltimore County School System should not have the ability to spend billions of dollars of taxpayer money while stonewalling County elected officials about what is going on in the school system.

For these reasons, I hope that you will give SB 468 a favorable report.

SB4681FinalRandallstownNAACP.pdf

Uploaded by: Coleman, Ryan

Position: UNF



Randallstown

Po Box 731 Randallstown, MD 21133

February 1, 2021

Education, Health, and Environmental Affairs Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401
Honorable Senator Paul G. Pinsky

RE: SB 468, Baltimore County Board of Education-Annual
Budget-Conditions on Expenditures

Dear Members of the Education Committee:

The Randallstown NAACP opposes SB 468 - Baltimore County Board of Education - Annual Budget - Conditions on Expenditures. This bill will allow the Baltimore County Executive and Baltimore County Council to apply certain conditions on the Baltimore County School Board without the conditions being previously named.

May it be known, the mission of the NAACP is to secure equal rights in order to eliminate race-based discrimination. The main focus of our branch is to advocate for all children in Baltimore County, especially black and brown students. The

Randallstown Branch will continue to hold all accountable for the lack of achievement of our students. We look forward to working with our Baltimore County officials to ensure our children are getting a world class education.

This bill sponsored by Senator West tries to add additional accountability and oversight from the Baltimore County government. The language in the bill is vague. Fundamentally, the bill gives authority to County government branches to amend budget and withhold funds if certain conditions aren't met. However, neither the conditions nor the procedure is elaborated in the bill. Although the Randallstown NAACP definitely favors increased accountability and the role of County government, the organization cannot support this bill due to its ambiguity.

The Randallstown NAACP strongly opposes SB 468 and we urge you to vote against passing this bill out of the Education committee.

yours,

Ryan Coleman

President, Randallstown NAACP

<http://randallstownnaacp.yolasite.com>

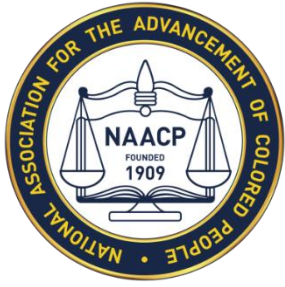
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NAACP Letter SB 468.pdf

Uploaded by: Collins, CliffordP

Position: UNF



NAACP

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February 9, 2021

Honorable Paul G. Pinsky

Chair

Senate Education, Health and Environmental Affairs Committee

2 West Miller Senate Office Building

Annapolis, MD 21401

Dear Senator Pinsky,

This is to express the opposition of The Baltimore County Branch of The NAACP to Senate Bill 468. The reasons for this opposition include, but are not limited to the following:

- 1.) The proposed deprivation of funds, for reasons arbitrarily deemed as constituting fraud, waste and/or abuse, interferes with The County's duty to provide a free, public education to its students. This duty must be met in a manner equal to that provided by the other Maryland Jurisdictions. Senate Bill 468 would violate the students' right to a free, quality, public education as guaranteed by The U.S. Constitution. This violation would expose The State to litigation, under This Bill.
- 2.) The Baltimore County Public Schools (BCPS) was the subject of a ransomware attack in November, 2020. The Baltimore Sun printed an article on the ransomware attack on December 11th, 2020. The article was written by Alison Knezevich and Lillian Reed, Sun Reporters. The reporters quoted a letter from Baltimore County Executive John Olszewski. The quoted language said, "Law Enforcement was not involved in the decision made by either BCPS or its third-party consultants to contact the (ransomware) attackers." In his response, School Superintendent Darryl Williams said that his team communicated with The Federal Bureau Investigation (FBI,) throughout the entire ransomware debacle. The Olszewski letter ended by saying that "There will be legal, financial, and reputational consequences to an independent decision by BCPS to pay the ransom."
- 3.) Clearly, BCPS preferred the support of The Federal Bureau Of Investigation (F.B.I.) to that of The Baltimore County Police Department (BCoPD). It appears, then, that Senate Bill 468 represents the promised retaliation of Johnny Olszewski. Hence, The Maryland State Legislature is being asked to intervene in

a local, executive branch dispute. This may violate at least the spirit of Separation of Powers as set forth in The Constitution.

- 4.) The State Inspector General (IG) has the authority to find fraud, waste and/or, abuse by any State Agency with no action by The Legislature. The same is true of The Baltimore County IG. Still, neither office has found misconduct on the part of The Baltimore County Public Schools in the context of either the ransomware attack or otherwise. What then is the real motive of Senate Bill 468? We believe racism is the motive. Dr. Williams is African-American. Increasing numbers of minority students attend Baltimore County Public Schools. For these reasons as well, SB 468 should not pass out of this committee.

The Baltimore County NAACP makes these statements after studying all of the surrounding facts and circumstances. We make these statements on behalf of all of the citizens and students of Baltimore County, Maryland. Therefore, the Baltimore County NAACP respectfully requests the Senate Education, Health and Environmental Affairs Committee issue an unfavorable report for SB 468. We are available for your convenience at the address and telephone number set forth above.

Thank-you for your time and consideration.

Earnestly submitted,

Danita Tolson

Danita Tolson, President
Baltimore County NAACP