

MANSEF Written Testimony SWA for HB 448 - .pdf

Uploaded by: Dorie Flynn

Position: FWA

SUPPORT WITH AMEMDMENTS

House Bill 448:

Nonpublic Educational Programs – Children with Disabilities – Cost of Teacher Salaries

OFFERED ON BEHALF OF

The Maryland Association of Nonpublic Special Education Facilities
(MANSEF)

BEFORE THE

Senate Budget and Tax

March 28, 2023

The Maryland Association of Nonpublic Special Education Facilities (MANSEF) offers this testimony in SUPPORT WITH AMENDMENTS of HB 448 on behalf of the 70 special education schools across Maryland currently serving approximately 3500 publicly funded school children. Our member schools employ over 1500 teachers, clinicians, and administrators.

The MANSEF schools are uniquely equipped to provide the specific, multidisciplinary, frequently intensive resources students with special needs require. The scope and depth of staff expertise affords specialized, integrated programming that goes beyond academic education and encompasses the social and emotional well-being of each student. In addition to the skilled, highly trained teachers, special education schools are staffed to provide other critical services such as behavior programs, crisis management and wrap-around supports.

The intent of HB 448 is to align teacher salaries for those working in the special education schools to those of their public school counterparts. And our goal is to address the inequity of pay through additional clarifying language to determine annual salaries as compared to the local school system. We recommend that the special placement schools use the LEA's current, published salary schedule of where the nonpublic special education school is located and that the funding be based upon the MSDE established per diem methodology process from the referring LEA.

It is important to note that President Joe Biden is calling for major investments in special education as part his budget proposal which was released on March 9, 2023. President Biden is seeking \$16.8 billion — a \$2.1 billion increase — in spending on special education services for students with disabilities in pre-K through high school which will directly passed on to States

and counties. He also wants an extra \$392 million for early intervention for infants and toddlers and an added \$150 million to recruit and retain special educators.

Other States, such as Oregon, are proposing that all special education teachers and special education aides receive a 20% premium pay over their public education counterparts under a bill being considered by their legislature. These jobs continue to be some of the most demanding and hardest to fill in urban and rural areas alike, and families of special education students have said repeatedly that their children are suffering due to educator turnover and the shortage of special education employees. (Disability Scoop March 7, 2023).

Retaining skilled teachers continues to be a challenge and we cannot keep pace to competitively compensate our staff.

Dorie Flynn – Executive Director – MANSEF – 410-938-4413 - mansef@aol.com

HB 448-Delegate Marc Korman-FWA (2).pdf

Uploaded by: Marc Korman

Position: FWA

MARC KORMAN
Legislative District 16
Montgomery County

MAJORITY LEADER

Appropriations Committee

Subcommittees

Capital Budget

Oversight Committee on Personnel

Chair, Transportation and the
Environment



The Maryland House of Delegates
6 Bladen Street, Room 350
Annapolis, Maryland 21401
410-841-3649 · 301-858-3649
800-492-7122 Ext. 3649
Marc.Korman@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 448: Nonpublic Education - Placements of Children With Disabilities - Teacher Salaries
(Teacher Pay Parity Act)

Testimony of Delegate Marc Korman—Favorable with Amendments

Thank you Mr. Chair, Mr. Vice Chair members of the Budget and Taxation Committee. I come before you today to present the **Teacher Pay Parity Act (HB 448)**. The Teacher Pay Parity Act requires over a phase-in period that the State and counties provide teachers at special education placement programs a salary that is equivalent to salaries received by traditional public school teachers. The program is for public school funded students who are placed in a non-public facility to better meet their unique educational needs. HB 448 is the cross-file of Senator Zucker's SB 311, which this committee has already heard.

As you may be aware, the state of Maryland is responsible for providing Free Appropriate Public Education (FAPE) for all students, including those with special needs. This commitment is met through the development of the Individualized Education Program (IEP), which is designed to meet the unique needs of a student with disabilities. However, if an IEP team finds that a student's local public school is unable to fully implement the student's IEP, the student may be recommended to be placed in a nonpublic school that is able to serve their needs. These students are publicly funded.

The bill addresses the pay disparity between nonpublic special education teachers and public school special education teachers, which ranges from 23.3% to 40.7% below public school system rates. The disparity only increases when accounting for qualifications and advanced degrees. The salary disparity for a Master's maximum through Doctorate maximum range between 36.8% and 40.7% below public school system rates. That means that a teacher in a classroom at a local public elementary school may be making significantly more than a teacher at a local special needs elementary school, even if all the students in both classrooms are publicly funded. The bill ensures that special education teachers are paid more comparable rates to public school teachers in their county to increase teacher retention. The state of Maryland—led by this committee—has done one-time increases of approximately \$4 million the past two years but this would be a permanent change. The bill as amended would phase in funding increases over three years to achieve 100% salary parity by fiscal year 2027.

The bill as amended passed the House with overwhelming bipartisan support and is also supported by the Maryland State Department of Education (MSDE). The Ways & Means committee made a few changes to the language regarding how the pay parity would be calculated

within the nonpublic school's budget process. We are working with Senator Zucker and MSDE on amendments for your consideration which will ensure that these changes do not negatively impact the budget process.

Special education schools are vital to the fulfillment of the Individuals with Disabilities Act and state law. Special needs students deserve the best education possible and in order to provide that we must make sure teachers working with special education placements are paid competitive salaries. The Teacher Pay Parity Act helps bridge the gap in salary between special education placement teachers and their public school counterparts. It is important that we strive to provide equitable salaries for special education placement teachers to encourage and support the vital work they do. I urge a favorable report.

Below is a summary of a teacher salary parity study conducted by the Maryland Association of Nonpublic Special Education Facilities (MANSEF).

Maryland Summary				
# of Schools In Response	# of Schools with Salary Disparity	Total Salary Differential*	Total Teacher FTEs*	Average Salary Difference per FTE*
77	67	\$12,734,212.93	787.46	\$16,171.25
Garrett/ Allegany/ Washington				
# of Schools In Response	# of Schools with Salary Disparity	Total Salary Differential*	Total Teacher FTEs*	Average Salary Difference per FTE*
4	4	\$408,330.14	26	\$15,705.01
Frederick/ Carroll/ Howard				
# of Schools In Response	# of Schools with Salary Disparity	Total Salary Differential*	Total Teacher FTEs*	Average Salary Difference per FTE*
5	5	\$991,543.45	72.05	\$13,761.88
Montgomery				
# of Schools In Response	# of Schools with Salary Disparity	Total Salary Differential*	Total Teacher FTEs*	Average Salary Difference per FTE*
20	20	\$4,230,482.30	212.1	\$19,945.70
Anne Arundel				
# of Schools In Response	# of Schools with Salary Disparity	Total Salary Differential*	Total Teacher FTEs*	Average Salary Difference per FTE*
7	3	\$375,247.00	26.5	\$14,160.26
Prince George's				
# of Schools In Response	# of Schools with Salary Disparity	Total Salary Differential*	Total Teacher FTEs*	Average Salary Difference per FTE*
10	6	\$1,823,014.60	73.1	\$24,938.64
Baltimore County				
# of Schools In Response	# of Schools with Salary Disparity	Total Salary Differential*	Total Teacher FTEs*	Average Salary Difference per FTE*
17	15	\$2,392,561.04	176.51	\$13,554.82
Baltimore City				
# of Schools In Response	# of Schools with Salary Disparity	Total Salary Differential*	Total Teacher FTEs*	Average Salary Difference per FTE*
9	9	\$2,067,428.40	159.2	\$12,986.36
Harford/ Cecil/ Caroline				
# of Schools In Response	# of Schools with Salary Disparity	Total Salary Differential*	Total Teacher FTEs*	Average Salary Difference per FTE*
5	5	\$445,606.00	42	\$10,609.67

* only schools with salary disparity have data included in these columns

HB0448 - Senate_FWA_Linwood Cetner - Nonpublic Ed.

Uploaded by: Pam Kasemeyer

Position: FWA



TO: The Honorable Guy Guzzone, Chair
Members, Senate Budget and Taxation Committee
The Honorable Marc Korman

FROM: Pamela Metz Kasemeyer
Andrew G. Vetter
410-244-7000

DATE: March 28, 2023

RE: **SUPPORT WITH AMENDMENT** – House Bill 448 – *Nonpublic Education – Placements of Children With Disabilities – Teacher Salaries (Teacher Pay Parity Act)*

For more than 60 years, Linwood Center has been providing life-changing programs and services for children and adults living with autism and related developmental disabilities. Linwood currently supports children and adults on the autism spectrum from jurisdictions throughout the State of Maryland. Linwood is among the relatively few programs in the United States and in the State of Maryland that provides comprehensive education and residential programs throughout the lifespan under one service umbrella. Linwood offers program continuity from childhood into adulthood, developing lifelong relationships with individuals living with autism from elementary school through retirement and old age. Linwood's accredited nonpublic special education program and licensed residential programs provide intensive positive behavioral supports and long-term educational and vocational services to Maryland's autism community. Linwood respectfully offers its **support with amendment** for House Bill 448.

House Bill 448 provides a permanent solution to the challenges that Linwood and other special education schools face in recruiting and retaining qualified teachers, due to the lack of salary parity requirements in the current budget framework. It is not uncommon for a teacher to gain valuable experience teaching at Linwood only to have them leave for a better paying position in a public-school system.

Linwood appreciates the work of both the Senate and House sponsors to address the teacher recruitment and retention challenges of nonpublic special education programs. However, we do believe that the bill requires further clarifying amendments to achieve the goal of providing nonpublic special education program teachers a comparable salary to that of their public-school counterparts through systemic change that embeds parity within our current budget framework. We believe that under the current rate-setting methodology established by MSDE and the current cost-sharing between the State and local school systems, salary parity can be achieved by working within current timelines and framework. The additional amendments, which we are working on with the bill sponsors, the Maryland State Department of Education (MSDE), and stakeholders, will ensure a framework that does not create a new budget process.

The need to establish teacher parity is more critical than ever, given the continued increase in

public-school teacher salaries that is expected as a result of the passage of the Blueprint for Maryland's Future. The expected increases will exacerbate an already challenging environment for teacher recruitment and retention and will further widen the pay gap between teachers in public schools and teachers in special education schools. Furthermore, the current teacher workforce challenges must be addressed if Maryland is to continue to meet the expectations and requirements of the Federal Individuals with Disabilities Education Act (IDEA), which mandates a "continuum of alternative placements to meet the needs of children with disabilities for special education and related services."

Passage of House Bill 448 with the suggested amendments will provide a simple and justified framework to provide parity in teacher salaries between public and special education schools, which not only helps to address the current recruitment and retention challenges of special education schools but also enhances Maryland's educational framework and its compliance with IDEA. Further, the proposed increase in salaries for special education programs is phased in over three years to lessen the fiscal impact. With the noted clarifying amendments referenced by the sponsor, a favorable report is requested.

HB 448 Crossover_ Nonpublic Education - Special Ed

Uploaded by: Alexa Thomas

Position: UNF



PSSAM
Public School Superintendents' Association
OF MARYLAND

Mary Pat Fannon, Executive Director
1217 S. Potomac Street
Baltimore, MD 21224
410-935-7281
marypat.fannon@pssam.org

BILL: HB 448

TITLE: Nonpublic Education - Special Education Placements - Renaming and Teacher Salaries (Teacher Pay Parity Act)

DATE: March 28, 2023

POSITION: Oppose

COMMITTEE: Senate Budget and Taxation Committee

CONTACT: Mary Pat Fannon, Executive Director, PSSAM

The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four public school superintendents, **opposes** House Bill 448.

House Bill 448 requires a nonpublic educational program for students with disabilities to provide its teachers a salary that is equivalent to public school teachers of similar training and experience in the same county where the school is located. If the costs to do so are not met by the existing State and local cost sharing mechanism in current law for nonpublic placements, such additional funding is to be paid for by the State and the local school system in the same proportion as provided by that mechanism. Funding for other components of a nonpublic educational program may not be reduced to provide for required nonpublic teacher salary increases.

Maryland's twenty-four local school systems are working hard to implement the Blueprint for Maryland's Future legislation, which includes a significant increase in teacher compensation to bring the teaching profession on par with professions that require similar education standards. These provisions include a 10% increase in salaries by FY '24 over FY '19 to close the gap of average teacher salaries in peer states. The Blueprint also calls for a \$60,000 starting salary for all teachers by FY '27. These are ambitious goals, and each system is working with fidelity to meet these requirements. However, these provisions are already putting pressure on local systems to provide equal increases to personnel that are not specifically identified in the Blueprint, yet are integral staff in our systems, including psychologists, social workers, reading specialists, and more.

This bill would require local school systems to pay for costs they have no control over, and for

teachers that are not part of the bargaining process. Additionally, the bill requires counties that “host” these schools to be responsible for the salary parity – not the counties that send students to these schools. We recognize that the vast majority of students at these nonpublic schools are special education students that could not be accommodated in their zoned school. However, the legislation would hold LEAs responsible for ensuring salary parity between public and private school teacher salaries without any local control over these schools.

PSSAM appreciates and supports our nonpublic education providers in ensuring educational opportunities for students with special needs. However, this legislation requires public school systems to pay for staff they have no control over, no fiscal authority of, or quality control in the delivery of education in these schools.

For the reasons stated above, PSSAM **opposes** House Bill 448 and requests an unfavorable committee report.

HB448 - Teacher Pay Parity Acct.pdf

Uploaded by: Dawana Sterrette

Position: UNF

BALTIMORE CITY PUBLIC SCHOOLS

Brandon M. Scott
Mayor, City of Baltimore

Jhnette A. Richardson
Chair, Baltimore City Board
of School Commissioners

Dr. Sonja Brookins Santelises
Chief Executive Officer

**Testimony of the
Baltimore City Board of School Commissioners
In Opposition of
House Bill 448
Nonpublic Education – Placements of Children
With Disabilities – Teacher Salaries (Teacher Pay Parity Act)**

March 28, 2023

The Baltimore City Board of School Commissioners understands the necessity of appropriate pay for teachers. However, it must oppose this legislation as it places an unfunded mandate on the school district as it would mandate that the local school system fund “pay parity” for teachers at nonpublic special education schools.

The Committee should be aware of the funding challenges that exist in Baltimore City for special education. A school system that has one of the highest special education student populations in the State. In Baltimore City, the school board spends approximately \$300 million on special education services and receives only \$80M. This legislation only exasperates the issue of funding in Baltimore City schools.

The legislation as initially introduced did not propose an unfunded mandate and is now contrary to the State’s obligation to fund its required share of nonpublic placement costs of students. The school board must oppose any unfunded or underfunded mandate.

For the forgoing reasons, the Baltimore City Board of School Commissioners opposes House Bill 448 and urges an unfavorable report.

Dawana Merritt Sterrette, Esq.
Director, Legislative and Government Affairs
dsterrette@bcps.k12.md.us
443-250-0190

Melissa Broome
Director, Policy and Legislative Affairs
mcbroome@bcps.k12.md.us
443-525-3038

FINAL HB448 Nonpublic Education.pdf

Uploaded by: Grace Wilson

Position: UNF



HB448 NONPUBLIC EDUCATION – PLACEMENT OF CHILDREN WITH DISABILITIES – TEACHER SALARIES (TEACHER PAY PARITY ACT)

March 28, 2023

BUDGET AND TAXATION

OPPOSE

Grace Wilson, Legislative & Policy Specialist (410.440.1758)

Anne Arundel County Public Schools (AACPS) opposes **HB448 Nonpublic Education – Placement of Children with Disabilities – Teacher Salaries (Teacher Pay Parity Act)**. This bill requires that a child with disabilities who needs special education and related services that cannot be provided in a public county, regional, or State program be placed in an appropriate nonpublic educational program that offers these services. Additionally, this bill requires nonpublic schools to pay their teachers a salary that is equivalent to the local school system salaries. In order to meet this requirement, a nonpublic school is required to submit to the county board in which the nonpublic school is located a list of salaried teacher positions in the nonpublic school 30 days before the county board is required to submit their budget. For each position the nonpublic school must submit the necessary qualifications as well as the annual salary provided by the nonpublic school. The county board is then required to match the teachers on the list provided by the nonpublic school to teachers with similar qualifications in the public schools and calculate the difference in funding currently provided by the nonpublic school for salaries of its teachers to meet the local school system salaries and provide this funding in its annual budget. In fiscal year 2025 county boards are required to provide 33% of the difference in funding, in fiscal year 2026 66% of the difference in funding, and in fiscal year 2027 and each year thereafter 100% of the difference in funding shall be provided by county boards.

AACPS believes that all students are entitled to challenging instruction from highly qualified professionals that address their unique learning needs and differences. AACPS places a very high priority on ensuring that students receive high quality special education programs and instruction to meet the unique needs of every disabled student. Maryland's private professional educators and school administrators play a significant role in providing special education services in accordance and compliance with the federal Individuals with Disabilities Education Act and corresponding federal and state regulations.

AACPS has great respect and appreciation for the dedication and commitment of public and nonpublic educators who ensure that the education needs of students qualifying for special education services are being met. As such, AACPS recognizes the merits of providing equitable salaries for public and non-public education staff. However, this bill as amended creates a convoluted and inequitable way of creating pay parity between private and public educators and will result in increased costs to local school systems, and thus divert funding from public education. AACPS respectfully requests that the amendments to the bill be removed and that the bill be enacted as introduced.

The amendments to this bill will result in local school systems being responsible for ensuring that all private educators in their county are receiving pay equal to that of their public counterparts, not just those educators who serve students of the school system. This change to the bill has the potential to significantly increase the costs of implementing this bill to local school systems. Additionally, as introduced the bill reduced the local contribution and increase the State contribution for special education placement. Without this change in funding, this bill will serve as a significant unfunded mandate to public school systems.

Accordingly, AACPS requests an **UNFAVORABLE** report on HB448.