

Education Advocacy Coalition

for Students with Disabilities

SENATE EDUCATION, ENERGY & THE ENVIRONMENT COMMITTEE
SENATE BUDGET & TAXATION COMMITTEE
SENATE BILL 429: Excellence in Maryland Public Schools Act
DATE: FEBRUARY 19, 2025
POSITION: OPPOSE

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of nearly 50 organizations and individuals concerned with education policy for students with disabilities in Maryland, strongly opposes Senate Bill 429.

When the Maryland General Assembly enacted the Blueprint for Maryland's Future after several years of intensive research, discussion and work by a broad group of education experts, the possibilities and potential for structural change in Maryland's education system were palpable. Many other states have been mired in litigation over their education funding systems. That Maryland could create a vision of world-class education and implement it through legislation rather than litigation was an extraordinary accomplishment. However, Senate Bill 429 would significantly undermine the goals of the Blueprint just four years into the 10 year implementation period.

Senate Bill 429 undercuts the Blueprint for Maryland's Future by:

- "pausing" Collaborative Time for four years, thereby cutting the foundation per pupil for all students and the associated weighted funding for economically disadvantaged students and emerging multilingual learners;
- freezing the Concentration of Poverty grants for community schools for two years; and
- through the proposed budget, cutting the annual funding allocation for the Blueprint-established Consortium for Community Supports by almost 70%.

These changes would do irreparable harm to students, including students with disabilities, who were promised "access to educational experiences and opportunities... that enable them to reach their full promise and potential and be ready for success...by the end of high school". It was commonly understood that the Blueprint would "require a sustained and coordinated statewide effort." Yet, with no input from stakeholders, including students, families, advocates, teachers, or administrators, Senate Bill 429 proposes changes that would substantially undercut the promise of the Blueprint and make it a shell of what it was intended to be. These changes are also being proposed with disregard for the research basis on which the plan was built.

The "pause" of Collaborative Time would lead to a catastrophic loss of funding from both state and local governments, with a cumulative loss of more than \$2.2 billion over the four years of

delay (FY26 to FY29). Based on the promised funding detailed in current law for the next eight years, the delay in funding collaborative time, the two-year freeze of concentration of poverty funding, and permanent reduction in behavioral health supports add up to a staggering loss of about \$7 billion. While the *bucket of funding* for special education may be “held harmless” by SB429, *actual students with disabilities* will be significantly harmed in a number of ways.

First, with respect to funding, every student who receives special education services would receive the same diminished foundation per pupil as all other students. As students with disabilities are more likely than nondisabled students to be eligible for Compensatory Education (i.e., free and reduced priced meals), they will be doubly impacted. When the funding to meet the needs of all students is inadequate, it is less likely that students with disabilities will be successful in general education classrooms, leading to more restrictive placements, where academic achievement and long-term outcomes are worse. There is broad consensus that the best way to improve education for students with disabilities is to improve general education; these proposed cuts will undercut those efforts.

Second, collaboration time is a research-based strategy for teacher retention that has been specifically identified as a powerful strategy for retaining special educators, an area of critical shortage. In January 2025, the Office of Special Education Programs (OSEP) at the U.S. Department of Education released a Dear Colleague letter on special education personnel retention, including the announcement of a “navigator” for retention issues and offering short-, medium-, and long-term solutions in each area.¹ To address the issue of isolation of special educators, the navigator presents a rich array of research and best practices related to collaboration time.

It is important to note that contrary to oft-repeated justifications of the proposed cuts, implementation of collaboration time is not dependent on a greatly expanded teacher workforce. Most of the specific strategies identified by the OSEP-promoted navigator do not involve hiring additional staff, but instead involve scheduling strategies, use of non-instructional staff, and enrichment or intervention time with outside partners or other non-teaching staff, including a large pool of tutors who are not certified or conditional teachers.

Although Senate Bill 429 calls for a small program of “pilot grants,” with the attendant costs and delays while application and evaluation processes are developed, the initial year of Collaborative Time funding could easily fund the implementation of these strategies immediately across the state. Our schools and students would begin reaping the benefits of

¹ Dear Colleague Letter on Special Education Personnel Retention. (Jan. 13, 2025), <https://sites.ed.gov/idea/idea-files/dear-colleague-letter-on-special-education-personnel-retention-jan-13-2025/>; Lead IDEA Center, Principal Navigator: Special Education Retention, <https://lead-idea.org/navigator/retention>

Collaborative Time by improving teachers' working conditions, encouraging retention, and improving student achievement.

Collaborative Time can be particularly helpful for students with disabilities. These students benefit in myriad ways when general educators (the content experts) and special educators (the experts in specially designed instruction) have time together to reflect on student data, to fill gaps in their knowledge and skills through professional learning, to support the development of conditionally licensed teachers on their teams and in their buildings, and to work with small groups and individual students.

The other proposed cuts will also have a disproportionate impact on students with disabilities. Many students with disabilities attend community schools and benefit from the wraparound services these schools provide, such as expanded school-based health center services, additional social workers, counselors, and psychologists, additional mentors and restorative practice coaches, and access to mental health practitioners. Community Schools provide a safety net for students and make success in school more likely.

Finally, at a time when Maryland leaders decry the mental health crisis affecting the state's children and youth, cutting the Blueprint-created Consortium for Community Supports by almost 70% through the Budget Reconciliation and Financing Act and thereby effectively eliminating school-based mental health services is counter-productive and makes absolutely no sense. The Consortium provides mental health funding to public schools in every jurisdiction in Maryland. In its first six months, the Consortium has provided mental health resources to more than 58,000 students across 80% of all Maryland public schools, increased Maryland's school mental health workforce by nearly 500 individuals, provided mental health training to more than 1000 school staff members and improved mental health outcomes for many students. For students with emotional and other disabilities, access to school-based mental health services is particularly important; many families have been unable to secure therapy and behavioral supports for their children because of long waiting lists or insurance issues. Mental well-being is essential for school success. Taking these supports away from students would be devastating to the students who need them and is a tone-deaf response to students and families who are desperate for these services.

Balancing the budget on the backs of children with disabilities is, in a word, unconscionable. The Blueprint is fully funded in FY26 and almost fully funded for FY27 with the Blueprint Fund. The state has been presented with options to increase revenue. Therefore, there is no need at this time to drastically cut Blueprint funding and put a halt to so much of the momentum that has been gained over the past four years.

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For these reasons, the EAC opposes Senate Bill 429. We note, however, that Section 4 of Senate Bill 429 contains language about a study for special education and includes elements for the scope of the study that were defined by the Blueprint Special Education Workgroup in its recommendations. This study is critically important and, as the Workgroup noted, should be based on funding adequacy to narrow and close achievement gaps.

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See next page for EAC signatories.

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