

LEGISLATIVE UPDATE: **2 WEEKS TO GO!**

With two weeks left in the General Assembly session, it's crunch time for ACLU-MD's education [priorities](#)!

Here's where we stand:

- ["Kirwan" Commission](#)
- [Funding for School Buildings](#)
- [Casino "Lockbox" Funding for Education](#)
- [State Education Budget](#)
- [Additional Funding Bills](#)
- [School Climate and Discipline Reform](#)
- [Take Action](#)



Students from Baltimore's New Era High School spent an afternoon in Annapolis urging their Senators to #PassSB611, the "Healthy School Facility Fund".

"KIRWAN" COMMISSION

HB1415 includes some components of the Commission on Innovation and Excellence in Education's preliminary recommendations. This bill establishes a statewide teacher outreach and recruitment program, funds \$2.5 million in literacy grants for Title I schools, provides funding to maintain pre-kindergarten programs, \$4.5 million for after school and summer programming for students in high poverty schools through the Learning in Extended Academic Program (LEAP), and \$2 million to implement a career and technology education framework and pathway. The bill has passed the House with **amendments** to LEAP, in which the eligible schools were changed from 90% or more students qualifying for Free and Reduced Meals to 80% or more. Changes were also made to limit the literacy program, to end in FY22. The bill awaits a vote in the Senate committees, likely with more amendments. Our testimony is [here](#).

FUNDING FOR SCHOOL BUILDINGS

ACLU worked successfully to pass the \$1 billion 21st Century Building Program in 2013 which will bring us 26-28 new/fully renovated buildings by 2022. This winter's heating crisis brought needed attention to the fact that over 100 buildings are not yet in that plan and needed HVAC repairs alone would cost another \$1 billion. We made school construction funding our top priority for this session. See our full agenda in Frank Patinella's recent OpEd in the [Afro](#).



Healthy School Facility Fund

The ACLU and Baltimore Education Coalition have been working to pass SB611, which would provide \$30 million to improve the health and safety of school facilities statewide for fiscal years 2020 and 2021. More specifically, grants would be prioritized for schools based on the severity of the conditions related to air conditioning, heating, indoor air quality, mold remediation, temperature regulation, plumbing, and windows. No school district can receive more than \$15 million/year. This bill recently passed on the Senate floor and will be heard in the House Appropriations Committee on Wednesday, 3/28 at 1pm. Our testimony, on behalf of our state coalition the Maryland Education Coalition, is [here](#).

21st Century School Facilities Commission ("Knott" Commission)

After being heard in both legislative chambers, the House Appropriations Committee made significant amendments to HB1783 and it is expected to be debated on the House floor TONIGHT. Our testimony is [here](#). In addition to

streamlining the school construction funding process and provide tools and strategies, such as alternative financing, to reduce the cost of construction, the bill would direct the state to conduct an assessment of all public school buildings in Maryland. However, local jurisdictions have opposed a measure that would tie state funding to building condition; the bill would create a workgroup to make recommendations on that issue. The amended bill would also remove the Board of Public Works from the funding approval process, granting the newly named Interagency Commission on School Construction (formerly known as the Interagency Committee on School Construction) with complete authority to review, approve, and appropriate funds to projects. Lastly, the bill recommends an increase in school construction funding to \$400 million annually.

Capital Budget for School Construction FY19

The capital budget has passed the Senate, which added \$23.5 million to Governor Hogan's proposed budget for school construction. The House Appropriations Committee made some additions to school construction as well (below). House debate on the capital budget is scheduled for TONIGHT; the budget will then go to conference committee. As of now, this is what is in the capital budget for school construction:

- \$309 million for the state's Capital Improvement Program for School Construction, which provides every Maryland school district funding for renovation and new construction projects
- \$60 million for school districts that have significant growth in enrollment or over 300 relocatable classrooms, which includes the additional \$20 million approved by the House Appropriations Committee
- \$6.1 million for the state's Aging Schools Program, which provides a small amount of funding for the oldest schools in the state
- \$7 million for Nonpublic Aging Schools, which provides grants to private and parochial schools - the Senate added \$3.5 million to the Governor's proposed amount for security enhancements
- \$10 million added to improve safety and security in school buildings statewide
- \$15 million added for heating, ventilation, and air conditioning improvements for Baltimore City public school buildings, which includes an additional \$5 million approved by the House Appropriations Committee

CASINO "LOCKBOX" FUNDING FOR EDUCATION

SB1122, known as the "Casino Lockbox" bill, is a proposed Constitutional Amendment that would require the Governor to provide revenue raised from casinos as additional funding to county boards of education and prohibit money in the Education Trust Fund from being used to supplant certain funding for certain programs and formulas. The bill phases in funding over four years; the ACLU continues to advocate for a much shorter phase-in since the need for immediate education funding is critical. Currently, SB1122 passed the Senate and has a hearing in the House on March 29th. HB557, which

would create in statute (as opposed to SB1122's constitutional amendment) a requirement that casino funds supplement, not supplant, funding to the education formula, has not moved out of committee.



Video from [Saturday Night Live](#), October 7, 2000

STATE EDUCATION BUDGET FOR FY19 (School Year '18-'19)

The [amended budget bill SB185](#) restored many of the Governor's cuts to the budget and fully funds the mandated education formula for FY19. The legislature restored funding to after school and summer programs, in concert with HB1415 and the aforementioned LEAP. The legislature restored funding to the Next Generation Scholars Program to prepare low-income students for college. The Governor's proposed budget appropriated \$8.9 million in public funding to non-public schools in the BOOST program; the Senate accepted this increase in funds and the House reduced it. Notably, the budget sets aside \$200 million for implementation of the Kirwan Commission's recommendations for next year. SB 185 has passed the Senate and House and is now in conference committee to resolve differences.

ADDITIONAL FUNDING BILLS

Supplemental Pre-K Grants

ACLU supported [HB1476](#) which would provide grants to school systems that have full-day prekindergarten programs in at least 50 percent of their classrooms and would benefit Prince George's, Dorchester, Washington, and Wicomico counties. Baltimore City and three other counties with 100% full-day classrooms got grants last year. The bill has not moved from committee.

Per Pupil Adequacy Target Grant

We have made progress in the last couple of years in highlighting the huge education funding "adequacy gaps" caused by the cutbacks to the original Thornton formula. HB1595 would provide grants to school systems with the largest gaps, the highest being Prince George's with a \$4,529 per pupil shortfall as of FY15. Our testimony, on behalf of our state coalition the Maryland Education Coalition, is [here](#). The bill had an understandably significant fiscal note and was held in committee with the expectation of "Kirwan" legislation addressing these issues in 2019.

SCHOOL CLIMATE & DISCIPLINE REFORM

School Discipline Data

HB1254, the School Discipline Data Collection Bill, would require the Maryland State Department of Education (MSDE) to expand their discipline data reporting to include disaggregated data by race, ethnicity, gender, disability

status, English language proficiency, and eligibility for free or reduced price meals or an equivalent measure. It also requires data collection on the use of alternative discipline practices. [This bill](#) is meant to correct the practice of the Department's expansive data dumps that lack any analysis and interpretation of the discipline data. Notably, the legislation did initially call for each local school board to adopt the State's 2014 Guidelines for a State Code of Discipline but unfortunately these provisions were stripped from the bill. HB1254 will be heard by the Senate Education, Health and Environmental Affairs Committee on March 28th at 1pm.

School Climate Improvement

In partnership with the Maryland Coalition to Reform School Discipline, we supported HB1601, the Trauma-Informed Schools Initiative, Program, and Fund. In its initial form, [this bill](#) would have funded an initiative at MSDE to assist designated schools in developing tools and strategies to understand and respond to the range of traumas experienced by students. The bill passed the House; however, changes were made and that significantly scaled down the effort. The changes include cuts to the funding section as well as the removal of directives to coordinate with Maryland's Department of Health and the Department of Human Services on this effort. The bill will be heard by the Senate Education, Health and Environmental Affairs Committee on March 28th at 1pm.

We [supported HB1488](#), which would require the State Department of Education to develop and implement certain standardized training on student discipline for all public school security personnel. We thought that this bill was essential for ensuring proper understanding of the roles and responsibilities of school staff for all in the building and urged that training topics must also include youth development, disability awareness, implicit bias, violence prevention, and de-escalation skills. Unfortunately, this important bill did not move out of committee.

A Special Note

This legislative session, the ACLU has commented on a number of discipline reform and school climate related bills to ensure that all students feel safe and protected in schools. Continuing our work to stymie the school-to-prison pipeline, in partnership with the Maryland Coalition to Reform School Discipline, we supported several pieces of legislation that provide greater oversight of discipline practices and training. We believe that any strategy to address or correct unwanted behavior must be tied to investments in tested alternatives that center peer-to-peer and student-to-adult relationship building such as restorative practices.

Lastly, we are deeply troubled by the recent incidents of violence in our nation's schools and the tragic event that took place right here in St. Mary's County, Maryland. As the state considers a number of new safety measures, we are committed to solutions that focus on prevention, consider the impact on students' daily lives and protects the rights of all persons in the school building. While there are demands by some for more guns and more police

officers, the ACLU supports a broader and more thoughtful answer that analyzes the root causes of the growing violence. This means that effective solutions should include comprehensive approaches that center violence prevention strategies, provide mental and behavioral health supports, and ensure ongoing work to create strong and healthy school environments.

Read Baltimore Sun reporter Kevin Rector's [piece](#) on how Baltimore students are not afraid of mass shootings, but facing gun violence in their everyday lives.

TAKE ACTION

Have Twitter? [Click here to take action](#) to encourage your legislators in the House of Delegates to support the "Healthy School Facility Fund" and #PassSB611!

Additionally, we will issue a full report after the legislative session ends, but to keep up with us as these final decisions are made, follow us on [Twitter](#) and [Facebook](#).



**#PASS
SB611**

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