



**Testimony for the House Appropriations and Ways and Means Committees
HB 1413 – The Blueprint for Maryland’s Future
March 13, 2019
Position: SUPPORT**

The ACLU of Maryland (“ACLU”) works to uphold the state’s Constitutional duty to ensure access to the resources that all students need to meet state standards. Unfortunately, for over a decade, Maryland has not met this duty for all students. This legislation represents a first step toward acknowledging state funding gaps and ensuring that the state appropriately funds its public education system.

We support HB 1413, which establishes principles of The Blueprint for Maryland's Future that are intended to transform the state's early childhood, primary, and secondary education system to the levels of high-performing systems around the world by creating a Concentration of Poverty School Grant Program; extending by 1 year, to 2021, the requirement for the State to provide a supplemental grant to eligible county boards; creating the Teacher Collaborative Grant Program; and requiring certain performance evaluations of local school systems.

Equity and Adequacy

Wealth equity and adequacy¹ are hallmarks of the Maryland state education funding formula. Wealth equity is the practice of considering the local wealth of a jurisdiction when determining the distribution of state funds, thus ensuring that each school system gets what its children need. The “thorough and efficient” education guaranteed in Article VIII of the Maryland constitution has been defined by the courts as an education that is “adequate” to allow students to meet contemporary education standards. “Adequacy” is a rubric used in the effort to ensure equitable school funding statewide via the “Thornton” Commission and the 2002 Bridge to Excellence law. The ACLU has called for the incorporation of wealth equity and adequacy in any new proposals to update the current education formula. We also continue to press that any proposals, either as part of the final package or one like HB 1413, include a wealth equalization factor.

Responding to the Needs of Underserved Populations

It is well documented that all Maryland students, regardless of subgroup, are not performing at their peak as just forty percent met state college and career ready standards in 2018.² Additionally, there are distinct and unique barriers related to educational services for students

AMERICAN CIVIL
LIBERTIES UNION
FOUNDATION OF
MARYLAND

MAIN OFFICE
& MAILING ADDRESS
3600 CLIPPER MILL ROAD
SUITE 350
BALTIMORE, MD 21211
T/410-889-8555
or 240-274-5295
F/410-366-7838

FIELD OFFICE
6930 CARROLL AVENUE
SUITE 610
TAKOMA PARK, MD 20912
T/240-274-5295

WWW.ACLU-MD.ORG

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ANDREW FREEMAN
GENERAL COUNSEL

¹APA Consulting, *Final Report of the Study of Adequacy of Funding for Education in Maryland*, Prepared for the Maryland State Department of Education, Nov. 2016,

<http://www.marylandpublicschools.org/Documents/adequacystudy/AdequacyStudyReportFinal112016.pdf>, noting that adequacy in terms of school financing means “an examination of the resources necessary to provide districts, schools, and students with reasonable opportunities to achieve state standards.”

² Donna St. George, *Maryland Student Scores Rise modestly, but more than Half Fail Statewide Tests*, Wash. Post, 2018, https://www.washingtonpost.com/local/education/maryland-student-scores-rise-modestly-but-more-than-half-fail-statewide-tests/2018/08/28/22db8d16-aadd-11e8-b1da-f7faa680710_story.html?utm_term=.98a391bcd4bb4.

of color, especially African American and Latinx students³, as evidenced by state data indicating wide gaps in achievement along racial lines. These testing gaps are often fueled by opportunity gaps⁴ – for example, lack of experienced teachers or less exposure to technology – that are especially pronounced within our largest districts serving the highest populations of students of color. Both the Maryland Department of Legislative Services and Augenblick, Palaich, and Associates analyses assessed the adequacy gap⁵ per pupil and by school district. They found wide gaps across the state and reported extensive differences in needs, finding no adequacy gap in some counties to a gap of \$4,529 per pupil gap in Prince George’s County. Lastly, the \$290 million/year gap (measured by DLS in FY15) for Baltimore City schools has had a real impact, depriving children of core resources they need and are promised.

As we await the comprehensive Kirwan package next year, we are appreciative of the commitment to equity reflected in HB 1413. In alignment with this proposal, the ACLU identified and supported the following key priorities for meeting the needs of all students:

- **Concentrated Poverty** – A result of de facto segregation, research has shown the impact of the compounding of adverse effects of poverty in schools. We support increases in academic staff, trauma-informed practices, and social workers to meet the needs of children in schools with elevated levels of poverty.
- **Pre-K for all 3- and 4- year-olds from Low-Income Families** – Provide full-day pre-k funding for three- and four-year-olds as the top priority, as a way to avoid further entrenching gaps at the earliest stages of learning.
- **Community Schools** - A whole-school approach to education and learning that provides wraparound services (socio-emotional and academic) for students and families, based on a needs and asset assessment of the school community.

Conclusion

The ACLU has consistently emphasized the tremendous investment needed to support marginalized students that experience hardship due to race and/or poverty. Again, this is a thoughtful outline of interventions; however, a targeted and comprehensive formula is the only way to seriously begin to combat decades of gross underfunding for students and families.

For the reasons stated above, we urge your **FAVORABLE REPORT of HB 1413**.

For more information contact: Kimberly R. Humphrey, Esq., legislative counsel for education policy, at humphrey@aclu-md.org.

³ Barbara T. Bowman, et al., *Addressing the African American Achievement Gap: Three Leading Educators Issue a Call to Action*, The National Association for the Education of Young Children, 2018, <https://www.naeyc.org/resources/pubs/yc/may2018/achievement-gap>.

⁴ Valerie Strauss, *The Real Problem in Education: the “Opportunity Gap,”* Wash. Post., 2013, https://www.washingtonpost.com/news/answer-sheet/wp/2013/04/26/the-real-problem-in-education-the-opportunity-gap/?noredirect=on&utm_term=.cf7ccfdd6cd3, clarifying that “achievement gaps arise out of our opportunity gaps . . . [which] are cumulative and involve much more than formal schooling.”

⁵ The amount a school system falls short of the dollar target established by the current funding formula to be adequate for children to achieve state standards.