

ACLU of Maryland Education Advocate

Advocacy for Maryland's At-Risk Students

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How Education Fared In Annapolis 2010

The ACLU-MD Education Reform Project succeeded in its 2010 key priorities during the legislative session:

- Full Funding for Education ("Thornton")
- Aging Schools (Facilities) Program Saved
- Increased Advocacy for At-Risk Students

"Thornton" Education Funding Upheld!

In a tight budget year, the Governor introduced, and the legislature ultimately upheld, a balanced budget, funding the Bridge to Excellence or "Thornton" education formula! With the aid of the second and final year of ARRA ("stimulus") federal funding, the FY11 education budget was fully funded, except for a small reduction in transportation funds. The education formula drove an increase of \$100 million statewide to account for increased enrollment of children from low-income families and an additional \$92 m. to be paid into the teacher pension system (at 12%, still the fastest growing line in the education budget). The Governor fully funded the formula's Geographic Cost of Education Index and attempts to reduce it were defeated.

Early in the session, proposals were made to reduce education funding by \$60 m. But the biggest threat came in a surprise proposal when the Senate budget committee voted to shift the cost of state-funded teacher pensions to school systems. The Senate would have phased in a 3-year plan to require school systems to use their existing budgets to fund 50% of costs now borne by the state - a shift of over \$300 m. a year.

See below for further details on the budget outcome.

Baltimore Earns More State Funding for Schools

Baltimore Organizes to Support Governor's Budget

The ACLU's Education Reform Project actively worked with numerous school and community organizations in the Baltimore Education Coalition (BEC) to maintain state funding for Baltimore's schools. The coalition met with legislators before and during session in all of Baltimore City's legislative districts. On March 1st, BEC's rally to support the Governor's budget and oppose proposed cuts to education drew more than 600 students, parents and advocates to Annapolis. The crowd

applauded the 16 legislators who addressed the rally, promising to oppose cuts to education.

[Click here to see the Baltimore Sun article on the rally.](#)

State funding for Baltimore City Schools

City Schools in SY10-11 will receive \$30 million in increased state aid under the Thornton formula, due solely to the 10,000 additional students enrolled in Free & Reduced Meals. Documenting the income level of families triggers an increase in state aid designed to provide programs and services for children from low- and moderate- income households. While City Schools' overall enrollment rose, much of the increase was due to pre-Kindergarten students which do not receive a specified state funding amount.

Fighting for Adequate School Buildings

\$250 Million for Improvements

This year, the state's Capital Improvement Program for school construction/renovation includes \$250 million, the minimum suggested by the Public Schools Facilities Act of 2004. Before the session, the state begins reviewing and approving school building construction/renovation projects. Thus far, 90% of the \$250 m. has already been allocated. Baltimore City Public Schools has been allocated \$23.5 m. of the total amount, less than the average amount it received over the past 5 years. In May 2010, the state's Board of Public Works will approve the remaining \$25 m. left in the state's capital budget for school infrastructure improvements.

Aging Schools Program Saved!

The Aging Schools Program (ASP), which provides funding for small repairs and renovations in old school buildings, has been a target for state cuts over recent years. The ACLU, MDPTA, Maryland Education Coalition, and parents from Baltimore City, fought off attempts to gut the program completely. This year, ASP will be funded at last year's level, \$6.1 million. Changes in the law this year will keep ASP funded at \$6.1 m. in future years, which is about half the amount of the FY09 allocation (\$11.1 m).

More Facilities Funding Through the Federal Stimulus

Under the American Recovery and Reinvestment Act, Maryland will receive a direct allocation of federal Qualified School Construction Bonds (QSCBs). These bonds are essentially interest-free loans that either the county or school district will have to pay off (usually over a 15-year period). With the support of the ACLU, the state legislature passed SB 179, which allows Baltimore City Public Schools to exceed its debt limit (\$100 million) so that they can use the federal bonds for much needed school construction/renovation. Due to their large size and high percentage of Title I students, Baltimore City was allocated \$116 m. in QSCBs, Prince George's County, \$50 m., and Baltimore County, \$38 m. The State will distribute \$100 m. in QSCBs to the other Maryland school districts

through competitive bid.

Major Changes to Education Formula Defeated

Maintaining Local Funding of Education

In 2009, due to the recession, several counties applied for a waiver of the Maintenance of Effort (MOE) requirement which requires them to allocate the same amount of money to their school district as the prior year. The waivers were denied by the Maryland State Board of Education. Believing this unfair, counties entered the legislative session seeking broad changes to the MOE law.

More than 15 maintenance of effort bills were introduced, including one which would waive entirely the maintenance of effort requirement for all counties for the coming year (HB 410). ACLU and allies actively and successfully organized against this "blanket" waiver which could have devastated funding to school systems.

HB304/SB310 would have changed the timeline for the waiver decision and altered the waiver process. Each bill passed its House but surprisingly, the conference report did not make the final deadline for passage on the last night of session.

Changes to Education Formula Defeated

The Bridge to Excellence in Public Schools Act or "Thornton" formula was created in a thorough process aimed to create adequacy and equity for school systems across the state. Each session, legislators introduce bills that attempt to change the funding formula, largely to reduce education costs. HBs 1036, 1154, and 1228 sought to change the funding formula and funding distribution, and reduce aid to schools, based on average daily attendance /membership. This would have greatly decreased funding for poorer districts, with more at-risk students. The ACLU opposed each of these bills and they all failed to come out of committee.

Education Funding...(continued from above)

Requiring school systems to pay teacher pension costs would essentially mean a cut to school system budgets. School systems in some counties might expect their county governments to help with the payments but county/City governments would not have been required by law to pay pension costs. The Senate plan would have accounted for over \$900 million in costs shifted from the state to school systems over the next four years.

[Click here to see the Senate's proposal to shift teacher pension costs, by county.](#)

Advocates rallied against the last-minute Senate cuts as the budget headed to the House. ACLU, BEC, and state coalition partners generated calls to, and meetings with, House members. The House Appropriations committee rejected the Senate's shift of teacher pension costs and adopted the

Governor's K-12 budget, keeping education funded. In a strong nod to the state of the economy, however, both the House and Senate changed the Thornton formula to limit the formula's inflation factor to 1% through FY15.

Since the House and Senate differed on their versions of the budget, a conference committee was appointed to finalize the budget. The Conference Committee rejected the Senate's shift of pensions and kept education funding intact for FY11. A "blue ribbon" commission will be appointed to make recommendations regarding how to handle rising pension costs, to report to the General Assembly in December, 2010.

Education Reform Project

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