

Chapter 701

(Senate Bill 905)

AN ACT concerning

Commission on Innovation and Excellence in Education

FOR the purpose of establishing the Commission on Innovation and Excellence in Education; providing for the composition, chair, and staffing of the Commission; requiring certain appointments to be made to ensure diversity within the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to review the findings and recommendations of a certain study, review certain education finance formulas, review certain accountability measures and review certain other matters; requiring the Commission to make certain recommendations on certain matters; requiring the Commission to make a preliminary and a final report of its findings and recommendations to the Governor and the General Assembly on or before certain dates; requiring certain appointments to the Commission to be made within a certain period of time; requiring a certain master plan to include certain information during certain calendar years; requiring the State Department of Education to convene a certain group of stakeholders to review certain requirements of a certain master plan and the federal Every Student Succeeds Act; requiring the Department to make a certain report on or before a certain date; providing for the termination of this Act; and generally relating to the Commission on Innovation and Excellence in Education.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(a) (1) There is a Commission on Innovation and Excellence in Education.

(2) The Commission shall review the findings of the Study on Adequacy of Funding for Education in the State of Maryland that is to be completed on or before December 1, 2016, and provide recommendations on preparing students in the State to meet the challenges of a changing global economy, to meet the State's workforce needs, to be prepared for postsecondary education and the workforce, and to be successful citizens in the 21st century.

(b) The Commission consists of the following members:

(1) two members of the Senate Education, Health, and Environmental Affairs Committee, appointed by the President of the Senate;

(2) two members of the Senate Budget and Taxation Committee, appointed by the President of the Senate;

- (3) two members of the House Committee on Ways and Means, appointed by the Speaker of the House;
- (4) two members of the House Appropriations Committee, appointed by the Speaker of the House;
- (5) the State Superintendent of Schools;
- (6) the Secretary of Budget and Management;
- (7) the Chancellor of the University System of Maryland;
- (8) one representative of the State Board of Education, appointed by the President of the Board;
- (9) one representative of the Maryland State Education Association, appointed by the Executive Director of the Association;
- (10) one representative of the Baltimore Teachers Union, appointed by the President of the Union;
- (11) one representative from a county board of education, appointed by the Maryland Association of Boards of Education;
- (12) one local school superintendent, appointed by the Public School Superintendents Association of Maryland;
- (13) one chief financial officer of a local school system, appointed by the Association of School Business Officials;
- (14) two representatives of the Maryland Association of Counties, one representing an urban county and one representing a rural county, appointed by the Executive Director of the Association;
- (15) one representative of a group that advocates for public education, appointed by the State Superintendent of Schools;
- (16) one parent of a student who attends a public school in the State, appointed by the Maryland PTA;
- (17) one member of the public, appointed by the Governor;
- (18) one member of the public, appointed by the President of the Senate;
- (19) one member of the public, appointed by the Speaker of the House; and

(20) one chief executive or owner of a business located in the State, nominated by the Maryland Chamber of Commerce and appointed by the Governor.

(c) To the extent practicable, appointments shall be made to ensure regional, ethnic, economic, and gender diversity on the Commission.

(d) (1) The Governor, the President of the Senate, and the Speaker of the House shall jointly designate the chair of the Commission.

(2) If by August 1, 2016, the Governor, the President of the Senate, and the Speaker of the House do not jointly appoint a chair, the President of the Senate and the Speaker of the House shall jointly appoint the chair of the Commission.

(e) The Department of Legislative Services, in consultation with the State Department of Education, shall provide staff for the Commission.

(f) A member of the Commission:

(1) may not receive compensation as a member of the Commission; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(g) The Commission shall:

(1) review the findings and recommendations of the Study on Adequacy of Funding for Education in the State of Maryland, including the studies conducted in accordance with Chapter 288 of the Acts of 2002, as amended by Chapter 397 of the Acts of 2011, and Chapter 709 of the Acts of 2012, and determine what recommendations should be made, including:

(i) the proxy used to identify economically disadvantaged students;

(ii) how to address issues of increasing and declining student enrollment;

(iii) the preferred approach to expanding publicly funded prekindergarten education, including expanding the services and supports needed in special education prekindergarten;

(iv) how to achieve greater equity in school finance and local wealth measures; and

(v) the appropriate regional cost of education index and how the index should be used to adjust education funding;

(2) review and assess the current education financing formulas and accountability measures;

(3) determine how the federal Every Student Succeeds Act, which provides additional flexibility and authority to states over assessments and accountability measures, will affect primary and secondary education in the State;

(4) determine how the State can better prepare students to be competitive in the workforce and with other high performing countries in the global economy;

(5) review how local school systems are spending education funds, including the increased State funding provided under the Bridge to Excellence in Public Schools Act of 2002;

(6) make recommendations for:

(i) updating the base funding level for students without special needs and updating the per pupil weights for students with special needs to be applied to the base funding level as established by the Bridge to Excellence in Public Schools Act of 2002 to ensure that students are adequately prepared for college and careers;

(ii) ensuring excellence in local school systems, student performance, and career and college readiness in the State;

(iii) preparing students for postsecondary education and the workforce, including addressing how to increase participation in innovative public school models that may require additional funding or alternative funding mechanisms, such as:

1. dual enrollment programs;
2. early and middle college programs;
3. Pathways in Technology Early College High schools;
4. apprenticeships and internships;
5. career and technology education programs;
6. community schools, including how the State can leverage federal 21st Century Community Learning Center Grants to expand community schools in the State; and
7. other schools that provide innovative education through curriculum, structure, and socioeconomic diversity;

(iv) ensuring the adequacy and equity of funding for prekindergarten and other early childhood education programs;

(v) addressing the impact of high concentrations of poverty on local school systems; ~~and~~

(vi) ensuring that education funds are being spent efficiently and effectively and that local school systems are allocating their resources to improve student achievement; and

(vii) ensuring that State laws promote collaboration between county governments and local school systems; and

(7) make any other recommendations on legislation and policy initiatives to enhance the availability of innovative educational opportunities and to enhance the adequacy and equity of State funding for prekindergarten through grade 12 public education in the State.

(h) (1) On or before December 31, 2016, the Commission shall provide a preliminary report of its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee, the Senate Budget and Taxation Committee, the House Committee on Ways and Means, and the House Appropriations Committee.

(2) On or before December 31, 2017, the Commission shall provide a final report of its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee, the Senate Budget and Taxation Committee, the House Committee on Ways and Means, and the House Appropriations Committee.

SECTION 2. AND BE IT FURTHER ENACTED, That all appointments to the Commission shall be made within 60 days of the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, for calendar years 2016 and 2017, a county board of education's annual update of the comprehensive master plan required by § 5–401(b)(3) of the Education Article shall include only:

(1) the budget requirements required by § 5–401(b)(5) of the Education Article;

(2) the goals, objectives, and strategies regarding the performance of:

(i) students requiring special education, as defined in § 5–209 of the Education Article;

(ii) students with limited English proficiency, as defined in § 5-208 of the Education Article; and

(iii) students failing to meet, or failing to make progress toward meeting, State performance standards, including any segment of the student population that is, on average, performing at a lower achievement level than the student population as a whole;

(3) the strategies to address any disparities in achievement for students in item (2)(iii) of this subsection; and

(4) the requirements of § 7-203.3 of the Education Article, as enacted by Chapter (S.B. 533/H.B. 412) of the Acts of the General Assembly of 2016.

(b) (1) The State Department of Education shall convene a group of stakeholders to review the current statutory and regulatory requirements of the master plan and the new requirements of the federal Every Student Succeeds Act.

(2) On or before October 1, 2017, the Department shall report to the State Board of Education, the Commission on Innovation and Excellence in Education, as enacted by Section 1 of this Act, and, in accordance with § 2-1246 of the State Government Article, the General Assembly on recommendations regarding:

(i) what information future comprehensive master plans should contain; and

(ii) whether future comprehensive master plans should be completed in a digital form that can be updated periodically.

SECTION ~~3~~ 4 AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2016. It shall remain effective for a period of 2 years and, at the end of May 31, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 28, 2016.