

MSEA's Legislative Role

Legislation designed to further the aims of the organized education profession has enjoyed top priority among MSEA programs for more than 45 years.

Through the years, MSEA developed an enviable reputation with members of the legislature for its solid research and overall engagement in support of bills that the association wanted to have passed—or against legislation that the association hoped to defeat.

Today, MSEA writes the legislation for its program, finds sponsors to introduce the bills, develops arguments in favor of the legislation, and even recommends sources for funding. Political leaders in Maryland recognize MSEA as the leading initiator and proponent of progressive school legislation affecting the state's public school system.

Building on this reputation for integrity and thoroughness, MSEA has again developed a three-year legislative program. Ideas from members and staff were submitted to the Legislative and Citizenship Committee, who researched and discussed those ideas and developed the legislative agenda for 2011 through 2013. This program guides MSEA's activities in the Maryland General Assembly.

Several thousand bills are introduced before the Maryland General Assembly each year. A majority of these bills are of minor significance to education and a high percentage fail in committee. The MSEA legislative staff records and studies every piece of education legislation introduced during the 90-day session and works with leaders, staff, and members to formulate testimony and advocate for the association position.

The legislative activity of the association continues year-round. From August through January, legislative meetings are held in Annapolis and in legislative districts, where the MSEA program is introduced to legislators.

Political activity is an integral part of the legislative function. Every year, the voting records of the 188 legislators are compiled and distributed to MSEA members through an official MSEA publication, and members are encouraged to remain informed, engaged, and as leading advocates on the most critical issues facing Maryland's schools.

MSEA Legislative Program

Legislative issues monitored by MSEA, and requiring, singly or through coalitions, an appropriate level of activity to advance MSEA's objectives:

Adequate Public Funding for Public Schools

MSEA believes in equal education opportunities for all Marylanders, regardless of the geographic location of their residence. Therefore,

MSEA Supports:

- significant improvement in the state funding of public education through the state foundation formula including requiring the maintenance of effort by the local subdivisions, increasing the per pupil expenditure, offsetting the impact of continuing inflation and growth, and requiring full funding of programs mandated by the General Assembly and/or by the State Board of Education;
- the funding required to maintain total system accountability;
- the restoration of state funding of social security costs while requiring maintenance of local funding effort;
- additional state funding to reduce class size;
- an equitable means of maintaining and restoring revenue or of raising and obtaining a fair share of additional revenues that directly or indirectly benefit public education at all levels;
- the maintenance and improvement of categorical aid to public school systems at appropriate levels of funding;
- increased funding for the education of students receiving special education services, apart from and in addition to the basic state foundation formula;
- provision of financial support during the student teaching process;
- funding for school construction and renovation necessary to ensure a high-quality teaching and learning environment, including construction to reduce class size,

appropriate heating, ventilation, and air conditioning systems;

- funding for induction programs for new teachers and education support professionals;
- significant improvements in state funding of public education which are cognizant of the unique characteristics of all public school systems, such as increasing and declining enrollments and unusual costs relating to students receiving special education services;
- funding to provide state of the art technologies that promote student achievement;
- state funding should be dedicated only to public schools, not diverted to private schools;
- public dollars for public schools;
- legislation to support high-quality programs for all students at risk;
- legislation to require local subdivisions to increase and/or maintain local education spending when given state funds. Local subdivisions must account for this money in a report to the state.
- changing the provisions of the Geographic Cost of Education Index from discretionary to mandatory.

MSEA Opposes:

- legislation that underfunds or shifts the payment of the employer's share of retirement and pension system contributions of local boards of education, libraries, and community colleges from state government to the local subdivisions, reduces member benefit levels and/or contribution rates, or reduces the monthly annuity for individual retirees from one year to the next;
- any taxing or spending limitations that directly or indirectly have an adverse effect on public education;
- public funding of sectarian schools and public funding that enables nonsectarian prek-12 nonpublic schools to provide educational services and materials that are available to students in public schools to which they have reasonable access;
- tuition tax credits for elementary and secondary schools;
- the use of vouchers or certificates in education;

- the funding for state mandated parental option or "choice" in education programs;
- any new programs mandated by the state legislature, the State Board of Education, or the federal government that do not include adequate funding for implementation including materials, staff, and professional development; using funds provided for mandated programs by the state legislature, the State Board of Education, or the federal government to reduce local funding; and
- legislation that reduces entitlement funding in favor of competitive funding.

Voice In the Workplace

MSEA Supports:

- legislation that protects and enhances employees' and retired employees' rights to affordable quality health care;
- legislation, in cases of alleged job-related criminal activities, to protect the rights and job security of all parties during the investigative process and the accused, upon conclusion of the process, when charges are unsubstantiated. The investigation of alleged charges shall have no negative impact on certification or recertification;
- legislation establishing and funding air quality and climatization assurance programs within the school construction and renovation program;
- legislation to protect the health and safety of education employees in the performance of their duties;
- legislation to require employers to provide employees with adequate leave time to attend teacher conferences concerning their children;
- legislation establishing and funding appropriate employee assistance programs;
- legislation that protects employees from undue restrictions on employment mobility;
- legislation to enhance employees' job-protected family and medical leave;
- legislation to enhance and protect benefits for all public school employees;

- maintaining at a minimum the current ratio of active teacher representatives on the State Retirement and Pension System of Maryland Board of Trustees;
- legislation that strengthens the professional growth of school employees;
- legislation to enact the recommendations of the Management of Public Employees Retirement System Act (Uniform Code);
- legislation for twenty-five (25) year retirement without penalty;
- requiring all member pension plans to have as a basis an adequate and fully-funded defined benefit plan;
- legislation that may be required for peer assistance and review, enhanced standards for school improvement teams and strengthened professional growth of school employees through collective bargaining;
- legislation that would limit the participation of student members of boards of education to an advisory role, and which would exclude student members from receiving information about and/or participating in hearings or deliberations on confidential personnel matters;
- legislation to enhance the Collective Bargaining Law
 - » to require collective bargaining agreements to include a provision for binding arbitration of grievances;
 - » to change mandatory strike penalties to permissive strike penalties;
 - » to guarantee a broad scope of bargaining subjects, particularly extending them to include all matters affecting teacher workload; and
 - » to support local agency fee and statewide agency fee.
- a comprehensive bargaining law for all public employees;
- local school systems involving the employee representative organization as a full partner in the development of any site-based decision making program;
- the increased involvement of classroom teachers and other school-based personnel at all levels of education decision making, while maintaining the integrity of the collective bargaining process;
- establishment and funding of professional development opportunities designed and directed by teachers;
- establishment and funding of professional development opportunities designed and directed by education support professionals;
- state efforts to improve the professionalization of teaching;
- the establishment of state or locally based paraeducator certification programs, coupled with requirements that school districts provide paraeducators with the necessary training and professional development;
- state backing for National Board Certification through the NBPTS process that
 - » increases funding;
 - » supplements salaries through locally negotiated agreements; and
 - » funds support mechanisms for participating teachers; and
- efforts and/or legislation to identify initiatives aimed at reducing educator workload.

MSEA Opposes:

- any legislation or administrative action which would endanger the assets of the retirement and pension system;
- any attempt to eliminate the independent labor board established by the Fairness in Negotiations Act;
- legislation that establishes merit pay systems;
- programs that would weaken state credential and/or licensure requirements;
- mandating arbitrary education requirements for paraprofessionals; and
- legislation conferring arbitrary power upon administrators to transfer individual educators.

Good Public Policy

MSEA Supports:

- total system accountability including standards and measures of performance appropriate to the personnel, agency or level of government involved;
- measures that require policymakers and fiscal authorities to provide adequate resources necessary to implement a quality public education program;
- strengthened child labor laws and enhanced enforcement of such laws;
- legislation to strengthen and enforce the penalties for violent crimes committed in drug-free school zones;
- legislation to provide stricter open meeting requirements or enforce requirements which make it possible to hold education discussions, with the exception of negotiations, in the public eye;
- legislation that enhances citizen participation in the political process;
- maintenance of public control and public management of public schools;
- an autonomous teacher majority professional certification board to set entry and renewal requirements necessary to ensure high quality professionals;
- health care reform measures that move Maryland closer to the goal of universal coverage, quality assurance, and cost containment and that address the needs of children and education employees through a tax-supported health care plan;
- maintenance of public control and public management of public schools;
- legislation and public policy that represents the strongest possible respect for and commitment to civil and human rights.

MSEA Opposes:

- vouchers, tuition tax credits, and publicly funded grants for nonpublic schools;
- legislation that would inhibit citizen participation in the political process.

- counting student growth as more than 35 percent of teacher evaluations; and
- establishing more stringent deadlines on notification prior to parent conferences than are already in the Individuals with Disabilities Education Act.

Supporting Student Achievement

Legislative issues intended to create the best possible conditions for all children in support of both their development and education.

MSEA Supports:

- efforts to strengthen support systems for youth that establish and fund programs that protect children from abuse and/or neglect by parents, custodial adults, or others and improve child care programs, such as pre-school, before- and after-school day care, and parenting education;
- legislation to protect the health and safety of students in their school environment, including efforts to eliminate bullying;
- legislation that removes bureaucratic obstacles which impede educators' ability to create safe and productive learning environments for all students;
- programs to encourage and support recruitment of talented individuals, particularly minorities, to enter and remain in the teaching profession and education support positions;
- development and retention, through programs including but not limited to scholarships and loan forgiveness, of current and future teachers for the pursuit of excellence in our nation's schools and post-secondary institutions;
- programs that provide adequate funding, opportunities, experiences, and resources for education practitioners to teach and learn from peers;
- opportunities for professional development and in-service training for all education employees;
- adequate program funding that meets the needs of an increasingly diverse student population;
- high student academic standards with multiple measures of performance;
- development of collaborative programs among family, school, community, business, social

services, and law enforcement agencies in the effort to reduce self-destructive behaviors, disorderly conduct, and illegal acts of students;

- legislation providing targeted aid, including differentiated staffing, to low wealth subdivisions and at-risk students in all subdivisions;
- programs to enhance new technologies that promote student achievement;
- learning objectives and interaction between and among teachers, students, and the community;
- legislation that guarantees transparency, public disclosure, and public scrutiny of high-stakes testing and accountability systems. This is to include scoring processes, equating formulas, school performance indicators, and the tests themselves; and
- legislation that addresses truancy and attendance rates, including raising the dropout age and making attendance a requirement for high school graduation.

General Assembly Roster

Official Addresses

Senate Members:

Miller Senate Office Building
Annapolis, MD 21401

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Annapolis, MD 21401

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410/946-5400 *Toll-free from the Baltimore-Annapolis area*
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Names by District

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Del. Kevin Kelly (D) 1B
Del. LeRoy E. Myers, Jr. (R) 1C

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Del. Andrew A. Serafini (R) 2A
Del. Neil Parrott (R) 2B
Del. John P. Donoghue (D) 2C

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Del. Galen R. Clagett (D) 3A
Del. Patrick Hogan (D) 3A
Del. Michael Hough (R) 3B

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Del. Kathy Afzali (R) 4A
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Del. Donald B. Elliott (R) 4B

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School Funding: Maryland Public Education

State Funds

In 2002, lawmakers passed the Bridge to Excellence in Public Schools Act (also known as the Thornton Plan) based on the recommendations of the Thornton Commission. Fully funded, the plan increases state education aid/funding by \$2.8 billion by FY 2011.

Formula funding in the Bridge to Excellence in Public Schools Act is equalized to ensure that poorer counties receive a larger per-pupil share of state funding than wealthier counties. The law adjusts to provide for additional funding for children living in poverty, the number of children with limited English proficiency, and special education students. The Bridge to Excellence in Public Schools Act includes aid for transportation, early childhood, and other programs.

The Bridge to Excellence in Public Schools Act also provides adjustments for differences in the cost of education for students in counties where resources are more costly via a geographic cost of education index (GCEI).

In addition to the Bridge to Excellence programs, other state aid programs provide for teacher pensions, non-public special education placements, and other education programs.

State aid to public schools was \$5.7 billion in FY 2010. In addition, funding for public school construction projects totaled \$256 million.

State Aid to Maryland Public Schools: FY 2010 (\$ millions)

Foundation Aid	2,763.5
GCEI	126.6
Compensatory Education	1041.1
Special Education Formula	264.0
Limited English Proficiency	151.2
Guaranteed Tax Base	47.4
Student Transportation	244.3
Supplemental Grant	46.5
Subtotal	\$ 4684.6

Other State Aid Programs

Teacher's Retirement	849.9
Nonpublic Special Education	112.8
Adult Education	6.9
Food Service	7.2
Aging Schools	6.1
Head Start & Judy Hoyer	12.4
Teacher Quality Incentives	5.6
Infants and Toddlers	10.4
Other	21.7
Total Public Schools	\$ 5717.6

Local Funds

Maryland's school systems are also dependent on funding from the local government. Local boards of education prepare an annual budget for consideration by the local government, which must review, modify, approve, and fund the budget. Maryland local governments provide about 50 percent of education costs. The primary sources of local revenue are local property taxes and local income taxes.

For FY 2010, local governments appropriated \$5.7 billion to support local school operating budgets and another \$1 billion to support school construction and debt service.

Federal Funds

Federal funds comprise a small part of the school system budgets. On average, county schools receive about 6 percent of their revenue from the federal government. For FY 2011, federal funds going to local school systems will be about \$1.5 billion, which is a sizable increase due to the passage of President Obama's American Recovery and Reinvestment Act (ARRA). Most of these programs are restricted by statute to provide funding for a particular need. The largest of the federal programs are:

- Elementary and Secondary Education Act/No Child Left Behind Act of 2001
- Individuals with Disabilities Education Act
- National School Lunch Act
- Social Security and Medical Assistance Act