

SECTION 1: BOE VOTE REQUESTED

HB0004

Crimes - Hate Crimes - Use of a Noose or Swastika to Threaten or Intimidate

Sponsored by: Delegate Chang

Prohibiting a person from affixing, erecting, or placing a noose or swastika on any building or real property, without the express permission of the owner of the building or property, the owner's agent, or a lawful occupant, with the intent to threaten or intimidate any person or group of persons; and establishing that a penalty of imprisonment not exceeding 3 years or a fine not exceeding \$5,000 or both applies to a violation of the Act.

<http://mgaleg.maryland.gov/2019RS/bills/hb/hb0004F.pdf>

SUPPORT

Behavior and actions that exhibit hate and bigotry are not tolerated at Anne Arundel County Public Schools (AACPS). As such, we continue to work with our staff and the community to be part of the solution to such acts in the county and in our schools.

In an effort to continue the dialogue and work toward creating climates free of hate and bigotry, AACPS will be conducting community meetings to discuss our efforts, allow student and community feedback, and break into small groups to discuss the issues and potential solutions. Our Office of Equity and Accelerated Student Achievement has been extremely busy meeting with community stakeholders and providing professional development to AACPS staff.

There is a lot of work, however, for everyone to do when it comes to eradicating hate and bigotry. We all have roles to play, and just as is the case when it comes to the education of our children, in this effort all must mean all. As such, we believe that HB4 – which clearly defines the depiction of nooses and swastikas as acts of hate – is an important step in the right direction to help strengthen Maryland's hate crime law.

SECTION 2: BOE VOTE NOT RECOMMENDED AT THIS TIME

NO BILLS

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SECTION 3: BOE VOTE NOT REQUIRED – ESTABLISHED POSITION
IN 2019 LEGISLATIVE PROGRAM

HB0045/SB0092

Accountability in Education Act of 2019

*Sponsored by: Speaker on behalf of the Administration
President on behalf of the Administration*

Establishing the Education Monitoring Unit in the State; providing that the Unit is an independent unit; establishing the Investigator General Selection and Review Commission in the Unit; requiring the Commission to appoint the Investigator General in accordance with certain procedures; requiring the Unit to investigate certain complaints; requiring the Unit to establish an anonymous electronic tip program; and requiring the Unit to submit an annual report by December 15 to the State Board, the Governor, and the General Assembly.

<http://mgaleg.maryland.gov/2019RS/bills/hb/hb0045F.pdf>

<http://mgaleg.maryland.gov/2019RS/bills/sb/sb0092F.pdf>

OPPOSE

Under current law, the Office of Legislative Audits (OLA) must conduct an audit of each local school system at least every six years to evaluate the effectiveness and efficiency of the system's financial management practices. Specifically, local school systems are audited in the areas of procurement, human resources/payroll, inventory control, information technology, transportation services, food services, school board operations, financial controls, and facility planning/construction. The audits take an enormous amount of staff time and participation. For example, during the last AACPS legislative audit, auditors were in AACPS offices for 11 months.

OLA audits are only one level of school system accountability. As a local education agency, AACPS also has an annual audit conducted by independent external auditors as well as single audits for all grants. Additionally, we have periodic audits from the Maryland State Department of Education and Maryland State Retirement Agency. AACPS also has an independent internal auditing department tasked with providing spot audit functions over AACPS system activities, including assets and resources, fiscal matters, programs and operations, and technology. In September, the Governor issued an executive order establishing the Office of Education Accountability. In addition, MSDE established the Office of Compliance and Monitoring to ensure that school systems are compliant with State laws and regulations. As the above information illustrates, local school systems already undergo significant oversight. As such, the establishment of an Education Monitoring Unit in the State and an Investigator General Selection and Review Commission is unnecessary and duplicative.

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HB0053

County Boards of Education - Length of School Year - Adjustments

Sponsored by: Delegate Chang

Clarifying that the authorization for a county board of education to extend the length of the school year, for any reason, for up to 5 school days beyond June 15 without approval from the State Board of Education or any other entity is not subject to additional conditions.

<http://mgaleg.maryland.gov/2019RS/bills/hb/hb0053F.pdf>

SUPPORT

In 2016 Governor Hogan issued an Executive Order requiring all public schools to begin the school year no earlier than the Tuesday immediately following Labor Day and end no later than June 15. The parameters set forth in the Executive Order have required most, if not all, school systems in the State to rewrite their school calendars in order to squeeze the mandated 180 days of class between Labor Day and June 15. In the 2017-2018 school year, AACPS cut 10 days from our calendar as compared to the 2016-2017 school year. Spring Break was shortened from six days to three days, the number of inclement weather days were reduced from five to three, and parent-teacher conference opportunities were cut from three to two. The 2018-2019 school calendar resulted in additional reductions due to the fact that there was a General Election Day, Yom Kippur fell on a weekday, and June 15 was a Saturday. HB53 would provide AACPS the greatly needed flexibility with the school calendar as it would extend the date by which schools would have to close each year to the third Friday in June. This is common-sense legislation that continues to meet the desires of the Governor and many Marylanders for a longer summer, but does not put school systems into an unmanageable calendar crunch.

SB0013

Juveniles - Reportable Offenses

Sponsored by: Senator Serafini

Requiring the Department of Juvenile Services to notify a local superintendent of schools or school principal of a student's arrest for a reportable offense or an offense related to a student's membership in a certain gang; and requiring the Department to provide educational programming information to an identified student.

<http://mgaleg.maryland.gov/2019RS/bills/sb/sb0013F.pdf>

SUPPORT

Safety in public schools remains increasingly important to local boards of education as school-related security incidents and threats in Maryland and throughout the nation have increased over the years. As a result, it is essential for educational leaders to be included in the continued development of a comprehensive security plan.

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Communication among stakeholders is essential in helping to maintain school safety. As such, AACPS supports legislation that eliminates impediments to communication among school system, law enforcement, and juvenile justice officials. SB13 will assist in this endeavor by further enhancing the current reportable offense statute and help eliminate current communication barriers that currently exists between schools and the Department of Juvenile Services.

SB0015

Public School Construction - Innovation Incentive Pilot Program - Prevailing Wage Requirements

Sponsored by: Senator Serafini

Exempting a public school facility construction project approved for participation in the Innovation Incentive Pilot Program from complying with prevailing wage requirements if less than 50% of the money used for the project is State money; requiring a project that is approved to participate in the Pilot Program and required to comply with prevailing wage requirements to use regional prevailing wage rates; and requiring the Commissioner of Labor and Industry to set regional prevailing wage rates.

<http://mgaleg.maryland.gov/2019RS/bills/sb/sb0015F.pdf>

SUPPORT

Current prevailing wage provisions can add in excess of 10% to school construction costs. Under current law, prevailing wage takes effect when State funds constitute 25% or more of a public school construction project. SB15 would raise the threshold to 50% of State funds prior to State prevailing wage requirements taking effect. In tight economic times, AACPS should follow a strategy of fiscal prudence and avoid paying premiums on goods and services. Given AACPS' \$2.1 billion infrastructure backlog stretching our limited financial resources to complete the most projects for the least cost would support sound public and fiscal policy. Lastly, there is no consistent evidence to suggest that projects undertaken via the higher prevailing wage rates are completed on more expeditiously or result in better quality.

SB0040

Procurement - Prevailing Wage - Modifications

Sponsored by: Senator Serafini

Altering the definition of “public body” to increase, from 25% to 50%, the percentage of money used for construction that must be State money for an entity or person to be included with respect to the construction of an elementary or secondary school for purposes of certain provisions of law governing the prevailing wage; and authorizing the Commissioner of Labor and Industry to set regional prevailing wage rates for each classification of worker engaged in work of the same or similar character for certain regions.

<http://mgaleg.maryland.gov/2019RS/bills/sb/sb0040F.pdf>

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