

## BOARD OF EDUCATION OF HOWARD COUNTY

# PROPOSED LEGISLATIVE PRIORITIES FOR THE 2024 SESSION

*Collaboration between the Board of Education of Howard County (the Board) and the Howard County Delegation to address educational reform during the 2024 session of the Maryland General Assembly is paramount to the success of the Howard County School System (HCPSS) in providing the best possible education for all students.*

*The Board proposes the following priorities for the coming Session:*

- BLUEPRINT - ADEQUATE FUNDING
- BLUEPRINT - PHASED IMPLEMENTATION
- RECRUITMENT & RETENTION
- TRANSPORTATION - ADEQUATE FUNDING
- LAGGING PER PUPIL INDICATORS
- CAPITAL FUNDING - LOCAL MATCH
- MITIGATING DEVELOPMENT IMPACT
- UNIVERSAL STUDENT MEALS
- MENSTRUAL HYGIENE PRODUCT FUNDING
- SCHOOL CALENDAR FLEXIBILITY
- BOARD OF EDUCATION ELECTION STUDY
- BOARD OF EDUCATION SALARIES

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## Blueprint – Adequate Funding

The programmatic aspirations found in the Blueprint for Maryland's Future mirror the mission set by HCPSS to ensure academic success and social-emotional well-being for each student in an inclusive and nurturing environment that closes opportunity gaps. As we are approaching the third full year since the passage of the Blueprint and many major pieces of implementation are on the horizon, despite a significant infusion of new revenue the topic of adequate funding to meet the statutory mandates has been prevalent in budget discussions across the state and locally in Howard County.

Based on State and local revenues required by law and received during the past two fiscal years, HCPSS foresees a continuous dilemma – requesting above Maintenance of Effort (MOE) funding and/or cutting service levels in other areas of the budget to afford the unfunded increases. To address budget challenges to date, HCPSS has used a combination of throttling the speed of implementing the Blueprint and using one-time funds to pay for costs that will be recurring. Neither approach is sustainable and HCPSS's ability to fulfill the vision and mandates of the Blueprint will be compromised without a remedy to the funding formula.

In the FY2024 Budget, even with a \$47 million increase in the above MOE funding by the County, HCPSS was forced to make across-the-board reductions to the original budget request and to expected services. Illustrative of the ramifications, despite future goals of the Blueprint, HCPSS was forced to pull back on any expansion of full day prekindergarten slots in FY2024. Additionally, while required funding for the

Workforce Development Board was achieved, Fund Balance was used to make it possible. Even in areas where the budget was able to grow, that growth did not keep pace with expected per pupil investment. Special education per pupil funding increased by 11.6 percent per State formula for FY2024 for instance, yet aggregate funding in this area only increased by 8.4 percent, reflecting a growth inconsistent with statutory intent.

One specific area the Blueprint did not adequately address at the time of passage, was how local funding would increase to cover the expenditure changes mandated when the local funding level exceeds the required local share, as is the case in Howard County. There are two interrelated fixes needed in the calculation of the required MOE funding formula to make it consistent with the State required funding formula.

	FY 2022 (Base Year)	FY 2023	FY 2024
County Recurring Funding Prior Year	\$620,300,000	\$628,300,000	\$673,300,000
Required MOE	\$620,300,000	\$628,300,000	\$648,770,253
<i>Change in MOE</i>	\$0*	\$0*	\$(24,529,747)*
Above MOE	\$8,000,000	\$45,000,000	\$71,529,747
Total County Recurring	\$628,300,000	\$673,300,000	\$720,300,000

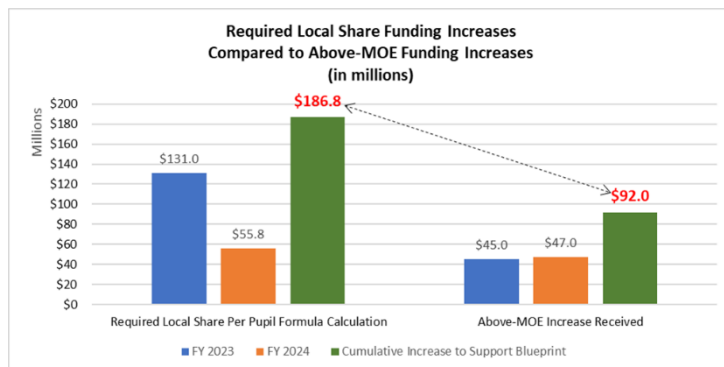
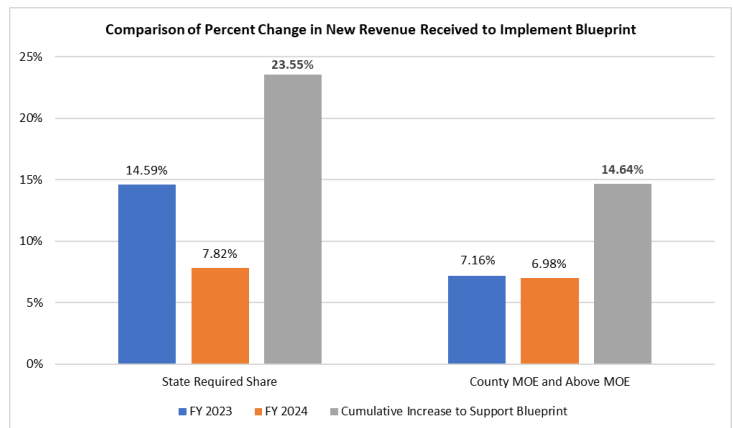
\*Due to enrollment declines MOE was held harmless by legislation, which sunsetted in FY2024. The decline in FY2024 reflects the hold harmless provision expiring. A portion of the decline, about \$1 million, also reflects a decrease in enrollment.

The first area relates to enrollment changes and the required MOE funding amount. As it exists, the MOE funding formula only requires an increase in funding when enrollment grows. If enrollment is stagnant or declines the amount of MOE funding does not grow or declines at the very juncture when local school systems must

increase teacher salaries, expand prekindergarten, expand college and career pathways, and meet other Blueprint requirements – expenditures not necessarily enrollment sensitive. It creates a misperception that more funding is only required when there are more students. The table above illustrates how required MOE funding changed to support HCPSS’s implementation of the Blueprint.

As HCPSS was required to increase costs for the Blueprint, required MOE funding was declining. Consequently, without a statutory option to request more funding than the required State share, HCPSS had to request substantial above-MOE funding amounts from the County to advance the Blueprint.

The second fix relates to per pupil funding increases mandated in the local share calculations. The chart to the right illustrates how the State funding formula calculation based on the per pupil funding amounts established in the Blueprint have increased vs. the required local share based on the same student population in FY2023 and FY2024.



This disconnect, despite HCPSS receiving \$92 million of above MOE funding the last two years, has resulted in an amount that is less than 50 percent of the required per pupil formula funding increases in the required local share. The chart to the left compares how local funding would have increased based on the new per pupil amounts compared to the amount of above MOE funding received from the County. In short, the data illustrates how the above MOE funding provision in law does not assure schools systems will receive the

full per pupil funding increases prescribed in the Blueprint and necessary to support implementing Blueprint requirements.

Remedying this disparity will take legislation that incorporates the per pupil funding increases outlined in the Blueprint to be used as the baseline calculation of required increases in the MOE funding. The burden, however, cannot only fall to local funding authorities as the State has a responsibility to continually monitor the adequacy of funding to meet the mandates passed in legislation, and increase funding when necessary. Without a statutory fix, HCPSS will be saddled with a funding formula that does not mandate the required funding increases sufficient to support the Blueprint implementation.

## Blueprint – Phased Implementation

Two approaching statutory deadlines on July 1, 2024, will have wide-ranging impacts for school systems as well as the overall success of the goals of the Blueprint for Maryland's Future – the adoption of local career ladders and minimum school funding. Implementation of both need to include collaboration among stakeholders beyond school system administration and have many layers of complexity where guidance has yet to be provided by our governing bodies.

Under Pillar 2 – High-Quality and Diverse Teachers and Leaders, the Blueprint directs the use of career ladders at the local school system level to elevate the teaching profession while shifting increases in teacher salaries to performance and expertise measured largely by certification from the National Board for Teaching and Professional Standards (NBC). The career ladder is expected to work in conjunction with the Blueprint's specific requirements to increase teacher collaborative time that will support and encourage teamwork, allow teachers to identify and work with individual students who need additional support, and increase professional development. It is also intended to incentivize teachers to work their way toward newly created teacher leadership roles that in-turn support instruction in higher education, mentor new teachers, and lead professional development across the local system and Maryland. Funding for salary increases associated with the career ladder must be distributed by local boards to the school in which the teacher works. Teacher evaluations required under the career ladder – to be developed by the Maryland State Department of Education (MSDE) by July 1, 2024 – must be aligned with the NBC and provided to all teachers by June 20, 2026. During the phase-in of existing teachers to the career ladder, and as the pipeline of available teachers with NBCs is expanded, school systems are also expected to maintain current step advancement practices for those who choose not to opt-in to the career ladder.

With so many pivotal pieces tied to the initial implementation of the career ladder, getting it right in the first place will help ensure a smooth transition. In July of 2023, exactly one year before the requirement to have this robust career ladder in place, MSDE held the first technical assistance briefing on career ladders. The initial technical assistance was limited to the philosophy of educator career ladders and the international research that formed the recommendation. In the absence of clear timelines and criteria, negotiations are also likely to be unsuccessful given career ladders are subject to bargaining for parameters outside those defined in statute.

Under Pillar 5 – Governance and Accountability, the Blueprint calls for two distinct steps related to minimum school funding. First, by July 1, 2023, MSDE must implement a financial management system and student data system capable of tracking and analyzing data for the requirements of the Blueprint and integrating with local school system data, as well as updating the Financial Reporting Manual. Subsequently, by July 1, 2024, and each July 1 thereafter, local school systems must report on compliance with the Blueprint requirement to distribute a minimum of 75 percent of each category found in the Major Aid program to the school where the per pupil count for such funds originated – the money must follow the child. Exceptions to this include countywide obligations and contracts for goods and services as well as special education which can be reported in the aggregate. Waivers can be requested where significant shifts in enrollment, special services populations shifts, or costs associated with these populations make school-based distribution unfeasible. Concentration of poverty and prekindergarten funding alternately must have 100% of the funds distributed to the school where the student attends.

As noted in the [HCPSS Implementation Plan](#) (see 5.4.2:164 starting on page 175), minimum school funding will be a significant new financial process. MSDE has adopted the PowerSchools financial management system, and HCPSS has been actively involved in learning the new system while also implementing our own new system. As of summer 2023, financial officers for local school systems were initially given the opportunity to explore methodology for how Blueprint funds are to be allocated in unique situations with MSDE. Uniform reporting of school system expenditures, distribution of the local share for counties such as Howard where MOE is not Major Aid specific, and minimum school fund revenues, as

well as waiver parameters to understand how exceptions will be applied, are yet to be developed. School systems also face financial ramifications if deemed non-compliant by the State.

The Board is seeking Howard County Delegation support for changes to Blueprint deadlines that allow for a phased-in approach as guidance becomes available from our governing bodies. Implementation Plans that set the stage for the State and each entity subject to the Blueprint including local school systems were given final approval in August 2023. The AIB workgroup on outcome measures that will be used to set guideposts for accountability in future implementation also just completed an initial recommendation in summer 2023. This request includes providing the State ample time to finalize guidance based on these and other critical requirements of their own implementation. HCPSS and stakeholders across Maryland are committed to making the goals of the Blueprint a reality, but as outlined above, need the opportunity to work collaboratively as well as with local funding authorities to catch up to mandates and ensure implementation is planned accordingly.

## Recruitment & Retention

During the 2023 session, teacher recruitment and retention was one of the more prevalent issues found in education-related legislation given rising local and national shortages coming out of the COVID-19 pandemic, and facing the need for increased and diversified personnel to meet the needs of students and the requirements of the Blueprint for Maryland's Future. Illustrating the importance of recruitment and retention, the Maryland State Department of Education (MSDE) presented a detailed analysis of [Teacher Workforce Supply, Demand, and Diversity](#) to the State Board of Education (State Board) in the summer of 2022. The report notes lack of sufficient, qualified teachers and staff instability threatens students' ability to learn, while high turn-over can have major impacts on school system economic resources.

Many of the specific areas brought forward in this report were incorporated into HB1219 The Maryland Education Shortage Act, sponsored by the Moore Administration and passed by the General Assembly in 2023. The Board joined the statewide support for teacher recruitment and retention under this bill, including an expansion of higher education loan assistance repayment program for teachers and mental health professionals, additional flexibility in eligibility for the Teaching Fellows for Maryland Scholarship, and the development of a Teacher Development and Retention Program to support student teachers. One major portion of HB1219 that was removed prior to passage, but could help bring additional staffing to Maryland if revisited by the General Assembly, was the interstate teaching compact to allow more teachers working in other states to come to Maryland without the red tape of getting recertified.

Locally, the Howard County Council responded to teacher retention needs with the passage of CB14, which authorizes Maryland's first local Student Loan Assistance Repayment Program for teachers. The Board appreciates the \$300,000 per year for the next five years budgeted by the County Executive and passage of the bill by the Howard County Council.

Internally, over the past several years, HCPSS has been aggressively targeting our current support staff to identify potential teaching candidates. Through partnerships with Towson and Bowie State Universities, and supported by state-funded Teacher Collaborative Grants, HCPSS has had approximately 50 support staff who either earned their undergraduate or graduate degrees and teaching certificates. Through [Maryland Leads](#), in order to diversify and increase the numbers of potential staff, Howard County is further enhancing and solidifying the Grow Your Own options being explored. Cohorts of Howard County students will participate in and complete the Teacher Academy Maryland and apprenticeships in HCPSS elementary schools as paraeducators. This will be part of a larger effort to create clear pathways from high school to teaching.

All of these efforts have made initial strides towards addressing staffing for the school system. Given the urgent nature of the current workforce shortages, however, the Board continues to seek Howard County Delegation support for additional legislative measures that would authorize alternatives to teacher certification without compromising existing high standards and incentivize teachers to work locally in Maryland and/or Howard County. As outlined in the presentation above (National Incentives to Remove Barriers – Slides 49-56), other states nationwide have created pathways to teaching certification that MSDE is reviewing as case studies for potential direction in Maryland. This includes alternative preparation programs, flexibility to show licensure competency, and interstate teaching compacts. Supports to prepare new or prospective teachers for work in a classroom to increase retention are of

imminent importance in the interim until the teacher preparation changes under the Blueprint at the higher education level are implemented.

On top of the goals of the Blueprint to raise the status of the teaching profession across the state, Howard County must also continue to make it a local priority to invest in making HCPSS attractive to current and future teachers to keep Howard County among the most sought-after high quality school systems, students, staff, and residents expect. Specific initiatives could include local student teacher stipends programs where receipt is tied to a commitment to teach in Howard County, similar to the State pilot under HB1219.

While [across Maryland school systems are seeing an improvement](#) in filling vacancies for the start of SY2024, certain areas such as special education staffing continue to struggle. In some cases, teachers are opting to move to other subject areas despite certification in special education. During summer 2023, nearly one third of certified vacancies across all schools were for special education teachers. This is in addition to vacancies in special education support positions as well as for related service providers who are needed to meet specific service requirements on Individualized Education Plans.

The FY2024 Operating Budget includes the addition of nine new Program Assistants in the birth to five early intervention services program and for central office special education whose intended role will be a reduction of teacher workload across the system. More aggressive allocation of funding for support positions in special education, however, would be needed to alleviate teacher workload. Incentives for related service providers to work in school settings could include loan assistance similar to the inclusion of mental health professionals under HB1219.

## Transportation – Adequate Funding

In Maryland, student transportation funding is calculated under Education Article § 5–218, separate from the per pupil Foundation Aid under § 5-201. Howard County receives a base grant of \$8,460,292, which is then adjusted annually via a formula that takes into account inflation per the Consumer Price Index and enrollment increases. For special education students, a flat rate of \$1,000 per student is added to the State allocation. For FY2024, HCPSS will receive just under \$24 million, of which \$1.9 million comes from special education grants.

To address concerns with low counts in the area of special education students where additional costs are needed to accommodate specialized needs, the Maryland State Department of Education proposed updates to COMAR 13A.02.06.07 General Financial Aid to Local School Systems in May 2023 [to clarify how these students are counted](#). The new language, if after going through the public comment period is adopted as proposed, will presumably increase counts as it adds students that have transportation identified as a related service in their Section 504 Plan to be eligible for the \$1,000 per student transportation services grant, not just those with an Individualized Education Plan.

The cost of total student transportation services, however, far exceeds the required funding amount allocated by the State. HCPSS budget program 6801 in FY2024 was adopted at \$55.9 million, with \$52 million alone in bus transportation contracts. The budget includes transportation costs for all general education students and for special education access to regional, countywide, or special education nonpublic schools. Transportation is also provided to students traveling to the Applications and Research Lab and participating in JumpStart programs, for field trips, as well as accommodating the prekindergarten and Workstudy/Enclave programs. The difference must be made up through local funds, with expenses reduced in Howard County through common school transportation practices such as walk zones for students in neighborhoods surrounding their districted school, the use of alternative transportation to create efficiencies, and family transportation registration to help streamline route planning.

Under the Blueprint for Maryland’s Future, the revamp of the per pupil Major Aid formula did not include updates to the calculation of transportation grants as outlined above under § 5-218 (§ 5-205 prior to the passage of Blueprint). The calculation of “full-time equivalent enrollment” referenced in the transportation formula points to the definition under § 5-201, which counts “the number of students enrolled in kindergarten through grade 12 or their equivalent in regular day school programs,” thus not including prekindergarten students. The goals of expansion for career and technical education, apprenticeship



programs, as well as full day prekindergarten participation under the Blueprint also mean more student transportation needs over its 10-year implementation.

Recent legislation passed in the area of transportation has included flexibility in the use of alternative school vehicles under HB0072 from 2021, and a study of bus driver wages under HB0573 from 2022 when school systems were in the height of bus driver shortages. Outside of legislation, both local and national school bus contractors have increased wages in addition to offering recruitment bonuses. While both alternative transportation options and increased wages have helped diminish the driver shortage issues, costs have continued to grow for local school systems. Given the difference in State funding and school system expenditures for student transportation, the Board is seeking Howard County Delegation support for a study of the adequacy of transportation funding.

## Lagging Per Pupil Indicators

In recent years various bills have attempted to alter the per pupil enrollment count methodology used to fund education in Maryland. As a lagging indicator, Foundation Aid funding is currently based on the count of student enrollment as of September 30 of the prior school year under Education Article § 5-201. An update during the consideration of the Blueprint for Maryland's Future, and given unexpected drops in enrollment during the COVID-19 pandemic, amended this area of law to define "enrollment count" as the greater of the full-time equivalent enrollment (enrollment as of September 30 of the prior year) or the three-year moving average enrollment (average of the three prior years enrollment as of September 30). Most of these bills, however, in attempting to address concerns with using a snapshot in time as the basis for school system funding, have proposed solutions that create a different variation of the current problem of funding based on a lagging indicator, which continues to impact growing districts such as Howard County. While the 2023 HCPSS Feasibility Study indicates the annual rate of enrollment growth is expected to de-accelerate compared to historical growth, student enrollment projects to continue growing in the coming years.

Concerns over funding on a lagging per pupil count are especially prevalent for expected expansion of prekindergarten slots under the Blueprint. Calculations for funding are found under Education Article § 5-229, but similarly rely on lagging indicators as half day slots are converted to full day and additional slots need to be added as participation grows. In predicting the needed space, there are many nuances for prekindergarten expansion as well as expected funding given the year lag in enrollment. First, the law allowed all students within Tier I to enroll beginning with SY2023, and those in Tier II and III with a portion to be paid by families based on income in subsequent years, however enrollment is voluntary on the part of the family. Initial estimates from the 2023 HCPSS Feasibility Study using typical birth to kindergarten rates indicated a potential need for 3,200 income-eligible students who may elect to enroll in prekindergarten, with HCPSS needing approximately 1,600 full day seats to serve Tier I alone if 50 percent of the need is addressed by private providers. Despite this expected growth, the current statute only provides funding for actual full day enrollment in the prior year.

Given the variance in bills introduced to address per pupil enrollment calculation, the Board is seeking Howard County Delegation support for research and analysis to determine what measures, including calculations proposed under HB0598 by Howard County Delegate Chao Wu from 2023, may more accurately reflect future school system enrollment and the subsequent funding needs. Such a study must include alternative funding models beyond those that solely rely on enrollment counts. For prekindergarten expansion, as a reliable data point for future projections is developed, the Board is also seeking the ability for school systems to substitute anticipated prekindergarten enrollment instead of last year's actual enrollment to meet the goals of the Blueprint.

## Capital Funding – Local Match

The State, through the Interagency Commission on School Construction (IAC), and the County, through local bonds and taxes, share public school construction costs for projects under the Public School Construction Program according to a formula based on local taxable wealth and other factors (Education Article § 5-303). While the State's portion of the eligible construction cost for Howard County is 56 percent

for FY2024, a local match requirement implores a commitment from Howard County officials to secure financing options in order to take full advantage of available State funds. The cost-share must be updated every two years by the IAC, and under HB1290 of 2022, any percentage decrease in the State share is limited to 5 percent. In July 2023, the [IAC adopted updated cost shares](#), with HCPSS' State share dropping to 54 percent for FY2025 and 51 percent for FY2026 (see page 185). Howard County may receive the same total amount of overall State funding, but given the drop in State shares, additional local funding will be needed per project to move forward.

HB1290 also incorporated incentives into the formula on a project level basis. For Howard County, this resulted in a five percent State share increase for several projects within the FY2024 Capital Budget given the proposed school construction projects are at a school that rated good or superior on the most recent Maintenance Effectiveness Assessment. Starting in FY2025, the IAC must update the formula that produces the State and local cost share to align with the Foundation Program and Guaranteed Tax Base Program under the Blueprint for Maryland's Future.

The local match requirement, however, in certain cases has been excluded by the legislature to give school systems access when county funding is not an option. The Safe to Learn Act of 2018 established a School Safety Grant Program with statewide annual allocations of \$10 million, which can be awarded to school systems for security improvement projects such as locks, safe refuge areas, surveillance, and other security technology for monitoring schools. Howard County was allocated \$510,000 for FY2024, with no local match required. In 2021, the legislature included a pass-through grant for several counties in the State budget as one-time funding without a need for a local match. These funds have been allocated towards redesigning the Faulkner Ridge Center to accommodate prekindergarten expansion (\$22 million) and a portion of the renovations planned at the Applications and Research Lab (\$13 million).

The Healthy School Facilities Fund under Education Article § 5-322, which increased from a mandated \$30 million in FY2022 to \$90 million for FY2024 through FY2026 under HB1290, is [subject to the local match requirement](#). The fund awards grants for capital projects that will improve the health of school facilities, with priority given to projects that correct issues posing an immediate life, safety, or health threat. Howard County has been allocated \$2.2 million from the Fund for FY2024 for replacement and repair of cooling equipment at River Hill and Wilde Lake High Schools.

The prerequisite for a local match under the Public School Construction Program can leave missed opportunities for use of available State funds that could move capital projects forward sooner. As noted above, there is precedent for holding out funds in separate programs and grants that do not require this local match, as well as incentivizing increased State shares. The Board is seeking Howard County Delegation support in removing the local match at a minimum from the Healthy School Facilities Fund to support facility improvements needed to maintain safe and healthy school buildings for students and staff. Future updates to the State and local cost share formula must also take into account localized operational needs and impacts.

## Mitigating Development Impact

In planning for capital needs, the HCPSS Capital Budget sets an expectation with the projects listed that attempt to capitalize on available funding. There is limited opportunity within the current framework and available funds however, to insert new projects based on new developments. While the 2023 HCPSS Feasibility Study indicates the annual rate of enrollment growth is expected to lessen compared to prior projections, due to years of underfunded capital needs, HCPSS capacity has not kept pace with the historically steady growth in student populations in Howard County. In 2019 and 2020, legislation passed by the Howard County Delegation increased funding for capital projects of the school system through the school facility surcharge and the county's transfer tax rate, of which 25 percent of any increase would be distributed to HCPSS. In order to maintain an expected high-level of educational services from the school system, however, more needs to be done to mitigate the impact of past and future development on school capacity.

The Adequate Public Facilities Ordinance (APFO) is intended to allow public facilities sufficient time and financing to have commensurate capital infrastructure growth to meet population needs. Legislation seeking to extend current wait times for developments failing the schools test under APFO has repeatedly

failed before the Howard County Council. While additional wait time gives breadth for incoming developments, they eventually move forward, leaving the need to fund additional capacity.

Every ten years, Howard County updates its General Plan to guide land use decisions. [HoCo By Design draft](#) was released in spring 2023 and is currently under review for adoption by the County Council. A specific chapter on public school facilities explores the capital planning process, school capacity utilization, enrollment trends, fiscal and land use considerations, and accommodations for future school needs. Noted throughout the chapter, and specifically within the policy recommendations of this section (see policy statements #7 and #8 under PS-3 on page PS-26), school planning staff requested the inclusion of school system representation in the master planning process for activity centers to be able to forecast future school sites. HoCo By Design identifies activity centers as geographic areas for growth and revitalization to create more predictable growth patterns.

Following the Plan's adoption, Sec. 16.1100 (b)(3)(iv) of the Howard County Code requires an Adequate Public Facilities Act Review Committee to be convened within one year to submit a report with recommendations on the Adequate Public Facilities Act to the County Executive and the County Council. The Committee includes representation of the school system and Board, and could likely revisit the mechanisms of APFO to meet both County and HCPSS needs based on changes in development trends.

The Board is seeking Howard County Delegation authorization if needed and Howard County Council support for financing options dedicated to the purpose of mitigating development impacts on school system capacity. This could include further study of options to produce supplemental capital funding for expected capacity increases. In cases where capacity is beyond a predetermined threshold that will require new construction, a requirement for land acquisition may also be warranted. The Board also supports the inclusion of school system representation in the master planning process for activity centers to ensure the school system is in a position to inform capacity needs where future development is being planned.

## Universal Student Meals

In 2021 the Universal School Meals Program Act was introduced in the U.S. Senate and House of Representatives to permanently provide free meals to all school children regardless of income following the end of funding from the federal government during the COVID-19 pandemic. With no movement in either chamber, several states have extended funding to prolong free meals beyond the federal investment. [Six states](#) also recently passed laws to continue to offer free meals to all students indefinitely. Despite [extensive support](#) from local school systems including HCPSS, the Maryland Association of Boards of Education and the Public School Superintendents Association of Maryland, and many Maryland health advocates, a similar Maryland bill failed to pass in 2023.

For HCPSS, nearly 70 percent of students (based on the school system's current 30 percent rate of FARMS) are required to pay for meals if they choose to participate in the school's program. If all meals are served free of charge to all children, regardless of their income eligibility – although some households will continue to provide packed lunches at their discretion – HCPSS Food and Nutrition Services staff envisions participation rates will increase significantly (similar to the levels experienced during the pandemic when all meals were free). Student participation in meal programs is critical to the viability and sustainability of the program and the expected increase would result in increased net income, since 55 percent of Food and Nutrition Services costs are fixed (labor and benefits). A positive impact of the proposed bill would also be reduced meal debt. HCPSS has \$414,367 in debt from SY2023, which must be covered by operating funds if unpaid by families.

The Board is seeking Howard County Delegation support of State funded universal meals as proposed under SB0557 by Howard County Senator Guy Guzzone in 2023 to enhance health and student well-being. If estimated costs are not feasible for the State, limited funding to implement an In-Classroom Lunch Program to extend universal meals to schools meeting poverty thresholds beyond the Community Eligibility Provision (CEP) – similar to the Maryland Meals for Achievement In-Classroom Breakfast Program that received additional funding under SB0559 in 2023 – would also be beneficial to schools.



# Menstrual Hygiene Product Funding

In 2021 the General Assembly passed HB0205 which mandated the provision of menstrual hygiene products for students in public schools. In particular, by October 2022, each middle and high school must provide products in two women's restrooms via dispensers free of charge to students, as well as one in each elementary school. The requirement expands to all women's restrooms in middle and high school by August 2025. Following concerns from school system advocates regarding the costs for these additions, the final bill included provisions for reimbursement by the State for costs to purchase and install the dispensers, with a one-time statewide mandated appropriation of \$500,000 in FY2023. No funding, however, was provided for the annual costs to maintain a supply of products in the dispensers.

In the [bill's fiscal and policy note](#), the Maryland Department of Legislative Services estimated the ongoing costs statewide would be \$1 million annually to provide products for all middle and high school students, with \$65,728 estimated for Howard County. Following an initial evaluation by the HCPSS Custodial Department, first year costs for the dispensers and products to meet the October 2022 requirement in 196 restrooms was \$98,464 ([see PC-64](#)) with \$24,000 estimated for yearly supplies. As of the close of FY2023, custodial staff estimates the school system spent \$102,818, with dispensers totaling \$50,568 and supplies costing \$52,250 for the year. Based on allocations across all 24 school systems, HCPSS was eligible to receive \$33,741 under the initial reimbursement for dispensers from the State.

Given the definitive additional cost to school systems, a mandate such as HB0205 should be backed by sufficient funds to carry out its intent to support fundamental youth hygiene needs while in school. The Board is seeking Howard County Delegation support for a bill requiring an annual appropriation from funding authorities to cover the additional costs. As local school systems take on the additional operational costs of resupplying products and the associated waste created by "tampons and sanitary napkins" as defined under HB0205, an amendment to allow for the provision of reusable menstrual hygiene products for students who choose would give school systems flexibility if cost savings may be realized.

## School Calendar Flexibility

In order to maximize instructional time, the Board has a long-standing legislative position on the need for flexibility in the development of the local school system calendar. Taking into account stakeholder input at the local level, the HCPSS calendar balances curriculum requirements, professional development for staff, the potential for regional weather closings, mandated holidays, and the operational impact of religious holidays reflective of the county's diverse population.

Setting the school system calendar begins with meeting the parameters set forth under Education Article § 7-103 and further requirements of the Maryland State Department of Education (MSDE) under COMAR 13A.03.02.12. In particular, schools must:

- be open for pupil attendance 180 days during a 10-month period;
- have a minimum of 1,080 hours of instruction at the elementary and middle school levels;
- have a minimum of 1,170 hours of instruction at the high school level; and
- have a minimum of three hours of instruction to count as a school day.

The Board is seeking Howard County Delegation support for legislation to amend § 7-103 to remove the 180 day and 10-month requirements as proposed under HB0510 Length of School Year in 2023 to allow school systems to explore the use of innovative school scheduling models that can prevent prolonged lapses in instruction. SB0338 Extended School Year Innovation Grant from 2023 also provided an example of ways to incentivize reductions in lapses in instructional time through the use of grants to support implementation of extended school year schedules. In addition to classroom learning, as schools increasingly become the hub for resources needed to remove barriers to student success, greater flexibility to consider student access to essential services such as meals and health services would be a benefit.

Maintaining the requirement for schools to count hours instead of days would be a true reflection of

overall time students are learning in the classroom and allow local school systems to determine how those hours are distributed. Maryland is already [at the top of the nation-wide range](#) in instructional hours as one of eight states that sets at least a minimum of 1,080 hours regardless of level. Twenty-five states also provided or specified the option of year-round schooling in state policy. Locally, MSDE [issued recommendations](#) in 2017 to enhance student achievement through innovative school schedules. The report recognized flexibility is key to accomplishing academic gains shown to result from increasing instructional time, while focusing mainly on ways to reduce prolonged lapses in instructional time for students. Similarly, a [2017 study of competency-based education](#) in the U.S. by ExcelinEd and EducationCounsel recommended states consider providing “flexibility with regard to how annual calendars and daily schedules can be constructed” to ensure instructional focus remains on the quality of education and student performance rather than quantity measured by time in seats. Following learning-loss associated with the COVID-19 pandemic, the topic of calendar flexibility has further come into focus as a means to be innovative in the delivery of education.

## Board of Education Elections Study

During the 2023 legislative session, three bills were proposed by the Howard County Delegation related to the election of Board members. As a collective, these bills spurred discussion of future possibilities that could be explored for Howard County.

Ho.Co. 10-23 as originally written would have altered the membership of the Board to consist of both elected and appointed members beginning in 2024. Five elected members would shift from current councilmanic districts to senatorial districts, and two at-large members would be appointed by the Howard County Executive from a list of candidates provided by the Howard County Delegation. Following opposition from the Board as well as many community members, sponsors indicated amendments would instead shift appointment nominations to a committee, with confirmation by the Howard County Council. A committee to review Board member compensation was also proposed.

Out of Maryland's 24 counties, eighteen local boards of education are fully-elected. In recent years fully-appointed boards have shifted to at least a hybrid structure. As a [standing legislative position](#), the Maryland Association of Boards of Education takes no position on whether local boards of education should be elected or appointed, but opposes expansion of initial board appointment authority to local governments given local boards of education are entities of the State. Elected Board members maintain fiscal independence for the school system to ensure there is a balance when expending both State and local dollars in the best interest of the students served.

Ho.Co. 14-23 as originally written would have allowed the governing body of Howard County to establish a system of campaign financing specific to Board elections. In order to phase in the expected financial burden on the County, the bill made financing available on a staggered basis and adjusted Board member terms to align, in some cases by moving to two-year terms. Amendments, however, moved away from any two-year terms and instead based staggered financing on four- and six-year terms as well as top vote getting. The Board supported the opportunity presented by the bill to offer public campaign financing to candidates, which is currently available for executive and legislative positions within Howard County. Public campaign financing is a measure often used to diversify candidate pools for elected office as well lessen the influence of large/special interest donors.

While staggering Board member terms was an outcome of Ho.Co. 14-23 as originally proposed, it was not the primary focus. In Howard County, all members of the Board have four-year terms, with two at-large members of the Board recently elected in 2022, and the remaining five seats on the Board up for election in 2024. A student member of the Board is elected by their peers annually. Staggering of local board elections varies by county with most local board members elected in Maryland to four-year terms.

Ho.Co. 16-23 would have allowed the Howard County Council to adopt a ranked-choice voting system for Board elections. Also referred to as an instant run-off election, ranked-choice voting eliminates the candidate with the fewest first-choice votes when no candidate receives a majority. The votes from the eliminated candidate are then redistributed based on their second-choice candidate until one candidate receives a majority. As a policy matter, ranked-choice voting has begun to expand to jurisdictions across the nation. In Maryland, Tacoma Park has been the only jurisdiction using ranked-choice voting since 2007. The Montgomery County Delegation has [proposed ranked-choice voting](#) for various offices

including its local board of education since at least 2015, and Baltimore City has proposed similar bills for local city offices.

Given each bill ultimately failed to pass, and many amendments were reviewed during the course of deliberations, the Board is seeking Howard County Delegation support for a study to include best practices in term lengths, public campaign financing, staggering election timing, and ranked-choice voting raised by Ho.Co. 10-23, 14-23, and 16-23 regarding the election of Board members in Howard County. In regard to ranked-choice voting, the study should weigh the impact of using the method at the primary vs. general election stages.

## Board of Education Salaries

Under Education Article § 3-703, Board members serving Howard County are each paid \$16,000 annually, with the Chair of the Board receiving \$18,000. Additional compensation is provided in the form of reimbursement for travel and other expenses if available in the school system budget, and Board members are able to participate in health insurance and benefit programs. The statute was last updated in 2018, when Board member salaries increased by \$1,000 under HB0340.

In other counties across Maryland, annual local board member salaries range from \$25,000 in Montgomery County down to \$2,000 in Kent County. For elected officials specifically serving Howard County, the local County Charter requires the establishment of a Compensation Review Commission in the year before an election year that is charged with making recommendations to the Howard County Council on changes to compensation in the following four-year term. Most recently, in 2021, this Commission set the base salary adopted by CB3-2022 at \$73,663 for the first year of a County Council member's term that begins December 2022, and increased the salary annually up to \$83,256 in the fourth year. The Council Chair receives an additional \$3,500 annually.

The Board is seeking Howard County Delegation support for legislation that increases Board member salaries to be commensurate to Howard County Council members. Similar to Council members, Board members are expected to attend multiple meetings per month, set governing policy, and manage a budget totaling over one billion dollars. While only one portion of the total public services provided to county residents, Board members represent nearly 9,000 employees, over 56,000 students, and the Howard County community at large through stewardship of taxpayer revenues. Over 50 percent of county taxpayer dollars are managed by the Board. Investments in Board salaries that reflect the executive level demands of the position would also help attract a diverse pool of candidates.