

HOUSE BILL 1461

F1

5lr3297

By: **Delegate Miller**

Introduced and read first time: February 7, 2025

Assigned to: Appropriations and Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Blueprint for Maryland's Future – Alterations**

3 FOR the purpose of repealing the Career Counseling Program for Middle and High School
4 Students and the associated funding; requiring county boards of education to report
5 on per-school funding for certain programs associated with the Blueprint for
6 Maryland's Future in a certain manner; providing a waiver from the minimum
7 funding per school requirement for schools with fewer than a certain number of total
8 students; limiting the Accountability and Implementation Board's authority over
9 certain collective bargaining processes not directly specified under the career ladder
10 for educators; altering certain components of the career ladder relating to principals
11 and assistant principals; altering the definition of "Tier I child" for purposes of
12 publicly funded prekindergarten to include certain children; authorizing county
13 boards to establish family income eligibility limits for payment of costs for a certain
14 post college and career readiness pathway, except under certain circumstances;
15 requiring the Accountability and Implementation Board to conduct a certain study
16 regarding National Board Certification for teachers; requiring the State Department
17 of Education to conduct an adequacy study on Maryland's special education funding;
18 and generally relating to the Blueprint for Maryland's Future.

19 BY repealing and reenacting, without amendments,
20 Article – Education
21 Section 5–213(a), 5–234(a), 5–402(a), 6–1001(a), 6–1002(a)(1) and (b)(1), 7–1A–01(a),
22 and 7–205.1(a)
23 Annotated Code of Maryland
24 (2022 Replacement Volume and 2024 Supplement)

25 BY repealing and reenacting, with amendments,
26 Article – Education
27 Section 5–213(c), 5–234(b) and (f), 5–402(h), 6–1001(e), 6–1002(e), (f)(3) and (4), and
28 (i), 6–1003, 6–1007(e), 6–1009(a) and (b), 6–1012, 7–1A–01(k), 7–1A–06(d),
29 and 7–205.1(g)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2022 Replacement Volume and 2024 Supplement)

BY repealing

Article – Education
Section 6–1006 and 7–127
Annotated Code of Maryland
(2022 Replacement Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

5–213.

(a) Each fiscal year, the State shall distribute the State share of the foundation program to each county board.

(c) **[(1)]** Each county board shall distribute to the local workforce development board for the county the following amount multiplied by the enrollment count in the county:

[(i)] (1) For fiscal year 2024, \$62; and

[(ii)] (2) For [each of fiscal years 2025 and 2026] **FISCAL YEAR 2025**, the prior fiscal year amount increased by the inflation adjustment.

[(2) The funds distributed under paragraph (1) of this subsection shall be used to support the Career Counseling Program for Middle and High School Students established under § 7–126 of this article that is provided collaboratively by the workforce development board, the school, any other relevant State or local agencies, and employers.

(3) On or before June 30, 2024, and in each of the next 2 fiscal years, the local workforce development board, in collaboration with the county board and any other relevant State or local agencies, shall report to the Accountability and Implementation Board established under Subtitle 4 of this title on the use of the funds and the impact of the funds on providing career counseling.]

5–234.

(a) (1) Except as provided by paragraph (2) of this subsection and subsections (e) and (f) of this section, for each of the following programs, “minimum school funding” means at least 75% of the per pupil amount applicable to each of the following programs:

(i) The foundation program under § 5–213 of this subtitle;

- 1 (ii) The compensatory education program under § 5–222 of this
2 subtitle;
- 3 (iii) The English learner education program under § 5–224 of this
4 subtitle;
- 5 (iv) The special education program under § 5–225 of this subtitle;
- 6 (v) Public providers of prekindergarten under § 5–229 of this
7 subtitle;
- 8 (vi) Transitional supplemental instruction under § 5–226 of this
9 subtitle;
- 10 (vii) The comparable wage index grant under § 5–216 of this subtitle;
11 and
- 12 (viii) The college and career readiness program under § 5–217 of this
13 subtitle.

14 (2) Except as provided by subsection (e) of this section, for each of the
15 following programs, “minimum school funding” means 100% of the per pupil amount
16 applicable to each of the following programs:

- 17 (i) Private providers of prekindergarten under § 5–229 of this
18 subtitle; and
- 19 (ii) The per pupil grant under the concentration of poverty program
20 under § 5–223 of this subtitle.

21 (b) (1) For each school, the county board shall distribute the minimum school
22 funding amount for the applicable program multiplied by the school enrollment for the
23 applicable program.

24 (2) On or before July 1, 2024, for fiscal year 2025, and each July 1
25 thereafter, each county board shall report on the county board’s compliance with this
26 section to the Department and the Accountability and Implementation Board established
27 under Subtitle 4 of this title.

28 (3) A county board may request a waiver under § 5–406 of this title from
29 this provision for reasons including:

- 30 (i) A significant shift in total school–level enrollment between the
31 prior year and the current year;
- 32 (ii) A significant shift in school–level enrollment of at–promise
33 students between the prior year and the current year; [and]

(iii) A significant difference in the amount of funding provided through the formula and the amount of expenditures necessary for a category of at-promise students; **AND**

(IV) IF A SCHOOL HAS 350 OR FEWER TOTAL STUDENTS.

(f) For the purposes of this section, subsection [(a)(1)(iv)] **(A)(1)** of this section may be reported in the aggregate for each [county] **SCHOOL**.

5–402.

(a) Beginning on July 1, 2020, and continuing until June 30, 2032, there is an Accountability and Implementation Board.

(h) (1) The Board is not intended to usurp or abrogate:

(i) The operational authority of the Department, the Governor's Workforce Development Board, the Maryland Higher Education Commission, the Department of Commerce, or the Maryland Department of Labor; or

(ii) The day-to-day decision making of county boards, local superintendents, institutions of higher education, or other stakeholders with a role to play in the implementation of the Blueprint for Maryland's Future.

(2) **(I)** The Board may not usurp or abrogate the lawful collective bargaining process due educators and others in the State.

(II) ANY TERM OR CONDITION RELATING TO THE EMPLOYMENT OF SCHOOL PERSONNEL THAT IS SUBJECT TO THE COLLECTIVE BARGAINING PROCESS UNDER TITLE 6, SUBTITLE 4 OR 5 OF THIS ARTICLE SHALL CONTINUE TO BE COVERED BY THE COLLECTIVE BARGAINING PROCESS AND IS NOT UNDER THE BOARD'S AUTHORITY, UNLESS IT IS SPECIFICALLY ENUMERATED AS PART OF THE CAREER LADDER ESTABLISHED UNDER TITLE 6, SUBTITLE 10 OF THIS ARTICLE.

(3) (i) The Board shall have plenary authority over all matters within its jurisdiction under this subtitle, including the intended outcomes of the Blueprint for Maryland's Future.

(ii) **[In] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IN** the event of a conflict between a decision or policy of the Board and the decision or policy of another entity on a matter within the Board's jurisdiction, the Board's decision or policy shall control.

6–1001.

(a) In this subtitle the following words have the meanings indicated.

(e) (1) “Teacher” means a certified public school employee who is primarily responsible and accountable for teaching the students in the class.

(2) “Teacher” does not include, unless otherwise provided:

(i) Curriculum specialists;

(ii) Instructional aides;

(iii) Attendance personnel;

(IV) PRINCIPALS;

(V) ASSISTANT PRINCIPALS;

[(iv)] (VI) Psychologists;

[(v)] (VII) Social workers;

[(vi)] (VIII) Clerical personnel;

[(vii)] (IX) An individual with a Resident Teacher Certificate; or

[(viii)] (X) An individual with a certification for career professionals.

6–1002.

(a) (1) On or before July 1, 2024, each county board shall implement a career ladder that meets the requirements of this subtitle.

(b) (1) There is a career ladder for educators in the State.

(e) The guiding principles for development of the career ladder are:

(1) Progression of teachers in a manner that incentivizes teachers to stay on the teacher track [rather than moving to the administrator track];

(2) A teacher salary that attracts new teachers to the profession;

(3) A teacher salary that incentivizes existing teachers to opt in to the career ladder;

(4) Teacher salary progression as performance increases as demonstrated by a teacher achieving NBC; and

(5) Incentives that are successful in all local school systems.

(f) The levels of the career ladder are as follows:

(3) Level three is:

(i) An NBC teacher; **OR**

(ii) If there is no assessment comparable to NBC for the teacher's subject area, a teacher with a master's degree in the teacher's subject area[; or

(iii) An assistant principal]; and

(4) Level four is[:

(i) A] A teacher on the teacher leadership track, in the following tiers:

[1.] (I) Lead Teacher;

[2.] (II) Distinguished Teacher; or

[3.] (III) Professor Distinguished Teacher]; or

(ii) A teacher on the administrator track, in the following tiers:

1. Licensed Principal; or

2. Distinguished Principal].

(i) The percentage of teachers who are Professor Distinguished Teachers [or Distinguished Principals] may not be more than 1% of the total number of all teachers.

6–1003.

[(a)] Beginning with teachers listed under § 6–1002(h)(3) of this subtitle, as specified by the State Board, a teacher on level one, two, or three of the career ladder shall:

(1) Teach in the classroom on average 60% of the teacher's working time; and

(2) Spend the remaining time on other teacher activities, including:

(i) Improving instruction;

1 (ii) Identifying, working with, and tutoring students who need
2 additional help;

3 (iii) Working with the most challenging students;

4 (iv) Working with students living in concentrated poverty; and

5 (v) Leading or participating in professional learning.

6 [(b) (1) An assistant principal is on level three of the career ladder and shall:

7 (i) Be an NBC teacher; or

8 (ii) Have an advanced professional certificate for administration.

9 (2) Beginning with teachers listed under § 6–1002(h)(3) of this subtitle, as
10 specified by the State Board, an assistant principal shall:

11 (i) Participate in classroom activity involving direct interactions
12 with students for at least 20% of their working hours; and

13 (ii) Spend a portion of the remaining time on other teacher related
14 activities, including:

15 1. Setting priorities for the subject level departments or
16 grade levels of the school; and

17 2. Fulfilling specialized roles, such as head of professional
18 development.

19 (3) The requirements of paragraph (2) of this subsection may not be
20 construed to require that an assistant principal be designated as a teacher of record.]

21 [6–1006.

22 (a) (1) There is an administrator track on level four of the career ladder.

23 (2) The primary purpose of the administrator track is to develop teachers
24 into principals.

25 (3) A teacher on the administrator track is responsible for managing
26 administrative functions in the school.

27 (b) (1) The first tier of the administrator track is a licensed principal.

(2) (i) The State Board, in consultation with the Professional Standards and Teacher Education Board, shall establish the criteria that a teacher shall meet to achieve the licensed principal tier.

(ii) The criteria under subparagraph (i) of this paragraph:

1. Except as provided in subparagraph (iii) of this paragraph and beginning on July 1, 2029, shall include a requirement that a teacher be an NBC teacher before the teacher may be a licensed principal; and

2. May include a requirement that a teacher shall complete an induction or training program for new principals.

(iii) The State Board, in consultation with the Professional Standards and Teacher Education Board, shall establish a process through which an individual may receive a waiver to serve as a licensed principal if the individual:

1. Is not an NBC teacher; but

2. Meets other qualifying criteria, as determined by the State Board, in consultation with the Professional Standards and Education Board.

(3) Beginning with teachers listed under § 6–1002(h)(3) of this subtitle as specified by the State Board, a licensed principal is encouraged to teach in the classroom for at least 10% of the principal's working hours.

(4) (i) When a licensed principal position becomes available in the county, a licensed principal shall be selected in accordance with this paragraph.

(ii) Throughout the process of selecting a licensed principal under this paragraph, priority shall be given to teachers who have experience teaching in schools that:

1. Reflect the racial and ethnic diversity of the State; or

2. Have received a grant under § 5–223 of this article.

(iii) Teacher leaders, other licensed principals, and distinguished principals in the county shall provide a list of qualified candidates to the local superintendent.

(iv) The local superintendent shall appoint a candidate from the list provided under subparagraph (ii) of this paragraph.

(c) (1) The second tier of the administrator track is distinguished principal.

1 (2) To be a distinguished principal, a teacher shall demonstrate the ability
2 to:

3 (i) Effectively identify, attract, lead, and retain highly professional
4 teachers;

5 (ii) Organize and manage a school in a way that incentivizes and
6 supports teachers to do their best work;

7 (iii) Set high standards for faculty and students and achieve the
8 standards set by others;

9 (iv) Work with stakeholders on the teacher's vision;

10 (v) Identify and help cultivate a teacher's potential for growth;

11 (vi) Help students, parents, and teachers embrace the goal for all
12 students to achieve internationally competitive standards;

13 (vii) Mentor and support other principals; and

14 (viii) Help other principals achieve higher levels of performance.

15 (3) Beginning with teachers listed under § 6–1002(h)(3) of this subtitle as
16 specified by the State Board, a distinguished principal is encouraged to teach in a classroom
17 for at least 10% of the principal's working hours.

18 (4) (i) When a distinguished principal position becomes available in the
19 county, a distinguished principal shall be selected in accordance with this paragraph.

20 (ii) Throughout the process of selecting a distinguished principal
21 under this paragraph, priority shall be given to licensed principals who have experience
22 teaching and serving as principals in schools that:

23 1. Reflect the racial and ethnic diversity of the State; or

24 2. Have received a grant under § 5–223 of this article.

25 (iii) Teacher leaders and other distinguished principals in the county
26 shall provide a list of qualified candidates to the local superintendent.

27 (iv) The local superintendent shall appoint a candidate from the list
28 provided under subparagraph (ii) of this paragraph.

29 (d) All licensed and distinguished principals shall:

(1) Be trained in and demonstrate capability with racial awareness and cultural competence, including:

(i) Teaching students and managing teaching faculty from different racial, ethnic, and socioeconomic backgrounds; and

(ii) Implementing restorative practices;

(2) Cultivate a school environment in which teachers:

(i) Develop cultural competence;

(ii) Enhance empathy and respect for students;

(iii) Work to eliminate biases and stereotypes; and

(iv) Provide instruction in a manner that assumes that all students regardless of their race, ethnicity, gender, or other characteristics are capable of the highest levels of academic achievement; and

(3) Be evaluated on their success in fostering the school environment in item (2) of this subsection.

(e) A county board may add a tier to the administrator track for district office directors.]

6–1007.

(e) A teacher may move from [one track of] the career ladder [to a different track] **INTO THE ADMINISTRATION** with the approval of the principal of the school in which they teach.

6–1009.

(a) (1) Subject to paragraph (2) of this subsection, beginning on July 1, 2022, teacher salary increases associated with the career ladder shall at a minimum include the following:

(i) Becoming an NBC teacher – \$10,000 salary increase;

(ii) An NBC teacher teaching at a low-performing school as identified by the county board – \$7,000 salary increase;

(iii) Becoming lead teacher – \$5,000 salary increase;

(iv) Becoming distinguished teacher – \$10,000 salary increase; **AND**

(v) Becoming professor distinguished teacher – \$15,000 salary increase[]; and

(vi) Becoming a distinguished principal – \$15,000 salary increase].

(2) (I) The teacher salary increases under paragraph (1) of this subsection do not apply to paragraph (1)(iii) through [(vi)] (V) of this subsection until § 6–1002(a) of this subtitle becomes effective as recommended by the Department and approved by the Accountability and Implementation Board.

(II) THE TEACHER SALARY INCREASES UNDER PARAGRAPH (1) OF THIS SUBSECTION DO NOT APPLY TO A PRINCIPAL OR AN ASSISTANT PRINCIPAL.

(b) (1) Salary increases associated with maintenance of an NBC are subject to collective bargaining in accordance with § 6–408 of this title.

(2) The State share for the following salary increases provided under paragraph (1) of this subsection shall not exceed the following amounts:

(i) Earning a first maintenance of NBC – [\$8,000] \$4,000 salary increase;

(ii) Earning a second maintenance of NBC – [\$7,000] \$4,000 salary increase; and

(iii) Earning a third maintenance of NBC – [\$6,000] \$3,000 salary increase.

6–1012.

(a) In this section, “nonclassroom [teacher] EDUCATOR” means a position in a school for which, if the individual earns NBC, the individual is eligible to join the career ladder, including:

(1) Administrators;

(2) Assistant principals;

(3) Instructional specialists; and

(4) Principals.

(b) (1) Except as provided under paragraph (2) of this subsection, each teacher or nonclassroom [teacher] EDUCATOR who pursues NBC shall receive from the State an amount equal to the National Board for Professional Teaching Standards fees associated with the initial completion and renewal of NBC.

(2) Each teacher and nonclassroom [teacher] **EDUCATOR** may only receive payment under this subsection for one retake of each assessment on the National Board for Professional Teaching Standards.

(c) Each county shall pay to the State one-third of the cost for each teacher or nonclassroom [teacher] **EDUCATOR** who receives funds under subsection (b) of this section to pursue NBC.

(d) (1) A teacher or a nonclassroom [teacher] **EDUCATOR** who does not complete all the requirements for assessment by the National Board for Professional Teaching Standards shall reimburse the State the full amount of the funds received under subsection (b) of this section.

(2) The State shall reimburse the county the amount received under subsection (c) of this section on receipt of the reimbursement from a teacher or nonclassroom [teacher] **EDUCATOR** under paragraph (1) of this subsection.

(3) The provisions of paragraph (1) of this subsection do not apply to a teacher or nonclassroom [teacher] **EDUCATOR** who completes all the requirements for assessment by the National Board for Professional Teaching Standards but does not obtain NBC.

[7–127.

(a) (1) In this section the following words have the meanings indicated.

(2) “CTE Committee” means the Career and Technical Education Committee established under § 21–207 of this article.

(3) “Local career counseling agreement” means a memorandum of understanding between a county board, a local workforce development board, a community college, and, if appropriate, an American Job Center to provide career counseling services.

(4) “Program” means the Career Counseling Program for Middle and High School Students.

(b) (1) There is a Career Counseling Program for Middle and High School Students.

(2) The purpose of the Program is to provide each middle school and high school student in the county with individualized career counseling services.

(c) (1) Each county board shall enter into a local career counseling agreement with the local workforce development board, the community college that serves the county, and, if appropriate, an American Job Center.

(2) Counseling provided under the local career counseling agreement shall help each student choose one or more post-college and career readiness pathways under § 7-205.1 of this title.

(d) Funding received by the county board for career counseling under Subtitle 2 of this title shall be spent in accordance with the agreement.

(e) The CTE Committee shall conduct an evaluation of each local career counseling agreement for best practices and disseminate its findings to all county boards, local workforce development boards, community colleges, and if appropriate, American Job Centers in the State.]

7-1A-01.

(a) In this subtitle the following words have the meanings indicated.

(k) “Tier I child” means a child:

(1) Who is 3 or 4 years old;

(2) (i) Whose family income is less than or equal to 300% of the federal poverty level; [or]

(ii) Who is a homeless youth;

(III) WHO HAS A DISABILITY; OR

(IV) WHO IS FROM A HOME IN WHICH ENGLISH IS NOT THE PRIMARY SPOKEN LANGUAGE; and

(3) Whose family chooses to enroll the child in full-day prekindergarten.

7-1A-06.

(d) Priority in expanding prekindergarten slots shall be provided to 3- and 4-year olds who are[:

(1)] Tier I children[;

(2) Children with disabilities, regardless of income; or

(3) Children from homes in which English is not the primary spoken language].

7-205.1.

(a) In this section, “CCR standard” means the college and career readiness standards established under this section.

(g) (1) Subject to [paragraph] **PARAGRAPHS (2) AND (4)** of this subsection, [beginning in the 2023–2024 school year,] each county board shall provide all students who meet the CCR standard required under subsection (c) of this section with access to the following post college and career readiness (post–CCR) pathways, at no cost to the student or the student’s parents, including the cost of any fees:

(i) A competitive entry college preparatory program, chosen by the county board, consisting of:

1. The International Baccalaureate Diploma Program;
2. The Cambridge AICE Diploma Program; or
3. A comparable program consisting of Advanced Placement courses specified by the College Board;

(ii) A program that allows a student, through an early college program or dual enrollment at a student’s high school and an institution of higher education to earn:

1. An associate degree; or
2. At least 60 credits toward a bachelor’s degree; and

(iii) A robust set of career and technology education programs that are recommended by the CTE Skills Standards Advisory Committee and approved by the CTE Committee and that allow students to complete:

1. A credit or noncredit certificate or license program, course, or sequence of courses, including a program, course, or courses taken through dual enrollment under § 15–127 of this article, at a secondary or postsecondary institution, through an Advanced Placement course at a secondary institution, or through an apprenticeship sponsor that leads to an industry recognized occupational–credential or postsecondary certificate;
2. A registered apprenticeship program approved by the Division of Workforce Development and Adult Learning within the Maryland Department of Labor; or
3. A youth apprenticeship program, under Title 18, Subtitle 18 of this article.

(2) (I) [Each] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, EACH public high school shall provide access to the programs described under paragraph (1) of this subsection through that public school or through another public school in the county.

(II) 1. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, A COUNTY BOARD MAY DEVELOP AND ESTABLISH INCOME ELIGIBILITY GUIDELINES AND PROCEDURES FOR PAYMENT OF COSTS FOR THE POST-CCR PATHWAY UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION.

2. A STUDENT WITH A FAMILY INCOME THAT MEETS ELIGIBILITY GUIDELINES TO QUALIFY FOR FEDERAL FREE AND REDUCED PRICE MEALS SHALL BE PROVIDED ACCESS TO THE POST-CCR PATHWAY UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION AT NO COST TO THE STUDENT OR THE STUDENT'S PARENTS.

(3) (i) Each student who meets the CCR standard required under subsection (c) of this section shall be enrolled in at least one post-CCR pathway described in paragraph (1) of this subsection.

(ii) Each student who enrolls in a post-CCR pathway shall remain enrolled in the student's public high school.

(iii) Each public high school shall provide to every student, regardless of whether the student is enrolled in a post-CCR pathway, the full range of services to which the student is entitled, including:

1. Personal, career, and academic advising; and

2. Counseling, in accordance with § 7-126 of this title, to help the student choose one or more post-CCR pathways, or courses within a post-CCR pathway, that fits with the student's educational and career goals.

(iv) Priority for counseling and advising services described under subparagraph (iii) of this paragraph shall be given to students who have not met the CCR standard by the end of 10th grade.

(v) Any high school graduation requirements that a student does not meet by the time the student has completed the assessment required under subsection (d) of this section shall be provided within the post-CCR pathway the student chooses.

(4) To phase in expansion of dual enrollment to maximize the number of students who can earn the maximum number of dual enrollment credits consistent with the phased increases in school funding, for fiscal years 2025 through 2027, the State Board and the Accountability and Implementation Board, in consultation with each local school system, may limit the number and types of courses that a student dually enrolled at the

student's public high school and at an institution of higher education may enroll in during the school year at the institution of higher education as part of the post-CCR pathway in accordance with paragraph (1) of this subsection and § 15-127 of this article.

(5) (i) The State Board shall adopt regulations to carry out this subsection.

(ii) The regulations shall include standards that:

1. Guarantee, to the extent practicable, statewide uniformity in the quality of the post-CCR pathways;

2. Meet the requirements of paragraph (1) of this subsection; and

3. Require high school graduation credit to be awarded for any programs administered in accordance with this subsection.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that there be an appropriate balance of shared and new costs between county boards of education and community colleges for students who are dually enrolled in public secondary schools and community colleges in the State.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Accountability and Implementation Board shall study the effect of National Board Certification on teachers in the State.

(b) The study required under subsection (a) of this section shall include:

(1) an analysis of whether teachers who have earned National Board Certification produce greater student achievement outcomes compared to other similarly situated teachers;

(2) information on the race, ethnicity, gender, and age of teachers who have obtained National Board Certification compared to the total population of teachers; and

(3) the feasibility of using additional, comparable teacher achievements associated with student achievement and available to teachers of every background.

(c) On or before January 1, 2026, the Board shall report the results of its study to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

SECTION 4. AND BE IT FURTHER ENACTED, That:

1 (a) The State Department of Education shall conduct an adequacy study on
2 Maryland's special education funding.

3 (b) The adequacy study required under subsection (a) of this section shall
4 examine and make recommendations on:

5 (1) the adequacy of the foundation program as a mechanism to prevent
6 inappropriate referrals to special education and to narrow achievement gaps between
7 students with disabilities and their peers of the same age;

8 (2) whether a formula that uses multiple weights for special education
9 funding based on a student's disability or a student's needed level of support and services
10 is feasible;

11 (3) whether the requirement that schools receive "minimum school
12 funding" under § 5-234 of the Education Article is a feasible method of ensuring that
13 students with disabilities receive adequate funding;

14 (4) how the timing of funding disbursements aligns with the needs of
15 students with disabilities throughout the school year;

16 (5) the cost of student transportation and whether it is accurately reflected
17 in the funding formula; and

18 (6) the costs of nonpublic school placements for students with disabilities
19 and how the State and local cost-sharing formula works for these students.

20 (c) (1) The Department may contract with a public or private entity to conduct
21 the adequacy study.

22 (2) If the Department chooses to contract with a public or private entity,
23 the Department must do so on or before July 1, 2026.

24 (d) On or before December 1, 2027, the Department shall report on the results of
25 the adequacy study to the Governor and, in accordance with § 2-1257 of the State
26 Government Article, the General Assembly.

27 SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be
28 construed to apply only prospectively and may not be applied or interpreted to have any
29 effect on or application to any public school employee contracts agreed to before the effective
30 date of this Act.

31 SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect July
32 1, 2025.