

SENATE BILL 493

F1, F2, F5

(6lr1521)

ENROLLED BILL

— Education, Health, and Environmental Affairs/Ways and Means —

Introduced by **Senators Pinsky, Conway, King, ~~and Madaleno~~ Madaleno, and Middleton**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Teacher Induction, Retention, and Advancement Act of 2016**

3 FOR the purpose of altering the maximum amount of a certain State stipend awarded to
4 certain teachers or other school-based employees who hold certain certificates and
5 who teach in certain public schools; requiring certain public schools to utilize certain
6 teachers in certain leadership roles; *requiring certain teachers who teach in certain*
7 *public middle and high schools in Anne Arundel County to receive a certain stipend*
8 *from the State under certain circumstances for certain academic years*; establishing
9 the Teacher Induction, Retention, and Advancement *Pilot* Program; authorizing
10 each county board of education to choose to participate in the *Pilot* Program;
11 requiring a county board to select certain teachers to participate in the *Pilot*
12 Program; requiring certain teachers to be afforded a certain amount of time to be
13 spent on mentoring, peer observation, assistance with planning, or other preparation
14 activities under the *Pilot* Program; prohibiting a certain amount of time from

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 including student supervision or administrative responsibilities; authorizing a
 2 certain amount of time to include support from certain teachers under certain
 3 circumstances; requiring a certain county ~~boards of education~~ board to provide
 4 certain information regarding the availability of certain resources to ~~be provided to~~
 5 certain teachers; providing for the sharing of certain costs incurred under a certain
 6 program; requiring the Governor to include annually a certain appropriation in the
 7 State budget; providing for the use of certain funds under a certain program;
 8 requiring the State Department of Education to develop certain criteria; requiring
 9 the Department to disburse certain funds subject to certain provisions of law;
 10 specifying the intent of the General Assembly; ~~defining certain terms~~; requiring the
 11 Department to convene a certain workgroup and submit certain reports on or before
 12 certain dates; providing for the termination of certain provisions of this Act; *defining*
 13 *certain terms*; and generally relating to the induction, retention, and advancement
 14 of public school teachers.

15 BY repealing and reenacting, without amendments,
 16 Article – Education
 17 Section 6–306(a)
 18 Annotated Code of Maryland
 19 (2014 Replacement Volume and 2015 Supplement)

20 BY repealing and reenacting, with amendments,
 21 Article – Education
 22 Section 6–306(b)(2) and (5), *(c), (d), and (e)*
 23 Annotated Code of Maryland
 24 (2014 Replacement Volume and 2015 Supplement)

25 BY adding to
 26 Article – Education
 27 Section 6–117.1 and 6–306(b)(5) *and (c)*
 28 Annotated Code of Maryland
 29 (2014 Replacement Volume and 2015 Supplement)

30 Preamble

31 WHEREAS, Teacher turnover in Maryland remains a persistent problem, as it does
 32 in many parts of the country; and

33 WHEREAS, Between 40% and 50% of all first year teachers will leave the profession
 34 by the end of their fifth year of teaching; and

35 WHEREAS, A large amount of teacher turnover contributes to both school instability
 36 and student instability, particularly in communities that are highly impacted by instances
 37 of instability; and

38 WHEREAS, Teacher turnover is costly to local school systems, costing as much as
 39 \$50,000 for every teacher leaving the system according to the National Center for Teaching

1 and America's Future, for recruiting, inducting, and other personnel matters relating to
2 new teacher training; and

3 WHEREAS, There are almost 3,000 teachers in Maryland on whom National Board
4 Certification has been conferred; and

5 WHEREAS, There are 634 teachers in Maryland currently pursuing National Board
6 Certification; and

7 WHEREAS, In 2015, two new studies found that National Board Certified teachers
8 are more effective at advancing student learning than teachers who are not National Board
9 Certified, building on more than a decade of research finding similar results; and

10 WHEREAS, During the 2015 Legislative Session, a \$1,500 stipend that was required
11 to be awarded to public school teachers that hold an advanced professional certificate and
12 who teach in a public school having comprehensive needs was eliminated; now, therefore,

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

15 **Article – Education**

16 6–306.

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

18 (2) “County grant for national certification” means an annual grant
19 distributed to a teacher certified by the National Board for Professional Teaching
20 Standards established:

21 (i) Outside of the collective bargaining process; or

22 (ii) As part of a collective bargaining agreement with the local
23 employee organization.

24 (3) “School-based employee” means a certificated employee who works
25 directly with students or teachers at a public school.

26 (b) (2) A classroom teacher or other nonadministrative school-based employee
27 in a public school identified by the State Board as having comprehensive needs who holds
28 a standard professional certificate or an advanced professional certificate who is employed
29 by a county board and who holds a certificate issued by the National Board for Professional
30 Teaching Standards shall receive a stipend from the State in an amount equal to the county
31 grant for national certification, up to a maximum of ~~[\$2,000] \$5,000~~ \$4,000 per qualified
32 individual.

1 (B) (1) THERE IS A TEACHER INDUCTION, RETENTION, AND
2 ADVANCEMENT PILOT PROGRAM IN THE STATE.

3 (2) (I) EACH COUNTY BOARD MAY CHOOSE TO PARTICIPATE IN THE
4 PILOT PROGRAM.

5 (II) A COUNTY BOARD SHALL SELECT THE FIRST YEAR
6 TEACHERS TO PARTICIPATE IN THE PILOT PROGRAM.

7 (III) A COUNTY BOARD IS ENCOURAGED TO GIVE PRIORITY TO
8 TEACHERS WHO TEACH IN A SCHOOL THAT IS PART OF A CLUSTER OF SCHOOLS IN
9 WHICH THE MAJORITY OF THE ELEMENTARY AND MIDDLE SCHOOLS THAT FEED INTO
10 ONE HIGH SCHOOL ARE TITLE I SCHOOLS.

11 (C) (1) UNDER THE PILOT PROGRAM, EACH PARTICIPATING FIRST YEAR
12 TEACHER SHALL BE AFFORDED AT LEAST 20% MORE TIME THAN TEACHERS WHO
13 ARE NOT FIRST YEAR TEACHERS DURING THE ACADEMIC WEEK TO BE SPENT ON
14 MENTORING, PEER OBSERVATION, ASSISTANCE WITH PLANNING, OR OTHER
15 PREPARATION ACTIVITIES.

16 (2) THE ADDITIONAL TIME AFFORDED UNDER PARAGRAPH (1) OF
17 THIS SUBSECTION MAY NOT INCLUDE STUDENT SUPERVISION OR ADMINISTRATIVE
18 RESPONSIBILITIES.

19 (3) AT THE REQUEST OF A FIRST YEAR TEACHER MADE TO THE
20 PRINCIPAL OF A SCHOOL, THE ADDITIONAL TIME AFFORDED UNDER PARAGRAPH (1)
21 OF THIS SUBSECTION MAY INCLUDE SUPPORT FROM A VETERAN TEACHER.

22 (4) ~~EACH A COUNTY BOARD THAT HAS A PARTICIPATING FIRST YEAR~~
23 ~~TEACHER~~ SHALL PROVIDE EACH FIRST YEAR TEACHER PARTICIPATING IN THE
24 PILOT PROGRAM FROM THAT COUNTY WITH INFORMATION REGARDING RESOURCES
25 AVAILABLE TO THE FIRST YEAR TEACHER THAT MAY BE USED DURING THE
26 ADDITIONAL TIME THAT INCLUDE:

27 (I) MENTORING;

28 (II) PEER OBSERVATION; AND

29 (III) ASSISTANCE WITH PLANNING.

30 (D) ANY COSTS INCURRED UNDER THE PILOT PROGRAM SHALL BE BORNE
31 80% BY THE STATE AND 20% BY THE COUNTY BOARD.

1 (E) (1) THE GOVERNOR ANNUALLY SHALL INCLUDE AN APPROPRIATION
 2 OF ~~\$7,000,000~~ \$5,000,000 IN THE STATE BUDGET FOR THE DEPARTMENT TO
 3 ADMINISTER THE PILOT PROGRAM.

4 (2) THE DEPARTMENT SHALL DEVELOP CRITERIA BY WHICH FUNDS
 5 SHALL BE ALLOCATED TO ~~LOCAL SCHOOL SYSTEMS~~ COUNTY BOARDS TO ALLOW
 6 FIRST YEAR TEACHERS TO PARTICIPATE IN THE PILOT PROGRAM.

7 (3) (I) IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION,
 8 AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT
 9 SHALL DISBURSE FUNDS TO EACH COUNTY BOARD THAT HAS FIRST YEAR TEACHERS
 10 PARTICIPATING IN THE PILOT PROGRAM.

11 (II) THE DEPARTMENT SHALL INCLUDE ANY COSTS INCURRED
 12 BY A COUNTY BOARD IN MEETING THE REQUIREMENTS OF SUBSECTION (C) (3) AND
 13 (4) OF THIS SECTION WHEN DISBURSING FUNDS TO A COUNTY BOARD.

14 (4) IT IS NOT THE INTENT OF THE GENERAL ASSEMBLY THAT
 15 ENOUGH FUNDS BE PROVIDED TO ENSURE THAT EVERY FIRST YEAR TEACHER IN THE
 16 STATE BE ABLE TO PARTICIPATE IN THE PILOT PROGRAM.

17 SECTION ~~3~~ 4, AND BE IT FURTHER ENACTED, That ~~en~~:

18 (a) On or before December 1, 2021, the State Department of Education shall
 19 report to the Governor and, in accordance with § 2-1246 of the State Government Article,
 20 the General Assembly regarding the retention of first year teachers that participate in the
 21 Teacher Induction, Retention, and Advancement Pilot Program.

22 (b) The report shall:

23 (1) include the number of first year teachers who participated in the Pilot
 24 Program and are still teaching 4 and 5 years after participating in the Pilot Program,
 25 versus the number of teachers who were similarly situated first year teachers but who did
 26 not participate in the Pilot Program and are still teaching 4 and 5 years later; and

27 (2) make recommendations on whether to continue, modify, or eliminate the
 28 Pilot Program.

29 SECTION ~~4~~ 5, AND BE IT FURTHER ENACTED, That:

30 (a) The State Department of Education shall convene a workgroup composed of
 31 stakeholders from primary and secondary education, higher education, and other education
 32 policy experts to:

33 (1) determine how ~~to~~:

1 (i) to recruit, retain, and promote quality teachers at all levels of
2 education in the State;

3 ~~(1)~~ (ii) to incorporate and interweave the principles of National Board
4 Certification with the Advanced Professional Certificate, Master of Education programs,
5 and other teacher preparation programs;

6 ~~(2)~~ (iii) to make the teacher recertification process more valuable,
7 including an exploration of how to link recertification to career ladders and content or high
8 need area specializations;

9 ~~(3)~~ (iv) to link loan forgiveness to teaching in high need schools; and

10 ~~(4)~~ (v) to incorporate induction best practices into professional
11 eligibility certificates; and

12 (vi) existing state laws and regulations impact teacher recruitment,
13 retention, and promotion for each of the following areas:

14 1. individual and team competency;

15 2. performance measurement and management;

16 3. reward and recognition for excellent work; and

17 4. discipline in the classroom; and

18 (2) evaluate whether the stipend created under § 6-306(c) of the Education
19 Article, as enacted by Section 2 of this Act, was effective in retaining effective teachers in
20 schools with a critical mass of economically disadvantaged students.

21 (b) The workgroup established under subsection (a) of this section shall make
22 recommendations regarding:

23 (1) its findings under subsection (a) of this section; ~~and~~

24 (2) legislative changes that will ensure that teacher preparation
25 academies, as authorized under the federal Every Student Succeeds Act, will be of the
26 highest quality and rigor if they are implemented in Maryland, and the individuals that
27 participate in these academies will be fully prepared and trained to be in a classroom in
28 Maryland;

29 (3) a coordinated statewide strategy for recruiting, retaining, and
30 promoting quality teachers at all levels of education by the State Department of Education,
31 the Maryland Higher Education Commission, the University System of Maryland, and other
32 education stakeholders; and

1 (4) the best methods of incentivizing effective teachers to choose to teach in
 2 low-performing schools and schools with a critical mass of economically disadvantaged
 3 students in light of federal regulations that require the equitable distribution of effective
 4 teachers.

5 (c) (1) On or before ~~September~~ November 1, 2016, the Department shall
 6 submit ~~a~~ an interim report regarding the recommendations of the workgroup established
 7 under this section to the Governor and, in accordance with § 2-1246 of the State
 8 Government Article, the General Assembly.

9 (2) On or before November 1, 2017, the Department shall submit a final
 10 report regarding the recommendations of the workgroup established under this section to
 11 the Governor and, in accordance with § 2-1246 of the State Government Article, the General
 12 Assembly.

13 SECTION ~~5~~ 6. AND BE IT FURTHER ENACTED, That this Act shall take effect
 14 July 1, 2016. Section 2 of this Act shall remain effective for a period of 3 years and, at the
 15 end of June 30, 2019, with no further action required by the General Assembly, Section 2 of
 16 this Act shall be abrogated and of no further force and effect. ~~Section 2~~ Section 3 of this Act
 17 shall remain effective for a period of 6 years and, at the end of June 30, 2022, with no
 18 further action required by the General Assembly, ~~Section 2~~ Section 3 of this Act shall be
 19 abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.