

Department of Legislative Services  
Maryland General Assembly  
2017 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

House Bill 286  
Ways and Means

(Delegate Korman, *et al.*)

Education, Health, and Environmental Affairs

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Education - Specialized Intervention Services - Reports

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This bill requires that, beginning with the 2019-2020 school year, each local board of education must submit a report on specialized intervention services to the Maryland State Department of Education (MSDE) by July 30 of each year. The report must include information on the number of students receiving the services, the grades in which the services were provided, and the annual budget (including federal, State, and local funds) for the services in the prior school year.

MSDE must, in consultation with local boards and specified groups, establish guidelines by July 30, 2018, for the report that each local board of education must submit. MSDE and each local board of education must annually post the information required under the bill on their respective websites. MSDE must also report to the General Assembly by January 1, 2018, with a description of specified information regarding specialized intervention services provided by local school systems and related processes and systems, including those related to tracking funding as well as student progress.

The bill takes effect July 1, 2017.

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Fiscal Summary

**State Effect:** MSDE can produce the required report, receive and post to its website the information to be reported by local school systems, and establish guidelines using existing resources. Revenues are not affected.

**Local Effect:** Local school systems may incur increased administrative expenditures in order to track information required by the bill, but any increase is expected to be minimal.

**Small Business Effect:** None.

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## Analysis

**Bill Summary:** The bill defines “specialized intervention services” as services provided to kindergarten through grade 3 students who:

- are not currently receiving services under the federal Individuals with Disabilities Education Act (IDEA);
- need additional academic and behavioral supports to meet grade level standards in a core curriculum or in a general education classroom; and
- receive any kind of additional services, support, or instruction beyond those provided as a matter of course in the general education curriculum.

**Current Law/Background:** Local boards of education are not required to track the number of students receiving specialized intervention services (as defined by the bill) or the amount budgeted for, or expenditures, on this category of students.

### *Individuals with Disabilities Education Act and Coordinated Early Intervening Services*

IDEA requires that a child with disabilities be provided a free appropriate public education in the least restrictive environment from birth through the end of the school year in which the student turns 21 years old, in accordance with an individualized education program (IEP) specific to the individual needs of the student.

The Individuals with Disabilities Education Improvement Act of 2004 amended the IDEA to allow, and sometimes require, local educational agencies (LEAs) to use funds provided under Part B of the IDEA for Coordinated Early Intervening Services (CEIS). LEAs may use a portion of Part B funds to develop and provide CEIS for students who are currently not identified as needing special education. According to a memo from the U.S. Department of Education to the Chief State School Officers, the rationale for using IDEA funds for CEIS is based on research showing that the earlier a child’s learning problems or difficulties are identified, the more quickly and effectively the problems and difficulties can be addressed and the greater the chances that the child’s problems will be ameliorated or decreased in severity. Conversely, the longer a child goes without assistance, the longer the remediation time and the more intense and costly services might be.

### *Comprehensive Master Plans and Updates*

Each local board of education must develop and implement a comprehensive master plan that describes the goals, objectives, and strategies that will be used to improve student achievement and meet State and local performance standards in each segment of the student

population. Beginning in 2016, each local board must submit an annual update that covers a rolling five-year period for review and approval by the State Superintendent of Schools, on or before October 15 of each year.

The annual update must include a description of the alignment of the county board's budget with goals, objectives, and strategies for improving student achievement. As part of the update, each local board must submit a detailed summary of how the board's current year approved budget and increases in expenditures over the prior year are consistent with the master plan and a summary of how the board's actual prior year budget and additional expenditures in the prior year's budget align with the master plan. If the State Superintendent determines that a plan or update will not have the effect of improving student achievement and increasing progress toward meeting State performance standards, the State Superintendent may require specific revisions to the plan or update.

### *Local Board of Education Budgets and Annual Financial Reports*

Each local board of education must prepare an annual budget according to major categories, including: administration, including executive administration and business and centralized support services; mid-level administration, including the office of the school principal and staff administering and supervising school instructional programs; instructional salaries for teachers, aides, psychological personnel, guidance counselors, and library personnel; textbooks and classroom instructional supplies; other instructional costs; special education; student personnel services; health services; student transportation; operation of plant and equipment; maintenance of plant; fixed charges (such as rent and employee benefits); food services; and capital outlay.

Each local board of education is required to submit an Annual School Financial Report to the State Board of Education in accordance with major categories (summarized above) established by State law and additional specific revenue and expenditure areas as specified by MSDE's *Financial Reporting Manual for Maryland Public Schools*. MSDE draws upon this financial data provided by local school systems to produce an annual *Selected Financial Data* report, which includes a section on expenditures. The *Selected Financial Data* report presents information at the school system level. Each local board must also submit an annual budget to the county governing body, in accordance with the major categories and the financial reporting manual.

**Local Fiscal Effect:** According to MSDE, the term "specialized intervention services" currently does not have a standard definition that is used uniformly across local school systems. Local school systems may need to implement new administrative procedures in order to track information related to the number and grade level of students receiving specialized intervention services. Baltimore City Public Schools advises that additional staff will not be required, though staff time will need to be dedicated in the first school year

to design, test, and implement a module in the district's student management system to track interventions.

Though the bill does not directly alter budgeting requirements for local boards of education, to fulfill the bill's requirement of reporting budget information on the federal, State, and local levels with respect to students receiving specialized intervention services, additional budgeting mechanisms and efforts may be necessary. Although the reporting requirement is ongoing, any increase in expenditures is likely one time and is assumed to be minimal. It is assumed that local school systems can post the required information to their respective websites using existing resources.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None. However, SB 1 (Senator Conway – Education, Health and Environmental Affairs) is similar.

**Information Source(s):** Baltimore City; Maryland State Department of Education; U.S. Department of Education; Department of Legislative Services

**Fiscal Note History:** First Reader - February 7, 2017  
md/rhh Third Reader - April 10, 2017  
Revised - Amendment(s) - April 10, 2017

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