



**Committee:** E&C  
**Committee Review:** Completed  
**Staff:** Nicole Rodriguez-Hernandez, Legislative Analyst  
Craig Howard, Deputy Director  
**Purpose:** Final action – vote expected  
**Keywords:** MCPS, Restorative Justice

AGENDA ITEM #7K  
February 23, 2021  
**Action**

## SUBJECT

Special Appropriation to the Fiscal Year 2021 Operating Budget, Montgomery County Public Schools, Restorative Justice Training for School Staff, \$750,000 (Source of Funds: General Fund Reserves)

## EXPECTED ATTENDEES

None

## COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

On February 4, the Education & Culture (E&C) Committee recommended approval (3-0) of the \$750,000 special appropriation for restorative justice training for MCPS educators and staff.

## DESCRIPTION/ISSUE

The Council will consider action on a resolution to the FY21 Operating Budget for Montgomery County Public Schools for \$750,000 to provide restorative justice training to school staff.

## SUMMARY OF KEY DISCUSSION POINTS

- The Council introduced this special appropriation on November 17. On the December 1 public hearing, the Council received testimony from four individuals in support of the appropriation.
- Councilmembers Jawando and Riemer initiated the special appropriation as part of a package of appropriations and legislation to invest in student supports and restorative justice while prohibiting the Montgomery County Police Department from placing School Resource Officers (SROs) in school buildings. Each legislative item is being reviewed by the Council separately.
- This special appropriation would provide restorative justice training for MCPS educators and staff. At the E&C committee meeting, MCPS stated the \$750,000 would be used to implement Tier 1 restorative justice training for middle school staff and administrators.

### **This report contains:**

Memo from Councilmembers Jawando and Riemer	©1-2
Draft Special Appropriation Resolution	©3-4
February 4 E&C Staff Report	©5-35

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**MONTGOMERY COUNTY COUNCIL**  
**ROCKVILLE, MARYLAND**

WILL JAWANDO  
COUNCILMEMBER  
AT-LARGE

**MEMORANDUM**

**TO:** Montgomery County Council  
**FROM:** Will Jawando and Hans Riemer, Councilmembers  
**DATE:** November 12, 2020  
**SUBJECT:** Removing SRO's from MCPS and Special Appropriations

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Today Montgomery County has a police officer in every high school and several middle schools. At the same time, our counselor-to-student ratios lag far behind other school systems both in the region and nationally. Over time, our county government has chosen to prioritize funding of police in schools who can quickly make arrests, instead of professionals and services that can assist our students with non-law enforcement-based interventions and mental health or wellbeing.

Over the past four years, almost half of all student arrests were of Black children, a cohort that is one-fifth of the student body.<sup>1</sup> These disparities raise serious concerns about the school-to-prison pipeline. In fact there are broad disparities in how students are treated once they enter the criminal justice system. Black students are nearly 20 times more likely to be held by the Department of Juvenile Services for pretrial detainment for misdemeanor offenses than their white peers.<sup>2</sup> Black students are 85% less likely to be referred for Screening and Assessment Services for Children and Adolescents (SASCA) Diversion Programs for substance abuse and mental health.<sup>3</sup> Black students are 320% more likely to be incarcerated at the conclusion of their trial than white students.<sup>4</sup>

While we know our SRO's are good people doing the job they have been assigned, there are better research-based approaches to resolving disciplinary problems and more effective ways to use precious county resources. School counselors, nurses, therapists, and security guards are better equipped to help students deal with the challenges that today may result in arrests. We should address behavioral problems early through guidance, mental health support, and restorative justice techniques rather than criminalizing adolescent mistakes.

School discipline begins with the teacher, ensuring that all teachers are properly trained in mediating conflicts. Students are another key factor: ensuring that students take steps to atone for the harm they have caused has been correlated with lower suspension and expulsion rates and with students feeling

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<sup>1</sup> Statistic derived from previous 4 years of Maryland Department of Education Public School Arrest Data reports. These reports indicate that from SY 2015-2016 through SY 2018-2019, 475 of the 1042 students arrested on MCPS property were Black.

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safer in the school community. Principals and other administrators are also a key component, as they frequently request arrests or police intervention as a means of resolving disciplinary problems. Training all employees in MCPS in restorative justice and other practices to ensure equitable discipline from the classroom up through the administration is essential to reducing disparities and ensuring better outcomes for all students. That is one of the key goals of our appropriations.

The package of appropriations and legislation we are introducing today will invest in mental health professionals and restorative justice while prohibiting the Montgomery County Police Department (MCPD) from placing SROs in school buildings. The discontinuation of the SRO program would achieve approximately \$3 million in annual cost savings in future fiscal years. We are not suggesting firing these officers, rather they should be moved to other unfilled positions within MCPD.

Beginning next year, the \$3 million in savings would be allocated to 3 separate programs that will better address the needs of students: 1) Providing funding for an after school student service hub model to reduce risk factors for students through the Montgomery County Collaboration Council (\$406,000), 2) Providing recreational therapeutic group activities for students through HHS (\$312,455), and 3) Providing funding for restorative justice training for MCPS educators and staff (\$750,000). Our goal is to provide at least some funding before the end of the fiscal year. Next year when we begin to work through the budget, we need to take a closer look at the counseling and therapy needs for students and look at addressing mental health professional ratios. It is necessary to begin to address these mental health challenges as soon as possible. Thank you for your careful consideration of these proposals.

Resolution No.: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsors: Councilmembers Jawando and Riemer

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**SUBJECT:** Special Appropriation to the FY21 Operating Budget  
Montgomery County Public Schools  
Restorative Justice Training for School Staff, \$750,000  
Source of Funds: General Fund Reserves

**Background**

1. Section 308 of the County Charter provides that a special appropriation is an appropriation which states that it is necessary to meet an unforeseen disaster or other emergency, or to act without delay in the public interest. Each special appropriation shall be approved by not less than six Councilmembers. The Council may approve a special appropriation at any time after public notice by news release. Each special appropriation shall specify the source of funds to finance it.
2. Montgomery County Public Schools (MCPS) has established a Restorative Justice Unit within the Office of Student and Family Support and Engagement to prepare and engage all stakeholders in restorative practices through meaningful trainings, school-level support, collegial collaboration, and supported community partnerships.
3. Existing discipline policies disproportionately impact students of color, particularly Black students. Black students are over six times more likely to be suspended from MCPS and 278% more likely to be arrested in school than their white peers.
4. Addressing racial disparities in school discipline will require a rethinking of policies for disciplining students and will require all members of the school community to buy into and be trained in this new approach.
5. Restorative justice shifts the focus of discipline from punishment towards making amends and restoring the classroom community.
6. School discipline begins with the teacher, ensuring that all teachers are properly trained in mediating conflicts and guaranteeing that students take steps to atone for the harm they have caused has been correlated with lower suspension and expulsion rates and with students feeling safer in the school community.

7. This appropriation is needed to provide restorative justice training to MCPS staff in FY21.
8. Notice of public hearing was given and the public hearing was held.
9. The County Council declares this request is in the public interest to be acted upon without delay as provided for under special appropriation requirements described in Article 3, Section 308 of the Montgomery County Charter.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

A special appropriation to the FY21 Operating Budget of the Montgomery County Public Schools is approved as follows:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
\$0	\$750,000	\$0	\$750,000	General Fund

This is a correct copy of Council action.

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Selena Mendy Singleton, Esq.  
Clerk of the Council

**MEMORANDUM**

February 3, 2021

TO: Education and Culture Committee

FROM: Nicole Rodriguez-Hernandez, Legislative Analyst  
Craig Howard, Deputy Director

SUBJECT: Special Appropriation for the FY21 Operating Budget, Montgomery County Public Schools, Restorative Justice Training for School Staff, \$750,000 (Source of Funds: General Fund Reserves)

PURPOSE: Make Committee recommendation on special appropriation

**Expected Participants:**

- Ruschelle Reuben, Associate Superintendent of the Office of Student and Family Support and Engagement, Montgomery County Public Schools (MCPS)
- Karen Stratman, Chief of Staff, MCPS

The Committee will hold a worksession on a special appropriation to provide \$750,000 to Montgomery County Public Schools (MCPS) FY21 operating budget for restorative justice training for MCPS educators and staff. Councilmembers Jawando and Riemer sponsored this special appropriation that was introduced by the Council on November 17, 2020. The draft special appropriation and memorandum from Councilmembers Jawando and Riemer is attached at ©1-5.

This staff report has been revised to include additional information from MCPS regarding how they would use the proposed funding and outlining current restorative justice efforts (section A).

**A. Summary of Proposed Special Appropriation**

The proposed special appropriation would provide MCPS with \$750,000 for restorative justice training in FY21. On December 1, 2020, the Council received testimony from four individuals in support of the appropriation. The written testimony can be found on the Council's website: <https://www.montgomerycountymd.gov/COUNCIL/OnDemand/testimony/20201201/item8.html>

As this appropriation was initiated by Councilmembers Jawando and Riemer, it does not have an accompanying Board of Education request that details how the funding would be used. As a result, Council staff requested detailed information from MCPS related to how it would use the proposed funding as well as information on its current restorative justice efforts. Specifically:

- A description of how MCPS would utilize the proposed funding, including which staff would receive training;
- A summary of MCPS’ restorative justice program and efforts;
- A description of MCPS’ restorative justice goals (current and future);
- Total funding allocated for restorative justice programs (County and State), including and funds identified in the Superintendent’s Recommended FY22 budget; and
- Any data collected on MCPS’ restorative justice efforts.

MCPS provided the following information on their restorative justice efforts and their tentative action steps to utilize the \$750,000 appropriation.

### **1. New Restorative Justice Training Overview**

MCPS plans to utilize the \$750,000 in FY21 funding to provide new “Tier 1” required restorative justice training to middle school administrators and staff.

**Target Group.** The cohort of middle school administrators and staff who would participate in the Tier 1 training funded by the appropriation include

- 1) 80 administrators (2 at each middle school);
- 2) 1,200 teachers (30 at each middle school);
- 3) 80 security assistants (2 at each middle school); and
- 4) 75 district staff members (e.g. Pupil Personnel Workers, Parent Community Coordinators, school counselors, and school psychologists).

**Training Goals and Curriculum.** MCPS defines restorative justice as:

*A mindset and philosophy toward school climate and relationship building. It is a social justice platform that allows students to actively engage and problem solve physical, psychological, social and disciplinary issues that affect their lives and the community at large; and take responsibility for their actions and work with those affected to restore the community and members who were harmed as a result of those actions.*

The goal for Tier 1 training and beyond is to implement “a school-wide, student centered school culture framework that embodies an anti-bias, anti-racist mindset through the implementation of the full continuum of restorative practices” (including culturally sustaining pedagogy). MCPS aims to co-create learning environments founded on restorative practices by implementing on-

going staff trainings that cultivate an anti-bias, anti-racist lens by focusing on staff beliefs and mindsets.

In addition to the initial 6-to-8-hour training session, MCPS notes the training cohort will also be required to attend four additional professional learning sessions (quarterly) to “strengthen [their] understanding of the full continuum of restorative practices and receive support with implementation.”

MCPS will update students and their families on the restorative justice trainings that their respective school community/staff have participated in through the school system. Students and families will also be asked to participate in intentional and targeted feedback cycles to determine the impacts of the training on school culture and learning environments.

**Timeline.** MCPS is still determining the specific timeline to implement the training as the school system coordinates remote learning and the potential return to in-person learning (reopening) with professional development opportunities. MCPS expects the 8-hour initial training will be completed by June 30, 2021. Additional follow-up training would be conducted in FY22.

## 2. Funding Breakdown

MCPS’ estimated staff cost breakdown for the middle school cohort’s Tier 1 required training is described in the chart below:

All middle schools	40	Per school	All middle schools
Staff	25	16,800.00	672,000.00
Security Assistant	2	895.98	35,839.06
Select PPWs, PCCs, Psychologists, School Counselors	75	40,500.00	40,500.00
Hours Training (Initial session, follow-up)	12		
<b>Total Cost</b>			<b>\$ 748,339.06</b>

Staffing costs estimated on MCPS Tier 1 (required training) hourly rates.

While the FY21 \$750,000 special appropriation funds the entire 12-hour Tier 1 restorative justice training, only the initial 8-hour training is guaranteed to be completed by the end of FY21: June 30, 2021. MCPS states funding would need to be extended into FY22 as the training continues in the next school year.

**FY22 Funding.** MCPS notes that the Superintendent’s FY22 recommended operating budget depicts level service restorative justice funding for 2.0 Instructional Specialists and associated program materials. The MCPS Restorative Justice Unit did not request additional FY22 funding.

## 3. Current Restorative Justice Goals and Efforts



MCPS' Restorative Justice Unit notes they are committed "to prioritizing the needs of students and creating the conditions for learning that allow them to show up in their full humanity, and where they feel affirmed, valued, and [can] exercise their agency in the learning process." They seek to meet their commitment through reflection and intentional self-questioning of the world as it is understood that "every facet of society is impacted by multiple systems of oppression that need to be disrupted."

MCPS' current restorative justice professional development goals focus on:

- Learning space construction;
- Self- racial identity and its effect on teaching/learning;
- Racism in curriculums, policies, instructional practices, student/family interactions, and school culture decisions;
- Barriers to the full continuum of restorative practices; and
- White supremacy culture

At this time, MCPS offers all levels of school staff four "Identity Sessions" and a "Me and White Supremacy" facilitated book study as anti-racist professional learning. In addition, 43 schools are currently in the process of fully implementing restorative justice over the next two years through a RAND Corporation grant.

## **B. Other Considerations**

### **1. Impact on MOE**

For the FY21 budget approval process, the County Council implemented a continuity-of-services approach with the goal to maintain service levels and legal requirements while addressing the new challenges brought on by the pandemic. For MCPS and Montgomery College, the continuity-of-services approach meant funding each agency at the required Maintenance of Effort (MOE) level. The Council's approved FY21 local contribution of \$1.75 billion complied with MOE law.

The proposed special appropriation would increase the County's FY21 local contribution to MCPS and therefore increase the per pupil local contribution amount used to calculate MOE for FY22 and in future years. While the \$750,000 would therefore become part of the permanent base MOE calculation, MCPS is not required to allocate any amount of future fiscal year funding for the specific programming identified in the original appropriation request.

### **2. Current MCPS Budget Information and Fiscal Context**

**FY21 Fund Balance.** On November 30, 2020, MCPS presented on their financial monitoring and CARES Act funding for FY21 to the E&C Committee. During this meeting, MCPS staff highlighted that the projected End-of-Year Fund Balance for FY21 was \$39 million and that \$25 million in FY21 funding would be re-appropriated for FY22. After accounting for funds needed for remote learning and to re-open schools, MCPS projected an "unused" year-end FY21 fund balance of \$3.5 million.

On January 12, 2021, the BOE received MCPS' most recent monthly financial report (©6-7) which continues to show a FY21 year-end fund balance projection of \$3.5 million (assuming \$25.0 million in fund balance is re-appropriated in the FY22 budget). MCPS could choose to spend some (or all) of that \$3.5 million in FY21 under its existing appropriation authority without requiring Council approval.

**Additional Federal and State Aid.** Since the November 30 discussion, MCPS has received additional information related to both Federal and State Aid.

As part of the federal Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, Maryland received \$780 million in Emergency Relief Act (ESSER II) funds to distribute to local school systems. MCPS anticipates receiving an additional \$112.2 million which may be used through September 30, 2023. The State Department of Education notes the funding is intended to help school districts reopen, measure and effectively address significant learning loss, implement targeted tutoring, and invest in students with unique needs (low-income households, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth).

On January 20, 2021, Governor Hogan transmitted his recommended FY22 budget. MCPS can potentially receive approximately \$23.2 million in additional funding compared to FY21. This is a net change of +\$68.4 million from the State aid assumption included in the Superintendent's recommended budget.

**Kirwan.** The General Assembly passed House Bill 1300, the Blueprint for Maryland's Future, with veto-proof majority during the 2020 session. On May 7, 2020 the Governor vetoed the bill due to concerns regarding the economic challenges resulting from the COVID-19 health pandemic. The General Assembly may consider overriding the Governor's veto during the 2021 session.

The Blueprint implements the final recommendations on funding formulas and five policy areas endorsed by the Kirwan Commission: 1) Early Childhood Education; 2) High-quality and Diverse Teachers and Leaders; 3) College and Career Readiness Pathways; 4) Governance and Accountability; and 5) More Resources to Ensure All Students are Successful. It is important to note that while restorative justice practices and training requirements are interwoven throughout the bill, MCPS states they have not previously received and are not expecting Blueprint funding specifically for restorative justice training.

The impact of the bill's new and modified funding formulas on State aid are outlined on ©8-20. The additional funding for various educational aid facets were set to begin in FY22. Montgomery County would have received an estimated \$39.6 million increase in FY22 direct State aid through the Blueprint.

**This report contains:**

Restorative Justice Special Appropriation Draft Resolution  
MCPS Monthly Financial Report – January 12, 2021  
The Blueprint for Maryland's Future – State Aid  
MCPS Responses to Council Staff Questions

**Circle #**

©1-5  
©6-7  
©8-20  
©21-26



**Committee:** E&C  
**Committee Review:** At a future date  
**Staff:** Craig Howard, Deputy Director  
**Purpose:** To introduce agenda item – no vote expected  
**Keywords:** MCPS, restorative justice

AGENDA ITEM #4H  
November 17, 2020  
**Introduction**

## SUBJECT

Special Appropriation to the Fiscal Year 2021 Operating Budget, Montgomery County Public Schools, Restorative Justice Training for School Staff, \$750,000 (Source of Funds: General Fund Reserves)

## EXPECTED ATTENDEES

None

## COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

None

## DESCRIPTION/ISSUE

The County Council will introduce a resolution to the FY21 Operating Budget for Montgomery County Public Schools for \$750,000 to provide restorative justice training to school staff.

## SUMMARY OF KEY DISCUSSION POINTS

- Councilmembers Jawando and Riemer are proposing a package of appropriations and legislation to invest in mental health professionals and restorative justice while prohibiting the Montgomery County Police Department from placing School Resource Officers (SROs) in school buildings.
- This special appropriation would provide restorative justice training for MCPS educators and staff.
- The Council is tentatively scheduled to hold a public hearing on this special appropriation on December 1. An Education and Culture (E&C) Committee worksession on this special appropriation will be scheduled.

### **This report contains:**

Memo from Councilmembers Jawando and Reimer  
Draft Special Appropriation Resolution

©1-2  
©3-4

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**MONTGOMERY COUNTY COUNCIL**  
**ROCKVILLE, MARYLAND**

WILL JAWANDO  
COUNCILMEMBER  
AT-LARGE

**MEMORANDUM**

**TO:** Montgomery County Council  
**FROM:** Will Jawando and Hans Riemer, Councilmembers  
**DATE:** November 12, 2020  
**SUBJECT:** Removing SRO's from MCPS and Special Appropriations

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Today Montgomery County has a police officer in every high school and several middle schools. At the same time, our counselor-to-student ratios lag far behind other school systems both in the region and nationally. Over time, our county government has chosen to prioritize funding of police in schools who can quickly make arrests, instead of professionals and services that can assist our students with non-law enforcement-based interventions and mental health or wellbeing.

Over the past four years, almost half of all student arrests were of Black children, a cohort that is one-fifth of the student body.<sup>1</sup> These disparities raise serious concerns about the school-to-prison pipeline. In fact there are broad disparities in how students are treated once they enter the criminal justice system. Black students are nearly 20 times more likely to be held by the Department of Juvenile Services for pretrial detainment for misdemeanor offenses than their white peers.<sup>2</sup> Black students are 85% less likely to be referred for Screening and Assessment Services for Children and Adolescents (SASCA) Diversion Programs for substance abuse and mental health.<sup>3</sup> Black students are 320% more likely to be incarcerated at the conclusion of their trial than white students.<sup>4</sup>

While we know our SRO's are good people doing the job they have been assigned, there are better research-based approaches to resolving disciplinary problems and more effective ways to use precious county resources. School counselors, nurses, therapists, and security guards are better equipped to help students deal with the challenges that today may result in arrests. We should address behavioral problems early through guidance, mental health support, and restorative justice techniques rather than criminalizing adolescent mistakes.

School discipline begins with the teacher, ensuring that all teachers are properly trained in mediating conflicts. Students are another key factor: ensuring that students take steps to atone for the harm they have caused has been correlated with lower suspension and expulsion rates and with students feeling

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safer in the school community. Principals and other administrators are also a key component, as they frequently request arrests or police intervention as a means of resolving disciplinary problems. Training all employees in MCPS in restorative justice and other practices to ensure equitable discipline from the classroom up through the administration is essential to reducing disparities and ensuring better outcomes for all students. That is one of the key goals of our appropriations.

The package of appropriations and legislation we are introducing today will invest in mental health professionals and restorative justice while prohibiting the Montgomery County Police Department (MCPD) from placing SROs in school buildings. The discontinuation of the SRO program would achieve approximately \$3 million in annual cost savings in future fiscal years. We are not suggesting firing these officers, rather they should be moved to other unfilled positions within MCPD.

Beginning next year, the \$3 million in savings would be allocated to 3 separate programs that will better address the needs of students: 1) Providing funding for an after school student service hub model to reduce risk factors for students through the Montgomery County Collaboration Council (\$406,000), 2) Providing recreational therapeutic group activities for students through HHS (\$312,455), and 3) Providing funding for restorative justice training for MCPS educators and staff (\$750,000). Our goal is to provide at least some funding before the end of the fiscal year. Next year when we begin to work through the budget, we need to take a closer look at the counseling and therapy needs for students and look at addressing mental health professional ratios. It is necessary to begin to address these mental health challenges as soon as possible. Thank you for your careful consideration of these proposals.

Resolution No.: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsors: Councilmembers Jawando and Riemer

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**SUBJECT:** Special Appropriation to the FY21 Operating Budget  
Montgomery County Public Schools  
Restorative Justice Training for School Staff, \$750,000  
Source of Funds: General Fund Reserves

**Background**

1. Section 308 of the County Charter provides that a special appropriation is an appropriation which states that it is necessary to meet an unforeseen disaster or other emergency, or to act without delay in the public interest. Each special appropriation shall be approved by not less than six Councilmembers. The Council may approve a special appropriation at any time after public notice by news release. Each special appropriation shall specify the source of funds to finance it.
2. Montgomery County Public Schools (MCPS) has established a Restorative Justice Unit within the Office of Student and Family Support and Engagement to prepare and engage all stakeholders in restorative practices through meaningful trainings, school-level support, collegial collaboration, and supported community partnerships.
3. Existing discipline policies disproportionately impact students of color, particularly Black students. Black students are over six times more likely to be suspended from MCPS and 278% more likely to be arrested in school than their white peers.
4. Addressing racial disparities in school discipline will require a rethinking of policies for disciplining students and will require all members of the school community to buy into and be trained in this new approach.
5. Restorative justice shifts the focus of discipline from punishment towards making amends and restoring the classroom community.
6. School discipline begins with the teacher, ensuring that all teachers are properly trained in mediating conflicts and guaranteeing that students take steps to atone for the harm they have caused has been correlated with lower suspension and expulsion rates and with students feeling safer in the school community.

7. This appropriation is needed to provide restorative justice training to MCPS staff in FY21.
8. Notice of public hearing was given and the public hearing was held.
9. The County Council declares this request is in the public interest to be acted upon without delay as provided for under special appropriation requirements described in Article 3, Section 308 of the Montgomery County Charter.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

A special appropriation to the FY21 Operating Budget of the Montgomery County Public Schools is approved as follows:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
\$0	\$750,000	\$0	\$750,000	General Fund

This is a correct copy of Council action.

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Selena Mendy Singleton, Esq.  
Clerk of the Council

Office of the Superintendent of Schools  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

January 12, 2021

MEMORANDUM

To: Members of the Board of Education

From: Jack R. Smith, Superintendent of Schools

Subject: Monthly Financial Report

This financial report reflects the actual financial condition of Montgomery County Public Schools (MCPS) for Fiscal Year (FY) 2021 as of November 30, 2020, and projections through June 30, 2021, based on program requirements and estimates made by primary and secondary account managers. A summary of the financial condition is provided and the attached tables and charts include additional details as follows:

- Attachment 1 presents budgeted and projected revenues along with a brief explanation for change.
- Attachment 2 details expenditure information by state category and object of expense. The report displays authorized (budgeted) expenditures, actual year-to-date expenditures and encumbrances, and the projected year-end balance including a brief explanation.
- Attachment 3 details by state category, the cumulative expenditures and encumbrances, projected expenditures, and projected surplus or deficit.
- Attachment 4 compares financial monitoring projections by month for FY 2016 through FY 2021.
- Attachment 5 details by state category, expenditures and encumbrances by month, and the percentage of the category's budget.

**Summary of MCPS Fiscal Condition and End-of-Year Projection**

The MCPS Operating Budget appropriation approved by the Board of Education for FY 2021 totaled \$2,755,507,059. This was an increase of \$74,932,286 (2.8 percent) more than the final FY 2020 Operating Budget of \$2,680,574,773. The FY 2021 appropriation includes \$25,000,000 of MCPS fund balance used for the FY 2021 Operating Budget. As a result of savings realized at the end of FY 2020 along with the use of fund balance to fund the FY 2021 Operating Budget, the beginning fund balance in FY 2021 is \$3,014,609. Factors impacting the amount of carryforward in FY 2021 include savings from lapse and turnover of positions in FY 2020. In addition, MCPS had a revenue surplus of \$714,724 during FY 2020.

At this time, budgeted revenues for FY 2021 are projected to have a deficit of \$2,287,000, the same amount as projected last month. This is due to the impact of the COVID-19 pandemic on the school district including decreased summer school and non-resident tuition, the suspension of outdoor



education, and lower interest earned from banks. Expenses are projected to have a balance of \$29,287,000, the same amount as projected last month. Based on revenue and expenditure projections as of November 30, 2020, along with the FY 2020 beginning fund balance, the need for \$1,514,609 for the non-spendable reserve, and \$25,000,000 to be used to fund the FY 2022 Operating Budget, the fund balance at the start of FY 2022 would be \$3,500,000.

	<b>As of November 30, 2020</b>
FY 2020 End-of-Year Fund Balance	\$28,014,609
Amount Used to Fund FY 2021 Budget	25,000,000
Start of FY 2021 Fund Balance	3,014,609
FY 2021 Projected Revenue Deficit	(2,287,000)
FY 2021 Projected Expenditure Balance	29,287,000
Projected Non-spendable Reserve Adjustment	(1,514,609)
Projected amount for Funding FY 2022 Budget	(25,000,000)
FY 2022 Projected Start-of-Year Fund Balance as of 7/1/21	\$3,500,000

MCPS staff is implementing the Continuity of Learning plan, which includes funds to support tutoring for students, professional development for staff, and technology devices for students and staff. In addition, the plan also includes funds to ensure staff and student environmental safety by providing Heating, Ventilation, and Air Conditioning system maintenance/upgrades and air purifiers for schools and central services facilities, as well as personal protective equipment and supplies. The projected total cost of the Continuity of Learning plan is \$58.0 million.

### **MCPS Employees Group Insurance Trust Fund Balance Update**

The MCPS Employees Group Insurance Trust Fund began FY 2021 with a \$62.5 million fund balance (combined for both active employees and retirees). During FY 2020, claims continued to be lower than projected due mainly to deferred health care resulting from the COVID-19 pandemic. It is anticipated that much of the deferred health care experienced between March and June 2020 will emerge during FY 2021. As a result, expenditure projections are expected to increase at a trend rate of 9.9 percent in FY 2021, compared to a 4.4 percent increase during FY 2020. Our actuary, Aon, indicates that 2.0 percent of the 9.9 percent increase in FY 2021 is related to COVID-19 pandemic-related claims. Employee participation in wellness incentives continues to increase, with an expectation of a positive effect on the plan's long-term cost growth rate, as more employees actively promote their own health and wellness. With the expectation of higher claims expenditures combined with a lower budget appropriation for FY 2021, MCPS projects the fund balance of both the active and retired employees within the MCPS Employees Group Insurance Fund to end FY 2021 between \$25.0 and \$30.0 million.

JRS:DKM:tpk

Attachments

## **Part L**

### **Education**

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#### **Education – Primary and Secondary**

##### **Blueprint for Maryland’s Future – Implementation**

##### **Commission on Innovation and Excellence in Education**

Chapters 701 and 702 of 2016 established the Commission on Innovation and Excellence in Education (also known as the Kirwan Commission) to (1) review the findings of a consultant’s study on adequacy of education funding and its related studies and make recommendations on the funding formulas; (2) review and make recommendations on expenditures of local education agencies; (3) review and make recommendations on innovative education delivery mechanisms and other strategies to prepare Maryland students for the 21st century workforce and global economy; and (4) review and make recommendations on expanding prekindergarten, including special education prekindergarten.

The Kirwan Commission held its first meeting in September 2016, and its final meeting was held in November 2019. During that time, the Kirwan Commission worked with staff and consultants to benchmark Maryland’s education system against top-performing systems around the world and made policy recommendations to enable Maryland students to perform at the levels of the best in the world. Chapter 361 of 2018 implemented the Kirwan Commission’s preliminary recommendations by establishing a Comprehensive Teacher Recruitment and Outreach Program, the Maryland Early Literacy Initiative, the Learning in Extended Academic Programs Grant Program, the Career and Technology Education Innovative Grant Program, and a special fund to implement the Kirwan Commission recommendations.

The Kirwan Commission also reviewed the adequacy study conducted for the State and utilized those findings to estimate the cost of implementing its interim policy recommendations. Chapter 771 of 2019, The Blueprint for Maryland’s Future (Blueprint), implemented the Kirwan Commission interim recommendations by establishing an array of programs and funding for fiscal 2020 and 2021, including (1) a Concentration of Poverty School Grant Program; (2) a Teacher Collaborative Grant Program; (3) a Teacher Salary Incentive Grant Program; (4) a

Transitional Supplemental Instruction for Struggling Learners Program; and (5) enhancement funds for students with disabilities.

Finally, in 2019, the Kirwan Commission endorsed a set of recommendations made by the Funding Formula Workgroup to incorporate the cost of implementing the policy recommendations into education funding formulas and programs. It also finalized its policy recommendations and timeline for implementation.

### **Blueprint for Maryland's Future – Summary of Provisions by Policy Area**

***House Bill 1300 (passed)*** implements the final recommendations made by the Kirwan Commission in the policy areas of (1) early childhood education; (2) high-quality and diverse teachers and leaders; (3) college and career readiness pathways; (4) governance and accountability; and (5) more resources to ensure all students are successful. The bill also contains numerous provisions relating to education funding and funding formulas.

On May 7, 2020, the Governor vetoed the bill due to concerns regarding the economic challenges resulting from the COVID-19 pandemic.

***Early Childhood Education: House Bill 1300*** expands the availability of prekindergarten by establishing voluntary full-day prekindergarten for three- and four-year-olds. Beginning in the 2022-2023 school year, expansion is initially focused on three- and four-year-olds from families whose income is at or below 300% of the federal poverty level (FPL). Beginning in the 2024-2025 school year, four-year-olds from families whose income is between 300% and 600% of FPL may be offered full-day prekindergarten if space is available to encourage socioeconomic diversity in prekindergarten classrooms. Funding for the program is split between State, county, and family shares of the cost. A family below 300% of FPL does not pay a family share. The Maryland State Department of Education (MSDE) must develop a sliding scale to calculate the family share for families with income above 300% of FPL by July 1, 2022. For four-year-olds from families with income above 600% of FPL, the family share is 100% of the cost of full-day prekindergarten. However, a county board may provide up to 100% of the family share on behalf of the family. Public and private providers must meet specified staffing, quality, and nondiscrimination requirements to be eligible to participate in the publicly funded full-day program. Initially, private providers must make up 30% of full-day prekindergarten slots, increasing to 50% in fiscal 2025 and thereafter, unless a waiver is issued by MSDE.

The bill also mandates increased funding for several early childhood accreditation and capacity building programs. Additionally, funding is provided for the Maryland Infant and Toddlers Program, for additional Judy Centers, and for additional Family Support Centers, which will be known as Patty Centers after Patricia H. Kirwan. Finally, to transition to the new publicly funded prekindergarten program, the bill modifies the existing Prekindergarten Expansion Grant Program by expanding to three-year-olds through fiscal 2025 and expiring thereafter.

***High-quality and Diverse Teachers and Leaders: House Bill 1300*** establishes a professionalized career framework for teachers and school leaders through a career ladder. This ladder consists of four levels and two tracks (teacher leadership and administrative) and must be

implemented by each county board of education by July 1, 2023. The career ladder incorporates additional time for team collaboration, professional development, additional professional responsibilities, career advancement opportunities, and financial incentives not tied to seniority. Teachers are incentivized to obtain certification from the National Board for Professional Teaching Standards through financial incentives and other resources and supports beginning in fiscal 2022. Ascension of the career ladder beyond the second level requires National Board Certification (NBC) or, if NBC is not available in a teacher's subject area, a master's degree in that subject area. Beginning in July 2024, county boards must demonstrate to the Accountability and Implementation Board (AIB), discussed below, that all teachers received at least a 10% salary increase over the preceding five-year period. By fiscal 2027, all teachers must receive a salary of at least \$60,000.

The bill also provides for the recruitment, preparation, and induction of teachers including a school leadership training program. Specifically, increased funding is required for the Maryland Teaching Fellows Scholarship Program, award alterations are made to the Nancy Grasmick Teacher Awards (Loan Assistance Repayment Program for teachers), and the Teacher Quality and Diversity Program is established. MSDE is required to develop guidelines for comprehensive teacher induction programs in consultation with local school systems and the Maryland Education Deans and Directors Council. The bill also establishes requirements for teacher preparation programs at institutions of higher education and alternative teacher preparation programs. Teacher training practicums must be of a specified duration, set to increase within five years from enactment, and developed in collaboration with partner schools. Finally, MSDE must adopt or develop challenging subject-specific exams as well as exams for teaching ability and reading instruction among other skills. Beginning in 2025, teachers must pass these exams to be certified in Maryland.

***College and Career Readiness Pathways:*** ***House Bill 1300*** requires the State Board of Education (SBE) to adopt a College and Career Ready Standard (CCR standard) as specified in English language arts, mathematics, and, when practicable, science. Beginning with the 2020-2021 school year, each student must be assessed no later than grade 10 by a method adopted by SBE to determine whether the student meets the CCR standard. Initially, the standard will be pegged to the Maryland Comprehensive Assessment Program grade 10 assessments, but MSDE is required to contract with a public or private entity to conduct an empirical study of the CCR standard to be completed with recommendations by September 1, 2022. Based on the empirical study and periodically thereafter, SBE must adopt a new CCR standard and assessments as specified.

Each local board of education, in collaboration with the community colleges, must develop and implement by the 2021-2022 school year, a program of study for students who have not met the CCR standard by the end of grade 10. Students who have not met the CCR standard by the end of grade 10 must receive an individualized plan to meet the standard. Beginning in the 2023-2024 school year, each local board must provide all students who meet the CCR standard with access to the following post-CCR pathways, at no cost to the student or the student's parents, including the cost of any fees: (1) a competitive entry college preparatory program; (2) 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; and (3) a robust set of Career and Technical Education (CTE) programs that lead to an industry-recognized credential or apprenticeship. Each student who meets the CCR standard must be enrolled in at least one post-CCR pathway.

The bill creates a CTE Committee within the Governor’s Workforce Development Board to build an integrated, globally competitive framework for providing CTE to Maryland students in public schools, institutions of postsecondary education, and the workforce. The bill also establishes a Skills Standards Advisory Committee to make recommendations to the CTE Committee on the CTE courses to be offered. Responsibility for administering the federal Carl T. Perkins Career and Technical Education Act is transferred from MSDE to the CTE Committee, contingent on the federal government approving a waiver to allow the transfer. SBE must submit the waiver request to the federal government by October 1, 2020.

***Governance and Accountability:*** ***House Bill 1300*** establishes an AIB designed to hold other units of government accountable for implementing the Blueprint and evaluating the outcomes of the Blueprint during the implementation period. The bill establishes AIB’s powers, duties, roles, and responsibilities, which center on the development, approval, implementation, and monitoring of plans, and progress made under the plans, to implement the Blueprint. AIB is required to work with the Maryland Longitudinal Data System Center to collect and analyze specified data in order to determine if the Blueprint is working as intended. Beginning in fiscal 2022, 25% of the increase in the State’s share of major education aid over the amount provided in the current fiscal year will automatically be withheld from a school system or public school. In fiscal 2022 through 2024, AIB may release these funds if implementation plans are adopted in a timely manner; in fiscal 2025 and afterwards, AIB may release these funds under specified conditions related to school performance. AIB may also withhold additional funds.

Each November 1, the board must report on the progress made on the implementation of the Blueprint. In addition, the board must contract with an entity to conduct an independent evaluation of the State’s progress toward implementing the Blueprint. An independent entity is required to report its results to the board by October 1, 2024, and October 1, 2030. The board must submit a report by December 1, 2024, that includes whether the Blueprint is being implemented as intended and whether any legislative or structural corrections are necessary to fully implement the Blueprint. If AIB reports in December 2024 that the Blueprint is not being implemented as intended and is not achieving the expected outcomes, then required State funding increases under the bill beginning in fiscal 2026 are limited to inflation as specified. If this occurs, then it is the intent of the General Assembly to take immediate action to adjust the formula and policies to achieve the goals of the Blueprint. By December 1, 2030, the board must submit a final report that includes whether the Blueprint is working as intended and whether AIB should continue to exist and monitor implementation of the Blueprint after June 30, 2031.

The bill also establishes the Expert Review Team Program, administered by MSDE, which will deploy teams of teachers and other experts to certain schools to determine whether the Blueprint is being successfully implemented. Deployment of these teams will be to a mix of high- and low-performing schools, with a specified minimum percentage of schools to be visited annually. The bill also establishes a CTE Expert Review Team Program under the CTE Committee

with similar powers and duties relating to CTE. Beginning in fiscal 2025, the board may use expert review team reports in determining funding consequences.

***More Resources to Ensure All Students Are Successful:*** In addition to other funding formula changes that are discussed below related to compensatory education, English learners, and special education, and similar to the grants provided in fiscal 2020, ***House Bill 1300*** provides concentration of poverty grants in fiscal 2021 and each subsequent year to qualifying schools. The grant has two components that the qualifying schools will receive. First, each school receives a personnel grant to employ a community school coordinator with specified qualifications and provide full-time coverage by at least one health care practitioner. Second, per pupil grants are provided for each school following the completion of an assessment of the needed services for the school. The bill clarifies that eligible schools include public charter schools and also alternative option programs, if the students are not counted in the enrollment of another program or school for the purpose of qualifying for the grants. All eligible schools must establish a community school to provide wrap-around services to all children enrolled in the school.

**Maryland Consortium of Coordinated Community Supports:** In addition to implementing the final recommendations made by the Kirwan Commission, ***House Bill 1300*** makes several other changes to the education system. One of these changes is the establishment of the Maryland Consortium of Coordinated Community Supports in the Maryland Community Health Resources Commission. The consortium is tasked with (1) supporting the development of coordinated community supports partnerships to meet student behavioral health needs and other related challenges in a holistic, nonstigmatized, and coordinated manner and (2) providing expertise for the development of best practices in the delivery of student behavioral health services, supports, and wrap-around services. The consortium may award grants to coordinated community supports partnerships to deliver services and supports to meet students' holistic behavioral health needs and to address other related challenges. The bill mandates funding for the consortium beginning with \$25 million in fiscal 2022 and phasing up to \$125 million annually in fiscal 2026.

### **Summary of Mandated Funding and Funding Formulas – State Funding**

**Exhibit L-1** shows the estimated change in State expenditures for the major funding formulas that have either been modified by the bill or are new formulas or expenditures for programs previously discussed. The new/modified funding formulas apply beginning in fiscal 2022. The bill requires the Governor to provide sufficient funding and personnel to implement the Blueprint beginning in fiscal 2022 and mandates specific amounts for many of these programs. These amounts are primarily shown in the exhibit as Other Categorical Spending. Further information on the fiscal impact of ***House Bill 1300*** through fiscal 2030 is available in the ***Fiscal and Policy Note***.

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**Exhibit L-1**  
**Estimated Change in State Expenditures under the Bill**  
**Fiscal 2022-2025**  
**(\$ in Millions)**

<b><u>Program</u></b>	<b><u>2022</u></b>	<b><u>2023</u></b>	<b><u>2024</u></b>	<b><u>2025</u></b>
Foundation Program <sup>1</sup>	\$226.2	\$303.1	\$376.5	\$335.4
CWI/GCEI <sup>2</sup>	0.0	0.0	-0.4	-1.5
Supplemental Grants	-46.6	-46.6	-46.6	-46.6
Net Taxable Income Grants	-64.2	-64.8	-66.0	-67.5
Transition Grants	57.7	57.7	57.7	49.0
Guaranteed Tax Base	6.0	6.8	4.7	6.7
Transitional Supplemental Instruction	32.9	45.9	47.1	36.1
Teacher Career Ladder	10.6	11.6	14.8	19.8
Post-CCR	11.2	12.4	13.8	15.3
Compensatory Education	9.4	5.2	-3.5	-18.6
Concentration of Poverty	115.7	183.2	239.8	336.0
English Learners	32.3	41.5	50.2	58.1
Special Education	80.1	90.2	110.1	125.4
Prekindergarten	80.6	75.9	97.9	120.2
Education Effort Adjustment	128.6	142.5	174.2	199.9
Categorical State Aid <sup>3</sup>	11.1	14.7	18.3	19.9
<b>Total Change in State Aid</b>	<b>691.7</b>	<b>879.3</b>	<b>1,088.5</b>	<b>1,187.7</b>
Other Categorical Spending <sup>3</sup>	69.5	98.3	126.9	151.1
<b>Total Change in State Expenditures</b>	<b>\$761.1</b>	<b>\$977.6</b>	<b>\$1,215.4</b>	<b>\$1,338.7</b>

CCR: College and Career Ready  
CWI: Comparable Wage Index  
GCEI: Geographic Cost of Education Index

<sup>1</sup> Includes impact due to repeal of tax increment financing grants.

<sup>2</sup> GCEI grants are replaced by CWI grants beginning in fiscal 2024.

<sup>3</sup> Categorical State aid includes funding for Judy Centers, School-Based Health Centers, Infants and Toddlers, and the National Board Certification support program and accounts for the repeal of Learning in Extended Academic Programs in fiscal 2022 and of existing career and technical education grants after fiscal 2024. Other categorical spending is not primarily provided to local government, which includes Consortium for Coordinated Community Supports funding.

Source: Department of Legislative Services

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**Foundation Program:** The calculation of the foundation program is altered such that the count of students to be funded is the greater of (1) the prior year full-time equivalent (FTE) enrollment or (2) the three-year moving average of FTE enrollment. Also, the target per pupil foundation amount (PPFA) is gradually increased from fiscal 2022 to 2033, thus, increasing annual

funding under the program. After fiscal 2033, the PPFA is increased by inflation in accordance with current law.

***Alteration to Local Wealth, Obsolete Grants Repealed, and Transition Grants Added:*** The calculation of the State and local share of education aid using wealth was adjusted by specifying the use of September net taxable income and that certain tax increment financing wealth is subtracted from a jurisdiction's wealth calculation. This made several grants obsolete; thus, they are repealed. These include the tax increment financing grant, the net taxable income grant, and the supplemental grants. However, Blueprint transition grants are provided under the bill to 12 counties that phase down and terminate after fiscal 2029.

***Comparable Wage Index/Geographic Cost of Education Index:*** Beginning in fiscal 2024, the State Geographic Cost of Education Index (GCEI) funding is repealed and replaced with the Comparable Wage Index (CWI), which is calculated by measuring variation in the wages of workers similar to teachers and examining costs outside of a school district's control and, unlike GCEI, isolates only wage costs. To transition from GCEI to CWI, the bill specifies an amount of money to be provided to certain jurisdictions for fiscal 2022 and 2023 and provides the State share of funding for CWI beginning in fiscal 2024.

***Targeted Programs:*** Alteration of the funding weights applied to PPFA for special education, compensatory education, and English learner (formerly limited English proficient) grants is phased in, beginning in fiscal 2022 through 2030. The enrollment count for compensatory education is also altered for all eligible students and for schools or districts participating in the U.S. Department of Agriculture Community Eligibility Provision.

Concentration of poverty grants are phased in so that, by fiscal 2025, schools with at least 55% of compensatory education students are eligible for the personnel grant, and by fiscal 2027, the school is eligible for the per pupil grant. School concentration percentages are based on a three-year average of compensatory education enrollment in each public school. The per pupil funding amount for each eligible school is calculated based on a sliding scale linear equation, adjusted annually for inflation.

***Transitional Supplemental Instruction:*** Transitional Supplemental Instruction (TSI) grants are provided to fund TSI, such as tutoring, for students in kindergarten through grade 3 who are identified as struggling learners. Literacy should be given priority in the provision of TSI; however, a district may direct funds toward mathematics if this is the priority for the district or a school. TSI funding phases up by fiscal 2024 and then phases down after fiscal 2026 to account for other provisions of the bill being implemented that serve the same purpose as TSI.

***Full-day Prekindergarten:*** The new prekindergarten program is funded similar to the foundation program with its own per pupil amount and phase-in schedule previously discussed.

**Exhibit L-2** shows the same funding programs included in Exhibit L-1 but broken out by the estimated increase in State aid for each county.



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**Exhibit L-2**  
**Estimated Increase in Direct State Aid to Public Schools**  
**Fiscal 2022-2025**  
**(\$ in Millions)**

<u>County</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Allegany	\$7.5	\$9.6	\$13.1	\$15.1
Anne Arundel	35.4	44.4	58.2	59.3
Baltimore City	214.1	258.9	284.1	317.9
Baltimore	55.6	79.1	113.8	123.6
Calvert	7.1	9.7	11.1	10.7
Caroline	5.5	6.4	6.5	7.0
Carroll	12.3	14.6	16.3	15.8
Cecil	9.7	12.3	15.9	16.5
Charles	15.2	19.1	23.5	23.0
Dorchester	5.9	8.1	8.9	9.7
Frederick	22.8	29.3	32.7	32.9
Garrett	1.8	2.2	2.9	3.4
Harford	20.3	25.9	39.3	40.9
Howard	22.3	28.4	44.7	44.9
Kent	0.6	1.1	1.3	1.5
Montgomery	39.6	57.5	67.9	70.5
Prince George's	151.8	193.0	249.4	289.7
Queen Anne's	3.1	3.6	3.8	4.0
St. Mary's	10.4	13.1	18.6	18.5
Somerset	5.1	5.9	6.7	8.2
Talbot	1.1	1.7	1.8	2.0
Washington	17.5	20.2	24.4	25.5
Wicomico	14.6	18.1	22.2	24.0
Worcester	1.3	2.5	3.0	3.2
Unallocated	11.1	14.7	18.3	19.9
<b>Total</b>	<b>\$691.7</b>	<b>\$879.3</b>	<b>\$1,088.5</b>	<b>\$1,187.7</b>

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### **Estimated General Fund Revenues and Projected Education Funding Deficit**

The bill specifies that if estimated general fund revenues as reported by the Board of Revenue Estimates (BRE) in March and December of a calendar year beginning December 1, 2020, decrease by more than 7.5%, then the annual increases in education funding required by the bill will be limited to inflation, beginning as soon as fiscal 2022. That would be equivalent to a \$1.45 billion reduction in estimated general fund revenues from March to December 2020.

The bill requires the Department of Legislative Services to report whether a projected education funding deficit exists and, if so, the amount, based on the difference between BRE estimates in December 2023 and 2024 of funding dedicated to public education and the funding required to fully implement the Blueprint for Maryland's Future in fiscal 2026 through 2030.

### **Required Local Appropriations for Education**

As with current law, the bill requires local governments to share in the cost of providing public education in the county. **Exhibit L-3** shows the estimated increase in the required local share as compared to the estimated required local share under current law.

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**Exhibit L-3**  
**Estimated Increase in Direct Local Appropriations to Public Schools,**  
**Assuming the Required Local Share May Not Cover Local Retirement Costs**  
**Fiscal 2022-2025**  
**(\$ in Millions)**

<u>County</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Allegany	\$0.0	\$0.0	\$0.0	\$0.0
Anne Arundel	0.0	0.0	0.0	0.0
Baltimore City	54.0	63.0	86.1	87.9
Baltimore	0.0	0.0	0.0	0.0
Calvert	0.0	0.0	0.0	0.0
Caroline	1.7	1.4	1.1	0.8
Carroll	0.0	0.0	0.0	0.0
Cecil	0.0	0.0	0.0	0.0
Charles	0.0	0.0	0.0	0.0
Dorchester	1.2	1.3	1.4	1.3
Frederick	0.0	0.0	0.0	0.0
Garrett	0.0	0.0	0.0	0.0
Harford	0.0	0.0	0.0	0.0
Howard	0.0	0.0	0.0	0.0
Kent	0.0	0.4	0.8	1.1
Montgomery	0.0	0.0	0.0	0.0
Prince George's	8.5	38.8	64.1	60.0
Queen Anne's	0.0	0.0	0.0	0.0
St. Mary's	0.0	0.0	0.0	0.0
Somerset	0.2	0.3	0.3	0.0
Talbot	1.8	3.9	4.9	5.6
Washington	0.0	0.0	0.0	0.0
Wicomico	2.6	3.1	2.3	1.4
Worcester	0.0	0.0	0.0	0.0
<b>Total</b>	<b>\$69.9</b>	<b>\$112.1</b>	<b>\$160.9</b>	<b>\$158.1</b>

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***Maintenance of Effort and Local Share:*** Each year, county government is required to appropriate funds to the local board of education equivalent to at least the same per pupil level as in the prior year (maintenance of effort (MOE)), or its required local share – whichever is greater. Beginning with the fiscal 2022 appropriation, the per pupil MOE level each year is based upon the greater of (1) the prior year FTE enrollment and (2) the three-year moving average of FTE enrollment. The bill repeals, beginning in fiscal 2024, the requirement that a county that is below the statewide five-year moving average education effort level must increase its per pupil MOE amount by the lesser of (1) the increase in local wealth per pupil; (2) the statewide average increase

in local wealth per pupil; or (3) 2.5%. MSDE must report by November 1, 2021, on the impact on school funding of repealing this requirement.

Beginning in fiscal 2022, the local share requirement continues to include the local share of the foundation formula but also includes the local share of the compensatory education, English learner, special education, CWI (beginning in fiscal 2024), full-day prekindergarten (beginning in fiscal 2023), CCR, TSI (through fiscal 2026), and career ladder grant programs. Also, counties that benefit from the compensatory education State funding floor are required to fund the local share of the concentration of poverty grant program. However, for some counties, the combined local share across these several programs is subject to adjustments as described below.

***Education Effort Adjustment to Local Share Requirement:*** Though the bill maintains the requirement that local governments fund the local share of the foundation program and establishes required local shares for several existing and new funding formula programs, the bill also includes a mechanism for establishing a maximum local share that a county must fund each year. This involves determining a local education effort for each county. An education effort index is then calculated, which is the local education effort divided by the State average education effort. A maximum local share is then calculated for each county based on each county's index. Each county with an education effort above 1.0 for two consecutive years receives relief by the amount by which that calculated local share exceeds the maximum local share. This relief is provided by the State to counties within one of three tiers, based on whether the education effort is (1) greater than 1.0 but less than 1.15; (2) at least 1.15 but less than 1.27; or (3) at least 1.27. State relief for the first tier is phased up from 10% of the education effort adjustment in fiscal 2022 to 50% by fiscal 2030. State relief for the second tier is phased up from 20% of the education effort adjustment in fiscal 2022 to 100% by fiscal 2030. State relief for the third tier is 100% beginning in fiscal 2022. However, the education adjustment for a county is only allowed to the degree that the per pupil MOE is met each year. The estimated State impact of this adjustment for fiscal 2022 through 2025 is shown in Exhibit L-1; Exhibit L-2 includes funding for eligible counties.

***Additional Reductions to Local Share:*** A county may be eligible for a reduction in the required local share of major aid formulas in three additional ways: (1) if a county receives State funds from the Guaranteed Tax Base (GTB) program, the local share may be reduced by the amount of GTB funds, except that for Baltimore City only the amount above \$10 million may be reduced from the local share; (2) if a county receives State funds to support the minimum funding floors of 15% for the foundation and 40% for the targeted programs; and (3) if a county has a CWI index of at least 0.13, the local share of CWI may be reduced by 50%. However, in all of these cases, the local share may not be reduced below the required per pupil MOE amount.

***Local School Board Budgets, Financial Management, and Student Data Tracking System:*** Except for specified systemwide obligations and contracts and subject to a waiver process, the bill generally requires at least 75% of most formula funding (100% of concentration of poverty and full-day prekindergarten funds for private providers) to be allocated by local boards to the schools those students attended (*i.e.*, money follows the students). Beginning with the fiscal 2024 budget, each local school board must provide additional specified detail and, for

specified categories, must show current year expenditure estimates and prior year actual expenditures for school-level expenditures; for fiscal 2022 and 2023, they must report expenditures in accordance with federal requirements. By July 1, 2022, MSDE, in collaboration with AIB, must implement a financial management system and student data system capable of tracking and analyzing the information provided to SBE from local board budgets. In both fiscal 2021 and 2022, the Governor must appropriate \$2.5 million from the Blueprint Fund for MSDE to develop and implement the financial management and student data system.

### **State Education Aid for Fiscal 2021**

Overall, State aid for public schools increases by \$212.7 million, or 3.0%, in fiscal 2021, to \$7.2 billion. State aid provided directly to the local boards of education increases by \$230.3 million, or 3.7%, while retirement aid decreases by \$17.6 million, or 2.3%. Fiscal 2021 changes in major State education aid programs are shown in **Exhibit L-4**. This exhibit includes Blueprint for Maryland's Future funding mandated by Chapter 771 of 2019 for fiscal 2020 and 2021.

*House Bill 1300* provides \$37 million in additional funding in fiscal 2021, of which approximately \$20.7 million is shown in the exhibit under the Prekindergarten Expansion grants for early childhood programs. The fiscal 2021 budget also restricts approximately \$6.5 million in available Blueprint special funds to cover a portion of the additional costs to implement the Blueprint in fiscal 2021 (not shown in the exhibit). These include \$1.5 million to establish the Accountability and Implementation Board, \$1.3 million for School-Based Health Centers, and \$1.7 million for a new MSDE school-level financial management system. These funds are contingent on enactment of *House Bill 1300* and the Governor's release of the funds. As noted above, *House Bill 1300* was vetoed by the Governor.

**Exhibit L-4**  
**State Aid for Education**  
**Fiscal 2020 and 2021**  
**(\$ in Thousands)**

<b><u>Program</u></b>	<b><u>2020</u></b>	<b><u>2021</u></b>	<b><u>\$ Change</u></b>	<b><u>% Change</u></b>
Foundation Program	\$3,140,367	\$3,218,369	\$78,002	2.5%
Net Taxable Income Grant	65,301	69,732	4,432	6.8%
Tax Increment Financing Grant	1,036	1,313	277	26.7%
Geographic Cost of Education Index	145,450	149,532	4,082	2.8%
Supplemental Grant	46,620	46,620	0	0.0%
Foundation Special Grant	11,931	9,488	-2,444	-20.5%
Declining Enrollment Supplemental Grant	18,896	7,633	-11,262	-59.6%
Compensatory Education Program	1,330,429	1,364,739	34,310	2.6%
Special Education Program	303,250	314,871	11,621	3.8%
Limited English Proficiency	311,080	348,241	37,161	11.9%
Guaranteed Tax Base	43,685	41,232	-2,453	-5.6%
Student Transportation	303,045	310,187	7,142	2.4%
Nonpublic Special Education	123,470	123,899	429	0.3%
Prekindergarten Expansion	26,644	72,202	45,558	171.0%
Prekindergarten Supplemental Grant <sup>1</sup>	21,131	0	-21,131	-100.0%
School Safety Grants	16,630	10,600	-6,030	-36.3%
The Blueprint for Maryland's Future <sup>2</sup>	245,669	294,695	49,027	20.0%
Other Programs <sup>3</sup>	81,493	83,074	1,580	1.9%
<b><i>Direct Aid Subtotal</i></b>	<b><i>\$6,236,127</i></b>	<b><i>\$6,466,428</i></b>	<b><i>\$230,301</i></b>	<b><i>3.7%</i></b>
<b>Teachers' Retirement</b>	<b>\$767,889</b>	<b>\$750,289</b>	<b>-\$17,600</b>	<b>-2.3%</b>
<b>Grand Total</b>	<b>\$7,004,016</b>	<b>\$7,216,717</b>	<b>\$212,702</b>	<b>3.0%</b>

<sup>1</sup> The fiscal 2020 and 2021 figures excludes enhancements to the program under The Blueprint for Maryland's Future, which are reflected in the total shown below.

<sup>2</sup> Chapter 771 of 2019 State aid enhancements. Excludes additional State aid funded with Blueprint for Maryland's Future funds in fiscal 2021.

<sup>3</sup> Excludes enhancements in fiscal 2021 under *House Bill 1300* that are not budgeted.

Source: Department of Legislative Services

## Restorative Justice Special Appropriation Questions

### Reference Packet:

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20201117/20201117\\_4H.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20201117/20201117_4H.pdf)

**1. Please describe MCPS' tentative plan to utilize the \$750K FY21 special appropriation funding (line items, if possible) for restorative justice training. Specifically:**

**a. Which staff (and how many) would receive the training?**

The training will be provided to middle school administrators and staff, including teachers, school counselors, and district-wide staff, including Pupil Personnel Workers, Parent Community Coordinators, and school psychologists working with those middle schools. Approximately 80 administrators (2 at each middle school), 1200 teachers (30 at each middle school) and 80 security assistants (2 from each middle school), 75 district staff.

**b. What would the training consist of? (e.g., key points/curriculum for the training).**

We are anticipating the need for increased professional development to support students and families due to the trauma associated with COVID-19. Ongoing staff training on cultivating an anti-bias, anti-racist lens to co-create learning environments undergirded by intentionally engaging with the full continuum of using restorative practices that includes culturally sustaining pedagogy. The focus is on staff beliefs and mindsets and aligning classroom and schoolwide practices, policies and structures to implement a school-wide, student centered school culture framework that embodies an anti-bias, anti-racist mindset through the implementation of the full continuum of restorative practices.

**c. Would this be a new training or would MCPS use an existing training?**

New training

**d. Would the staff cohort participating in this training require additional follow-up training? If so, how often and how much would that cost?**

The staff would require additional professional learning sessions quarterly to strengthen understanding of the full continuum of restorative practices and receive support with implementation. Initial and follow-up training would be a total of 12 hours, including a six-eight hour initial session and four quarterly check-ins.

**e. Please outline the logistical timeline from funding to implementation.**

Still to be determined based on a variety of factors including the reopening of schools, professional development for reopening and a continued robust online educational program.

**f. If known, what logistics (e.g. pay, timing, etc.) must be considered when providing training for staff—especially teachers?**

In order to provide the full 12-hours of training proposed, funding would need to be extended into FY22. As planned, initial training of eight hours would be done prior to June 30, the remaining follow-up training would be done during the FY22 school year.

**g. Please describe the total costs of this program.**

All middle schools	40	Per school	All middle schools
Staff	25	16,800.00	672,000.00
Security Assistant	2	895.98	35,839.06
Select PPWs, PCCs, Psychologists, School Counselors	75	40,500.00	40,500.00
Hours Training (Initial session, follow-up)	12		
<b>Total Cost</b>			<b>\$ 748,339.06</b>

Staffing costs estimated on MCPS Tier 1 (required training) hourly rates.

**2. Please describe current restorative justice programs and efforts (funding sources, total costs, and target groups) --especially for FY21. If there were past funding sources and/or programs, please describe those too (including total costs).**

**a. Please describe the priorities (tiers) for restorative justice training.**

Priorities:

- Build collective knowledge around the undergirding of an ABAR philosophy to the restorative practices is in alignment with The Little Book



of Race and Restorative Justice and The Starts and Stumbles of Restorative Justice.

- How to coach for application of the professional learning
  - Developing specific look fors aligned to previous learning
  - Navigating pitfalls that occur during coaching conversations
  - Examining impact statements from students and caregivers
- Policies, practices, structures, processes, programs
  - Where is racism and bias operating within our existing policies, practices, structures, processes?
    - How are we being complicit in racism and biases operating here?
  - Within a new policy, practice, structure, process proposed - is it a threat to racism and bias?
    - What can we do within our sphere of influence to disrupt racism and bias? What is within our control?

b. Please outline the restorative justice training (or related disciplinary training) available for MCPS employees by each subgroup (e.g. teachers/paraeducators; school administration; school security; counselors; etc.).

- Identity Session 1
  - As I engage in self-examination, how do my personal and social identity markers impact how I am showing up in the learning environment?
- Identity Session 2
  - How am I set up to thrive in society and in the learning environment based on my personal and social identity markers? How do our identities inform who we center and who we marginalize?
- Identity Session 3
  - How does Whiteness and Dominant Culture privilege and oppress certain students? What are the consequences of maintaining the status quo?
- Identity Session 4
  - What beliefs, policies, structures, and practices do I have in place that aim to “fix” student and caregivers mindsets, cultures, attitudes, behaviors, grit, or resilience?\*
  - How have I been complicit in perpetuating racial bias, institutional, and structural racism?\*
  - How have I been maintaining barriers to restorative practices? How can I eliminate them within my sphere of influence?
- Me and White Supremacy facilitated book study
  - What parts of White Supremacy Culture need to be excavated from within myself? How can I be a part of creating spaces where all students feel free to show up in their full humanity by

intentionally engaging in the full continuum of restorative practices?

\*These are the current professional learning sessions - All sessions are for all levels of school staff. Each session continually builds on the intended outcomes of the identity and classroom practices pillar that is aimed at cultivating an anti-bias, anti-racist lens; regular self-reflection within identity work; celebrating individuality; honoring and appreciating each student; understanding causes of behavior, inspiring students to explore and deepen their appreciation of their multifaceted identities.

**3. What are MCPS' current and future restorative justice goals? How does restorative justice fit in the realm of student safety and disciplinary policies (how is it integrated with other programs/policies)?**

The Restorative Justice Unit seeks to interrogate, investigate, and reflect on the world around us by engaging in deep reflection and intentional questioning of ourselves. We are clear that every facet of society is impacted by multiple systems of oppression that need to be disrupted. We commit to prioritizing the needs of students and creating the conditions for learning that allow them to show up in their full humanity, and where they feel affirmed, valued, and exercise their agency in the learning process.

Grounding questions that undergird current and future restorative justice goals:

- How do we co-construct learning spaces that allow for students to step into the full expression of oneself?
- How do awareness, knowledge, and understanding of one's own racial identity promote effective teaching, learning and leading?
- How is racism operating here?
  - Curriculum
  - Policies
  - Instructional practices
  - Interactions with students and caregivers
  - School culture decisions
- How is racism and bias serving as barriers to the full continuum of restorative practices?
- How is White supremacy culture and dominant culture serving as barriers to the full continuum of restorative practices?

a. What are the disciplinary responsibilities of teachers (elementary, middle, high school)? *Note the last paragraph on the first page of the letter in the reference packet.*

b. How are students involved in restorative justice trainings and efforts?

Schools will engage students in regular feedback cycles that will inform their learning and application of practices. Students will not be asked to lead professional learning for adults as they should not have to engage in reliving their trauma for the benefit of others. Instead, intentional and targeted feedback cycles allow for them, as well as their caregivers, to be the determining factor for whether or not the professional learning is having the impact that it seeks. Students will receive updates regarding the professional learning staff have engaged in then asked for quarterly feedback to share if they are experiencing a shift in school culture because of professional learning.

c. How does this proposed funding align with MCPS' restorative justice goals?

**4. Please note the data sources collected surrounding restorative justice/metrics (local and state). If possible, please send any public data available.**

- Student and caregiver voice data
  - For evidence of the impact of professional learning
- Walkthrough data
  - For evidence of application of professional learning
- Student Achievement Data
  - D's, E's, and Incompletes
  -
- Referral Data
- Implementation of restorative practices responses to office referral data
- Suspension data
- Student Arrest Data--MCPS' ongoing effort to align and sort discrepancies between MSDE student arrest data and data compiled by Montgomery County Police, towards usable information to inform training needs and oversight processes.

**5. Is MCPS expecting additional funding from the state for restorative justice efforts? The Blueprint for Maryland's Future notes restorative justice requirements (e.g. community schools w/ wrap around services).**

The Blueprint for Maryland's Future/Kirwan grant did not specifically provide funding for restorative justice. Funds were provided for community schools to support wrap-around services, however these services are generally considered collaborations with and services from community partners such as DHHS or others. Restorative justice practices and training however, are provided to the identified community schools as part of the RJ program implementation.

**6. Does the Superintendent's FY22 Recommended Budget include funding to expand restorative justice programs or training? If so, please describe the added funding and how it would be used.**

We have not requested additional funding for restorative justice in FY22, but that the funding remains constant, to include the costs of 2.0 Instructional Specialists and program materials.