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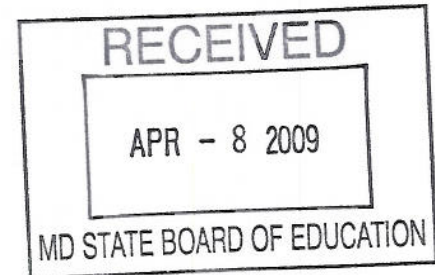


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April 2009

Anthony South, Executive Director
 Maryland State Board of Education
 200 West Baltimore Street
 Baltimore, MD 21201

Re: Maintenance of Effort Waiver Request
 Calvert County Board of County Commissioners



Dear Mr. South:

The Calvert Education Association, in accordance with section 13.A.02.05.04 of the State code, respectfully is submitting comment in opposition to the request for waiver from the Maintenance of Effort requirement by the Calvert County Board of County Commissioners to the State Board of Education on behalf of educators and the children we serve in Calvert County Public Schools.

The Calvert Education Association is the certified bargaining unit representative for all certificated teachers in CCPS. We represent over 1300 educators in the County.

The Maintenance of Effort (MOE) waiver request by the Calvert County Commissioners has the potential to affect many of the successful programs that Calvert County Public Schools has implemented. Calvert County's HSA and MSA testing programs are among the best in the state. In fact, presently it is predicted that every high school senior in Calvert County Public Schools will pass the HSA's this school year. Class size and interventions assist in supporting Calvert County Public School students so they may become productive citizens. Calvert County Public Schools continues to emphasize services for special education students, and the county's autism program has engaged the strong support of the community. While the majority of our students continue on after high school to some type of higher education, we also offer our students career education so that every student is able to create a Maryland Pathway, a requirement of MSDE.

We in Calvert County are very proud of the Arts programs that enable our children to thrive. These programs provide cultural experiences not only for our students but for the entire community. Students in Calvert County are all actively engaged in Calvert County Public Schools Positive Behavior Intervention System, PBIS. This program encourages positive learning and social behaviors, and as a result of this program many of our students have gone on to achieve in their academic performance. Without this positive reinforcement they would not have met and surpassed academic challenges. Beyond the

school day, extracurricular activities and the athletic program enable students to become well-rounded individuals. Funding reductions have the potential to harm any or all components of the educational program in Calvert County Public Schools.

The great strides that Calvert County Public Schools have made in educating its students is undeniable. It is obvious that these great accomplishments are happening because of the value the Community has placed on the education of its prime resource, the children of Calvert County. It would be a tragedy for the Calvert County Board of County Commissioners to reduce funding and as a consequence, limit the progress of our students.

The County request for a waiver of the Maintenance of Effort offers a forecast for an erosion of revenues and lower revenue growth in the next five years. Revenue projections in Calvert County are often extremely conservative and income has traditionally far exceeded projected revenue.

No other Maryland jurisdiction is in as good fiscal health as Calvert County. Measured by General Fund Balances, revenue enhancement potential, and overall economic growth the Calvert County Board of County Commissioners can easily address the FY2009 and FY2010 revenue without endangering the education and future of Calvert County's students.

It is difficult to characterize Calvert County as a fiscally unstable entity that must resort to requesting a waiver, given the very favorable financial health of Calvert County. The Maryland State Department of Education should be aware that the County, concerned about encountering future financial problems, starting accruing a "rainy day fund" several years ago.

The proposed relief of \$6 million, through the approval of the waiver, could easily be funded with a temporary use of the General Fund Undesignated Balance or the "Rainy Day Fund." Granting the waiver would mean that the education of the children of Calvert County would bear the brunt of the County's waiver request, even though adequate funds are available.

The Calvert County Fund Reserve for the year ending June 30, 2008:

As a result of the 2004 agreement between the County Commissioners and Calvert County Board of Education, the FY 2010 proposed funding for education is approximately \$102, 615,515. Since the inception of the County-Board of Education Funding Formula the BOE's share of County expenditures has declined from 50.8% in FY 2004 to 45.5% in FY 2009 – a decline of 5.3 percentage points. Each percentage point equates to \$2.2 million in FY 2009, therefore, had the county simply maintained the FY 2004 support level, an additional \$11.7 million would have been allocated to the students of Calvert County for FY 2009. Consequently, any loss of funding to the school system would compound its already troubled financial health and the negative impact on programs for students will be increased.

In their letter of appeal for the MOE waiver, the County Commissioners have stated that "...many county residents have already been impacted by the national economy." They also note that "[D]uring a time of economic uncertainty for all residents our County Commissioners believe now is not the time to

increase costs and they are strongly against raising taxes and creating additional burden for our citizens.”

In the fall of 2008 during the time when it was well-recognized that “...many county residents have already been impacted by the national economy...” the Calvert County Commissioners undertook to purchase a golf course for the total sum of \$4.3 million (\$3.65 million plus \$650, 000 for incidentals).

How can the County justify the application for a waiver of the funding of education levels because of a \$6 million operating deficit when they increased their costs by \$4.3 million only months before and created an additional burden upon the citizens of Calvert County?

We have identified some additional areas of relief:

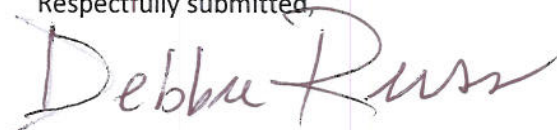
1. Cancel “Pay-Go” transfer to Capitol Projects of \$216 million in FY2009.
2. Access General Fund Undesignated Balance of \$17.7 million.
3. Access General Fund Designated Balance of \$37.9 million.
4. Defer FY 2009 OPEB Accrual of \$6.0 million.

While it is true that Maryland jurisdictions are being negatively affected by the economic downturn, it is also true that Calvert County can easily address the problem by accessing readily available funding rather than initiating cuts to the school program and Board of Education.

All teachers in Calvert County speak from their hearts about the need to maintain the programs that we use to educate our students in the present and for their future as citizens of the 21st Century.

Based on the aforementioned, the Calvert Education Association respectfully requests that the Maryland State Board of Education does not grant the request for waiver of the Maintenance of Effort for public school funding because the Calvert County Board of County Commissioners has not proven the need for the waiver based on the preponderance of the evidence standard required by COMAR 13.A.02.05.04 (C) (3).

Respectfully submitted,

A handwritten signature in dark ink that reads "Debbie Russ". The signature is written in a cursive, flowing style.

Debbie Russ, President