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TO: Members of the Maryland State Board of Education

FROM: Dr. Lillian M. Lowery, Ed.D. *mlowery*

RE: Legislative Update

DATE: February 26, 2013

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### **PURPOSE**

The purpose of this item is to provide a legislative update and status report of issues relative to education legislation that are currently before the 2013 General Assembly. Please find attached a synopsis of the most significant legislation addressing education that has been introduced thus far during the current session.

### **EXECUTIVE SUMMARY**

I have asked Ms. Renee Spence to briefly update the members of the State Board of Education on this legislation and to review any new pending legislation with you.

If you have any questions, please feel free to contact me or Ms. Renee Spence at 410-767-0462. As always, thank you for your continuous help and support.

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Attachment 1: Possible Positions

Attachment 2: FYI Only

## Possible Positions

### **HB 661 Teaching Techniques - Students with Special Needs and Limited English Proficiency**

Requiring the State Department of Education to ensure that certified teachers receive adequate instruction in techniques for teaching students with special needs and students with limited English proficiency and in appropriate behavior interventions; applying the Act to teachers certified at specified times; and requiring the Department to adopt regulations.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0661F.pdf>

### **HB 843 State Board of Education - Financial Literacy Curriculum - Graduation Requirement**

Requiring the State Board of Education to develop curriculum content for a course in financial literacy; requiring each county board of education to implement the financial literacy curriculum content developed by the State Board in every high school in the county; and requiring students to complete a course in financial literacy in order to graduate from high school.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0843F.pdf>

### **HB 844/SB 694 Public School Teachers - Certification - Continuing Education**

Requiring each county board of education to establish continuing education criteria for certificated public school teachers and to implement a system for verifying completion of the continuing education requirements; authorizing the criteria to include college course credit, leadership roles, preparation for National Board Certification or monetary grants, professional development, coaching, advising, or sponsoring extracurricular activities, and school-related community service; etc.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0844F.pdf>

**HB 855 Student Health and Fitness Act** - Requiring that a public school student in elementary school be provided a daily program of physical activity totaling at least 150 minutes of physical activity each week, including at least 90 minutes of physical education; requiring that the program of physical activity for a specified category of student be consistent with a specified plan for the student; requiring public elementary schools to designate a physical activity leadership team to plan and coordinate specified activities; etc.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0855F.pdf>

**HB 871 Dually Enrolled Students - In-State and In-County Tuition** - Establishing that specified dually enrolled students, including undocumented immigrants, shall receive specified tuition rates; establishing that specified individuals shall be eligible to pay in-state and in-county tuition rates at public institutions of higher education under specified circumstances; requiring the governing board of each public institution of higher education to adopt specified policies; and defining terms.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0871F.pdf>

### **HB 926 County Boards of Education - Spending - Reporting Requirement**

Requiring each county board of education to provide a report to the State Department of Education by specified dates on the amount of State, local, and federal funds spent per student for specified students at each school; requiring the Department to submit a specified report to the General Assembly by specified dates; etc.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0926F.pdf>

**HB 928 Community Colleges - Dually Enrolled Students - Tuition Waiver**

Exempting specified dually enrolled students from payment of tuition to attend community college under specified circumstances; authorizing a community college to establish guidelines concerning the type of dual enrollment courses that will qualify for the tuition waiver; providing that a community college is not prohibited from waiving tuition for specified other dually enrolled students; defining terms; etc.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0928F.pdf>

**HB 1026 Public School Funding – Calculation** - Altering the definition of "full-time equivalent enrollment" in the calculation for specified State aid for education; requiring that public schools be funded based on a specified calculation of pupil attendance at specified times during the school year; requiring that State aid for education be weighted in a specified manner; etc.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1026F.pdf>

**HB 1033 Education - Taxpayers' Savings Act** - Authorizing a specified parent or legal guardian to receive reimbursement of tuition paid to a nonpublic school, under specified circumstances; establishing the eligibility for and the amount of the reimbursement; prohibiting reimbursement in an amount that is more than a specified cost; prohibiting the use of federal funds for reimbursement; requiring counties to include specified students in their full-time equivalent enrollment; requiring that specified funds be subtracted from State financial assistance to a county; etc.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1033F.pdf>

**HB 1073 Prince George's County Board of Education - Financial Literacy Curriculum - Graduation Requirement** - Requiring the Prince George's County Board of Education to develop curriculum content for a specified course in financial literacy as a part of the county board's high school curriculum; requiring specified curriculum content to include specified instruction; requiring the county board to implement specified curriculum content in high schools in Prince George's County; and requiring specified students to complete a specified course in order to graduate from high school in Prince George's County.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1073F.pdf>

**HB 1174 Educator Evaluation System - Pilot Program Extension** - Requiring the State Department of Education to extend the pilot program for the Educator Evaluation System until specified assessments are aligned with the Maryland Common Core State Curriculum and the assessments are fully implemented; and requiring the Department to take the steps necessary to implement the pilot program extension requirement.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1174F.pdf>

**HB 1200 Maryland Charter School Advisory Council – Establishment**

Establishing the Maryland Charter School Advisory Council within the State Department of Education; requiring the Department to provide staff for the Council; establishing the mission of the Council; establishing the membership of the Council; establishing the membership term; requiring the Governor or the Department to appoint a member in the event of a vacancy; requiring the Council members to elect the Council chair; prohibiting a member from receiving compensation except under specified circumstances.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1200F.pdf>

**HB 1286/SB 691 Due Process Hearings for Children with Disabilities - Burden of Proof**

Requiring the State Department of Education, a local school system, or any State agency responsible for providing education to students with disabilities to bear the burden of proof in a due process hearing relating to a dispute over the identification, evaluation, educational placement, or provision of a free appropriate education to a child with disabilities.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1286F.pdf>

**HB 1288 Accountability in Education Act of 2013** - Requiring a county board of education to pay a public institution of higher education 50% of the tuition and fees charged to a student enrolled in a noncredit remedial education course under specified circumstances; requiring a county board to remit payment within a specified number of days on receipt of a specified notification from a public institution of higher education; etc.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1288F.pdf>

**SB 537 State Board of Education - Online Courses - Graduation Requirement**

Requiring a student to complete an online course to graduate from high school, beginning with students entering grade 9 in the 2015-2016 school year; and requiring that specified online courses be approved by the State Department of Education or the local county board of education.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0537F.pdf>

**SB 572 Maryland Early Learning Challenge and School Readiness Act (Race to the Tots) -**

Establishing the Early Learning Challenge and School Readiness Grant Program in the State Department of Education; providing for the purpose and priorities of the Program; establishing the Early Learning Challenge and School Readiness Grant Program Fund as a special fund to be used for specified purposes; requiring the Department to submit a specified report to the General Assembly on or before a specified date each year; authorizing the Department to accept money from specified sources to award grants under the Program; etc.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0572F.pdf>

**SB 734/HB1376 State Board of Education - Mathematics - Graduation Requirement -**

Requiring the State Board of Education to establish high school graduation requirements in mathematics for specified students.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0734F.pdf>

**SB 740 College Readiness and Completion Act of 2013**

Requiring the State Department of Education to establish specified mathematics course requirements for specified students; requiring students to enroll in a college preparation curriculum except in a specified circumstance; requiring the Department to make a specified assessment of all students in the 11th grade by a specified school year; requiring the Department, in collaboration with a specified association, to develop and implement specified courses for the 12th grade by a specified school year; etc.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0740F.pdf>

**SB 775 Education - Model Performance Evaluation Criteria - Implementation**

Prohibiting the State Board of Education from requiring a specified model performance evaluation criteria to take effect unless specified conditions are met.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0775F.pdf>

**SB 856 Public School Holidays - Easter Monday** - Repealing the requirement that the Monday after Easter be a public school holiday; and specifying that, at the option of a county board, the Monday after Easter may be a public school holiday.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0856F.pdf>

**SB 929 Cardiopulmonary Resuscitation and Automated External Defibrillator Instruction - Graduation Requirement**

Requiring a public school student to complete instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator to graduate from high school, beginning with students entering grade 9 in the 2013-2014 school year; requiring each county board of education to provide instruction in cardiopulmonary resuscitation and automated external defibrillator use in specified schools beginning in the 2014-2015 school year, using a specified instructional program and incorporating specified skills; etc.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0929F.pdf>

## FYI Only

**HB 165/SB 807 Elementary and Secondary Education - Security - School Resource Officers**

Requiring each county superintendent of schools to enter into an agreement with an appropriate law enforcement agency to provide a school resource officer to each public elementary and secondary school; providing that additional funding required for school resource officers shall be paid from the Education Trust Fund from funds allocated from a specified source; and making the Act an emergency measure.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0165F.pdf>

**HB 207 Chronically Absent Students** - Requiring county boards of education to develop a system of intervention for chronically absent students.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0207F.pdf>

**HB 307 Carroll County - Maintenance of Effort - Adjustment for Decreasing Student Enrollment**

Altering the required maintenance of effort appropriation that the county governing body of Carroll County must make to the school operating budget when there is a decrease in student enrollment under specified circumstances; providing for the effective date of specified provisions of the Act; and providing for the termination of specified provisions of the Act.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0307F.pdf>

**HB 394 Primary and Secondary Schools - Electronic Control Devices** - Authorizing a principal of a primary or secondary school to designate one or more safety officers and make one or more electronic control devices available for use by trained safety officers in the school; requiring the Maryland Police and Correctional Training Commissions and the State Department of Education to develop and administer an electronic control device training program for safety officers, establish standards for the use of an electronic control device by a safety officer, and establish criteria for designation.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0394F.pdf>

**HB 395 Permit Qualifications and Carrying on School Property - School Guardians**

Requiring the Secretary of State Police to issue a handgun permit to a person who is otherwise qualified and has been designated as a school guardian under specified provisions of law; creating an exception to the prohibition against carrying a deadly weapon on public school property for a person designated as a school guardian and who has been issued a handgun permit; etc.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0395F.pdf>

**HB 397 Carrying Weapons on School Property - Law Enforcement Officers Safety Act**

Creating an exception to the prohibition against carrying a deadly weapon on public school property for a person who holds a handgun permit or is certified under the federal Law Enforcement Officers Safety Act to carry a concealed firearm.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0397F.pdf>

**HB 436 School Employees - Handgun Permits and Carrying Weapons on School Property**

Authorizing a county board to authorize school employees in the county board's school system to carry a handgun on school property under certain circumstances; requiring the Secretary of State Police to issue a handgun permit to a person who is otherwise qualified and who is a school employee in a school system in which the county board has authorized school employees to carry a handgun; etc.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0436F.pdf>

**HB 453 Maryland Center for School Safety** - Establishing the Maryland Center for School Safety as an independent unit of State government; establishing the location and staffing of the Center; specifying the function and duties of the Center; establishing the Governing Board of the Maryland Center for School Safety; providing for the membership of the Governing Board; providing for the duties of the Governing Board; requiring the Governor to provide a specified amount in the annual State budget to carry out specified provisions of law.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0453F.pdf>

**HB 475 Public School Labor Relations - Renegotiation Procedures and Board Administration** Authorizing a public school employer and an employee organization to use an alternative procedure regarding the renegotiation of allocated funds under specified circumstances; providing that, in connection with the Public School Labor Relations Board's administration of specified subtitles, references to written communications include electronic communications, time limits may be extended for good cause, and venues for judicial proceedings involving Board action shall be in a specified county.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0475F.pdf>

**HB 685 County Library Capital Project Grant - Wealth-Based Cost Share**

Establishing a State cost share formula for county library capital projects that receive State funding and setting a minimum and a maximum State cost share percentage.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0685F.pdf>

**HB 830 Alternatives to the General Educational Development Tests - Study**

Requiring the Division of Workforce Development and Adult Learning in the Department of Labor, Licensing, and Regulation to conduct a specified study regarding the evaluation of alternative methods for obtaining the equivalent of a high school diploma; and requiring the Division to submit the results of the study to the General Assembly on or before December 1, 2013.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb0830F.pdf>

**HB 1051/SB 194 Charter Schools - Study to Recommend Improvements to the Maryland Public Charter School Program** - Requiring the Maryland State Department of Education to conduct a study and provide recommendations to the Governor and the General Assembly on or before December 15, 2013, regarding improvements to the Maryland Public Charter School Program; and terminating the Act at the end of June 30, 2014.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1051F.pdf>

**HB 1052 Public Charter Schools - Hiring of Certificated and Paraprofessional Employees**

Providing that mutual consent between the county board and the charter operator shall govern the hiring of specified qualified and certificated individuals and paraprofessional employees working in a public charter school; and providing that existing obligations or contract rights may not be impaired by the Act.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1052F.pdf>

**HB 1058 Study to Improve Nutrition of Free and Reduced-Price Lunches** - Requiring the State Department of Education to study ways to improve the nutrition of free and reduced-price lunches provided for middle school and high school students; requiring the Department to report its findings to the General Assembly on or before November 1, 2013; and terminating the Act after May 31, 2014.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1058F.pdf>

**HB 1061 Task Force on Public School Efficiency** - Establishing the Task Force on Public School Efficiency; providing for the composition, chair, and staffing of the Task Force; establishing the duties of the Task Force; prohibiting a member of the Task Force from receiving specified compensation; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before December 1, 2014; and terminating the Act at the end of June 30, 2015.

<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1061F.pdf>

**HB 1069 Beginning of School Year - After Labor Day** - Prohibiting public schools and publicly funded prekindergarten programs from opening for pupil attendance prior to the day after Labor Day.  
<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1069F.pdf>

**HB 1080 Prince George's County Public Schools - Certificated Professional Individuals - Termination of Employment** - Authorizing a certificated professional individual who is employed by the Prince George's County Board of Education to terminate a contract of employment by giving specified notice to the board of education no later than a specified date; and terminating the Act at the end of June 30, 2016.  
<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1080F.pdf>

**HB 1107 Task Force on the Membership and Operation of the Prince George's County Board of Education** - Establishing the Task Force on the Membership and Operation of the Prince George's County Board of Education; providing for the chairs and staff for the Task Force; prohibiting a member of the Task Force from receiving specified compensation but entitling members to reimbursement for specified expenses; requiring the Task Force to make specified recommendations, including recommendations regarding the method of selecting the Prince George's County Board of Education; etc.  
<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1107F.pdf>

**HB 1153 Task Force to Study the Need for Recess in Maryland Public Schools** - Establishing the Task Force to Study the Need for Recess in Maryland Public Schools; providing for the composition, chair, and staffing of the Task Force; requiring the Task Force to study and make recommendations regarding specified matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before December 31, 2013; and terminating the Act at the end of June 30, 2014.  
<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1153F.pdf>

**HB 1161 Commission on Special Education Access and Equity** - Establishing the Commission on Special Education Access and Equity; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving specified compensation, but authorizing the reimbursement of specified expenses; requiring the Commission to study and make recommendations regarding specified matters; and requiring the Commission to report its findings and recommendations to the Governor and specified committees of the General Assembly on or before December 15, 2013.  
<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1161F.pdf>

**HB 1168/SB 548 Minority Teacher Recruitment - Study and Report**  
Requiring the State Department of Education to study and make recommendations on strategies to increase and improve minority teacher recruitment, preparation, development, and retention in elementary and secondary education in the State; requiring the Department to submit a specified report to the Governor and the General Assembly on or before December 1, 2013; etc.  
<http://mgaleg.maryland.gov/2013RS/bills/hb/hb1168F.pdf>

**SB 143 Public Schools - Emergency Management Plans - Evaluations**  
Requiring each county board of education to evaluate the effectiveness of the emergency management plan in each public school under the jurisdiction of the county board on or before November 1, 2013; requiring each county board of education to report to the State Department of Education on a specified evaluation on or before December 1, 2013; requiring the Department to make a specified report to the General Assembly; etc.  
<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0143F.pdf>

**SB 230 Open Meetings Act - Public Body - Definition**

Altering the definition of a "public body" for the purposes of the Open Meetings Act to include an entity that is created by a memorandum of understanding or a master agreement to which a majority of the county boards of education and the State Department of Education are signatories; and requiring the State Department of Education to report on or before December 1 of every even-numbered year to specified legislative committees regarding the activities and decisions of the Maryland Public Secondary Schools Athletic Association.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0230F.pdf>

**SB 277 State Aid for Public Education - Certification of Net Taxable Income**

Altering the definition of "net taxable income" for purposes of calculating specified State aid formulas for education; requiring the Comptroller to certify annually the amount of net taxable income in a specified manner; requiring State aid for education to be paid in a specified manner under specified circumstances.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0277F.pdf>

**SB 422 Public School Employees - Collective Bargaining - Representation Fees**

Requiring public school employers to negotiate with employee organizations designated as the exclusive representatives for the public school employees a required service or representation fee to be charged to nonmembers; providing a specified exception and requirement for specified noncertificated employees whose religious beliefs are opposed to joining or financially supporting a collective bargaining organization; requiring the exclusive representative to establish and maintain a specified procedure; etc.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0422F.pdf>

**SB 434 State Board of Education - Social Impact Bonds - Request for Proposals**

Requiring the State Board of Education to issue requests for proposals for Social Impact Bonds on or before January 1, 2014; authorizing the State Board to issue additional requests for proposals as needed; establishing minimum proposal guidelines; establishing minimum project selection guidelines; authorizing the State Board to contract with specified entities; requiring the State Board to submit reports to the Governor and the General Assembly on or before September 1, 2015, and annually on or before September 1 thereafter; etc.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0434F.pdf>

**SB 510 Institutions of Higher Education - Fully Online Distance Education Programs - Regulation**

Altering the type of institution that is required to register with the Maryland Higher Education Commission before enrolling Maryland students in fully online distance education programs; exempting institutions of higher education that participate in the Southern Regional Education Board's Electronic Campus from the requirement to register with the Commission; altering a specified refund policy and procedure; requiring the Commission to peruse specified federal databases and information sources to make determinations; etc.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0510F.pdf>

**SB 832 Child Care Centers - Dispute Resolution** - Establishing a dispute resolution workgroup; providing for the membership of the workgroup; requiring the State Superintendent of Schools, in consultation with the workgroup, to adopt specified rules and regulations establishing a specified dispute resolution process that includes investigation of specified discrimination complaints, written findings of fact and conclusions of law, and appropriate remedies; and authorizing the dispute resolution process to include specified informal resolution processes.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0832F.pdf>



**SB 857 Commission on the Establishment of a Maryland Educators Service Memorial**

Establishing the Commission on the Establishment of a Maryland Educators Service Memorial; providing for the composition, chair, and staffing of the Commission; requiring that the members of the Commission be appointed on or before a specified date; specifying the duties of the Commission; requiring the Commission to report its initial findings and recommendations to the Governor and the General Assembly on or before December 1, 2013.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0857F.pdf>

**SB 945 Maryland Longitudinal Data System - Governing Board and Data Transfers**

Adding the President of the Maryland Independent College and University Association, or the President's designee, to the Governing Board of the Maryland Longitudinal Data System Center; requiring private nonprofit institutions of higher education that receive State funds to transfer specified student data to the Maryland Longitudinal Data System in accordance with a specified plan; establishing that a specified institution that transfers specified data to the system is not liable for a specified breach of confidentiality.

<http://mgaleg.maryland.gov/2013RS/bills/sb/sb0945F.pdf>