



Nancy S. Grasmick  
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

TO: Members of the Maryland State Board of Education  
FROM: Nancy S. Grasmick *Nancy*  
RE: Legislative Update  
DATE: March 23, 2010

---

### 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 2010 General Assembly. Please find attached a synopsis of several pieces of significant legislation that has been introduced since your last State Board meeting.

### EXECUTIVE SUMMARY

I have asked Ms. Renee Spence to briefly update the members of the State Board of Education on the outcomes of the significant legislation that you have followed during the 2010 session, as well as 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.

dry  
Attachments

## Legislative Synopsis 3

### **HB 1036 Education - Enrollment - Average Daily Attendance**

Requiring specified enrollment calculations used for education aid to be based on the average daily attendance in specified school years;

### **HB 1064 State Board of Examiners of Psychologists - Criminal History Records Check**

Requiring applicants for a license to practice psychology to submit to a criminal history records check; requiring applicants to submit fingerprints and specified fees to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services under specified circumstances; requiring the Central Repository to forward specified information to the State Board of Examiners of Psychologists and to specified applicants;

### **HB 1131 Maintenance of Effort Waiver - Appeal Process**

Requiring the State Board of Education to inform county boards of education of a specified decision; authorizing specified parties to appeal the decision of the State Board of Education to the Office of Administrative Hearings within a specified time frame; requiring the Office of Administrative Hearings to conduct a hearing and issue a decision within a specified time frame and according to specified provisions of law;

### **HB1154 Education Funding Formula - Average Daily Attendance**

Requiring specified enrollment calculations used for education aid to be based on the average daily attendance in specified school years;

### **HB 1159 Budget Reduction Act**

Altering or repealing specified State aid to local jurisdictions; altering or repealing specified grants to specified persons or institutions; altering the distribution of specified revenues; altering or repealing specified required appropriations; altering the distribution of highway user revenues; stating the intent of the General Assembly regarding restraining spending in the State budget by implementation of specified actions;

### **HB 1160 Safe Schools Act of 2010**

Requiring the juvenile court to notify a specified school official that a child has been found to be delinquent, in need of assistance, or in need of supervision and committed to a specified agency under specified circumstances; adding specified offenses to a list of offenses for which a student is arrested that are required to be reported to specified school officials under specified circumstances;

### **HB 1188 State Board of Professional Counselors and Therapists – Membership**

Clarifying specified qualifications for licensed clinical professional counselors to be eligible to serve as members of the State Board of Professional Counselors and Therapists.

**HB 1214 Equity in Education Funding Act of 2010**

Altering the calculation of specified distributions required to be made to specified counties based on per yeild of county income taxes; providing for the calculation of net taxable income for the calculation of specified State aid for education; providing for the allocation of funds for State aid for education resulting from specified calculations; providing for the allocation of federal funds under specified circumstances;

**HB 1228 Fair Funding for Public Schools**

Altering the definition of "full-time equivalent enrollment" in the calculation for specified State aid for education; and applying the Act to the calculation of payments of State aid for education for fiscal years beginning after June 30, 2011.

**HB 1287 Student Member Full Voting Rights Act**

Allowing the student member of the State Board of Education to vote on the dismissal of or other disciplinary actions involving personnel, the State Board's budget, and specified appeals to the State Board.

**HB 1312 Maryland Center for School Safety**

Creating the Maryland Center for School Safety; creating the Board of Directors of the Center; specifying the composition of the Board and the staffing of the Center; providing that a member of the Board may not receive compensation but may be reimbursed for specified expenses; specifying the terms of the initial members of the Board; authorizing the Board to elect specified officers; specifying the duties of the Center; requiring the Center to report specified information to the Governor and the General Assembly;

**HB 1362 Public Schools - Virtual Schools**

Authorizing a county board of education, subject to the approval of the State Department of Education, to establish a virtual school in the State; establishing that a virtual school is a public school subject to applicable laws and regulations; requiring a virtual school to provide specified curricular programs to the students of the virtual school; requiring a virtual school to provide specified materials and access to technology to the parent or guardian of a student enrolled in the virtual school;

**HB 1430 Student Health and Fitness Act**

Requiring that a public school student in kindergarten through grade 5 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 specified group to plan and coordinate specified activities;

**HB 1475 Maintenance of Effort Waiver PG 428-10**

Waiving the maintenance of effort provisions in law for a specified fiscal year for Prince George's County; making the Act an emergency measure;

**SB 899/HB 1263 Education Reform Act of 2010**

Altering the probationary period of employment of a certificated employee in a public school system; altering specified procedures related to the probationary period of a certificated employee; requiring a county board of education to evaluate annually a nontenured certificated employee based on established performance evaluation criteria;

**SB 966 High School Diploma by Examination**

Altering the eligibility requirements to obtain a high school diploma by examination by repealing the 3-month waiting period from the date of withdrawal from the high school; and repealing the authority of the Secretary of Labor, Licensing, and Regulation to waive a specified withdrawal requirement if the Secretary considers the waiver justifiable.

**SB 1004 Budget Reconciliation and Balancing Act**

Altering or repealing specified required appropriations; repealing provisions of law regarding stem cell research; altering or repealing specified grant programs; altering or repealing specified funding requirements; repealing inflation adjustments for the calculation of specified State funding requirements; altering State aid provided to community colleges and to specified nonpublic institutions of higher education; altering the distribution of specified revenues;

**SB 1007 Law Enforcement Officers - Cultural Competency Training Program**

Requiring the State Department of Education, in consultation with the Maryland Police Training Commission, to develop and implement a cultural competency training program for specified law enforcement officers; providing for the contents of the cultural competency training program; and requiring specified law enforcement officers employed by a county board of education to complete the cultural competency training program before beginning an assignment to patrol a public school building or grounds.

**SB 1014 Maintenance of Effort Requirement - Waiver and Appeal Process**

Altering the date by which a county governing body must make a request to the State Board of Education for a waiver from the maintenance of effort requirement; clarifying the maintenance of effort requirement for which a county or Baltimore City may apply for a waiver; requiring the State Board to grant a waiver, subject to specified limitations, under specified circumstances;

**SB 1030 Financial Literacy Curriculum - Graduation Requirement**

Requiring the State Board of Education to develop curriculum content for a course in financial literacy; requiring county boards of education to implement financial literacy curriculum content in public high schools in the county; requiring students to complete a financial literacy course in order to graduate from high school;

**SB 1060 Personal Financial Literacy State Curriculum**

Requiring county boards of education to make specified certifications regarding the Personal Financial Literacy State Curriculum on or before September 1 of each year; requiring the State Department of Education to develop a process to monitor the implementation of the curriculum; and requiring the Department to report regarding monitoring and implementation to the Governor and General Assembly on or before December 1 of each year.