



Lillian M. Lowery, Ed.D.  
State Superintendent of Schools

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

**TO:** Members of the State Board of Education  
**FROM:** Lillian M. Lowery, Ed.D. *Lillian M. Lowery*  
**DATE:** February 25, 2014  
**SUBJECT:** State Legislative Update

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**PURPOSE:**

The purpose of this item is to provide a legislative overview and status of issues relative to education that are currently before the 2014 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:**

Also, I have asked Ms. Renee Spence to develop and attach a chart on all the legislation addressing Common Core, ESEA extension waiver, PARCC Assessment, and Performance Evaluations. We will discuss the status of these bills collectively.

If you have any questions, please feel free to contact Renee Spence at 410-767-0469.

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Further legislative information can be found at <http://mgaleg.maryland.gov>.

**Maryland State Board of Education**  
**February 25, 2014**

**Legislative Synopsis 2**

**HB 232 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;

**HB 297/SB 332 Prekindergarten Expansion Act of 2014**

Expanding prekindergarten services to specified 4-year-old children; establishing the Prekindergarten Expansion Grant Program; identifying the purpose of the Program; requiring the Department of Education to administer the Program; requiring the Program to be a competitive grant program for specified providers; establishing specified criteria for priority consideration of grant funds; establishing specified uses for grant funds;

**HB 316 Training Video on Cardiopulmonary Resuscitation and Automated External Defibrillators**

Requiring the State Board of Education to post a training video on hands-only cardiopulmonary resuscitation and automated external defibrillators on its Web site; requiring the training video to be obtained by the State Board at no charge, if possible, and to be no more than a specified number of minutes in duration; and requiring each county board of education to publicize the training video in a specified manner and encourage specified individuals to view the training video.

**HB 363 Truant Students - System of Active Intervention – Requirements**

Requiring the system of active intervention for specified truant students developed by each county board of education to include an Individualized Reengagement Plan for each truant student, coordination and collaboration with State and municipal agencies to deliver services, creation of a database to track truant students, and a specific plan for each public school to reengage truant students; requiring the Individualized Reengagement Plan to be developed by specified individuals using a specified process;

**HB 428 Maryland Infants and Toddlers Program – Eligibility**

Altering the eligibility requirements for the Maryland Infants and Toddlers Program by allowing a child to participate until the beginning of the school year after the child turns 4 years old.

**HB 461 State Early Childhood Advisory Council**

Establishing the State Early Childhood Advisory Council; providing for the composition, chair, and staffing of the Council; requiring the Council to develop a strategic plan to improve the school readiness of young children; requiring the Council to provide a statewide strategic report on or before December 1, 2015;

**HB 561 Task Force to Study the Suspension of Prekindergarten Students in Public Schools**

Establishing the Task Force to Study the Suspension of Prekindergarten Students in Public Schools; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving specified compensation, but authorizing the reimbursement of specified expenses; 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 specified committees on or before December 31, 2014;

**HB 653 Deaf Culture Digital Library**

Requiring the Division of Library Development and Services in the Department of Education to establish the Deaf Culture Digital Library; and specifying the mission, duties, and responsibilities of the Deaf Culture Digital Library.

**HB 811 Summer Career Academy Pilot Program**

Establishing the Summer Career Academy Pilot Program and identifying the purpose of the Program; requiring the State Department of Education to develop criteria for the selection of eligible school systems and eligible students for participation in the Program; authorizing the State Superintendent of Schools to select up to four school systems to participate in the Program; requiring a student selected to participate in the Program to be assigned a summer career counselor and to receive a \$4,500 stipend;

**HB 854 College Admissions Outreach Program for High-Achieving Students**

Establishing the College Admissions Outreach Program for High-Achieving Students; requiring the Maryland Higher Education Commission and the Maryland State Department of Education, in collaboration with specified educational officials, agencies, and organizations, to jointly administer the Program; providing that the Program shall provide specified information on the college admissions process to specified students free of charge;

**HB 869 Task Force to Study Chronic Absenteeism in Maryland's Public Schools**

Establishing the Task Force to Study Chronic Absenteeism in Maryland's Public Schools; requiring the Task Force to collect and analyze specified data, evaluate local and national strategies and best practices to address chronic absenteeism, identify responses to chronic absenteeism that rely on prevention and intervention, and make specified recommendations; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before December 1, 2014;

**HB 893 Local School System Autonomy**

Providing that specified bylaws, rules, and regulations of the State Board of Education do not apply to a county board of education under specified circumstances; requiring a county board to provide specified notice to the public concerning specified grant applications; requiring a county board to establish specified policies for the county school system;

**HB 926 Public Charter Schools - Virtual Learning Programs Authority**

Altering the definition of public charter school to include the establishment of a virtual learning program as a public charter school; defining "virtual learning program";

**HB 1063/SB 430 Regional Resource Centers and County Public Libraries – Funding**

Altering the per capita dollar amount in specified fiscal years that is required to be provided to each regional resource center and county public library system participating in the State's library program.

**HB 1138 County Boards of Education - Control and Management of Public Schools**

Providing that the decisions of a county board of education regarding matters relating to the standards, curriculum, and courses of study in the public schools in their jurisdiction are final and may not be subject to further review; providing that the guidelines for the program of instruction for public schools in the State by the State Board of Education are voluntary;

**HB 1181 Fairness in Negotiations Act - Sunset Repeal**

Repealing the termination date of specified provisions relating to the Public School Labor Relations Board.

**HB 1208 Suspension and Expulsion - Restrictions and Alternative Disciplinary Options**

Prohibiting specified school principals from suspending specified students or recommending specified students for expulsion unless the student commits a specified act or a specified offense under specified circumstances; requiring specified principals to use specified alternative disciplinary options in lieu of suspensions unless the student committed a specified act or a specified offense;

**HB 1242/SB 419 Maryland Library for the Blind and Physically Handicapped – Funding**

Authorizing the State Department of Education to include operating funds for the Maryland Library for the Blind and Physically Handicapped in its budget; requiring the Maryland Library for the Blind and Physically Handicapped to receive a specified amount of funding each year; requiring the Department to disburse funds to the Maryland Library for the Blind and Physically Handicapped;

**HB 1287 Suspensions and Expulsions - Restrictions and Prohibitions**

Prohibiting a principal of a public school or a county superintendent from suspending a student under the age of 10 years; and prohibiting a principal or a county superintendent from instituting an out-of-school suspension unless alternative disciplinary methods or in-school suspensions failed to correct a student's behavior.

**HB 1325 Discipline in Public Schools**

Prohibiting a principal in a public school from taking specified disciplinary action against a student who brings a specified object onto school property or creates a specified object on school property that may not be reasonably mistaken for a firearm and that does not create a danger to anyone.

**HB 1388 Assessment Report for Broadband Capabilities in Public Schools**

Requiring the State Department of Education to report to the General Assembly on specified matters relating to broadband capabilities in local school systems on or before a specified date; and terminating the Act at the end of December 31, 2014.

**HB 1400 County Boards of Education - Discipline Regulations**

Authorizing county boards of education to follow or to disregard specified discipline guidelines established by the State Board of Education when adopting specified discipline regulations for the schools under the jurisdiction of the county board; and establishing that specified regulations of a county board shall prevail if there is a conflict between specified State Board guidelines and regulations and specified county board regulations.

**HB 1418 Curriculum Content - Vocational Education and Training Programs**

Requiring the State Board of Education to develop curriculum content for a specified course in the requirements for entry into vocational education and training programs to be taught beginning with the 2015-2016 school year; and requiring each county board of education to determine which high schools in the county may offer specified curriculum content beginning with the 2015-2016 school year.

**HB 1428 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;

**HB 1429 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.

**SB 253 Baltimore City Public School System - Chief Executive Officer - Advice and Consent of the Senate**

Requiring the employment contract of the Chief Executive Officer of the Baltimore City Public School System to be contingent on the advice and consent of the Senate.

**SB 430 Regional Resource Centers and County Public Libraries – Funding**

Altering the per capita dollar amount in specified fiscal years that is required to be provided to each regional resource center and county public library system participating in the State's library program.

**SB 431 Bridge to Excellence - State Hold-Harmless Requirement**

Providing a grant to specified county boards of education in specified fiscal years if total direct education aid in the current fiscal year is less than in the prior fiscal year; and declaring it is the intent of the General Assembly that no county board of education receive less State direct education aid in the current fiscal year than in the prior fiscal year until after the completion of a specified study.

**SB 503 Cardiopulmonary Resuscitation and Automated External Defibrillator Instruction - Graduation Requirement (Breanna's Law)**

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 2015-2016 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 2015-2016 school year, using a specified instructional program, and incorporating specified skills.

**SB 534 State Grant to Counties With Small and Declining Student Enrollment**

Establishing eligibility for a county board of education to receive a specified State grant; requiring a specified grant to be provided to eligible county boards in specified fiscal years; declaring the intent of the General Assembly;

**SB 633 Maryland Education Credit**

Providing a tax credit against the State income tax for contributions made to specified student assistance organizations; requiring the Department of Business and Economic Development to administer the tax credit; requiring specified entities to submit an application to be a student assistance organization on or before December 1 of each year; establishing the Maryland Education Tax Credit Reserve Fund; applying the Act to taxable years beginning after December 31, 2013;

**SB 715 Task Force to Study Chronic Absenteeism in Maryland's Public Schools**

Establishing the Task Force to Study Chronic Absenteeism in Maryland's Public Schools; requiring the Task Force to collect and analyze specified data, evaluate local and national strategies and best practices to address chronic absenteeism, identify responses to chronic absenteeism that rely on prevention and intervention, and make specified recommendations; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before December 1, 2014;

**SB 779 Due Process Hearings for Children With Disabilities - Burden of Proof**

Requiring specified public agencies to bear a specified burden of proof in due process hearings that are held to resolve a dispute relating to the provision of a free appropriate public education to children with disabilities; and establishing that a specified provision of law is not intended to change specified record keeping requirements or what constitutes a free and appropriate public education under federal law.

**SB 821 Digital Equity for All Maryland Students Act of 2014**

Requiring all students to have specified access to digital technology in the classroom on or before the 2016-2017 school year; establishing a Technology Infrastructure Improvement Program to be administered by the Interagency Committee on School Construction; requiring the State to distribute grants from a specified source to county school boards; authorizing the grant amount to be apportioned between specified sources; requiring the Interagency Committee to make specified considerations when allocating a specified grant;

**SB 822 Early-In Early-Out Education Act of 2014**

Including students who graduated from high school before grade 12 in the definition of "full-time equivalent enrollment" for the purpose of specified State education aid calculations; restricting the use of specified funds for the purpose of expanding prekindergarten programs for specified children;

**SB 866 Suspension and Expulsion - Restrictions and Alternative Disciplinary Options**

Prohibiting specified school principals from suspending specified students or recommending specified students for expulsion unless the student commits a specified act or a specified offense under specified circumstances; requiring specified principals to use specified alternative disciplinary options in lieu of suspensions unless the student committed a specified act or a specified offense;

**SB 1049 Required Number of School Days**

Specifying that a day on which public schools are closed during a state of emergency shall be credited against the required minimum number of days that public schools shall be open; and making the Act an emergency measure.



## Common Core, MSA, ESEA Waiver and PARCC Bills 2014

Bill Number	Cross File	Sponsor	Title	Synopsis
HB0076		Delegate Smigiel	Education - Implementation of the Common Core State Standards - Prohibition	Prohibiting the State Board of Education and specified county boards of education from establishing specified educational policies, curriculum, and guidelines that include or are based on the Common Core State Standards; prohibiting the State Board from entering into any agreements or joining any organizations that give control over educational matters to any entity other than the State; requiring the State Board to take specified steps to rescind the State Board's adoption of the Common Core State Standards; etc.
HB0117	SB0165	Delegate Luedtke	Education - Maryland School Assessment - Request for Waiver	Requiring the State Department of Education to request a specified waiver from the U.S. Department of Education within a specified period of time; prohibiting the Department from administering the Maryland School Assessment in the spring of 2014 under specified circumstances; and requiring the Department to administer the Maryland School Assessment under specified circumstances.
HB0423		Delegate Ready	Education - Implementation of Next Generation Science Standards - Prohibition	Prohibiting the State Board of Education and specified county boards of education from establishing specified educational policies, curriculum, and guidelines that include or are based on the Next Generation Science Standards; and requiring the State Board to take specified steps to rescind the adoption by the State Board of the Next Generation Science Standards on or before July 1, 2014.
HB0764		Delegate McDonough	Education - Academic Standards and Curriculum - Common Core State Standards Implementation Prohibited	Prohibiting the State Board of Education from taking any further action to implement or direct the State Department of Education to implement or require a local education agency to implement specified State standards and curriculum based on the Common Core State Standards; requiring the State Board to implement specified academic standards and curriculum on or after July 1, 2014; etc.
HB0766		Delegate McDonough	Baltimore County - Board of Education - Common Core Disclosure Act	Requiring the Baltimore County Board of Education to submit a report detailing all expenditures made due to the implementation of the Common Core State Standards in Baltimore County to the Baltimore County Executive, the Baltimore County Council, and the members of the Baltimore County Delegation to the General Assembly, annually, on or before December 1; and requiring the Board to make each report available to the public on the Board's Web site.
HB0771		Delegate McDonough	Commission to Study the Impact of the Common Core State Standards in Harford County	Establishing the Commission to Study the Impact of the Common Core State Standards in Harford County; providing for the composition, chair, and staffing of the Commission; requiring the Commission to study a specified impact, hold specified public meetings, evaluate specified concerns, and make recommendations regarding specified matters; requiring the Commission to report its findings and recommendations on or before January 1, 2015; terminating the Act at the end of June 30, 2015; etc.

HB0776		Delegate McDonough	Commission to Study the Impact of the Common Core State Standards in Baltimore County	Establishing the Commission to Study the Impact of the Common Core State Standards in Baltimore County; providing for the composition, chair, and staffing of the Commission; requiring the Commission to study a specified impact, hold specified public meetings, evaluate specified concerns, and make recommendations regarding specified matters; requiring the Commission to report its findings and recommendations on or before January 1, 2015; terminating the Act at the end of June 30, 2015; etc.
HB0925	SB0408	Delegate George	Education - Common Core State Standards - Implementation Timeline	Requiring each county board of education to determine the implementation timeline for the Common Core State Standards notwithstanding any other provision of law.
HB1001	SB0910	Delegate Hixson	Education - Federal Elementary and Secondary Education Act - Waivers	Requiring a waiver from the federal Elementary and Secondary Education Act requested by the State Department of Education to the United States Department of Education to be consistent with State law and regulations; requiring the Department to adopt regulations establishing the provisions of a waiver before requesting a waiver; requiring the State Superintendent of Schools to submit a detailed description of how a waiver is consistent with State law and regulations; etc.
HB1138		Delegate Smigiel	Education - County Boards of Education - Control and Management of Public Schools	Providing that the decisions of a county board of education regarding matters relating to the standards, curriculum, and courses of study in the public schools in their jurisdiction are final and may not be subject to further review; providing that the guidelines for the program of instruction for public schools in the State by the State Board of Education are voluntary; etc.
HB1164		Delegate Luedtke	Common Core State Standards and Partnership for Assessment of Readiness for College and Careers (PARCC) Implementation Review Workgroup	Establishing the Common Core State Standards and Partnership for Assessment of Readiness for College and Careers (PARCC) Implementation Review Workgroup; providing for the composition, chairs, and staffing of the Workgroup; requiring the Workgroup to hold its first meeting on or before June 1, 2014; requiring the Workgroup to assess specified needs, design specified plans, and make recommendations regarding specified matters; making the Act an emergency measure; terminating the Act at the end of June 30, 2015; etc.
HB1167	SB0911	Delegate Hixson	Teachers and Principals - Performance Evaluation Criteria - Use of Student Growth Data	Renaming specified model performance evaluation criteria; prohibiting specified performance evaluation criteria from requiring the use of specified student growth data based on State assessments to be used to make personnel decisions before the 2016-2017 school year; prohibiting a county board of education from being required to adopt specified model performance evaluation criteria; etc.
SB0165	HB0117	Senator King	Education - Maryland School Assessment - Request for Waiver	Requiring the State Department of Education to request a specified waiver from the U.S. Department of Education within a specified period of time; prohibiting the Department from administering the Maryland School Assessment in the spring of 2014 under specified circumstances; and requiring the Department to administer the Maryland School Assessment under specified circumstances.

SB0408	HB0925	Senator Reilly	Education - Common Core State Standards - Implementation Timeline	Requiring each county board of education to determine the implementation timeline for the Common Core State Standards notwithstanding any other provision of law.
SB0578		Senator Reilly	Education - Partnership for Assessment of Readiness for College and Careers (PARCC) - Implementation Timeline	Requiring each county board of education to determine the implementation timeline for the Partnership for Assessment of Readiness for College and Careers (PARCC), notwithstanding any other provision of law; and making the Act an emergency measure.
SB0579		Senator Reilly	Education - Evaluation of Teachers and Principals - Implementation Timeline	Requiring the State Board of Education to determine the implementation timeline for the evaluation of teachers and principals in public schools in the State, notwithstanding any other provision of law; and making the Act an emergency measure.
SB0676		Senator King	Teachers and Principals - Performance Evaluation Criteria - Use of Student Growth Data	Renaming specified model performance evaluation criteria; prohibiting specified performance evaluation criteria from requiring the use of specified student growth data before the 2016-2017 school year; and prohibiting a county board of education from being required to adopt specified model performance evaluation criteria.
SB0719		Senator Ferguson	County Boards of Education Professional Development Evaluation Systems	Requiring each county board of education to develop and implement professional development evaluation systems that are based on teacher feedback and will enable the county board to assess teacher satisfaction and measure the effectiveness and relevancy of the activity; requiring each county board to report annually the results to the State Department of Education; requiring the Department to report annually to the Governor and General Assembly; etc.
SB0910	HB1001	Senator Madaleno	Education - Federal Elementary and Secondary Education Act - Waivers	Requiring a waiver from the federal Elementary and Secondary Education Act requested by the State Department of Education to the United States Department of Education to be consistent with State law and regulations; requiring the Department to adopt regulations establishing the provisions of a waiver before requesting a waiver; requiring the State Superintendent of Schools to submit a detailed description of how a waiver is consistent with State law and regulations; etc.
SB0911	HB1167	Senator Madaleno	Education - Performance Evaluation Criteria - Default Model	Clarifying that the model performance evaluation criteria adopted by the State Board of Education for the evaluation of teachers and principals are the default criteria to be used in the instance that a local school system and the exclusive employee representative fail to mutually agree to performance evaluation criteria.