MEMORANDUM

To: Members of the Board of Education
From: Patricia R. Swanson, Legislative Aide
Subject: Summary of the 2016 Session of the Maryland General Assembly

Summary
When the 2016 regular session of the Maryland General Assembly came to a close at midnight on April 11, 2015, a total of 2,817 bills had been introduced, of which 834 were successful.

Total state aid for primary and secondary education will increase by $190.5 million in Fiscal Year (FY) 2017 to $6.4 billion, a total increase of 3.4 percent compared with FY 2016. State aid through the Bridge to Excellence formulas increases by $147.1 million, or 2.7 percent. This increase reflects full funding of the mandated education formulas including the Geographic Cost of Education Index. The budget also includes $19.4 million for five school systems that have lost enrollment and aid in recent years (Baltimore City, Calvert County, Carroll County, Garrett County, and Kent County). An additional $19.0 million in budgetary savings is restricted for grants to help school systems fund the increase in their share of teachers’ retirement costs.

Montgomery County’s share of direct aid for primary and secondary education is more than $671 million, a 5.3 percent increase from FY 2016. The total state FY 2017 capital budget includes $280 million for the traditional Public School Construction Program. By March 2015, $252 million of those funds was allocated, with Montgomery County recommended to receive $31.4 million. The remaining dollars will be allocated by mid-May.

Enacted bills will impact, among other issues, the administration of assessments, student rights, and Individualized Education Program (IEP). Bills defeated, among other things, will impact school calendars, school bus vehicles, and food services.

Budget Highlights
In the operating budget, the state funded all programs at the level required by state formulas, including public schools. Additionally, the Montgomery County Delegation (delegation) succeeded in finding $6.1 million dollars in state money for Montgomery County to help pay for teacher pension costs. It will be up to Governor Lawrence Hogan, Jr. to release the funding. The operating budget also holds higher education tuition increases to 2% (much lower than the national
average) and provides funding for important healthcare, public safety, and transportation programs. The delegation also passed legislation regarding the repayment of County income taxes under the Wynne Supreme Court decision. The legislation will allow taxpayers owed refunds to be repaid immediately, but allow the County to slow its repayment to the state for those refunds and ease the burden on the County budget.

There was also major progress on school construction, an important issue for Montgomery County’s overcrowded classrooms. This year, the delegation doubled the grant for school construction in high growth jurisdictions, like Montgomery County, to $40 million. The county receives approximately 25% of those funds, bringing the total school construction funding from the state to more than $47 million.

**Key Enacted Bills of Interest**

Sixty-eight bills were brought before the Board for consideration over the course of the 2016 session (see table below). Twenty-five have been enacted by the Maryland General Assembly. Of the twenty-five bills that the Board supported as introduced, eighteen passed. Of the thirty-nine bills the Board opposed, thirty-three died.

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<td>BOE Position</td>
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Provided below is the Board’s position, the legislative outcome, and a summary of key provisions, including any amendments for the sixty-three bills that were brought to the Board. Please note, if it states that a bill did not make it out of a respective committee, that means the bill did not receive a vote and thereby died when the Maryland General Assembly adjourned Sine Die.

**Local Issues**

*Passed*

**MC 11-16 (HB0087) - Montgomery County Board of Education - Student Member – Voting**

*Board Position: Support*

*Outcome: Passed*

This bill authorizes the student member of the Montgomery County Board of Education to vote on matters relating to the capital and operating budgets; school closings, reopenings, and boundaries; and collective bargaining. The bill takes effect July 1, 2016.

**MC 27-16 (HB1079) – Montgomery County Student Loan Refinancing Authority**

*Board Position: Support with Amendment*
Outcome: Passed with Amendments
As amended, this bill authorizes Montgomery County to create a refinancing authority to refinance study loans. Before the authority is created, a study must be done on the aspects of implementation including feasibility and demand, the potential benefit to recruitment and retention, and a study of the operation of similar programs across the United States. Public hearings must be held and opportunities for public comment must be provided.

Died
MC 2-16 (HB1065) - Montgomery County Board of Education – Special Election to Fill a Vacancy
Board Position: Oppose
Outcome: Died
This bill would have changed the appointment process in the case of a vacancy on the Board of Education to that of a special election if the vacancy date is at least 365 days before the end of the elected member’s term. The bill did not make it out of the Senate Education, Health, and Environmental Affairs committee.

MC 25-16 (HB1032) - Montgomery County Board of Education – Elections – Voting by County Residents
Board Position: No Position
Outcome: Died
This bill proposed an amendment that would grant the Montgomery County Council the authority to expand the right to vote for Board of Education members to noncitizens, felons, and 16 year-olds. The bill did not make it out of the House Ways and Means committee.

Assessments
Passed
HB0412 (SB0533) – Assessments - Administration and Provision of Information
Board Position: Oppose
Outcome: Passed with Amendments
As amended, this bill requires a local board of education to provide the following information for each assessment administered in a local school system: (1) the title of the assessment; (2) the purpose of the assessment; (3) whether the assessment is mandated by a local, state, or federal entity; (4) the grade level or subject area, as appropriate, to which the test is administered; (5) the testing window of the assessment; and (6) whether accommodations are available for students with special needs and what the accommodations are. Assessment does not include a teacher-developed quiz or test. By October 15 of each year, this information must be updated, posted on the website of the local board, and included in the annual update of the local board’s master plan. The bill also extends the time by which the Maryland State Department of Education (MSDE) has to develop state-specific assessments in specified core content areas (i.e., social studies) by two years, from the 2016–2017 school year to the 2018–2019 school year. The bill takes effect July 1, 2016.
HB0657 (SB0794) – Education - Prekindergarten and Kindergarten Assessments – Administration
Board Position: Support
Outcome: Passed with Amendments
As amended, this bill requires a statewide kindergarten assessment that is administered to measure school readiness to be limited to a random sample, as determined by MSDE, of kindergarten students from within each local school system. In accordance with a collective bargaining agreement, a principal and a teacher who are in mutual agreement, or a local board of education, may administer a statewide kindergarten assessment with the purpose of measuring school readiness if (1) the assessment is completed by October 1 and (2) the aggregate results are returned within 45 days after administration of the assessment. The bill also prohibits a standardized test from being administered to an enrolled prekindergarten student unless it is being administered by a school psychologist or other school-based professional who intends to use the results in order to identify a disability. MSDE must adopt regulations to implement the requirements of the bill. The bill takes effect July 1, 2016

Died

HB0141 (SB0407) – Education - Education Accountability Program - Limits on Testing
Board Position: Oppose
Outcome: Died
This bill would have required the State Board of Education to adopt regulations that limit the amount of time that may be devoted to federal, state, and locally mandated tests for each grade to 2 percent of the minimum required annual instructional hours. The bill did not make it out of the Senate Education, Health, and Environmental Affairs committee.

HB0397 (SB0786) – Assessments - Best Practices in the Administration of Assessments
Board Position: Oppose
Outcome: Died
This bill would have required MSDE to develop a set of best practices that MSDE and local school systems must consider when deciding whether to administer an assessment or a test to students. The bill did not make it out of the Senate Education, Health, and Environmental Affairs committee.

HB0781 - Education - Assessments - Reporting of Aggregate Results
Board Position: Oppose
Outcome: Died
This bill would have prohibited MSDE from including the scores of students with disabilities or English language learners when calculating or reporting any aggregate results of the assessment aligned with the Maryland College and Career Ready Standards (i.e. the Partnership for Assessment of Readiness for College and Careers [PARCC] assessments). The bill did not make it out of the House Ways and Means committee.

HB1204 – PARCC Testing - Exemption for Children with Disabilities (Ben's Rule)
Board Position: Oppose
Outcome: Died
This bill would have exempted a child with a disability from being given a PARCC assessment or its equivalent except (1) if a parent or guardian of the child and the administration of the school that the child attends have agreed that the child may be given a PARCC assessment or its equivalent and (2) the agreement specified has been documented in the IEP of the child. The bill did not make it out of the House Ways and Means committee.

HB1233 – Education - Administration of Standardized Tests and Mandated Assessments - Notice
Board Position: Oppose
Outcome: Died
This bill would have required each local board of education to annually review and update (1) a list of standardized tests and any other mandated assessments required to be administered by a local school system by grade and content area and (2) the date range for the administration of the standardized tests and mandated assessments. By the first day of an academic quarter, during which a standardized test or mandated assessment will be administered, a local board of education must provide parents specified information about the standardized tests and mandated assessments. The state superintendent of schools must create a model to provide parents and guardians with the information about standardized tests and mandated assessments and give it to each local board of education. To the extent practicable, each local board of education must provide the information on standardized tests and mandated assessments in the native language of the parents or guardians of the students enrolled in the local school system. The bill did not make it out of the Senate Education, Health, and Environmental Affairs committee.

Curriculum and School Days
Passed
SB0770 (HB1297) - Education - Public High Schools - Agriculture Science
Board Position: Oppose
Outcome: Passed with Amendments
This bill encourages each county board of education, beginning in the 2018–2019 school year, to implement an agriculture science curriculum in at least one public high school or career and technology education center in the county. If offered, the curriculum must be selected from existing curricula developed by MSDE or developed by a county board and approved by MSDE.

Died
HB0324 - Education - Maryland High School Diploma - Civics Test Requirement
Board Position: Oppose
Outcome: Died
This bill would have required on or after January 1, 2018, that a student must take and answer correctly at least 60 percent of the 100 questions used for the civics portion of the naturalization test administered by the U.S. Citizenship and Immigration Services (CIS) in order to graduate from a public high school. The bill did not make it out of the House Ways and Means committee.
**HB0474 - Elementary School Students - Daily Physical Activity (Student Health and Fitness Act)**

*Board Position: Oppose*

*Outcome: Died*

This bill would have required all public elementary school students to be provided daily programs of physical activity totaling 150 minutes per week, including a minimum of 90 minutes per week of physical education. The bill did not make it out of the House Ways and Means committee.

**HB0476 - State Board of Education - Financial Literacy Curriculum - Graduation Requirement**

*Board Position: Oppose*

*Outcome: Died*

This bill would have required the State Board of Education to develop curriculum content for a semester-long course in financial literacy. Each local board of education would have been required to implement the curriculum in every high school under the board’s jurisdiction, and students would have been required to complete the course in order to graduate from high school. The bill did not make it out of the House Ways and Means committee.

**SB0901 – Classwork and Assessment Involving Live and Dead Animals - Student Right of Refusal**

*Board Position: Oppose*

*Outcome: Died*

This bill would have allowed a student in a public or nonpublic school to refuse to participate in or observe, in whole or in part, classwork or an assessment that includes specified actions (including dissection) conducted on a live or dead animal or the severed part of a dead animal. This bill was voted unfavorable by the Senate Education, Health, and Environmental Affairs committee with both of the Montgomery County Senators voting unfavorable.

**Food, Health, and Nutrition**

*Passed*

**HB0039 - Orange Ribbon for Healthy School Hours - Establishment**

*Board Position: Oppose*

*Outcome: Passed with Amendments*

As amended, this bill establishes an Orange Ribbon for Healthy School Hours certification in MSDE beginning in the 2017–2018 school year. Orange Ribbon certification is intended to recognize a local school system that creates, implements, and enforces school start times that are consistent with those recommended by MSDE, the Department of Health and Mental Hygiene (DHMH), and the American Academy of Pediatrics (AAP). To receive Orange Ribbon certification, a local school system may not have (1) an elementary school requiring a student to be in class before 8:00 a.m. and board a school bus before 7:00 a.m. and (2) a middle or high school requiring a student to be in class before 8:30 a.m. and board a school bus before 7:30 a.m. Other certification criteria are specified. The bill also establishes criteria for limited (“honorable
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mention” and “commended”) certification, which MSDE may grant. The bill takes effect July 1, 2016.

**HB0983 – Public Schools - Food Recovery Programs – Authorization**
*Board Position: Support*  
*Outcome: Passed*

This bill authorizes a county board of education to develop and implement a “food recovery program” that reduces food waste by donating leftover or excess food in schools under its jurisdiction to a local food bank or other nonprofit organization. If a county board exercises this authority, it may apply for recognition of its food recovery program under any relevant certification program. The bill takes effect July 1, 2016.

**HB0771 - Public Schools – Administration of Diabetes Care Services - Guidelines**
*Board Position: Oppose*  
*Outcome: Passed with Amendments*

As amended, this bill requires MSDE and DHMH, to establish guidelines for public schools regarding the administration of heath care services to students with diabetes and provide specified technical assistance to schools to implement the guidelines. MSDE and DHMH, in consultation with the other specified and interested stakeholders, must establish a plan for all public school health services programs in the state to provide diabetes care services so that students with diabetes can (1) remain safe in school; (2) be supported for optimal academic achievement; and (3) fully participate in all aspects of school programing, including after-school activities and other school-sponsored events. By December 1, 2016, MSDE and DHMH must report to specified committees on the implementation of the plan. The bill takes effect July 1, 2016.

**Died**

**HB0109 - Public Schools - Health and Safety - Food Transparency**
*Board Position: Oppose*  
*Outcome: Died*

This bill would have required local school systems to include food and drink items that are sold à la carte on monthly dining menus. The bill did not make it out of the House Ways and Means committee.

**HB0528 - Primary and Secondary Education - Sensible Sugar in Schools Act**
*Board Position: Oppose*  
*Outcome: Died*

This bill would have required each local board of education to develop a plan for reducing students’ total sugar intake per school meal based on recommendations from the American Heart Association and the work group established by the bill. Each local board would have been required to convene a work group to study the best practices of lowering students’ total sugar intake per school meal, consider whether the best practices would be appropriate to implement in the local school system, and make recommendations. The bill did not make it out of the House Ways and Means committee.
**SB0065** - Primary and Secondary Education - Health and Safety - Sugar-Free Schools Act  
*Board Position: Oppose*  
*Outcome: Died*  
This bill would have required each local board of education to develop a plan for reducing students’ total sugar intake per school meal based on recommendations from the American Heart Association and the work group established by the bill. Each local board would have been required to convene a work group to study the best practices of lowering students’ total sugar intake per school meal, consider whether the best practices would be appropriate to implement in the local school system, and make recommendations. The bill did not make it out of the Senate Education, Health, and Environmental Affairs committee.

**SB0755 (HB1325) – Free School Meals for Students from Low- and Middle-Income Families Act**  
*Board Position: Support*  
*Outcome: Died*  
This bill would have made the state responsible for the student share of the costs of (1) reduced-price breakfasts provided under the federal School Breakfast Program and (2) reduced-price lunches provided under the National School Lunch Program (NSLP) instead of local school systems. The bill did not make it out of the Senate Budget and Tax Committee.

**SB0756 (HB1360) – Breakfast after the Bell Act**  
*Board Position: Oppose*  
*Outcome: Died*  
As amended, this bill would have established a Breakfast After the Bell Program in the State authorizing public schools with a high concentration of low-income students to offer a free breakfast to all students after the first bell of each school day. A public school that chose to participate in the program must have participated for an entire school year, but it is not required to participate in subsequent years. The program was set to begin in the 2016–2017 school year, with thresholds for determining eligibility for participation by a public school phased-in over a three-year period. MSDE would have been required to reimburse a public school for each free breakfast provided under the bill. The bill died on the House floor because it was not heard before Sine Die.

**Students**  
*Passed*  
**HB0072 - Education - Sexual Abuse and Assault Awareness and Prevention Program - Development and Implementation**  
*Board Position: No Position*  
*Outcome: Passed with Amendments*  
As amended, this bill requires the State Board of Education and specified nonpublic schools in the State to develop and implement a program of age-appropriate education on the awareness and prevention of sexual abuse and assault. The program must be taught by teachers who are trained to provide instruction on the awareness and prevention of sexual abuse and assault and incorporated into the health curriculum of local boards of education and nonpublic schools. The
State Board of Education must adopt regulations to carry out the bill. The bill takes effect July 1, 2016.

**HB0085 - Education - Children with Disabilities - Support Services - Parental Notification**  
*Board Position: Support*  
*Outcome: Passed with Amendments*  
As amended, this bill requires that at the initial evaluation meeting, the parents of a child with a disability be provided with written information that they may use to contact local school system early intervention and special education family support services staff members, and a brief description of the services that they provide. Parents may request this information at any subsequent meeting, and this information must be prominently published on the appropriate section of each local school system’s website. If a parent’s native language is not English, the information must be provided in a parent’s native language. If a child with an IEP, developed in one local school system, moves into another local school system, the latter school system must provide the information at the time of the first written communication with the parents regarding the child’s IEP or special education services. Failure to provide the information required by the bill does not constitute grounds for a due process complaint. The bill takes effect July 1, 2016.

**HB0086 - Special Education - Translations of Individualized Education Programs or Individualized Family Service Plans - Native Language**  
*Board Position: Support*  
*Outcome: Passed with Amendments*  
As amended, this bill authorizes the parents of a child, with a completed IEP or individualized family service plan (IFSP), to request that the IEP or IFSP be translated into the parents’ native language, if that language is spoken by more than 1 percent of students in the local school system. School personnel must provide the parents with the translated document within 30 days after the date of the request.

An amendment added by the Senate Education, Health, and Environmental Affairs committee charges the Maryland State Department of Education to report to the Governor and committees whether there are economies of scale that can be utilized to lessen the financial impact of this Act and how the needs of students whose parents speak a native language that is spoken by less than 1 percent of the student population in the local school system can be addressed. Furthermore, on or before August 1, 2018, each county board of education shall report to the State Department of Education regarding the number of requests received under § 8-405(e)(4)(i) of the Education Article, as enacted by Section 1 of this Act, the cost of implementing these requests, whether it would be feasible to have this number increase, and if so, by how many requests. The bill takes effect July 1, 2016.

**HB0245 (SB0310) - Child Abuse and Neglect - Failure to Report**  
*Board Position: Support*  
*Outcome: Passed*
This bill requires that if an agency is participating in a child abuse or neglect investigation and has substantial grounds to believe that a worker has knowingly failed to make a required report of suspected abuse or neglect, it must file a complaint with the worker’s licensing board, law enforcement agency, county board of education, or other agency, institution, or licensed facility, as appropriate, at which the worker is employed. The bill takes effect October 1, 2016.

**HB0551 - Education - Children with Disabilities - Individualized Education Program Mediation**

*Board Position: No Position*

*Outcome: Passed with Amendments*

As amended, this bill requires the IEP team to provide a parent, who disagrees with a child’s IEP or special education services, with, in plain language: (1) an oral and written explanation of the parent’s right to mediation; (2) contact information for receiving information on the mediation process; and (3) information regarding pro bono representation. The parent may request this information at any IEP team meeting. MSDE must make staff available to assist a parent in understanding the mediation process.

An amendment added by the Senate Education, Health, and Environmental Affairs committee requires that if the native language spoken by a parent is more than 1 percent of the student population of a local school system, the parent may request the information be translated. The IEP team then has 30 days to translate the document. The amendment also charges MSDE to report to the Governor and committees whether there are economies of scale that can be utilized to lessen the financial impact of this Act and how the needs of students whose parents speak a native language that is spoken by less than 1 percent of the student population in the local school system can be addressed. Furthermore, on or before August 1, 2018, each county board of education shall report to MSDE regarding the number of requests received under § 8-405(e) (4) (i) of the Education Article, as enacted by Section 1 of this Act, the cost of implementing these requests, whether it would be feasible to have this number increase, and if so, by how many requests. The bill takes effect July 1, 2016.

**HB1095 – Prekindergarten Programs - Notification of Eligibility by Local Departments of Social Services**

*Board Position: Support*

*Outcome: Passed with Amendments*

As amended, this bill requires local departments of social services and local health departments to provide a parent or guardian, who applies for economic services, with an oral and written notice that his or her child may be eligible for publicly funded prekindergarten programs if the parent or guardian has a child who will be four years old on September 1 of the next academic year. The notice must include contact information for the enrollment office of the local school system and the Division of Early Childhood Development in MSDE. Annually, by December 1, each local department of social services and local health department must report to the Maryland General Assembly on the number of parents who were given notification and subsequently enrolled their child in a publicly funded prekindergarten program. The bill takes effect July 1, 2016.
SB0595 - Education - Middle School Students – Awarding of Credit
Board Position: Support
Outcome: Passed with Amendments
As amended, this bill requires a local board of education to award credit to a middle school student for any course for which a high school student would be awarded credit if the middle school student meets the same requirements as the high school student. The bill takes effect July 1, 2016.

SB0764 – Education - Student Journalists - Freedom of Speech and Freedom of the Press
Board Position: No Position
Outcome: Passed
As amended, this bill allows a student journalist in a public elementary or secondary school or a public institution of higher education to exercise freedom of speech and freedom of the press in school-sponsored media, subject to restrictions in the bill. The bill establishes that a student journalist is responsible for determining the news, opinion, feature, and advertising content of school-sponsored media, also subject to specified restrictions. These restrictions are not to be construed to authorize or protect content that (1) is libelous or slanderous; (2) constitutes an unwarranted invasion of privacy; (3) violates federal or state law; or (4) incites students to engage in specified types of dangerous, unlawful, or disruptive behavior. Each county board of education and public institution of higher education must develop a written policy regarding the bill’s requirements, which may include limits on language that may be defined as profane, vulgar, lewd, obscene, harassing, threatening, or intimidating. The bill takes effect October 1, 2016.

SB0781 (HB0708) - Education - Maryland Seal of Biliteracy Act – Establishment
Board Position: Support
Outcome: Passed
This bill establishes a Maryland Seal of Biliteracy Program to recognize public high school graduates, beginning with the graduating Class of 2017, who have attained proficiency in speaking, reading, and writing one or more languages in addition to English. The purpose of the program is to promote linguistic proficiency and cultural literacy in one or more languages in addition to English and to provide recognition of the attainment of those skills by affixing a Seal of Biliteracy to the student’s diploma or transcript at graduation. Participation in the program by a local school system is voluntary; however, if a local school system chooses to participate, an individual school may not opt out. The State Board of Education must adopt regulations to implement the program. The bill takes effect July 1, 2016.

Died

HB0041 - Boards of Education - Anonymous Two-Way Text Messaging Tip Programs
Board Position: Oppose
Outcome: Died
This bill would have required each local board of education to establish a two-way text messaging tip program for students to anonymously report bullying, harassment, or intimidation of a student. The bill did not make it out of the House Ways and Means committee.
HB0251 - Education - Home Instruction Programs - Participation in Clubs and Activities
Board Position: Oppose
Outcome: Died
This bill would have required a local school system to allow a student participating in a home instruction program to participate in the extracurricular clubs and activities (including interscholastic athletics) of the local school system. The bill did not make it out of the House Ways and Means committee.

HB0778 - Education - Students with Disabilities - Study of Parental Consent in the Individualized Education Program Process
Board Position: Oppose
Outcome: Died
As amended, this bill would have required MSDE to convene a work group that consulted with specified stakeholders regarding special education. The work group would have been required to discuss the legal and policy ramifications for obtaining written parental consent before an IEP team may (1) enroll the student in an alternative education program that does not issue or provide credits toward a high school diploma; (2) identify the student for the alternate assessment aligned with the state’s alternate curriculum; (3) use restraint or seclusion to correct the student’s behavior; (4) reduce or terminate the amount of instructional or related services provided to the student; or (5) initiate a change in the student’s educational placement. The bill died in the Senate Rules committee.

HB0921 – Primary and Secondary Education - School Personnel - Training Requirement
Board Position: Oppose
Outcome: Died
This bill would have required the State Board of Education to require, beginning on or before July 1, 2017, all school personnel to complete training each year in the skills required to understand and respond to the social, emotional, and personal development of students, including specified knowledge and skills. The training would have been required to be provided to school personnel during an in-service program, or a professional development requirement that may be met during time designated for professional development. The bill did not make it out of the House Ways and Means committee.

HB1100 – School Counseling Program - Counseling Services – Requirements
Board Position: Oppose
Outcome: Died
This bill would have required each local board of education to require the School Counseling Program in the county to provide counseling services to students during the entire calendar year. The local board of education, in consultation with each public school within its jurisdiction, would have been required to (1) determine the student needs for counseling services during the period of time when schools are not in session for summer break, prioritizing the needs of at-risk students; and (2) develop a plan for meeting those student needs, including consideration of costs,
transportation, and continuity of care. The bill did not make it out of the House Ways and Means committee.

**SB0461 (HB1433) - Education - Prekindergarten Students – Funding**  
*Board Position: Support*  
*Outcome: Died*

This bill would have altered the definition of full-time equivalent (FTE) enrollment used to determine state education aid to public schools. The FTE enrollment, according to the proposed bill, would have included economically disadvantaged four-year-old children who are enrolled, by September 30 of the prior school year, in half-day prekindergarten (multiplied by 0.5) and in full-day prekindergarten. The bill did not make it out of the Senate Budget and Tax Committee.

**SB0464 - Higher Education - College Admissions Outreach Program for High-Achieving Students – Establishment**  
*Board Position: Support*  
*Outcome: Died*

This bill would have established the College Admissions Outreach Program for High-Achieving Students. The purpose of the program was to encourage more low-income, high-achieving students to enroll in an institution of higher education that is a good academic and financial fit for the student. The Maryland Higher Education Commission (MHEC) and MSDE, in collaboration with local boards of education, local superintendents, and institutions of higher education, would have been required to jointly administer the program. The program would have included a grant program for public and private, nonprofit four-year institutions that enroll and graduate eligible students through an approved admissions program. The bill did not make it out of the House Ways and Means committee.

**Fiscal/Legal**

**Passed**

**HB0115 (SB0582) - Education - Robotics Grant Program - Establishment**  
*Board Position: Support*  
*Outcome: Passed with Amendments*

As amended, this bill establishes a Robotics Grant Program to provide grants to public schools in the state to support and expand existing robotics programs. A school is eligible to receive a grant through the program if the school is associated with an existing nonprofit robotics club or has an existing robotics program or club. The governor must appropriate at least $250,000 in the annual state budget for the program. The bill takes effect July 1, 2016.

**HB0352 - Office of Legislative Audits - Local School System Audits – Repeal**  
*Board Position: Support*  
*Outcome: Passed with Amendments*

As amended, this bill establishes a potential exemption to the general requirement that the Office of Legislative Audits (OLA), at least once every six years, conduct an audit of each local school system to evaluate the effectiveness and efficiency of the financial management practices at the
local school system. Beginning in fiscal year 2017, a local school system is exempt from the audit requirement if the county governing body, the county board of education, and the county delegation to the Maryland General Assembly each submits a letter to the Joint Audit Committee requesting an exemption by November 1, 2016, or by November 1 of the last year of the six-year audit cycle for local school systems. However, the Joint Audit Committee may direct OLA to conduct an audit of a local school system at any time. The bill takes effect on October 1, 2016.

**SB0083 - Public Safety - School Safety Enforcement Fund**  
*Board Position: Support*  
*Outcome: Passed with Amendments*  
This departmental bill renames the School Bus Safety Enforcement Fund to be the School Safety Enforcement Fund. The bill expands the allowable uses of the fund to include enhancements to school safety, in addition to the current purpose of addressing the problem of drivers illegally failing to stop for school vehicles. It likewise expands eligibility to receive grants from the fund to local boards of education. However, the bill prohibits a law enforcement agency or local board of education from using a grant from the fund for installing or maintaining a speed monitoring system in or around a school zone. Finally, the bill requires the Executive Director of the Governor’s Office of Crime Control and Prevention (GOCCP) to consider the geographic distribution of grant recipients before making a grant from the fund, and it repeals the existing limit on the initial grant amount that may be awarded, allowing the Executive Director to award more than $35,000 in a fiscal year for use in a single county. The bill takes effect October 1, 2016.

**SB0271 (HB0722) - Capital Grant Program for Local School Systems with Significant Enrollment Growth or Relocatable Classrooms – Funding**  
*Board Position: Support*  
*Outcome: Passed with Amendments*  
As amended, this bill increases from $20.0 million to $40.0 million, beginning in fiscal 2017, the amount the governor is required to include in the annual Capital Improvement Program (CIP) for the Capital Grant Program for Local School Systems with Significant Enrollment Growth or Relocatable Classrooms. The bill also extends – from October 1 to January 15 – the deadline for annual reports to be submitted by specified entities on the progress of replacements, renovations, and maintenance of Baltimore City public school facilities. The bill takes effect June 1, 2016.

**SB0520 (HB0756) - County Boards of Education - School Buses - Motor Fuel Tax Exemption and Refund**  
*Board Position: Support*  
*Outcome: Passed with Amendments*  
This bill exempts from the motor fuel tax, motor fuel that is purchased for use in a vehicle (1) owned by a county board of education or (2) used to transport students by a school bus operator under contract with a county board of education. The bill takes effect July 1, 2016.

**SB0575 - County Boards of Education - Limit on Liability**  
*Board Position: Oppose*
Outcome: Passed
This bill increases the liability limit on a county board of education and the minimum amount of liability coverage a county board of education must maintain from $100,000 to $400,000. The bill also makes a corresponding change to the State Board of Education’s existing statutory requirement to establish standards for these comprehensive liability insurance policies. The bill applies prospectively to causes of action on or after the bill’s October 1, 2016 effective date.

Died
HB0073 (SB0210) - Intercounty Connector - Public School Bus - Exemption from Toll
Board Position: Support
Outcome: Died
This bill would have exempted school buses that are used to transport public school students from any toll or fee charged for using the Intercounty Connector (ICC). This bill was voted unfavorable by the House Environment and Transportation committee. Delegates Robinson, Fraser-Hidalgo, and Carr voted in favor of the bill. Chairman Barve and Delegate Gilchrist voted against the bill.

HB0145 - Public School Labor Relations Board - Renegotiation Procedures and Administration
Board Position: Support
Outcome: Died
This bill would have authorized a local board of education and an employee organization to use an alternative procedure, regarding the renegotiation of funds, if the county government or the Baltimore City government does not approve enough funds to implement a negotiated agreement under specified circumstances. Specified powers of the Public School Labor Relations Board with regards to the administration and enforcement of the collective bargaining process for certificated and noncertificated public school employees would have been altered. The bill did not make it out of the House Ways and Means committee.

HB1108 – Municipal Stormwater Charges - Property Subject to Charges
Board Position: Oppose
Outcome: Died
This bill would have mandated that a municipality, which has established a system of charges to fund the implementation of stormwater management programs (under § 4-204 of the Environment Article); property owned by the state; a unit of state government; a county; a college or university; or a local school system located in the municipality, be subject to those charges if (1) the municipality has established a dedicated stormwater management fund and (2) property owned by the municipality is subject to the charges. The bill did not make it out of the House Environment and Transportation committee.

SB0375 (HB0449) - Relief from Budget Mandates
Board Position: Oppose
Outcome: Died
This Administration bill would have established that, notwithstanding other provisions of law and with specified exceptions, beginning in fiscal year 2019, the governor would not be required to include an appropriation in the budget for any program or item in an amount that exceeds the fiscal year 2018 appropriation for that item or program. Regardless, the General Assembly would not have been able enact legislation that created a new or increased required level of funding in the annual budget bill for a specific program or item unless it also enacted legislation, at that same session, that reduced or repealed an equivalent amount of required funding for the same fiscal year. This bill did not make it out of the Senate Budget and Tax committee.

**Teachers**

*Passed*

**HB0537 (SB0373) - Teachers' Retirement and Pension Systems - Reemployment of Retirees – Clarification**

*Board Position: Support*

*Outcome: Passed*

This bill clarifies that a local school superintendent may hire no more than a combined total of five retirees of the Teachers’ Retirement System (TRS) and Teachers’ Pension System (TPS) to work in any position at any school without the teachers being subject to a reduced retirement allowance. The bill takes effect July 1, 2016.

*Died*

**HB0633 - Education - Teacher and Principal Evaluations - Revisions to Requirements**

*Board Position: Support*

*Outcome: Died*

This bill would have repealed the requirement that the regulations adopted by the State Board of Education include a default model for the performance evaluation of teachers and principals. A local board of education would have been required to establish performance evaluation criteria for teachers and principals that is mutually agreed upon by the local school system and the exclusive employee representative using the collective bargaining process. The performance evaluation criteria should have incorporate data on student growth, rather than include it as a significant component of the evaluation and as one of multiple measures. Finally, the bill repealed the provision prohibiting any performance evaluation criteria from using student growth data, based on state assessments, to make personnel decisions before the 2016–2017 school year. The bill did not make it out of the House Ways and Means committee.

**HB0934 (SB0674) - Teachers' Retirement and Pension System - Employer Contribution for Local Employees**

*Board Position: Support*

*Outcome: Died*

This bill would have capped at 4.05 percent the normal cost rate used to calculate each local board of education’s share of the employer contribution for the Teachers’ Retirement System (TRS) and Teachers’ Pension System (TPS). The cap would have applied to Fiscal Year 2017 only if the State’s Fiscal 2017 Budget, as enacted, includes funding to make up the difference between the
4.05 percent rate and the actual normal cost rate. Otherwise, the cap would have taken effect in Fiscal Year 2018. The bill was voted unfavorable by the House Appropriations committee.

**SB0832 (HB1228) – Education - Grounds for Discipline**  
*Board Position: Opposed*  
*Outcome: Died*  
This bill would have allowed a local educator to request binding arbitration, instead of a hearing before the county board of education, within 10 days of being notified that the individual was subject to suspension or dismissal based on charges of immorality, misconduct in office, insubordination, incompetency, or willful neglect of duty. If the individual’s request for a hearing did not explicitly request arbitration, it is considered a request for a hearing before the county board of education. The bill did not make it out of the Senate Finance committee.

**Schools**  
*Passed*  
**SB0494 (HB0713) - State Department of Education - Community-Partnered School Behavioral Health Services Programs - Reporting System and Report (School Behavioral Health Accountability Act)**  
*Board Position: Support*  
*Outcome: Passed*  
This bill requires MSDE, in consultation with DHMH, local boards of education, and other interested stakeholders, as determined by MSDE, to develop and implement a standardized reporting system to determine the effectiveness of community-partnered school behavioral health service programs. The standardized reporting system must use measures that collect data on the outcomes of students who receive behavioral health services, including a student’s academic, behavioral, social, and emotional functioning and progress. By December 1, 2017, and every two years thereafter, MSDE must submit a report that provides an analysis of the effectiveness of community-partnered school behavioral health services programs. The bill takes effect July 1, 2016.

**SB0586 - Department of Health and Mental Hygiene - Regional Institutes for Children and Adolescents - Report Before Closure**  
*Board Position: Support*  
*Outcome: Passed*  
This bill requires DHMH to submit a report to the Governor and the Senate Finance, Senate Budget and Taxation, House Health and Government Operations, and House Appropriations committees justifying the closure of a Regional Institute for Children and Adolescents (RICA) before the facility may be closed. The committees have 60 days to review and comment on the report. The report must include (1) the reasons for the closure; (2) the plan to serve the RICA’s target population after the closure; (3) the budgetary savings anticipated from the closure compared to the costs to serve the RICA’s target population in other settings; (4) the plan to assist state employees displaced by the closure in finding other employment; and (5) the plan for the RICA facility. The bill takes effect July 1, 2016.
HB0029 - Education - Participants in Youth Sports Programs - Concussions - Penalties for Coaches
Board Position: Opposed
Outcome: Died
This bill would have required a local board of education, on the recommendation of a local superintendent, to suspend a coach who violates specified provisions relating to the removal from play of a student who is suspected of sustaining a concussion or other head injury in a practice or game and the return to play of the student. The local board of education would have had to follow a specified process prior to suspending a coach, which includes an opportunity for a hearing and appeal of a decision to the State Board of Education. The bill did not make it out of the House Ways and Means committee.

HB0142 - Education - Health and Safety - Emotional Health Awareness Programs
Board Position: Opposed
Outcome: Died
This bill would have required each local school system to implement a program to provide awareness of the five signs of emotional suffering to students, parents and guardians, school personnel, and coaches. Each local school system would have been required to also implement a program to provide all secondary student athletes and coaches with the tools to have a positive and character-building youth sports experience. The bill did not make it out of the House Ways and Means committee.

HB0198 - Primary and Secondary Education - Security - School Resource Officers
Board Position: Opposed
Outcome: Died
This bill would have required at least one school resource officer to be assigned to each public school. If a public school did not have at least one assigned school resource officer as of August 1, 2016, the school’s local superintendent must hire a retired law enforcement officer to serve as the school’s school resource officer. This bill did not make it out of the House Ways and Means committee.

HB0620 - Elementary and Secondary Education - Required Number of School Days – Repeal
Board Position: No Position
Outcome: Died
This bill would have repealed the minimum number of school days (180) that a public school must be open for pupil attendance in a school year while maintaining the 1,080-school-hour minimum during a 10-month period. The bill did not make it out of the House Ways and Means committee.

HB0681 - Vehicle Laws - School Vehicles – Definition
Board Position: Opposed
Outcome: Died
This bill would have expanded the definition of a “school vehicle” to include a vehicle that (1) was originally titled in another state and used to transport children, students, or teachers for educational purposes or in connection with a school activity in that state; (2) meets standards and requirements for registration as a Type II school vehicle in Maryland; (3) complies with federal regulations (45 CFR 1310) for transporting children enrolled in the federally-funded Head Start program; and (4) is used only for transporting children to and from a Head Start program. This bill did not make it out of the House Environment and Transportation committee.

HB0725 - Handguns - School Employees - Handgun Permits and Carrying Weapons on School Property
Board Position: Opposed
Outcome: Died
This bill would have authorized a county board of education (including Baltimore City) to authorize school employees in the local school system to carry a handgun on school property. A school employee would have been able to carry a handgun under this authorization if the handgun is secured on the person’s body. This bill did not make it out of the House Judiciary committee.

HB0836 - Educational Institutions - Notice of Criminal Activity and Threats to Safety
Board Position: Opposed
Outcome: Died
This bill would have established notification requirements for employees of “educational institutions” who observe or receive information about actual or potential crimes of violence by students or other parties or potential threats to the safety of students and staff. This bill was jointly assigned to the House Judiciary and House Ways and Means committee; it was voted unfavorable by both committees, and all Montgomery County Delegates voted in opposition to the bill.

HB0996 - Education - Public School Holidays - Easter Monday
Board Position: Support
Outcome: Died
This bill would have repealed the requirement that the Monday after Easter be designated as a public school holiday. Instead, each local board of education would have been authorized to designate the Monday after Easter as a public school holiday. The bill did not make it out of the House Ways and Means committee.

HB1375 – Public Schools and Libraries - Access to Obscene Materials and Child Pornography – Prohibited
Board Position: Opposed
Outcome: Died
This bill would have prohibited a local board of education, a public school, the State Library Resource Center, regional resource centers, metropolitan cooperative service programs, the Maryland Library for the Blind and Physically Handicapped, and county libraries from allowing access to materials that are obscene or constitute child pornography, including access via the use of a wireless Internet connection. These entities would have been required to adopt and implement
policies and procedures to prevent access to such materials through any interactive computer service and must submit these policies and procedures to the state superintendent of schools for review. The state superintendent, or designee, would have been required to regularly monitor these entities to determine if each is complying with the adopted policies and procedures discussed above. The state superintendent would have been required to authorize the state comptroller to withhold relevant state funds if any of the entities is noncompliant with provisions of the bill. This bill did not make it out of the House Ways and Means committee.

**HB1473 – Public Schools - School Vehicles - Three-Point Seat Belts**  
*Board Position: Opposed*  
*Outcome: Died*

This bill would have required every school vehicle purchased after January 1, 2018, and registered in the state to be equipped with three-point seat belts for every seat on the school vehicle. Local school systems would have been required to provide student instruction on school vehicle safety and the proper use of seat belts on school vehicles, as part of an existing program of safety education. A person would not have been allowed to operate a school vehicle unless the person and each occupant under 16 years old are restrained by a seat belt. A person convicted of a violation of this requirement would have been subjected to a fine of up to $50. “Seat belt” is defined as any belt, strap, harness, or like device. Persons responsible for pupils on a school vehicle may not allow any pupil to stand while the school vehicle is in motion. This bill was voted unfavorable by the House Environment and Transportation committee with Chairman Barve, Delegate Robinson, Delegate Gilchrist, and Delegate Carr voting in opposition to the bill. Delegate Fraser-Hidalgo voted in support of the bill.

**SB0183 - School Vehicles - Seat Belts - Requirements**  
*Board Position: Opposed*  
*Outcome: Died*

This bill would have required every school vehicle registered in the State to be equipped with seat belts for every seat on the school vehicle. A person would not have been allowed to operate a school vehicle unless the person and each occupant under 16 years old are restrained by a seat belt. A person convicted of a violation of this requirement would have been subject to a fine of up to $50. “Seat belt” was defined as any belt, strap, harness, or like device. Also, persons responsible for pupils on a school vehicle may not allow any pupil to stand while the school vehicle is in motion. The bill did not make it out of the Senate Judicial Proceedings committee.

**SB0267 (HB0955) - Public Schools - Voluntary Nonsectarian Prayer at School-Sponsored Student Events**  
*Board Position: Opposed*  
*Outcome: Died*

This bill would have required local boards of education to allow nonsectarian student-initiated voluntary prayer during mandatory and voluntary school-sponsored student events, including assemblies, athletic events, graduation and commencement ceremonies, and any other school-
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sponsored student event. The bill did not make it out of the Senate Education, Health, and Environmental Affairs committee.

**SB0269 - Education - Public School Holidays - Veterans' Day**

*Board Position: Oppose*

*Outcome: Died*

This bill would have designated Veterans’ Day as a public school holiday. The bill would have also removed Veterans’ Day from the list of days for which a part of the day must be devoted to appropriate exercises. This bill was voted unfavorable by the Senate Education, Health, and Environmental Affairs committee with both of the Montgomery County Senators voting unfavorable.

**SB0767 (HB1349) - Education - Beginning of School Year - After Labor Day**

*Board Position: Oppose*

*Outcome: Died*

This bill would have required local school systems in the State to establish a post-Labor Day start date for students, including students in publicly funded prekindergarten programs, beginning with the 2016–2017 school year. This bill was voted unfavorable by the Senate Education, Health, and Environmental Affairs committee with both of the Montgomery County Senators voting unfavorable.

PRS:prs

Copy to:

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