



**Karen B. Salmon, Ph.D.**  
State Superintendent of Schools

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TO: Members of the Maryland State Board of Education

FROM: Karen B. Salmon, Ph.D

DATE: February 26, 2019

SUBJECT: Maryland General Assembly Legislative Update

**PURPOSE:**

The purpose of this item is to provide a status update of primary and secondary education-related bills that are currently before the 2019 Maryland General Assembly.

**EXECUTIVE SUMMARY:**

Tiffany Johnson Clark will update the members of the State Board of Education on significant legislation that has been introduced thus far during the 2019 legislative session.

**ACTION:**

For information only. No action required.

**Maryland State Board of Education**  
**Legislative Synopsis**  
**February 26, 2019**

**Bills for State Board Discussion:**

**Administrative Issues**

**HB 390 - State Department of Education - Employment Categories and Practices**

Sponsor: Jones

Hearing: 2/12; Committee: APP

*Similar Bill: SB 422 (Benson)*

*Status: Favorable with Amendments Report from APP.*

**State Board submitted a letter of opposition**

- Alters the employment categories of certain professional assistants within MSDE.
- Reclassifies special appointment positions within MSDE, except those who perform a significant policy role or provide direct support to a member of the executive service, to positions in the professional or skilled service under the State Personnel Management System (SPMS).
- By July 1, 2019, MSDE must determine which employment classifications at MSDE would ordinarily be described as being in the skilled or professional service. Beginning on July 1, 2019, all employees hired by MSDE in those classifications must be hired, promoted, or transferred in accordance with the requirements for skilled or professional employees under SPMS.
- *Amendments: add a sponsor to the bill. Technical amendment.*

**SB 422 - State Department of Education - Employment Categories and Practices**

Sponsor: Benson

Hearing: 3/1; Committee: FIN

*Similar Bill: HB 390 (Jones)*

**HB 87 - State Board of Education – Membership – Teachers and Parent**

Sponsor: Ebersole

Hearing: 2/7; Committee: W&M

*Crossfile: SB 529*

*Status. Favorable with Amendments Report from W&M. Passed House Floor (98-40). In EHE.*

**State Board submitted a letter of opposition**

- This bill increases the membership of the State Board of Education from 12 to 15 members by adding 2 certified teachers and 1 parent of a student enrolled in a public school.
- For teacher members, the Governor selects a member from a list jointly submitted by the Maryland State Education Association and the Baltimore Teachers Union.
  - The teacher member may not vote on any matters that relate to appeals to the State Board regarding suspension or dismissal of teachers, principals, or other professional personnel.
- For parent members, the Governor selects a member from a list submitted by the Maryland Parent Teacher Association.
- *Amendments:*

- *specify that one teacher must have experience teaching K-6 grade and one teacher must have experience teaching 7-12 grade;*
- *authorize the teacher members and parent member to attend and participate in executive sessions of the State Board; and*
- *prohibits the teacher members from voting on matters that relate to educational appeals.*

**SB 529 - State Board of Education - Membership - Teachers and Parent**

Sponsor: Zucker

Hearing: 2/13; Committee: EHE

Crossfile: *HB 87 (Ebersole)*

Status: *no movement as of 2/22*

**State Board submitted a letter of opposition**

**SB 222 - Appointment of County Superintendent of Schools - Disapproval by State Superintendent of Schools**

Sponsor: Nathan-Pulliam

Hearing: 2/6; Committee: EHE

Crossfile: *HB 357 (Ebersole)*

Status: *no movement as of 2/22*

**State Board submitted a letter of opposition**

- Establishing that the State Superintendent of Schools may disapprove an appointment of a county superintendent only if the candidate does not meet certain qualifications.

**HB 357 - Appointment of County Superintendent of Schools - Disapproval by State Superintendent of Schools**

Sponsor: Ebersole

Hearing: 2/14; Committee: W&M

Crossfile: *SB 222 (Nathan-Pulliam)*

Status: *no movement as of 2/22*

**State Board submitted a letter of opposition**

**HB 238 - Education - Removal of County Superintendents - Procedures**

Sponsor: Atterbeary

Hearing: 2/7; Committee: W&M

Crossfile: *SB 747 (Lam)*

Status: *no movement as of 2/22*

- Authorizes a county board to file a complaint with the State Superintendent of Schools requesting the removal of a county superintendent and specifying the manner in which a county board may file the complaint.
- Authorizes a county superintendent to request a hearing before the State Superintendent or an arbitrator.

**SB 747 - Education - Removal of County Superintendents – Procedures**

Sponsor: Lam

Hearing: 2/13, Committee: EHE

Crossfile: *HB 238 (Atterbeary)*

Status: *no movement as of 2/22*

### **HB 45 - Accountability in Education Act of 2019**

Sponsor: Administration

Hearing: 3/7; Committee: W&M

*Crossfile: SB 92 (Administration)*

- This bill establishes the Education Monitoring Unit (EMU) as an independent unit in the State. This bill also establishes an Inspector General position in the EMU.
  - The EMU is authorized to investigate whether civil rights of certain individuals are being upheld, analyze issues of child abuse and neglect, graduation requirements, assessments, procurement, among others, and report on instances of fraud, abuse, and waste.
  - EMU may make inquiries and obtain information, hold hearings, have access to MSDE's, county board, and local school system records, and issue subpoenas.
  - EMU must establish an anonymous tip program to report violations.
- This bill establishes an Inspector General Selection and Review Commission in the EMU.
- This bill is an emergency bill.

### **SB 92 - Accountability in Education Act of 2019**

Sponsor: Administration

Hearing: 2/6; Committee: EHE

*Crossfile: HB 45 (Administration)*

*Status: no movement as of 2/22*

## **School Calendar**

### **HB 53 - County Boards of Education – Length of School Year – Adjustments**

Sponsor: Chang

Hearing: 2/14; Committee: W&M

*Crossfile: SB 131 (King)*

*Status: no movement as of 2/22*

- This bill clarifies that a county board of education to extend the length of the school year for *any* reason up to 5 school days beyond June 15 without the approval of the State Board *or any other entity*.
- This bill is an emergency bill.

### **SB 131 - County Boards of Education – Length of School Year – Adjustments**

Sponsor: King

Hearing: 1/30; Committee: EHE

*Crossfile: HB 53 (Chang)*

*Status: no movement as of 2/22*

### **SB 128 - County Boards of Education – School Year – Start and End Dates**

Sponsor: Pinsky and King

Hearing: 1/30; Committee EHE.

*Crossfile: HB 437 (Ebersole)*

*Status: Favorable Report from EHE. Passed Senate (31-13). In W&M*

- This bill repeals a provision that authorizes a county board of education to extend the length of the school year for up to 5 days beyond June 15 without the approval of the State Board of Education.

- This bill requires each county board of education to set the start and end date of the school year for the public schools in the county.

**HB 437 - County Boards of Education - School Year - Start and End Dates**

Sponsor: Ebersole

Hearing: 2/14; Committee: W&M

Crossfile: SB 128 (Pinsky and King)

Status: no movement as of 2/22

- Requires each local board of education to set start and end dates each year for public schools in the county.
- Repeals any law prohibiting a local board from beginning or ending its school year before or after a certain date.

**HB 587 - Education - Public School Holidays - Veterans' Day**

Sponsor: Wilson

Hearing: 2/21 – hearing canceled; Committee: W&M

- Requiring Veteran’s Day to be a public school holiday.

**HB 1043 - Education - Required Number of School Days or Hours**

Sponsor: Adams

Hearing: 2/28; Committee: W&M

- Alters the requirement that public schools be open for at least 180 days and a minimum of 1,080 hours during a 10-month period in each school year to require that the schools be open for at least 180 days **or** a minimum of 1,080 hours during a 10-month period in each school year.

**HB 1078 - Education - Public School Holidays - Presidents' Day and Easter**

Sponsor: Guyton

Hearing: 2/28; Committee: W&M

- Repeals a provision of law designating Presidents' Day and the Monday after Easter as public school holidays.
- Requires public schools to devote part of the day to appropriate exercises for the observance of Presidents' Day.

**Curriculum/Assessments/Grading**

**HB 371 - State Board of Education - Financial Literacy Curriculum - Graduation Requirement**

Sponsor: Walker

Hearing: 2/14; Committee: W&M

Status: no movement as of 2/22

**MSDE submitted a letter of information**

- Requires the State Board of Education to develop curriculum content for a half-semester-long course in financial literacy.
- Requires each local board of education to implement the curriculum in every high school under the board’s jurisdiction, and a student must complete the course in order to graduate from high school.

### **HB 1138 – State Board of Education – Financial Literacy Course and Exam – Graduation Requirement**

Sponsor: Shoemaker

Hearing: 3/8; Committee: W&M

- Requires the State Board of Education to develop curriculum content for a ½ credit course in financial literacy on or before July 1, 2020.
- Requires each county board of education to implement the financial literacy curriculum content developed by the State Board in public high schools beginning in the 2020-2021 school year.
- Makes passing a course in financial literacy a graduation requirement.

### **SB 416 - Education - Curriculum - Holocaust and Genocide Unit (Lessons of the Holocaust and Genocide Act)**

Sponsor: Kramer

Hearing: 2/13; Committee: EHE

*Status: no movement as of 2/22*

- Requires public middle schools and high schools and nonpublic middle schools and high schools that receive State money to include in the curriculum a unit of instruction on the Holocaust and genocide.
- Requires the State Board of Education to develop guidelines for instructional content on the Holocaust and genocide that is age-appropriate.
- Encourages nonpublic middle schools and high schools that do not receive State money to include in the curriculum a unit of study on the Holocaust and genocide.

### **HB 567 - Education - Public and Nonpublic High Schools - Organ and Tissue Donation Awareness Instruction**

Sponsor: Queen

Hearing: 2/21; Committee: W&M

*Status: no movement as of 2/22*

- Requires each county board of education to provide age-appropriate instruction on organ and tissue donation and registration as part of the personal and consumer health curriculum in grades 9 through 12 in public schools by the 2020-2021 school year.
- Encourages non-public high schools to provide age-appropriate instruction on organ and tissue donation and registration.

### **HB 631 - High School Graduation Requirements - Student Service - Fire-Fighting Training and Volunteer Hours**

Sponsor: Adams

Hearing: 2/21; Committee: W&M

- Providing that if a student is required to complete hours for student service in order to graduate, then fire-fighting training and volunteer hours may be used to satisfy the student service requirement.

**HB 985 - Public High Schools – Science Credit Requirement – Computer Science and Computer Programming**

Sponsor: Rose

Hearing: 3/8; Committee: W&M

- Authorizes a student to satisfy one science credit by completing a credit in computer science or computer programming.

**HB 1211 - Education - Foreign Language Requirement - Computer Programming Language Courses**

Sponsor: Rose

Hearing: 3/8; Committee: W&M

- Authorizes county boards of education to authorize students to satisfy a State or county middle or high school foreign language requirement by completing a course in computer programming language.
- Requires the State Board of Education to adopt regulations that establish the computer programming language courses that fulfill the requirements of the bill.

**HB 1224 – County Boards of Education – Computer Science Courses**

Sponsor: Rose

Hearing: 3/8; Committee: W&M

- Requires each county board to submit to the State Board of Education the total number of computer science classes offered, among other things, beginning in the 2022-2023 school year.

**HB 1019 - State Board of Education - Public High School Students - Assessments and Graduation Requirements**

Sponsor: Guyton

Hearing: 2/28; Committee: W&M

- Requires the State Board to administer an assessment no later than the 11<sup>th</sup> grade to determine whether a student is ready for college level classes in ELA and math to a sample of high school students in the State during the 2019-2020 school year and prohibits the State Board from using the assessment to evaluate a student in any way for graduation from high school.
- Requires the State Board to administer the above assessment to all high school students in the State during the 2020-2021 school year and prohibits the State Board from using the assessment to evaluate a student in any way for graduation from high school.

**SB 757 - Primary and Secondary Education - Assessments - Limitation of Administration (One Day in May Act)**

Sponsor: Klausmeier

Hearing: 3/6; Committee: EHE

- Alters the method for determining the amount of time devoted to the administration of federal, State, and locally mandated assessments.
- Limits the amount of time that is devoted to the administration of these assessments to not more than 1 school day and a school day in May.

### **SB 544 - Education - No-Zero Grading Policy – Prohibition**

Sponsor: Salling

Hearing: 2/13; Committee: EHE

Status: no movement as of 2/22

- Prohibits a county board of education from establishing a no-zero grading policy.

### **HB 948 – Education – Advanced Placement Examination Fees – State Payment**

Sponsor: Washington

Hearing: 2/28; Committee: W&M

- Requires county boards must pay the AP exam fees for public school students in the county beginning in the 2019-2020 school year.
- Requires the State Board of Education to reimburse the county board for the AP exam fees paid in the prior fiscal year.

## **Miscellaneous**

### **SB 617 - Free College, Career Skills, and Youth Apprenticeship Act of 2019**

Sponsor: Rosapepe

Hearing: 3/6; Committee: EHE

- Establishes the Career and Technology Education Committee. The Committee is an independent unit within the Gov’s Workforce Development Board, and the State Superintendent is a member. The Committee must build a framework for providing CTE to Maryland’s students.
- Requires county boards of education to report to the State Board the number of students who complete the College and Career Readiness standard adopted by the State Board beginning in FY 2022.
- Requires the State Board to adopt an assessment method that measures whether a student is ready for community college-level coursework in ELA, mathematics, and science by the end of 10th grade starting in the 2020-2021 school year.
- Requires the State Board to periodically review the assessment and adjust it to global standards and State workforce needs. It must also conduct research to analyze whether NCEE standards are comparable to global standards.
- Requires the State Board to coordinate and consult with MHEC and the Governor’s Workforce Development Boards to carry out the charges of this legislation.
- Requires the State Board to adopt regulations for the required provision of counseling services to assist students in choosing a post-CCR pathway.
- Requires the State Board to give high school graduation credit for programs recommended by the Skills Standards Advisory Committee and approved by the Career and Tech Education Committee.

### **HB 733 – Primary and Secondary Education – Community Schools – Established**

Sponsor: Ebersole

Hearing: 2/28; Committee: W&M

Crossfile: SB 611 (Washington)

- Establishes community schools in the State.



### **HB 950 – State Department of Education – School Discipline - Data Collection**

Sponsor: Washington

Hearing: 2/28; Committee: W&M

- Requires MSDE to publish all discipline-related data on the Maryland Report Card website at the State, local, and individual school level.
- Requires MSDE to disaggregate and publish any data related to disproportionate disciplinary practices.

### **HB 1208 – Board of Restorative Practices in Schools – Establishment**

Sponsor: Washington

Hearing: 2/28; Committee W&M

- Establishes the Board of Restorative Practices in Schools
- The State Superintendent of Schools and the President of the State Board of Education would be members of the Board.

### **SB 653 - County Boards of Education - Establishing Innovative Regional Schools - Authority (Cross-County Attendance to Achieve Efficiency Act of 2019)**

Sponsor: Hester

Hearing: 2/26; Committee: EHE

- Establishes regional community schools that offers special courses and admits students from different school systems based on an MOU between the LEAs.
- Provides that the State Board and State Superintendent do not have approval authority over the creation of these schools.

### **HB 356 - Primary and Secondary Education - Nonpublic Schools - Required Information**

Sponsor: Patterson

Hearing: **hearing canceled**; Committee: W&M

- Requires each nonpublic school to submit certain information to MSDE on or before September 1 of each year.
- Authorizes the State Board of Education to revoke the certificate of approval or church exempt registration of a nonpublic school that fails to submit required information.
- Requires a nonpublic school to submit certain information if the State Board requests it.
- Requires MSDE to make public the accreditation, curricula, and courses of study information provided on MSDE's website.
- Requires the State Board of Education to adopt regulations.

### **Bills for Information:**

#### **HB 330 - Education - County Boards of Education - County Superintendent Contracts**

Sponsor: Miller

Hearing: 2/14; Committee: W&M

*Status: no movement as of 2/22*

- Requires a county superintendent's contract that is entered into after June 1, 2020 to include a provision that maximum cash settlement received may not exceed a certain amount.

- Prohibits the maximum cash settlement from including anything other than cash, except for health benefits.
- Prohibits a county superintendent who was removed for certain reasons to receive a maximum cash settlement.

### **SB 159 - Building Opportunity Act of 2019**

Sponsor: Administration

Hearing: 2/27 at 1pm, Committee: B&T

*Crossfile: HB 153 (Administration)*

- Requires IAC to make recommendations to the Maryland Stadium Authority for projects which require the IAC to approve 75% of the total anticipated school construction funding in December, recommend 90% to the General Assembly in March, and approve the final school construction allocations in May.
- Requires IAC to develop a management requirement waiver permitting LEAs to manage construction projects if they employ adequate staff and possess the necessary resources.
- Provides that IAC must be a party to a memorandum of understanding required between the MSA, IAC, and county board of education and/or county government before a facility project is approved from the Building Opportunity Facilities Fund.

### **HB 153 - Building Opportunity Act of 2019**

Sponsor: Administration

Hearing: 2/28; Committee: APP

Crossfile: SB 159 (Administration)

### **SB 165 - Safe Schools Maryland Act of 2019**

Sponsor: Administration

Hearing: 2/6; Committee: EHE

*Crossfile: HB 148 (Administration)*

*Status: no movement as of 2/22*

- Establishes the Safe Schools Maryland Program within the Center for School Safety for anonymous reporting of behaviors of concern, which codifies the Safe Schools Maryland Tip Line that began operation on October 3, 2018.
- Protects information shared through the tip line under the Public Information Act.
- Requires the Subcabinet to develop guidance for the implementation of the Program in local school systems by September 1, 2019.
- Requires the Subcabinet to provide a summary every year on the nature and number of tips received with the first report due by July 15, 2020.

### **HB 148 - Safe Schools Maryland Act of 2019**

Sponsor: Administration

Hearing: 3/7; Committee: W&M

*Crossfile: SB 165 (Administration)*

### **SB 167: Pathways in Technology Early College High (P-TECH) Expansion Act of 2019**

Sponsor: Administration

Hearing: 2/20; Committee: EHE

*Crossfile: HB 152*

*Status: no movement as of 2/22*

- Removes provision that restricts further P-TECH grants being awarded beyond FY19 until the 2016-2017 cohort of P-TECH students complete 6-year pathway.

### **HB 152 - Pathways in Technology Early College High (P-TECH) Expansion Act of 2019**

Sponsor: Administration

Hearing: 3/7; Committee: W&M

*Crossfile: SB 167 (Administration)*

### **SB 169 - State Personnel Recruitment Modernization Act of 2019**

Sponsor: Administration

Hearing: 2/14 at 1pm, Committee: FIN

*Crossfile: HB 158 (Administration)*

*Status: no movement as of 2/22*

- Removes seniority credit in the application process for individuals that have been in State service.
- Removes language that limits flexibility for job announcement and position vacancy posting within departments.
- Provides flexibility for the hiring agency to make a selection from a candidate pool of 20 instead of 10 without requiring additional selection testing.

### **HB 158 - State Personnel Recruitment Modernization Act of 2019**

Sponsor: Administration

Hearing: 2/28; Committee: APP

*Crossfile: SB 169 (Administration)*

### **SB 172 - Public Charter School Facility Fund**

Sponsor: Administration

Hearing: 2/27; Committee: B&T/EHE

*Crossfile: HB 156(Administration)*

- Provides funding to public charter schools to acquire, plan, develop, finance, construct, lease, maintain, and repair facilities.
- The Governor must annually appropriate funding based on the total enrollment multiplied by \$1,600, which is to administered by MSDE.
- MSDE must establish award procedures that notify or distribute funds to applicants not longer than 45 days after an application is received.

### **HB 156 - Public Charter School Facility Fund**

Sponsor: Administration

Hearing: 2/28; Committee: APP

*Crossfile: SB 172 (Administration)*

### **SB 576 - Student Victim of Violent Crime - Option to Transfer or Require Offender to Transfer Schools**

Sponsor: Salling

Hearing: 3/6; Committee: EHE

- Authorizes victims of a violent crime during the academic school day or at a school-sponsored event to request a transfer to another county school within the school system.
- Authorizes the victim or the victim's representative to request that the offender be transferred to another county school within the school system under certain circumstances.
- Requires the State Board to adopt regulations.

### **SB 578 - Public Schools - Student Discipline - In-School Suspensions**

Sponsor: Salling

Hearing: 2/13 – hearing canceled; Committee: EHE

- Authorizes the principal of a public school to require a student to serve an in-school suspension for cause.
- Authorizes the principal of a public school to require a parent or guardian of a student serving an in-school suspension to attend 1 day of the in-school suspension with the student for a conference.

### **HB 486 - Education - Personnel Matters - Child Sexual Abuse and Sexual Misconduct Prevention**

Sponsor: Wilson

Hearing: 2/14; Committee: W&M

*Crossfile: SB 541 (Lam)*

*Status: no movement as of 2/22*

- County boards, nonpublic schools, and contracting agencies must require applicants who will have direct contact with minors in a position to provide contact information for their current employer, and all previous employers where the applicant had direct contact with minors.
- An applicant must also sign a release regarding access to job performance records at the prior positions mentioned above, and a written statement regarding whether they've ever had a license/certificate suspended, had to resign/been fired due to, or were the subject of, child sexual abuse or sexual misconduct investigations.
- Employer must report relevant information collected to the Department, and can request information on the applicant's eligibility for employment and certification status.

### **SB 541 - Education - Personnel Matters - Child Sexual Abuse and Sexual Misconduct Prevention**

Sponsor: Lam

Hearing: 2/13; Committee: EHE

*Crossfile: HB 486 (Wilson)*

*Status: no movement as of 2/22*

### **HB 536 - Education - Public Charter Schools - Virtual Learning Programs**

Sponsor: Boteler

Hearing: 2/21; Committee: W&M

*Status: no movement as of 2/22*

- Alters the definition of public charter school to include "virtual learning programs".

**SB 221 - Workgroup on Establishing an Independent School Board for the Juvenile Services Education System**

Sponsor: Kelley

Hearing: 2/6; Committee: EHE

Crossfile: *HB 1223 (Moon)*

Status: *no movement as of 2/22*

- Establishing the Workgroup on Establishing an Independent School Board for the Juvenile Services Education System - the State Superintendent is a member of the workgroup.
- The workgroup would review the budget, mission, curriculum, staff calendar, and identify ways to reform juvenile education services to remove disparities.
- The workgroup must report its recommendations and findings to the General Assembly before December 20, 2020.

**HB 1223 - Workgroup on Establishing an Independent School Board for the Juvenile Services Education System**

Sponsor: Moon

Hearing: 2/21; Committee: JUD/W&M

Crossfile: *SB 221 (Kelley)*

Status: *no movement as of 2/22*

**HB 295 - Nonpublic Elementary and Secondary Schools - Discrimination - Prohibition**

Sponsor: Wilkins

Hearing: 2/14; Committee: W&M

Crossfile: *SB 848 (McCray)*

Status: *no movement as of 2/22*

- Prohibits nonpublic schools that receive State funds from refusing enrollment, expelling, withholding privileges, or otherwise discriminating against a student or prospective student because of race, color, religion, sex, age, national origin, marital status, sexual orientation, gender ID, or disability.
- Makes the above discrimination a “discriminatory act” under the Maryland Civil Rights Commission.

**SB 848 - Nonpublic Elementary and Secondary Schools - Discrimination - Prohibition**

Sponsor: McCray

Hearing: 2/14; Committee: JPR

Crossfile: *HB 295 (Wilkins)*

Status: *no movement as of 2/22*

**SB 75 - Juvenile Services Education Program - Employees - Employment Contracts and Leave**

Sponsor: Departmental – MSDE

Hearing: 1/24; Committee: FIN

Status: *no movement as of 2/22*

- Restricts the length of employee contracts and alters the leave policies for teachers and librarians in the Juvenile Services Education Program.
- Prohibits, except in extenuating circumstances, a teacher, librarian, or principal at an institution under the jurisdiction of JSEP from rescinding an employment contract after July 15.
- Authorizes MSDE to suspend an individual’s professional certification for one year if the individual rescinds an employment contract after July 15.

**HB 1074 - Education - Juvenile Services Education Programs - Management and Operation**

Sponsor: Cain

Hearing: 2/28; Committee: W&M

- Alters the categories of individuals who are authorized to be employed or contracted to provide education services for a 10-month or 2-month period with a salary commensurate with the period of employment.
- Extends the date by which MSD must convene a workgroup to analyze the results of the Juvenile Services Education County Pilot Program to January 1, 2020.
- Extends the deadline for the workgroup to report to December 1, 2020.