



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

TO: Members of the Maryland State Board of Education

FROM: Karen B. Salmon, Ph.D

DATE: May 21, 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 passed during the 2019 Maryland General Assembly legislative session.

EXECUTIVE SUMMARY:

The members of the State Board of Education will receive an update on significant legislation that passed during the 2019 legislative session. The members will also receive an update on new legislative reporting requirements that MSDE must complete as well as a complete list of MSDE's legislative reporting requirements for the 2019 calendar year.

ACTION:

For information only. No action required.

**Maryland State Department of Education
2019 Legislative Summary**

This legislative summary is specific only to bills and budget language from the 2019 Legislative Session

State Board of Education

SB 465/ HB 1186	Nonpublic Schools – Fire Drill Requirements – State Fire Prevention Code
Bill Synopsis	<ul style="list-style-type: none"> This bill requires each nonpublic school in the State to (1) hold fire drills in accordance with the State Fire Prevention Code; (2) keep records of each fire drill; and (3) send a copy of the records to the State Board of Education.
Departmental Responsibilities	<ul style="list-style-type: none"> The State Board must receive a copy of the fire drill records for each nonpublic schools in the State.
Responsible Division	State Board of Education
Funding	None

HB 844	Public Schools – School Psychologists – Report
Bill Synopsis	<ul style="list-style-type: none"> Requires each local school system to submit an interim and final report (to the State Board, Governor, Senate EHE Committee, and House W&M Committee) on school psychologists in the local school system. The reports must include specified information including the current ratio of school psychologists to students in each public school and include strategies (including any additional State and local funding) to, by October 1, 2020, (1) have at least one school psychologist at schools with fewer than 700 students, and (2) for schools with 700 students or more students, have a ratio of not less than one school psychologist for every 700 students. Each local school system must submit an interim report by July 1, 2020, and a final report by December 1, 2020.
Departmental Responsibilities	<ul style="list-style-type: none"> State Board must receive required reports from local school systems.
Responsible Division	State Board of Education
Funding	None

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SB 529/HB 87	State Board of Education – Membership – Teacher and Parent Members
Bill Synopsis	<ul style="list-style-type: none"> • Increases the membership of the State Board of Education from 12 to 14 members, by adding 1 certified teacher who is actively teaching and 1 parent of a student enrolled in a public school, and establishes processes to appoint these members. • The Governor must appoint the teacher and parent members with the advice and consent of the Senate. The teacher member who received the highest number of votes after an election by teachers in the State must be appointed by the Governor. For the parent member, the Governor must appoint the parent member from a list of three qualified individuals submitted by the Maryland Parent Teacher Association. • A teacher or parent member may attend and participate in an executive session of the State Board; however, a teacher member may not vote on any matter that relates to appeals to the State board related to the suspension or dismissal of teachers, principals, and other professional personnel.
Departmental Responsibilities	<ul style="list-style-type: none"> • MSDE must provide notice of a teacher member vacancy to (1) all certified teachers who are actively teaching in the State and (2) all teachers’ organizations representing teachers in the State for purposes of collective bargaining. • The elections must be conducted under regulations adopted by MSDE. MSDE may consult with the State Retirement Agency of the Maryland State Retirement and Pension System to conduct the election. • MSDE must provide notice of a parent member vacancy to the Maryland PTA. • Initial teacher member begins on January 1, 2020 and serves for 2 years and 6 months. Initial parent members begins on January 1, 2020 and services 3 years and 6 months.
Responsible Division	State Board of Education
Funding	None

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HB 725	Public Schools – Student Discipline – Restorative Approaches
Bill Synopsis	<ul style="list-style-type: none"> • Defines “restorative approaches” as a relationship-focused student discipline model that (1) is primarily proactive and preventative; (2) emphasizes building strong relationships and setting clear behavioral expectations that contribute to the school community well-being; (3) in response to behavior that violates clear behavioral expectations, focuses on accountability for any harm done by the problem behavior; and (4) addresses ways to repair the relationships affected by the problem behavior with the voluntary participation of an individual who was harmed. • Requires local school board regulations related to discipline to provide for restorative practices and state that the primary purpose of any disciplinary measure is rehabilitative, restorative, and educational. • Requires the State Board to provide technical assistance and training to county boards on the use of restorative approaches upon request. • Requires MSDE to report on student discipline data that includes a description of the uses of restorative approaches in the State and a review of disciplinary practices and policies in the State on or before October 1 of each year.
Departmental Responsibilities	<ul style="list-style-type: none"> • Requires the State Board to provide technical assistance and training to county boards on the use of restorative approaches upon request. • Requires MSDE to report on student discipline data that includes a description of the uses of restorative approaches in the State and a review of disciplinary practices and policies in the State on or before October 1 of each year.
Responsible Division	Student Support, Academic Enrichment, and Educational Policy
Funding	None

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Multiple Divisions

SB 1030	The Blueprint for Maryland’s Future
Bill Synopsis	<ul style="list-style-type: none"> • Establishes The Blueprint for Maryland’s Future as State education policy, based on the recommendations of the Commission on Innovation and Excellence in Education. • Establishes the Concentration of Poverty School Grant Program, the Teacher Collaborative Grant Program, the Teacher Salary Incentive Grant Program, and the Workgroup to Study the Maryland State Department of Education and the Maryland Higher Education Commission, among other programs and provides funding in fiscal 2020 and mandates funding in fiscal 2021 and 2022, as specified, and for The Blueprint for Maryland’s Future Fund, which succeeds the Commission special fund. • Establishes a Maryland Office of the Inspector General for Education. Any funds restricted for purposes of the bill in the fiscal 2020 budget that are not transferred or released by the Governor must be distributed in fiscal 2021, in addition to other funds required to be distributed by the bill in fiscal 2021.
Departmental Responsibilities	<ul style="list-style-type: none"> • Teacher Salary Incentive Grant Program <ul style="list-style-type: none"> ○ MSDE must administer this program and provide grants to county boards to increase teacher salaries to improve recruitment and retention of high-quality teachers. In each of fiscal 2020 and 2021, the State must provide a grant to a local board if the local board provides a negotiated and funded average salary increase for teachers of at least 3.0% in fiscal 2020. Grant money may be used only to provide an additional salary increase to teachers and priority must be given to increasing starting teacher salaries and salaries for teachers with less than five years of teaching experience. • Teacher Collaborative Grant Program <ul style="list-style-type: none"> ○ MSDE, in consultation with the MHEC, must awards grants to multiple collaboratives in various regions of the State to develop model, state-of-the-art, professional development programs for prospective and current teachers. • Medicaid Data <ul style="list-style-type: none"> ○ MSDE and the Maryland Department of Health must take steps toward the use of Medicaid data as part of the Direct Certification process to identify low-income students. MSDE must include the capability to verify student eligibility using Medicaid data in the new information technology system that is currently under development. MSDE and MDH must enter into a memorandum of understanding to allow for the sharing of

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Medicaid eligibility data between the two departments by **December 1, 2020**.

- **Special Education Study**
 - The due date for the report on the findings and recommendations of the special education study report required under Chapter 715 of 2017, and expanded under Chapter 361 of 2018 to **December 1, 2019**.

- **Concentration of Poverty School Grant Program**
 - This program provides grants to public schools in which at least 80% of the students are eligible for free and reduced-price meals.
 - For both fiscal 2020 and 2021, \$126,170 is provided to **MSDE** to fund one director of community schools in **MSDE**.

- **Maryland Office of the Inspector General for Education**
 - The bill establishes the Office of the Inspector General for Education. The I.G. is responsible for examining local boards of education, local school systems, and public schools; nonpublic schools that receive State funds; **MSDE**; and the **Interagency Commission on School Construction**.

- **Outreach and Training**
 - **MSDE**, in consultation with DLS, must enter into agreements necessary to provide outreach, educational materials, and appropriate training to specified parties on the vision, skills, and knowledge needed to implement The Blueprint.

- **Workgroup to Study MSDE and MHEC**
 - This workgroup must study and make recommendations regarding the capability of **MSDE** and MHEC to carry out their responsibilities and duties and to implement The Blueprint. By December 31, 2019, the workgroup must report its findings and recommendations to the Governor and the General Assembly. **MSDE** is not staffing the workgroup but must provide any information requested.

- **School Based Health Centers Report**
 - MDH and **MSDE** must (1) consult with the Council on the Advancement of School-Based Health Centers and other interested stakeholders to develop a plan to build a sustainable sponsorship model by expanding the type of organizations that can sponsor school-based health centers and (2) report their findings to the

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	Governor and General Assembly on or before November 1, 2019 .
Responsible Division	Educator Certification and Program Approval, Student Support, Academic Enrichment, and Educational Policy, School and Community Nutrition Programs, Interagency Commission on School Construction, Chief of Staff, and Early Intervention and Special Education Services.
Funding	<p>Teacher Salary Incentive Grant Program: For both fiscal 2020 and 2021, the State must distribute \$75.0 million to eligible counties for the grants.</p> <p>Teacher Collaborative Grant Program: For each of fiscal 2020 and 2021, the State must distribute at least \$2.5 million for the program and may retain up to 3% to administer the program.</p> <p>Outreach and Training: For both fiscal 2020 and 2021, the State must distribute at least \$250,000 to MSDE to provide outreach, educational materials, and appropriate training on the vision, skills, and knowledge needed to implement the Blueprint.</p>

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Educator Certification and Program Approval

SB 541/HB 486	Education – Personnel Matters – Child Sexual Abuse and Sexual Misconduct Prevention
Bill Synopsis	<ul style="list-style-type: none"> • Establishes a process, including requirements for specific documentation regarding whether an individual has ever been disciplined for allegations of “child sexual abuse” or “sexual misconduct,” for the hiring of public school and nonpublic school employees who have direct contact with minors.
Departmental Responsibilities	<ul style="list-style-type: none"> • Before hiring an applicant for a position involving direct contact with minors, a county board, nonpublic school, or contracting agency must request a report from MSDE regarding the applicant’s eligibility for employment or certification status to determine whether the applicant holds a valid and active certification and has been the subject of professional discipline related to child sexual abuse/sexual misconduct. <ul style="list-style-type: none"> ○ MSDE must make a form for employers to send information to a county board, nonpublic school, or contracting agency regarding applicants for a position involving direct contact with minors. • A county board, nonpublic school, or contracting agency that receives information and records about an applicant may report information to MSDE as appropriate. • MSDE must notify county boards, nonpublic schools and contracting agencies within 48 hours if there is a lapse in the operation of or MSDE suspends the use of a system or database that is used to check an applicant’s eligibility for employment or certification status. • MSDE may initiate disciplinary action before a hearing officer against an applicant, employee, contracting agency, or school administrator for willful violations of the act. • MSDE may adopt regulations establishing procedure for disciplinary proceedings and the assessment of penalties relating to the act.
Responsible Division	Educator Certification and Program Approval
Funding	None

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Student Support, Academic Enrichment, and Educational Policy

HB 725	Public Schools – Student Discipline – Restorative Approaches
Bill Synopsis	<ul style="list-style-type: none"> • Defines “restorative approaches” as a relationship-focused student discipline model that (1) is primarily proactive and preventative; (2) emphasizes building strong relationships and setting clear behavioral expectations that contribute to the school community well-being; (3) in response to behavior that violates clear behavioral expectations, focuses on accountability for any harm done by the problem behavior; and (4) addresses ways to repair the relationships affected by the problem behavior with the voluntary participation of an individual who was harmed. • Requires local school board regulations related to discipline to provide for restorative practices and state that the primary purpose of any disciplinary measure is rehabilitative, restorative, and educational. • Requires the State Board to provide technical assistance and training to county boards on the use of restorative approaches upon request. • Requires MSDE to report on student discipline data that includes a description of the uses of restorative approaches in the State and a review of disciplinary practices and policies in the State on or before October 1 of each year.
Departmental Responsibilities	<ul style="list-style-type: none"> • Requires the State Board to provide technical assistance and training to county boards on the use of restorative approaches upon request. • Requires MSDE to report on student discipline data that includes a description of the uses of restorative approaches in the State and a review of disciplinary practices and policies in the State on or before October 1 of each year.
Responsible Division	Student Support, Academic Enrichment, and Educational Policy
Funding	None

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HB 1019	State Board of Education – Public High School Students – Assessments and Graduation Requirements
Bill Synopsis	<ul style="list-style-type: none"> Allows the State Board to require a passing score on a standardized assessment to evaluate a student for graduation from high school <i>only</i> after the assessment has been field-tested and piloted for at least one year.
Departmental Responsibilities	<ul style="list-style-type: none"> MSDE must field-test and pilot for at least one year an assessment before requiring a passing score on the assessment for graduation from high school.
Responsible Division	Assessment, Accountability, and Information Technology/Student Support, Academic Enrichment, and Educational Policy
Funding	None

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Early Intervention and Special Education Services

HB 611	Special Education – Individualized Education Programs – Timeline for Independent Educational Evaluations
Bill Synopsis	<ul style="list-style-type: none"> • Authorizes a parent who disagrees with the educational evaluation regarding a child’s IFSP, IEP, or special education services to request an independent educational evaluation at public expense in accordance with regulations adopted by MSDE. • The local school system must provide a written response approving or denying a request within 30 days of the date the request was made. If the local school system approves a request, the written response must advise the parent of the process for arranging the evaluation at public expense. • If the local school system denies a request, the local school system must file a due process complaint within 30 days of the date of the denial.
Departmental Responsibilities	<ul style="list-style-type: none"> • Requires MSDE to adopt regulations.
Responsible Division	Early Intervention and Special Education Services
Funding	None

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Curriculum, Instructional Improvement and Professional Learning

SB 734	Education – Students with Reading Difficulties – Screenings and Interventions
Bill Synopsis	<ul style="list-style-type: none"> This bill requires, beginning with the 2020-2021 school year, each local school board to ensure that specified students are screened to identify if the student is at risk for reading difficulties. If the screening results indicate that the student is at risk of reading difficulties, the local board must provide supplemental reading instruction, as appropriate, and provide a notification letter to the student’s parent as specified.
Departmental Responsibilities	<ul style="list-style-type: none"> MSDE must develop and update resources for local boards every four years and provide technical support to local boards allowing them to provide technical support and training opportunities annually. Beginning with the 2020-2021 school year, on or before October 1, each county board must report to MSDE certain information and MSDE must make the information available on the website. On or before June 1, 2020 and every 4 years thereafter, MSDE must develop and update resources for county boards to use and make the resources developed available on MSDE’s website. MSDE must adopt regulations to implement the statute.
Responsible Division	Curriculum, Instructional Improvement, and Professional Learning
Funding	<ul style="list-style-type: none"> Money appropriated in accordance with the Blueprint for Maryland’s Future must be used to offset the cost of implementing the bill.

All Divisions/Offices

SB 404/HB 47	State Department of Education and Maryland Department of Health – Maryland School-Based Health Center Standards – Revisions
Bill Synopsis	<ul style="list-style-type: none"> Requires MSDE and the Maryland Department of Health (MDH) to revise Maryland school-based health center (SBHC) standards to (1) repeal current requirements that SBHCs have a medical director who is a physician and that a physician consultant be available to SBHC staff to discuss clinical issues as needed and (2) authorize a licensed physician or nurse practitioner to serve as a clinical director or consultant of an SBHC by August 1, 2019.
Departmental Responsibilities	<ul style="list-style-type: none"> MSDE and MDH must revise SBHC standards.

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Responsible Division	Student Support, Academic Enrichment, and Educational Policy
Funding	None

SB 127	Public School Attendance – Homeless Children
Bill Synopsis	<ul style="list-style-type: none"> • Updates references to federal law regarding school stability for children who are homeless or not in stable living arrangements to reflect changes in ESSA and the federal McKinney-Vento Homeless Assistance Act.
Responsible Division	Student Support, Academic Enrichment, and Education Policy
Funding	None

HB 1349	Public Schools – Students with Sickle Cell Disease – Revisions
Bill Synopsis	<ul style="list-style-type: none"> • Extends the dates by which MSDE and the Maryland Department of Health (MDH) must (1) develop guidelines for public schools regarding the administration of health care services to students with sickle cell disease to August 1, 2019 and (2) provide technical assistance to schools in implementing the guidelines to September 1, 2019. • Extends the deadline for MSDE and MDH to report on the implementation of Chapters 385 and 386 of 2018 from December 1, 2018, to December 1, 2020.
Departmental Responsibilities	<ul style="list-style-type: none"> • MSDE and MDH must continue to develop guidelines and provide technical assistance on implementing the guidelines. • MSDE and MDH must report on the implementation of the guidelines and providing technical assistance.
Responsible Division	Student Support, Academic Enrichment, and Educational Policy
Funding	None

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2019 JCR p.167	Socio-economic Integrated Schools
JCR Language	The committees are interested in the effectiveness of programs that are voluntary for students and their families that allow for more socio-economic integration of public schools. This includes programs that could be run within local school districts in Maryland or programs that could be run across districts, similar to the Metropolitan Council for Educational Opportunity program in Massachusetts. Therefore, the committees request that the Maryland State Department of Education (MSDE) submits a report on the effectiveness of these programs, the different methods for how they could be implemented in Maryland, and if they would be effective as turnaround strategies under the federal Every Student Succeeds Act. This report should be submitted to the committees by November 1, 2019 .
Responsible Division	Student Support, Academic Enrichment, and Educational Policy
Funding	None

2019 JCR p.19	Centers for Independent Living Oversight
JCR Language	The Division of Rehabilitation Services (DORS) under the Maryland State Department of Education currently oversees seven Centers for Independent Living and the Maryland Statewide Independent Living Council (MSILC) to provide services that promote independent living for individuals with disabilities. The committees request that DORS and the Maryland Department of Disabilities (MDOD), in consultation with MSILC and Centers for Independent Living, submit a report by September 1, 2019 , regarding the actions needed to transfer oversight of the centers to MDOD. The report should include all necessary actions for the transfer, an estimated timeline for implementation, and a description of any actions that MDOD and DORS plan to take in fiscal 2020.
Responsible Division	DORS
Funding	None

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2019 JCR p.111	Services for Transitioning Youth
JCR Language	<p>The committees are concerned that youth with developmental disabilities receiving services through the Division of Rehabilitation Services (DORS) under the Maryland State Department of Education or the Department of Human Services (DHS) age out and do not always transition to similar adult services funded by the Developmental Disabilities Administration (DDA). Before November 1, 2019, DDA should work with DORS and DHS to submit a report regarding the transition process for these individuals. The report should:</p> <ul style="list-style-type: none"> • describe how the agencies interact with each other to ensure that youth continue to receive the appropriate level of services; • clarify at what age youth with developmental disabilities are identified as transitioning youth and what steps are taken by each agency to begin the transition to DDA-funded services; • provide the actual number of transitioning youth with developmental disabilities, separated by age, served by each agency in fiscal 2017 through 2019; • provide the actual number of transitioning youth who aged out of DORS and/or DHS programs in fiscal 2017 through 2019 and, of these youth, the number that received DDA services in the following year; • provide the actual number of youth who aged out of DORS and/or DHS programs that were not eligible for DDA services; and • list the services provided to transitioning youth who aged out of DORS and/or DHS programs in fiscal 2017 through 2019 before and after they aged out.
Responsible Division	DORS
Funding	None

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2019 JCR p.109	Early Outreach for Community Services
JCR Language	The committees are concerned that families with school-age children who may be eligible for community services through the Developmental Disabilities Administration (DDA) are not aware of the agency’s services. Before October 1, 2019 , the Maryland State Department of Education (MSDE) should work with DDA to submit a report that describes the methods currently used by both agencies to inform families of DDA services. The report should include examples of outreach material or notices provided to families and students specifically about services for children with developmental disabilities. Additionally, the report should describe how the regional DDA offices work with local school systems to connect families to applicable services.
Responsible Division	Early Intervention and Special Education Services/DORS
Funding	None

SB 856	Juvenile Justice Reform Council
Bill Synopsis	<ul style="list-style-type: none"> • Establishes the Juvenile Justice Reform Council. • The Council is required to: <ul style="list-style-type: none"> ○ Develop a statewide framework of policies to invest in strategies to increase public safety and reduce youth recidivism; ○ Research best practices for the treatment of juveniles who are subject to the criminal and juvenile justice system; and ○ Identify and make recommendations to limit or mitigate risk factors that contribute to juvenile contact with the criminal and juvenile justice systems. • The Council must submit an interim report on December 1, 2019 and a final report on December 1, 2020.
Departmental Responsibilities	The State Superintendent of Schools (or designee) is a member of the Council.
Responsible Division	Juvenile Services Education
Funding	None

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2019 JCR p.166-167	Maximizing Medicaid Claims for School-based Services
JCR Language	<p>Various recent reports have had multiple findings regarding opportunities for local education agencies (LEA) to potentially claim Medical Care Programs Administration (Medicaid) funding. This includes a report from a consulting firm hired to review Medicaid under the Maryland Department of Health (MDH) that found that LEAs could potentially claim Medicaid for administrative services. Meanwhile, the Office of Legislative Audits found that Baltimore City Public Schools (BCPS) did not obtain Social Security numbers for all of its students or review denied claims in order to maximize Medicaid reimbursement; this issue may not be isolated to BCPS. Therefore, the Maryland State Department of Education (MSDE) and MDH, in consultation with local boards of education, should convene a workgroup to review and make recommendations on how local jurisdictions could maximize Medicaid claims for school-based services, including for administrative services, and on how LEAs may safely and securely receive student Social Security numbers through the State’s direct certification system. MSDE and MDH should provide the findings from their review and their recommendations to the committees no later than November 1, 2019.</p>
Responsible Division	School and Community Nutrition Programs
Funding	None

HB 109	Environment – Expanded Polystyrene Food Service Products - Prohibition
Bill Synopsis	<ul style="list-style-type: none"> Prohibits the use of expanded polystyrene in food service businesses, including cafeterias operated by units of State and local government and schools (public, nonpublic, and institutions of high educations). The prohibition goes into effect on July 1, 2020. MDE, in consultation with schools and MSDE, must conduct a public education and outreach antilittering campaign.
Departmental Responsibilities	<ul style="list-style-type: none"> MDE, in consultation with schools and MSDE, must conduct a public education and outreach antilittering campaign.
Responsible Division	School and Community Nutrition Programs
Funding	None

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HB 338/SB 218	Human Services – Food Supplements (Summer SNAP for Children Act)
Bill Synopsis	<ul style="list-style-type: none"> • This bill establishes a process for the State to provide additional funding to supplement benefits received under the Food Stamp Program for children. Under this process, participating counties must provide matching funds. • The combined State and county supplement must be used to increase the benefit by at least \$30 per child in the months of June, July, and August and \$10 per child in December. • The bill also renames the Food Stamp Program as the Food Supplement Program.
Departmental Responsibilities	<ul style="list-style-type: none"> • If federal funding is available, the Department of Human Services, in consultation with MSDE, must annually apply for a grant from the U.S. Department of Agriculture to implement a Summer Electronic Benefit Transfer for Children demonstration project.
Responsible Division	Office of School and Community Nutrition Programs
Funding	<ul style="list-style-type: none"> • The Governor must include at least \$200,000 in the annual budget to fund the supplements.

SB 181/HB 248	Education – Child Care Subsidies – Mandatory Funding Level
Bill Synopsis	<ul style="list-style-type: none"> • Alters the Governor's required appropriation, beginning in fiscal year 2021, to increase the Child Care Subsidy Program reimbursement rate to the 60th percentile of the most recent market rate survey or the equivalent.
Responsible Division	Early Childhood
Funding	<ul style="list-style-type: none"> • Requires the Governor to appropriate funds for fiscal 2021 and each fiscal year thereafter in an amount sufficient to raise the program's provider reimbursement rates to a minimum of the sixtieth percentile of the most recent market rate survey or its equivalent.

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2019 JCR p.168	Child Care Subsidy Program
JCR Language	<p>Recent changes to the Child Care Subsidy (CCS) program, specifically lifting enrollment freezes, expanding income eligibility, and increasing provider reimbursement rates, are expected to increase program participation and overall expenditures beginning in fiscal 2019. Following considerable overestimates of Child Care and Development Fund spending related to new requirements under the Child Care Development Block Grant (CCDBG) reauthorization, the Maryland State Department of Education (MSDE) carried over some federal funds for future expenditures. These carried over federal funds, in addition to an increase in the CCDBG appropriation in federal fiscal 2018 and 2019, are expected to support increased CCS expenditures in fiscal 2019 and 2020. However, general fund expenditures are expected to increase in future years as federal funds become insufficient to support the full impact of the changes to the CCS program. Therefore, MSDE should report quarterly on CCS expenditures, including the amount of CCDBG funds being spent from previously reserved funds, the amount of newly authorized funds, and the amount from general funds. The reports should include the current balance of unexpended federal funds from prior year CCDBG awards. In its August 1, 2019 report, MSDE should provide data as it relates to the CCS program in fiscal 2019. These reports should disaggregate CCDBG funding used directly for subsidies and funding used by MSDE Headquarters in support of the overall CCS program specified by purpose. MSDE should also report quarterly on the percentile of market rate for subsidies statewide and by region. The quarterly reports should also include the total number of children and families receiving CCS per month and the number of children and families receiving CCS who are newly eligible as a result of the emergency regulation effective August 1, 2018. Finally, MSDE should include in its reports whether it is maintaining a CCS waiting list, and if so, how many children are on the waiting list.</p> <p>MSDE must also report on November 1, 2019, February 1, 2020, and May 1, 2020.</p>
Responsible Division	Early Childhood
Funding	None

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2019 JCR p.169	Early Childhood Education Funding for Children with Disabilities
JCR Language	The committees are interested in the effectiveness of programs that are voluntary for students and their families that allow for more socio-economic integration of public schools. This includes programs that could be run within local school districts in Maryland or programs that could be run across districts, similar to the Metropolitan Council for Educational Opportunity program in Massachusetts. Therefore, the committees request that the Maryland State Department of Education (MSDE) submits a report on the effectiveness of these programs, the different methods for how they could be implemented in Maryland, and if they would be effective as turnaround strategies under the federal Every Student Succeeds Act. This report should be submitted to the committees by November 1, 2019 .
Responsible Division	Early Childhood/Early Intervention and Special Education
Funding	None

2019 JCR p.165	Maryland Prekindergarten Expansion Program Financing Fund
JCR Language	The committees are concerned that enrollment in publicly funded prekindergarten decreased by 1,666 children, or 5.2%, in fiscal 2018. Before December 1, 2019 , the Maryland State Department of Education (MSDE) should provide a report with publicly funded half-day and full-day prekindergarten enrollment data by age and by jurisdiction for fiscal 2017 through 2020. The report should include an analysis of the causes for the recent decline in enrollment. MSDE should also describe all outreach methods used to increase enrollment in publicly funded prekindergarten programs.
Responsible Division	Early Childhood
Funding	None

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SB 677/HB 1384	Deaf or Hard of Hearing Individuals – Support for Parents
Bill Synopsis	<ul style="list-style-type: none"> • Alters the Hearing Aid Loan Bank Program within MSDE by (1) renaming the program and associated loan bank to the Hearing Aid and Language and Communication Video Loan Bank; (2) expanding eligibility to individuals aged 21 and younger who haven't graduated high school; (3) expanding the program's purpose and function; and (4) extending the loan period from 6 months to 1 year. • A parent of a deaf or hard of hearing child is exempt from paying tuition at a public institution of higher education for any course that teaches a language or communication mode chosen to communicate with their child. Hospitals must provide specified information related to newborn hearing screening.
Departmental Responsibilities	<ul style="list-style-type: none"> • In addition to hearing aids, MSDE must provide language and communication videos on a temporary basis and resources that may be downloaded to ensure that individuals have access to resources to teach them language or other means of communication and unbiased information about communications options. • MSDE must also change program to reflect change in eligibility, extended loan period, and addition of language and communication videos.
Responsible Division	Early Intervention and Special Education Services
Funding	The Governor must include an appropriation to the program, specifically for language and communication videos to be loaned, of \$5,000 in fiscal 2021 and \$300 in fiscal 2022 and annually thereafter.

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2019 JCR p.169	Early Childhood Education Funding for Children with Disabilities
JCR Language	The committees are interested in the effectiveness of programs that are voluntary for students and their families that allow for more socio-economic integration of public schools. This includes programs that could be run within local school districts in Maryland or programs that could be run across districts, similar to the Metropolitan Council for Educational Opportunity program in Massachusetts. Therefore, the committees request that the Maryland State Department of Education (MSDE) submits a report on the effectiveness of these programs, the different methods for how they could be implemented in Maryland, and if they would be effective as turnaround strategies under the federal Every Student Succeeds Act. This report should be submitted to the committees by November 1, 2019 .
Responsible Division	Early Childhood/Early Intervention and Special Education
Funding	None

SB 180/HB 132	Education – Robotics Grant Program – Alterations
Bill Synopsis	<ul style="list-style-type: none"> • Makes nonprofit organizations that provide a majority of public school youth with an out-of-school-time experience that focuses on personal and workforce development eligible to receive funding through the Robotics Grant Program, to fund either proposed or existing robotics programs, if the organization is associated with a public school.
Departmental Responsibilities	<ul style="list-style-type: none"> • MSDE currently operates the Robotics Grant Program. • Requires MSDE to award grants to ensure geographic diversity among grantees, to the extent practicable.
Responsible Division	Curriculum, Instructional Improvement, and Professional Learning
Funding	<ul style="list-style-type: none"> • The Governor is required to increase funding for the program in the annual State budget from \$250,000 to \$350,000 beginning in fiscal 2021.

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HB 440	Pathways in Technology Early College High (P-TECH) Expansion Act of 2019
Bill Synopsis	<ul style="list-style-type: none"> • Allows for the award of no more than three new P-TECH planning grants in fiscal 2020 prior to the 2022-2023 school year (fiscal 2023). • Allows planning grants recipients in fiscal 2020 to establish new P-TECH schools prior to the 2023-2024 school year (fiscal 2024).
Departmental Responsibilities	<ul style="list-style-type: none"> • <i>See Above</i>
Responsible Division	Career and College Readiness
Funding	<ul style="list-style-type: none"> • HB 100 (FY 2020 budget) appropriates \$300,000 to the P-TECH program - \$200,000 for planning grants and \$100,000 for MSDE to hire a consultant to perform a review and evaluation of P-TECH schools.

2019 JCR p.166	Evaluation and review of P-TECH Schools
Bill Synopsis	This language makes funding for P-TECH School planning grants contingent on the enactment of legislation ending a moratorium on such planning grants. It also requires that \$100,000 may be used only to hire a consultant to perform a review and evaluation review and evaluation of the P-TECH Schools in Maryland and the opportunities that they provide to Maryland students in achieving technical skills and gaining opportunities for future employment. MSDE shall provide a report of the consultant’s findings to the budget committees by January 1, 2020 .
Departmental Responsibilities	<ul style="list-style-type: none"> • MDE, in consultation with schools and MSDE, must conduct a public education and outreach antilittering campaign.
Responsible Division	School and Community Nutrition Programs
Funding	<i>Further provided that \$100,000 of this appropriation for the purpose of P-TECH School planning grants may not be used for that purpose but instead may be used only for the purpose of the Maryland State Department of Education (MSDE) hiring an outside consultant to perform a review and evaluation of the P-TECH Schools in Maryland and the opportunities that they provide to Maryland students in achieving technical skills and gaining opportunities for future employment.</i>

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HB 245	Education – Student Data Privacy Council
Bill Synopsis	<ul style="list-style-type: none"> • Establishes the Student Data Privacy Council to study the development and implementation of the Student Data Privacy Act of 2015, review and analyze similar laws and best practices in other states, review and analyze developments in technologies as they relate to student data privacy, and make recommendations on statutory changes and repealing the termination date of the act. • The Council must report its findings and recommendations to the Governor and General Assembly, including whether the council should be made permanent by December 31, 2020.
Departmental Responsibilities	<ul style="list-style-type: none"> • The State Superintendent of Schools (or designee) is a member of the Council and must chair the Council. • The State Superintendent must appoint 8 members to the Council. • MSDE must staff the council.
Responsible Division	Assessment, Accountability, and Information Technology
Funding	None

HB 704	Maryland Longitudinal Data System – Student Data and Governing Board
Bill Synopsis	<ul style="list-style-type: none"> • Adds juvenile delinquency records and discipline records to the types of data that are collected and analyzed by MLDS. • Adds the Department of Juvenile Services to the entities required to provide data sets to MLDS and adds the Secretary of Juvenile Services, or the Secretary’s designee, to the Governing Board of the MLDS Center. • Alters the definition of “student data” and the types of data that entities are required to transfer to the MLDS Center.
Responsible Division	Assessment, Accountability, and Information Technology
Funding	None

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HB 1206	Maryland Longitudinal Data System Center – Data Matching
Bill Synopsis	<ul style="list-style-type: none"> • Requires MLDS to develop a protocol that is fully aligned with the center’s data sets and security standards for (1) a local board to convert each student’s home address and geolocation information into census tract and block numbers and (2) MSDE to collect the census tract and block number information from a local board and provide the information to the center. • Requires each local board to convert each student’s home address and geological information into census tract and block numbers in a manner and format that are consistent with the protocol developed by the MLDS Center. This data must be provided to MSDE to be provided to the MLDS Center, as specified. • Requires the MLDS Center and the Comptroller to jointly develop a protocol for research purposes to match student information to tax information. • The Comptroller may not produce any aggregated data that may be identifiable based on the size or uniqueness of the population under consideration. The MLDS Center and the Comptroller must jointly develop data handling and security standards for the Comptroller to utilize for the protocol. The Comptroller must comply with any data privacy and security standards in accordance with FERPA and other relevant privacy laws and policies.
Departmental Responsibilities	<ul style="list-style-type: none"> • MSDE must collect census tract and block number information from each county board for each student in the county. • MSDE must provide the census track and block number information to MLDS. • MLDS must develop a protocol for MSDE to collect the census track and block number information.
Responsible Division	Assessment, Accountability, and Information Technology
Funding	None

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2019 JCR p.164-165	TIF Grant Calculation
JCR Language	<p>The budget committees are concerned that funding provided for tax increment financing (TIF) grants to local boards of education may be based on a calculation that utilizes a valuation of real property for TIF districts that is too large for certain jurisdictions. Supplemental Budget No. 1 for fiscal 2020 includes adjustments to the funding for TIF grants based on the potential overvaluation as well as related adjustments to funding for grants for jurisdictions with declining enrollment, net taxable income grants, and supplemental grants to ensure that all local education agencies receive an increase of at least \$100,000 in direct education aid. This action restricts all of the adjusted funding for these programs in Supplemental Budget No. 1 until the State Department of Assessment and Taxation (SDAT), the Department of Budget and Management (DBM), and the Maryland State Department of Education (MSDE) submit a report to the budget committees on how TIF grants were calculated for fiscal 2020. The language also specifies that any excess funding shall revert to the General Fund, and any shortage in funding shall be provided to local boards of education as a deficiency appropriation. This report should be submitted no later than July 1, 2019.</p>
Responsible Division	Business Services/Policy and Fiscal Analysis
Funding	<p><i>, provided that \$3,060,774 of this appropriation may not be expended until the State Department of Assessments and Taxation, the Department of Budget and Management, and the Maryland State Department of Education submit a report to the budget committees on the calculation of the amount of funding to be provided as tax increment financing grants to local boards of education for fiscal 2020. If the report determines that the calculation is incorrect, any excess funding from the \$3,060,774 shall revert to the General Fund, or any shortage in funding shall be provided to local boards of education as a deficiency appropriation.</i></p>

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2019 JCR p.172-176	BOOST Program Report
JCR Language	<p>Further provided that MSDE shall submit a report to the budget committees by January 15, 2020, that includes the following: (1) the number of students receiving BOOST Program scholarships; (2) the amount of the BOOST Program scholarships received; (3) the number of certified and noncertified teachers in core subject areas for each nonpublic school participating in the BOOST Program; (4) the assessments being administered by nonpublic schools participating in the BOOST Program and the results of these assessments. MSDE shall report the assessment results reported by nonpublic schools to the budget committees in an aggregate manner that does not violate student data privacy; (5) in the aggregate, for each BOOST Program scholarship awarded (a) the nonpublic school and grade level attended by the student; (b) the school attended in the 2019-2020 school year by the student; and (c) if the student attended the same nonpublic school in the 2018-2019 school year, whether, what type, and how much nonpublic scholarship aid the student received in the 2018-2019 school year and will receive in the 2019-2020 school year; (6) the average household income of students receiving BOOST Program scholarships; (7) the racial breakdown of students receiving BOOST Program scholarships; (8) the number of students designated as English language learners receiving BOOST Program scholarships; (9) the number of special education students receiving BOOST Program scholarships; (10) the county in which students receiving BOOST Program scholarships reside; (11) the number of students who were offered BOOST Program scholarships but declined them as well as their reasons for declining the scholarships and the breakdown of students attending public and nonpublic schools for students who declined scholarships; (12) the number of students who received BOOST Program scholarships for the 2018-2019 school year who are attending public school for the 2019-2020 school year as well as their reasons for returning to public schools; and (13) the number of students who received BOOST Program scholarships for the 2018-2019 school year who withdrew or were expelled from the nonpublic schools they were attending and the reasons for which they withdrew or were expelled; the schools they withdrew or were expelled from; and the length of time students receiving BOOST Program scholarships were enrolled at a nonpublic school before withdrawing or being expelled.</p>
Responsible Division	Policy and Fiscal Analysis
Funding	None

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HB 390/SB 422	State Department of Education – Employment Categories and Practices
Bill Synopsis	<ul style="list-style-type: none"> Alters the employment categories of specified professional assistants within MSDE. The bill 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).
Departmental Responsibilities	<ul style="list-style-type: none"> 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.
Responsible Division	Chief of Staff – Human Resources
Funding	None

SB 747/HB 238	Education – Removal of County Superintendents - Procedures
Bill Synopsis	<ul style="list-style-type: none"> Authorizes a county board of education, in addition to the State Superintendent of Schools, to remove a county superintendent. If the State Superintendent chooses to remove a county superintendent, requires the State Superintendent to provide the county superintendent with the reason for removal, documentation supporting the case of removal, and the opportunity to request a hearing before the State Superintendent within 10 days. If a county board chooses to remove a county superintendent, requires the State Superintendent to provide the county superintendent with the reason for removal, documentation supporting the case of removal, and the opportunity to request a hearing before the county board within 10 days. The county superintendent may appeal the decision of the State Superintendent or the county board to the State Board of Education.

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Departmental Responsibilities	<ul style="list-style-type: none"> • The State Superintendent is required to provide a county superintendent that they've chosen to remove with certain information. • The State Board of Education is required to hear appeals from the State Superintendent's and county board's removal decisions.
Responsible Division	Office of the State Superintendent/Chief of Staff
Funding	None

2019 JCR p.164	Sick and Safe Leave for Substitute Employees
JCR Language	<p>The committees are concerned about the ability of local education agencies (LEA) to comply with the requirements of the Maryland Healthy Working Families Act (Chapter 1 of 2018) to provide paid sick and safe leave to substitute employees who work at least the minimum number of hours required to earn paid sick and safe leave. Some LEAs may have recordkeeping processes and systems that are designed to only compensate substitute employees for hours worked and may not account for these substitute employees' earned sick and safe leave. Therefore, each of the 24 LEAs in Maryland should submit to the Maryland State Department of Education (MSDE) descriptions of their current recordkeeping processes and systems for providing sick and safe leave to substitute employees. These submissions should include:</p> <ul style="list-style-type: none"> • how substitute employees receive job assignments; • how substitute employee hours are recorded; • how earned sick and safe leave hours are calculated for substitute employees and accounted for in the LEA's payroll system; and • how substitute employees are able to utilize sick and safe leave under the system, including how a substitute for the substitute employee is identified. <p>MSDE should compile the submissions from LEAs into a report to be provided to the committees by December 1, 2019.</p>
Responsible Division	Human Resources
Funding	None

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SB 318	Education – School Safety Subcabinet Advisory Board – Membership
Bill Synopsis	<ul style="list-style-type: none"> • Adds a representative of nonpublic special education schools to the School Safety Subcabinet Advisory Board. • The new representative will be appointed by the Governor.
Departmental Responsibilities	<ul style="list-style-type: none"> • The School Safety Subcabinet Advisory Board must incorporate the new member.
Responsible Division	Maryland Center for School Safety
Funding	None

HB 1253	Drinking Water Outlets in School Buildings – Lead Testing and Reporting Requirements and Grant Programs
Bill Synopsis	<ul style="list-style-type: none"> • Requires the IAC, in consultation with the Maryland Department of the Environment (MDE) to establish procedures for school systems to request funds to assist with the costs of implementing remedial measures to address the presence of lead in drinking water outlets in school buildings. <ul style="list-style-type: none"> ○ Application process must give priority to applications requesting funds for water fountains or bubblers, then facets or taps that are used for drinking/food preparation, ice makers, and hot drink machines. • Requires MDE, in consultation with MSDE, to establish and administer a grant program to provide grants to local school systems to assist with the costs of implementing remedial measures to address any findings of elevated levels of lead in drinking water outlets in schools, address findings of lead concentrations in drinking water outlets in school buildings that exceed 5 parts per billion, etc. • Requires MDE, in consultation with MSDE, to establish application procedures for the grant program. • Requires funding to be made available to award grants in accordance with the law <i>if</i> MDE or MSDE receives any federal funding for addressing the presence of lead in drinking water outlets in school buildings. • Authorizes MDE, in consultation with MSDE to adopt regulations.
Departmental Responsibilities	<i>See above</i>

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Responsible Division	Interagency Commission on School Construction/School Facilities
Funding	None

SB 653	Carroll and Howard County Boards of Education – Establishing Innovative Regional Schools - Authority
Bill Synopsis	<ul style="list-style-type: none"> • Authorizes Carroll and Howard County Boards of Education to establish innovative regional schools, which are schools that (1) offer special courses or curricula for an innovative education program and (2) admit students from one or more local school systems that are party to a binding memorandum of understanding (MOU) outlining each local school board’s responsibilities in governing and financing the schools. The parties to the MOU must identify one local board to govern the innovative regional school. The MOU may establish required payments of each county served by an innovative school and the source of funds shall be limited to county appropriations. • Provides that innovative regional schools are eligible for funding under the public school construction program. • Authorizes innovative regional schools to be established without the approval of the State Board of Education or the State Superintendent of Schools.
Departmental Responsibilities	<ul style="list-style-type: none"> • The IAC must study and develop a State and local cost-share formula for county boards of education that choose to collaborate and operate a regional school and report on their findings on or before January 1, 2020.
Responsible Division	Interagency Commission on School Construction
Funding	None