

**2022 Legislative Session**  
**February State Board Legislative Summary**  
**February 22, 2022**

## **MSDE and State Board Flexibility**

**Senate Bill 794 - State Department of Education - Procurement and Personnel Actions**

Sponsor: Senator Guzzone

Hearing: 3/1; Committee: Budget and Taxation

**MSDE Position: Support**

- This bill authorizes the **State Board** of Education to appoint or hire employees of MSDE who are not subject to or controlled by certain provisions of law that govern the State Personnel Management System.
- It requires the **State Board** to establish certain policies and guidelines governing the hiring or appointment, compensation, advancement, and termination of personnel.
- It also exempts MSDE from certain provisions of procurement law related to the implementation of the Blueprint for Maryland's Future.

## **Child Care**

**House Bill 376 - Outdoor Preschool License Pilot Program - Establishment**

Sponsor: Delegate Guyton

Hearing: 2/10; Committee: Ways and Means

**MSDE Position: No Position**

- This bill would establish the Outdoor Preschool License Pilot Program within MSDE to license 5-10 outdoor, nature-based early learning and child care programs in order to expand access to affordable, high-quality early learning programs and to investigate the benefits of outdoor, nature-based classrooms. It would also allow MSDE to waive certain licensing requirements to get the pilot program up and running.
- The **State Board** shall adopt regulations, in consultation with various stakeholder groups to carry out the requirements in the bill.

### House Bill 993 - Child Care Capital Support Revolving Loan Fund – Established

Sponsor: Delegate Solomon

Hearing: 3/4; Committee: Ways and Means

Crossfile: Senate Bill 919 (King)

***MSDE Position: TBD***

- As written, this bill would establish the Child Care Capital Support Revolving Loan Fund as a special, nonlapsing fund with \$35 million over three fiscal years to provide no-interest loans for capital expenses to child care providers who participate in the Child Care Scholarship Program.
- It would require the State Department of Education to administer the Fund and require the Department of Commerce to publicize the availability of loans from the Fund.

### House Bill 995 - Early Childhood Development – Child Care Scholarship Program – Alterations

Sponsor: Delegate Solomon

Hearing: 3/4; Committee: Ways and Means

Crossfile: Senate Bill 919 (King)

***MSDE Position: TBD***

- This bill would require MSDE to establish a process for granting presumptive eligibility for a subsidy under the Child Care Scholarship Program and would require the Department to award a subsidy to an individual who submits certain proof of eligibility.
- It would prohibit the Department from requiring an individual to take various actions to be eligible for a certain subsidy (such as pursuing child support) and would require the Department to pay a certain child care provider within 10 days of receipt of an invoice from a child care provider.

## Curriculum

### House Bill 489 - Commission on History, Culture, and Education

Sponsor: Delegate Acevero

Hearing: 2/10; Committee: Ways and Means

***MSDE Position: No Position***

- This bill would establish the Commission on History, Culture, and Civics in Education to make recommendations to the **State Board of Education** and the State Department of Education to further the discovery, interpretation, and learning of the history, culture, and civics of the United States and Maryland and explore the contributions of various historically underrepresented minority groups.
- It would require the Commission to report its findings and recommendations to the **State Board**, the Governor and the General Assembly by December 30 each year, beginning in 2022.

### House Bill 630 - Public High Schools - Financial Literacy Pilot Program - Establishment

Sponsor: Delegate Brooks

Hearing: 2/17; Committee: Ways and Means

**MSDE Position: Letter of Information**

- This bill requires the **State Board of Education** to establish a Financial Literacy Pilot Program for public school students, including public charter school students, in Grades 11 and 12. The curriculum content in the Pilot Program shall include lessons on budgeting, saving money, debt, investments, amortization, interest and other issues as appropriate by the **State Board**.
- Each public school may implement the curriculum content beginning in the 2023-2024 school year.
- The **State Board** may adopt regulations to carry out the bill, and the bill requires a report to the General Assembly on the status of the Program by January 1, 2027.

### House Bill 950 - Public Schools - Civics Education Award Program

Sponsor: Delegate Kittleman

Hearing: 2/25; Committee: Ways and Means

**MSDE Position: No Position**

- This bill would establish the Civics Education Award Program to award \$1,000 to 40 randomly selected public school students in grade 12 who achieve a score of 90% or higher on the civics portion of the naturalization test administered by the U.S. Citizenship and Immigration Services.
- The bill requires that by the 2022-2023 school year, the **State Board** determine the means of providing each high school student an opportunity to take the civics test and requires MSDE to provide funding for the awards program.

### House Bill 985 - Education - Public High Schools - Financial Literacy Curriculum and Graduation Requirement

Sponsor: Delegate Walker

Hearing: 2/25; Committee: Ways and Means

**MSDE Position: Lett**

- This bill would require the **State Board of Education** to develop curriculum content for a half-semester-long course in financial literacy and would require each county board of education to implement the financial literacy curriculum content in every public high school in the county.
- Students must complete a course in financial literacy in order to graduate from a public high school.

## House Bill 1190 - Calvert County – Civic Education – Standards and Curriculum (Social Studies Literacy Act)

Sponsor: Delegate Fisher

Hearing: TBD; Committee: Ways and Means

***MSDE Position: No Position***

- This bill would require that United States government courses taught in high schools in Calvert County include a unit on comparative political ideologies, beginning in the 2024-2025 school year.
- It would also require the **State Board of Education** to adopt civic education standards, approve civic education curriculum, and curate certain oral history resources.

## Senate Bill 699 - Public High Schools - Financial Literacy - Curriculum, Graduation Requirement, and Professional Development

Sponsor: Senator Klausmeier

Hearing: 3/8; Committee: Education, Health, and Environmental Affairs

***MSDE Position: Letter of Information***

- This bill would require the **State Board of Education**, in collaboration with the Maryland Council on Economic Education, to develop curriculum content for a course in financial literacy and would require each county board of education to implement the curriculum in every public high school beginning in the 2025-2026 school year
- It would establish the completion of a financial literacy course as a requirement for graduation from high school beginning with the 2029 graduating class.

## Virtual Schools

### Senate Bill 362 - Primary and Secondary Education - Virtual Schools - Revisions

Sponsor: Senator Pinsky

Hearing: 2/16; Committee: Education, Health, and Environmental Affairs

***MSDE Position: Support with Amendments***

- As written, this bill would authorize a county board to establish one additional virtual school per system following a show of just cause to MSDE and it may not include classes for pre-kindergarten or kindergarten students.
- It also caps participation at no more than 10% of the students from a single public school to be enrolled in a virtual school in the county.
- It alters the requirements for virtual schools established by MSDE or a county board of education by requiring a teacher education program to include training in the skills and techniques for teaching effectively in a virtual learning environment.
- It requires that MSDE and the **State Board** adopt in regulations various standards for virtual schools, including the required return to in-person instruction if the student is failing academically in a virtual environment.

## House Bill 1163 - Primary and Secondary Education – Virtual Education – Requirements

Sponsor: Delegate Washington

Hearing: 3/9; Committee: Ways and Means

**MSDE Position: TBD**

- This bill would require the Professional Standards and Teacher Education Board to design a course of training in the pedagogy of virtual education and would require the State Department of Education to provide local school systems with guidance related to the periodic professional development and support for teachers to achieve virtual education best practice principles. This bill adds several training requirements for teacher preparation programs.
- The bill establishes a “Flip the Classroom Pilot Program”, which MSDE shall implement and administer. The purpose of the program is to enable students to learn through recorded lectures and apply lessons from the recorded lessons during classroom time.
- The Pilot Program shall provide teachers with the tools to record lectures to be provided asynchronously to students, and individual schools may opt-in to participate in the program.

## Parental Involvement

### House Bill 618 - Maryland Parental Rights Act

Sponsor: Delegate Cox

Hearing: 2/24; Committee: Ways and Means

**MSDE Position: No Position**

- This bill requires that the **State Board of Education** provide 10 minutes for public comment at each meeting for testimony from parents and guardians.
- It also establishes the “Parents Bill of Rights” which requires county boards of education to provide opportunities for parents to participate and review various aspects of a student’s educational experience - ranging from curriculum review to a review of standardized assessments.

### House Bill 938 - Education - School Accountability - Parent Empowerment and Choice

Sponsor: Delegate Kittleman

Hearing: 3/9; Committee: Ways and Means

**MSDE Position: No Position**

- This bill would authorize parents and legal guardians of students attending public schools to request that county boards of education implement certain intervention strategies, such as a restart model or a school closure model if the school is not meeting State accountability goals after one full year.

- Parents and guardians may gather signatures on a petition of more than 50% of the parents and legal guardians of students impacted by the failing school to request the intervention.
- The **State Board** shall adopt regulations to carry out the bill's requirements.

### **House Bill 953 - Parent and Guardian Rights - Education, Health, and Upbringing of Children**

Sponsor: Delegate Novotny

Hearing: 2/25; Committee: Ways and Means

***MSDE Position: No Position***

- This bill would require the **State Board of Education** and county boards of education to allow at least 10 minutes for testimony at public board meetings from parents and guardians of public school students.
- It requires each county board to establish and adopt policies to promote parental involvement in the public school system and that certain parental rights are reserved to the parents and guardians of minor children. It lays out extensively the ways that the State and other entities are prohibited from infringing on those rights.

## **Certification**

### **House Bill 467 - Education - Teacher Certification - Montessori Schools**

Sponsor: Delegate Ivey

Hearing: 2/10; Committee: Ways and Means

***MSDE Position: No Position***

- This bill would make an individual eligible for a certificate to teach students in a Montessori school if the individual has obtained certain credentials. It authorizes the **State Board of Education** to require an individual to successfully pass an examination to be certified to teach in a Montessori school.
- An individual who obtains certification to teach in a Montessori school may not teach in a public school that is not a Montessori school unless they meet all other appropriate certification requirements.

## **Other Bills**

### **House Bill 472 - Primary and Secondary Education – Title IX – Policies and Procedures (Hear Our Voices Act of 2022)**

Sponsor: Delegate J. Lewis

Hearing: 2/10; Committee: Ways and Means

Crossfile: Senate Bill 887 (Lee)

***MSDE Position: No Position***

- This bill would require the **State Board of Education** by March 31, 2023, in consultation with local school systems to develop policies and procedures for reporting, administering, investigating, and resolving complaints related to incidents of sexual misconduct and violations of Title IX of the Education Amendments of 1972.
- The bill also authorizes a person to bring a civil action against a local school system that fails to comply with certain policies and procedures and to recover damages, reasonable costs, and attorney's fees.

#### **House Bill 547 - Local School Systems - Equivalent Access Standards - Digital Tools (Nonvisual Access Accountability Act for K-12 Education)**

Sponsor: Delegate Guyton

Hearing: 2/24; Committee: Ways and Means

Crossfile: Senate Bill 617 (Zucker)

***MSDE Position: No Position***

- This bill would require a local school system to provide equivalent access to digital tools for students with disabilities, including the development, purchase, and provision of digital tools used by school systems.
- It would also require a local school system to establish a process to evaluate a digital tool under consideration for purchase for equivalent and nonvisual access. requiring a vendor who provided a digital tool that fails to meet equivalent access standards to modify the digital tool at the vendor's expense.
- Except in certain circumstances, the **State Board of Education** shall not approve a procurement contract for a digital tool that fails to meet the accessibility requirements of the bill.

#### **House Bill 832 - Education - Maryland Homeschool Advisory Council - Establishment**

Sponsor: Delegate Ruth

Hearing: 3/3; Committee: Ways and Means

***MSDE Position: No Position***

- This bill establishes the Maryland Homeschool Advisory Council within MSDE to gather information on the needs of homeschool parents and homeschool umbrella schools and provide advice and recommendations to the State Superintendent, the **State Board of Education**, the General Assembly, and the Governor on matters relating to homeschooling.

### House Bill 1235 - Youth Sports Safety Advisory Commission

Sponsor: Delegate Hill

Hearing: TBD; Committee: Ways and Means

**MSDE Position: TBD**

- This bill establishes the Youth Sports Safety Advisory Commission to study and make recommendations to minimize risk and maximize safety for youth athletes.
- It requires the Commission to submit a report of its findings and recommendations to the Governor, the **State Board of Education**, the Maryland Department of Health and the General Assembly by December 31, 2023.

### House Bill 1258 - Primary and Secondary Education – Educational Options – Established

Sponsor: Delegate Kipke

Hearing: TBD; Committee: Ways and Means and Appropriations

**MSDE Position: No Position**

- This bill would formally codify the Broadening Options and Opportunities for Students Today (BOOST) Program and place it within MSDE to provide certain students with scholarships to attend a nonpublic school, if they are eligible for the free and reduced price lunch program.
- It establishes the Maryland Public Charter School Authority as a public chartering authority under the Maryland Public Charter School Program with various powers and responsibilities and repeals the **State Board**'s authority to grant certain waivers to public charter schools.

### House Bill 1268 - Education – Reporting Arrests of Students – Alterations

Sponsor: Delegate Long

Hearing: 3/10; Committee: Judiciary

**MSDE Position: TBD**

- This bill would require a law enforcement agency making an arrest of a student for a reportable offense or an offense related to the student's membership in a criminal organization to report the arrest to the Maryland Center for School Safety, the **State Board of Education**, and the State's Attorney.
- It would also require the State's Attorney to notify the Maryland Center for School Safety and the **State Board** of the disposition of the offense.



**House Bill 1342 - Cannabis – Legalization and Regulation (Cannabis Legalization and Equity Act)**

Sponsor: Delegate Acevero

Hearing: 3/8; Committee: Judiciary

***MSDE Position: TBD***

- This bill would legalize the possession and use of a certain amount of cannabis by a person of at least 21 years of age. 30% of tax revenues generated from the sale of cannabis are to be distributed to MSDE and the **State Board** for use at the discretion of both entities.

**Senate Bill 379 - Caroline County, Charles County, and Prince George's County Boards of Education - Removal of Member**

Sponsor: Senator Klausmeier

Hearing: 2/16; Committee: Education, Health, and Environmental Affairs

***MSDE Position: No Position***

- This bill would remove the requirement that the Governor approve the decision of the **State Board of Education** to remove a member of the Caroline, Charles, or Prince George's County Boards of Education for certain conduct. The **State Board** decision would be final.

## PREVIOUSLY REVIEWED BILLS:

### Curriculum

#### House Bill 47 - Public Schools – Expanded American History – Development of Content Standards and Implementation

Sponsor: Delegate C.T. Wilson

Hearing: 1/20; Committee: Ways and Means

Crossfile: Senate Bill 462 (Lee)

***MSDE Position: Letter of Information***

- This bill would require the **State Board of Education** to develop content standards for expanded American history (to reflect the contributions and history of various traditionally marginalized groups) to be included in the State Standards and Frameworks in Social Studies by December 1, 2022.
- It would also require each county board of education, in collaboration with the local school system, to develop and implement certain curriculum guides for expanded American history and require each public school, by the 2023-2024 school year, to include expanded American history in the social studies curriculum.
- Finally, it would require MSDE and the State Board to jointly analyze the content standards and deliver a report to the General Assembly by October 1, 2023.

#### House Bill 165 - Education - Sexual Abuse and Assault Awareness and Prevention Program - Human and Sex Trafficking

Sponsor: Delegate S. Johnson

Hearing: 1/18; Committee: Ways and Means

***MSDE Position: Letter of Information***

- This bill would require the **State Board of Education** to develop and implement a program of age-appropriate education on the awareness and prevention of sexual abuse and assault that includes material promoting the awareness and prevention of human and sex trafficking for students in grades 6 through 8.

#### House Bill 200 - Education - Public Middle and High Schools - Financial Literacy Curriculum and Graduation Requirement

Sponsor: Delegate Amprey

Hearing: 1/27; Committee: Ways and Means

***MSDE Position: Letter of Information***

- This bill would require MSDE to update the Maryland State Curriculum for Personal Financial Literacy Education and corresponding financial literacy

standards to include content related to managing loans and taxes. **The State Board** shall develop online or virtual curriculum content for a one-semester long high school course in financial literacy, establish a Financial Literacy Week, and adopt necessary regulations.

- County boards shall offer the financial literacy content beginning in the 2023-2024 school year.

#### **Senate Bill 116 - Public Schools - Inclusive and Diverse English Language Arts - Development of Content Standards and Implementation**

Sponsor: Senator Ellis

Hearing: TBD; Committee: Education, Health, and Environmental Affairs

***MSDE Position: Letter of Information***

- This bill would require the **State Board of Education**, by December 1, 2022, to develop content standards for inclusive and diverse English language arts to be included in the State Standards and Frameworks for English Language Arts.
- It would also require each county board of education to develop and implement age-appropriate curriculum guides for inclusive and diverse English language arts; and implement the inclusive and diverse English language arts standards in the ELA curriculum in every public school beginning in the 2023-2024 school year.

#### **Senate Bill 162 - Public Schools – Cyber Safety Guide and Training Course – Development, Implementation, and Reporting**

Sponsor: Senator Hester

Hearing: 1/19; Committee: Education, Health, and Environmental Affairs

***MSDE Position: Letter of Information***

- This bill would require the State Department of Education, the Behavioral Health Administration within MDH, the Maryland Center for School Safety, and the Department of Information Technology jointly to develop and publish a cyber safety guide and training course to be implemented in public schools beginning in the 2023-2024 school year.
- The **State Board** may adopt regulations to carry out the implementation of the training course and safety guide.

#### **Senate Bill 237 - Education - Curriculum - Unit of Instruction on September 11, 2001, Terrorist Attacks**

Sponsor: Senator Salling

Hearing: 2/3; Committee: Education, Health, and Environmental Affairs

***MSDE Position: No Position***

- This bill would require public schools, and nonpublic schools that participate in State-funded education programs, to include in the curriculum, beginning in the 2023-2024 school year, a unit of instruction on the September 11, 2001, terrorist attacks that is consistent with guidelines developed by the **State Board of Education** before January 1, 2023.

#### **Senate Bill 304 - Education - Public Schools - Asian American History Curriculum Requirement**

**Sponsor: Senator Lam**

Hearing: 2/3; Committee: Education, Health, and Environmental Affairs

Crossfile: House Bill 922 (Valderrama)

***MSDE Position: Letter of Information***

- This bill would require the State Board of Education to develop curriculum for a unit of instruction on Asian American history in public schools in the State.
- Beginning in the 2023-2024 school year, each county board of education shall implement the Asian American history curriculum content standards.
- It would require each county board to ensure that a unit of instruction on Asian American history is taught at least once during elementary school, middle school, and once in a history course required to graduate from high school.
- The State Board may adopt regulations to carry out the requirements of the bill.

#### **Certification**

#### **House Bill 37 - Education – Educational Interpreter – Certification Requirements**

Sponsor: Delegate Qi

Hearing: 1/20; Committee: Ways and Means

Crossfile: Senate Bill 370 (King)

***MSDE Position: No Position - Monitor***

- This bill would require the **State Board of Education** and the Professional Standards and Teacher Education Board to develop regulations for the certification of educational interpreters on or before July 1, 2023. The **State Board** shall consider full or partial reimbursement of certification in the development of these regulations.
- Educational interpreters employed in public schools shall be certified by July 1, 2029.

## School Health

### House Bill 56 - Commission on Student Behavioral Health and Mental Health Treatment

Sponsor: Delegate Bagnall

Hearing: 1/20; Committee: Ways and Means

***MSDE Position: Letter of Information***

- This bill would establish the Commission on Student Behavioral Health and Mental Health Treatment and require on or before July 1, 2023 and December 1, 2023, the Commission to report its findings and recommendations to the Governor, the **State Board of Education**, and the General Assembly.
- The State Superintendent would appoint 11 members to the Commission.

### House Bill 118 - Public Schools - Student Attendance - Excused Absences for Mental Health Needs

Sponsor: Delegate A. Washington

Hearing: 1/20; Committee: Ways and Means

***MSDE Position: No Position***

- This bill would allow absences from school for mental health needs to be considered lawful absences under certain circumstances, and require a student who is absent due to mental health needs to meet with a school mental health specialist within an appropriate period of time to discuss the student's mental health needs that caused the student's absence from school.