MARYLAND ASSOCIATION OF BOARDS OF EDUCATION

621 Ridgely Avenue, Suite 300, Annapolis, Maryland 21401
410-841-5414 · 800-841-8197 · Fax: 410-841-6580 · MABE.org

2019 Legislative Session Summary

(Updated April 29, 2019)

Introduction

The 2019 legislative session of the Maryland General Assembly was convened on Wednesday, January 9, 2019 and adjourned at midnight on Monday April 8, 2019. On April 7, the Sunday before the last day of session, House Speaker Mike Busch died after a battle with pneumonia. MABE expresses our deep and abiding appreciation and gratitude for his legislative leadership in support of public education and the many funding and policy initiatives enacted during his 16-year tenure as House Speaker to make Maryland's public schools among the best in the nation.

MABE's Legislative Committee met regularly throughout the 2019 session to deliberate and vote on bill positions and to receive updates on pending legislation. The Committee is chaired by Julie Hummer (Anne Arundel County). The session saw the introduction of 1,443 House bills and 1,056 Senate bills. Of these 2,499 bills and resolutions, MABE tracked nearly 400 bills, and provided testimony and advocated on nearly 90 House bills and over 50 Senate Bills.

In advance of the legislative session, MABE conducted its annual update of the association's Continuing Resolutions, which provide the foundation for MABE's legislative and policy positions. On October 3, 2018 local board members approved Continuing Resolutions for 2018 - 2019. In November 2018, MABE's Legislative Committee adopted the 2019 Legislative Positions and Priorities.

MABE's top priorities for the 2019 legislative session include:

- Support for continued governance autonomy for local boards of education to set education policy and school budgets which provide educational benefits for all students; and opposition to unfunded mandates.

  MABE prioritized advocacy for enhanced local school calendar flexibility. This goal was accomplished through passage of the Community Control of School Calendars Act. (SB 128, Ch. 13).

- Support for full State funding for Maryland's outstanding public schools.

  MABE advocated for passage of the Kirwan Commission legislation to update and enhance the constitutional adequacy and equity of state and local funding. The Education Blueprint for Maryland's Future (SB 1030) includes requested and mandated funding increases for public education of over $1 billion over the next three years.

- Support for robust State funding for school construction and renovation projects.

  MABE adopted the priority to advocate for school construction funding of at least $400 million. The combined total of requested and mandated funding provided for public school construction projects in FY 2020 approaches $500 million. (HB 100) and (HB 101, Ch. 14).

- Support for sustained local government investments in education.

  MABE continues to support updates in State law to ensure local funding increases above maintenance of effort include the local share for students in prekindergarten, special education, economically disadvantaged, and English learner state funding categories. This remains a top priority as the Kirwan Commission re-convenes later this year to finalize funding recommendations for legislation in the 2020 session.

The 2019 legislative session saw the passage of the Kirwan Commission's Blueprint for Maryland's Future (SB 1030), which provides major State funding increases in each of the next three years. But the work of the Kirwan Commission is far from over, with the task of recommending specific funding formulas and the local government share of funding to be mandated to achieve the Commission's recommended funding goals; work to be completed in the summer and fall of 2019. This Summary provides a detailed outline of the 2019 legislation. For more information, read the Kirwan Commission's Interim Report (Jan. 2019), and monitor the Commission's website for updates on its schedule.

School system accountability was the subject of amended provisions of the Kirwan bill, and a separate piece of legislation. The Kirwan bill (SB 1030) was amended to create a new independent Inspector General's office, with authority to investigate, issue subpoenas, hold hearings, and recommend criminal prosecution for violations of laws regarding civil rights, child abuse, fraud, waste, or abuse involving the use of public funds, or other laws. The Inspector General's authority applies to local boards of education, local school systems, and public schools; nonpublic schools that receive State funds; MSDE; and the Interagency Commission on School Construction. In addition, a separate bill passed to create the Office of Program Evaluation and Government Accountability Office of Legislative Audits (HB 1113/SB 640). This office may conduct program evaluations and performance audits relating to not only waste, fraud, and abuse, but also grading standards, graduation requirements, assessments, procurement, and equitable use of resources.

School calendar control was returned to local boards and communities through the passage, and veto override, of the bill to fully authorize local boards to set school calendar start and end dates (SB 128). In addition, several other major pieces of legislation were enacted, including bills to: authorize local boards of education to remove their superintendent for just cause (HB 238/SB 747); strengthen protections against child abuse through employee hiring practices (HB 486/SB 541) and through reporting of suspected abuse (SB 568); ensure that students are screened to identify risks for reading difficulties (SB 734); require that restorative approaches are included in student discipline policies (HB 725); expand State collection of student data (HB 704) and (HB 1206); and enhance reporting requirements for elevated levels of lead in school drinking water (HB 1253).

This summary provides more detailed information on these and other bills passed in 2019, education funding highlights in the operating and capital budgets, and a list of bills not passed. Note: Governor Hogan has not, as of this publication date, signed many of the bills included in this summary. This summary will be updated regularly to indicate bill status as accurately as possible.

In addition, more detailed budget and bill analysis is available on the 90 Day Report published by the Department of Legislative Services (DLS). As always, MABE greatly appreciates the public service provided by the dedicated DLS staff responsible for staffing the General Assembly committees, providing legal and budget analysis, producing fiscal notes, and maintaining the website and information system services.

Quick Review of Education Bills Passed in 2019

The following bills all passed and are in the process of becoming law following the conclusion of the 2019 legislative session, which adjourned at midnight on Monday April 8, 2019.

State Operating Budget
- FY 2020 Budget Bill
- Budget Reconciliation and Financing Act

Education Funding & Policy
- Kirwan Commission - Blueprint for Maryland's Future
- Community Schools - Established

State Capital Budget
- FY 2020 School Construction Budget

School Calendar
- Community Control of School Calendars Act

Local Board & Superintendent Relations
- Removal of County Superintendents - Procedures

State Board
- State Board of Education - Membership - Teacher and Parent Members

Accountability & Financial Reporting
- Office of Program Evaluation and Government Accountability and Maryland Program Evaluation Act
- County Boards of Education - Disclosures and Requirements

Student Assessments
- Students with Reading Difficulties - Screenings and Interventions
- One Year Pause on Using New Assessments as Graduation Requirements

Special Education
- Individualized Education Programs - Timeline for Independent Educational Evaluations

Student Health
- Lead Testing of Drinking Water
- School-Based Health Clinic Standards
- Students with Sickle Cell Disease - Revisions

Student Discipline
- Student Discipline - Restorative Approaches
- Cyber Bullying Enhancements

Student Data & Privacy
- Student Data Privacy Council
- Maryland Longitudinal Data System - Student Data and Governing Board
- Maryland Longitudinal Data System Center - Data Matching

Juvenile Services
- Juvenile Justice Reform Council

School Personnel
- Personnel Matters - Child Sexual Abuse and Sexual Misconduct Prevention
- Crimes - Child Abuse and Neglect - Failure to Report
- Public Schools - School Psychologists - Reports
- Collective Bargaining for Noncertificated Employees - Supervisory Employees and Management Personnel
- Payment of Wages - Minimum Wage (Fight for Fifteen)

Translation Services
- Local Boards - Equal Access to Public Services for Individuals with Limited English Proficiency

Career & Technology Education (CTE)
- Pathways in Technology Early College High (P-TECH) Expansion Act of 2019

Student Transportation
- School Bus Transition - Zero-Emission Vehicles - Grant Program and Fund
- School Bus Monitoring Cameras - Civil Penalty - Sunset Repeal

Elections
- Election Law - Election Day Page Program

Environment & Procurement
- Outdoor Education
- Ban on Styrofoam Food Service Products

Local Bill Highlights

Education Bills Passed in 2019

Operating Funding for Public Education

HB 100 - Budget Bill (Fiscal Year 2020) - This bill includes the proposed appropriations for State Aid to Public Education contained in the State Budget for the fiscal year ending June 30, 2020. For more detailed information, see the DLS report on State Aid to Local Governments, including statewide and county-by-county funding amounts.

HB 1407 - Budget Reconciliation and Financing Act of 2019 - This bill executes actions to provide mandate relief, contain costs, and reduce future year general fund expenditures. The bill takes effect June 1, 2019.

State Aid for Public Education
FY 2019 to FY 2020

Program	2019	2020
Foundation Program	$3,056,189	$3,140,367
Net Taxable Income Grant	62,524	65,301
Tax Increment Financing Grant[1]	535	3,251
Geographic Cost of Education Index	141,574	145,450
Supplemental Grant	46,620	46,620
Foundation Special Grant	12,956	12,237
Declining Enrollment Supplemental Grant	18,664	18,890
Compensatory Education Program	1,308,336	1,330,429
Special Education Program	290,813	303,250
Limited English Proficiency	288,041	311,080
Guaranteed Tax Base	48,170	43,685
Student Transportation	282,585	303,045
Nonpublic Special Education	123,500	121,470
Prekindergarten Expansion	11,644	26,644
Prekindergarten Supplemental Grant	16,039	21,131
School Safety Grants	13,100	10,600
The Blueprint for Maryland's Future[2]	0	251,641
Other Programs	80,305	80,930
Direct Aid Subtotal	**$5,801,594**	**$6,236,020**
Teachers' Retirement	**$732,921**	**$767,889**
Grand Total	**$6,534,515**	**$7,003,909**

Source: DLS 90 Day Report

Education Funding in FY 2020 and Beyond

On March 25, the General Assembly approved the Report of the Conference Committee on House Bill 100, the FY 2020 State Budget Bill, and the Budget Reconciliation and Financing Act (HB 1407). The agreement reached between the House and Senate provides an additional $255 million for public education contingent on passage of the Kirwan Commission's Blueprint for Maryland's Future legislation (SB 1030), which passed in the final days of session but is not yet signed into law.

In addition to the $255 million provided to launch the initial phase of the Kirwan Commission legislation, the FY 2020 State Budget also includes all of the annual funding provided through the existing education aid formulas. Formula funding for public schools includes the per pupil base amount of funding for all students, and the additional amounts provided for students under the special needs categories of Compensatory Education, Limited English Proficiency, and Special Education. Other major funding components and categories include the inflation factor applied to the foundation amount (2.5%), the Geographic Cost of Education Index (GCEI), the Guaranteed Tax Base Program, and Student Transportation. FY 2020 Direct Education Aid by County information is available beginning on page A-116 of the 90 Day Report.

MABE supported the FY 2020 State Budget bill to fully fund public elementary and secondary education through the existing funding formuals, and advocated for the additional funding requested to be released by the Govenror to support the launch of the Kirwan Commission's recommendations. In addition, MABE advocated for the reduction or elimination of funding for the BOOST private school voucher program, and in support of a budget amendment to prevent further erosion of the share of gaming revenues allocated to the Educaiton Trust Fund.

Kirwan Commission Legislation

SB 1030 - The Blueprint for Maryland's Future - This bill establishes The Blueprint for Maryland's Future as State education policy, based on the recommendations of the Commission on Innovation and Excellence in Education (Kirwan Commission). The bill establishes specified programs and entities; provides funding in FY 2020; and mandates funding in FY 2021 and 2022, as specified, and for The Blueprint for Maryland's Future Fund, which succeeds the Commission special fund. The bill also establishes a Maryland Office of the Inspector General for Education. Any funds restricted for purposes of the bill in the FY 2020 budget that are not transferred or released by the Governor must be distributed in FY 2021, in addition to other funds required to be distributed by the bill in FY 2021. The bill takes effect June 1, 2019. For more detailed information, see the 90 Day Report. This legislation's accountability requirements are contingent on passage of HB 1113/SB 640 described in the "Accountability" section of this summary.

- **Funding** - The bill distributes $255 million in FY 2020 (at the Governor's discretion) consistent with the funding priorities identified by the Commission and mandates a total of $355 million in FY 2021 to begin to implement the recommendations. The bill also mandates that $370 million be distributed to The Blueprint Fund in FY 2022, as well as an additional $130 million contingent on revenue made available as a result of legislation enacted in the 2019 and 2020 legislative sessions to implement the Commission's recommendations. Note: $134.5 million of the $355 million budgeted in FY 2020 is contingent on the Governor releasing this amount from the $200 million in income tax revenues set aside last year (in a fund renamed The Blueprint for Maryland's Future Fund.)

- **Prekindergarten Supplemental Grants** - These grants are expanded to include State funding to an LEA based on every 4-year-old in full-day prekindergarten as of September 30 of each year, regardless of whether full-day services are available to all 4-year-olds in the county's prekindergarten program. Also, the enhanced grants are extended to FY 2021.

- **Teacher Salary Incentive Grant Program** - This program, administered by MSDE, provides grants to county boards to increase teacher salaries to improve recruitment and retention of high-quality teachers. In each of FY 2020 and FY 2021, the State must provide a grant to a local board in the amount specified in the law if the local board provides a negotiated and funded average

"salary increase" for teachers of at least 3.0% in FY 2020. "Salary increase" may include salary increases for cost–of–living adjustments, increments, step increases, interval movements, pathway movements, or similar salary increases received by employees as a regular part of the operation of a personnel system or negotiated schedule between a public school employer and exclusive representative for an employee organization. "Salary increase" is further defined as "the average percent increase in the salaries for teachers in the county over the prior fiscal year that does not include one–time stipends or payments, promotions, retirement benefits, or other benefits." A significant amendment was adopted to define "Teacher" as "a certificated public school employee who: (i) is not an administrator; and (ii) as of April 1, 2019, is part of a collective bargaining unit that includes classroom teachers."

Funding Restricted for The Blueprint for Maryland's Future (Kirwan Commission) in the Fiscal 2020 Budget and the Budget Reconciliation and Financing Act of 2019
($ in Millions)

Contingent on Enactment of SB 1030 or HB 1413 – The Blueprint for Maryland's Future and Release by the Governor:	
Full-day Prekindergarten for Four-year-olds	$31.7
Special Education Grants	65.5
Concentration of Poverty School Grants (Includes MSDE Coordinator Position)	54.6
Teacher Salary Incentive Grants	75.0
Transitional Supplemental Instruction Grants	23.0
Mental Health Coordinators for Each Local School System	2.0
Teacher Collaboratives	2.5
Outreach and Training	0.3
MSDE IT System	0.5
Total	**$255.0**

Source: DLS 90 Day Report

- **Concentration of Poverty Grants** - This program provides grants to public schools in which at least 80% of the students were eligible for free and reduced-price meals (FRPM), in accordance with standards for community schools, wrap-around services, and the positions of community school coordinator and full-time professional health care practitioner. For both FY 2020 and 2021, the State must distribute a grant to each local school board equal to $248,833 for each eligible school, to be distributed to each eligible school. The FY 2020 $54.6 million estimate for concentration of poverty grants is based on 2017-2018 school year data indicating that 219 schools (mostly in Baltimore City and Prince George's County). For FY 2021, additional schools are eligible for the grant based on the 2018-2019 school year data.

- **Special Education Grants** - In both FY 2020 and 2021, an additional $65.5 million is provided for special education services with students with disabilities, with specified allocations to each local school system.

- **Mental Health Services Coordinator** - For both FY 2020 and 2021, $83,333 is provided to each local school system to fund the mental health services coordinator that each local school system must appoint pursuant to the Safe to Learn Act.

- **Transitional Supplemental Instruction for Struggling Learners Grants** - For each of FY 2020 and 2021, the State must distribute to local boards funds totaling $23 million, as allocated by the bill, for provision of Transitional Supplemental Instruction (TSI) for struggling learners, which involves additional academic support using evidence-based programs and strategies.

- **Teacher Collaborative Grant Program -** MSDE, in consultation with the Maryland Higher Education Commission (MHEC), to award grants totaling $2.5 million in each of FY 2020 and 2021, to teacher collaboratives to develop model, state-of-the-art, professional development programs for prospective and current teachers.

- **Maryland Office of the Inspector General for Education** - The bill establishes the office as an independent unit of the State and establishes the Inspector General (I.G.) position within the office. The bill specifies the qualifications and experience that the I.G. must have, provides for the appointment of the I.G. to five-year terms, and specifies conditions for removal of an I.G. 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. The I.G. may investigate complaints concerning: fraud, waste, and abuse involving the use of public funds; violations of the civil rights of students and employees; whether policies and procedures governing the prevention and reporting of child abuse and neglect comply with federal and State law; and compliance with other federal and State law.

MABE strongly supported passage of this legislation, and looks forward to the successful completion of work during the 2019 summer and fall toward the goal of adopting recommendations for updated student funding formulas and the respective shares of mandated state and county funding to achieve the Commission's long-term funding recommendations.

Kirwan Funding Sources - Related Legislation

SB 728/HB 1301 - Sales and Use Tax - Collection by Marketplace Facilitators - This bill requires a marketplace facilitator and a marketplace seller to collect and remit the State sales and use tax under specified circumstances. The bill also establishes tax collection and licensing requirements for marketplace facilitators and marketplace sellers. In addition, the bill alters the distribution of sales and use tax revenues by requiring that for each fiscal year (1) the first $100 million in sales taxes collected from marketplace facilitators and certain out-of-state vendors be distributed to the general fund and (2) revenues in excess of $100 million be distributed to the Commission on Innovation and Excellence in Education Fund. The bill takes effect October 1, 2019.

Funding for The Blueprint for Maryland's Future

Revenues Currently Available

	FY 20	FY 21	FY 22
ETF Lockbox	$100,750,000	$225,750,000	$350,750,000
The Blueprint for Maryland's Future Fund	134,500,000	65,500,000	
Additional ETF	15,766,919	15,981,861	16,199,559
TIRA Pilot Program unused funds	4,000,000	4,000,000	4,000,000
Corporate Filing Fees		36,000,000	
Marketplace facilitators/out-of-state vendors		TBD	TBD
Total	**$255,016,919**	**$347,231,861**	**$370,949,559**

Source: DLS 90 Day Report

Community Schools

SB 661 - Primary and Secondary Education - Community Schools - Established - This bill establishes community schools in the State and specifies the purpose and requirements of a community school. A local school system (LSS) or an existing public school may form a school-community partnership for the planning and implementation of a community school. An LSS must review and approve a community school within 60 days of receiving a specified assessment of needs and specified implementation plan from a community school leadership team; a community school may not be implemented without LSS approval. An LSS must make public funding available to a community school, as specified. By July 1, 2020, an existing community school must comply with the provisions of the bill in order to receive public funds. The bill expresses the intent that community schools be included in any studies conducted related to the adequacy of the funding of public schools in the State and that funding for community schools be built into the baseline formula funding for public schools in the State. The bill takes effect July 1, 2019. (MABE Position: Oppose)

MABE supports community schools, but opposed this bill as introduced based on concerns that, as introduced, the bill would prematurely establish standards and requirements for community schools in advance of the implementation of the funding and policy recommendations of the Kirwan Commission on Innovation and Excellence in Education. As amended, the bill is narrower in scope.

School Construction Funding in the Capital and Operating Budget

HB 101/SB 126 - Creation of a State Debt - Maryland Consolidated Capital Bond Loan of 2019 - This bill includes funding for the Public School Construction Program funds to construct public school buildings and public school capital improvements. Major programs (including operating budget amounts) include: IAC Public School Construction Program, $251.8 million; Supplemental Grant Program, $68.2 million; Healthy School Facility Fund, $30 million; School Safety Grants, $10 million; and Aging Schools Program, $6.1 million. An additional $127 million may be provided per the Governor's discretion; $90 million from the Rainy Day Fund, and $30 million from the Dedicated Purpose Account.

MABE's adopted legislative priority was to advocate for an FY 2020 school construction budget of at least $400 million to support local boards in providing safe and sustainable optimal learning environments to prepare our students to be college and career ready. The legislature pursued a goal of $500 million, and adopted an operating State Budget bill and Capital Budget bill that, depending on the Governor's actions, should largely achieve that goal.

Budgeted Public School Construction Funding for FY 2020

Public School Construction Program	$251.8 million
Supplemental Grant Program	$68.2 million
Healthy School Facility Fund	$30 million
Public School Safety Improvement Grants	$10 million
Aging Schools Program	$6.1 million
Public School Construction Program – Revenue Stabilization Account (Rainy Day Fund)*	$90 million*
Public School Construction Program – Dedicated Purpose Account*	$37 million*
Total	$493.1 million

* *May be released at the Governor's discretion.*

School Facilities

SB 653 - County Boards of Education - Establishing Innovative Regional Schools - Authority (Cross-County Attendance to Achieve Efficiency Act of 2019) - This bill authorizes local 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. This bill takes effect October 1, 2019. (MABE Position: No Position)

HB 680/SB 433 - State Procurement - State Funded Construction Projects - Payment of Employee Health Care Expenses - This bill requires the Board of Public Works (BPW) to adopt regulations that require all bidders, contractors, and subcontractors on State-funded construction projects to pay employee health care expenses, as defined by the bill. The bill does not apply to minority business enterprises (MBEs) or businesses with 30 or fewer employees. The Department of General Services (DGS) and the Maryland Department of Transportation (MDOT) must establish procedures for bidders, contractors, and subcontractors to certify that they pay employee health care expenses. BPW must collect and report on specified information for three years after the bill's enactment. The bill takes effect July 1, 2019. (MABE Position: No Position)

School Calendar

SB 128 - The Community Control of School Calendars Act - This bill requires each local board of education to set start and end dates each year for public schools in the county. The bill effectively repeals any law prohibiting a local board from beginning or ending its school year before or after a certain date. The bill takes effect July 1, 2019. (MABE Position: Support)

Passage of this legislation was a top priority for MABE in the 2019 legislative session. This bill received overwhelming support in the Senate and House, the Governor's veto, and the swift veto override by votes of 32 to15 in the Senate and 93 to 43 in the House. MABE's support emphasized the need to remove barriers to local decision making on school calendars. School calendars reflect decisions on holidays, professional development days, parent conferences, election days and many other factors. Importantly, another factor may include the local decision to start the school year before Labor Day to maximize the benefits to students of the learning gains they achieved in the previous school year. Such gains can erode over extended summer breaks, and negatively impact the progress students are able to make beginning on day one of the new school year.

Notably, the bill also specifies the language to be used on sample ballots if, as is anticipated, the Act is submitted to the voters on the statewide ballot in 2020. The sample ballot language would read:

> *"This Act would allow a county board of education to set the start date and end date of the school calendar for the public schools in that county. Public schools must be open for at least 180 days and 1,080 school hours at elementary and middle schools and 1,170 hours at high schools during a 10–month period. A county board may apply to the State Board of Education for a waiver from these requirements if normal school attendance is prevented because of natural disaster, civil disaster, or severe weather conditions. This Act would return to a county board the sole authority to set the start and end dates of the school calendar year. A county board would still be required to meet other requirements, such as the minimum number of days and hours, when setting the school calendar."*

MABE greatly appreciates the leadership of Senate Education Committee Chair Paul Pinsky and Budget and Taxation Committee Chair Nancy King in introducing the school calendar legislation, and the longstanding support of Ways and Means Committee Chair Anne Kaiser and Education Subcommittee Chair Eric Luedtke for local, community-based, decision-making on school calendars.

Local Boards & Superintendents

HB 238/SB 747 - Education - Removal of County Superintendents - Procedures - This bill authorizes a local board of education to remove a local superintendent of schools for the same reasons that the State Superintendent of Schools may remove a local superintendent under current law. To remove a local superintendent, the State Superintendent or local board must provide the local superintendent with (1) the reason for removal, chosen from one or more reasons allowed by State law; (2) documentation supporting the case for removal; and (3) the opportunity to request a hearing within 10 days before the State Superintendent or local board, respectively. The local superintendent may appeal the decision of the State Superintendent or the local board to the State Board of Education. The bill does not apply to Baltimore City. The bill takes effect July 1, 2019.

MABE opposed this bill in favor of maintaining the current legal framework establishing the roles and responsibilities of local boards of education and local superintendents. (MABE Position: Oppose)

State Board

HB 87/SB 529 - State Board of Education - Membership - Teachers and Parent - This bill increases the membership of the State Board of Education from 11 to 13 regular members, totaling 14 including the student member, and establishes procedures for the appointment of one certified teacher and one parent of a student enrolled in a public school. This bill takes effect June 1, 2019.

MABE opposed this bill based on the conditions on the membership of an expanded State Board of Education, and potential conflicts of interest for these new board members. The bill was amended to reflect this concern, with the teacher member not permitted to 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. (MABE Position: Oppose)

Accountability & Financial Reporting

HB 1113/SB 640 - State Government - Office of Program Evaluation and Government Accountability and Maryland Program Evaluation Act - This bill establishes the Office of Program Evaluation and Government Accountability (OPE) in the Department of Legislative Services (DLS). The office has similar powers and responsibilities to the Office of Legislative Audits (OLA), but with respect to conducting performance evaluations instead of audits. The Joint Audit Committee is renamed the Joint Audit and Evaluation Committee (JAEC) to reflect its expanded role in directing and reviewing evaluations conducted by the office.

If directed by JAEC, the executive director, the director, or when otherwise required by law, OPE must conduct a performance evaluation of a local school system. The performance evaluation may be performed concurrently with or separately from a local school system audit conducted by OLA. OPE must provide information regarding the performance evaluation process to the local school system before the performance evaluation is conducted.

A performance evaluation of a local school system may include: evaluating whether or not the school system is complying with federal and State laws and regulations; analyzing grading standards, graduation requirements, assessments, procurement, and equitable use of resources among the schools within the system evaluated; and identifying instances of fraud, waste, and abuse. Note: The Kirwan legislation, SB 1030, cross-references HB 1113/SB 640. The bill takes effect July 1, 2019.

- Notwithstanding the introduction and broad support for this legislation, Governor Hogan wrote a letter to Speaker Busch and President Miller expressing his support for much stronger accountability provisions in the Kirwan bill, which now includes the office of Inspector General.

HB 355 - Education - County Boards of Education - Disclosures and Requirements - As introduced, this bill would have required major revisions to local board of education ethics policies and procurement and other financial reporting requirements. As passed, this bill requires each school system, beginning January 1, 2020, to annually report on "payees" receiving an aggregate payment of $25,000 in the prior fiscal year. The report must be made to the Department of Budget and Management. In addition, the bill requires the school system's custodian of public records, if charging a fee, to also provide written notice that the applicant may file a complaint with the Board to contest the fee. This bill takes effect July 1, 2019.

- MABE opposed this bill as introduced, emphasizing that significant reforms to Maryland's ethics law for local school systems, enacted in 2010 and again in 2012, ensure high standards for local board ethics policies in the essential areas of financial disclosure and conflicts of interest. MABE is pleased that, as amended, the bill no longer impacts state ethics laws applying to local boards and school system staff. (MABE Position: Oppose)

Student Assessments

SB 734 - Education - Students with Reading Difficulties - Screenings and Interventions - 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. The Maryland State Department of Education (MSDE) must develop and update resources for local boards every four years and provide technical support to local boards allowing them to provide training opportunities annually. Local boards must report annually to MSDE beginning with the 2020-2021 school year. The bill takes effect July 1, 2019.

- After two years of deliberations, and MABE's opposition to the bill as introduced again in 2019, the House and Senate agreed to a heavily amended version of legislation to require that students are screened to identify if the student is at risk for reading difficulties. The bill as amended is significantly less prescriptive regarding both the screening instruments and the supplemental instruction responses, and therefore addresses the major concerns raised by MABE. (MABE Testimony)

HB 1019 - State Board of Education - Public High School Students - Assessments and Graduation Requirements - This bill establishes restrictions on assessment requirements for high school graduation adopted by the State Board of Education. Specifically, the State Board may only require a passing score on a standardized assessment to evaluate a student for graduation from high school after the assessment has been field–tested and piloted for at least 1 year. The bill takes effect July 1, 2019.

MABE supported this legislation to ensure that the federally mandated statewide assessments in English/Language Arts and mathematics are administered annually to all students, but also establishing a clear pause in any high school graduation eligibility being tied to cut scores on these assessments until they have been administered for at least two school years. As amended, the bill imposes a pause of at least one year.

MABE's position is that, beginning with the 2019-2020 school year, the State Board should not require that any student achieve a passing score on one or more of the Maryland High School Assessments until the brand new tests have been administered to all students in the 2019-2020 and 2020-2021 school years. These years of universal, statewide test administration should provide the data on test reliability and validity to allow policy makers to proceed to decide whether they are appropriate for use as high stakes graduation requirements. (MABE Position: Support with Amendments)

Special Education

HB 611 - Special Education - Individualized Education Programs - Timeline for Independent Educational Evaluations - This bill authorizes a parent who disagrees with the educational evaluation regarding a child's individualized family service plan (IFSP), individualized education program (IEP), or special education services to request an independent educational evaluation (IEE) at public expense in accordance with regulations adopted by the Maryland State Department of Education (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. The bill takes effect July 1, 2019. (MABE Position: No Position)

MABE took no position on this bill, but successfully opposed another bill citing the Supreme Court's preference for IEEs as tools to level the playing field for parents advocating for special education services for their children, as opposed to granting parents the right to recover fees for expert witnesses. HB 140 passed in the House but received an unfavorable vote in the Senate Education, Health and Environmental Affairs Committee.

Student Health

HB 1253 - Environment - Drinking Water Outlets in School Buildings - Elevated Level of Lead and Grant Program - This bill maintains the State's definition of "elevated level of lead" to mean "a lead concentration in drinking water that exceeds the standard recommended by the U.S. Environmental Protection Agency in technical guidance." However, the bill also states that: "The General Assembly finds that any exposure to lead in drinking water is dangerous to the health and development of children. (b) It is the intent of the General Assembly that schools work proactively to reduce the concentration of lead in drinking water outlets to a level below 5 parts per billion (ppb) and that state and federal funds be made available to schools for that purpose." In addition, the bill requires the reporting of all findings of concentrations of lead, above 5 ppb but less than the standard for lead, to local health departments and the Maryland Departments of Education (MSDE), Environment (MDE), and Health (MDH). The bill requires MDE in consultation with MSDE to establish and administer a grant program to provide grants to local school systems to assist with specified remedial costs of findings above 5 ppb. The bill takes effect June 1, 2019.

MABE agrees that eliminating any student exposure to elevated lead levels in drinking water in public schools is a critically important public health and safety issue. However, we believe that the recently enacted law and regulations are sufficiently comprehensive, stringent, and costly to comply with, that no new standards or requirements should be enacted at this time. MABE appreciates the desire to reduce the lead level triggering mandated repairs from 20 parts per billion (PPB) to 5 ppb, but opposes this shift at this time, and without a firm commitment to fully fund the costs of doing so. (MABE Position: Oppose)

HB 47/SB 404 - State Department of Education and Maryland Department of Health - Maryland School-Based Health Center Standards - Revision - This bill requires the Maryland State Department of Education (MSDE) and the Maryland Department of Health (MDH), by August 1, 2019, 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. The bill takes effect July 1, 2019. (MABE Position: No Position)

HB 1349 - Public Schools - Students With Sickle Cell Disease - Revisions - Extending the date to September 1, 2019, for the State Department of Education and the Maryland Department of Health to provide certain technical assistance to schools and develop a process to monitor implementation of guidelines for public schools regarding the administration of health care services to students with sickle cell disease; and extending the date to December 1, 2020, for the departments to report to certain committees of the General Assembly. This bill takes effect June 1, 2019. (MABE Position: Support)

Student Discipline

HB 725 - Public Schools - Student Discipline - Restorative Approaches - This bill requires local school board regulations related to discipline to provide for restorative approaches and state that the primary purpose of any disciplinary measure is rehabilitative, restorative, and educational. The bill 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. The bill takes effect July 1, 2019.

MABE opposed this bill as introduced because it would have limited school afministrator and school system decision makking regarding the suspensinand expulsion of students based on restrictive conditions regarding the provision of restorative appraoches. (MABE Position: Oppose) As amended, MABE believes the bill is consistent with the broader policy goal that student discipline policies reflect a philosophy that fosters positive behavior, and is aligned with longstanding state regulations. At the same time, MABE fully anticipates the need for additional funding to implement restorative approaches with fidelity. Therefore, MABE also supported passage of House Bill 1229 to establish a grant program to provide funds to local school systems for training on, and implementation and evaluation of, restorative approaches. HB 1229 did not pass; HB 725 states that MSDE must “on request, provide technical assistance and training to county boards regarding the use of restorative approaches.”

SB 103/HB 181- Criminal Law - Electronic Harassment and Bullying (Grace's Law 2.0) - This bill expands the existing "cyber bullying" statute by prohibiting a person from maliciously engaging in electronic communication with intent to intimidate or harass, and cause physical injury or serious emotional distress. The bill defines "electronic communication", "electronic conduct", and "social media application". The bill expands the law, commonly known as Grace's Law, to prohibit cyber bullying with the intent to induce a minor to commit suicide, which is a misdemeanor punishable by imprisonment for up to 10 years and/or a $10,000 maximum fine. (MABE Position: No Position)

Student Data

HB 245 - Education - Student Data Privacy Council - This bill establishes the Student Data Privacy Council. The Maryland State Department of Education (MSDE) must staff the council. By December 31, 2020, the council must report its findings and recommendations to the Governor and General Assembly, including whether the council should be made permanent. The bill takes effect June 1, 2019, and terminates May 31, 2021. (MABE Position: Support)

HB 704 - Maryland Longitudinal Data System - Student Data and Governing Board - This bill adds juvenile delinquency records and discipline records to the types of data that are collected and analyzed by the Maryland Longitudinal Data System (MLDS) Center; under current law these records are specifically excluded. To that end, the bill adds the Department of Juvenile Services (DJS) to the entities required to provide data sets to the MLDS and adds the Secretary of Juvenile Services to the Governing Board of the MLDS Center. The bill also makes changes to the definition of "student data" and the types of data that entities are required to transfer to the MLDS Center. The bill takes effect October 1, 2019. (MABE Position: No Position)

HB 1206 - Maryland Longitudinal Data System Center - Data Matching - This bill establishes a framework for two data transfer protocols related to the Maryland Longitudinal Data System (MLDS) Center research as follows: (1) the geocoding of public school students' home addresses to the census tract and block level by each local school system, as specified; and (2) the matching of specified student information to tax information by the Comptroller. The Comptroller must comply with specified data privacy and security standards, including the federal Family Educational Rights and Privacy Act (FERPA). For each of fiscal 2021 and 2022, the Governor must appropriate $100,000 to the center to develop the geocoding protocol. The bill takes effect July 1, 2019. (MABE Position: Oppose)

Juvenile Services

HB 606/SB 856 - Juvenile Justice Reform Council - This bill establishes the Juvenile Justice Reform Council in the Governor's Office of Crime Control and Prevention (GOCCP). Among other duties, the council must use a data-driven approach to develop a statewide framework of policies to invest in strategies to increase public safety and reduce recidivism of youth offenders. By December 1, 2020, the council must report its findings and recommendations to the Governor and the General Assembly. The bill takes effect June 1, 2019, and terminates June 30, 2021. (MABE Position: Support with Amendment)

School Personnel

HB 486 (Ch. 55) - Education - Personnel Matters - Child Sexual Abuse and Sexual Misconduct Prevention - This bill sets forth 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. The bill takes effect July 1, 2019. (MABE Position: Support)

MABE supported this bill in order to establish and define the process of determining whether an applicant for employment with a local school system has ever been disciplined for allegations of "child sexual abuse" or "sexual misconduct." In 2018, MABE supported passage of HB 1072 (Ch. 31) which now requires each local board of education and nonpublic school that receives State funds to require each employee to receive instruction annually on the prevention, identification, and reporting of child sexual abuse.

SB 568 (Ch. 53) - Crimes - Child Abuse and Neglect - Failure to Report - This bill makes it a misdemeanor for a person who is required to provide notice of suspected abuse or neglect of a child or make a written report of suspected abuse or neglect of a child under § 5–704 of the Family Law Article may not knowingly fail to provide the required notice or make the required written report if the person has actual knowledge of the abuse or neglect. Upon conviction, a violator is guilty of a misdemeanor and subject to a fine not exceeding $10,000 or imprisonment not exceeding 3 years, or both. The bill applies to a failure to report child abuse or neglect that occurs during the time the child is a minor. This bill takes effect October 1, 2019. (MABE Position: Support)

HB 844 - Public Schools - School Psychologists - Reports - This bill requires each local school system to submit an interim and final report 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 less than 750 students, and (2) for schools with 750 students or more students, have a ratio of no less than 1 school psychologist for every 750 students. Each local school system must submit an interim report by July 1, 2020, and a final report by December 1, 2020. The bill takes effect July 1, 2019, and terminates June 30, 2021. (MABE Position: Oppose)

MABE opposed this bill because it would require each local school system to submit reports including not only specified information on the current ratio of school psychologists to students in each public school, but also strategies to achieve very specific staffing ratios. Local boards are very concerned that the bill establishes a significant, unfunded, and therefore unrealistic, mandate to report on strategies that may not be realistic, and therefore not responsible, to adopt.

HB 1259 - Education - Collective Bargaining for Noncertificated Employees - Supervisory Employees and Management Personnel - Altering the definitions of "supervisory employee" and "management personnel" by removing a provision that status as a supervisory employee and management personnel may be determined by certain negotiations between a certain public school employer and a certain employee organization. This bill takes effect July 1, 2019. (MABE Position: Oppose)

HB 166/SB 280 - Labor and Employment - Payment of Wages - Minimum Wage and Enforcement (Fight for Fifteen) - This bill phases in an increase in the State minimum wage to $15.00 per hour by fiscal 2024 and indexes it to inflation beginning July 1, 2024. The bill expands the applicability of the Maryland Wage and Hour Law, eliminates specified subminimum wages, expands anti-retaliation provisions of specified labor laws, and phases out (by July 1, 2026) the tip credit that can be applied against direct wages paid to "tipped" employees. Additionally, the Governor's proposed budget for the Developmental Disabilities Administration (DDA) must include specified rate increases for community service providers over the funding provided in the prior year's legislative appropriation. This bill takes effect June 1, 2019. (MABE Position: No Position)

Translation Services

HB 1144 - County Boards of Education - Equal Access to Public Services for Individuals with Limited English Proficiency - This bill requires each local board of education to take reasonable steps to provide equal access to public services for individuals with limited English proficiency (LEP). Reasonable steps include (1) provision of oral language services for LEP parents and guardians, which must be through face-to-face, in-house oral language services if in-person contact is on a weekly or more frequent basis and (2) translation of vital documents ordinarily provided to the public in any language spoken by any LEP population that constitutes 3% of the overall population within the county as measured by the U.S. Census. The bill takes effect July 1, 2019. (MABE Position: Oppose)

College & Career Readiness (CCR) and Career & Technology Education (CTE)

HB 440 - Pathways in Technology Early College High (P-TECH) Expansion Act of 2019 - This bill allows for the award of no more than three new Pathways in Technology Early College High (P-TECH) planning grants in fiscal 2020 prior to the 2022-2023 school year (FY 2023). Likewise, the bill allows planning grants recipients in fiscal 2020 to establish new P-TECH schools prior to the 2023-2024 school year (FY 2024). The bill takes effect July 1, 2019. (MABE Position: No Position)

HB 132/SB 180 - Education - Robotics Grant Program - Alterations - This bill makes nonprofit organizations that (1) provide youth with an out-of-school-time experience that focuses on personal and workforce development and (2) serve public school students as a majority of its participating youth, eligible to receive funding through the Robotics Grant Program if the organization is associated with a public school. Grants awarded through the program must to the extent practicable ensure geographic diversity among all program grantees. 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. The bill takes effect July 1, 2019. (MABE Position: No Position)

Student Transportation

HB 343/SB 464 - School Bus Monitoring Cameras - Civil Penalty - Sunset Repeal - This bill makes permanent (by repealing the termination date) a provision of law that increased the maximum civil penalty (to $500 from $250) for a violation recorded by a school bus monitoring camera for failure to stop for a school vehicle alternately flashing red lights. The bill takes effect June 1, 2019. (MABE Position: Support)

HB 1255 - School Bus Transition - Zero-Emission Vehicles - Grant Program and Fund - This bill establishes the Zero-Emission Vehicle School Bus Transition Grant Program within the Maryland Department of the Environment (MDE). The purpose of the program is to provide grants to local boards of education (and entities that contract with local boards to provide transportation services) to (1) purchase school buses that are zero-emission vehicles; (2) install electric vehicle infrastructure for charging school buses that are zero-emission vehicles; (3) engage in planning for a transition to using school buses that are zero-emission vehicles; and (4) fund pilot programs to experiment with a transition to school buses that are zero-emission vehicles. The bill also creates the Zero-Emission Vehicle School Bus Transition Fund to provide funding for the program. MDE must consult with MSDE to administer the program and fund, and may adopt regulations. The bill takes effect October 1, 2019.

MABE opposed this bill as introduced because it would have imposed a costly mandate on all school systems by requiring each school bus purchased after October 1, 2022 to be a zero-emission

vehicle. As amended, the bill would establish a Zero-Emission Vehicle School Bus Transition Grant Program within the Maryland Department of the Environment (MDE). MABE continued to oppose the bill as amended, objecting to the investment in zero-emission school buses at this time, based on the enormous cost differential associated with zero-emission school buses relative to other student transportation priorities, and other education funding priorities overall. (MABE Position: Oppose)

Elections

SB 334 - County Boards of Education - Appointment to Fill a Vacancy of an Elected Member - Candidate Information Requests - This bill requires an appointing authority of a local school board to provide a list of the names of the candidates for a vacancy of an elected board member upon request (1) to the individual making the request or (2) by publication on the website of the appointing authority. An appointing authority means the individual or entity that is responsible for appointing a qualified individual to fill a vacancy of an elected member of a local school board. The bill takes effect July 1, 2019. (MABE Position: No Position)

SB 364 - Election Law - Election Day Page Program - Establishment - This bill establishes an Election Day Page Program, the purpose of which is to (1) stimulate the interest of students in the election process; (2) provide assistance to election judges in polling places on Election Day; and (3) ensure the safe entry and exit of elderly voters and voters with disabilities from polling places. The bill takes effect October 1, 2019. (MABE Position: No Position)

Environment & Procurement

HB 1366 - Maryland Association of Environmental and Outdoor Education Grant (Maryland Green Schools Act of 2019) - This bill requires the Governor to provide specified funding to the Maryland Association of Environmental and Outdoor Education (MAEOE), in FY 2021 through 2026, for the purpose of increasing the number of green schools in the State. The bill specifies the dollar amounts that may be used by MAEOE under five particular categories to: (1) support professional development, assist with student transportation to environmentally focused activities, or support school projects; (2) increase the number of environmental educators in the State who will provide green schools training; (3) support statewide green school events; (4) conduct an annual evaluation; and (5) create an online application form for a school to apply for funding. The bill takes effect July 1, 2019. (MABE Position: No Position)

HB 109/SB 285 - Environment - Expanded Polystyrene Food Service Products - Prohibition - This bill prohibits, beginning January 1, 2020, (1) a person from selling or offering for sale in the State an "expanded polystyrene food service product" and (2) a "food service business" or school from selling or providing food in an expanded polystyrene food service product. The Maryland Department of the Environment (MDE) must promulgate regulations to implement the bill with waivers available to food service businesses or schools, as specified. County health departments must enforce the bill and may impose a monetary penalties. The bill takes effect July 1, 2019. (MABE Position: No Position)

Arts Education

HB 657/SB 896 - Arts Education in Maryland Schools Alliance Grant - This bill requires the Governor to include at least $100,000 in the annual State budget for a grant to the Board of Trustees of the Arts Education in Maryland Schools (AEMS) Alliance for the development, implementation, and maintenance of the Artlook Map Maryland (Artlook Maryland) Project. The grant must be in addition to and not supplant funds otherwise granted to the AEMS Alliance. The bill takes effect July 1, 2019, and terminates June 30, 2023. (MABE Position: No Position)

Local Bills

HB 276 - Allegany County and Garrett County - School Buses - Length of Operation - This bill allows a school vehicle to be operated for 15 years, rather than 12, in Allegany and Garrett counties. The bill takes effect July 1, 2019.

HB 460 - Harford County Board of Education - Elected Members - Start Date of Term - This bill alters the start date for an elected member of the Harford County Board of Education from July 1 after the member's election to the first Monday in December after the member's election. The bill takes effect July 1, 2019.

HB 590 - Howard County Board of Education - Election of Members Ho. Co. 01-19 - This bill requires five members of the Howard County Board of Education to each represent one of the five councilmanic districts and to be elected by the voters of the respective district. The bill also requires two members to be elected at large by the voters of the county. The bill takes effect July 1, 2019.

HB 225 - Prince George's County - School Facilities and Public Safety Surcharges - Maryland Transit Administration Station PG 415-19 - This bill alters specified exemptions from the Prince George's County school facilities surcharge by providing an additional exemption to include multifamily housing located within one-quarter mile of a Metro station or a Purple Line station. The bill takes effect July 1, 2019.

SB 1011 - Prince George's County - Public School Construction - Prince George's County Public - Private Partnership Fund - This bill establishes the Prince George's County Public-Private Partnership Fund (fund) to pay a public or private entity for the availability payment due under a public-private partnership (P3) agreement authorized by the bill. Prince George's County, the Prince George's County Public Schools (PGCPS), and the Interagency Commission on School Construction (IAC) may enter into a memorandum of understanding (MOU) that, among other provisions, identifies a dedicated source of State funding and specifies any amounts to be contributed to the fund by the county and the school board for availability payments. The bill takes effect July 1, 2019.

Highlighted Education Bills that ***Failed to Pass*** in 2019

Special Education

HB 140 - Special Education - Administrative Proceedings and Judicial Actions - Attorney's and Expert Witness Fees and Related Costs - This bill would have authorized a court to award reasonable expert witness fees to the parent who is the prevailing party in these hearings. (MABE Position: Oppose and MABE Statement). Status: HB 140 passed in the House, but received an Unfavorable Report by the Senate Education, Health, and Environmental Affairs Committee.

- MABE opposed this bill not only because it would impose a cost burden on local school systems to compensate fees for expert witnesses in a manner not required under federal law, but also because it could be expected to promote such litigation. MABE did not oppose another bill to establish a 30-day timeline for responses to parents' requests for an independent educational evaluation (IEE) at school system expense regarding a child's individualized family service plan (IFSP), individualized education program (IEP), or special education services (HB 611).

School Construction

HB 727/SB 731 - Public School Construction - Maryland Stadium Authority - Supplemental Funds - This bill would have authorized the Maryland Stadium Authority (MSA) to issue up to $2.2 billion in revenue bonds, backed by annual payments of $125 million from the Education Trust Fund (ETF) beginning in fiscal 2021, for public school construction projects in the State. The bill allocates proceeds from the revenue bonds among local schools systems, including to support a possible public-private partnership (P3) agreement for Prince George's County. (MABE Position: Support with Amendments) Status: HB 727 passed in the House, but only received a hearing on 2/27 in the Senate Budget & Taxation Committee.

- MABE believed that House Bill 727, with amendments, could successfully advance the State's goal of ensuring high quality learning environments for more students across the state through an innovative and expedited funding initiative. Before passing in the House, the bill was amended to make architectural and engineering costs eligible for state funding for smaller jurisdictions; and to remove the restriction on local control over design and construction of school facilities, regardless of the funding source. However, MABE raised the concern that the Education Trust Fund should remain the dedicated source of revenue to fund the Kirwan Commission's recommendations.

School Personnel

SB 686 - Maryland Healthy Working Families Act - Applicability - This bill would have exempted from the Maryland Healthy Working Families Act an employee who is called to work by a local board of education on an as-needed basis, can reject or accept the shift offered, and is not guaranteed to be called on to work. (MABE Position: Support) Status: SB 686 received a positive hearing in the Senate Finance Committee on 2/21, but was never acted on.

- MABE strongly supported this bill in order to treat daily, on-call as-needed, employees in the public school setting in the same manner as daily on-call as-needed employees in the health and human services industries.

Education Bills that *Failed to Pass* in 2019

School Construction

HB 727/SB 731 - Public School Construction - Maryland Stadium Authority - Supplemental Funds - (MABE Position: Support with Amendments)

HB 1000/SB 586 - School Maintenance Incentive Funding Act of 2019 - (MABE Position: Support)

Local Board & Superintendent Relations

HB 330 - Education - County Boards of Education - County Superintendent Contracts - (MABE Position: Oppose)

HB 357/SB 222 - Appointment of County Superintendent of Schools - Disapproval by State Superintendent of Schools - (MABE Position: Support)

School Calendar

HB 1078 - Education - Public School Holidays - Presidents' Day and Easter - (MABE Position: Support)

Curriculum

HB 110 - Elementary School Students - Daily Physical Activity (Student Health and Fitness Act) - (MABE Position: Oppose as Introduced - No Position as Amended)

HB 371 - State Board of Education - Financial Literacy Curriculum - Graduation Requirement - (MABE Position: Oppose)

HB 567/SB 954 - Education - Public and Nonpublic High Schools - Organ and Tissue Donation Awareness Instruction - (MABE Position: Support with Amendments)

HB 1138 - State Board of Education - Financial Literacy Course and Exam - Graduation Requirement - (MABE Position: Oppose)

HB 1211 - Education - Foreign Language Requirement - Computer Programming Language Courses - (MABE Position: Oppose)

SB 416 - Education - Curriculum - Holocaust and Genocide Unit (Lessons of the Holocaust and Genocide Act) - (MABE Position: Oppose)

SB 961 - Education - Public Schools - Instruction in Print and Cursive Handwriting - (MABE Position: Oppose)

Assessments

SB 544 - Education - No-Zero Grading Policy - Prohibition - (MABE Position: Oppose)

SB 757 - Primary and Secondary Education - Assessments - Limitation of Administration (One Day in May Act) - (MABE Position: Oppose)

Juvenile Services

HB 867/SB 13 - Juveniles - Reportable Offenses - (MABE Position: Support)

Special Education

HB 140 - Special Education - Administrative Proceedings and Judicial Actions - Attorney's and Expert Witness Fees and Related Costs - (MABE Position: Oppose)

School Safety

HB 148/SB 165 - Safe Schools Maryland Act of 2019 - (MABE Position: Support)

HB 439 - Public Schools - School Resource Officers - Prohibited Conduct - (MABE Position: Oppose)

HB 670 - Public Safety - Special Police Officers - Employing Entity - (MABE Position: Oppose)

HB 1103 - Education - Public Schools - Threat Assessment Report - (MABE Position: Oppose)

SB 576 - Student Victim of Violent Crime - Option to Transfer or Require Offender to Transfer Schools - (MABE Position: Oppose)

SB 884 - Public Schools - School Resource Officers - Firearms Required - (MABE Position: Local)

Student Discipline

HB 1175 - Public Schools - Reporting of Assaults, Crimes of Violence, and Felonies (Report Act of 2019) - (MABE Position: Oppose)

HB 1208 - Board of Restorative Practices in Schools - Establishment - (MABE Position: Oppose)

HB 1229 - Restorative Schools Fund and Grants - Establishment - (MABE Position: Support)

SB 578 - Public Schools - Student Discipline - In-School Suspensions - (MABE Position: Oppose)

College & Career Readiness (CCR) and Career & Technology Education (CTE)

HB 1250/SB 588 - Career Education Act of 2019 - (MABE Position: Oppose)

School Personnel

SB 686 - Maryland Healthy Working Families Act - Applicability - (MABE Position: Support)

HB 479/SB 424 - Education - Salaries of Noncertificated Public School Employees - Minimum Living Salaries - (MABE Position: Oppose)

Immigration

HB 1165/SB 718 - State Government - Government Agents - Requests for and Use of Immigration Status Information - (MABE Position: Oppose)

HB 1273/SB 599 - Immigration Enforcement - County Boards of Education, Public Institutions of Higher Education, and Hospitals - Policies - (MABE Position: Oppose)

Elections

HB 423/SB 934 - Election Law - Voter Registration - High Schools - (MABE Position: Oppose)

Student Transportation

HB 1286 - School Vehicles - Three-Point Seat Belts - Pilot Program - (MABE Position: No Position)

Nonpublic Schools

HB 295/SB 848 - Nonpublic Elementary and Secondary Schools - Discrimination - Prohibition - (MABE Position: Support)

Charter Schools

HB 156/SB 172 - Public Charter School Facility Fund - (MABE Position: Oppose)

HB 536 - Education - Public Charter Schools - Virtual Learning Programs - (MABE Position: Oppose)