



Legislative Committee Meeting

Monday, January 4, 2021

10:00 a.m. – Noon

Teleconference Meeting

Karen Yoho, Chair

Brenda Wolff, Vice Chair

Agenda

1.	Meeting Opening	Opening Remarks & Roll Call	Karen Yoho/ Brenda Wolff/ John Woolums	10 min.
2.	Leadership Meeting Reports <ul style="list-style-type: none"> • MABE Executive Committee and Legislative Chair/Vice Chair Meetings with Legislative Leaders 	Information & Discussion	Karen Yoho/ All	10 min.
3.	Bill Status & Hearing Updates <ul style="list-style-type: none"> • HB 373 - Allowing Hiring of Emergent Employees Pending Their “HB 486” Employment Histories (Hearing 1/20) • Bill Highlights Report 	Information & Discussion	Karen Yoho/ John Woolums/ All	30 min.
4.	2021 Session Committee Procedures	Information & Discussion	Karen Yoho/ John Woolums/ All	10 min.
5.	Guest Speaker: Senator Paul Pinsky Chair, Senate Education, Health, and Environmental Affairs Committee	Information & Discussion	Karen Yoho/ John Woolums/ All	30 min.
6.	Federal Update <ul style="list-style-type: none"> • COVID-19 Recovery Funding Update • School Choice Executive Order 	Information & Discussion	Karen Yoho/ John Woolums/ All	30 min.
7.	Legislative Committee Calendar <ul style="list-style-type: none"> • 2021 Meeting Calendar 	Information	Karen Yoho/ All	
8.	Adjournment	Closing Remarks	Karen Yoho	

Meeting Materials for January 4, 2021

General Assembly Committee Procedures

- [House Committee Guidelines](#)
- [Senate Committee Guidelines](#)
- [MABE Slides](#)

Federal Updates

COVID-19 Recovery Funding Update

- [Summary of the Education Provisions of the Coronavirus Response and Relief Supplemental Appropriations Act \(NSBA\)](#), including the following appendixes:
 - Comparison of ESSER Fund Uses in the Response and Relief Act and the CARES Act
 - Comparison of GEER, ESSER, and HEER Funds in the Response and Relief Act and CARES Act

Additional Resources on the Federal COVID-19 Funding Relief

- [American Assoc. of School Administrators \(AASA\) Factsheet](#)
- [FutureEd Resources \(Georgetown Univ.\)](#)
- [Southern Regional Education Board \(SREB\) Resources](#)

School Choice Executive Order

- [“Executive Order on Expanding Educational Opportunity Through School Choice”](#)
(Dec. 28, 2020)

School-Based Health Centers

The [Maryland Council on Advancement of School-Based Health Centers](#) has issued its [annual report](#) for calendar year 2020. Key activities of the Council in 2020 included:

- releasing comprehensive recommendations to position SBHCs to be utilized during the COVID-19 crisis and future public health emergencies;
- working to facilitate telehealth utilization by SBHC practitioners during the COVID-19 crisis and beyond;
- expanding the types of organizations that can sponsor SBHCs;
- developing a plan to make data gathered from the annual survey of SBHCs publicly available; and
- issuing recommendations to integrate SBHCs into the statewide Diabetes Action Plan.

Legislative Committee 2021 Meeting Calendar

- January 4, 2021 – **Guest Speaker Sen. Paul Pinsky, Chair of the Senate Education, Health, and Environmental Affairs Committee**
 - Session Convenes Jan. 13, 2021
- February 1, 2021
- February 22, 2021
- March 15, 2021
- April 5, 2021
 - Session Adjourns April 12, 2021
- April 26, 2021
- Future Meetings TBD

Bill Highlights

HB 237 - Education - Child Abuse and Sexual Misconduct Prevention - Hiring Emergent Employees

This bill authorizes a local board of education or nonpublic school to hire an applicant as an emergent employee for up to 60 days pending a specified review of information and records regarding an individual's employment history, as required under current law for applicants who will have direct contact with minors. The bill also (1) alters statutory provisions that specify the employment history that schools are required to obtain before hiring an individual who will have direct contact with minors; (2) alters the definition of "direct contact with minors"; (3) authorizes a local board or nonpublic school to share an employment history record with other local boards or nonpublic schools; and (4) establishes conditions under which a local board or nonpublic school may use an employment history review completed by a current or former employer. Sponsor: Del. Wilson. MABE supported this legislation in 2020 (HB 1008). MABE position: Support. W&M Hearing 1/20 at 1:30 p.m.

SB 165 - Maryland Healthy Working Families Act - Applicability

This bill exempts 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 by the local board of education. MABE supported this bill in 2020 (SB 241). MABE position: Support. FIN Hearing 1/21 at 1:00.

HB 405 - Special Education - Judicial Actions - Attorney's Fees and Related Costs

This bill authorizes a court to award reasonable attorney's fees and related costs, including expert witness fees and costs, to the parent of a child with a disability, if the parent prevails in a proceeding that is held to resolve disputes about the identification, evaluation, or educational placements of children with disabilities or the provision of a free appropriate public education. However, such an award may not be made after the date a written offer of settlement is made to the parent, under certain conditions, unless the parent was substantially justified in rejecting the settlement offer. Sponsor: Del. Lopez. MABE opposed this bill in 2020 (HB 184/SB 783). MABE position: Oppose. W&M Hearing 1/20 at 1:30 p.m.

HB 370/SB 225 - Education – Public Schools – Seizure Action Plans (Brynleigh Act)

This bill requires, beginning in the 2022-2023 school year, local boards of education to take specified steps regarding the health care needs of students with seizure disorder, including requiring each public school to have, as specified, either (1) two school employees trained in seizure disorders or (2) a full-time registered nurse. Each public school must provide specified annual staff training. The parent or guardian of a student diagnosed with a seizure disorder must collaborate with school personnel to create a seizure action plan and provide medication and authorization as specified. A public school must also provide a seizure education program to all students as specified. A nonpublic school may require trained staff and provide a seizure education program. Sponsors: Sens. Young & Feldman; Del. Kerr. MABE opposed the identical bill in 2020 (HB 675/SB 549). MABE Position: Oppose. W&M Hearing 1/20 at 1:30 p.m.; EHEA Hearing 1/20 at 2:00.

SB 243 - Public High Schools – Health Education – Gambling Dangers and Addiction

This bill requires the Maryland State Department of Education (MSDE) to develop, by July 1, 2022, a program of health education on the dangers of gambling and gambling addiction to be provided in public schools. Beginning in the 2022-2023 school year, each local board of education must annually require high schools to include instruction on the dangers of gambling and gambling addiction one time for students grades 9 through 12. By December 31, 2024 MSDE must report on the implementation of the bill, including information on the program of education that each local board used. Sponsor: Sen. Simonaire. MABE opposed identical legislation in 2020 (SB 322). MABE position: Oppose. EHEA Hearing 1/20 at 2:00.

HB 237/SB 126 – State Department of Education - Early Literacy and Dyslexia Practices - Guidance and Assistance

This bill requires, by October 1, 2020, the Maryland State Department of Education (MSDE) to establish a stakeholder advisory group to develop a reading and dyslexia handbook with specified elements to guide local school systems in the implementation of best practices for early literacy and dyslexia. By June 1, 2021, MSDE and the stakeholder advisory group must make a completed handbook available to the public, as specified. MSDE must update and publish the handbook every three years. MSDE and the stakeholder advisory group must develop a list of recommended programs and materials that address the needs of at-risk and struggling readers and students with dyslexia. MSDE must develop professional learning opportunities and technical assistance on the content of the handbook to be published as specified. By June 1, 2021, MSDE must designate a dyslexia liaison, who may be an existing staff member, to provide technical assistance to local school systems on the content of the handbook.

Sponsors: Del. Ebersole and Sens. Hester & Zucker. MABE opposed this bill in 2020 (HB 718/SB 575).

MABE position: Oppose. W&M Hearing 1/20 at 1:30 p.m.

HB 96 - Education - High School Graduation Requirements - Applications for Student Financial Aid

This bill requires each student, beginning in the 2021-2022 school year, as a requirement for graduation, to complete and submit (1) the Free Application for Federal Student Aid (FAFSA) to the U.S. Department of Education or (2) the Maryland State Financial Aid Application (MSFAA) to the Maryland Higher Education Commission (MHEC). A student or parent or legal guardian of a minor student may submit a signed form declining to complete and submit the FAFSA or the MSFAA as specified. A local board of education must waive the requirement in specified circumstances. The Maryland State Department of Education (MSDE) must adopt regulations, which include guidelines to ensure each student receives adequate support in completing and submitting the FAFSA or the MSFAA, to implement the bill. By July 1 each year, from 2022 through 2027, each local board of education must report specified information related to the bill. Sponsors: Dels. Solomon & Rosenburg. MABE took no position on this bill in 2020, with school systems either opposing or supporting with amendments (HB 762). MABE Position: Support with Amendments. W&M Hearing 1/20 at 1:30 p.m.

HB 171 - State Department of Education - School Discipline - Data Collection

This bill requires the Maryland State Department of Education (MSDE) to make available, as a data download on its website, disaggregated discipline-related data at the State, local school system, and school levels. For all data made publicly available, MSDE must include disaggregated data related to any disproportional disciplinary practices of a local school system or public school, and annually report the data to the Governor and General Assembly. MSDE must report the disproportionality data for any school identified as “high suspending” as specified and include alternative schools and programs and public separate day schools in any calculation of disproportionality data. Sponsor: Del. Washington. MABE supported this bill with amendments in 2020 (HB 328). MABE position: Support with Amendments. W&M Hearing 1/20 at 1:30 p.m.

HB 342 - Education - Health and Safety of Students - Notification of Problematic Sexual Behavior

This bill requires each public school and nonpublic school that receives State funding to notify the parents or guardians of all students involved in an incident of “problematic sexual behavior” by the close of business on the day of the incident. “Problematic sexual behavior” is student-initiated behavior that involves intimate parts in a manner that is developmentally inappropriate and potentially harmful to the student or others. Local boards of education must ensure that each public school has a policy to provide the required notification. Sponsor: Del. Wilson. MABE opposed this bill in 2020 (HB 1005). MABE position: Oppose. W&M Hearing 1/20 at 1:30 p.m.

HB 72 - County Boards of Education - Student Transportation - Vehicles

This bill authorizes a county board of education to provide transportation for specified public school students to and from school using a vehicle other than a Type I or Type II school vehicle when a school vehicle cannot reasonably be provided. The Maryland State Department of Education (MSDE) must consult with county boards of education and the Motor Vehicle Administration to adopt regulations establishing minimum vehicle and driver safety standards for alternate student transportation under the bill. Sponsor: Del. Anderton. MABE took no position this bill in 2020 (HB 1234). MABE position: No Position. W&M Hearing 1/20 at 1:30 p.m.

HB 192 - Public Schools - Special Education Classrooms - Use of Video Recording Devices

This bill requires each county board of education to, beginning with the 2020-2021 school year, install at least one video recording device in each public school classroom in which a majority of the regularly attending students are provided special education instruction. These devices must record all areas of the classroom, including all exclusion areas, during school hours and any time the space is being used. Sponsor: Del. Guyton. MABE opposed this bill in 2020 (HB 1292/SB 1019). MABE position: Oppose. No hearing set.