

February 12, 2021

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**MABE Celebrates Veto Override & Final Passage of the Blueprint for Maryland's Future Act**

MABE joins a broad coalition of education organizations in celebrating the final passage by veto override in both the House and Senate chambers of [House Bill 1300](#), the Blueprint for Maryland's Future Act.

The 2020 legislative session saw the success of the passage of the full Kirwan Commission bill, the Blueprint for Maryland's Future Act (House Bill 1300), including the 10-year phase-in of the National Center on Education and the Economy (NCEE) policy framework and the state and local cost shares of the overall funding increases. The Kirwan Commission on Innovation and Excellence in Education was a multi-year initiative to research and develop major funding and policy reforms to improve the quality of Maryland's public education system to benefit each of our nearly 1 million public school students, which will, in turn, help the state's economy and quality of life for all Marylanders.

MABE also recognizes Joy Schaefer, former Frederick County board member, MABE's past-president, and MABE's representative on the Kirwan Commission, for her years of service in leading local board advocacy for the Commission's final recommendations that led to the Blueprint legislation.

The following highlights are intended to convey the Blueprint legislation's comprehensive scope but are far from exhaustive. See the 38-page [Fiscal and Policy Note](#) accompanying the bill (72 pages including appendixes) for detailed information on the bill's provisions.

**Key Provisions of the Blueprint for Maryland's Future Act**

*Note: The information provided below reflects the provisions and implementation dates in HB 1300 of 2020 and enacted by veto override in February of 2021. Subsequent legislation is anticipated to amend and extend many of the dates identified in the bill as passed a full year later than intended.*

**Legislative Committee**

**2021 Calendar**

- January 4, 2021  
\* (January 12, 2021 - Session convened)
- February 1, 2021
- February 22, 2021
- March 15, 2021
- April 5, 2021  
\* (April 12, 2021 - Session adjourns "Sine Die")
- April 28, 2021

MABE's Legislative Committee meetings are held virtually by Zoom on Monday mornings, 10:00 to 12:00, unless otherwise indicated. Meeting agendas and materials are posted on the [MABE website](#).

- **Foundation Formula** - The foundation formula grant is altered such that the count of students to be funded is the greater of (1) the prior year full-time equivalent (FTE) enrollment and (2) the three-year moving average of FTE enrollment. The target per-pupil foundation amount is increased over the current law to specified amounts for each year from fiscal 2022 to 2033. The funding weights are altered for special education, compensatory education, and English learner (EL) (formerly limited English proficient) grants is phased-in as specified through fiscal 2030.
- **Concentration of Poverty Grants** – The bill provides concentration of poverty grants in fiscal 2021 and each subsequent year to qualifying schools based on the percentage of free and reduced-price meal eligible students. Each school receives a personnel grant to employ a community school coordinator with specified qualifications and provide full-time coverage by at least one health care practitioner. Per-pupil grants are provided for each school following the completion of an assessment of the needed services. All eligible schools must establish a community school to provide wrap-around services to all children enrolled in the school.
- **Maintenance of Effort and Local Share** - Each year, the county government is required to appropriate funds to the local board of education equivalent to at least the same per-pupil level as in the prior year (maintenance of effort, or MOE), or its required local share – whichever is greater. The fiscal 2022 appropriation, the per-pupil MOE level each year is based upon the greater of (1) the prior year FTE enrollment and (2) the three-year moving average of FTE enrollment.
- **Career Ladder for Educators and National Board Certification** - A four-level career ladder must be implemented by each county board of education by July 1, 2023. Level one is a State-certified teacher. Level two is a teacher pursuing a Master's Degree, 30 credits of a State board-approved program of study, or National Board Certification (NBC).
- **Salary Increases** – Local boards must also demonstrate to the Accountability and Implementation Board by July 1, 2024, that teachers in the county received at least a 10% salary increase over the preceding five-year period. By fiscal 2027, all teachers must receive a salary of at least \$60,000.
- **Model Curriculum** - MSDE, in consultation with experienced teachers, must develop specified curriculum standards and curriculum resources that include specified elements and meet established standards for each subject at each grade level, building on one another in logical sequence in core subjects. MSDE must submit the curriculum resources and curriculum standards developed to the State Board of Education for adoption.
- **College & Career Readiness** - The State board must adopt a College and Career Ready Standard (CCR standard) specified in English language arts, mathematics, and, when practicable, science. MSDE must develop and begin to implement a plan to publicize the standards by January 1, 2021. With the 2020-2021 school year, each student must be assessed by 10th grade and by a State board approved method to determine whether the student meets the CCR standard.
- **College & Career Readiness Pathways** - Beginning in the 2023-2024 school year, each local board must provide all students who meet the CCR standard with access to the following post-CCR pathways, at no cost to the student or the student's parents, including the cost of any fees: (1) a competitive entry college preparatory program; (2) a program that allows a student, through an early college program or dual enrollment at a student's high school and an institution of higher education to earn an associate's degree or at least 60 credits, as specified; and (3) a robust set of CTE programs.
- **Prekindergarten** - The Prekindergarten Supplemental Grant in current law for four-year-olds enrolled in full-day prekindergarten is extended by one year through fiscal 2022. In fiscal 2023, a new funding formula for voluntary full-day prekindergarten for four-year-olds and three-year-olds from low-income families is phased-in. Low income is defined as at or below 300% of the federal poverty level (approximately \$79,000 for a family of four). Expansion of full-day prekindergarten will first be focused on making full-day prekindergarten available for all four-year-olds from low-income families. These half-day slots are being converted into full-day slots,

and new slots are coming online. This will occur at the same time as full-day prekindergarten is expanded gradually for three-year-olds from low-income families.

- **Judy Centers & Family Support Centers** - Funding is provided for nine additional Judy Centers annually in each of fiscal 2021 through 2025, 18 additional centers annually in fiscal 2026 through 2030, culminating in 135 new Judy Centers by fiscal 2030. The governor must appropriate \$275,000 for each additional Judy Center, and the state must prioritize increasing the number of Judy Centers in Title I communities. Funding is also provided for additional Family Support Centers in each fiscal 2021 through 2029, resulting in 30 additional centers.
- **Accountability and Implementation Board** – The AIB is established as an independent unit of State government designed to hold other government units accountable for implementing the Blueprint and evaluating the Blueprint outcomes during the implementation period.
- **Expert Review Teams** - The Expert Review Team Program, administered by MSDE, will deploy teams of teachers and other experts to specific schools to determine whether the Blueprint is being successfully implemented. If progress is insufficient, the team will work collaboratively to find reasons and solutions. Deployment of these teams will prioritize the lowest and lower performing schools in the state and the highest performing schools.
- **Estimated General Fund Revenues and Projected Education Funding Deficit** - The bill specifies that if estimated general fund revenues as reported by the Board of Revenue Estimates (BRE) in March and December of a calendar year beginning December 1, 2020, decrease by more than 7.5%, then the annual increases in education funding required by the Act will be limited to inflation as specified.

Again, the [Fiscal and Policy Note](#) and funding tables on the [bill information page for HB 1300](#) contain much more detailed information. The details concerning implementation timelines will also change relative to legislation to adjust for the year delay in the legislation taking effect.

More information on the Kirwan Commission's work, including the Commission's [Report](#) issued in January 2019, the [National Center on Education and the Economy \(NCEE\) Framework](#), the Blueprint legislation passed in 2019 (Senate Bill 1030), which has provided significant funding aligned with the Blueprint, and MABE's testimony throughout the process, is available on MABE's [priority issue page](#) on the Kirwan Commission and Blueprint for Maryland's Future.

## Blueprint Alignment in the Governor's Budget

During the debate on the final passage of the veto override on the Blueprint bill, Senator Guy Guzzone, Chair of the Senate Budget and Taxation Committee, emphasized that the Governor's State Budget Bill for FY 2022, introduced as House Bill 588, is aligned with and generously supportive of the key components of the Blueprint for Maryland's Future Act.

Senator Guzzone outlined the governor's enormous investments for concentration of poverty grants (for community schools), teacher salary grants, tutoring (transitional supplemental instruction), special education, prekindergarten, early education, and other programs. The chart below displays how the governor's proposed budget invests Blueprint funds.

	<b>2021</b>	<b>2022</b>	<b>Difference</b>
<i>Hold Harmless Grants*</i>	\$0.0	\$213.7	\$213.7
Concentration of Poverty Grants	65.2	71.9	6.7
Teacher Salary Incentives	75.0	75.0	0.0
Transitional Supplemental Instruction	23.0	174.6	151.6
Mental Health Services Coordinators	2.0	2.0	0.0
Special Education Grants	65.5	65.5	0.0
Prekindergarten Supplemental Grants	64.0	53.7	-10.4
Early Education	45.6	54.7	9.2
Prekindergarten Expansion Grants	26.6	26.6	0.0
MSDE Innovative Programs**	9.4	9.4	0.0
Teacher Collaborative Grants	2.5	2.5	0.0
MHEC Teaching Fellows Scholarship	2.0	2.0	0.0
Declining Enrollment Grants	7.6	0.0	-7.6
Blueprint Outreach	0.3	0.0	-0.3
Medicaid Direct Certification Initiative	0.2	0.0	-0.2
<b>Total</b>	<b>\$388.8</b>	<b>\$751.6</b>	

Source: [Dept. of Legislative Services \(DLS\) Fiscal Briefing \(January 25, 2021\)](#)

## Education Aid Added to Governor's COVID RELIEF Bill

[Senate Bill 496](#), Governor Hogan's "Recovery for the Economy, Livelihoods, Industries, Entrepreneurs, and Families (RELIEF) Act," including an amendment adding \$100 million in targeted education aid, has now passed both the Senate and House and will take effect immediately upon the governor's signature.

As introduced, this emergency Hogan Administration bill (1) provides up to \$750 in economic impact payments to a taxpayer who claims the state earned income tax credit in specific tax years; (2) exempts from the State income tax the unemployment insurance (UI) benefits received by an individual; (3) authorizes certain businesses to retain an increased sales and use tax vendor credit; (4) excludes fiscal 2020 and 2021 from the multi-year lookback periods generally used to establish employer UI taxes each year; (5) exempts from the State income tax certain coronavirus relief payments; and (6) authorizes the Department of Commerce to convert certain business loans into grants.

The Senate Budget & Taxation Committee heard the bill on January 26 and, on January 27, considered and approved amendments to add \$520 million in additional targeted funding. Although the initial bill did not include education-related provisions, the Senate amendments include \$100 million in education aid; \$50 million for summer school, and \$50 million for costs related to school reopening/return to in-person instruction:

- \$50,000,000 to the county boards of education to provide eight weeks of summer school or tutoring services during the summer, provided that the amounts shall be distributed proportionally to the number of public-school students who qualify for free or reduced-price meals in the county as compared to the number of total public school students who are eligible for free or reduced-price meals in the state; and
- \$50,000,000 to county boards of education to safely move towards delivering in-person education with priority given to special education students, students without reliable broadband service, and students who have shown a need for in-person instruction to succeed. The amounts shall be distributed proportionally to the number of public-school students enrolled in the county compared to the number of total public school students enrolled in the state.

## Bill Highlights

MABE is now tracking a record number totaling more than 470 pieces of legislation on issues including curriculum, student health, school facilities, special education, school security, student transportation, employee relations, and much more.

### Special Education

[HB0273 \(SB0266\)](#) - **Education - Voluntary Ethical Special Education Advocate Certificate Program** - Requiring the State Department of Education to establish the Voluntary Ethical Special Education Advocate Certificate Program on or before July 1, 2022, for administration of a voluntary certificate program for ethical special education advocates. MABE Position: No Position

[HB0405](#) - **Special Education - Judicial Actions - Attorney's Fees and Related Costs** - Authorizing a court to award reasonable attorney's fees and related costs to the parent of a child with a disability who is the prevailing party in a certain special education proceeding. MABE Position: Oppose

[HB0714 \(SB0300\)](#) - **Special Education - Learning Continuity Plan – Requirement** - Requiring an individualized education program to include a learning continuity plan to be implemented for students with disabilities during emergency conditions beginning October 1, 2021. MABE Position: Oppose

[HB0715](#) - **Public Schools - Self-Contained Special Education Classrooms - Use of Video Recording Devices** - Requiring each county board of education, beginning in the 2021-2022 school year, to install at least one video recording device in each self-contained special education classroom. MABE Position: Oppose

[HB0716 \(SB0371\)](#) - **Special Education – Individualized Education Programs – Educational Evaluations** - Altering the circumstances under which a parent may request an independent educational evaluation of a child with a disability at public expense to include a parent who submits a certain request to a local school system and the local school system does not respond within 30 days after the date the request was received or, on approval and under certain circumstances, the educational evaluation meeting does not occur within 60 days after the date the request was received. MABE Position: No Position

[HB0724 \(SB0209\)](#) - **Special Education - Education and Vocational Services - Prolonged School Closure** - Requiring a county board of education to offer and provide to certain disabled and special education students whose schools are subject to a prolonged school closure an option to continue attending school or receiving education services after the student's anticipated graduation date. MABE Position: Oppose (Note: The House and Senate versions are substantially different, with the House version including provisions referenced in the Senate hearing as sponsor amendments. The House version is narrower in scope yet remains a mandate exceeding federal requirements.)

[HB1271](#) - **Special Education - Student Evaluation - Identification of Traumatic Brain Injury** - Requiring the initial evaluation of a certain child to determine whether the child requires special education services to include certain questions regarding the history of traumatic brain injury, and requiring these questions to be developed by the State Department of Education in consultation with the State Traumatic Brain Injury Advisory Board. MABE Position: No Position

## Student Health

[HB0370 \(SB0225\)](#) - **Education - Public and Nonpublic Schools - Seizure Action Plans (Brynleigh's 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 a seizure disorder, including requiring each public school to have, as specified, two school employees trained in seizure disorders. 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. MABE Position: Oppose

[SB0278 \(HB0034\)](#) - **State Department of Education and Maryland Department of Health - Maryland School-Based Health Center Standards – Telehealth** - Requiring the State Department of Education and the Maryland Department of Health to authorize a certain health care practitioner at an approved school– based health center to provide health care services through telehealth under certain circumstances. MABE Position: Support

[HB1148 \(SB0830\)](#) - **Secretary of Health – School–Based Health Centers – Guidelines and Administration of Grants** - Requiring the Secretary of Health, in consultation with the State Department of Education and other stakeholders, to develop guidelines to support the expansion of school-based health centers; requiring the governor to transfer the administration of school-based health center grants from the State Department of Education to the Bureau of Maternal and Child Health within the Maryland Department of Health on or before July 1, 2022; etc. MABE Position: No Position

[SB0427 \(HB0205\)](#) - **Public Schools - Provision of Menstrual Hygiene Products – Requirement** - Requiring each county board of education to ensure that each public school provides, at no charge to students, menstrual hygiene products via dispensers in the restrooms at the school; requiring a public middle or high school to install menstrual hygiene product dispensers in at least two restrooms on or before October 1, 2021, and certain restrooms on or before August 1, 2025; and requiring a public elementary school to install menstrual hygiene product dispensers in at least one restroom by October 1, 2021. MABE Position: No Position

[SB0438 \(HB0401\)](#) - **Public Schools - Pregnant and Parenting Students - Policies and Reports** This bill requires the Maryland State Department of Education (MSDE) to develop a model policy, with specified elements, to support the educational and parenting goals and improve the educational outcomes of pregnant and parenting students. Each local board of education must establish a local policy based on the model policy. MSDE must provide technical assistance to a local board to establish the policies. In addition, the bill requires local boards to adopt policies to require each school to designate a private lactation space in the school that meets specified requirements; require schools to assist and advise pregnant and parenting students with finding safe, affordable, and reliable child care, early education services, and transportation services to and from school; incorporate the attendance policy for pregnant and parenting students as specified; provide for training of school personnel on policy objectives and requirements, and be published in the school system's student handbook. MABE Position: Oppose

## School Facilities

[HB0469 \(SB0330\)](#) - **State-Funded Construction and Major Renovation Projects - Solar Panels – Requirement** - Requiring the State, for certain construction projects and major renovation projects proposed after December 31, 2021, to require that the project be designed, engineered, and constructed in a manner that allows the roof to withstand the weight of solar panels; requiring certain construction projects and major renovation projects to include the installation of the maximum number of solar panels for which the project was designed; requiring the Maryland Green Building Council to provide certain recommendations; etc. MABE Position: Oppose

[HB0583 \(SB0414\)](#) - **Climate Solutions Now Act of 2021** - This bill makes broad changes to the state's approach to reducing statewide greenhouse gas (GHG) emissions and addressing climate change. Among other things, the bill (1) increases the statewide GHG emissions reduction requirement (from 40% from 2006 levels by 2030 to 60% from 2006 levels by 2030) and requires the state to achieve net-zero statewide GHG emissions by 2045; (2) establishes new commissions and working groups; (3) requires the Maryland Department of Labor (MDL) to adopt new energy conservation requirements for buildings and expands and alters the applicability of "high-performance building" standards.

The net-zero energy requirements for a building to meet the definition of "high-performance building" generally do not apply to public school buildings. However, subject to the availability of funding from the Net-Zero School Loan Fund (discussed below), at least one of the schools constructed in each local school system from July 1, 2022, through June 30, 2030, must be constructed to meet net-zero energy requirements. Additionally, any school constructed on or after July 1, 2022, that is not constructed to meet net-zero energy requirements must be solar-ready. "Solar-Ready" means designed, engineered, and constructed so that at least 40% of the roof area is: (i) free from obstructions; and (ii) capable of accepting the installation of solar. Subject to the availability of funding from the Net-Zero School Loan Fund, the state must make no-interest loans to cover the local share of new costs incurred in constructing a new school to meet net-zero energy requirements. MABE Position: No Position

[HB0083 \(SB0104\)](#) - **Public and Nonpublic Schools - Electric Retractable Room Partitions - Operation Requirements** - Prohibiting public and nonpublic school employees from operating an electric retractable room partition in a school except under certain circumstances; requiring any annual safety review, evaluation, or exercise for school employees in a school building to include information and demonstrations regarding the safe operation of an electric retractable room partition; requiring the State Department of Education to develop and disseminate model safety guidelines on the safe operation of electric retractable room partitions; etc. MABE Position: No Position

[HB0264 \(SB0483\)](#) - **Solid Waste Management - Organics Recycling and Waste Diversion - Food Residuals** - Requiring a certain person that generates food residuals to separate the food residuals from other solid waste and ensure that the food residuals are diverted from final disposal in a refuse disposal system in a certain manner; applying the requirements of the Act, beginning in certain years, to certain persons that generate certain amounts of food residuals; authorizing a person experiencing undue hardship because of the costs of diverting food residuals to apply to the Department of the Environment for a certain waiver; etc. MABE Position: Oppose (Note: MABE is reviewing sponsor amendments to exempt school systems).

[HB0636 \(SB0546\)](#) - **School Buildings - Drinking Water Outlets - Elevated Level of Lead (Safe School Drinking Water Act)** - Altering the definition of "elevated level of lead" for purposes of certain provisions of law requiring the periodic testing for the presence of lead in drinking water outlets in occupied public and nonpublic school buildings; and requiring by August 1, 2022, a school to take certain remedial measures on a drinking water outlet tested on or before June 1, 2021, if the test indicated a concentration of lead that was more than five parts per billion but less than 20 parts per billion. MABE Position: No Position (MABE opposed this bill in past sessions, but in light of growing support for the five ppb standard and advocacy for the bill in Annapolis, is taking no position on the bill as reintroduced with the amendments adopted in the Senate in 2020).

[SB0551](#) - **School Construction Incentive Act of 2021** - Requiring an eligible cost of public school construction or capital improvement project to include costs relating to certain planning, design, and analysis; requiring the Interagency Commission on School Construction to establish a certain incentive program for certain school construction and renewal projects; providing for the calculation of the incentive, including an increase in the State share percentage and a decrease in the local share percentage of school construction and renewal costs; etc. MABE Position: Oppose

## School Security

[HB0496](#) - **Primary and Secondary Education - Mental Health Services - Expansion (Counselors Not Cops Act)** - This bill repeals the \$10 million mandated State funding for school resource officers (SRO) and adequate law enforcement coverage after fiscal 2022 and instead requires the governor, beginning in fiscal 2023, to include \$10 million in the State budget to enhance school-based mental and behavioral health services for students. It also expands the membership of the School Safety Subcabinet Advisory Board, requires the Senate President and Speaker of the House to appoint the chair of the advisory board, alters the definition of school security employee, and requires specified reports by recipients of the grant funding mandated by the bill. The State Board of Education must develop regulations to implement the bill. MABE Position: Oppose

[HB0522](#) - **Public Schools - School Resource Officers - Prohibited Conduct** - Prohibiting a school administrator or official or a school safety coordinator from directing a school resource officer to enforce certain discipline-related policies, rules, regulations, or procedures; prohibiting a school resource officer from unilaterally enforcing certain discipline-related policies, rules, regulations, or procedures; and requiring a specialized curriculum for use in the training of school resource officers to include training in conduct that is prohibited. MABE Position: Support

[HB1089](#) - **Primary and Secondary Education – Expansion of Mental Health Services and Prohibition of School Resource Officers (Police-Free Schools Act)** - Repealing certain provisions of law relating to the establishment of the Baltimore City School Police Force; prohibiting a local school system from contracting with certain law enforcement agencies for a certain purpose; prohibiting a local school system from establishing its own police force; altering certain functions

and duties of the Maryland Center for School Safety to require the Center to analyze certain data, to certify certain law enforcement coverage, and to submit a certain report; etc. MABE Position: Oppose

[SB0245](#) - **Public Schools - School Resource Officers - Requirements and Prohibitions** - Prohibiting a school resource officer from entering a school building except if summoned by a school administrator or official to respond to an emergency involving violence or the threat of violence, etc. MABE Position: Oppose

[HB0700](#) - **Education - Disruption of School Activities - Repeal of Prohibition** - Repealing a provision of law prohibiting a person from willfully disturbing or otherwise willfully preventing the orderly conduct of activities, administration, or classes of any institution of elementary, secondary, or higher education. MABE Position: Oppose

## Employee Relations

[HB0373](#) - **Education - Child Abuse and Sexual Misconduct Prevention - Hiring Emergent Employees** - Authorizing the hiring of an emergent employee by a county board of education or nonpublic school for a period not to exceed 60 days pending a review of an individual's employment history for applicants who will have direct contact with minors; authorizing a county board or nonpublic school to take certain actions within the 60-day period; authorizing a certain appeal following a certain decision; authorizing a county board or nonpublic school to share a certain employment history review with other county boards and nonpublic schools; etc. MABE Position: Support

[HB0909](#) ([SB0165](#)) - **Maryland Healthy Working Families Act – Applicability** - Providing that the Maryland Healthy Working Families Act does not apply to employees of a county board of education who are called to work on an as-needed basis, can reject or accept the shift offered by the county board of education, and are not guaranteed to be called on to work by the county board of education. MABE Position: Support

[SB0813](#) ([HB1199](#)) - **Workers' Compensation - Occupational Disease Presumptions - COVID-19** - Providing that certain covered employees who are suffering from the effects of severe acute respiratory syndrome coronavirus two are presumed, under certain circumstances, to have an occupational disease they suffered in the line of duty or course of employment and is compensable in a certain manner; etc. "Education Worker" means an individual whose primary place of employment is a school or institution of higher education. "Education Worker" includes teachers, paraprofessional educators, support workers, administrative personnel, maintenance workers, and food service workers. MABE Position: Oppose

[SB0860](#) - **Workers' Compensation - COVID-19 Occupational Disease Presumption - Public School Employees** - Establishing that, under certain circumstances, public elementary and secondary school employees in the state are presumed to have an occupational disease that is compensable under workers' compensation law after a certain positive test or diagnosis for COVID-19; providing that a certain presumption may be rebutted with certain evidence; and terminating the Act after July 31, 2022. MABE Position: Oppose

[HB1322](#) - **Primary and Secondary Education - School Personnel - Prohibition on Retaliation for Not Returning to In-Person Instruction and Work** - Prohibiting the Governor, the State Superintendent of Schools, the State Board of Education, a county superintendent, and a county board of education from disciplining, suspending, terminating, or otherwise retaliating against school personnel who choose not to return to a school building for in-person instruction during the 2020-

2021 school year; requiring the State Board and county boards to allow certain school personnel to instruct and work remotely to the extent practicable during the 2020-2021 school year; etc. MABE Position: Oppose

## Transportation

[SB0448 \(HB0072\)](#) - **County Boards of Education - Student Transportation – Vehicles** - Authorizing a county board of education to provide transportation to and from school for certain students using a vehicle other than a Type I or Type II school vehicle when a school vehicle cannot reasonably be provided; and requiring the State Department of Education, in consultation with county boards of education and the Motor Vehicle Administration, to adopt regulations establishing minimum vehicle and driver safety standards for alternate student transportation. MABE Position: Support

## Curriculum & Programs

[HB0612 \(SB0496\)](#) - **Recovery for the Economy, Livelihoods, Industries, Entrepreneurs, and Families (RELIEF) Act** - Providing certain financing during fiscal years 2021 and 2022 for the purpose of relieving the adverse effects of the coronavirus pandemic; etc. MABE Position: Support as Amended to include \$100 million in education funding.

[HB0713 \(SB0409\)](#) - **County Boards of Education - Therapy Dogs - Policy for Handling and Use in Schools** - Requiring a county board of education to allow the use of therapy dogs in public schools in the county; requiring each therapy dog used in a public school to be accompanied by a handler; and requiring each county board to adopt a policy with certain guidelines for the use and handling of therapy dogs in public schools in the county. MABE Position: Support w/Amendments (Initially opposed; shifted to requesting amendments to make authorizing rather than mandatory by amending "shall" to "may").

[HB0824 \(SB0231\)](#) - **Public Schools - Cyber Safety Guide and Training Course - Development, Implementation, and Reporting** - Requiring the State Department of Education, the Behavioral Health Administration within the Maryland Department of Health, the Maryland Center for School Safety, and the Department of Information Technology jointly to develop and publish a cyber safety guide and training course on safe Internet, social media, and technology usage for certain students, parents, and school employees to be implemented beginning in the 2022-2023 school year; requiring the guide to be posted on certain websites; etc. MABE Position: Support w/Amendments (Initially opposed; shifted to requesting amendments to remove the provisions mandating reporting on student credit/certification completion and teacher accreditation).

[HB0011](#) - **Public Schools - African American History - Development of Content Standards and Implementation** – Requiring the State Board of Education, by December 1, 2021, to develop content standards for African American history to be included in certain State standards for social studies; requiring the content standards to include certain topics; requiring each county board of education to develop and implement certain age-appropriate curriculum guides for African American history subject to certain content standards; requiring each public school in the state, by the 2022–2023 school year, to implement an African American history curriculum; etc. MABE Position: No Position

[HB0916](#) - **Education - Public Middle and High Schools - Financial Literacy Curriculum and Graduation Requirement** - Requiring the State Department of Education to update the Maryland State Curriculum for Personal Financial Literacy Education and financial literacy standards to include content related to student loans and taxes; requiring the State Board to develop curriculum

content for middle and high school courses in financial literacy; requiring students to complete a financial literacy course in order to graduate from a public middle or high school; etc. MABE Position: Oppose

[HB1299](#) - **Education - Public High Schools - Financial Literacy Curriculum and Graduation Requirement** - Requiring the State Board of Education to develop curriculum content for a half-semester-long course in financial literacy; requiring each county board of education to implement the financial literacy curriculum content in every public high school in the county, and requiring students to complete a course in financial literacy in order to graduate from a public high school. MABE Position: Oppose

[SB0664](#) ([HB0096](#)) - **Education - High School Graduation Requirements - Applications for Student Financial Aid** - Requiring public high school students, beginning in the 2022-2023 school year, to confer with a high school guidance counselor or other designated representative regarding certain financial aid applications as a requirement for graduation; etc. MABE Position: Support w/Amendments

## Digital Divide

[HB0097](#) ([SB0066](#)) - **Department of Housing and Community Development - Office of Digital Inclusion - Established (Digital Connectivity Act of 2021)** - Establishing the Office of Digital Inclusion in the Department of Housing and Community Development to ensure that every resident of the state is supported by high-quality broadband Internet service at an affordable price, and has the tools necessary to use and take advantage of the Internet; requiring the governor to appoint the Director of the Office; requiring the Office to develop, by July 1, 2022, a statewide plan to ensure all State residents have the ability to connect to reliable broadband Internet by December 31, 2029; etc. MABE Position: Support

## Charter Schools

[HB0665](#) - **Education - Public Charter Schools - Virtual Learning Programs** - Altering the definition of "public charter school" to include a virtual learning program; defining "virtual learning program" as a program of instruction that provides a significant portion of its curriculum and delivers a significant portion of its instruction to its students by teachers in an interactive learning environment through the Internet; etc. MABE Position: Oppose

## Liability

[HB0508](#) ([SB0210](#)) - **COVID-19 Claim - Civil Immunity** - Providing civil immunity from liability for a COVID-19 claim to a person who acts in compliance with certain statutes, rules, regulations, executive orders, and agency orders, unless the person acted with gross negligence or intentional wrongdoing; providing that certain deviations from certain statutes, rules, regulations, executive orders, and agency orders do not deny a person civil immunity provided for under the Act; limiting the effect of the civil immunity provided for under the Act; etc. MABE Position: Support

## Bill Report

A [Bill Report](#) and [Hearing Schedule](#) containing MABE's positions and the status of all the bills we are tracking is available on the MABE website and updated weekly during Session.

## Federal Updates

Weekly updates on federal legislation and agency actions are available on [MABE's Federal Advocacy Center](#).

Lawmakers in the House of Representatives took the first steps to pass major components of President Biden's **American Rescue Plan**. This \$1.9 trillion proposal seeks to comprehensively respond to the ongoing pandemic. Based on the very narrow majority of Democrats, the majority is making use of a legislative process, known as "budget reconciliation," to pass this proposal with simple majorities in both chambers – a move that would circumvent a likely Republican filibuster in the Senate (Republicans last used it in 2017 to pass the **Tax Cuts and Jobs Act**). Last week, both the House and the Senate took the first steps in this process by passing separate budget resolutions. These resolutions provided instructions to the committees of jurisdiction to develop legislation that aligns with President Biden's pandemic relief plan.

This week, several House Committees moved forward with these efforts. On Tuesday, February 9, the House Education and Labor Committee marked up **legislation** that would provide nearly \$130 billion in additional emergency aid for the K-12 community. These funds would be distributed via the existing Elementary and Secondary School Emergency Relief (**ESSER**) funding stream. All the current allowable uses of funds and related requirements for the ESSER fund would apply except that:

- States would be required to set aside at least five percent of their ESSER allocation to support evidence-based interventions that address learning loss; and
- School districts receiving funds would be required to use at least 20 percent of their local allocation for similar activities to address student learning loss.

In addition to these changes, the bill would also explicitly tie the treatment of these funds to existing requirements in the Every Student Succeeds Act (ESSA), delineating how to share resources with nonpublic schools (a provision known as equitable services). The bill would also require states and local school districts to adhere to both a Maintenance of Equity and a Maintenance of Effort provision. These requirements would compel States and districts to maintain previous spending levels and prevent additional reductions of funding to fall on districts serving students most in need in exchange for this funding.

The committee considered over 30 amendments on Tuesday during a 13-hour markup hearing, which did not significantly change the underlying bill. The legislation was passed along party lines, 27-21, and was sent back to the House Budget Committee to be included in a single legislative package later.

## Advocacy Resources

- [MABE's Annapolis Advocacy Center](#)
- [MABE's State Board Advocacy Center](#)
- [MABE's Federal Advocacy Center](#)

For more information, contact John R. Woolums, Esq., MABE's Director of Governmental Relations, at [jwoolums@mabe.org](mailto:jwoolums@mabe.org) or 410-841-5414.

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