



## Bills Passed in the 2021 Legislative Session

### The Blueprint for Maryland's Future Act

[HB 1300](#) (Ch. 36) (Enacted in 2021 by veto override) - **Blueprint for Maryland's Future Act - Implementation** - This bill substantially alters State aid and State policy for public schools known as the Blueprint for Maryland's Future (Blueprint). The bill establishes in law the policies and accountability recommendations of the Commission on Innovation and Excellence in Education. Funding for existing education formulas is altered and new funding formulas are established for specific purposes.

*Note: The information provided below reflects the provisions and implementation dates contained in HB 1300 of 2020; enacted by veto override in February of 2021.*

### Key Provisions

- **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. Also, the target per pupil foundation amount is increased over 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; and 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, 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. Beginning with 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 specified standards, for each subject at each grade level, that build 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) as 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. Beginning with the 2020-2021 school year, each student must be assessed no later than the 10th grade by a method adopted by the State board 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. Beginning 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 as half-day slots are being converted into full-day slots and new slots are coming on line. 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 9 additional Judy Centers annually in each of fiscal 2021 through 2025, and for 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 of 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 units of government accountable for implementing the Blueprint and evaluating the outcomes of the Blueprint during the implementation period.
- **Expert Review Teams** - The Expert Review Team Program, administered by MSDE, will deploy teams of teachers and other experts to certain schools to determine whether the Blueprint is being successfully implemented. If progress is insufficient, the team works collaboratively to find reasons and solutions. Deployment of these teams will give priority to the lowest and lower performing schools in the State as well as 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.

### **The Built to Learn Act**

[HB 1](#) (Ch. 20) - The Built to Learn Act of 2020 (Became effective upon the passage of HB 1300 by veto override) - This bill authorizes the Maryland Stadium Authority (MSA) to issue up to \$2.2 billion in revenue bonds, backed by annual payments from the Education Trust Fund (ETF) beginning in fiscal 2022, for public school construction projects in the State including to support a possible public-private partnership (P3) agreement for Prince George’s County. Construction materials purchased for public school facility projects managed by MSA are exempt from the State sales and use tax. The bill also expands school construction costs eligible for State funding and increases or establishes new mandated State funding for other public school construction programs. MABE Position: Support

## **Highlights of Bills Pending in the 2021 Legislative Session**

(Link to updated [report of all bills MABE is tracking](#))

### **The Blueprint for Maryland’s Future Act: Revisions, Extensions, and Expansion**

[HB1372](#) ([SB0965](#)) - **Blueprint for Maryland's Future - Revisions** - Altering certain policy and funding provisions relating to the Blueprint for Maryland's Future; altering certain dates for the implementation of the Blueprint for Maryland's Future; requiring the State Department of Education to submit certain data to the Department of Budget and Management and the Department of Legislative Services; specifying that the target per pupil foundation amount includes educational technology costs; altering the amount of a certain personnel grant; etc. MABE Position: Support

Key provisions of this legislation update the Blueprint law to extend implementation dates, make technical changes, secure local maintenance of effort funding, correct for declining enrollment counts in the fall of 2020, increase funding to close the digital divide, and address the paramount needs for summer school and other supplemental services in response to the COVID pandemic.

[Section-by-section guide](#) to changes the “Blueprint Revisions” bill makes to the law.

## School Facilities

[HB 86/SB 228](#) - **Capital Projects - High Performance and Green Buildings - Alterations (Green Building Restoration Act)** - This bill expands the application of the State's high-performance building requirement to any capital project (including major public school renovations) for which more than 25% of the funding for the acquisition, construction, or renovation of the project is State funds, subject to existing exemptions and waiver processes; newly constructed public schools and community college capital projects that receive any State funds are still required to be built as high-performance buildings. However, the bill allows public schools and public safety buildings in sparsely populated areas to meet a lower high-performance building standard than other public buildings (LEED Certification instead of Silver). The bill also reinstates a requirement that new public school buildings obtain independent certification of their "green" status. The bill takes effect July 1, 2021. MABE Position: No Position

[HB 583/SB 414](#) - **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; etc. MABE Position: No Position; *Status: Passed in Senate*

### Special Provisions for School Construction

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. 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.

### Green Building Council - High-performance Buildings

The bill makes several changes related to existing provisions governing "high-performance buildings." The bill modifies the definition of a "high performance building" to include a building that meets or exceeds the current requirements for certification under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Zero Program or (2) achieves a net-zero energy balance in accordance with standards or guidelines recommended by the Maryland Green Building Council (MGBC) and approved by the Secretaries of Budget and Management and General Services. The bill expands the applicability of requirements relating to high-performance buildings to capital projects that are at least 25% funded with State funds. Under current law, the requirements only apply to projects that are solely funded with State funds.

The bill repeals a requirement for MGBC to develop specified guidelines for new public school buildings; instead, the bill requires the council to ensure that State buildings, public schools, and community colleges that are required to meet high performance building requirements do so. MGBC must also develop guidelines for evaluating the energy balance and achieving a net-zero energy balance in buildings subject to specified high performance building standards.

[HB 469 \(SB 330\)](#) - **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

[HB 630](#) - **Primary and Secondary Education - School District Energy Use - Policy and Study** - This bill requires each local school system to adopt or update a school district energy policy by July 1, 2022. The Interagency Commission on School Construction (IAC) must coordinate with the Maryland Energy Administration (MEA) and the Maryland Clean Energy Center (MCEC) to study and make recommendations on expanding and providing additional funding for the Maryland Net Zero Energy School Initiative Grant Program. A school district energy policy must:

- address the purchasing, conservation, and efficiency of energy for the school system;
- provide for the monitoring and reporting of the amount and percentage of the school system's use of electricity from renewable sources; and
- include current and historical data on the school system's energy use.

MABE Position: No Position; *Status: Passed in House*

[HB 487](#) - **Education - School Construction - Pedestrian Safety Plans (School Pedestrian Safety Act)** - This bill requires a local school board that is seeking State funds for the construction of a new public school or, for the renovation or addition to an existing school, under specified circumstances, to submit a pedestrian safety plan to the Interagency Commission on School Construction (IAC). Pedestrian safety plans must be developed in collaboration with the State Highway Administration (SHA) and county departments of transportation, and IAC must review submitted pedestrian safety plans in consultation with SHA. MABE Position: No Position; *Status: Passed in House*

[HB 401 \(SB 438\)](#) - **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

[HB 83 \(SB 104\)](#) - **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

[HB 264 \(SB 483\)](#) - **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

[HB 636 \(SB 546\)](#) - **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 5 parts per billion but less than 20 parts per billion. MABE Position: Support w/Amendments

[SB 551](#) - **School Construction Incentive Act of 2021** - This bill requires the Interagency Commission on School Construction (IAC) to establish a school construction incentive program that increases the State share of construction costs for new or specified renovated schools for which the total cost of ownership is at least 10% less than a calculated baseline total cost of ownership. The bill also expands the school construction-related costs that are eligible for State funding to include, among other things, planning costs. IAC must (1) develop life cycle cost analysis standards in collaboration with the Maryland State Department of Education (MSDE) and (2) adopt regulations to carry out the bill. MABE Position: Oppose

## **School Security**

[HB0048](#) - **Criminal Procedure – Registered Sex Offenders – Entry Onto School Property** - This emergency bill repeals the authorization of a student who is a registered sex offender to, under certain circumstances, enter onto real property (1) that is used for public or nonpublic elementary or secondary education or (2) on which a registered family child care home, a licensed child care home or child care institution, or a home used for informal child care is located. Each county board of education must develop and adopt a policy that enables a registered sex offender who is a student to continue receiving an education by participating in the home and hospital teaching program for students or by attending a regional institute for children and adolescents (RICA). The State Board of Education must develop and adopt guidelines and a model policy to assist a county board with the development of a policy. MABE Position: No Position; *Status: Passed in House*

[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 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; *Status: Passing in the House*

## **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; *Status: Passed in House*

[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 2 are presumed, under certain circumstances, to have an occupational disease that was 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

[HB1254](#) – **Public School Employees - Whistleblower Protection - Civil Actions** - This bill repeals the prerequisite that a public school employee who is engaging in whistleblowing, as specified, exhaust any administrative remedies before instituting a civil action. However, under the bill, a public school employee who is subject to a personnel action due to whistleblowing must notify the local superintendent of schools in writing of the employee's intention to institute a civil action. In addition, the bill establishes an administrative complaint and remediation process for public school employees engaged in whistleblowing who have been subject to personnel action. 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; *Status: Passing in the House*

## 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; *Status: Passed in Senate and Passing in the House*

[HB01275](#) - **Maryland Automobile Insurance Fund - Liability Insurance - School Bus Contractors** - Requiring the Maryland Automobile Insurance Fund to offer primary or supplemental coverage to certain applicants that provide school bus services to a county board of education; requiring the coverage to include certain minimum coverages and to equal or

exceed the coverage provided to public contractors for school bus services in the county; and exempting coverage under the Act from a certain limitation. MABE Position: No Position

## **Curriculum & Programs**

[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”).

[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

[HB0140](#) - **Commission on History, Culture, and Civics in Education** - This bill establishes the Commission on History, Culture, and Civics in Education to make recommendations to the State Board of Education (SBE) and the Maryland State Department of Education (MSDE) to further the discovery, interpretation, and learning of the history, culture, and civics of the United States and Maryland. By July 1 each year, SBE must review the commission’s findings and recommendations and make any appropriate changes to the educational standards for prekindergarten through grade 12. MABE Position: No Position

[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

[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).

[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

### **Special Education & Students with Disabilities**

[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; prohibiting a court from awarding attorney's fees and related costs to certain parents in a certain proceeding under certain circumstances; and authorizing an award of attorney's fees and related costs to a parent of a child with a disability who is a prevailing party under certain circumstances. 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; requiring an individualized education program team to develop a learning continuity plan at certain times and to consider certain risks for a certain purpose; providing for the contents of a learning continuity plan; authorizing a local school system to provide certain services by certain learning models; etc. MABE Position: Oppose; *Status: Passing in the House*

[HB0715](#) ([SB0665](#)) - **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; requiring video recording devices to record self-contained special education classrooms and exclusion areas during school hours and during any time that the classroom or exclusion area is in use; prohibiting the use of a video recording device in bathrooms or in areas that students use to change clothing; etc. MABE Position: Oppose

[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; requiring a county board to provide a notice to the parents or guardians of eligible students about a student's option to continue attending school or receiving certain education services; etc. MABE Position: Oppose

[HB1166](#) - **Education - Physical Restraint and Seclusion - Requirements, Reporting, and Training** - Prohibiting a public agency or nonpublic school from using a physical restraint on a student as a behavioral health intervention, except under certain circumstances; prohibiting a public agency or nonpublic school from using seclusion as a behavioral health intervention for a student, except under certain circumstances; requiring a certain risk assessment to be completed at certain points for a student who has an individualized education plan and experiences a seclusion; etc. MABE Position: Oppose

[HB1181](#) - **County Boards of Education - Accessibility Standards - Digital Tools (Nonvisual Access Accountability Act for Grades K-12 Education)** - This bill requires each local board of education to provide a student with disabilities access to specified digital tools that (1) are fully and equally accessible to and independently usable by the student and (2) enable the student to acquire the same information, participate in the same interactions, and access the same services as a student without disabilities, with substantially equivalent ease of use. Each digital tool developed or purchased by a local board must include specifications for access for students with disabilities, including nonvisual access, in accordance with the technical standards for electronic and information technology used under specified federal law or any other widely accepted or freely available technical standard. Each local board must establish a process to evaluate digital tools being considered for development or purchase for conformity with the above requirements. The bill establishes certain procurement procedures regarding digital tools and civil penalties for vendors that fail to meet specified accessibility standards, after certain notification. MABE Position: Oppose

## **Student Health**

[HB0370](#) ([SB0225](#)) - **Education - Public and Nonpublic Schools - Seizure Action Plans (Brynleigh's Act)** - Requiring a county board of education and authorizing a nonpublic school, beginning in the 2022–2023 school year, to require two school employees to be trained in recognizing the signs and symptoms of a seizure, administering first aid, and administering or assisting with the administration of seizure medication and performing manual vagus nerve stimulation; authorizing a certain registered nurse to serve as a certain trained school employee; providing a certain employee is immune from civil liability under certain circumstances; etc. MABE Position: Oppose

[HB0609](#) - **Public and Nonpublic Schools - Bronchodilator Availability and Use - Policy (Bronchodilator Rescue Inhaler Law)** - Requiring each county board of education and authorizing nonpublic schools in the State to establish a policy to authorize certain school personnel to administer bronchodilators to certain students under certain circumstances; prohibiting a school nurse or certain school personnel from administering a bronchodilator to a prekindergarten student unless the student has received a certain diagnosis and has a certain prescription; requiring a certain policy to include certain information; etc. 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; prohibiting the State Department of Education and the Maryland Department of Health from establishing certain requirements for a certain school–based health center to provide health care services through telehealth; etc. MABE Position: Support; *Status: Passed in Senate and Passing in the House*

## 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

## Virtual Schools

[SB0966](#) - **Virtual Schools - Statewide Education Platform - Procurement and Establishment** - Authorizing the State Department of Education to make a procurement on an expedited basis with the approval of the State Board of Education; authorizing virtual schools to operate on a year-round basis; requiring the Department, in accordance with the expedited procurement process, to issue a request for proposals for a statewide platform to provide virtual education on or before May 1, 2021; requiring the Department to award a contract for the virtual education platform on or before June 1, 2021; etc. MABE Position: Hold/Support with Amendments

[HB1376](#) - **Primary and Secondary Education - Virtual Education – Requirements** - Requiring the State Department of Education to establish a statewide universal learning management system on or before July 1, 2022; authorizing a county board of education to create a permanent virtual school or to transition a school to virtual learning on a temporary basis under certain circumstances; requiring a county board to establish certain plans, methods, and processes for temporary and permanent virtual schools; requiring the Department to expand computer and Internet security infrastructure for virtual education; etc. MABE Position: Hold/Support with Amendments

## Liability

[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 does 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

## Governance

[HB0465](#) - **State Superintendent of Schools - Qualifications and Senate Confirmation** - This emergency bill requires the State Superintendent of Schools to be appointed by the State Board of Education with the advice and consent of the Senate. The State Superintendent may not be a current member of the State board or have been a member at any time during the year immediately preceding the appointment. MABE Position: Oppose; *Status: Passed in House*

[HB1278\(SB0825\)](#) - **Department of Legislative Services - Study - Capacity and Accountability of State Department of Education** - Requiring the Department of Legislative Services to contract with a consultant to study and make recommendations on capacity and accountability within MSDE and the Department's ability to carry out its duties under the Education Article, as well as implement the Blueprint for Maryland's Future. MABE Position: No Position

[SB0644](#) - **State Officials - Appointments - Advice and Consent of the Senate** - Providing that the State Board of Education shall appoint the State Superintendent of Schools with the advice and consent of the Senate; requiring an individual who holds the office of State Administrator of Elections, beginning in a certain year, to be subject to reappointment by the State Board of Elections with the advice and consent of the Senate with a certain frequency; providing that, beginning in a certain year, after the inauguration of a Governor to a second consecutive term of office, if that Governor carries over any principal department secretary, that secretary shall be reappointed by the Governor with the advice and consent of the Senate; and generally relating to the advice and consent of the Senate to confirm State officials. MABE Position: No Position

[SB0785](#) - **State Board of Education Membership and Terms - Capability and Capacity Study of Education Agencies** - Requiring the Governor to appoint or reappoint a member of the State Board of Education on or before January 1 of the year in which the member's term expires; establishing qualifications for members of the State Board; requiring a member's term to begin on the July 1 after appointment; requiring the Accountability and Implementation Board to contract with a consultant to study the capability and capacity of the State Department of Education, the Maryland Higher Education Commission, and other entities, to carry out their duties; etc. MABE Position: Support w/Amendments; *Status: Passing in the Senate*

## Elections

[HB0655](#) - **Local Elections - County Commissioner and County Boards of Education - District Voting** - As amended before passing in the House, this bill would require that the election of a county commissioner or board of education member to represent a specific county commissioner or board of education district must be decided by a plurality of the votes cast within that district. The bill applies to Calvert, Charles, Garrett, Queen Anne's, St. Mary's, and Montgomery County. MABE Position: No Position; *Status: Passed in the House*