

**Legislative Committee Meeting**

Monday, February 28, 2022

10:00 a.m. – 12:00 p.m.

Teleconference Meeting via Zoom

Karen Yoho, Chair

Brenda Wolff, Vice Chair

**Agenda**

1.	Meeting Opening	Opening Remarks & Roll Call	Karen Yoho/ Brenda Wolff/ John Woolums	10 min.
2.	State Board Updates <ul style="list-style-type: none"> <li>State Board Votes to Rescind Mask Regulations (Feb. 22)</li> <li>AELR Hearing &amp; Vote to Rescind (Feb. 25)</li> </ul>	Information & Discussion	Karen Yoho/ John Woolums/ All	20 min.
3.	Budget Updates <ul style="list-style-type: none"> <li>Governor Releases \$480 Million <a href="#">Supplemental Budget</a></li> <li>\$139.9 million in additional resources for education, including Blueprint for Maryland's Future initiatives.</li> <li><a href="#">AIB Letter to Governor Hogan Requesting Additional Funding</a></li> </ul>	Information & Discussion	Karen Yoho/ John Woolums/ All	20 min.
4.	Blueprint Updates <ul style="list-style-type: none"> <li>Join Committee Briefing by AIB &amp; MSDE on Blueprint Implementation <a href="#">Meeting Materials</a> &amp; <a href="#">Video Link</a></li> </ul>	Information & Discussion	Karen Yoho/ John Woolums/ All	20 min.
5.	Bill Highlights <ul style="list-style-type: none"> <li><b>HB 1426/SB 640</b> - Maintenance of Effort Requirements - Alterations</li> <li><b>HB 1450</b> - Blueprint Implementation Plans and Fund - Alterations</li> <li><b>SB 617/HB 547</b> - Local School Systems - Equivalent Access Standards - Digital Tools (Nonvisual Access Accountability Act for K-12 Education)</li> <li><b>HB 1255/SB 705</b> - Physical Restraint and Seclusion - Limitations, Reporting, and Training</li> <li><b>HB 686</b> - Health and Safety - Carbon Dioxide Monitoring in Classrooms (Safe School Indoor Air Act)</li> <li><b>HB 1290</b> - Public School Construction - Funding and Administration</li> </ul>	Information & Discussion	Karen Yoho/ John Woolums/ All	45 min.
6.	Future Meetings	Information	Karen Yoho/ John Woolums	5 min.
7.	Adjournment	Closing Remarks	Karen Yoho	

## Bill Highlights

Support	<a href="#">HB 1426</a> <a href="#">SB 640</a>	<b>Primary and Secondary Education - Maintenance of Effort Requirements - Alterations</b>	<a href="#">Delegate Luedtke</a> <a href="#">Senator King</a>
<p>This bill would require county governments (including Baltimore City) to appropriate local funds to the public school operating budget in an amount not less than the greater of (1) the per pupil maintenance of effort (MOE) requirement for fiscal 2023 or (2) the county's fiscal 2022 local appropriation, minus any applicable federal COVID-19 funding received by the county that is used to exceed MOE in fiscal 2022. County governments would also remain subject to minimum appropriations resulting from the requirement to provide the local share of major education aid, after accounting for local share relief provisions. This bill would ensure adequate funding for the 2022-2023 school year, and prevent a gap from forming between the prior year and year's funding levels.</p>			

Support	<a href="#">HB 1450</a>	<b>Blueprint for Maryland's Future – Implementation Plans and Fund – Alterations</b>	<a href="#">Delegate McIntosh</a>
<p>This bill extends dates for the development, adoption, and submission of plans to implement the Blueprint for Maryland's Future; alters the date by which criteria to evaluate certain implementation plans must be developed; alters the distribution of certain sales and use tax revenues to the Blueprint for Maryland's Future Fund; and authorizes certain entities or programs to retain the unspent portion of a certain appropriation for fiscal year 2023. Specifically, the bill:</p> <ul style="list-style-type: none"> <li>• Extends the State Implementation Plan deadline from Feb. 15, 2022 to Dec. 1, 2022;</li> <li>• Extends the MSDE deadline for plan criteria from April 1, 2022 to Sept. 1, 2022;</li> <li>• Extends the local implementation plan deadline extended from June 15, 2022 to March 15, 2023; and</li> <li>• Revises the formula for dedicated sales tax revenue to the Blueprint Fund.</li> </ul>			

Support w/ Amendments	<a href="#">SB 617</a> <a href="#">HB 547</a>	<b>Local School Systems - Equivalent Access Standards - Digital Tools (Nonvisual Access Accountability Act for K-12 Education)</b>	Senator Zucker Del. Guyton
<p>This bill requires each local school system to provide a student with disabilities access to 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 in accordance with technical standards issued under specified federal law or any other widely accepted or freely available technical standard. Each local school system must establish an evaluation process for 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. The bill takes effect July 1, 2022.</p>			

Support w/ Amendments	<a href="#"><u>HB 1255</u></a> <a href="#"><u>SB 705</u></a>	<b>Education - Physical Restraint and Seclusion - Limitations, Reporting, and Training</b>	<a href="#"><u>Delegate Ebersole</u></a> <a href="#"><u>Senator Zucker</u></a>
<p>This bill would prohibit public agencies and non-public schools from using physical restraint or seclusion as a behavioral health intervention for students during school hours, except in cases where it is necessary to protect the student or another individual from imminent serious physical harm. The bill requires that other, less intrusive intervention be used and be deemed unsuitable before resorting to physical restraint. Non-public schools will be required to have a health care practitioner on site who directly observes students in seclusion if seclusion is found to be necessary, and the seclusion cannot last longer than 30 minutes. This bill also requires the State Department of Education to develop an accountability system to measure compliance with certain regulations and requires the adoption of positive behavioral intervention training requirements.</p>			

Oppose	<a href="#"><u>HB 686</u></a>	<b>Public Schools – Health and Safety – Carbon Dioxide Monitoring in Classrooms (Safe School Indoor Air Act)</b>	<a href="#"><u>Delegate Solomon</u></a>
<p>This bill establishes the Safe School Indoor Air Program within the Maryland Department of the Environment (MDE) to improve indoor air quality in public school classrooms. MDE, in consultation with the Maryland State Department of Education (MSDE), must administer the program and adopt regulations. MDE must develop and conduct training on carbon dioxide (CO2) monitoring in classrooms, and public schools must conduct ongoing classroom CO2 monitoring, implement necessary remediation measures, and submit annual reports, as specified. Public schools must conduct at least biannual CO2 monitoring and remediation (as necessary) and report findings to county boards. The bill also establishes annual reporting requirements for county school boards.</p>			

Support w/ Amendments	<a href="#"><u>HB 136</u></a> <a href="#"><u>SB 299</u></a>	<b>Education - Public and Nonpublic Schools - Seizure Action Plans (Brynleigh's Act)</b>	<a href="#"><u>Delegate Kerr</u></a> <a href="#"><u>Senator Young</u></a>
<p>This bill requires, beginning in the 2023-2024 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 at least two school personnel trained in seizure disorders, as specified. Each public school must provide specified staff training every two years. 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 nonpublic school may require trained personnel. The bill takes effect July 1, 2022.</p>			

Support	<a href="#"><u>HB 1290</u></a>	<b>Education - Public School Construction - Funding and Administration</b>	<a href="#"><u>Delegate McIntosh</u></a>
<p>This bill implements the recommendations of the Workgroup on the Assessment and Funding of School Facilities, including changes to State funding levels and State/local cost-share formulas, school construction project approval requirements, and the ongoing statewide school facility assessment. It mandates funding levels for the renamed School Construction Revolving Loan Fund, extends funding for the Healthy School Facility Fund (HSFF), and delays funding for the Public School Facilities Priority Fund (PSFPF). It requires the IAC to update cost-share formulas and school space allowances to reflect the Blueprint for Maryland's Future, and expresses legislative intent that a new workgroup be established by July 2024. The bill takes effect July 1, 2022.</p>			

## State Board Updates

### **Maryland State Board of Education Rescinds Statewide School Mask Mandate Regulations** February 22<sup>nd</sup>, 2022

On February 22<sup>nd</sup>, MSDE voted to rescind the previously implemented off-ramps for masks and lift the statewide school mask mandate. The measure would take effect in March after the AELR committee in Annapolis approves the measure on February 25<sup>th</sup>. State Superintendent Choudhury told the board that he felt it was the right time to give local boards the control over mask policies, and that the decision was based on scientific data and current infection rates. Governor Hogan applauded the measure and its alignment with the guidance of medical professionals across the country. In Maryland, 73.3% of the population has received a full series of the COVID-19 vaccine, 74.5% of children aged 12-17 are vaccinated, and 36.9% of children aged 5-11 are vaccinated.

### **Administrative, Executive, and Legislative Review Committee Approves State Board Decision to Rescind Statewide School Mask Mandate Regulations** February 25<sup>nd</sup>, 2022

On Friday, February 25<sup>th</sup>, the AELR Committee met in Annapolis to approve MSDE's decision to lift the mask mandate in Maryland public schools. 13 witnesses testified at the hearing, and ultimately, the committee voted to approve MSDE's decision to repeal the mask mandate with a vote of 17-1. The rescission of the mask mandate takes effect immediately.

- [MSDE February 22<sup>nd</sup>, 2022 Agenda](#)
- [Full MSDE Board Meeting: February 22<sup>nd</sup>](#)
- [AELR Committee Meeting](#)

## Blueprint Funding in the Supplemental Budget

### **Governor Hogan Submits \$480 Million Supplemental Budget to General Assembly** February 22<sup>nd</sup>, 2022

On February 22<sup>nd</sup>, Governor Larry Hogan released a \$480 million supplemental budget to the Maryland General Assembly that directs \$139.9 million towards programs outlined in the Blueprint for Maryland's Future. Governor Hogan expressed that he looks forward to working with the legislature to create a final budget that "delivers record investments in education." The supplemental budget includes funding for:

- **Education Effort Adjustment (\$125.5 million):** These funds provide grants to local jurisdictions that are unable to raise enough taxes to fund their local shares of the Blueprint. The majority of these funds will be distributed to Prince George's County and Baltimore City in FY 2023.
- **Office of the State Superintendent (\$8.4 million):** These funds will provide leadership training, a state model curriculum and instructional materials, and a College and Career Readiness equating study as part of the Blueprint implementation strategy.
- **Teacher Development (\$2.9 million):** These funds will provide training for teachers and National Board Certification support as part of the Blueprint for Maryland's future.
- **Blueprint for Maryland's Future Grant Program (\$2 million):** These funds will provide funding for behavioral health training for teachers, as well as expert review teams that will analyze schools and provide accountability for the implementation of the Blueprint in local systems.

The supplemental budget also includes money for various positions created by the Blueprint, including a School-Based Health Center Coordinator, National Board Coordinator, and Early Childhood primary Contact.

- [Full Supplemental Budget](#)
- [Governor's Press Release](#)

## 2022 Bill Highlights

### Operating Budget

[SB 290/HB 300](#) - Budget Bill (Fiscal Year 2023)

- [Supplemental Budget #1](#)

### Funding Policy

[HB 1353](#) - Omnibus Procurement Reform Act ("OPRA") of 2022

[HB 1426](#) - Primary and Secondary Education - Maintenance of Effort Requirements - Alterations

[HB 1450](#) - Blueprint for Maryland's Future - Implementation Plans and Fund – Alterations

### Capital Budget

[SB 291/HB 301](#) - Creation of a State Debt - Maryland Consolidated Capital Bond Loan of 2022, and the Maryland Consolidated Capital Bond Loans of 2014, 2015, 2016, 2017, 2018, 2019, 2020, and 2021 (Includes Fiscal Year 2023 State School Construction Budget)

### School Facilities

[HB 19](#) - Education - School Construction - Pedestrian Safety Plans (Safe Walk to School Act)

[HB 68](#) - Interagency Commission on School Construction – Systemic Renovation Projects – Eligibility

[HB 365](#) - Public School Construction - Fossil Fuel-Based Energy System Costs - Prohibition (Green School Construction Act of 2022)

[HB 665/SB 576](#) - Public Schools - Air Quality Testing - Posting Online

[HB 686](#) - Public Schools – Health and Safety – Carbon Dioxide Monitoring in Classrooms (Safe School Indoor Air Act)

[HB 783](#) - Public Schools - Mold Assessment and Remediation

[HB 1165/SB 588](#) - Capital Projects - High Performance and Green Buildings

[HB 1290](#) - Education - Public School Construction - Funding and Administration

[SB 528](#) - Climate Solutions Now Act of 2022

### **Local Board Governance**

**[HB 314](#) - County Boards of Education - Voting Members - Requirements**

**[HB 618](#) - Maryland Parental Rights Act**

**[HB 793](#) - County Boards of Education - Community Ombudsman – Established**

**[HB 797](#) - County Boards of Education - Student Membership - Alterations**

**[HB 938](#) - Education - School Accountability - Parent Empowerment and Choice**

**[HB 953](#) - Parent and Guardian Rights - Education, Health, and Upbringing of Children**

### **Student Assessments and Curriculum**

**[HB 47](#) - Public Schools - Expanded American History - Development of Content Standards and Implementation**

**[HB 165](#) - Education - Sexual Abuse and Assault Awareness and Prevention Program - Human and Sex Trafficking**

**[HB 194](#) - Education - Family Life and Human Sexuality Curriculum - Sexting**

**[HB 352](#) - Education - American Studies and Social Equity Standards Advisory Board - Academic Standards and Model Policy**

**[HB 678](#) - Education - Fine Arts - Curriculum Requirement, Study, and Report (Arts Equity in Education Act)**

**[HB 750](#) - Education - Jobs That Require Driving - Requirements (Drivers Education for Good Jobs Act of 2022)**

**[HB 757](#) – Education - Interscholastic and Intramural Teams and Sports - Designation Based on Biological Sex (Save Women’s Sports Act)**

**[HB 758](#) - Education - Public Schools – Lesson Plans and Instructional Material**

**[HB 1287](#) - Public Schools - Curricula and Instructional Materials - Required List of Information (Curriculum Transparency Act of 2022)**

**[HB 1410](#) - Public Schools - Cyber Safety Guide and Training Course - Development, Implementation, and Reporting**

**[HB 1437](#) - Public High Schools - Financial Literacy - Curriculum, Graduation Requirement, and Professional Development**

**[SB 116](#) - Public Schools - Inclusive and Diverse English Language Arts - Development of Content Standards and Implementation**

**[SB 237](#) - Education - Curriculum - Unit of Instruction on September 11, 2001, Terrorist Attacks**

**[SB 363](#) - Public High Schools - Health Education - Gambling Dangers and Addiction**

**[SB 888](#) - Education - American Studies and Social Equity Standards Advisory Board - Academic Standards and Model Policy**

### **Special Education**

**[HB 226](#) - Public Schools - Self-Contained Special Education Classroom - Use of Video Recording Devices**

**[SB 705/HB 1255](#) - Education - Physical Restraint and Seclusion - Limitations, Reporting, and Training**

### **Student Health**

**[HB 118](#) - Public Schools - Student Attendance - Excused Absences for Mental Health Needs**

**[HB 136](#) - Education - Public and Nonpublic Schools - Seizure Action Plans (Brynleigh's Act)**

**[HB 154](#) - Public Schools - Anaphylactic Food Allergies - Guidelines and Requirements**

**[HB 384](#) - Public and Nonpublic Schools - Bronchodilator Availability and Use - Policy**

**[HB 657](#) - Public Schools - Standardized Behavioral Health Screenings for Students - Development and Implementation**

**[HB 832](#) - Education - Maryland Homeschool Advisory Council - Establishment**

**[HB 836](#) - Public Schools – Student Athletics – Requirements and Reports (Elijah Gorham Act)**

**[HB 1233](#) - Public Schools - Health and Vision Services - Required Screenings and Eye Examinations**

**[SB 852](#) - Education - County Boards of Education - Health Educator Position**

**[SB 856](#) - Public Schools - Health Services - School Nurses**



### **Virtual Schools**

**[HB 805](#) - Primary and Secondary Education - Virtual Schools – Alterations**

**[HB 848](#) - Education - Public Charter Schools - Virtual Learning Programs**

**[SB 362](#) - Primary and Secondary Education - Virtual Schools – Revisions**

### **School Safety**

**[HB 84](#) - Education – Crimes on School Grounds – Application**

**[HB 146](#) - Education – Reportable Offenses and Student Discipline – Alterations**

**[HB 214](#) - Juveniles - Reportable Offenses**

**[HB 495](#) - Education - Student-Organized Peaceful Demonstrations - Student Discipline and Policy**

**[HB 823](#) - Juveniles – Truancy Reduction Pilot Program – Expansion**

**[HB 1152](#) - Public Schools - Student Bill of Rights and Prohibitions on Suspensions and Expulsions**

**[SB 583](#) - Maryland Center for School Safety – Public Schools – Reporting of Classroom Disruptions**

**[SB 973](#) - Public Schools - School Resource Officers - Firearms Required**

### **School Personnel**

**[HB 468](#) - Public School Employees – Whistleblower Protections – Civil Actions**

**[HB 504](#) - Collective Bargaining - Public School Employees - Authorization to Strike**

**[HB 743/SB 410](#) - Teachers' Retirement and Pension Systems - Reemployment**

**[HB 752](#) - Public Schools - School Psychologist Recruitment Program**

**[HB 890/SB 962](#) - Education - Collective Bargaining - Certificated Employees - Class Size**

**[HB 916](#) - Higher Education - Programs for Behavioral Health Professionals in Primary and Secondary Schools - Requirements and Grant Program**

**[HB 1231](#) - Public Schools - Student Health Professional Retention Program - Established**

**[SB 238](#) - Public Schools - Crossing Guards - Hiring and Budget Allocation**

## **Student Data**

**[HB 23](#)** - School Discipline - Data Collection and School Resource Officers

**[HB 769](#)** - Student Data Privacy - Protections, Digital Tools, and Student Data Privacy Council

## **Student Transportation**

**[HB 283](#)** - Vehicle Laws - School Bus Safety - Occupant Capacity

**[HB 753](#)** - Primary and Secondary Schools - Bus Driver Wages – Study

## **Local Bills**

**[HB 95](#)** - Anne Arundel County - Board of Education - Meeting Requirements and Officers

**[HB 192](#)** - Baltimore County Board of Education – Student Member – Voting

**[HB 334](#)** - Harford County Board of Education - Alterations, Vacancy Procedures, and Funding for Independent Positions

**[HB 336](#)** - Harford County - County Superintendent - Election and Recall Procedures and Compensation

**[HB 347](#)** - Baltimore County - County Superintendent - Election and Recall Procedures and Compensation

**[HB 355](#)** - Prince George's County - Workgroup on the Membership and Operation of the Prince George's County Board of Education PG 503-22

**[HB 380](#)** - Montgomery County Board of Education – Election of Members MC 04–22

**[HB 476](#)** - Baltimore County – Board of Education – Member Appointments and Terms and Election of Officers

**[HB 689](#)** - Carroll County - Board of Education - Member Compensation and Student Representative

**[HB 865](#)** - Howard County – Due Process Proceedings for Children with Disabilities – Burden of Proof Ho. Co. 02-22

**[HB 1175](#)** - Frederick County - Board of Education - Vacancies

**[HB 1306](#)** - Howard County - Public Schools - Alternative Instruction Model Policy Ho. Co. 09-22

**[SB 55](#)** - Baltimore County Board of Education – Retention of Counsel

**Local Bills (cont.)**

**[SB 288](#)** - Talbot County - Board of Education - Election of Officers

**[SB 444](#)** - Prince George's County – School Board Districts – Redistricting Plan

**[SB 510](#)** - Anne Arundel County Board of Education – Member Compensation

**[SB 892](#)** - Wicomico County Board of Education - Expenditure Report Requirements

**[SB 908](#)** - Harford County Board of Education - Appointment of Members – Alterations