

## Legislative Committee Meeting

Monday, March 14, 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.	Priority Bill Highlights <ul style="list-style-type: none"> <li>• <b>SB 362</b> - Primary and Secondary Education - Virtual Schools – Revisions</li> <li>• <b>HB 1255/SB 705</b> - Education - Physical Restraint and Seclusion - Limitations, Reporting, and Training</li> <li>• <b>HB 547/SB 617</b> - Local School Systems - Equivalent Access Standards - Digital Tools (Equivalent and Nonvisual Access Accountability Act for K-12 Education)</li> <li>• <b>HB 1426/SB 640</b> - Primary and Secondary Education - Maintenance of Effort Requirements - Alterations</li> <li>• <b>HB 1450</b> - Blueprint Implementation Plans and Fund - Alterations</li> </ul>	Information & Discussion	Karen Yoho/ John Woolums/ All	40 min.
3.	Legislative Highlights	Information & Discussion	Karen Yoho/ John Woolums/ All	55 min.
4.	Budget Updates <ul style="list-style-type: none"> <li>• MABE Leadership Meeting with Governor's Staff Andrew Cassilly and Keiffer Mitchell</li> </ul>	Information & Discussion	Karen Yoho/ John Woolums/ All	10 min.
5.	Future Meetings	Information	Karen Yoho/ John Woolums	5 min.
6.	Adjournment	Closing Remarks	Karen Yoho	

**Priority Bill Highlights**

Support w/ Amendments	<a href="#">SB 362</a>	<b>Primary and Secondary Education - Virtual Schools - Revisions</b>	<a href="#">Senator Pinsky</a>
<p>This bill would alter the requirements for virtual schools established by the State Department of Education or a county board of education. The bill’s language would not affect virtual courses or programs offered by traditional schools, but rather virtual schools that provide the majority of instruction in a virtual or remote setting.</p> <p>Senate Bill 362 alters many of the requirements of a public virtual school established by MSDE. The bill establishes a limit of one virtual school per county, with an additional virtual school permitted with MSDE approval. Virtual schools would not be permitted to enroll more than 10% of its students from any single public school in the county, and each school’s student body would reflect the racial and ethnic diversity of the students enrolled in the county’s public school system to the extent practicable. The bill limits the size of virtual classes to the average in-person class size of the state or county.</p> <p>Under this bill, students enrolled in a virtual school would have access to food and nutrition services, healthcare, and required extracurricular activities provided by a public school in the county. The bill requires that MSDE establish regulations for student learning in all virtual schools, including student attendance requirements, student engagement and conduct, program quality metrics, tracking and use of student data, and mandatory return to in-person instruction for students who are failing academically after receiving the appropriate supports. Virtual curriculum would require an interactive social and emotional wellness component, and virtual schools would be required to provide and appropriate digital devices to all student participants. This bill expands the informational materials students are required to receive upon enrollment, including materials on school policies, student conduct and attendance, access to student services, cybersecurity practices, and other relevant information as determined by the virtual school.</p> <p>Additionally, Senate Bill 362 requires teacher education programs to include training in skills and techniques for teaching effectively in a virtual learning environment, and it establishes that teachers must be an employee of the county and part of the collective bargaining unit to teach in a Maryland virtual school. Virtual schools would be required to provide access to professional development, as well as any technology, equipment, and physical space required by teachers to perform the functions of virtual teaching. This bill notes that teachers would not be required to provide in-person and virtual instruction to students at the same time.</p>			

Support w/ Amendments	<a href="#">HB 1255</a> <a href="#">SB 705</a>	<b>Education - Physical Restraint and Seclusion - Limitations, Reporting, and Training</b>	<a href="#">Delegate Ebersole</a> <a href="#">Senator Zucker</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>			

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>	<a href="#">Senator Zucker</a> <a href="#">Delegate Guyton</a>
<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	<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 form June 15, 2022 to March 15, 2023; and</li> <li>• Revises the formula for dedicated sales tax revenue to the Blueprint Fund.</li> </ul>			

**MABE Leadership Meeting with Governor Staff**  
March 8<sup>th</sup>, 2022

On March 8<sup>th</sup>, 2022, MABE Leadership met with Governor Larry Hogan's staff to discuss MABE's 2022 Legislative Priorities. Members and staff met with Keiffer Mitchell, Chief Legislative Officer, as well as Andrew Cassilly, Senior Advisor. MABE expressed appreciation for the release of the \$139.9 million supplemental budget on February 22<sup>nd</sup>, which was towards programs outlined in the Blueprint for Maryland's Future. MABE also raised concerns about compensatory education, specifically regarding discrepancies in FARM enrollment throughout the COVID-19 pandemic. John Woolums highlighted that schools have been feeding all children free of cost since the beginning of the COVID-19 pandemic, and that in response families have stopped submitting the eligibility forms, leading to a steep decline in the recording of FARM student enrollment. Because of this decline, he noted that the State budget highly underestimates the number of low-income students in all 24 local school systems, leading to massive funding gaps for FY 2023. The Governor's staff acknowledged the effects of this discrepancy and inquired further into actions local systems are taking to encourage FARM enrollment. MABE also discussed ongoing hurdles of Blueprint initiatives, such as universal pre-kindergarten.