

**BALTIMORE COUNTY PUBLIC SCHOOLS**

**DATE:** February 22, 2005  
**TO:** **Board of Education**  
**FROM:** Dr. Joe A. Hairston, Superintendent  
**SUBJECT:** **LEGISLATION UPDATE**

**ORIGINATOR:** Kara Calder  
Chief Communications Officer

**RECOMMENDATION**

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That the Board OF Education consider taking positions on Key School Legislation.

Attachment I – Key School Legislation Summary  
Attachment II – Senate and House Bills

BALTIMORE COUNTY PUBLIC SCHOOLS  
KEY SCHOOL LEGISLATION  
FEBRUARY 22, 2005

**HB 143 - Education - Public Schools - Use of Asthma Drugs and Related Medication**

This bill would require public school systems to adopt a policy authorizing a student to possess and self-administer specified medication pertaining to the student's asthma or other airway-constricting disease while in school, at school-sponsored activities, or on school property. It requires prior written approval from a student's health practitioner and parent or legal guardian before a student can self-administer medication and requires that the school nurse conduct a specified review.

BCPS currently allows this activity and would suggest should the BOE wish to support this legislation, that the bill be amended to more specifically define the medication, administration, and plan for medical and parent/guardian approval.

**HB 227 – Education - Arrest for Reportable Offenses – Notification**

This bill would expand the requirement that law enforcement agencies notify local superintendents of public schools of arrests for reportable offenses to include arrests of all students. It also more clearly defines "student" as an individual enrolled in a public school system in the State who is 5 years old or older and under 21 years of age.

Recommendation: support

**HB 330 - Education - National Board Certified Teachers - Stipend Eligibility**

This legislation is one of three bills under consideration that would aid in the expansion and promotion of national board certification for teachers in Maryland.

Specifically this bill would expand the stipend eligibility for specified teachers to include an individual who has been assigned or promoted from classroom teacher to an instructional or classroom support position. Currently these teachers are ineligible for the stipend.

Recommendation: support

**HB 389 - Teachers - Certification - Fetal Alcohol Spectrum Disorders Course Credit**

This bill would requiring that the State Superintendent of Schools and the Professional Standards and Teacher Education Board require applicants for a teacher's certificate to complete a minimum number of semester hours covering Fetal Alcohol Spectrum Disorders and to determine the minimum number of specified semester hours required for a teacher's certificate. This would provide teachers the advantage of the necessary technical training to support teaching and learning with students affected by such disorders.

Recommendation: should the BOE wish to support this bill, it should be amended to blend the content information into current course offerings rather than a separate, new course.

**HB 560 - Education - State Aid for Public Elementary and Secondary Education - Trigger Provision – Repeal**

This bill would repeal the provision of law that makes annual per pupil foundation aid for education contingent on the adoption of a joint resolution by the General Assembly if State aid for public elementary and secondary education exceeds a specified threshold and repeals the provision that limits the annual per pupil foundation aid to a specified amount if the joint resolution is not adopted.

Recommendation: support

**HB 579 - Pilot Program to Study and Improve Screening Practices for Autism Spectrum Disorders**

This bill would establish a Pilot Program to Study and Improve Screening Practices for Autism Spectrum Disorders in the Department of Education and would require the Department of Education, in collaboration with the Department of Health and Mental Hygiene, to establish relationships with specified providers to participate in the Pilot Program. It also provides that training materials be developed and that written information on early detection of autism spectrum disorders be distributed.

Such a pilot program could serve as a model to schools for the early identification and intervention of students with autism and related disorders.

Recommendation: support

**HB 641 - Education - Comprehensive Master Plan Updates - Due Dates**

This bill would alter the date by which county boards of education must submit master plan updates and other information to the State Department of Education and alter the date by which the State Superintendent of Schools must report to the General Assembly.

This change was requested by MSDE at the suggestion of schools to provide more time for schools to assess and adjust plans based on testing data.

Recommendation: support

**SB 266 - Quality Teacher Incentive Act - Increasing Participation**

Like HB 330, passage of this bill would help advance and promote the teaching profession by increasing the maximum number of teachers selected each year to participate in the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards from 500 to 750.

Recommendation: support

**SB 268 - Education - School Based Employees – Stipends**

This bill provides for a stipend of up to a maximum of \$2,000 for certificated school-based employees who work directly with students or teachers and who hold a certificate issued by the National Board for Professional Teaching Standards. As with HB 330 and SB 266 it would help support the professional career ladder for teachers.

Recommendation: support



By: **Delegates Healey, Boschert, Bozman, Cryor, C. Davis, Dumais, Gilleland, Heller, Hixson, Howard, Kaiser, King, Marriott, McKee, Moe, Patterson, Ramirez, and Ross**

Introduced and read first time: January 19, 2005

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Public Schools - Use of Asthma Drugs and Related Medication**

3 FOR the purpose of requiring public school systems to adopt a policy authorizing a  
4 student to possess and self-administer certain medication pertaining to the  
5 student's asthma or other airway-constricting disease while in school, at  
6 school-sponsored activities, or on school property under certain circumstances;  
7 requiring certain written approvals and verification before a student can  
8 self-administer medication; requiring the school nurse to conduct a certain  
9 review; authorizing certain disciplinary action under certain circumstances;  
10 requiring the State Board of Education to adopt certain regulations; defining  
11 certain terms; and generally relating to the use of asthma drugs and related  
12 medication by students in public schools.

13 BY adding to  
14 Article - Education  
15 Section 7-421  
16 Annotated Code of Maryland  
17 (2004 Replacement Volume and 2004 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - Education**

21 7-421.

22 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
23 INDICATED.

24 (2) "HEALTH PRACTITIONER" MEANS A PHYSICIAN OR OTHER  
25 INDIVIDUAL AUTHORIZED BY LAW TO PRESCRIBE PRESCRIPTION DRUGS OR  
26 DEVICES.

1           (3)     "MEDICATION" MEANS AN ASTHMA INHALER OR OTHER DRUG THAT  
2 IS DISPENSED FOR A STUDENT ONLY ON THE PRESCRIPTION OF A HEALTH  
3 PRACTITIONER AND PERTAINS TO THE STUDENT'S ASTHMA OR OTHER  
4 AIRWAY-CONSTRICTING DISEASE.

5           (4)     "SELF-ADMINISTER" MEANS THE APPLICATION OR CONSUMPTION  
6 OF MEDICATION IN A MANNER DIRECTED BY THE HEALTH PRACTITIONER WITHOUT  
7 ADDITIONAL ASSISTANCE OR DIRECTION.

8     (B)     (1)     SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, EACH PUBLIC  
9 SCHOOL SYSTEM SHALL ADOPT A WRITTEN POLICY AUTHORIZING A STUDENT TO  
10 POSSESS AND SELF-ADMINISTER MEDICATION WHILE:

11                   (I)     IN SCHOOL;

12                   (II)    AT SCHOOL-SPONSORED ACTIVITIES; OR

13                   (III)   ON A SCHOOL BUS OR OTHER SCHOOL PROPERTY.

14           (2)     A STUDENT WHO SELF-ADMINISTERS MEDICATION MUST HAVE THE  
15 PRIOR WRITTEN APPROVAL OF THE STUDENT'S HEALTH CARE PROVIDER AND, IF THE  
16 STUDENT IS A MINOR, THE PRIOR WRITTEN APPROVAL OF THE STUDENT'S PARENT  
17 OR GUARDIAN.

18           (3)     A STUDENT'S PARENT OR GUARDIAN MUST OBTAIN WRITTEN  
19 VERIFICATION FROM THE STUDENT'S HEALTH CARE PROVIDER CONFIRMING THAT  
20 THE STUDENT HAS THE KNOWLEDGE AND SKILLS TO SAFELY POSSESS AND  
21 SELF-ADMINISTER THE MEDICATION.

22           (4)     THE WRITTEN STATEMENTS REQUIRED UNDER THIS SUBSECTION  
23 SHALL BE PROVIDED TO THE SCHOOL AT LEAST ANNUALLY.

24           (5)     THE SCHOOL NURSE SHALL REVIEW THE STUDENT'S TECHNIQUE TO  
25 ENSURE PROPER AND EFFECTIVE USE OF THE MEDICATION IN SCHOOL.

26           (6)     A STUDENT MAY BE SUBJECT TO DISCIPLINARY ACTION IF THE  
27 STUDENT USES MEDICATION IN A MANNER OTHER THAN AS PRESCRIBED.

28     (C)     THE STATE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS  
29 SECTION.

30     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
31 effect October 1, 2005.

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By: **Delegates King, Barkley, G. Clagett, Cryor, Dumais, Feldman, Gilleland,  
Gutierrez, Kaiser, Kelley, Lee, Mandel, Montgomery, Murray, Petzold,  
and Simmons**

Introduced and read first time: January 24, 2005

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Arrest for Reportable Offenses - Notification**

3 FOR the purpose of expanding the requirement that law enforcement agencies notify  
4 local superintendents of public schools of arrests for reportable offenses to  
5 include arrests of all students; defining a certain term; making technical  
6 corrections; and generally relating to notification of arrests for reportable  
7 offenses to local superintendents of public schools.

8 BY repealing and reenacting, with amendments,  
9 Article - Education  
10 Section 7-303  
11 Annotated Code of Maryland  
12 (2004 Replacement Volume and 2004 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Education**

16 7-303.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) "Law enforcement agency" means the law enforcement agencies  
19 listed in § 3-101(e) of the Public Safety Article.

20 (3) "Local school system" means the schools and school programs under  
21 the supervision of the local superintendent.

22 (4) "Local superintendent" means the county superintendent, for the  
23 county in which a child is enrolled, or a designee of the superintendent, who is an  
24 administrator.

25 (5) "Reportable offense" means:



1 (i) A crime of violence, as defined in § 14-101 of the Criminal Law  
2 Article;

3 (ii) Any of the offenses enumerated in § 3-8A-03(d)(4) of the Courts  
4 Article;

5 (iii) A violation of § 4-101, § 4-102, § 4-203, or § 4-204 of the  
6 Criminal Law Article;

7 (iv) A violation of §§ 5-602 through 5-609, §§ 5-612 through 5-614,  
8 § 5-617, § 5-618, § 5-627, or § 5-628 of the Criminal Law Article; or

9 (v) A violation of § 4-503, § 9-504, or § 9-505 of the Criminal Law  
10 Article.

11 (6) "STUDENT" MEANS AN INDIVIDUAL ENROLLED IN A PUBLIC SCHOOL  
12 SYSTEM IN THE STATE WHO IS 5 YEARS OF AGE OR OLDER AND UNDER 21 YEARS OF  
13 AGE.

14 (b) If a [child enrolled in the public school system] STUDENT is arrested for a  
15 reportable offense, the law enforcement agency making the arrest shall notify the  
16 local superintendent of the arrest and the charges within 24 hours of the arrest or as  
17 soon as practicable.

18 (c) The State's Attorney shall promptly notify the local superintendent of the  
19 disposition of the reportable offense required to be reported under subsection (b) of  
20 this section.

21 (d) Except by order of a juvenile court or other court upon good cause shown,  
22 the information obtained by a local superintendent pursuant to subsections (b) and (c)  
23 of this section:

24 (1) Is confidential and may not be redisclosed by subpoena or otherwise  
25 except as provided pursuant to subsections (e) and (f) of this section; and

26 (2) May not be made part of the [child's] STUDENT'S permanent  
27 educational record.

28 (e) (1) Notwithstanding the provisions of subsection (d) of this section,  
29 nothing shall prohibit a local superintendent from transmitting the information  
30 obtained pursuant to subsections (b) and (c) of this section as a confidential file to the  
31 local superintendent of another public school system in the State in which the student  
32 has enrolled or been transferred in order to carry out the purposes of this section if  
33 the disposition of the reportable offense was a conviction or an adjudication of  
34 delinquency or the criminal charge or delinquency petition is still pending.

35 (2) A local superintendent who transmits information about a [child]  
36 STUDENT under this subsection shall include in the transmittal information  
37 regarding any educational programming and related services provided to the [child]  
38 STUDENT.

1 (f) The State Board shall adopt regulations to ensure that information  
2 obtained by a local superintendent under subsections (b), (c), and (e) of this section is:

3 (1) Used to provide appropriate educational programming and related  
4 services to the [child] STUDENT and to maintain a safe and secure school  
5 environment for students and school personnel; and

6 (2) Transmitted only to the school principal of the school in which the  
7 [child] STUDENT is enrolled and other school personnel necessary to carry out the  
8 purposes set forth in item (1) of this subsection.

9 (g) Nothing in this section is intended to limit the manner in which a local  
10 school obtains information or uses information obtained by any lawful means other  
11 than that set forth in subsections (b), (c), and (e) of this section.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2005.

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By: **Delegates Rudolph and Elmore**

Introduced and read first time: January 27, 2005

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - National Board Certified Teachers - Stipend Eligibility**

3 FOR the purpose of expanding the stipend eligibility for certain teachers to include an  
4 individual who has been assigned or promoted from classroom teacher to an  
5 instructional or classroom support position; and generally relating to stipends  
6 for national board certified classroom teachers.

7 BY repealing and reenacting, without amendments,  
8 Article - Education  
9 Section 6-306(a) and (b)(1)  
10 Annotated Code of Maryland  
11 (2004 Replacement Volume and 2004 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article - Education  
14 Section 6-306(b)(2)  
15 Annotated Code of Maryland  
16 (2004 Replacement Volume and 2004 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Education**

20 6-306.

21 (a) In this section, "county grant for national certification" means an annual  
22 grant distributed to a teacher certified by the National Board for Professional  
23 Teaching Standards established:

24 (1) Outside of the collective bargaining process; or

25 (2) As part of a collective bargaining agreement with the local employee  
26 organization.

1 (b) (1) For fiscal year 2000 and each subsequent fiscal year, the Governor  
2 shall include in each year's operating budget funding for the stipends and bonuses  
3 provided in this subsection.

4 (2) A classroom teacher OR INDIVIDUAL WHO HAS BEEN ASSIGNED OR  
5 PROMOTED FROM A CLASSROOM TEACHER TO AN INSTRUCTIONAL OR CLASSROOM  
6 SUPPORT POSITION [who holds a standard professional certificate or an advanced  
7 professional certificate who is employed by a county board and who holds a certificate  
8 issued by the National Board for Professional Teaching Standards] shall receive a  
9 stipend from the State in an amount equal to the county grant for national  
10 certification, up to a maximum of \$2,000 per qualified [teacher] INDIVIDUAL IF THE  
11 CLASSROOM TEACHER OR INDIVIDUAL WHO HAS BEEN ASSIGNED OR PROMOTED  
12 FROM A CLASSROOM TEACHER TO AN INSTRUCTIONAL OR CLASSROOM SUPPORT  
13 POSITION:

14 (I) HOLDS A STANDARD PROFESSIONAL CERTIFICATE OR AN  
15 ADVANCED PROFESSIONAL CERTIFICATE;

16 (II) IS EMPLOYED BY A COUNTY BOARD; AND

17 (III) HOLDS A CERTIFICATE ISSUED BY THE NATIONAL BOARD FOR  
18 PROFESSIONAL TEACHING STANDARDS.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2005.

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By: **Delegate Menes**

Introduced and read first time: January 31, 2005

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Teachers - Certification - Fetal Alcohol Spectrum Disorders Course Credit**

3 FOR the purpose of requiring the State Superintendent of Schools and the  
4 Professional Standards and Teacher Education Board to require certain  
5 applicants for a teacher's certificate to complete a certain number of semester  
6 hours covering Fetal Alcohol Spectrum Disorders and to determine the number  
7 of minimum semester hours covering Fetal Alcohol Spectrum Disorders required  
8 for a teacher's certificate; requiring the State Superintendent to require certain  
9 individuals with certain teacher's certificates to complete a certain number of  
10 semester hours covering Fetal Alcohol Spectrum Disorders over a certain period  
11 of time; requiring certain semester hours to count as continuing professional  
12 education credits towards the renewal of a certain certificate; and generally  
13 relating to requiring course credit for a class on Fetal Alcohol Spectrum  
14 Disorders for certification as a teacher.

15 BY repealing and reenacting, without amendments,  
16 Article - Education  
17 Section 2-303(a)  
18 Annotated Code of Maryland  
19 (2004 Replacement Volume)

20 BY repealing and reenacting, with amendments,  
21 Article - Education  
22 Section 2-303(g)  
23 Annotated Code of Maryland  
24 (2004 Replacement Volume)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
26 MARYLAND, That the Laws of Maryland read as follows:

1

**Article - Education**

2 2-303.

3 (a) In addition to the other powers granted and duties imposed under this  
4 article, the State Superintendent has the powers and duties set forth in this section.

5 (g) (1) The State Superintendent shall certificate the professional personnel  
6 in each public school in accordance with this article and subject to the bylaws, rules,  
7 and regulations of the Professional Standards and Teacher Education Board.

8 (2) THE STATE SUPERINTENDENT AND THE PROFESSIONAL STANDARDS  
9 AND TEACHER EDUCATION BOARD SHALL:

10 (I) REQUIRE AN APPLICANT FOR A TEACHER'S CERTIFICATE TO  
11 COMPLETE A MINIMUM NUMBER OF SEMESTER HOURS COVERING FETAL ALCOHOL  
12 SPECTRUM DISORDERS; AND

13 (II) DETERMINE THE MINIMUM NUMBER OF SEMESTER HOURS  
14 COVERING FETAL ALCOHOL SPECTRUM DISORDERS REQUIRED FOR A TEACHER'S  
15 CERTIFICATE.

16 (3) Renewal requirements for any professionally certificated employee  
17 may be waived if:

18 (i) The renewal is recommended by the county superintendent  
19 having jurisdiction over the employee; and

20 (ii) The professionally certificated employee is:

21 1. 55 years old or older; or

22 2. Employed in public or approved nonpublic school service  
23 for at least 25 years.

24 SECTION 2. AND BE IT FURTHER ENACTED, That, on July 1, 2005, an  
25 individual who holds a teacher's certificate issued by the Department of Education  
26 shall be required by the State Superintendent to complete over the next certification  
27 renewal period the same minimum number semester hours covering Fetal Alcohol  
28 Spectrum Disorders as an applicant for a teacher's certificate. The semester hours  
29 covering Fetal Alcohol Spectrum Disorders shall count as continuing professional  
30 development credits towards the renewal of a teacher's certificate.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 July 1, 2005.

UNOFFICIAL COPY OF HOUSE BILL 560  
EMERGENCY BILL

F1

5lr1406

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By: **Delegates Hixson and Conway**  
Introduced and read first time: February 3, 2005  
Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2                           **Education - State Aid for Public Elementary and Secondary Education -**  
3                           **Trigger Provision - Repeal**

4 FOR the purpose of repealing a provision of law that makes certain State aid for  
5 public elementary and secondary education contingent on the adoption of a  
6 certain joint resolution by the General Assembly; repealing a provision of law  
7 limiting certain State aid for education to a certain amount if the joint  
8 resolution is not adopted; making this Act an emergency measure; repealing a  
9 provision requiring the Department of Legislative Services to calculate certain  
10 State aid for public elementary and secondary education in a certain manner;  
11 and generally relating to the repeal of certain provisions relating to certain  
12 State aid for public elementary and secondary education.

13 BY repealing  
14 Article - Education  
15 Section 5-202(c)  
16 Annotated Code of Maryland  
17 (2004 Replacement Volume and 2004 Supplement)

18 BY renumbering  
19 Article - Education  
20 Section 5-202(d), (e), (f), (g), and (h), respectively  
21 to be Section 5-202(c), (d), (e), (f), and (g), respectively  
22 Annotated Code of Maryland  
23 (2004 Replacement Volume and 2004 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
25 MARYLAND, That the Laws of Maryland read as follows:

1

**Article - Education**

2 5-202.

3 [(c) (1) If State aid for public elementary and secondary education exceeds  
4 31.5% of the projected general funds of the State in any fiscal year, then the amount  
5 required for the annual per pupil foundation amount may not be implemented for the  
6 next fiscal year unless the General Assembly, at the regular session immediately  
7 preceding that next fiscal year, affirms by joint resolution that the additional State  
8 aid required using the annual per pupil foundation amount is within the State's fiscal  
9 resources.

10 (2) As provided under paragraph (1) of this subsection, if State aid for  
11 public elementary and secondary education exceeds the percentage amount specified  
12 and a joint resolution of affirmation is not enacted by the General Assembly, then the  
13 annual per pupil foundation amount in which the State shall share for the next fiscal  
14 year shall be the lesser of the annual per pupil foundation amount for the fiscal year  
15 or an amount equal to 108 percent of the prior year's annual per pupil foundation  
16 amount.

17 (3) By January 14 of each year, the Department of Legislative Services  
18 shall calculate State aid as a percentage of the projected State General Fund  
19 revenues for the current fiscal year. State aid shall include State funds provided to  
20 the county boards whether pursuant to formula or on a grant basis and State  
21 payments on behalf of the county boards such as retirement and debt service for State  
22 bonds for school construction.]

23 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 5-202(d), (e),  
24 (f), (g), and (h), respectively, of Article - Education of the Annotated Code of Maryland  
25 be renumbered to be Section(s) 5-202(c), (d), (e), (f), and (g), respectively.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an  
27 emergency measure, is necessary for the immediate preservation of the public health  
28 or safety, has been passed by a yea and nay vote supported by three-fifths of all the  
29 members elected to each of the two Houses of the General Assembly, and shall take  
30 effect from the date it is enacted.



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By: **Delegates Donoghue, Bromwell, Kullen, Barve, Bobo, Conroy, D. Davis, Doory, Feldman, Goldwater, Haddaway, Hurson, Impallaria, Jameson, Kelly, Kirk, Krebs, Krysiak, Love, McHale, Minnick, Moe, Montgomery, Nathan-Pulliam, Parrott, Pendergrass, Taylor, Vaughn, Walkup, and Wood**

Introduced and read first time: February 4, 2005

Assigned to: Health and Government Operations

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A BILL ENTITLED

1 AN ACT concerning

2 **Pilot Program to Study and Improve Screening Practices for Autism**  
3 **Spectrum Disorders**

4 FOR the purpose of establishing a Pilot Program to Study and Improve Screening  
5 Practices for Autism Spectrum Disorders in the Department of Education;  
6 providing for the purpose of the Pilot Program; requiring the Department of  
7 Education, in collaboration with the Department of Health and Mental Hygiene,  
8 to select and establish relationships with certain providers to participate in the  
9 Pilot Program, assess and identify certain autism spectrum disorders screening  
10 instruments, develop certain training materials and distribute certain written  
11 information, and facilitate communication between certain providers and the  
12 Maryland Infants and Toddlers Program; requiring the Department of  
13 Education, beginning on a certain date and in collaboration with the  
14 Department of Health and Mental Hygiene, to collect certain baseline data,  
15 conduct certain tests for participating providers, provide certain training to  
16 participating providers, collect and analyze the results of certain tests, and  
17 collect certain information on certain screening instruments; requiring the  
18 Department of Education, beginning on a certain date and in collaboration with  
19 the Department of Health and Mental Hygiene, to develop and monitor a certain  
20 referral system between certain pediatricians and the Maryland Infants and  
21 Toddlers Program, and to develop certain support for health care providers;  
22 authorizing the Department of Education to contract with a certain organization  
23 to administer the Pilot Program; requiring the Department of Education to  
24 make a certain report to certain committees of the General Assembly on or  
25 before a certain date; providing for the termination of this Act; defining a certain  
26 term; and generally relating to the Pilot Program to Study and Improve  
27 Screening Practices for Autism Spectrum Disorders.

28 BY adding to

29 Article - Education

30 Section 8-501 through 8-508, inclusive, to be under the new subtitle "Subtitle 5.

1 Pilot Program to Study and Improve Screening Practices for Autism  
2 Spectrum Disorders"  
3 Annotated Code of Maryland  
4 (2004 Replacement Volume and 2004 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article - Education**

8 SUBTITLE 5. PILOT PROGRAM TO STUDY AND IMPROVE SCREENING PRACTICES FOR  
9 AUTISM SPECTRUM DISORDERS.

10 8-501.

11 IN THIS SUBTITLE, "PILOT PROGRAM" MEANS THE PILOT PROGRAM TO STUDY  
12 AND IMPROVE SCREENING PRACTICES FOR AUTISM SPECTRUM DISORDERS.

13 8-502.

14 THERE IS A PILOT PROGRAM TO STUDY AND IMPROVE SCREENING PRACTICES  
15 FOR AUTISM SPECTRUM DISORDERS IN THE DEPARTMENT.

16 8-503.

17 THE PURPOSE OF THE PILOT PROGRAM IS TO:

18 (1) ASSESS AUTISM SPECTRUM DISORDERS SCREENING PRACTICES  
19 USED IN PEDIATRIC HEALTH CARE SETTINGS;

20 (2) IMPLEMENT AUTISM SPECTRUM DISORDERS SCREENING PRACTICES  
21 AT WELL VISITS FOR 12- TO 36-MONTH OLD CHILDREN IN AT LEAST TWO  
22 JURISDICTIONS IN THE STATE;

23 (3) TRAIN HEALTH CARE PROVIDERS IN THE EARLY DETECTION OF  
24 AUTISM SPECTRUM DISORDERS;

25 (4) IDENTIFY, REFER, AND PROVIDE SERVICES FOR 12- TO 36-MONTH  
26 OLD CHILDREN WHO ARE AT RISK FOR AUTISM SPECTRUM DISORDERS;

27 (5) FACILITATE ACCESS TO HEALTH CARE AND EARLY INTERVENTION  
28 SERVICES FOR PARENTS SEEKING AN EARLY DIAGNOSIS OF AUTISM SPECTRUM  
29 DISORDERS; AND

30 (6) REQUIRE THE DEPARTMENT TO IMPROVE AND EXPEDITE THE  
31 PROVISION OF MARYLAND INFANTS AND TODDLERS PROGRAM SERVICES TO  
32 CHILDREN WITH SIGNS OF AUTISM SPECTRUM DISORDERS WHO ARE REFERRED BY A  
33 PARENT OR PEDIATRICIAN.

1 8-504.

2 THE DEPARTMENT, IN COLLABORATION WITH THE DEPARTMENT OF HEALTH  
3 AND MENTAL HYGIENE, SHALL:

4 (1) SELECT AT LEAST 30 PEDIATRIC HEALTH CARE PROVIDERS TO  
5 PARTICIPATE IN THE PILOT PROGRAM;

6 (2) ESTABLISH RELATIONSHIPS WITH PEDIATRICIANS AND STAFF OF  
7 PARTICIPATING HEALTH CARE PROVIDERS;

8 (3) ASSESS AVAILABLE AUTISM SPECTRUM DISORDERS SCREENING  
9 INSTRUMENTS;

10 (4) IDENTIFY AUTISM SPECTRUM DISORDERS SCREENING PRACTICES  
11 USED BY HEALTH CARE PROVIDERS IN THE STATE;

12 (5) DEVELOP TRAINING MATERIALS FOR HEALTH CARE PROVIDERS ON  
13 THE EARLY DETECTION OF AUTISM SPECTRUM DISORDERS;

14 (6) DISTRIBUTE WRITTEN INFORMATION ON THE EARLY DETECTION OF  
15 AUTISM SPECTRUM DISORDERS FROM THE CENTERS FOR DISEASE CONTROL AND  
16 PREVENTION AND THE AMERICAN ACADEMY OF PEDIATRICS TO PARENTS WITH  
17 CHILDREN IN PEDIATRIC HEALTH CARE PRACTICES; AND

18 (7) FACILITATE COMMUNICATION BETWEEN PEDIATRIC HEALTH CARE  
19 PROVIDERS AND THE MARYLAND INFANTS AND TODDLERS PROGRAM IN ORDER TO:

20 (I) CONDUCT FURTHER ASSESSMENTS OF CHILDREN WITH SIGNS  
21 OF AN AUTISM SPECTRUM DISORDER; AND

22 (II) PROVIDE SERVICES FOR CHILDREN WHO ARE REFERRED TO  
23 THE MARYLAND INFANTS AND TODDLERS PROGRAM.

24 8-505.

25 BEGINNING JULY 1, 2006, THE DEPARTMENT, IN COLLABORATION WITH THE  
26 DEPARTMENT OF HEALTH AND MENTAL HYGIENE, SHALL:

27 (1) COLLECT BASELINE DATA ON PARTICIPATING PROVIDERS':

28 (I) SCREENING PRACTICES AND PROCEDURES FOR IDENTIFYING  
29 AUTISM SPECTRUM DISORDERS; AND

30 (II) REFERRAL PRACTICES WHEN AN AUTISM SPECTRUM DISORDER  
31 IS IDENTIFIED;

32 (2) PRIOR TO CONDUCTING THE TRAINING REQUIRED UNDER ITEM (3)  
33 OF THIS SECTION, TEST PARTICIPATING PROVIDERS' KNOWLEDGE OF:

1 (I) SCREENING PRACTICES AND PROCEDURES FOR IDENTIFYING  
2 AUTISM SPECTRUM DISORDERS; AND

3 (II) EARLY INDICATORS OF AUTISM SPECTRUM DISORDERS;

4 (3) (I) 1. COORDINATE WITH THE KENNEDY KRIEGER INSTITUTE'S  
5 CENTER FOR AUTISM AND RELATED DISORDERS TO TRAIN PARTICIPATING  
6 PROVIDERS ON SCREENING PRACTICES FOR AUTISM SPECTRUM DISORDERS,  
7 INCLUDING THE USE OF SCREENING INSTRUMENTS; AND

8 2. TRAIN PARTICIPATING PROVIDERS ON REFERRAL  
9 PRACTICES WHEN AN AUTISM SPECTRUM DISORDER IS IDENTIFIED; AND

10 (II) ENSURE THAT PARTICIPATING PROVIDERS RECEIVE  
11 MONETARY COMPENSATION OR CONTINUING MEDICAL EDUCATION CREDIT FOR THE  
12 TRAINING;

13 (4) AFTER CONDUCTING THE TRAINING REQUIRED UNDER ITEM (3) OF  
14 THIS SECTION, RETEST PARTICIPATING PROVIDERS' KNOWLEDGE OF:

15 (1) SCREENING PRACTICES AND PROCEDURES FOR IDENTIFYING  
16 AUTISM SPECTRUM DISORDERS; AND

17 (2) EARLY INDICATORS OF AUTISM SPECTRUM DISORDERS;

18 (5) COMPARE AND ANALYZE THE RESULTS OF THE TESTS CONDUCTED  
19 UNDER ITEMS (1) AND (4) OF THIS SECTION;

20 (6) ESTABLISH THE USE OF AUTISM SPECTRUM DISORDERS SCREENING  
21 INSTRUMENTS IN PARTICIPATING PROVIDERS' HEALTH CARE PRACTICES; AND

22 (7) AFTER TRAINING PARTICIPATING PROVIDERS AND ESTABLISHING  
23 THE USE OF SCREENING INSTRUMENTS:

24 (I) COLLECT DATA AT REGULAR INTERVALS ON PARTICIPATING  
25 PROVIDERS' SCREENING PRACTICES;

26 (II) USE THE DATA TO ANALYZE PARTICIPATING PROVIDERS' USE  
27 OF SCREENING INSTRUMENTS BEFORE AND AFTER RECEIVING TRAINING; AND

28 (8) COLLECT INFORMATION ON THE EFFICACY OF AUTISM SPECTRUM  
29 DISORDERS SCREENING INSTRUMENTS.

30 8-506.

31 BEGINNING JULY 1, 2007, THE DEPARTMENT, IN COLLABORATION WITH THE  
32 DEPARTMENT OF HEALTH AND MENTAL HYGIENE, SHALL:

33 (1) DEVELOP A REFERRAL SYSTEM BETWEEN PEDIATRICIANS AND THE  
34 MARYLAND INFANTS AND TODDLERS PROGRAM;

1 (2) MONITOR THE REFERRAL SYSTEM BY MEETING WITH  
2 PARTICIPATING PEDIATRICIANS TO SOLICIT FEEDBACK AND IDENTIFY ISSUES WITH  
3 THE REFERRAL SYSTEM; AND

4 (3) DEVELOP SUPPORT FOR HEALTH CARE PROVIDERS BY:

5 (I) ESTABLISHING A HOTLINE ON AUTISM SPECTRUM DISORDERS;  
6 AND

7 (II) PROVIDING INFORMATION ON RESOURCES, INCLUDING THE  
8 KENNEDY KRIEGER INSTITUTE'S CENTER FOR AUTISM AND RELATED DISORDERS,  
9 THE PATHFINDERS FOR AUTISM RESOURCE CENTER, AND LOCAL CHAPTERS OF THE  
10 AUTISM SOCIETY OF AMERICA.

11 8-507.

12 TO ADMINISTER THE PILOT PROGRAM ESTABLISHED BY THIS SUBTITLE, THE  
13 DEPARTMENT MAY CONTRACT WITH A QUALIFIED RESEARCH ORGANIZATION WITH:

14 (1) KNOWLEDGE OF AUTISM SPECTRUM DISORDERS; AND

15 (2) RESEARCH AND CLINICAL EXPERIENCE IN THE EARLY DETECTION  
16 OF AND INTERVENTION FOR AUTISM SPECTRUM DISORDERS.

17 8-508.

18 ON OR BEFORE JUNE 1 OF EACH YEAR, THE DEPARTMENT SHALL REPORT TO  
19 THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND  
20 THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE  
21 WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF  
22 THE PILOT PROGRAM ESTABLISHED BY THIS SUBTITLE.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 July 1, 2005. It shall remain in effect for a period of 3 years and, at the end of June 30,  
25 2008, with no further action required by the General Assembly, this Act shall be  
26 abrogated and of no further force and effect.

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By: **Delegate Conway**

Introduced and read first time: February 7, 2005

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Comprehensive Master Plan Updates - Due Dates**

3 FOR the purpose of altering the date by which county boards of education must  
4 submit certain information to the State Department of Education; altering the  
5 date by which the State Superintendent of Schools must make a certain report;  
6 and generally relating to comprehensive master plan updates provided by local  
7 boards of education.

8 BY repealing and reenacting, with amendments,  
9 Article - Education  
10 Section 5-401(b) and (h)  
11 Annotated Code of Maryland  
12 (2004 Replacement Volume and 2004 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Education**

16 5-401.

17 (b) (1) Each county board shall develop and implement a comprehensive  
18 master plan that describes the goals, objectives, and strategies that will be used to  
19 improve student achievement and meet State performance standards and local  
20 performance standards in each segment of the student population.

21 (2) (i) Each county board shall submit a plan to the Department on or  
22 before October 1, 2003.

23 (ii) At least 60 days before submitting a plan to the Department, a  
24 county board shall provide a copy of the plan to the:

25 1. County council and if applicable, county executive; or

26 2. County commissioners.

1 (3) Subject to subsection (i) of this section, the plan shall:

2 (i) Extend for a 5-year period beginning with the 2003-2004 school  
3 year; and

4 (ii) Be updated annually by the county board and submitted for  
5 review and approval by the State Superintendent of Schools on or before [August 15]  
6 OCTOBER 15 of each year.

7 (4) [(i)] Each county board shall submit with the update required under  
8 paragraph (3)(ii) of this subsection:

9 (I) [a] A detailed summary of how the board's current year  
10 approved budget and increases in expenditures over the prior year are consistent with  
11 the master plan[.]; AND

12 (ii) [By October 1 of each year, each county board shall supplement  
13 the update with a] A summary of how the board's actual prior year budget and  
14 additional expenditures in the prior year's budget aligned with the master plan.

15 (h) (1) The State Superintendent annually shall review how each county  
16 board's current year approved budget and actual prior year budget align with the  
17 master plan and any updates to the master plan. This review may be based on the  
18 information required to be submitted by the county board under subsection (b)(4) of  
19 this section and any other information required by the State Superintendent.

20 (2) The State Superintendent annually shall report the results of the  
21 budget review by [December 1] DECEMBER 31 to the Governor, the county governing  
22 body, and, subject to § 2-1246 of the State Government Article, the General Assembly.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 July 1, 2005.

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By: **Senators Pinsky, Britt, Conway, Dyson, Grosfeld, and Hollinger**

Introduced and read first time: January 27, 2005

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Quality Teacher Incentive Act - Increasing Participation**

3 FOR the purpose of increasing the maximum number of teachers selected each year to  
4 participate in the State and Local Aid Program for Certification by the National  
5 Board for Professional Teaching Standards; and generally relating to  
6 participation in the Program.

7 BY repealing and reenacting, with amendments,  
8 Article - Education  
9 Section 6-112  
10 Annotated Code of Maryland  
11 (2004 Replacement Volume and 2004 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Education**

15 6-112.

16 (a) There is a program of State and local aid to teachers who pursue  
17 certification by the National Board for Professional Teaching Standards known as the  
18 State and Local Aid Program for Certification by the National Board for Professional  
19 Teaching Standards.

20 (b) Each school year, the State Board shall select, consistent with the amount  
21 provided in the State budget for the Program, a maximum of [500] 750 teachers to  
22 participate in the Program.

23 (c) The State Board shall adopt regulations to implement and administer the  
24 Program established under this section, including:

25 (1) Procedures for submitting applications for aid; and

26 (2) Criteria for the selection of recipients of aid.



1 (d) (1) Each teacher selected by the State Board to receive aid shall receive  
2 from the State an amount equal to the certification fee charged by the National Board  
3 for Professional Teaching Standards.

4 (2) Each county shall pay to the State one-third of the cost of  
5 certification for each teacher who participates in the Program who teaches in the  
6 county.

7 (3) (i) A teacher who does not complete all the requirements for  
8 assessment by the National Board for Professional Teaching Standards shall  
9 reimburse the State the full amount of the aid received to participate in the Program.

10 (ii) The State shall reimburse the county the amount received  
11 under paragraph (2) of this subsection on receipt of the reimbursement of aid from a  
12 teacher under this paragraph.

13 (iii) The provisions of subparagraph (i) of this paragraph do not  
14 apply to a teacher who completes all the requirements for assessment by the National  
15 Board for Professional Teaching Standards but who does not receive certification.

16 (e) The State Board shall establish a statewide staff development plan that  
17 utilizes the skills and knowledge of teachers who have obtained National Board  
18 certification.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2005.

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By: **Senators Pinsky, Britt, Conway, Dyson, Grosfeld, and Hollinger**

Introduced and read first time: January 27, 2005

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - School-Based Employees - Stipends**

3 FOR the purpose of providing for certain stipends for certain school-based employees  
4 under certain circumstances; defining certain terms; and generally relating to  
5 the provision of stipends to certificated school-based employees.

6 BY repealing and reenacting, with amendments,  
7 Article - Education  
8 Section 6-306  
9 Annotated Code of Maryland  
10 (2004 Replacement Volume and 2004 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Education**

14 6-306.

15 (a) (1) In this section[,] THE FOLLOWING WORDS HAVE THE MEANINGS  
16 INDICATED.

17 (2) ["county] "COUNTY grant for national certification" means an annual  
18 grant distributed to a teacher certified by the National Board for Professional  
19 Teaching Standards established:

20 [(1)] (I) Outside of the collective bargaining process; or

21 [(2)] (II) As part of a collective bargaining agreement with the local  
22 employee organization.

23 (3) "SCHOOL-BASED EMPLOYEE" MEANS A CERTIFICATED EMPLOYEE  
24 WHO WORKS DIRECTLY WITH STUDENTS OR TEACHERS AT A PUBLIC SCHOOL.

1 (b) (1) For fiscal year 2000 and each subsequent fiscal year, the Governor  
2 shall include in each year's operating budget funding for the stipends and bonuses  
3 provided in this subsection.

4 (2) A classroom teacher OR OTHER SCHOOL-BASED EMPLOYEE who  
5 holds a standard professional certificate or an advanced professional certificate who  
6 is employed by a county board and who holds a certificate issued by the National  
7 Board for Professional Teaching Standards shall receive a stipend from the State in  
8 an amount equal to the county grant for national certification, up to a maximum of  
9 \$2,000 per qualified [teacher] INDIVIDUAL.

10 (3) (i) An individual who graduates from an accredited institution of  
11 higher education with a grade point average of at least 3.5 on a 4.0 scale or its  
12 equivalent, becomes employed by a county board, and remains employed as a  
13 classroom teacher in the public school system for a minimum of 3 consecutive years  
14 shall receive a salary signing bonus of \$1,000.

15 (ii) If the individual leaves employment with the public school  
16 system before the end of the 3-year commitment, the individual shall reimburse the  
17 State in the amount of \$1,000.

18 (4) A classroom teacher who holds an advanced professional certificate  
19 and teaches in a public school identified by the State Board as a reconstitution school,  
20 a reconstitution-eligible school, or a challenge school shall receive a stipend from the  
21 State in the amount of \$2,000 for each year that the teacher performs satisfactorily in  
22 the classroom.

23 (c) An individual who receives a stipend or bonus under subsection (b) of this  
24 section may not be deemed an employee of the State.

25 (d) The employer of an individual who receives a stipend or bonus under  
26 subsection (b) of this section shall pay the increase in fringe benefit costs associated  
27 with the stipend or bonus.

28 (e) The Department shall act as fiscal agent for funds disbursed under this  
29 section.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 October 1, 2005.