

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: March 8, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF SCHOOL LEGISLATION**

ORIGINATOR: Joe A. Hairston, Superintendent

RESOURCE
STAFF: Edward J. Novak, Esq., Manager, Governmental and External Relations

RECOMMENDATION

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

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Denotes – New Information

BOARD OF EDUCATION OF BALTIMORE COUNTY

STATE LEGISLATIVE UPDATE

March 8, 2011

Background Information

The 428th Session of the Maryland General Assembly began on January 12, 2011, and will meet until its Adjournment SINE DIE on April 11, 2011. Currently, there are a total of 2,271 legislative introductions: 947 Senate Bills, 1,308 House Bills, 10 Joint House Resolutions, and 6 Joint Senate Resolutions.

Discussion

The following bills are presented for the Board of Education’s consideration. **The first section** contains bills that the Board has considered and voted on position. **The second section** contains bills for your information only with no Board position being requested at this time.

SECTION 1: BOE POSITION

BILL	TITLE / SYNOPSIS	POSITION
HB 1	<p>Education - Youth Athletes - Concussions</p> <p>Introduced by Delegate Davis</p> <p>Requiring county boards of education and the Maryland Public Secondary Schools Athletic Association jointly to establish guidelines and develop forms to educate individuals regarding concussions and head injury; requiring specified individuals to sign information sheets; requiring the removal of youth athletes from play under specified circumstances; prohibiting the return to play under specified circumstances; requiring youth sports programs to provide statements of compliance; etc.</p> <p>Bill Status: House – 03/02/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0001f.pdf</p>	<p style="text-align: center; color: magenta;">SUPPORT (with MABE Amendments)</p> <p>The bill would require each county school board and the Maryland Public Secondary Schools Athletic Association to jointly establish guidelines for the evaluation and management of concussion and head injury that will help to educate coaches, youth athletes, and their parents and/or guardians regarding:</p> <ol style="list-style-type: none"> 1. Nature and risk of concussion and head injury; 2. Criteria for removal from and return to play; and 3. Risks of not reporting injury and continuing to play. <p>The guidelines shall: (1) on an annual basis, require that a concussion and head injury information sheet be signed and returned by a youth athlete and his/her parent/guardian before the youth athlete initiates practice or competition; (2) require the removal of a youth athlete from a practice or a game when the youth athlete is suspected of sustaining a concussion or head injury in the practice or the game; and (3) prohibit a youth athlete who has been removed from play from returning to play until the youth athlete:</p> <ul style="list-style-type: none"> • Has been evaluated by a licensed

BILL	TITLE / SYNOPSIS	POSITION
		<p>health care provider or a volunteer health care provider trained in the evaluation and management of concussions; and</p> <ul style="list-style-type: none"> • Has obtained written clearance to return to play from the health care provider. • The MABE amendments provide useful clarification to bill language.

<p>HB 12</p>	<p>Procurement - Employee Uniforms and Equipment - Place of Manufacture</p> <p>Introduced by Delegate Beitzel</p> <p>Prohibiting a public employer, under specified circumstances, from knowingly buying, furnishing, or requiring an employee to buy or acquire for use while on duty specified uniforms and other equipment unless the uniforms or equipment are manufactured in the United States; requiring the Board of Public Works to adopt specified regulations; and applying the Act prospectively.</p> <p>Bill Status: House – 03/01/11 – Favorable with Amendments</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0012f.pdf</p>	<p style="text-align: center;">OPPOSE</p> <p>This bill would prohibit public employers from knowingly purchasing, providing, or requiring employees to purchase uniforms or safety equipment/accessories manufactured outside of the United States. A similar bill was introduced during the 2010 Session; the potential fiscal impact of that bill (HB 1465) was estimated to increase costs by a minimum of 15% because of the potential for reduced competition. In addition, this bill would include local school boards/school systems as a “unit” of State Government under the general State Procurement Article for this purpose; historically, school systems were covered by applicable provisions of the Education Article.</p>
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<p>HB 26</p>	<p>Education Funding Formula - Average Daily Attendance</p> <p>Introduced by Delegate O’Donnell</p> <p>Requiring specified enrollment calculations used for education aid to be based on the average daily attendance in specified school years; etc.</p> <p>Bill Status: House – 02/09/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0026f.pdf</p>	<p style="text-align: center;">OPPOSE</p> <p>This bill has been introduced in prior General Assembly sessions. If passed, it would change the method by which state education aid is distributed. Currently, state funding is calculated using the official full-time equivalent enrollment counts of school systems as of September 30th each year. The bill would reduce that calculation by the average percentage of students absent each day during the second prior fiscal year. In 2010, the fiscal note on HB 1154 (an identical bill) indicated that Baltimore County Public Schools (BCPS) would experience an estimated \$18 million reduction in state aid. MABE has estimated that the FY 2011 statewide reduction to the foundation funding would be approximately \$170 million; the state standard attendance rate is 94%. The projected impact on BCPS could result in reduced funding of approximately \$20 million annually. Although BCPS does not</p>
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		<p>report an attendance rate in our 2009-2010 Report on Results, 76% of all BCPS schools attain this standard, suggesting that the potential impact on BCPS funding would be greater than projected. There would also be additional record keeping costs for compliance.</p>
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<p>HB 44 SB 53</p>	<p>Education - Waiver from Maintenance of Effort Requirement - Process and Factors</p> <p>Introduced by Delegates Jones, Barve, Conway, Hixson, Holmes, McIntosh, O'Donnell, Ross, and Schuh</p> <p>Introduced by Senators Kasemeyer, Currie, DeGrange, Garagiola, Kittleman, Madaleno, McFadden, and Middleton</p> <p>Altering the date by which a county governing body must make a request to the State Board of Education for a waiver from the maintenance of effort requirement; requiring the State Board to consider specified factors when making a decision whether to grant a waiver; requiring the State Superintendent of Schools to make a preliminary assessment of waiver applications by a specified time; etc.</p> <p>Bill Status: House – 02/09/11 - Hearing Senate – 02/02/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0044f.pdf</p>	<p>SUPPORT</p> <p>These are cross-filed bills. The bills reflect the agreement reached in Conference Committee near the end of the 2010 General Assembly session. The provisions of the bills are essentially designed to enhance the MOE waiver process, reflecting recommendations previously made by the Joint Legislative Workgroup to Study State, County, and Municipal Fiscal Relationships. The bills do not provide a blanket waiver of maintenance of effort. The current MOE waiver process would be maintained, including the authority of the Maryland State Board of Education (MSBE) to grant individual waiver requests after a hearing before MSBE.</p> <p>The bills would require that the Maryland State Superintendent of Schools “provide a preliminary assessment of a waiver application” to MSBE prior to a public hearing. The filing deadline for a waiver request would be extended to April 20th, which would allow local governments time to evaluate the level of state funding approved by the General Assembly (the date for MSBE action would be changed to May 20th). The bills would incorporate into law the factors for consideration of a waiver request that are currently in the regulations and add three more factors. Both bills were introduced as emergency bills (would be effective upon enactment).</p>
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<p>HB 48</p>	<p>State Government - Open Meetings Act - Notice and Complaints</p> <p>Introduced by Delegates <u>Morhaim</u>, Kipke, Pena-Melnyk, and Tarrant</p> <p>Requiring a complaint filed with the State Open Meetings Law Compliance Board to be filed within 1 year after the action that is the basis for the complaint; altering specified notice requirements; requiring a public body to give notice of a meeting by specified methods under specified circumstances; authorizing a public body to give notice of a meeting by specified additional methods; etc.</p> <p>Bill Status: House – 02/24/11 – Second Reading Passed</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0048f.pdf</p>	<p>SUPPORT</p> <p>This bill would change the Open Meetings Act to require that public bodies post notices of their meetings on a Web site, post notices at a location accessible to the public regularly used for posting notices, and by delivering notices to the news media. BCPS currently provides Web site meeting notice and the issuance of meeting notices to the media. The bill would establish a requirement that any complaint filed under the Open Meetings Act must be filed within a one-year period (no specific statute of limitations for this action currently exists). This limitation could increase efficiency in this process by establishing a date certain for complaints and related administrative activities.</p>
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<p>HB 73</p>	<p>Vehicle Laws - School Buses - Prohibition on Permitting Sitting on Floor or Standing</p> <p>Introduced by Delegate Walker</p> <p>Prohibiting a person who is responsible for pupils on a school bus from permitting any pupil to stand while the bus is in motion; prohibiting a person who is responsible for pupils on a school bus from permitting any pupil to sit on the floor of the school bus; establishing a fine; providing for exceptions; providing that a specified violation is not considered a moving violation for specified purposes; etc.</p> <p>Bill Status: House - 02/08/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0073f.pdf</p>	<p>OPPOSE</p> <p>This bill has been introduced in several prior legislative sessions. While the intent of the legislation seems logical, it poses practical concerns. Although current law allows one student per a row of seats to stand on a bus, BCPS does not authorize students to sit on the floor of a school bus. However, operating conditions can result in situations where students may be standing. Examples include the beginning of the school year when buses may be overcrowded until any overcapacity route issues are addressed and mechanical problems that require the dispatching of another bus, or buses that may require carrying more students than normally planned.</p>
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<p>HB 127 SB 262</p>	<p>State Board of Education - Financial Literacy Curriculum - Graduation Requirement</p> <p>Introduced by Delegates Walker, Alston, Barnes, <u>Boteler</u>, Braveboy, <u>Bromwell</u>, Cane, <u>Cardin</u>, Davis, Feldman, Frick, Frush, George, Haddaway-Riccio, Holmes, Hough, Howard, Hubbard, Kipke, Love, A. Miller, Niemann, Oaks, <u>Olszewski</u>, Pena-Melnyk, Proctor, Ross, Schuh, Sophocleus, Stocksdale, Stukes, Tarrant, F. Turner, Vaughn, Washington, Wilson, and Zucker</p>	<p>NO POSITION</p> <p>This bill is the same bill that has been introduced in past General Assembly Sessions (including HB 335 and SB 264 in 2010). It would require that a financial literacy course become a high school graduation requirement. MSBE, with consideration of the General Assembly’s “Task Force to Study How to Improve Financial Literacy in the State,” has established financial literacy content standards to be incorporated, as appropriate, through the</p>
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	<p>Introduced by Senators <u>Klausmeier</u>, Benson, Colburn, DeGrange, Forehand, Garagiola, Jones-Rodwell, <u>Kasemeyer</u>, <u>Kelley</u>, Madaleno, Montgomery, Muse, Raskin, Shank, and <u>Stone</u></p> <p>Requiring the State Board of Education to develop curriculum content for a course in financial literacy; requiring each county board of education to implement the financial literacy curriculum content developed by the State Board in every high school in the county; and requiring students to complete a course in financial literacy in order to graduate from high school.</p> <p>Bill Status: House – 02/17/11 - Hearing Senate – 02/16/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0127f.pdf</p>	<p>entire curriculum. Although the Board of Education of Baltimore County (Board) has historically opposed the imposition of unfunded mandates, the Board previously adopted a “No Position” with regard to the 2010 bills because of the significance of financial literacy in preparing students for consumer and business needs in the future.</p>
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<p>HB 160</p>	<p>Baltimore County Public Schools - Funding Accountability and Transparency Act</p> <p>Introduced by Delegates <u>Lafferty</u>, <u>Aumann</u>, <u>Boteler</u>, <u>Cardin</u>, <u>Cluster</u>, <u>DeBoy</u>, <u>Frank</u>, <u>Kach</u>, <u>Morhaim</u>, <u>Stein</u>, and <u>Weir</u></p> <p>Requiring the Baltimore County Board of Education to develop and operate a specified Web site that includes information about specified payments; specifying parameters of the Web site; etc.</p> <p>Bill Status: House - 02/09/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0160f.pdf</p>	<p>NO POSITION</p> <p>This bill would require the development and continued operation of a single searchable Web site (no later than January 1, 2013) that would provide specified information via the Internet to the public at no cost. The information that would be required to be provided under that bill would include the listing of any Party (along with their zip code) who receives an aggregate payment of \$25,000 in a fiscal year from the Board. The bill would be effective on July 1, 2011.</p> <p>It should be noted that the Board publishes agendas in advance of meetings. These agendas include the contracts that the Board reviews and takes action on.</p>
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<p>HB 231 SB 123</p>	<p>Education - Public Charter School Facility Revolving Loan Fund</p> <p>Introduced by Delegate Costa</p> <p>Introduced by Senators Astle, Reilly, and Simonaire</p> <p>Establishing the Public Charter School Facility Revolving Loan Fund; stating the purpose of the Fund; authorizing specified applicants to obtain loans from the Fund; requiring the State Board of Education to administer the Fund and to consider specified factors when evaluating loan applications; specifying loan amounts; requiring the State Board to report specified</p>	<p>OPPOSE</p> <p>This bill would establish a Revolving Loan Fund. It is similar to a bill introduced in the 2010 General Assembly. Proposed loans would be available to charter schools (upon application to MSBE) for no more than \$100,000 annually (not to exceed \$500,000 over a five-year period). A loan could be used to pay for the construction, purchase, renovation, and/or maintenance of a public charter school facility.</p> <p>The bill would require that the Governor</p>
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	<p>information to county boards of education each fiscal year; specifying provisions relating to loan repayment; requiring the State Board to adopt regulations; etc.</p> <p>Bill Status: House - 02/08/11 - Hearing Senate – 03/02/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0231f.pdf</p>	<p>allocate \$400,000 from the Capital Improvement Program of the Public School Construction Program. This is particularly problematic in a fiscal year when funding for K-12 education is being challenged. Lastly, a provision in the bill states “If a public charter school defaults or is unable to repay a loan” the county or county board may be required to repay the remaining balance or interest on the loan,” thereby exposing the Board to potential liability.</p>
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<p>HB 364</p>	<p>Student Participation in High School Sports - Academic Requirements</p> <p>Introduced by Delegate Walker</p> <p>Requiring the State Board of Education to adopt regulations to establish academic performance standards that students in public high schools in the State must meet in order to participate in high school athletic competitions; requiring the regulations to include specified provisions; and requiring county boards of education to allow public high school students in the county to participate in specified high school athletic competitions only in accordance with the regulations of the State Board.</p> <p>Bill Status: House – 02/24/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0364f.pdf</p>	<p>Recommendation - OPPOSE</p> <p>This bill is an intrusion into a programmatic area that has historically been within the authority of the local boards to administer. BCPS and other school systems establish and administer standards regarding the terms that a student must satisfy to be able to participate in interscholastic athletics while in high school. This system of local determination and control has worked well in BCPS this change is not needed.</p>
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<p>HB 386 SB 667</p>	<p>Education - Tween/Teen Dating Violence (Kristin Marie Mitchell Law)</p> <p>Introduced by Delegates Carter, Anderson, Carr, Dumais, Ivey, Love, McComas, Oaks, Pena-Melnyk, Simmons, Stukes, F. Turner, and Walker Walker</p> <p>Introduce by Senator Muse</p> <p>Requiring the State Board of Education to adopt in the public schools a program to educate students about dating violence on or before a specified date; requiring the program to include education on services provided to victims of dating violence; altering the definition of "victim of domestic violence" for specified provisions of law; requiring the Governor to proclaim the first week in February each year "Tween/Teen Dating Violence</p>	<p>Recommendation - OPPOSE</p> <p>This bill is not needed. The bill’s focus area involves dating violence; school systems already provide information regarding this subject using MSDE’s health education curriculum that begins in Grade 4 and continues through high school. Providing students with age-appropriate information regarding dating violence has also been supported by continuing MSDE funding (Sexual Harassment and Assault Grant) to LEAs. Historically, MSDE’s health education office has not endorsed any particular program, but has allowed LEAs to identify and implement programs based upon school system needs regarding any particular content area involving the health education and other curricula.</p>
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	<p>Education and Awareness Week"; etc.</p> <p>Bill Status: House – 03/02/11 – Hearing Senate – 03/09/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0386f.pdf</p>	<p>The bill intends to add the definition of “victim of domestic violence” to include “or a person with whom the individual has or has had a dating relationship,” but does not define what constitutes a “dating relationship.” This could lead to confusion in administering the law if enacted because the interpretation and nature of “dating” varies.</p> <p>Lastly, legislation is not required for the Governor to exercise his existing authority to issue a Proclamation to designate a week in February each year as Tween/Teen Dating Violence Education and Awareness Week.</p>
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<p>HB 398 SB 397</p>	<p>Task Force on the Method of Selecting the Baltimore County Board of Education</p> <p>Introduced by Baltimore County Delegation</p> <p>Introduced by Senator Klausmeier</p> <p>Establishing the Task Force on the Method of Selecting the Baltimore County Board of Education; providing for the chairs and staff for the Task Force; prohibiting a member of the Task Force from receiving compensation but entitling members to reimbursement for specified expenses; requiring the Task Force to make specified findings and recommendations regarding the method of selecting the Baltimore City Board of Education; providing for the termination of the Act; etc.</p> <p>Bill Status: House – 02/24/11 – Hearing Senate – 03/02/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0398f.pdf</p>	<p>Recommendation - SUPPORT</p> <p>These cross-filed bills were not introduced in time to allow for inclusion in the report submitted to the Board for its formal consideration at its February 8, 2011, meeting. However, the bills were discussed during the Board’s deliberations regarding SB 141 and HB 299. During that discussion, the Board indicated that it supported a study of the board selection process. In a statement submitted to the Senate Education Health & Environmental Affairs Committee and in letters to the Chairs of the Baltimore County Senate and House Delegations, the Board President expressed the board’s support regarding a study of the process for the selection of board members. Both Delegations have recently issued a favorable report on the respective bills, but each bill was amended in delegation meetings; the amended bills currently contain language that is not the same.</p>
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<p>HB 500</p>	<p>Public Schools - Extracurricular Activities - Students in Home Instruction Programs</p> <p>Introduced by Delegates Kach and McDonough</p> <p>Authorizing a public school to allow students in home instruction programs to participate in specified extracurricular activities under specified circumstances; requiring public schools to give placement priority to</p>	<p>Recommendation - OPPOSE</p> <p>School system interscholastic athletics and extra-curricular are conducted under regulations of the MSDE. Such activities are a part of and contribute toward the objectives of the state’s entire regular educational program which is quite different from the program involving students in home instruction.</p>
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	<p>enrolled students if there are a limited number of spaces available for students in extracurricular activities; defining "extracurricular activity"; etc.</p> <p>Bill Status: House – 03/02/11 – Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0500f.pdf</p>	<p>Extra-curricular activities, particularly, athletics is integral to the daily school life. Such programs build individual, team, and school spirit and purpose, which are interdependent with classroom attendance, and (in fact, further encouraging regular attendance) lunch, and other regular activities. The nature of the home school program does not provide students with the same exposure to such activities and interactions with students regularly enrolled.</p> <p>Inclusion of non-regularly enrolled students in these activities would require additional administrative personnel to monitor academic eligibility (there are different grading processes) and the participation of the non-enrolled participants.</p> <p>It is also important to note that MSDE funding is based on student enrollment in schools as of each September 30th. Because home schooled students are not present in the schools for this count, school systems did not receive regular enrollment derived funds for those students.</p>
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<p>HB 685 SB 549</p>	<p>Education - Bullying Safety Risks and Health Problems - Parental Information</p> <p>Introduced by Delegates Kaiser, Barkley, Burns, Cardin, Cullison, DeBoy, Feldman, Frush, Gaines, Gilchrist, Holmes, Jameson, A. Kelly, Kramer, Lafferty, Luedtke, McIntosh, Mizeur, Morhaim, Reznik, S. Robinson, Simmons, Stein, Summers, V. Turner, Valentino-Smith, and Waldstreicher</p> <p>Introduced by Senators King, Forehand, Garagiola, Montgomery, Peters, Raskin, and Robey</p> <p>Requiring the State Department of Education, in collaboration with the Department of Health and Mental Hygiene, to provide specified information by a specified date to county boards of education relating to specified safety risks and health problems; requiring specified schools to send specified information to specified parents and guardians; etc.</p> <p>Bill Status: House - 2/24/11 – Hearing Senate – 03/09/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0685f.pdf</p>	<p>Recommendation - OPPOSE</p> <p>BCPS has a current process to handle students exhibiting any symptoms of health problems or safety risks as a result of bullying. Such concerns or risks are assessed, addressed with parents, and referred to a primary care provider, if needed. Legislative changes in the past few years in this area have resulted in the creation of a model policy regarding bullying and enhanced reporting involving bullying. This bill would result in additional staff work without producing any meaningful change in the current process.</p>
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<p>HB 977</p>	<p>Public Schools - Enrollment and Transfer - Parental Decision</p> <p>Introduced by Delegates Olszewski, Aumann, Barnes, Bates, Boteler, Branch, Bromwell, Cardin, Clagett, Clippinger, DeBoy, Elliott, Frank, George, Glass, Guzzone, Haddaway-Riccio, Healey, Hershey, Hixson, Howard, Impallaria, Kipke, Luedtke, McMillan, A. Miller, Minnick, Myers, O'Donnell, B. Robinson, Rosenberg, Ross, Schuh, Schulz, Serafini, Smigiel, Stocksdale, Stukes, Summers, Walker, Weir, and Wood</p> <p>Authorizing the parent or guardian of a student eligible for enrollment in specified public schools to decide to enroll the student in a public school other than the public school to which the student was assigned by a county board of education, beginning in the 2012- 2013 school year; requiring all public schools to be open to specified students on a space-available basis under specified circumstances; etc.</p> <p>Bill Status: House – 03/02/11 – Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0977f.pdf</p>	<p>Recommendation - OPPOSE</p> <p>This bill is problematic from numerous perspectives.</p> <p>Although the bill requires a parent/guardian to provide transportation to a school selected for attendance under the enrollment system to be created, the proposed process represents a fundamental change in the public school system and the historic nature of the concept of the neighborhood school and its interrelationship to the community. The change could disadvantage children whose families are not financially able to provide alternative transportation to a non-neighborhood school.</p> <p>The bill requires that a listing of schools with available slots be compiled as of May 1st annually. A one-time snapshot of enrollment and available of slots is problematic because there are numerous variables that can affect enrollment projects for the next immediate school year. The bill would require that any child transferred under the newly created process would be allowed to continue to attend the selected school through all grade levels operating at that specific school. This situation would further complicate effective school enrollment planning and projections.</p> <p>This bill could complicate already difficult tracking processes regarding academic performance requirements under “<i>No Child Left Behind Act of 2001</i>”.</p> <p>BCPS, like many school systems, has a special transfer process that allows parents to request that a child attend a school other than their residence-zoned school under certain circumstances.</p>
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<p>HB 1062</p>	<p>Public Schools - Meal Menus - Nutrition Information</p> <p>Introduced by Delegates Niemann, Carter, and Glenn</p> <p>Requiring each public school, beginning in the 2011-2012 school year, to list the number of calories contained in a menu item next to the menu item on a meal menu published by the school.</p>	<p>Recommendation - OPPOSE</p> <p>BCPS currently publishes nutritional data regarding all food products that are used in the school meals program on our Web site. The school menu template would require revision to include calorie information. It is not apparent what specific purpose that the inclusion of this information would provide given the need for BCPS to provide nutritionally balanced school meals.</p>
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	<p>Bill Status: House – 03/02/11 – Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb1062f.pdf</p>	
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<p>SB 6</p>	<p>Optional Retirement Program - State and Participating Governmental Unit Employees - Participation</p> <p>Introduced by Senator Colburn</p> <p>Providing that only individuals serving as Governor on or before January 18, 2011, are eligible for a defined benefit retirement allowance; providing that, on or after July 1, 2011, specified individuals are not eligible to join the Employees' Pension System, the Teachers' Pension System, the State Police Retirement System, the Correctional Officers' Retirement System, the Law Enforcement Officers' Pension System, or the Judges' Retirement System; etc.</p> <p>Bill Status: Senate – 02/10/11- Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0006f.pdf</p>	<p>SUPPORT WITH AMENDMENTS</p> <p>This bill would close the state's Defined Benefit (DB) pension plans to new state employees and teachers hired after June 30, 2011. State employees and teachers hired on or after July 1, 2011, would become members of the Optional Retirement Program (ORP), a Defined Contribution (DC) plan, as a condition of their employment. Current members of the state's DB plans remain in those plans, but they are eligible to transfer to ORP. The bill requires language to clarify all coverage situations.</p>
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<p>SB 41</p>	<p>Education - Age for Compulsory Public School Attendance - Exemptions</p> <p>Introduced by Senators Pugh, Garagiola, Jones-Rodwell, King, McFadden, Raskin, Robey, and <u>Stone</u></p> <p>Altering the age at which children are required to attend a public school regularly during the entire school year, subject to specified exceptions; etc.</p> <p>Bill Status: Senate – 02/09/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0041f.pdf</p>	<p>OPPOSE</p> <p>This bill would increase the compulsory school attendance age to require a student attend school until age 17. The requirement is subject to certain exceptions, including that the student:</p> <ul style="list-style-type: none"> • Has earned a diploma or GED • Is a special education student who has received a Certificate of Completion • Is being home schooled • Is severely ill and receiving home or hospital instruction • Is married • Is in a military service • Is committed by a court to an institution without an educational program • Is pregnant or a parent and is enrolled in an alternative educational program • Attends an alternative educational program.
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		<p>The bill creates an unfunded mandate because it modifies the compulsory attendance age requirement without providing any funding or other resources. This bill was introduced during last session (passed in the Senate but not in the House); the accompanying fiscal note estimated that it would cost \$48.8 million statewide to increase the age of compulsory attendance.</p>
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<p>SB 141 HB 299</p>	<p>Baltimore County - Hybrid School Board - Election and Appointment of Members</p> <p>Introduced by Senators <u>Zirkin, Brochin, and Getty</u></p> <p>Introduced by Delegates <u>Morhaim, Aumann, Stein, and Szeliga</u></p> <p>Establishing a procedure for the election of specified members of the Baltimore County Board of Education and specifying that they reside in and be elected from specified districts; establishing a term of office for the elected members; altering provisions relating to the appointed members of the county board; providing for the removal of members under specified circumstances; providing a procedure for the filling of a vacancy for an elected member; providing for the election of the chair and vice chair of the county board; etc.</p> <p>Bill Status: Senate – 02/09/11 - Hearing House – 02/24/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0141f.pdf</p>	<p>OPPOSE</p> <p>The significant changes proposed in this bill are not needed. The current Board structure has effectively served BCPS’s stakeholders for many years because of the willingness of dedicated volunteers to serve as Board members. Current Board members are able to focus on the best interests of our 104,000 students based upon a systemwide, comprehensive approach to K-12 public education. Creating a Board structure composed mostly of elected members would unnecessarily politicize an efficient process that must remain focused on ensuring sound education policy for all Baltimore County students, avoiding the potential for narrow geographic focus and special interest groups’ agendas. The bill’s provisions include:</p> <ul style="list-style-type: none"> • Creates a combined elected and appointed Board that would consist of the current total of 12 members composed, four appointed from the county at large, seven elected on a nonpartisan basis (one from each Councilmanic district), and one student member appointed from the county at large (Note: the 2010 bill would have created a 15-member board, with seven elected and seven appointed members, one from each Councilmanic district). • Current Board structure would be retained until the first Monday in December 2014, following the general election to be held in November 2014. • Terms of office would be four years, beginning on the first Monday in December 2014 and continue until a successor is elected and qualified; initial terms of office for elected and appointed members are not staggered.
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		<ul style="list-style-type: none"> • Board members will select a chair and vice chair annually (at first December meeting from among current Board members). • Board members are entitled to an annual compensation as provided in the county's budget as well as allowances for travel and other expenses. • Effective date is October 1, 2011.
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<p>SB 315 HB 932</p>	<p>Building Opportunities for All Students and Teachers (BOAST) in Maryland Tax Credit</p> <p>Introduced by Senators Colburn, DeGrange, Brinkley, Currie, Dyson, Glassman, Jacobs, Mathias, McFadden, Peters, and Reilly</p> <p>Introduced by Delegates Proctor, Afzali, Anderson, <u>Aumann</u>, Bates, Beidle, Bohanan, <u>Boteler</u>, <u>Bromwell</u>, <u>Cluster</u>, Conway, Donoghue, Dwyer, Eckardt, Elliott, <u>Frank</u>, Frush, Gaines, George, Glass, Haddaway-Riccio, Haynes, Hershey, Hogan, Hough, <u>Impallaria</u>, James, Jameson, <u>Kach</u>, Kipke, Krebs, McConkey, McHale, W. Miller, <u>Minnick</u>, Mitchell, O'Donnell, Oaks, Parrott, Pena-Melnyk, Ready, Rosenberg, Schuh, Schulz, Serafini, Sophocleus, Stocksdale, Stukes, <u>Szeliga</u>, Tarrant, V. Turner, Valderrama, Valentino-Smith, Vallario, Vitale, Walker, <u>Weir</u>, and Wood</p> <p>Providing a tax credit against the State income tax for contributions made to an eligible educational scholarship organization or an eligible innovative educational organization; requiring the State Department of Education to administer the tax credit; requiring specified entities to submit an application to be an eligible organization by January 1 of each year; establishing the Building Opportunities for All Students and Teachers Reserve Fund; etc.</p> <p>Bill Status: Senate – 03/09/11 – Hearing House – 03/16/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0315f.pdf</p>	<p>Recommendation – OPPOSE</p> <p>This Bill has been introduced in a number of prior General Assembly Sessions. In 2010, the Senate Bill (SB 385) passed the Senate by a vote of 30-17. The cross-filed Bill (HB 932) was heard in the House Ways and Means Committee but was not formally acted on by the Committee subsequent to the hearing. The bill would create a tax credit for contributions to eligible nonprofit organizations to provide scholarships to students and teachers or grants to public schools for innovative programs. The bill would reduce available tax funds to support public education. The Board has opposed similar bills that have been introduced in past Legislative Sessions.</p>
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<p>SB 617 HB 812</p>	<p>Public Schools - Dating Violence - Policy and Disciplinary Standards</p> <p>Introduced by Senator Manno</p> <p>Introduced by Delegates Kramer, Dumais, Hucker, Luedtke, Reznik, Simmons, Valderrama, and Waldstreicher</p> <p>Adding dating violence to provisions of law requiring the reporting of bullying, harassment, and intimidation by a county board of education; specifying who may report incidents of dating violence; requiring specified forms, reports, policies and educational programs to include incidents of dating violence; etc.</p> <p>Bill Status: Senate – 03/09/11 – Hearing House 0 03/09/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0617f.pdf</p>	<p>Recommendation – OPPOSE</p> <p>The proposed additional reporting requirement based on “dating relationship” could be added to the existing Harassment or Intimidation (Bullying) Incident School Investigation Form that MSDE and BCPS use to record necessary information based upon prior legislation enacted. This proposed change does not require legislative action, potentially reducing any additional administrative resources required that could result from additional legislation.</p> <p>BCPS recognizes that violence in dating relationships can also be considered a type of bullying, intimidation, or harassment. Dating violence can also be of a serious physical nature, e.g. assault/battery, which would require reporting to and the involvement of county police.</p>
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<p>SB 626</p>	<p>Public School Construction Funding Reform Act of 2011</p> <p>Introduced by Senators Glassman, Colburn, and Forehand</p> <p>Repealing the Interagency Committee on School Construction; altering the authority of the State Superintendent to approve specified public school construction projects; altering the requirement under which specified entities may hold title to specified property; altering the definition of alternative financing methods; requiring public school construction funds allocated in the annual budget to be distributed to local boards using a specified formula; etc.</p> <p>Bill Status: Senate – 03/22/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0626f.pdf</p>	<p>Recommendation – OPPOSE</p> <p>The changes proposed under this bill are not needed. The primary effect of this bill would be to eliminate the existence and role of the Interagency Committee on School Construction (IAC) and place responsibility for the State's capital construction project within MSDE. The existing IAC process has worked well and has supported BCPS in its efforts to meet the most critical of its facilities-related needs. BCPS staff has maintained an effective working relationship with the IAC and this has been helpful in ensuring that the IAC staff is familiar with BCPS’ facilities inventory, and its renovation, and construction requirements.</p>
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<p>SB 628</p>	<p>State Health and Retirement Benefits - Public Employees and Retirees</p> <p>Introduced by Senator Miller</p> <p>Altering the eligibility requirements for State employees receiving health benefits under the State Employee and Retiree Health and Welfare Benefits Program; requiring that by July 1, 2020, the State discontinue a specified prescription drug benefit plan available to specified retirees; requiring specified local employers to pay a specified portion of employer contributions for specified members of the Teachers' Retirement System or the Teachers' Pension System; etc.</p> <p>Bill Status: Senate – 03/02/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0628f.pdf</p>	<p>Recommendation – OPPOSE</p> <p>This is a very complex bill, consisting of 43 pages. It contains some of the same provisions that were included in a bill that was introduced in the 2010 Session and will similarly and adversely affect local governments and the funding available for public education. This bill would shift the cost of various state pension systems to local governments. Included in the bill is a proposed shift of teacher pension costs that would be based on the aggregate annual salaries of teachers rather than a fixed percentage of the employer contribution rate. This shift would begin on July 1, 2012, starting at 2% of the aggregate annual salaries and increase to 6% in FY 2014 and to 10% for FY 2015 and FY 2016. (note: the rate of the proposed shift relating to teacher pensions is higher than the proposed rate relating to other employee groups, e.g., for community college employees, the rate starts at 1% and increases to 5% in FY 2015). Beginning in FY 2017, changes in the required contribution rate will be determined by the Pension System Board of Trustees.</p>
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<p>SB 676</p>	<p>County Boards of Education - Alien Students</p> <p>Introduced by Senators Brinkley, Colburn, Simonaire, and <u>Stone</u></p> <p>Requiring each county board of education, on or before March 1 of each year, to make a good faith effort to provide the governing body of the county with the total number of students enrolled in the public school system of the county whose presence in the United States cannot be reasonably documented; and prohibiting a county board from associating a student's race, appearance, language, or name with citizenship or immigration status.</p> <p>Bill Status: Senate – 03/09/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0676f.pdf</p>	<p>Recommendation – OPPOSE</p> <p>Federal law requires that public schools must provide a free and appropriate education to age-appropriate students regardless of whether they are considered to be documented or undocumented with regard to immigration or citizenship status. This bill could result in school systems being placed in a difficult position when interacting with a parent/guardian of a student seeking public school admission, raising potential concern for them regarding their individual citizenship or immigration status.</p>
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<p>SB 679</p>	<p>Vehicle Laws - Overtaking and Passing School Vehicles - School Bus Monitoring Cameras</p> <p>Introduced by Senators Brinkley, Madaleno, Middleton, Rosapepe, and Young</p> <p>Authorizing a county board of education, in consultation with a local law enforcement agency, to place school bus monitoring cameras on county school buses for the purpose of recording motor vehicles committing violations relating to overtaking and passing school vehicles; requiring a school bus operator to give a recording of the violations to a local law enforcement agency; requiring recordings made by a school bus monitoring camera to include specified images and information about the violations; etc.</p> <p>Bill Status: Senate – 03/10/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0679f.pdf</p>	<p>Recommendation – NO POSITION</p> <p>This bill would allow the installation of monitoring cameras on school buses to record a motor vehicle committing a violation involving the overtaking of a school bus stopped on a roadway while operating its flashing red lights. The issue of motor vehicles failing to properly stop in such situations continues to be a significant problem. A recent MSDE survey found that there were approximately 6,300 violations in one day (BCPS bus operators appear to have observed the highest number of violations, with about 1,700+ reported).</p> <p>While bus-related safety is a significant priority, the camera systems would be costly (cost estimate being developed) for the number of buses that BCPS uses daily, particularly with the difficult budgetary times that we have faced and will likely see again in the next few fiscal years. One issue that could address this might be the designation of part of the fines generated by any existing camera systems as a way to begin a pilot program or phase-in process within BCPS.</p>
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<p>SB 687 HB 998</p>	<p>Militia - Employment for Military Spouses - Teachers, Health Care Practitioners, and Business Occupations and Professions</p> <p>Introduced by Senator Peters</p> <p>Introduced by Delegates Valentino-Smith, Boteler, Conaway, Dwyer, K. Kelly, McComas, and Minnick</p> <p>Requiring the Adjutant General or the Adjutant General's designee to assist military spouses in finding specified employment; requiring teachers who have achieved tenure or an equivalent level of certification or licensure to be granted tenure in the State under specified circumstances; etc.</p> <p>Bill Status: Senate – 03/02/11 – Hearing House – 03/08/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0687f.pdf</p>	<p>Recommendation – OPPOSE</p> <p>This bill would change the current tenure law by adding a new classification of certificated employee to be granted tenure. If enacted, the bill would require that school systems grant tenure to a newly hired certificated employee who moves to Maryland and is hired by a local school system based upon that employee's out-of-state attainment of tenure (or an equivalent level of certification status) upon completion of a one-year probation period. While the bill allows for some exception, this proposed requirement could limit the flexibility that local school systems need in retaining certificated employees based upon the needs of the school system.</p>
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<p>SB 771</p>	<p>Education - Student-Athletes - Concussions</p> <p>Introduced by Senators Conway, Colburn, Currie, Ferguson, Forehand, Frosh, Kelley, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Pinsky, Pugh, Ramirez, Raskin, Young, and Zirkin</p> <p>Requiring the State Department of Education, in collaboration with specified organizations and individuals, to develop policies and implement a program to provide awareness on the nature and risk of concussions; requiring county boards of education to provide a specified information sheet to specified individuals; requiring the removal from play of specified athletes; prohibiting the return to play of specified athletes until specified conditions are met; etc.</p> <p>Bill Status: Senate – 03/09/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0771f.pdf</p>	<p>Recommendation – SUPPORT (with Amendments)</p> <p>This bill is similar to HB 1 which the Board previously considered, adopting a position of “Support with Amendments” to allow for consideration of changes proposed by the Maryland Association of School Boards.</p> <p>This bill excludes language that would have allowed a volunteer to provide written clearance for an athlete that suffered a covered injury to return to play. Although the bill requires that a non-interscholastic youth sports program (other than a school system program) provide a statement of compliance with the provision of this bill, the preferred approach would be to include an amendment to remove those programs from inclusion with school athletic programs.</p>
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<p>SB 791 HB 528</p>	<p>Education - Open Space on Public School Property - Planting and Maintaining Gardens</p> <p>Introduced by Senator Raskin</p> <p>Introduced by Delegates Luedtke, Alston, Carr, Clippinger, Frick, Frush, Ivey, Kaiser, A. Kelly, Kipke, A. Miller, Mizeur, Morhaim, Niemann, S. Robinson, Rosenberg, F. Turner, and Zucker</p> <p>Requiring county boards of education to encourage the use of open space on public school property for the purpose of planting and maintaining gardens; requiring specified schools and community groups to submit specified plans to the county superintendent; requiring specified schools and community groups to limit the application of pesticides under specified circumstances; authorizing county boards to incorporate the use of school gardens into specified curriculum guides and to use specified produce in school cafeterias; etc.</p> <p>Bill Status: Senate – 03/02/11 – Hearing House – 02/24/11 – Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0791f.pdf</p>	<p>Recommendation – OPPOSE</p> <p>Implementation of the requirements of this bill would increase both costs to the school systems and administrative workload. The bill would require BCPS to review plans for and allow the use of board property for the planting of gardens. Potential concerns raised by the bill include:</p> <ul style="list-style-type: none"> • Costs associated with the likelihood that school facilities crews would need to maintain the gardens if the requesting school or community group failed to properly maintain a garden once planted, including irrigation-related needs and any garden-related debris disposal • Lack of definition of what constitutes a “community group”, BCPS would need to monitor prescribed use to ensure proper safeguarding of board property, including potential questions regarding use of pesticides (although the bill language would “limit” such use) • Potential exposure to any injury resulting from such use.
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SECTION 2: BOE INFORMATION ONLY

BILL	TITLE / SYNOPSIS	NO POSITION REQUIRED
<p>HB 79 SB 772</p>	<p>Task Force to Study the Creation of a Maryland Center for School Safety</p> <p>Introduced by Delegate Walker</p> <p>Introduced by Senator Conway</p> <p>Establishing a Task Force to Study the Creation of a Maryland Center for School Safety; providing for the membership, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation, but authorizing reimbursement of specified expenses; requiring the Task Force to study and make recommendations regarding specified matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before July 1, 2012; and terminating the Act.</p> <p>Bill Status: House – 02/28/11 – Favorable with Amendments Senate – 03/02/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0079f.pdf</p>	<p>The bill would create a 19-member task force that would consider the creation of a school safety center to share information and develop training and materials relating to a wide variety of issues regarding school safety. The task force would report to the Governor and the General Assembly no later than July 1, 2012.</p>
<p>HB 530 SB 609</p>	<p>Public Charter Schools - Occupation and Use of School Sites and Buildings</p> <p>Introduced by Delegates Rosenberg, Ivey, Kaiser, and Luedtke</p> <p>Introduced by Senators Ferguson, Benson, Colburn, Conway, Currie, Kelley, King, McFadden, Montgomery, Pugh, and Young</p> <p>Requiring a county board of education to inform public charter schools in the county if school sites or buildings have been determined by the county board to be no longer needed for school purposes under specified circumstances; requiring a county board to establish a specified procedure; prohibiting a public charter school occupying and using a school site or building from selling, disposing of, or otherwise transferring the school site or building; etc.</p> <p>Bill Status: House - 03/02/11 - Hearing Senate – 03/02/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0530f.pdf</p>	<p>This bill would create a first right of use for charter school operators for any board property that is declared to be no longer needed for educational purposes.</p>

<p>HB 628 SB 241</p>	<p>Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process</p> <p>Introduced by Delegate <u>Morhaim</u></p> <p>Introduced by Senators Pugh, Conway, Currie, Garagiola, Glassman, Jones-Rodwell, <u>Kelley</u>, King, Madaleno, McFadden, Pinsky, and Stone</p> <p>Establishing a Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process; providing for the membership, purposes, and staffing of the Commission; requiring the Commission to study specified matters; requiring the Commission to report to specified persons by a specified date; providing for the termination of the Act; etc.</p> <p>Bill Status: House - 03/02/11 - Hearing Senate – 02/15/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0628f.pdf</p>	<p>This bill would create a 22-member commission based upon the appointment criteria provided in the bill. There is no specific inclusion of any representative from a local board, or a local school system, or school procurement official on the listed appointments.</p>
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<p>HB 644 SB 492</p>	<p>Education - County School Board Budgets - Transparency</p> <p>Introduced by Delegates Valentino-Smith, Alston, Frush, Gaines, Healey, Hubbard, Ivey, Kaiser, A. Miller, Rosenberg, and Ross</p> <p>Introduced by Senator Peters</p> <p>Requiring each county board of education to develop and operate a single searchable Web site that is accessible to the public and includes annual school budget data; etc.</p> <p>Bill Status: House - 03/09/11 - Hearing Senate – 03/09/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0644f.pdf</p>	<p>This bill would have statewide impact. It is similar to HB 160 (as originally introduced) which would apply to Baltimore County only.</p>
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<p>HB 674</p>	<p>Education - Human Trafficking - Awareness, Training, and Distribution of Materials</p> <p>Introduced by Delegates Cullison, Luedtke, Anderson, Arora, <u>Aumann</u>, Barkley, Barnes, Barve, Beidle, Bobo, Braveboy, <u>Bromwell</u>, Carr, Carter, Clippinger, Dumais, Feldman, Frick, Frush, Gilchrist, Gutierrez, Haddaway-Riccio, Hough, Hucker, Ivey, Kaiser, A. Kelly, Kipke, Kramer, Lee, McComas, McDermott, <u>McDonough</u>, McHale, A. Miller, W. Miller, Mitchell, O'Donnell, Pena-Melnyk, Ready, Reznik, S. Robinson, Simmons, Smigiel, Summers, Tarrant, F. Turner, Waldstreicher, Washington, and Zucker</p> <p>Requiring the State Department of Education, in collaboration with the Department of Health and Mental Hygiene, to provide awareness and training for Directors of Student Services in local education agencies on human trafficking; and requiring the Department of Health and Mental Hygiene, in consultation with experts in the field of human trafficking prevention, to provide to the State Department of Education specified information and materials on human trafficking.</p> <p>Bill Status: House - 03/02/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/hb/hb0674f.pdf</p>	<p>The subject of “human trafficking” has received increased publicity in recent years.</p>
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<p>SB 284</p>	<p>Education - High School Graduation Records - Collection, Maintenance, Analysis, and Reporting</p> <p>Introduced by Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Education)</p> <p>Altering the Maryland high school graduation rate formula and ethnic and racial categories in the formula to be consistent with specified federal regulations and guidelines; defining "four-year adjusted cohort"; and repealing an annual reporting requirement.</p> <p>Bill Status: House – 02/16/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0284f.pdf</p>	<p>BCPS already captures the student information discussed in this bill.</p>
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<p>SB 755 HB 646</p>	<p>Task Force to Study High School Dropout Rates of Persons in the Criminal Justice System</p> <p>Introduced by Senator Pugh</p> <p>Introduced by Delegates Braveboy and Pena-Melnyk</p> <p>Establishing the Task Force to Study High School Dropout Rates of Persons in the Criminal Justice System; providing for the membership and staffing of the Task Force; requiring the Governor to designate the chair of the Task Force; providing that a member of the Task Force may not receive compensation as a member of the Task Force but is entitled to specified reimbursement; requiring the Task Force to study high school dropout statistics of specified persons in the criminal justice system; etc.</p> <p>Bill Status: Senate - 03/15/11 – Hearing House – 03/02/11 - Hearing</p> <p>http://mlis.state.md.us/2011rs/bills/sb/sb0755f.pdf</p>	<p>The bill creates an 8-member task force that will study the high school dropout statistics related to individuals who have been incarcerated, arrested, or otherwise processed through the criminal justice system and report its findings on or before December 31, 2011.</p>
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