

**BALTIMORE COUNTY PUBLIC SCHOOLS**

**DATE:** March 6, 2012  
**TO:** **Board of Education**  
**FROM:** Dr. Joe A. Hairston, Superintendent  
**SUBJECT:** **CONSIDERATION OF SCHOOL LEGISLATION**  
**ORIGINATOR:** Robert Barrett, Executive Officer, Community Relations/Government Relations

**RECOMMENDATION**

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

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# BOARD OF EDUCATION OF BALTIMORE COUNTY

## STATE LEGISLATIVE UPDATE

March 6, 2012

### Background Information

The 430th Session of the Maryland General Assembly began on January 11, 2012, and will meet until its Adjournment SINE DIE on April 9, 2012. Currently, there are a total of 2,488 legislative introductions: 1,054 Senate Bills, 1,412 House Bills, 15 Joint House Resolutions, and 7 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
<p><b>HB 2</b> <b>SB 173</b></p>	<p><b>Public School Buildings – Carbon Monoxide Detection and Warning Equipment</b></p> <p>Introduced by Delegate Glen</p> <p>Introduced by Senators <b><u>Klausmeier</u></b>, Benson, Montgomery, and Young</p> <p>Requiring the construction or remodeling of public school buildings to conform to a standard for the installation of carbon monoxide detection and warning equipment for commercial structures.</p> <p><b>Effective Date – Upon Enactment</b></p> <p><b>Bill Status:</b> <b>House – 02/02/12 - Hearing</b></p> <p><b>Senate – 02/24/12 - Third Reading Passed</b> <b>House – 02/27/12 – First Reading</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb0002f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb0002f.pdf</a></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0173f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0173f.pdf</a> <a href="http://mlis.state.md.us/2012rs/amds/bil_0003/sb0173_91403701.pdf">http://mlis.state.md.us/2012rs/amds/bil_0003/sb0173_91403701.pdf</a></p>	<p>Recommendation – Oppose</p> <p>HB 2 would add the requirement that the construction or remodeling of a public school building conform to the National Fire Protection Association 720 Standard for the installation of carbon monoxide detection and warning equipment as now required for commercial structures. This bill is an emergency measure that would make it effective immediately if enacted by a 3/5’s vote of both the House of Delegates and the Senate.</p> <p>SB 173 is very similar to HB 2 with two differences. SB 173 was not introduced as an emergency bill which avoids the requirement for a 3/5 majority of both Chambers to pass. Both bills would change the Education Article to require that the construction or remodeling of a public school building must conform to all applicable State and County building, electrical, fire, and plumbing regulations and codes, and the National Fire Protection Association Standard regarding the installation of carbon monoxide detection/warning equipment. SB 173,</p>

BILL	TITLE / SYNOPSIS	POSITION
		<p>however, would use the 2012 Edition of that Fire Standard instead of the 2009 Edition included in HB 2.</p> <p>Staff recommends that the Board OPPOSE both bills because each is an unfunded mandate. Carbon monoxide detectors are not currently required by Maryland law or the applicable Baltimore County Fire/Building Codes. Most unfortunate instances involving carbon monoxide poisoning occur in residential settings when occupants are asleep and have difficulty with awareness to their immediate surroundings. Obviously, in a school or office, students and adults are awake and functional. Lastly, installation of such equipment is estimated to initially cost BCPS approximately \$500,000.</p>

<p><b>HB 9</b></p>	<p><b>Education – Children and Youth – Reporting of Information Concerning Student Health, Well-Being, and Growth</b></p> <p>Introduced by Delegate Howard</p> <p>Requiring each county superintendent of schools to report specified information relating to student growth, health, and well-being to the State Superintendent of Schools on or before December 1 of each year; requiring the State Department of Education to report specified information to the Governor and the General Assembly relating to student growth, health, and well-being on or before specified dates; etc.</p> <p><b>Effective Date – July 1, 2012</b></p> <p><b>Bill Status:</b> <b>House – 02/23/12 - Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0134f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0134f.pdf</a></p>	<p>Recommendation - Oppose</p> <p>This bill would require:</p> <ul style="list-style-type: none"> <li>• Each county superintendent to report no later than Sept. 1 of each year to the state superintendent regarding implementation of the personal financial literacy state curriculum; the state superintendent would be required to report no later than Dec. 1 of each year to the Governor and the General Assembly regarding a summary of the information as reported by local superintendents.</li> <li>• Each county board to include information in health information provided in schools regarding diabetes, its treatment and prevention, and the importance of physical activity to thwart and control diabetes, and require that each county superintendent to report no later than Sept. 1 of each year to the state superintendent regarding implementation of this health education requirement; the state superintendent would be required to report no later than Dec. 1 of each year to the Governor and the General Assembly regarding a summary of the information as reported by local superintendents.</li> <li>• Each county superintendent to report no later than Sept. 1 of each year to the state</li> </ul>
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		<p>superintendent regarding implementation of age-appropriate lessons on dating violence (currently required to be included in schools' health education curriculum); the state superintendent would be required to report no later than Dec. 1 of each year to the Governor and the General Assembly regarding a summary of the information as reported by local superintendents.</p> <p>Staff recommends that the Board OPPOSE this bill. The reporting requirements of this bill are unnecessary and redundant. There is existing regulatory language that requires reporting on Financial Literacy and Health Education.</p>
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<p><b>HB 11</b></p>	<p><b>Criminal Law – Third Degree Sexual Offense – Person in Position of Authority</b></p> <p>Introduced by Delegate Glenn</p> <p>Repealing the requirement that the prosecution of a misdemeanor offense of the prohibition against a specified person in a position of authority engaging in a sexual act or sexual contact with a minor, under specified circumstances, be instituted within 3 years after the offense was committed; prohibiting a specified person in a position of authority who is at least 6 years older than the victim from engaging in sexual contact or a sexual act while the minor is enrolled or participating in a specified institution, program, or activity; etc.</p> <p><b>Effective Date – October 1, 2012</b></p> <p><b>Bill Status:</b> <b>House – 02/06/12 – Unfavorable Report</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb0011f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb0011f.pdf</a></p>	<p>Recommendation – Support</p> <p>This bill eliminates the requirement in current law that a prosecution for this offense be instituted within three years after the offense was committed. The bill:</p> <ul style="list-style-type: none"> <li>• Defines person in position of authority as an individual at least 21 years old who works in a variety of child-related positions, including a public or private preschool, elementary, or secondary school and includes an individual who is a volunteer, intern, or paid employee of a school, program, or activity and who directs or supervises minors enrolled or participating in an institution, program, or activity or who supervises one or more persons in a position of authority.</li> <li>• Adds to the Criminal Law Article a list of prohibited actions that a person in a position of authority who is at least six years older than a victim may not engage (in sexual contact, a sexual act or intercourse with a minor) while the minor is enrolled or participating in an institution, program, or activity in which the person in a position of authority or was previously enrolled or participating in at the same time that person was working there.</li> </ul> <p>Staff recommends that the Board SUPPORT this bill. The bill proposed changes would apply to school employees, volunteers, and interns. It is likely that the bill's clarifying language regarding the definition of a person in a position of authority, and expansion of</p>
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		existing criminal statutory language regarding prohibited activities between adults and minors would enhance efforts to reduce the number of incidents involving such criminal activities in schools.
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<p><b>HB122</b> <b>SB139</b></p>	<p><b>Criminal Law – Third Degree Sexual Offense – Person in Position of Authority</b></p> <p>Introduced by Delegates <b>Baumann, Selig</b>, Holmes, Azalea, Bates, Beissel, <b>Bottler, Burns, Cluster</b>, Conway, <b>Decoy</b>, Eckerd, <b>Frank</b>, Fresh, Gaines, George, Glenn, Gazonas, Haddaway-Riccio, Hogan, James, <b>Kach</b>, Kaiser, Kipke, Krebs, <b>Lafferty</b>, McComas, McConkey, McDermott, <b>McDonough</b>, Minnick, <b>Morhaim</b>, Norman, Ready, Schulz, Sophocleus, Stocksdale, Vitale, Washington, and Wood</p> <p>Introduced by Senators Jacobs, <b>Stone</b>, Colburn, Currie, Edwards, and Reilly</p> <p>Requiring a parent or other person who has permanent care or custody or responsibility for the supervision of a minor to notify, under specified circumstances and within specified periods of time, the appropriate law enforcement agency that the minor is missing or the appropriate law enforcement agency or medical authority that the minor has died; prohibiting specified conduct that may impede an investigation following the death of a minor; establishing penalties; etc.</p> <p><b>Effective Date – October 1, 2012</b></p> <p><b>Bill Status:</b> <b>House – 02/09/12 – Hearing</b> <b>Senate – 03/13/12 - Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb0122f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb0122f.pdf</a> <a href="http://mlis.state.md.us/2012rs/bills/sb/sb0139f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0139f.pdf</a></p>	<p>Recommendation - Support</p> <p>HB 122 and SB 139 relate to the same subject matter as contained in HB 18 and HB 20, also introduced this Session, but broader in scope; they would add provisions to the Criminal Law Article specifically:</p> <ul style="list-style-type: none"> <li>• To require a parent, a person with permanent care or custody or responsibility for the supervision of a minor under the age of thirteen to notify law enforcement within 24 hours of becoming aware that the minor is missing.</li> <li>• To require a parent, a person with permanent or custody or responsibility for the supervision of a minor over the age of 12 to report the death of a minor to law enforcement within 48 hours of becoming aware that the minor is missing if: <ul style="list-style-type: none"> <li>✓ the minor suffers from a mental or physical handicap or illness;</li> <li>✓ the minor’s disappearance is of a suspicious or dangerous nature;</li> <li>✓ the parent or other person has reason to believe that the minor has been abducted;</li> <li>✓ the minor had previously been the subject of a child abuse report filed with social services or law enforcement.</li> </ul> </li> <li>• To require a parent or other person who has permanent care or custody or responsibility for the supervision of a minor shall report the death of the minor to notify law enforcement within one hour of becoming aware of the death unless the death was attended by a physician.</li> <li>• A parent or other person with permanent or custody or responsibility for the supervision of a minor that has died may not knowingly: <ul style="list-style-type: none"> <li>✓ make false or misleading statements to law enforcement;</li> <li>✓ refuse to make relevant medical information available to law enforcement;</li> <li>✓ engage in any conduct with the intent to impede an investigation by</li> </ul> </li> </ul>
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		<p>altering evidence, including disturbing the body or the area surrounding the body.</p> <ul style="list-style-type: none"> <li>• A person violating any of the above provisions is guilty of a felony.</li> </ul> <p>Staff recommends that the Board SUPPORT HB 122 and SB 139, referred to as “Caylee’s Law.” Each bill (summaries above) has differing age levels for triggering reporting requirements. HB 122 and SB 139 are broader in scope, than the other like bills containing language defining four specific situations regarding required reporting and providing three specific prohibitions regarding a parent or other person with care or custody or responsibility for supervision of a minor. HB 122 was introduced with 40 bipartisan sponsors.</p>
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<p><b>HB 191</b> <b>SB 307</b></p>	<p><b>State Board of Education – Financial Literacy Curriculum – Graduation Requirement</b></p> <p>Introduced by Delegate Walker</p> <p>Introduced by Senators <b>Klausmeier</b>, Colburn, Jones-Rodwell, Madaleno, Muse, Raskin, and <b>Stone</b></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><b>Effective Date – October 1, 2012</b></p> <p><b>Bill Status:</b> <b>House – 02/23/12 – Hearing</b></p> <p><b>Senate – 02/28/12 – Unfavorable Report</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb0191f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb0191f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0001/hb0191.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0001/hb0191.pdf</a></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0307f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0307f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0007/sb0307.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0007/sb0307.pdf</a></p>	<p>Recommendation – Oppose</p> <p>MSBE, with advice from the State Superintendent, establishes basic policy and guidelines for the program of instruction for public schools. Each local board establishes the curriculum guides and courses of study for its schools.</p> <p>MSBE previously addressed this matter, based upon its consideration of the General Assembly’s “<i>Task Force to Study How to Improve Financial Literacy in the State,</i>” by establishing content standards as a continuum through the entire curriculum. It is crucial for a local school board to retain the authority to address curricular issues for its schools.</p>
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<p><b>HB 196</b></p>	<p><b>Student Health and Fitness Act</b></p> <p>Introduced by Delegates Walker, Alston, Anderson,</p>	<p>Recommendation – Oppose</p> <p>This bill is an attempt to mandate a specific</p>
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	<p>Bates, Braveboy, <b>Burns, Cardin</b>, Davis, Feldman, <b>Frank</b>, Frush, George, Haynes, Healey, Holmes, Howard, Hubbard, Ivey, <b>Kach, Lafferty, Nathan-Pulliam</b>, Oaks, <b>Olszewski</b>, Pena-Melnyk, Proctor, B. Robinson, Ross, Summers, Tarrant, V. Turner, Vaughn, Wilson, Wood, and Zucker</p> <p>Requiring that a public school student in elementary school be provided a daily program of physical activity totaling at least 150 minutes of physical activity each week, including at least 90 minutes of physical education; requiring that the program of physical activity for a specified category of student be consistent with a specified plan for the student; requiring public elementary schools to designate a specified group to plan and coordinate specified activities; etc.</p> <p><b>Effective Date – October 1, 2012</b></p> <p><b>Bill Status:</b> <b>House – 02/09/12 – Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb0196f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb0196f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0006/hb0196.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0006/hb0196.pdf</a></p>	<p>physical education/activity program in local school systems. It is crucial for a local school board to retain the authority to address curricular issues for its schools.</p>
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<p><b>HB 201</b></p>	<p><b>Public Schools – Meal Menus – Nutrition Information</b></p> <p>Introduced by Delegate Neimann</p> <p>Requiring each public school, beginning in the 2012-2013 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><b>Effective Date – July 1, 2012</b></p> <p><b>Bill Status:</b> <b>House – 02/09/12 - Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb0201f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb0201f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0001/hb0201.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0001/hb0201.pdf</a></p>	<p>Recommendation – Support with Amendments</p> <p>As part of our commitment to support healthy eating for students, BCPS employs Registered Dieticians who analyze nutritional information and monitor use of all food products. This information is maintained on our Web site and posted in our cafeterias. Available information includes the calories, fat content (including saturated fat), carbohydrates, and protein.</p> <p>The intent of this bill is worthwhile. However, if the General Assembly desires to act in this area, we suggest that the menu information to be provided be broader than merely calories and also include the range of information that we currently provide (as a number of other school systems also do). We believe this approach would avoid focus on one element of healthy eating only and would support the notion that most foods can be a part of a healthy diet if properly served in a balanced menu approach with appropriate serving sizes.</p>
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<p><b>HB 335</b></p>	<p><b>Education – Public Secondary Schools Near Boundary of Two Counties</b></p>	<p>Recommendation - Oppose</p> <p>This bill could substantially disrupt the current enrollment process and future school planning</p>
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<p>Introduced by Delegates Myers, Afzali, Barve, <b>Boteler</b>, Branch, <b>Cardin</b>, Fisher, Frick, George, Glass, Haddaway-Riccio, Hixson, Howard, Ivey, Kaiser, Luedtke, <b>McDonough</b>, A. Miller, Parrott, Rosenberg, Ross, Serafini, Stukes, Summers, and Walker</p> <p>Allowing specified students to attend a public secondary school in an adjoining county under specified circumstances; and authorizing the State Board of Education to adopt specified regulations.</p> <p><b>Effective Date – July 1, 2012</b></p> <p><b>Bill Status:</b> <b>House – 02/16/12 Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb0335f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb0335f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0005/hb0335.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0005/hb0335.pdf</a></p>	<p>regarding capacity. The bill raises a number of operational implications for the school system without providing answers. The bill does not address the resulting transportation need if a student attends a secondary school in an adjoining county (no specific definition of “adjoining” is provided in the bill). Other questions/concerns include what occurs once a student transfers, specifically: does the student remain at the receiving school through the end of that school’s academic program; is the 80% capacity level considered, solely when the student first transfers or is re-evaluated if the student desires to continue attending at the receiving school? Moreover, issues may arise if there are different academic offerings or graduation requirements, in the new school as well as potential concerns regarding after school activities, including eligibility for and potential recruiting violations for athletic participation.</p>
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<p><b>Baltimore County – Elected School Board</b></p> <p>Introduced by Delegates <b>Lafferty, Kach, Aumann, Boteler, DeBoy, Frank, Impallaria, McDonough,</b> and <b>Morhaim</b></p> <p>Introduced by Senators <b>Zirkin</b> and <b>Jennings</b></p> <p>Establishing procedures for the election of the members of the Baltimore County Board of Education; repealing provisions governing the appointment of members of the county board; requiring members of the county board to reside in, be a registered voter in, and be elected from specified districts; establishing a term of office; providing for the removal of members and the appointment of a member to fill a vacancy; establishing a Baltimore County School Board Redistricting Commission; etc.</p> <p><b>Effective Date – October 1, 2012</b></p> <p><b>Bill Status:</b> <b>House – 02/16/12 - Hearing</b> <b>Senate – 02/15/12 - Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb0481f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb0481f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0001/hb0481.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0001/hb0481.pdf</a></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0407f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0407f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0007/sb0407">http://mlis.state.md.us/2012rs/fnotes/bil_0007/sb0407</a></p>	<p><b>OPPOSE</b></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 105,000 students based upon a systemwide, comprehensive approach to K-12 public education. Creating a Board structure composed 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"> <li>• Nine nonpartisan members elected as provided in the bill.</li> <li>• One student number shall be elected at the general election.</li> <li>• One member shall be elected from each of the nine school board districts in the county by the voters of that district.</li> <li>• A member may not be elected to serve on the county board for more than three consecutive terms.</li> </ul> <p>The Baltimore County House delegation has</p>
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**HB 481**  
**SB 407**

	<p><a href="#">.pdf</a></p>	<p>passed House Bill 481, Elected School Board – Baltimore County Public Schools, with a vote of 11 favor and 8 opposed. An amendment was offered to make the school board a hybrid board; however, that amendment failed. The following amendments were offered and passed:</p> <ul style="list-style-type: none"> <li>• The election for five board members would occur in November 2014, and begin serving July 1, 2015. The other four board member positions would be elected in November 2016 (staggered terms).</li> <li>• Reduced the annual pay from \$3,000 to \$100.</li> </ul> <p>SB407 is tentatively scheduled for a vote February 29, 2012. The same process would apply to this bill.</p>
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<p><b>HB 567</b> <b>SB 329</b></p>	<p><b>Education – Education – Parent-Teacher Meetings – Unpaid Leave</b></p> <p>Introduced by Delegates Luedtke, Rosenberg, Barkley, Barve, Cullison, Gutierrez, Hucker, Ivey, A. Kelly, Reznik, Stukes, and Summers</p> <p>Introduced by Senators Ferguson, Gladden, Jones-Rodwell, Madaleno, Montgomery, Ramirez, and Rosapepe</p> <p>Authorizing an employee to use unpaid leave to attend a parent-teacher meeting; requiring an employee to notify the employer at least 3 days before the employee will use unpaid leave to attend a parent-teacher meeting; prohibiting an employee who uses unpaid leave under the Act from using more than 4 hours per parent-teacher meeting and from using unpaid leave more than twice per each half of an academic year; providing that the Act may not be construed to affect specified collective bargaining agreements; etc.</p> <p><b>Effective Date – October 1, 2012</b></p> <p><b>Bill Status:</b> <b>House – 03/21/12 - Hearing</b> <b>Senate – 02/23/12 - Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb0567f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb0567f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0007/hb0567.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0007/hb0567.pdf</a></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0329f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0329f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0009/sb0329.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0009/sb0329.pdf</a></p>	<p>Recommendation - Support</p> <p>This bill would provide greater flexibility for a parent who needs to take time off work to attend an important meeting regarding his/her student(s). The use of a limited amount of unpaid time off (a maximum of four hours for a meeting not to exceed two times during each half of an academic year) will support parent involvement in a parent-teachers conference or other meetings to support students with a disability.</p>
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<p><b>HB 1006</b> <b>SB 853</b></p>	<p><b>Baltimore County – Public School Employees – Collective Bargaining Units</b></p> <p>Introduced by Delegate Jones</p> <p>Introduced by Senator Klausmeier</p> <p>Altering the definition of "public school employee" as it relates to provisions that relate to collective bargaining units of employees in Baltimore County; altering the composition of a unit of supervisory employees in Baltimore County; and establishing a unit of supervisory employees in Baltimore County.</p> <p><b>Effective Date – July 1, 2013</b></p> <p><b>Bill Status:</b> <b>House – 03/15/12 - Hearing</b> <b>Senate – 03/15/12 - Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb1006f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb1006f.pdf</a> <a href="http://mlis.state.md.us/2012rs/bills/sb/sb0853f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0853f.pdf</a></p>	<p>Recommendation – Support</p> <p>This bill changes the definition of "public school employee" as it relates to provisions that relate to collective bargaining units of employees in Baltimore County. It also changes the composition of a unit of supervisory employees in Baltimore County, and establishes a unit of supervisory employees in Baltimore County. Essentially, the bill provides for the separation of certificated and non-certificated units in the Council of Administrative and Supervisory Employees (CASE). This separation of units aligns with the majority of counties in Maryland.</p> <p>The changes to the definition and the composition of collective bargaining units in Baltimore County will allow negotiations to proceed for the separation of non-certified supervisory employees from the current supervisory unit and the potential creation of new supervisory unit comprised solely of non-certificated employees.</p>
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<p><b>HB 1281</b> <b>SB 988</b></p>	<p><b>Baltimore County - Cooperative or Joint Administration of Programs</b></p> <p>Introduced by Chair, Baltimore County Delegation (By Request - Baltimore County Administration)</p> <p>Introduced by Senator Klausmeier (By Request - Baltimore County Administration)</p> <p>Authorizing the County Council of Baltimore County and the County Executive of Baltimore County to enter into specified agreements for the cooperative or joint administration of specified programs.</p> <p><b>Effective Date – July 1, 2012</b></p> <p><b>Bill Status:</b> <b>House – 02/14/12 – First Reading</b> <b>Senate – 02/16/12 – First Reading</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb1281f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb1281f.pdf</a></p>	<p>Recommendation – Support</p> <p>The Baltimore County Board of Education Procurement bill as requested by the Baltimore County Administration enables the County’s Executive Branch and the school system to work cooperatively to further create efficiencies in program functions. Those program functions are outlined in the bill and include personnel, purchasing, accounting, data processing, printing, insurance, building maintenance, and transportation.</p> <p>The Administration believes this legislation will enable it to consolidate program functions in the Baltimore County school system with those of county government, therefore creating efficiencies that will result in enhanced delivery of services in our schools and through the county.</p> <p>It was further discussed and represented that realized savings would go back into the classroom, additionally, the intention of the enabling legislation is for cost savings by consolidation of SERVICES within existing agencies NOT the consolidation of agencies.</p>
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<p><b>SB 58</b></p>	<p><b>Education – Children in Informal Kinship Care Relationships – Payments for Students with Disabilities - Funding</b></p> <p>Introduced by Senator Kelley</p> <p>Altering a provision of law relating to funding the education of specified students with disabilities in informal kinship care relationships; and defining terms.</p> <p><b>Effective Date – July 1, 2012</b></p> <p><b>Bill Status:</b>  <b>Senate – 02/17/12 – Third Reading Passed</b>  <b>House – 02/17/12 – First Reading</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0058f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0058f.pdf</a>  <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0008/sb0058.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0008/sb0058.pdf</a>  <a href="http://mlis.state.md.us/2012rs/amds/bil_0008/sb0058_87443101.pdf">http://mlis.state.md.us/2012rs/amds/bil_0008/sb0058_87443101.pdf</a>  <a href="http://mlis.state.md.us/2012rs/votes_comm/sb0058_ehe.pdf">http://mlis.state.md.us/2012rs/votes_comm/sb0058_ehe.pdf</a>  <a href="http://mlis.state.md.us/2012rs/votes/senate/0220.htm">http://mlis.state.md.us/2012rs/votes/senate/0220.htm</a></p>	<p>Recommendation - Support</p> <p>Staff recommends that Board Support this bill. The changes in coding of special education students has no impact on the students eligible for reimbursement at three times the tuition rate.</p>
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<p><b>SB 143</b></p>	<p><b>Education – Comprehensive Master Plan</b></p> <p>Introduced by Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Education)</p> <p>Requiring a local board of education to submit updates to the local board's comprehensive master plan on or before October 15, 2012, October 15, 2013, and October 15, 2014; and altering the dates by which a local board is required to submit a comprehensive master plan and an annual update.</p> <p><b>Effective Date – July 1, 2012</b></p> <p><b>Bill Status:</b>  <b>Senate – 02/16/12 – Third Reading Passed</b>  <b>House – 02/16/12 – First Reading</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0143f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0143f.pdf</a>  <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0003/sb0143.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0003/sb0143.pdf</a>  <a href="http://mlis.state.md.us/2012rs/votes_comm/sb0143_ehe.pdf">http://mlis.state.md.us/2012rs/votes_comm/sb0143_ehe.pdf</a>  <a href="http://mlis.state.md.us/2012rs/votes/senate/0211.htm">http://mlis.state.md.us/2012rs/votes/senate/0211.htm</a></p>	<p>Recommendation - Support</p> <p>This is a bill requested by MSDE. The bill proposes changes to §5-401 of the Education Article to allow each County Board to submit an annual update to its Master Plan to the State Superintendent for review and approval on or before October 15, 2012, October 15, 2013, and October 15, 2014. Each county board would be required to submit a new comprehensive master plan to MSDE for review and approval on or before October 15, 2015 with an annual update for each subsequent year beginning on or before October 15, 2016.</p> <p>The change delays the requirement for the local Board to submit a new comprehensive master plan from October 2012 until October 2015 to allow consideration of federal mandates involving Race to the Top, new curriculum and assessments relating to Common Core Standards, and (potential) reauthorization of the Elementary and Secondary Education Act (ESEA), commonly referred to as “No Child Left Behind Act”</p>
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		<p>(either in total or in part).</p> <p>Staff recommends that the Board SUPPORT this bill. Delaying the requirement for local school systems to submit a new comprehensive plan until 2015 will allow the submission of plans that can comprehensively take into account a number of signification education initiatives including the common core curriculum, revisions in teacher and principal evaluation processes, more focused performance data provided by enhanced longitudinal data systems, and the likely partial or full reauthorization of the Elementary and Secondary Education Act, commonly referred to as “No Child Left Behind Act.”</p>
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<p><b>SB 178</b> <b>HB 617</b></p>	<p><b>Education – Informal Kinship Care – Documentation Supporting Affidavit - Repeal</b></p> <p>Introduced by Senators Jacobs and Montgomery</p> <p>Repealing the requirement that specified supporting documentation accompany an affidavit verifying to a county superintendant of schools that a child is living in an informal kinship care arrangement for specified school attendance purposes; and repealing a requirement that specified instructions explain the necessity of and encourage the submission of specified supporting documentation.</p> <p><b>Effective Date – July 1, 2012</b></p> <p><b>Bill Status:</b> <b>Senate – 02/28/12 – Favorable with Amendments</b> <b>House – 02/23/12 - Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0178f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0178f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0008/sb0178.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0008/sb0178.pdf</a></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb0617f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb0617f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0007/hb0617.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0007/hb0617.pdf</a></p>	<p>Recommendation – Oppose</p> <p>This bill would eliminate an important safeguard in the enrollment process for an out of area/county school for a student in an informal kinship relationship that is experiencing a serious hardship. While an affidavit would still be required to be filed by the relative providing the kinship care, the additional supporting documentation to establish the asserted hardship would no longer be required (current law provides six specific situations requiring documentation and where possible, contract information for an authority to verify the assertions in the required affidavit). This bill weakens a school system’s ability to meet its duty to ensure that only qualifying students (from out of area/county) are enrolled in a non-resident school.</p>
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<p><b>SB 293</b></p>	<p><b>Education – Core Content Areas – Accountability Program</b></p> <p>Introduced by Senators Miller, Kittleman, Benson,</p>	<p>Recommendation – Oppose</p> <p>The Board has consistently opposed legislative intrusion into matters of curriculum, asserting</p>
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<p>Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Ferguson, Forehand, Garagiola, <b>Getty</b>, Glassman, Jacobs, <b>Jennings</b>, Jones-Rodwell, <b>Kasemeyer</b>, <b>Kelley</b>, King, <b>Klausmeier</b>, Madaleno, Manno, Mathias, McFadden, Montgomery, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Shank, <b>Stone</b>, Young, and <b>Zirkin</b></p> <p>Requiring the State Board of Education and the State Superintendent of Schools to assist each county board of education to establish goals that conform with specified objectives for subject areas that include science and social studies; requiring each public school to survey current student achievement in science and social studies; requiring the State Board and the State Superintendent to design and implement assessment programs in specified subjects; requiring specified grade band assessments and end-of-course assessments to be established; etc.</p> <p><b>Effective Date – July 1, 2012</b></p> <p><b>Bill Status:</b> <b>Senate – 02/08/12 Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0293f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0293f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0003/sb0293.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0003/sb0293.pdf</a></p>	<p>that the “authority to establish curriculum and assessments is better left with the State Board and the local boards...” Staff analysis of this bill suggests that it would require students to take additional end of the year assessments in language, science, and social studies, with additional days of instruction being lost to the administering of these exams. It appears likely that enactment of the bill would double the amount of testing required at middle and high schools. This unfunded mandate would require additional staff resources to create, administer, and manage these assessments.</p>
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<p><b>SB 564</b></p>	<p><b>Student Health and Fitness Act</b></p> <p>Introduced by Senators Pugh, Benson, Dyson, Ferguson, Forehand, Garagiola, Gladden, Jones-Rodwell, <b>Kasemeyer</b>, Madaleno, Manno, McFadden, Middleton, Montgomery, Muse, Ramirez, Raskin, <b>Stone</b>, and <b>Zirkin</b></p> <p>Requiring that a public school student in elementary school be provided a daily program of physical education totaling at least 150 minutes each week; requiring that the program of physical education for a specified category of student be consistent with a specified plan for the student; requiring public elementary schools to designate a specified group to plan and coordinate the physical education program; etc.</p> <p><b>Effective Date – October 1, 2012</b></p> <p><b>Bill Status:</b> <b>Senate – 02/15/12 Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0564f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0564f.pdf</a> <a href="http://mlis.state.md.us/2012rs/fnotes/bil_0004/sb0564.pdf">http://mlis.state.md.us/2012rs/fnotes/bil_0004/sb0564.pdf</a></p>	<p>Recommendation – Oppose</p> <p>The bill is similar to HB196 (discussed above) primarily replacing language regarding “physical activity” with “physical education” and deleting a reference to requiring 90 minutes of physical education per week under a 150 minute per week physical activity requirement. The bill would recognize the connection of physical education to improve student academic performance. It would change the Education Article to require:</p> <ul style="list-style-type: none"> <li>• An elementary school student to be provided a daily program of physical education that totals 150 minutes per week.</li> <li>• As applicable, a student’s program of physical education shall be consistent with the student’s individual education plan.</li> <li>• Each elementary school will establish a physical education leadership team to plan and coordinate activities required under this bill.</li> <li>• MSBE to adopt necessary implementing regulations.</li> <li>• If a local school system does not meet</li> </ul>
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		<p>certain requirements of this bill by October 1, 2013, it may apply to MSDE for an extension to comply; if granted, an extension shall terminate on July 1, 2014.</p> <p>The bill is an attempt to mandate a specific physical education/activity program in local school systems. It is crucial for a local school board to retain the authority to address curricular issues for its schools.</p>
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<p><b>SB 721</b></p>	<p><b>Task Force on Climate Control in Public Schools in Baltimore County</b></p> <p>Introduced by Senator Zirkin</p> <p>Establishing the Task Force on Climate Control in Public Schools in Baltimore County; providing for the composition, chairs, and staffing of the Task Force; requiring the Task Force to study and make recommendations regarding specified matters; requiring the Task Force to report its findings and recommendations to specified entities on or before July 1, 2013; and providing for the termination of the Act.</p> <p><b>Effective Date – July 1, 2012</b></p> <p><b>Bill Status:</b> <b>Senate – 03/13/12 - Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0721f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0721f.pdf</a></p>	<p>Recommendation – Oppose</p> <p>This bill creates the Task Force on Climate Control in Baltimore County Public Schools. It provides for the composition, chairs, and staffing of the Task Force, as well as requires the Task Force to study and make recommendations regarding specified matters. It also requires the Task Force to report its findings and recommendations to specified entities on or before July 1, 2013, and provides for the termination of the Act.</p> <p>As more than 80% of the public schools in Baltimore County exceed an accepted life cycle expectancy of 40 years, a task force to study climate control would not be productive without an infusion of capital funds.</p>
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<p><b>SB 848</b></p>	<p><b>Education – Maintenance of Effort - Waivers</b></p> <p>Introduced by Senator King</p> <p>Requiring a county to apply to the State Board of Education for a waiver from the maintenance of effort requirement under specified circumstances; establishing a penalty for a county that fails to apply for a waiver and fails to fund the maintenance of effort requirement; establishing the following year's required maintenance of effort amount under specified circumstances; etc.</p> <p><b>Effective Date – July 1, 2012</b></p>	<p>Recommendation – No Position</p> <p>This bill requires a county to apply to the State Board of Education (State Board) for a waiver from the maintenance of effort (MOE) requirement under certain circumstances and establishes a penalty if a county does not apply for a waiver and fails to fund the MOE as required. Additionally, the bill requires the State Board, when assessing waiver requests, to consider certain factors. Furthermore, the State Board would be required to grant a waiver request if a county has exceeded the MOE requirement by an average of at least 5% in the</p>
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	<p><b>Bill Status:</b> <b>Senate – Hearing Cancelled</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0848f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0848f.pdf</a></p>	<p>prior five fiscal years and an average local effort of at least 1% in the prior five fiscal years.</p> <p>NOTE: The hearing before the Senate Budget and Taxation Committee scheduled for 2/20/12 was cancelled. There is speculation that the bill will be rewritten or amended.</p>
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<p><b>SB 851</b></p>	<p><b>Education – Maintenance of Effort - Waivers</b></p> <p>Introduced by Senator King</p> <p>Waiving the penalty for not meeting the maintenance of effort requirement in a specified year.</p> <p><b>Effective Date – July 1, 2012</b></p> <p><b>Bill Status:</b> <b>Senate – Hearing Cancelled</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/sb/sb0851f.pdf">http://mlis.state.md.us/2012rs/bills/sb/sb0851f.pdf</a> <a href="http://mlis.state.md.us/2012rs/votes/senate/0211.htm">http://mlis.state.md.us/2012rs/votes/senate/0211.htm</a></p>	<p>Recommendation – No Position</p> <p>This bill waives the penalty for not meeting the maintenance of effort.</p> <p>NOTE: The hearing before the Senate Budget and Taxation Committee scheduled for 2/20/12 was cancelled. There is speculation that the bill will be rewritten or amended.</p>
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**SECTION 2: BOE INFORMATION ONLY**

<b>BILL</b>	<b>TITLE / SYNOPSIS</b>	<b>NO POSITION REQUIRED</b>
<p><b>HB82</b></p>	<p><b>State Government – E-Verify Program</b></p> <p>Introduced by Delegates W. Miller, <b>Aumann</b>, Bates, Beitzel, <b>Boteler</b>, <b>Cluster</b>, Costa, Dwyer, Eckardt, Elliott, Fisher, Frank, Haddaway-Riccio, Hershey, Hogan, Hough, <b>Impallaria</b>, Jacobs, <b>Kach</b>, Kipke, Krebs, McComas, McConkey, McDermott, <b>McDonough</b>, McMillan, Myers, Norman, O'Donnell, Parrott, Ready, Schuh, Schulz, Serafini, Smigiel, Stifler, and Stocksdale</p> <p>Declaring that it is the public policy of the State to restrict and deter the use of unauthorized alien workers in the performance of public contracts and grants in the State; specifying criteria for mandatory registration in a federal E-Verify program for specified contractors and grantees; prohibiting noncompliant persons or entities from performing specified contracts; imposing specified requirements on subcontractors; authorizing the Commissioner of Labor and Industry to assess penalties; etc.</p> <p><b>Effective Date –October 1, 2012</b></p> <p><b>Bill Status:</b></p>	<p>This bill would add a provision to the State Finance and Procurement Article regarding the Federal E-Verify Program and would establish that a government agency or contractor must register and participate in the program and cannot perform or allow the performance of a public contract or state grant if unauthorized alien workers are utilized in any manner in the performance of that contract or grant of \$100,000 or above relating to the purchase of various goods. The bill provides civil penalties (with limited exceptions) involving fines assessed on a per unauthorized employee basis.</p>

BILL	TITLE / SYNOPSIS	NO POSITION REQUIRED
	<p><b>House – 03/14/12 - Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb0082f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb0082f.pdf</a></p>	

<p><b>HB1214</b></p>	<p><b>Education – Public High Schools – Maximum Student Enrollment Policy</b></p> <p>Introduced by Delegates Kaiser, Carr, A. Miller, and Stukes</p> <p>Requiring each county board of education on or before December 1, 2012, to establish a policy on maximum student enrollment at each public high school within the county board's jurisdiction; requiring each county board to consider specified items and solicit input in establishing the policy; requiring each county board, in consultation with its county governing body, on or before July 1, 2013, to develop and determine the cost of a plan to implement the established policy; etc.</p> <p><b>Effective Date –July 1, 2012</b></p> <p><b>Bill Status:</b> <b>House – 03/08/12 - Hearing</b></p> <p><a href="http://mlis.state.md.us/2012rs/bills/hb/hb1214f.pdf">http://mlis.state.md.us/2012rs/bills/hb/hb1214f.pdf</a></p>	<p>This bill requires each county board of education to establish, on or before December 1, 2012, a policy on the maximum number of students that may be enrolled in each of its high schools. Furthermore, in establishing the policy, each county board shall consider the need for adequate student capacity in each school's common areas, including the cafeteria, gymnasium, and library; consider the opportunities for students to participate in extracurricular activities, including academic clubs, athletics, and arts programs; consider the impact of a large capacity school on the transportation infrastructure in the school's surrounding area; and consider whether the policy should include a provision authorizing a waiver under certain conditions. Additionally, each county board shall solicit input from public school facility planning and design experts and input from members of the public.</p>
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