

Board of Education Legislative Exhibit

January 22, 2020

SECTION 1: BOE VOTE REQUESTED

HB0005

Crimes - Hate Crimes - Use of an Item or a Symbol to Threaten or Intimidate

Sponsored by: Delegate Chang

Prohibiting a person from placing or inscribing an item or a symbol, including an actual or depicted noose or swastika, whether temporary or permanent, on any real or personal property, public or private, without the express permission of the owner, owner's agent, or lawful occupant of the property, with the intent to threaten or intimidate any person or group of persons; and establishing that a penalty of imprisonment not exceeding 3 years or a fine not exceeding \$5,000 or both applies to a violation of the Act.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0005E.pdf>

SUPPORT

Racist behavior and actions are not tolerated in Anne Arundel County Public Schools (AACPS). As such, we continue to work with our staff, families, students, and the community at large to be part of the solution to acts of hate in the county and in our schools.

In an effort to continue the dialogue and work toward creating climates free of hate and bigotry, AACPS has conducted community meetings to discuss our efforts, allow student and community feedback, and break into small groups to discuss the issues with racism. The school system's Office of Equity and Accelerated Student Achievement has been extremely busy meeting with community stakeholders and providing professional development to AACPS staff.

AACPS' Global Community Citizenship class, which helps students explore the values and diversity of our local, national, and global communities, is a graduation requirement beginning with ninth-graders in the 2019-2020 school year. Changes in our middle school advisory lessons and the implementation of Second Step, which focuses on social/emotional coping skills at the elementary level, are among the other actions that we are taking help our students in the 19 percent of each week we have them in our care.

There is a lot of work, however, for everyone to do when it comes to eradicating bigotry and hate. We all have roles to play, and just as is the case when it comes to the education of our children, in this effort all must mean all. As such, we believe that HB5 is an important step in the right direction to help strengthen Maryland's hate crime law.

Board of Education Legislative Exhibit

January 22, 2020

SECTION 2: BOE VOTE NOT RECOMMENDED AT THIS TIME

HB0019

Education – Required Number of School Days or Hours

Sponsored by: Delegate Adams

Altering the requirement that certain public schools be open for at least 180 days and a minimum of 1,080 hours during a 10-month period in each school year to require that the schools be open for at least 180 days or a minimum of 1,080 hours during a 10-month period in each school year; and providing that certain funding for schools may not be reduced if there are fewer than 1,080 school hours under certain circumstances.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0019F.pdf>

NO POSITION

SB0076

Legal Holiday - Maryland Emancipation Day - Establishment

Sponsored by: Senator Ellis

Establishing November 1 as the legal State holiday of Maryland Emancipation Day; and making Maryland Emancipation Day a public school holiday, a bank holiday, and a State employee holiday.

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0076F.pdf>

NO POSITION

Board of Education Legislative Exhibit

January 22, 2020

SECTION 3: BOE VOTE NOT REQUIRED – ESTABLISHED POSITION IN 2019 LEGISLATIVE PROGRAM

HB0001/SB0001

Built to Learn Act of 2020

*Sponsored by: Speaker Jones
Senator Peters*

Requiring or authorizing, under certain circumstances, the Maryland Stadium Authority to contract for, manage, and oversee certain public school facility projects; authorizing the Prince George's County government and Board of Education to enter into a public-private partnership to enhance the delivery of public school construction projects in the county; and requiring the Governor, beginning in fiscal year 2020, to include in the annual budget supplemental funding to be used for educational purposes.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0001F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0001F.pdf>

SUPPORT

Anne Arundel County Public Schools (AACPS) strongly supports the development and funding of adequate and equitable State and federal programs to assist localities with public school construction, renovation, and major maintenance projects. HB1 provides supplemental school construction funding that would help AACPS address our \$2.1 billion infrastructure backlog. We appreciate the General Assembly's efforts to adequately fund public school construction. While we are pleased with the overall legislation, we do have a concern that the funding under this bill, as amended, will now come from the Education Trust Fund in lieu of the State Lottery Agency. Utilizing the Education Trust Fund could negatively impact the funding stream that may be needed to support the recommendations of the Kirwan Commission.

HB0007

Environment - Public and Nonpublic Schools - Inspections for Mold Hazards and Mold or Moisture Problems

Sponsored by: Delegate Healy

Requiring the Department of the Environment, in consultation with certain State agencies, to adopt regulations to require periodic inspections for the presence of mold hazards and mold or moisture problems in each occupied public or nonpublic school facility in the State; authorizing the Department of the Environment along with the State Department of Education, to grant a waiver from certain inspection requirements; and requiring an annual report to the Governor and General Assembly on the findings of the inspections.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0007F.pdf>

Board of Education Legislative Exhibit

January 22, 2020

OPPOSE

While AACPS clearly supports the establishment and maintenance of safe and conducive learning environments, HB7 would create an overly complex and expensive unfunded mandate for local school systems. In addition, many of the environmental hazards identified in the proposed legislation are already adequately regulated by other provisions in local, State, or federal statutes with which AACPS already complies. To that extent, HB7 is an overlap of existing legal requirements and could potentially create conflicts with these existing provisions. Other environmental hazards listed in HB7 have no regulatory framework, vetted testing protocols, universally accepted pass/fail criteria, or generally accepted abatement or remediation techniques. HB7 would, thus, place local school systems in an untenable position relative to these undefined, unspecified, or unregulated environmental hazards.

While unable to price out the cost of such a program in detail given the lack of specificity within the bill, HB7 would likely cost AACPS in excess of \$1 million in inspection fees alone as well as untold millions of dollars in potential remediation costs given our 13.5 million square feet of aging infrastructure.

HB0015

Public Schools - Student Health - Certificate of Dental Health

Sponsored by: Delegate Harrison

Requiring, beginning in the 2022-2023 school year, each student enrolled in a public elementary or secondary school in the State to submit a certificate of dental health to the school on a schedule established by the Department; and requiring the State Department of Education, in consultation with the Maryland Department of Health, to adopt certain regulations and to develop and disseminate a standard form for a certificate of dental health to county boards of education and certain parents and guardians.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0015F.pdf>

OPPOSE

HB15 is an unfunded mandate that could have a significant fiscal impact on Anne Arundel County Public Schools (AACPS). As written, the proposed legislation is vague in its implementation and raises many questions, including:

- At what grade levels will students be required to present certificates?
- What level of dental health examination must be conducted?
- Can a dental health exam be conducted by a dental hygienist or does it have to be conducted by a dentist?
- Who will bear the cost of the dental health exams?
- Will children be prohibited from attending school if they do not have a certificate of dental health?
- Who will be responsible for follow-up with parents/guardians to ensure compliance?

Board of Education Legislative Exhibit

January 22, 2020

Based on the number of unanswered questions, the potential costs, and the potential for exclusion from school, AACPS opposes this bill. The considerable staff time necessary that would be required under the bill would have a significant fiscal impact on AACPS. In addition, if the local school system is deemed responsible for providing the dental health examination, this would also have a significant fiscal impact.

HB0042/SB0067

Public Information Act - Applications for Inspection - Responses and Time Limits

*Sponsored by: Delegate Guyton
Senator West*

Decreasing the time periods within which a custodian of public records is required to grant or deny an application to inspect a public record and produce a public record in response to an approved application from 30 to 7 days; and altering the circumstances under which and the time period within which a custodian of public records is required to indicate certain information in writing or by e-mail; decreasing from 10 to 5 working days, the time period within which a custodian who denies the application is required to give the applicant a certain written statement.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0042F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0067F.pdf>

OPPOSE

The Maryland Public Information Act currently allows an agency 10 days to acknowledge receipt of a request and 30 days to fulfill a request in its entirety. AACPS fulfills requests as expeditiously as possible. However, requests – particularly in recent years – can be multi-pronged and complex, requiring an agency such as a school system to research and compile records from a variety of departments. This simply takes time. AACPS received and responded to 117 requests under the Act in the 2018-2019 school year and as of January 1, 2020, has responded to 46 requests in the 2019-2020 school year with another handful awaiting responses. While the Act is intended to provide broad public access to public records, it is not intended to allow requests to grind the work of an agency to a halt. Decreasing the time period of a response would leave AACPS no choice but to hire additional staff to complete these duties and, thus, creating an unfunded mandate. This legislation seems like a solution in search of a problem.

Board of Education Legislative Exhibit

January 22, 2020

HB0059

Anne Arundel County - Board of Education Budget - Equity Category

Sponsored by: Delegate Bagnall

Requiring the Anne Arundel County Board of Education to include an Equity category and certain subcategories in the Anne Arundel County Board of Education annual budget; and requiring the Anne Arundel County Board of Education to provide certain information on whether the allocations for equity interventions in the annual budget are being increased, maintained, or reduced from the prior annual budget for each subcategory.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0059E.pdf>

OPPOSE

HB59 would have an adverse impact on AACPS. First, it would require hours of staff time to recalibrate the accounting structure for FY2021 and beyond to meet the requirements of this legislation. New reports would have to be written and training would be required for all staff who manage any of the programs that fit into the new category. Second, the legislation would change the current uniform financial reporting requirements by State Category for all 24 jurisdictions because it would add a 16th category for Anne Arundel County only. This would make it difficult, if not impossible, to do cross-jurisdiction spending comparisons and would complicate reporting requirements to the Federal Government. In addition, The Blueprint for Maryland's Future, which AACPS supported in the 2019 Legislative Session, requires extensive financial reporting on each line item outlined in the legislation. Equitable funding was an overriding goal in that legislation as well as the larger Kirwan Commission recommendations. Additional reporting and accountability requirements are already outlined in the Kirwan Commission recommendations and may overlap the reporting requirements prescribed in HB59. It would be prudent to wait until the legislative work on the larger Kirwan Commission recommendations is complete before adding more requirements for Anne Arundel County specifically.

HB59 would have a direct fiscal impact on AACPS. The bill would require numerous hours of budget, technology, and accounting staff time to recalibrate the accounting structure for FY2021 and beyond to meet the established requirements. New reports would have to be written and training would have to be provided for all staff who would manage any of the programs that fit into the new category. Additionally, AACPS would likely need to hire a temporary technology consultant to help recode the Enterprise financial reporting program system.

Board of Education Legislative Exhibit

January 22, 2020

SB0065

Counties - Construction of Sidewalks and Crosswalks - Safe Alternative Routes to Public Schools

Sponsored by: Senator Ellis

Requiring a county board of education to prepare and post on the county's website each year a report that identifies information related to transportation services for public school students and safe alternative routes; and requiring the governing body of a county to construct sidewalks and crosswalks necessary to create safe alternative routes for public school students who are ineligible for transportation services based on the distance between a residence and the school.

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0065F.pdf>

OPPOSE

While well intended, the proposed legislation would result in an unfunded mandate and interferes with local authority. While the concept of the proposed legislation is laudatory, the practicality, costs, and difficulties with implementation would all pose serious challenges for AACPS. SB65 is very prescriptive and would require that each of the more than 125 individual school zones be physically surveyed on an annual basis. The bill further specifies how to survey, map, identify, document and catalogue very specified information regarding alternative walking routes. This information would then be used to mandate county government to construct sidewalks or other suitable alternative pathways identified by the local school system.

AACPS would likely need to hire four full-time staff to implement the requirements under SB65. The approximate cost of these new positions is \$418,000. AACPS would be required to expend an additional \$216,720 in operating budget expenditures to implement the requirements set forth in the bill. It is important to note that this proposed legislation would also have a significant fiscal impact on county government, likely in the billions.

SB0078

Public Schools – Student Discipline Regulations – Remedial Measures

Sponsored by: Senator Hough

Requiring certain regulations regarding student discipline adopted by county boards of education to account for the individual who was harmed by behavior that violates the expectations that contribute to the well-being of the school community by requiring the individual to write a letter of apology and pay restitution , as applicable.

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0078F.pdf>

Board of Education Legislative Exhibit

January 22, 2020

OPPOSE

AACPS opposes legislation that incorporates a “one size fits all” philosophy or unduly limits the authority of school systems to provide a school environment conducive to teaching and learning. We believe that these decisions are best handled at the local school system level. While AACPS appreciates the sponsor’s intention to help address student disciplinary matters, SB78 is ultimately a State mandate that limits school system authority. There is also concern regarding the provisions in the bill that would require a school system to determine and collect restitution for disciplinary matters.

SB0133

Education - High School Students - Graduation and Attendance Credit for Vocational Training

Sponsored by: Senator West

Authorizing a county board of education to award credit to a high school student toward a high school diploma or a postsecondary credential, or both, for one vocational course per semester in a career and technical education program approved by the county board; and authorizing a county board to count toward high school attendance the time a high school student spends during vocational training in a career and technical education program approved by the county board.

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0133F.pdf>

OPPOSE

This bill infringes on local authority and is unnecessary. Schools systems already award credit to high school students for participating in career and technology education, apprenticeships, and internships. In addition, SB133 has the unintended consequence of limiting the amount of credits awarded for career and technology education, apprenticeships, and internships. As drafted, a high school student would be limited to one credit per semester – such a limitation does not currently exist.