

**Board of Education Legislative Exhibit**  
February 19, 2020

**SECTION 1: BOE VOTE REQUESTED**

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**NO BILLS**

# Board of Education Legislative Exhibit

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## SECTION 2: BOE VOTE NOT RECOMMENDED AT THIS TIME

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### **HB0644/SB0617**

#### **State Department of Education - Financial Literacy Instruction - Reporting**

*Sponsored by: Delegate Stein  
Senator Klausmeier*

Requiring the State Department of Education to report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, on or before December 1 each year, on the implementation by local school systems of certain standards and objectives in the program of instruction in financial literacy specified in COMAR 13A.04.06.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0644F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0617F.pdf>

**NO POSITION**

### **HB0699/SB0504**

#### **Office of the Attorney General - Special Education Ombudsman**

*Sponsored by: Delegate Washington  
Senator Pinsky*

Establishing the Special Education Ombudsman in the Office of the Attorney General to serve as a resource to provide information and support to parents, students, and educators regarding special education rights and services; requiring the Attorney General, and the Secretary of Budget and Management, to set the salary and qualifications for the Ombudsman; requiring the Ombudsman to submit a report with recommendations concerning the State's special education services by July 1, 2022, and each July 1 thereafter; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0699F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0504F.pdf>

**NO POSITION**

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### **HB0723**

#### **Task Force to Evaluate Existing School Civic Literacy Programs**

*Sponsored by: Delegate Boteler*

Establishing the Task Force to Evaluate Existing School Civic Literacy Programs; providing for the composition, chair, and staffing of the Task Force; requiring the Task Force to evaluate existing school civic literacy programs, determine a certain strategy, and make certain recommendations for a plan for implementing a civic education program to the State Department of Education, the Governor, and the General Assembly on or before December 1, 2020; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0723F.pdf>

**NO POSITION**

### **HB1043**

#### **Education - Physical Restraint and Seclusion - Guidelines and Reporting**

*Sponsored by: Delegate Wilkins*

Clarifying a requirement for the State Department of Education to collect data on restraint and seclusion incidents; requiring the Department to provide any data gathered under the Act to the Maryland Longitudinal Data System Center; requiring the Department to analyze the data collected, verify the data if no incidents are reported, and make recommendations on how to reduce the use of restraint and seclusion by the top 30% of public agencies and nonpublic schools having the highest rate of such incidents; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1043F.pdf>

**NO POSITION**

### **HB1135/SB0828**

#### **State Department of Education - Summer Food Service Program - Regulatory Waivers (Summer Meals Waiver Act)**

*Sponsored by: Delegate Korman  
Senator McCray*

Requiring the State Department of Education, on behalf of certain sponsors, to submit to the U.S. Department of Agriculture certain waivers relating to the federal Summer Food Service Program; requiring the Department to prepare and submit certain waiver requests in accordance with certain guidelines; and requiring the Department to apply to renew certain waivers under certain circumstances.

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<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1135F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0828F.pdf>

**NO POSITION**

## **HB1340**

### **Commission on History, Culture, and Civics in Education**

*Sponsored by: Delegate Acevero*

Establishing the Commission on History, Culture, and Civics in Education to make recommendations to further discovery, interpretation, and learning; providing for the composition, chair, and staffing of the Commission; requiring the Commission to study and make recommendations regarding certain matters; requiring the Commission to report its findings and recommendations to the State Board of Education, the Governor, and the General Assembly on or before December 30 each year; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1340F.pdf>

**NO POSITION**

## **HB1481**

### **Zero-Emission Electric School Vehicles - Inspections**

*Sponsored by: Delegate Fraser-Hidalgo*

Altering the length of time a zero-emission electric school vehicle may be operated from 12 years to 15 years, unless it fails to meet the applicable school bus and motor vehicle safety standards.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1481F.pdf>

**NO POSITION**

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### SECTION 3: BOE VOTE NOT REQUIRED – ESTABLISHED POSITION IN 2020 LEGISLATIVE PROGRAM

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**HB0603/SB0794**

**County Boards of Education - Establishing Regional Career and Technical Education Schools - Authority**

*Sponsored by: Delegate Gbrist  
Senator Hershey*

Authorizing the county boards of education in Caroline, Dorchester, Kent, Queen Anne's, and Talbot counties to establish a regional Career and Technical Education (CTE) school to provide career and technical education programs to public high school students in the counties; requiring a regional CTE school to operate under the terms of a certain collective bargaining agreement; requiring the Interagency Commission on School Construction to study and develop a certain cost-share formula for certain county boards of education; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0603F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0794F.pdf>

#### **OPPOSE**

This bill authorizes five local school boards and an institution of higher education on the Eastern Shore to establish a regional career and technical education (CTE) school under specified conditions. The State must provide 100% of per-pupil operating and school construction funding for a school established under the bill in addition to education formula aid provided to the school systems under current law. A regional CTE school must comply with all regulations and statutory provisions governing other public schools.

AACPS opposes new State initiatives that need funding from the Public School Construction Program. This legislation would not benefit AACPS and our CIP program because Anne Arundel County and AACPS do not comport with the eligibility criteria. Fewer public school construction projects may receive State funding annually as a result of this bill. As such, this legislation could result in the loss of State funding for other public school construction projects in AACPS because it would further dilute currently available funding.

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### HB0615

#### Education - School Construction - Pedestrian Safety Plans

*Sponsored by: Delegate Solomon*

Requiring a county board of education seeking State funds for the construction of a new school, or the renovation of or an addition to an existing school that would increase the capacity by more than 100 students, to submit a pedestrian safety plan to the Interagency Commission on School Construction; requiring the plan to identify safe routes for students to walk or bike to school, evaluate existing and needed infrastructure, analyze existing and potential school zones, and document the public participation in development of the plan; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0615F.pdf>

#### OPPOSE

While AAPCS clearly supports the concept of safe and appropriate walking and biking routes to schools, the creation of a detailed pedestrian safety plan appears to be unwarranted. The State will not participate in the cost of the study, so it is an unfunded mandate for AACPS. Also, as AACPS does not have any control over sidewalks or bike paths that extend beyond the edge of our public school property lines, any identified gaps would be outside the school district's ability to remedy. As most county departments of Public Works and transportation already produce transportation functional master plans and routinely undertake walk-shed/bike-shed studies, such activities would appear to be more suitably placed there. This is supported by the fact that county government, not the board of education, has jurisdiction to acquire rights of way and make infrastructure improvements within communities.

This legislation is also an unfunded mandate that would have an estimated fiscal impact of approximately \$30,000 per public school construction project site to have a transportation engineering consulting company to undertake the requisite study, hold the public hearings, and produce the finished pedestrian safety plan report. Given that AACPS could potentially undertake 5 qualifying projects per year, it could amount to at least \$150,000 in unfunded expenditures per fiscal year.

### HB0665

#### Public School Construction and State Buildings - Use of Geothermal Energy

*Sponsored by: Delegate Barve*

Prohibiting the Interagency Commission on School Construction from approving the construction of a public school unless a geothermal energy system will be installed in the school building; requiring the State to install a geothermal energy system in each State building constructed by the State; and altering certain requirements for certain standards established by the Department of General Services in cooperation with the Maryland Energy Administration.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0665F.pdf>

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## OPPOSE

Geothermal energy systems are already analyzed as part of all major public school construction projects for viability and feasibility under existing IAC and Department of General Services (DGS) administrative procedure requirements. If geothermal energy is the most economically advantageous and is viable/feasible based upon existing site conditions, AACPS installs said geothermal energy systems. If, however it is not economically advantageous or not viable/feasible given existing site conditions, AACPS will select a more appropriate heating and cooling system. HB665 would mandate the use of geothermal energy systems even if it was not economically advantageous, or worse yet, even if it was not viable/feasible based upon the existing site conditions. At best, HB665 would result in increased initial and ongoing operating expenditures for heating and cooling. At worst, HB665 would stop a school from being approved, funded, and built upon a site where a geothermal energy system is not viable/feasible.

It is difficult to quantify the fiscal impact, but this legislation could easily add millions to the cost of public school construction costs and operating costs for AACPS. An even greater cost would come via the loss of millions of State public school construction dollars at sites where a geothermal energy system is not viable/feasible.

### **HB0675/SB0549**

#### **Education – Public Schools – Seizure Action Plans (Brynleigh Act)**

*Sponsored by: Delegate Kerr  
Senator Young*

Requiring a county board of education and authorizing a nonpublic school, beginning in the 2021-2022 school year, to require at least two school employees to be trained in recognizing the signs and symptoms of a seizure, administering first aid for a seizure, and administering or assisting with the administration of seizure medication and performing manual vagus nerve stimulation; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0675F.pdf>  
<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0549F.pdf>

## SUPPORT WITH AMENDMENTS

Because this seizure education course would have to be fully consistent with the guidelines published by the American Epilepsy Foundation, it will be difficult to find the time to train all staff – administration, teachers, therapists, counselors, classroom aids, bus drivers, all contracted employees, and any other personnel in contact with students – as required under the bill. Accordingly, AACPS recommends that the bill be amended to strike this requirement and only require school nurses or health room staff to receive the training. School nurses and health room staff would be the best equipped to address a situation where a seizure is taking place. Also, it is important to note that seizures take on varying characteristics and requiring all staff to be trained could open school systems to potential liability.

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We also request that the mandate that all students also receive education on seizure disorders be stricken from the bill. AACPS opposes efforts by the General Assembly to legislate local public school curriculum or assessments. The authority to establish curriculum and assessments is the domain of the State Board of Education and the local boards of education, the same entities charged with the responsibility to research, investigate, and evaluate both curriculum and assessments. Maintaining this authority with the State Board and local boards allows local boards of education to collaborate with the State and stakeholders to ensure that all students, schools, and school systems are held accountable.

### **HB0718/SB0575**

#### **State Department of Education - Early Literacy and Dyslexia Practices - Guidance and Assistance**

*Sponsored by: Delegate Luedtke  
Senator Hester*

Requiring the State Department of Education to establish a certain stakeholder advisory group to develop a certain reading and dyslexia handbook; requiring the Department and the advisory stakeholder group to make a completed handbook available to the public by June 1, 2021, and to develop a list of recommended programs and materials that address certain needs; requiring the Department to update the handbook every 3 years; requiring the handbook and updates to be published and disseminated in a certain manner; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0718F.pdf>  
<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0575F.pdf>

### **OPPOSE**

MSDE has already provided a Technical Assistance Bulletin and opportunities for technical assistance on this issue. This bill would support the MSDE and/or the advisory group to dictate what materials and programs local school systems must use, which is inconsistent with the work of MSDE.

### **HB0724**

#### **Education - Public Charter Schools - Virtual Learning Programs**

*Sponsored by: Delegate Boteler*

Altering the definition of “public charter school” to include a virtual learning program; defining “virtual learning program” as a program of instruction that provides a significant portion of its curriculum and delivers a significant portion of its instruction to its students by teachers in an interactive learning environment through the Internet; and requiring a virtual learning program of a public charter school to employ a teacher with the same certification required by professional staff of other public schools.

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<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0724F.pdf>

### OPPOSE

This proposed legislation would authorize a virtual charter school to exist and operate outside of the district in which it serves students. AACPS believes that charter schools should be established in response to an unmet need or unmet resources a school system cannot provide. Charter school operators should collaborate with the school system, in a strategic manner, to ensure alignment with school district initiatives for additional school choice for students and parents.

Additionally, AACPS currently offers all high school students virtual learning enhancement opportunities through MSDE's Maryland Virtual Learning Opportunity and via other MSDE-approved vendor courses. Students can earn high school credits studying virtually from inside our high schools. Moreover, if a student wishes to earn a high school diploma virtually, this can be accomplished through Home Instruction where the student may choose from two MSDE-approved virtual schools that have been approved to teach and issue high school diplomas in the State of Maryland.

### HB0725

#### Education - Public Schools - Instruction in Print and Cursive Handwriting

*Sponsored by: Delegate Boteler*

Requiring, beginning in the 2021-2022 school year, each county board of education to require each public elementary school in the county to provide handwriting instruction that enables students to develop legible print handwriting by the end of the third grade and legible cursive handwriting by the end of the fifth grade.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0725F.pdf>

### OPPOSE

AACPS opposes efforts by the General Assembly to legislate local public school curriculum or assessments. The authority to establish curriculum and assessments is the domain of the State Board of Education and the local boards of education, the same entities charged with the responsibility to research, investigate, and evaluate both curriculum and assessments. Maintaining this authority with the State Board and local boards allows local boards of education to collaborate with the State and stakeholders to ensure that all students, schools, and school systems are held accountable.

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### **HB0743/SB0558**

#### **Universal School Start Act of 2020**

*Sponsored by: Speaker on behalf of the Governor  
President on behalf of the Governor*

Requiring, beginning in the 2020-2021 school year, a county board of education to set the start date of the school year for schools in the county not earlier than the first Tuesday after Labor Day; authorizing a county board to grant a school a certain waiver from a certain requirement for good cause as established by the State Board of Education in regulations; requiring the State Board to adopt certain regulations; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0743F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0558F.pdf>

### **OPPOSE**

This bill would undo the 2019 law which restored local board governance over the school calendar. The 2019 law also provided the greatly needed flexibility for each county board to best meet the needs of its respective students and prevented the unmanageable calendar crunch school systems experienced as a result of Governor Hogan's Executive Order requiring all public schools to begin the school year no earlier than the Tuesday immediately following Labor Day and end no later than June 15. The parameters set forth in the Executive Order required most, if not all, school systems in the State to rewrite their school calendars in order to squeeze the mandated 180 days of instructional days between Labor Day and June 15.

### **HB0754/SB0564**

#### **Education - High School Graduation Requirements - Students in Foster Care or Homeless Youth**

*Sponsored by: Delegate Guyton  
Senator Washington*

Requiring a county board of education to waive high school graduation requirements established by the county board that are in addition to high school graduation requirements established by the State Board of Education for a student in foster care or who is a homeless youth if, while in grade 11 or 12, the youth transfers into the local school system from a different system in the State or transfers between high schools in the local school system; prohibiting a county board from waiving certain requirements; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0754F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0564F.pdf>

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### SUPPORT WITH AMENDMENTS

This bill largely aligns with COMAR requirements for seniors who transfer during the second semester. However, the legislation would provide the same benefits for our 11<sup>th</sup> and 12<sup>th</sup> grade students who are homeless or in foster care. AACPS already provides waivers for students in certain situations, including those in homeless and foster care because their situations are considered a hardship. While we support this legislation, we do request that it be amended to remove language regarding transfers within the same school system.

#### **HB0773**

#### **Public and Nonpublic Schools – Bronchodilator Availability and Use – Policy (Bronchodilator Rescue Inhaler Law)**

*Sponsored by: Delegate Boyce*

Requiring each county board of education and authorizing nonpublic schools in the State to establish a policy to authorize certain school personnel to administer bronchodilators to certain students under certain circumstances; prohibiting a school nurse or other school personnel from administering a bronchodilator to a prekindergarten student unless the student has received a certain diagnosis and has a certain prescription; requiring a certain policy to include certain information; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0773F.pdf>

### SUPPORT WITH AMENDMENTS

The current list of required trainings for teachers and school system staff is extremely long and requires a significant amount of time to complete. Accordingly, we recommend that the bill be amended to only require school nurses and health room staff to complete the training. School nurses and health room staff would be the best equipped to assist in a situation where a bronchodilator would be needed.

#### **HB0802**

#### **Civil Actions - Civil Immunity - Educator Intervention in Student Violence (Good Teacher Protection Act)**

*Sponsored by: Delegate Cox*

Providing that a staff member of a school is not civilly liable for personal injury or property damage resulting from intervention in a student altercation or other student disturbance if the staff member acted in good faith and was not grossly negligent.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0802F.pdf>

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### SUPPORT

It is the school system's expectation that school staff will intervene in altercations involving students in an effort to ensure that the situation is diffused quickly with the hope that none of the involved parties are injured. Also, we expect staff to intervene in any incident involving a student which could potentially lead to harm to the student, other students, or staff. Sometimes students may be injured during this process or the student's personal property may be damaged. This proposed legislation would allow staff to intervene with the knowledge that they would not be personally liable for any resulting injury to a student or the student's property so long as the staff member was acting in good faith to protect the student from harm and the staff member's actions were not grossly negligent.

### HB0908/SB0404

#### Labor and Employment - Maryland Healthy Working Families Act - Verification

*Sponsored by: Delegate Adams  
Senator Carozza*

Altering the circumstances under which an employer is authorized to require an employee who uses certain sick and safe leave to provide verification that the leave was used appropriately; and authorizing certain employers to deny a certain request to take certain sick and safe leave under certain circumstances.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0908F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0404F.pdf>

### SUPPORT

The law as currently written requires the employer to have an agreement with the employee regarding such verification. However, the law does not contemplate what happens if there is not mutual agreement regarding such verification between the employer and the employee. Additionally, employers need a dependable workforce to meet their needs in our case to serve our students and this bill will support an employer's ability to curtail leave abuse that may be hard to combat the way the law is currently written.

### HB0981

#### County Boards of Education - Therapy Dogs - Certification and Use in Schools

*Sponsored by: Delegate Guyton*

Requiring each county board of education to allow the use of therapy dogs in public schools in the county; and requiring county boards to adopt a policy for the use of therapy dogs in schools in the county.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb0981F.pdf>

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## OPPOSE

AACPS complies with both State and federal law in providing for the use of service animals to individuals with disabilities. Therapy and emotional support dogs are not covered under the scope of these laws. This bill would expand the scope and complexity of student supports that a school would be required to manage without requiring a documented need for this support. While HB981 defines “therapy dog” as a dog that is “certified” to provide affection and comfort to children who need emotional support in a school setting, there currently is not a recognized “certification” for this purpose. Accordingly, HB981 will leave open to interpretation what dogs could serve as therapy dogs. The bill also creates the risk of having dogs that are not trained and are disruptive in schools causing disruption and potential harm to students, teachers, and staff. Having such a dog in schools could have the unintended consequences of creating additional issues for children who are already in need of emotional support.

## HB1005

### Education - Health and Safety of Students - Notification of Problematic Sexual Behavior

*Sponsored by: Delegate Wilson*

Requiring public schools and nonpublic schools that receive State funds to notify parents or guardians of certain students involved in an incident of problematic sexual behavior by the close of business on the day of the incident; and requiring a county board to ensure that certain schools have a certain policy in place regarding a certain notification.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1005F.pdf>

## OPPOSE

While this legislation is well intended, we have concerns that the very prescriptive nature of the bill would have unintended consequences. AACPS agrees that it is important to inform a parent/guardian if a child has been involved in an incident of problematic sexual behavior. However, it is also important that information is not shared until the facts surrounding the situation have been verified. If a school official is required to report this behavior prior to the close of business on the day of the incident, they may be providing inaccurate information due to an incomplete investigation. This could lead to unnecessary anxiety and false allegations. It is also important to understand that it is not always feasible to report to parents/guardians by close of business day on the day of the incident. For example, the incident may have occurred at the end of the school day and school officials have not yet had the necessary time to conduct a thorough investigation.

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### **HB1008**

#### **Education - Child Abuse and Sexual Misconduct Prevention - Hiring Emergent Employees**

*Sponsored by: Delegate Wilson*

Authorizing the hiring of a emergent employee, as defined in the bill, by a county board of education or nonpublic school for a period not to exceed 60 days under certain conditions; authorizing a county board or nonpublic school to take certain actions within the 60-day period regarding an emergent employee under certain circumstances; authorizing a certain appeal following a certain decision by a county board; prohibiting a certain decision by a county board from being subject to a certain collective bargaining process; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1008F.pdf>

#### **SUPPORT WITH AMENDMENTS**

This legislation addresses several concerns related to the 2019 law that required employers to conduct a much more comprehensive background check of applicants who will have direct contact with students. Allowing local school systems to use the prior employment history reviews of other local schools in the State will be extremely helpful in speeding up the hiring process and cut back on our existing backlog. Additionally, the 10-year employment history look-back may prove helpful with the amount of time it takes to contact previous employers. While we appreciate the proposed amendments to the law, AACPS proposes some additional amendments. We recommend that the bill be further amended to authorize MSDE to maintain a database so that all public schools could access prior employment history reviews. It is also important to consider that, under this bill, an emergent employee would always be prevented from working alone with minors. This is easier to write as a law and difficult to implement in practice. Is the bill sponsor proposing that the emergent employee constantly have another employee observing the individual? This would essentially defeat the purpose of the bill. Accordingly, we would request that the language be stricken from the bill.

### **HB1074**

#### **Education - Collective Bargaining - Certificated Employees - Class Size**

*Sponsored by: Delegate Ebersole*

Repealing the prohibition on a public school employer negotiating the maximum number of students assigned to a class.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1074F.pdf>

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### OPPOSE

This bill encroaches on local board authority and local school system decision-making. Management and instructional decisions regarding the number of students assigned to a class are based on myriad factors that should not be addressed through contract language. Establishing class size requirements within a collective bargaining agreement to negotiate smaller class size will be a costly arrangement, especially with Anne Arundel County's Public Schools' growing student population. A mandatory negotiation requirement restricts the school administration's decision-making regarding the most effective use of resources, including allocations for staff, space, with existing limited funding. School systems are not self-funded but depend on federal, State, and county governments for funding which could create significant issues in instances where insufficient funding prevents the Board from meeting class size requirements. The school board and superintendent's authority should be maintained to make decisions pertaining to appropriate allocations of resources especially in instance where the union's interest is not aligned with managements and do not fully represent the best interest of students.

### HB1075

#### Public School Employees – Whistleblower Protection – Civil Actions

*Sponsored by: Delegate Ivey*

Repealing a prerequisite that a certain public school employee who is subject to a certain prohibited personnel action relating to an act of whistleblowing must exhaust any administrative remedies before instituting a civil action against a certain public school employer.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1075F.pdf>

### OPPOSE

AACPS takes allegations of fraud seriously and has made efforts to provide employees with the support they need to report unlawful behavior. AACPS employees currently have the option of reporting issues such as those covered in this bill to their supervisors or to a hotline. If an employee does not feel comfortable reporting such information to a supervisor or member of management, the employee has the option to directly and anonymously report such information to the AACPS Financial Fraud, Waste, or Abuse Hotline. The hotline is available 24 hours a day, 7 days a week. However, we have concerns that this legislation would fully repeal the requirement that an employee exhaust administrative remedies before seeking civil action. This repeal will result in increased litigation, and AACPS would likely be required to hire additional staff to take on increased workload. In addition, the Board would be required to hire counsel to pay additional legal fees for counsel to handle the increased litigation. Accordingly, this legislation is an unfunded mandate.

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### HB1092

#### County Boards of Education - Payment Data - Disclosures

*Sponsored by: Delegate Grammer*

Requiring the county boards of education of Montgomery County, Howard County, Baltimore County, Prince George's County, and Anne Arundel County to develop and operate searchable websites containing information on the identities of individuals who receive aggregate payments from the boards of at least \$25,000; and specifying how the websites present information.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1092F.pdf>

#### OPPOSE

HB1092 is redundant and unnecessary, and this redundancy will result in an unfunded mandate. AACPS already has a website that posts all payments to vendors on a quarterly basis. The site would have to be modified to align with the additional requirement set forth in the bill and such a modification would cost \$50,000 to \$100,000.

Furthermore, county boards of education are already required to share the information outlined in this bill with the Department of Budget Management to post on its transparency and accountability website.

### HB1098

#### Use of Public Funds – Playground and Athletic Field Surfaces – Authorizations, Preferences, and Prohibitions (Safe and Healthy Fields Act)

*Sponsored by: Delegate Solomon*

Authorizing certain funds under Program Open Space to be used for the maintenance and upkeep of certain grass athletic fields and drainage systems on land owned by the State; authorizing a certain subdivision to request funds for the maintenance and upkeep of certain grass athletic fields and drainage systems as part of a certain annual program; establishing a preference for the use of certain natural surface materials in certain projects to construct playgrounds or athletic fields; applying the Act prospectively; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1098F.pdf>

#### OPPOSE

AACPS, in partnership with the Anne Arundel County Government and Department of Recreation and Parks, has made a concerted effort over the past decade to install at least one synthetic turf field at each AACPS public high school. As a result, the fields have been used by AACPS students as well as youth and adult sports leagues and club teams. Our community relies on the use of safe, sustainable, and reliable synthetic fields. Many of these initial installations and cyclical replacements have received State funding support via the Interagency Committee on School Construction's Public School Construction Capital Improvement Program, bond bills, grants, and Program Open Space

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funds awarded by the General Assembly. Therefore, the prohibition of future State and Program Open Space funding, as would be required under this bill, would significantly hamper our ability to continue supporting or potentially expanding our synthetic turf initiative in Anne Arundel County.

Whether or not to use synthetic fields is a local decision and should remain as such. We, therefore, firmly support the role of local decision making in evaluating the options for purchasing and maintaining these athletic fields and playgrounds.

This bill would result in a potential loss of \$1 million to \$3 million in State funding to the county government and AACPS in support of the ongoing installation or replacement of synthetic turf athletic fields.

### **HB1145**

#### **Maryland Meals for Achievement Fund – Establishment**

*Sponsored by: Delegate Jackson, M.*

Requiring the Comptroller to distribute certain sales and use tax revenues from snack foods to the Maryland Meals for Achievement Fund; establishing the Maryland Meals for Achievement Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Education to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1145F.pdf>

### **SUPPORT**

AACPS recognizes that school meals are an important part of our students' health and wellness. AACPS' Division of Food & Nutrition Services operates a comprehensive program aligned with the Centers for Disease Control School Health Model and the U. S. Department of Agriculture Dietary Guidelines for Americans.

This bill would be beneficial to AACPS students who receive more than 5 million free and reduced-price meals a school year. This bill would ensure that students living in poverty have access to nutritious meals. All students receiving reduced-price meals would be able to participate in the School Meals Programs, thus promoting healthy school environments and ensuring that all students are fueled and ready to learn. By eliminating student payment, schools across the State will see an increase in participation from ineligible students.

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### **HB1152**

#### **Public Schools - Student Meal Programs and Policies**

*Sponsored by: Delegate Queen*

Requiring a public school to notify a student's parent or legal guardian when there is a low balance in the student's meal account and before the student accrues unpaid meal debt; prohibiting a public school from communicating about unpaid meal debt directly with a student or in any way that embarrasses or humiliates the student; prohibiting a public school from taking certain actions in response to a student's unpaid meal debt; requiring certain notice about the application process and requirements for certain meal programs; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1152F.pdf>

#### **SUPPORT WITH AMENDMENTS**

AACPS' existing practices comport with the majority of the requirements set forth in this bill. AACPS' practices also fully comply with the applicable federal and State statutes governing this subject matter. However, the additional operational and reporting requirements required under HB1152 would result in a fiscal impact on the school system. In addition, the legislation mandates that some requirements be carried out in printed paper format rather than in our existing on-line/electronic format, resulting in an unfunded mandate.

As stated, AACPS' practice already aligns with most of the provisions in the bill and we see no need to impose a prescriptive legislative solution or to absorb the additional unfunded costs associated with HB1152. Accordingly, we recommend that Section 7-125(E)(1)(II) be amended to remove the printed information requirement since many of the items are now readily available in electronic or online forms. We also recommend that the bill be amended to establish a new State funded program to reimburse local school systems for all costs associated with any meals provided to individuals with unpaid meal debt.

### **HB1153/SB0892**

#### **Public Schools – Mathematics Credit – Computer Science or Computer Programming Course**

*Sponsored by: Delegate Rose  
Senator Hester*

Authorizing a student who is enrolled at a public high school to satisfy a certain requirement to earn credits in mathematics by completing a credit in a computer science or computer programming course selected by the county board; and requiring the county board to certify to the State Department of Education that the computer science or computer programming course may count toward the mathematics graduation requirement.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1153F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0892F.pdf>

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### OPPOSE

AACPS supports local decision-making authority in developing curriculum in collaboration with the State Board of Education. Accordingly, the authority to establish curriculum and assessments is the domain of the State Board of Education and the local boards of education. Local boards of education and the State Board are responsible for researching, investigating, and evaluating both curriculum and assessments. The inclusion of computer science and computer programming as a math credit undermines and dilutes the intended value of the math component within public education. The program of studies in each school system is developed as a whole and aligned with the State and local standards and assessments. As such, we oppose efforts by the General Assembly to legislate local public school curriculum.

According to State regulations, to be awarded a high school diploma, a student must be enrolled in a Maryland public school system and have earned a minimum of 21 credits in specified subjects. AACPS students must earn a minimum of 26 credits to earn a diploma. AACPS students must earn four credits in math, which are aligned to the Maryland High School Assessment.

### HB1173/SB0760

#### Public Schools - Student Meal Programs and Meal Charge Policies

*Sponsored by: Delegate Valentino-Smith  
Senator Lam*

Requiring each county board of education to establish a meal charge policy that addresses payment for meals, unpaid meal debt, prohibition of stigmatizing action, and other issues related to the administration of school meal programs and management of payments for school meals; requiring the State Department of Education to create and maintain a database of the county board meal charge policies, publish the policies on its website, and report to the General Assembly on certain matters by December 1, 2020 and 2021; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1173F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0760F.pdf>

### OPPOSE

AACPS' existing practices comport with the majority of requirements contained within the proposed legislation. Our practices also fully comply with the applicable federal and State statutes governing this area. However, provisions in the legislation serve to add additional operational and reporting requirements, which are extremely prescriptive, for local school systems as well as operating costs. Accordingly, this bill is an unfunded mandate. In addition, this legislation requires that some requirements be carried out in printed/paper format rather than in our existing on-line/electronic format. This requirement is also an unfunded mandate. As stated, AACPS already aligns with most of these best practice provisions and we see no need to impose a proscriptive legislative solution or to absorb the additional unfunded costs associated with the legislation.

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### **HB1194**

#### **Public Schools - Fees for Summer School Courses - Prohibition**

*Sponsored by: Delegate Smith*

Prohibiting a local school system from charging a student a fee for enrollment in a summer school course if the student attends a school in the local school system, credit for the course is a high school graduation requirement, and the student has previously taken the course, but did not successfully complete or receive credit for the course.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1194F.pdf>

### **OPPOSE**

This legislation is an unfunded mandate. In accordance with AACPS policy, tuition for summer school courses is set at \$300 per course. However, AACPS offers tuition reduction for students who qualify for free and reduced meals and students from families on government assistance programs such as medical assistance or SNAP. For example, recent enrollment in summer school was more than 900 AACPS students. The total tuition for these students would have been over \$370,000 for the courses in which those students enrolled. However, AACPS granted tuition waivers or reductions to more than two-thirds of the students, which lowered the tuition AACPS collected by nearly \$100,000.

While AACPS firmly believes that summer school must be affordable and accessible for all students, we believe that this legislation would have unintended consequences. AACPS has historical data to support that 1) summer school tuition inspires students to pass classes during the regular school year, and 2) students who must pay some tuition towards a summer class take the class more seriously and are more likely to pass the course during the summer.

### **HB1195/SB0894**

#### **County Boards of Education - Computer Science Courses**

*Sponsored by: Delegate Rose  
Senator Hester*

Requiring each county board of education, beginning in the 2022-2023 school year, to submit a report on or before April 30 each year to the State Board of Education and the General Assembly on computer science courses offered in public schools in the county in the prior school year; requiring each county board to include certain information in the report and post certain data on its website; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1195F.pdf>  
<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0894F.pdf>

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### OPPOSE

While the intent of this bill aligns well with how AACPS is pursuing the expansion of computer science in our system, it mandates yet another report local school systems must produce for the General Assembly. Local school systems have numerous reports to produce for MSDE and the General Assembly each year. This voluminous reporting requirement takes critical staff time away from the primary responsibility of school systems: educating students. In too many instances, there is no indication that many of these reports are being reviewed in a comprehensive manner to develop best practices or identify trends. Similarly, this legislation does not specify what will be done with the information gathered. Accordingly, AACPS believes that it should be the responsibility of MSDE to provide the required information.

### HB1226

#### Vehicle Laws - School Bus Safety - Occupant Capacity

*Sponsored by: Delegate Cain*

Prohibiting the number of pupils on a school bus from exceeding the seating capacity of the school bus.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1226F.pdf>

### SUPPORT WITH AMENDMENTS

It is clearly a best practice to not operate a school bus with students standing in an aisle. AACPS does not plan bus routes with standing students as it is our intent to have all students seated for the duration of each school bus ride. The explicit prohibition in the bill provides for two operational challenges. First, while AACPS does not intentionally program our buses with the need for students to stand in the aisle, ridership counts can fluctuate from year to year or within a year in unexpected fashions. Thus, there may be a period of time in which transported students may need to stand until such time as other student load balancing changes can be implemented and communicated by the Transportation Division. This takes some time and effort. Second, the literal interpretation of HB1226 could potentially leave students stranded at bus stops or at schools by a bus that has already reached its designated seating capacity with no other suitable solution for getting the students to or from school on a given day.

As such, AACPS would offer an amendment to better align the intent of the bill with the daily reality of managing a complex and dynamic public school bus transportation service. We propose that the bill be amended to allow for some short-term flexibility/time period for the Transportation Division to explore and effectuate any necessary school bus route adjustments to address the bus overcrowding. This will also allow the school system to communicate any changes with students and families.

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### HB1234

#### County Boards of Education - Student Transportation - Vehicles

*Sponsored by: Wicomico County Delegation*

Authorizing a county board of education to provide transportation to and from school for certain students using a vehicle other than a Type I or Type II school vehicle when a school vehicle cannot reasonably be provided.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1234F.pdf>

#### SUPPORT

It is not always feasible, practicable, possible, or economical to utilize a Type I or Type II school bus vehicle in all instances. This legislation provides some relief for local school systems when the use of a conventional school bus cannot reasonably be provided. HB1234 could also provide some relief to the on-going bus driver shortage being felt by local school systems. While it is difficult to quantify, this legislation could potentially translate into some cost savings in instances when a vehicle other than a Type I or Type II school bus vehicle is utilized.

### HB1235

#### Maryland Center for School Safety - School Employee Injury Reporting and Study

*Sponsored by: Delegate Ebersole*

Requiring the Maryland Center for School Safety to conduct a study on injuries to teachers, paraprofessionals, and staff members that occur in each local school system; requiring the Center to develop a certain guidance document and data collection template; requiring each public school to provide the designated school safety coordinator for the local school system with a report documenting certain injuries and requiring each school safety coordinator to submit the reports to the Center every 3 months throughout the school year; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1235F.pdf>

#### OPPOSE

AACPS employees who experience an injury on the job are required by local policy to report the injury to their supervisor or school secretary as soon as possible so that a Workers' Compensation Incident Report Form may be completed. Claims are administered by the Anne Arundel County Risk Management Division and the AACPS Insurance and Safety Management Office is the more appropriate local school system organizational unit with access to relevant information.

The Office of School Security, and by proxy, the "school safety coordinator" has no role in gathering any data related to workplace injuries. Information related to workplace injuries, if required for transmission, is more appropriately directed to offices not directly affiliated with school security. Additionally, the requirements set forth amount to an unfunded mandate as AACPS would be required to hire a staff person to fulfill the requirements.

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### **HB1250**

#### **Education – Length of the School Year – Declared State of Emergency (Kathryn Marie Carmello’s Law)**

*Sponsored by: Delegate McComas*

Authorizing a county board of education to decrease the length of the school year for each school day affected by a declared state of emergency for certain public schools without approval of the State Board of Education; and repealing a provision of law authorizing the State Board to open schools on holidays in the case of emergency.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1250F.pdf>

#### **SUPPORT**

This legislation would provide school systems additional flexibility at the end of the school year regarding the school calendar. COMAR requires school systems to demonstrate that they have modified their calendars both within the school year and by extending the school year a minimum of three days past the last scheduled day of school. Under current law, public schools must be open for at least 180 days and 1,080 school hours at elementary and middle schools and 1,170 hours at high schools during a 10-month period. However, a local board of education may apply to the State Board of Education for a waiver from these provisions of State law; the application must describe a demonstrated effort by the local board to comply with State law. The State Board of Education may grant adjustments only if normal school attendance is prevented because of natural disaster, civil disaster, or severe weather conditions. Accordingly, we believe it is appropriate to add a “state of emergency” to this list of exceptions.

### **HB1255**

#### **Education – Bilingual Learner Prekindergarten Grant Program**

*Sponsored by: Delegate Cain*

Establishing the Bilingual Learner Prekindergarten Grant Program to provide county boards of education with grants to assist in creating pilot programs to facilitate bilingual education for prekindergarten students; requiring the Governor, beginning in fiscal year 2022, to include \$1,000,000 for the Program in the annual budget bill; requiring the State Department of Education to submit a report to the General Assembly by December 1, 2022, and each December thereafter concerning the Program; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1255F.pdf>

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## **SUPPORT**

AACPS supports additional programs and resources to assist with meeting the varied needs of English Language Learners. We also support adequate State funding for PreK-12 public education is essential in ensuring that all AACPS students have access to the appropriate programs and instructional support they need to meet rigorous standards and expectations and ensure that AACPS is elevating all students and eliminating all gaps.

### **HB1270**

#### **Education - Home-Based Instructional Days - Establishment**

*Sponsored by: Delegate Hornberger*

Authorizing a county board of education to develop a policy for public schools in the county to use home-based instructional days during the school year under certain circumstances; requiring a home-based instructional day policy to include certain procedures for instruction, attendance, and notification; requiring a county board, before implementing a home-based instructional policy, to submit the policy to the State Board of Education for approval; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1270F.pdf>

## **SUPPORT**

This legislation would provide schools systems additional flexibility and eliminate the need to submit to the State Board of Education a request for a calendar adjustment. This bill authorizes local school systems to develop policy on the usage of home instructional days when normal scheduled attendance is not possible due to natural disaster, civil disaster, or severe weather condition. This would eliminate calendar adjust approvals at the State level.

### **HB1292/SB1019**

#### **Public Schools - Special Education Classrooms - Use of Video Recording Devices**

*Sponsored by: Delegate Guyton  
Senator Hester*

Requiring each county board of education, beginning in the 2020-2021 school year, to install at least one video recording device in each special education classroom; requiring video recording devices to record special education classrooms and exclusion areas during school hours and during any time that the classroom or exclusion area is in use; prohibiting the use of a video recording device in bathrooms or in areas that students use to change clothing; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1292F.pdf>  
<http://mgaleg.maryland.gov/2020RS/bills/sb/sb1019F.pdf>

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### OPPOSE

This legislation is a massive unfunded mandate. Anne Arundel County Public Schools' costs associated with purchasing video equipment are estimated at no less than \$1.5 million. HB1292 is also drafted in an overly broad manner which raises severe student privacy concerns and potential for special education stigmatization.

#### **HB1295**

#### **Public School Construction – School District Energy Use – Policy and Study**

*Sponsored by: Delegate Solomon*

Prohibiting, beginning July 1, 2021, the Interagency Commission on School Construction from approving a public school construction project for a school district that has not adopted or updated a school district energy policy; specifying the contents of a school district energy policy; encouraging school districts to set certain targets in their school district energy policy; requiring that a school district energy policy be posted on the school district's website and updated every 2 years; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1295F.pdf>

### OPPOSE

HB1295 is also an unfunded mandate in a couple of ways. First, there is a cost associated with staff time to acquire, track, and report the various data elements contained in the bill. Second, the \$30-\$35 million in State public school construction funding AACPS receives from the IAC could be placed in jeopardy in the event that AACPS does not fully satisfy the provisions in this legislation. The provisions in HB1295 have little or nothing to do with public school construction funding and conjoining the two issues appears to make limited public policy sense and could be punitive in nature.

#### **HB1300/SB1000**

#### **Blueprint for Maryland's Future - Implementation**

*Sponsored by: Speaker  
President*

Repealing, altering, and adding certain provisions of law to implement The Blueprint for Maryland's Future, which is intended to transform Maryland's early childhood, primary, and secondary education system to the levels of high-performing systems around the world.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1300F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb1000F.pdf>

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## SUPPORT WITH AMENDMENTS

This legislation implements the recommendations of The Blueprint for Maryland's Future that are intended to transform Maryland's early childhood, primary, and secondary education system to the levels of high-performing systems around the world. The bill focuses on the following five policy areas as identified in the preliminary report of the Commission on Innovation and Excellence in Education (Kirwan Commission):

- Early childhood education;
- High-quality and diverse teachers and leaders;
- College and career readiness pathways, including career and technical education;
- More resources to ensure all students are successful; and
- Governance and accountability.

Strong State and county funding support of PreK-12 public education will ensure that all students have the programs, services, and instructional support needed to meet rigorous standards established for student performance. AACPS supports the charge of the Commission on Innovation and Excellence in Education to review and address education funding issues in Maryland, particularly the enormous statewide education funding gap, which lags by nearly \$3 billion in State funding and nearly \$1 billion in local government investments.

AACPS has proposed amendments regarding several provisions in the bill, including effective dates, additional funding for management of certain programs, the definition of “teacher,” and the numerous accountability bodies established in the legislation.

### HB1451

#### School Bus Purchasing – Zero-Emission Vehicle – Requirement

*Sponsored by: Delegate Fraser-Hidalgo*

Requiring, beginning on October 1, 2023, that each school bus purchased by a county board of education be a zero-emission vehicle; requiring, beginning on October 1, 2026, that each school bus purchased by a certain person for use under a certain contract with a county board be a zero-emission vehicle; etc.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1451F.pdf>

## OPPOSE

This legislation is an unfunded mandate. The technology associated with zero-emissions public school buses has not advanced to the point where buses can reliably run for the required and comparable number of hours or miles, as is the case with our existing diesel bus fleet. Currently, AACPS buses begin operation prior to 6:00 a.m. and may not end the service day until after 9:00 p.m. when athletics or other co-curricular or extracurricular activities conclude. Existing zero-emission buses cannot maintain this routine and there is not sufficient idle time within the day to stop and recharge a zero-emission bus. In addition, charging stations would need to be installed

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countywide, at an exorbitant cost, because the buses do not always return to a centralized bus depot. This legislation could potentially require AACPS to double its combined bus fleet from approximately 700 to 1,400 buses so as to have dedicated morning and afternoon fleets to enable sufficient charging time and charging slots. We estimate the cost to increase our bus fleet to be \$10 million to \$15 million in addition to CIP funding for start-up charging station costs, and approximately \$9 million in operating costs.

### **HB1552/SB0418**

#### **Education Savings Account Program - Established**

*Sponsored by: Delegate Boteler  
Senator Serafini*

Establishing an Education Savings Account program in the State; stating the purpose of the program is to provide State grants to parents of eligible students to provide for the education and specified related expenses of the students at qualifying private schools.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1552F.pdf>

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0418F.pdf>

#### **OPPOSE**

AACPS opposes aid to private schools in any manner, whether through textbooks, transportation, technology purchases, or any other means. We also oppose any use of public school funding that does not support public school education.

### **SB0562**

#### **Public Schools - Flexible Instructional Days - Policy Requirements**

*Sponsored by: Senator Gallion*

Authorizing a county board of education to apply to the State Board of Education to implement a policy for the use up to 5 flexible instructional days during the school year; defining 'flexible instructional day' as one in which a public school provides remote academic instruction because a natural or civil disaster or severe weather conditions prevented schools from opening; requiring the State Board to adopt certain guidelines and a certain model policy and to approve or deny a certain application; etc.

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0562F.pdf>

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### OPPOSE

Although AACPS appreciates the innovation that this bill would encourage digital learning to make up for lost days from weather or other emergencies, we have concerns that this bill has the unintended consequence that would lead to a greater inequity between school districts and among students within each district. If AACPS desired to take advantage of this opportunity and maintain our commitment to ensure equity, we would be financially obligated to provide devices to teachers and all students. We estimate the cost of implementing this bill to be more than \$20 million. Although we understand that this bill would not mandate districts to come up with a plan, it would allow some districts with the financial resources to do so. This would promote inequity between our systems.

### SB0634

#### Maryland Medical Assistance Program - Provision of School Psychology Services

*Sponsored by: Senator Waldstreicher*

Requiring the Maryland Medical Assistance Program to provide school psychology services provided by a school psychologist who is certified by the State Department of Education to practice school psychology.

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0634F.pdf>

### SUPPORT

Medicaid billing is one funding source for psychological services and this bill would allow AACPS to access a currently untapped source of funding for school psychologist staffing. Fully accessing Medicaid funds would allow school system to provide additional social, emotional, and mental health supports identified in the Kirwan Commission report without utilizing State or local tax dollars.

### SB0644

#### Income Tax Checkoff – The Blueprint for Maryland’s Future Fund

*Sponsored by: Senator Gallion*

Establishing an income tax checkoff for voluntary contributions to The Blueprint for Maryland’s Future Fund; requiring the Comptroller to include a checkoff on the individual income tax return; requiring the Comptroller to collect and account for contributions made through the checkoff and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff; applying the Act to taxable years beginning after December 31, 2019; etc.

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0644F.pdf>

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### SUPPORT

AACPS supports full funding of The Blueprint for Maryland's Future. We also support the charge of the Commission on Innovation and Excellence in Education to review and address education funding issues in Maryland, particularly the enormous statewide education funding gap, which lags by over \$3 billion in State funding and over \$1.2 billion in local government investments. This legislation would provide another funding source to implement the Blueprint.

#### **SB0655**

#### **High Performance and Green Buildings - Community Colleges and Public Schools - Repeal of Requirements and Guidelines**

*Sponsored by: Senator Hettleman*

Repealing the requirement that the construction and renovation of certain community college buildings be done in a manner that makes the buildings high performance buildings; repealing the requirement to establish a process to allow a community college to obtain a waiver from the high performance buildings requirement; and repealing a requirement that the Maryland Green Building Council develop guidelines for new public school buildings to achieve a LEED Silver or comparable rating without requiring an independent certification.

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0655F.pdf>

### SUPPORT WITH AMENDMENTS

AACPS has no position on the provisions in the bill related to community colleges, but AACPS opposes the provisions in the bill that will allow new schools to achieve the equivalent of a high performance or green building status but without the added costs associated with independent external certification. Accordingly, we request that it be stricken from the bill. This elimination will increase the total cost of public school construction for AACPS. Also, it is an unfunded mandate because Anne Arundel County will need to take on 100% of these newly added costs since the State typically declares such independent external certifications as ineligible costs. This provision in the legislation also runs counter to a well-crafted Knott Commission recommendation regarding this very issue. We anticipate a significant fiscal impact. Independent third-party testing could add approximately \$30,000 to the cost of a public school construction project. Since AACPS can be undertaking 3-5 such projects at any time, it could have a \$90,000 - \$150,000 added costs.

#### **SB0695**

#### **Education - Comprehensive Health Education Program - Skin Cancer**

*Sponsored by: Senator Klausmeier*

Requiring each county board of education to provide age-appropriate instruction on skin cancer as part of the comprehensive health education program.

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0695F.pdf>

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## OPPOSE

AACPS opposes efforts by the General Assembly to legislate local public school curriculum or assessments. The authority to establish curriculum and assessments is the domain of the State Board of Education and the local boards of education, the same entities charged with the responsibility to research, investigate, and evaluate both curriculum and assessments. Maintaining this authority with the State Board and local boards allows local boards of education to collaborate with the State and stakeholders to ensure that all students, schools, and school systems are held accountable.

### **SB0762**

#### **Education - High School Graduation Requirements - Applications for Student Financial Aid**

*Sponsored by: Senator Lam*

Requiring public high school students, beginning in the 2021-2022 school year, to complete and submit the Free Application for Federal Student Aid (FAFSA) to the U.S. Department of Education or the Maryland State Financial Aid Application (MSFAA) to the Maryland Higher Education Commission; authorizing a student or the parent or legal guardian of a minor student to submit to a county board of education a statement that the student understands the FAFSA or MSFAA application and declines to complete and submit the application; etc.

<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0762F.pdf>

## OPPOSE

While we appreciate the innovation of this legislation, it infringes on local school system decision-making. AACPS opposes efforts by the General Assembly to encroach on local school system authority. The authority to establish graduation requirements is the domain of the State Board of Education and local school systems. Maintaining this authority with the State Board and local school systems allows for collaboration with the State and stakeholders to ensure that all students, schools, and school systems are held accountable.