



2023 Session Legislative Summary

*445th Session of the
Maryland General Assembly in Annapolis*

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Introduction

The 2023 legislative session of the Maryland General Assembly convened on Wednesday, January 11, 2023, and adjourned at midnight on Monday, April 10, 2023. This session saw the passage of operating and capital budgets that prioritize almost \$8.7 billion in funding for public education. This included an increase of \$660.7 million (9.1%) in direct aid to local school systems, including full funding of the Blueprint for Maryland's Future mandates in Fiscal Year (FY) 2024. Additionally, the Blueprint "Fund" received a \$500 million appropriation in the Governor's budget as introduced, and the Legislature added another \$400 million, paying forward \$900 million for future Blueprint costs. Major education policy issues included special education placements & administrative hearings, educator retention & collective bargaining, universal school meal funding, student safety & discipline, and curriculum development & implementation.

PSSAM's Legislative Committee, with representatives from almost all of the twenty-four school systems across the State, met weekly through the 2023 session to consider pending legislation and guide PSSAM's lobbying activities in Annapolis.

This session, legislators introduced [1,699 House Bills](#) and [1,365 Senate Bills](#). Of these 3,064 bills and resolutions, PSSAM monitored 245 bills and provided [85 pieces of testimony](#). Over 93% of bills PSSAM opposed failed to pass, and 50% of bills PSSAM supported (in full or with amendments) are headed to the Governor's desk to be signed into law. All PSSAM testimony, as well as the session summary and presentation, can be found on [PSSAM's advocacy page](#). A modified glossary of legislative terms is attached at the end of this document, followed by information on where to find more information or dive more deeply into the General Assembly's website.

Throughout the legislative session, PSSAM's Executive Committee met with legislative leadership to discuss legislative priorities, including Speaker Adrienne Jones, Delegate Vanessa Atterbeary (Chair of the Way and Means Committee), Delegate Ben Barnes (Chair of the Appropriations Committee), Senator Cheryl Kagan (Vice Chair of the Education, Energy, and the Environment Committee), and many more. PSSAM voiced strong support for robust funding for public education, continued support of local control of curriculum development and implementation, and various issues related to special education.

PSSAM's Legislative Priorities

Support for full State funding of Maryland's public schools and the Blueprint for Maryland's Future Act.

- PSSAM advocates for sustained increases in state and local funding to support the Blueprint for Maryland's Future law to fulfill the State's constitutional mandate to provide an adequate and equitable education to every Maryland student. Maryland's FY 2024 budget includes over \$8 billion in education funding to invest in areas such as special education, Blueprint initiatives, educator retention, essential support personnel, and much more.

The preservation of local governance authority in adopting education policies and school system budgets, reflecting district priorities and resources.

- PSSAM consistently supports local school system authority in exercising legislative, judicial, and executive functions, and adopting education policies and school system budgets reflecting local priorities and resources. In response to an unprecedented number of curriculum-related bills in recent years, PSSAM prioritizes advocacy for local discretion.

Support for adequate funding of school construction and technological infrastructure.

- PSSAM advocates for sustained state and local capital and operating funds to build, maintain, and equip schools for 21st-century instruction. Today's school buildings must evolve to meet the needs of an extremely tech-savvy student body. PSSAM advocates for resources and funding to provide students with the tools and resources they need to succeed in an ever-changing national and international economy.

Session Highlights for Education Funding and Policy

When the Maryland General Assembly adjourned "Sine Die" on Monday, April 10, 2023, at midnight, it brought to a close a historic legislative session that featured many major education funding and policy issues.

The State Budget ([HB 200](#)) provides over \$8.7 billion for K-12 public education and will ensure strong support for all 24 school systems to implement the activities required under the Blueprint for Maryland's Future Act, and socked away another \$900 million for future Blueprint costs. Notably, PSSAM led the advocacy efforts to secure State funding for every school system to hire a dedicated Blueprint Implementation Coordinator. The General Assembly approved \$2 million for this initiative, which will help to ensure equitable implementation of the Blueprint.

The State Budget also allocates almost \$1.7 billion in compensatory education funds, a \$390 million increase from the FY 2023 budget. This increase stems from the direct certification of lower-income families using Medicaid data; a requirement of the Blueprint. This action resulted in an additional 110,000 students being found eligible for free and reduced meals. The number of Maryland students eligible for free and reduced meals now totals over 52% of the total student population. For a more comprehensive discussion on education funding please visit the [90-day Report](#), pp. 29.

The Capital Budget ([HB 201](#)) includes more than \$1.1 billion for school construction projects across the State to build new schools and improve existing facilities. The Capital Budget includes over \$485 million for the Public School Construction Program, and over \$6 million for the Aging Schools Program, which will sunset in 3 years. In addition, a bill passed with provisions to make the IAC an independent state agency, as well as language requiring local school systems to analyze and report on decisions of whether to use solar, geothermal, and wind energy systems ([HB 458](#)). For more information on the capital budget please visit the [90-Day Report](#), pp. A-53-55.

Special education was a notable topic of discussion and debate this session, with initiatives regarding special education placements, due process hearings, and reimbursements for attorney and expert witness fees when families prevail in litigation against school systems. Additionally, educator recruitment and retention was a priority with the new Governor highlighting the issue in his inaugural legislative package. Other important education legislation included collective bargaining, universal school meal funding, student mental health & wellness, school safety & discipline, as well as many curriculum mandates.

This 2023 session summary provides detailed information on these issues and other education funding highlights, as well as includes a list of bills enacted, bills voted unfavorable, and bills *vetoed. For additional information, the [90-Day Report](#) prepared by the Department of Legislative Services (DLS) is an excellent comprehensive summary.

***NOTE:** The Governor may veto bills within thirty days after presentation by the Legislature. If the Governor does not sign a bill or exercise a veto by this date, it becomes law. This summary has been updated to indicate bill status as accurately as possible based on the first bill signing on April 11th; future bill signings will be scheduled in April and May on dates to be determined.

Important Education Bills Passed in 2023

The following bills passed both chambers of the Maryland Legislature and will become law upon the Governor's signature at their individual effective dates. As explained above, they can also become law without the Governor's signature after the final bill signing in May. This list will be updated to include bills that are vetoed by the Governor.

Special Education

HB 1237: Special Education - Judicial Actions - Attorney's Fees and Related Costs

This bill authorizes a court to award reasonable attorney's fees and related costs, including expert witness fees and costs, to the parent of a child with a disability, if the parent prevails in a proceeding to resolve disputes about the identification, evaluation, or educational placements. However, an award may not be made after the date a written offer of settlement is made to the parent, under certain conditions, unless the parent was substantially justified in rejecting the settlement offer.

- PSSAM's Position: Opposed - For several years PSSAM has consistently opposed this legislation. Upon final analysis of the bill, we believe the fiscal impact will be much smaller than originally considered. Under federal law, litigants are already entitled to reasonable attorney fees. Therefore, the only new funding obligation (and only if the parents prevail) would be reimbursements for expert witnesses. However, this bill could delay resolution due to legal arguments regarding the reasonableness of such fees; it could also affect a school system's decision to settle with a family before judicial action is instigated. In other states with this legal requirement, the fiscal impact on school systems was an increase in these costs in the immediately following years, but leveled back down to reasonable costs thereafter.

HB 448: Nonpublic Education - Placements of Children With Disabilities - Teacher Salaries (Teacher Pay Parity Act) *(Cross file SB 311 - final action - In the House - First Reading House Rules and Executive Nominations* See the glossary for information regarding the Rules Committee)*

This bill requires a nonpublic school in which a child receiving special education services is placed to pay its teachers a salary that is equivalent to the local school salaries, phased in as specified over three years, beginning in fiscal 2025. If the costs to do so are not met by the existing State and local cost sharing mechanism for nonpublic placements, the local school board must include additional funding in its budget; the amounts are phased-in until they are sufficient to pay teachers comparable salaries by fiscal 2027. The additional funding is to be paid for by the State and the local school system in the same proportion as other costs paid for nonpublic placements. Funding for other components of the nonpublic school may not be

reduced to provide the required teacher salaries. The Maryland State Department of Education (MSDE) must adopt regulations related to nonpublic placements.

- PSSAM's Position: [Opposed](#) - PSSAM opposed this bill based on our long-standing policy against using public funds for private schools. Versions of this bill included local school systems funding the disparities and undertaking the salary parity analysis, which is now a task assigned to MSDE via the regulatory process. As the bill passed, there should be no meaningful fiscal impact on the school systems. A peculiar provision of the bill is that parity is between similarly credentialed teachers in the counties that "host" these schools. The funding does not "follow the student," as is done in most education funding formulas.
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Employment & Collective Bargaining

[HB 984](#): Public Employee Relations Act (crossfile [SB 367](#) - final action - In the House - Referred to Appropriations)

This bill substantially restructures the State's rules, procedures, processes, rights, and prohibitions regarding collective bargaining by public employees. More specifically, the bill (1) consolidates different collective bargaining laws that apply for different employees into one set of rules and procedures for public employees; (2) repeals the State Labor Relations Board (SLRB), the State Higher Education Labor Relations Board (SHELRB), and the Public School Labor Relations Board (PSLRB), and establishes the Public Employee Relations Board (PERB) to oversee collective bargaining for all public employees; and (3) makes several significant and/or substantial changes to the existing collective bargaining processes and requirements. Provisions of the bill deemed invalid are severable.

- PSSAM's Position: [Opposed](#) - PSSAM strongly opposed this bill on the grounds that it eliminates the Public School Labor Relations Board (PSLRB) by consolidating it into a new Public Employee Relations Board. The PSLRB has been hearing and resolving disputes between *K-12 education employees* and their unions, and unions and *school systems* since 2010. This PSLRB membership structure has provided hearing officials who have expertise in school system governance, administration, employee contract negotiations, and dispute resolution. In the consolidation process, this education expertise and experience may be lost or significantly diminished.
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[HB 988](#) / [SB 828](#): Family and Medical Leave Insurance Program - Modifications

This bill modifies the Family and Medical Leave Insurance (FAMLI) Program by altering key administrative deadlines, technical definitions, and components of the program's administration. The start dates for required contributions and benefit payments are delayed by one year to October 1, 2024, and January 1, 2026, respectively. The Maryland Department of Health (MDH) is

required to reimburse certain service providers for some or all of the employer share of FAMILI contributions on at least a quarterly basis, as specified.

- PSSAM's Position: [Supportive](#) - PSSAM supported the original bill with amendments to extend the implementation of this program, along with our partners at MABE, MACo, and MML. The bill's timeline was extended farther than we requested at the behest of the Maryland Department of Labor (MDL) who are charged with the bill's implementation.

[HB 1219: Maryland Educator Shortage Act of 2023](#) (crossfile [SB 893](#) - final action - In the Senate - Hearing 3/07 at 1:30 p.m.)

This Moore Administration bill establishes the Teacher Development and Retention Program as a pilot program to encourage college students to pursue teaching careers and makes a number of additional changes related to the recruitment and retention of teachers, including prekindergarten teachers, and school-based mental health professionals.

- PSSAM's Position: [Supportive](#) - PSSAM supported this bill in light of the widespread educator and support personnel shortage across all of Maryland's local systems. This omnibus bill addresses many challenges in the recruitment and retention of Maryland public school teachers and aims to expand the pool of qualified, diverse candidates in every local education agency.

[SB 555: Fair Wage Act of 2023](#) (crossfile [HB 549](#) - final action - In the House - Hearing 2/27 at 1:00 p.m.)

This Moore Administration bill accelerates the increase in the State minimum wage rate for all employers to \$15.00 per hour beginning January 1, 2024. The bill also repeals specified provider rate increases in fiscal 2025 and 2026, but the fiscal 2024 budget includes \$206.7 million for such purposes.

Virtual Schools

[SB 610: Primary and Secondary Education - Virtual Education](#)

This bill establishes requirements related to virtual education for public schools, including requirements for (1) virtual schools; (2) teacher preparation programs; and (3) expanding computer and Internet security infrastructure for virtual education. The bill also authorizes virtual education days for severe weather conditions under specified circumstances. No virtual schools for the elementary band may be approved for operation before December 1, 2024. A virtual school may not include classes for pre-kindergarten or kindergarten students. The bill includes various reporting requirements for the Maryland State Department of Education (MSDE).

- PSSAM's Position: [Supportive with Amendments](#) - The COVID-19 pandemic created many challenges in the delivery of public education. However, it highlighted the value and potential of virtual learning. There is no doubt that virtual learning will continue as an important component of public education, well past the end of this pandemic. However, we need to create virtual schools and programs that ensure academic success for our students, and instill confidence for families knowing that their children will continue to receive the highest quality instruction. We also need to work collaboratively with public school teachers, giving them a meaningful role in the development of virtual schools and providing support for those who will work in such an environment. Too many states have moved to a system of virtual learning that embraces and encourages private entities to run virtual schools. While there may be a role for some outside collaboration with well-tested companies as we build these models, our public school teachers will be at the center of any new mode of learning. LEAs need the continued discretion to establish requirements and expectations for virtual participation, and this bill's discussion of attendance, conduct, and requirements are helpful for setting an appropriate standard.
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School Safety

[HB 226: Criminal Law - Person in a Position of Authority - Sexual Offenses With a Minor](#)

(crossfile [SB 21](#) - final action - In the House - Third Reading Passed with Amendments (135-0))

This bill alters the definition of a "person in a position of authority" under the fourth-degree sexual offense statute. The bill also expands the application of the fourth-degree sexual offense statute to include specified individuals. Finally, the bill establishes that a violation of the fourth-degree sexual offense statute (1) may not be considered a greater inclusive crime of any other crime and (2) unless specifically charged by the State, may not be a lesser included offense of any other crime.

- PSSAM's Position: [Supportive](#) - PSSAM supported this legislation in its goal to promote student safety by closing a loophole that allowed certain persons in authority to commit sexual offenses against a minor with no criminal penalties.
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[HB 1: Civil Actions - Child Sexual Abuse - Definition, Damages, and Statute of Limitations \(The Child Victims Act of 2023\)](#) (crossfile [SB 686](#) - final action - Approved by the Governor - Chapter 5)

This bill establishes that an action for damages arising out of an alleged incident or incidents of "sexual abuse," as defined under the bill, that occurred while the victim was a minor may be filed at any time. However, no action for damages that would have been barred by a time limitation before October 1, 2023, may be brought if the alleged victim of abuse is deceased at the commencement of the action. The bill must be construed to apply retroactively to revive any action that was barred by the statutory period of limitations applicable before October 1, 2023.

Except as provided under the MTCA, LGTCA, and specified provisions pertaining to county boards of education, the total amount of noneconomic damages that may be awarded to a single claimant in an action against a single defendant for injuries arising from an incident or occurrence that would have been barred by a time limitation before October 1, 2023, may not exceed \$1.5 million. If the liability of a local government, a county board of education, the State, or the State's units arises under a claim of sexual abuse, the liability may not exceed \$890,000 to a single claimant for injuries arising from an incident or occurrence (an increase from \$400,000 in current law). The bill increases the minimum comprehensive liability coverage county boards of education must carry under statute to reflect this \$890,000 liability limit with respect to sexual abuse claims. Consistent with existing statute, a county board of education may raise the defense of sovereign immunity to any amount above the limit of its insurance policy. If a county board of education is self-insured or a member of a public entity self-insurance pool, the board may raise the defense of sovereign immunity to any amount above \$890,000 to a single claimant for claims arising from each incident or occurrence if the liability of the board arises from a claim of sexual abuse.

School Meals

[HB 514](#): Education - Maryland Meals for Achievement In-Classroom Breakfast Program - Annual Appropriation (crossfile [SB 559](#) - final action - In the Senate - Returned Passed)

This bill requires the Governor to include in the annual budget bill \$12,050,000 for the Maryland Meals for Achievement (MMFA) In-Classroom Breakfast Program.

- PSSAM's Position: [Supportive](#) - PSSAM supported this legislation and a \$5 million increase in state-funded appropriations for school meal programs.
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School Construction & Facilities

[HB 458](#): Public School Construction - Programs, Approvals, and Administration - Alterations (crossfile [SB 360](#) - final action - In the House - Hearing 4/04 at 1:30 p.m.)

This bill makes the Interagency Commission on School Construction (IAC) an independent unit of State government. It also repeals the School Safety Grant Program (SSGP) and the Aging Schools Program (ASP) beginning in fiscal 2027. Beginning in fiscal 2025, payment from the Education Trust Fund (ETF) increases, from \$25.0 million to \$27.0 million, to support a public-private partnership (P3) entered into by the Prince George's County Board to construct public schools; the bill makes clarifying and conforming changes related to that funding. Local school systems must conduct life-cycle assessments of building systems for school construction

projects, as specified. The bill raises cost thresholds for specified actions related to school construction that must be approved by the State Superintendent and makes other technical and procedural changes related to the approval and funding of school construction projects in the State.

- PSSAM's Position: [Supportive with Amendments](#) - PSSAM supported this legislation with suggested amendments to retain the Aging Schools Program and the School Safety Grant Program. Ultimately, these amendments were unsuccessful.

Early Childhood Education

***[HB 243](#) / [SB 300](#): Baltimore City Young Readers Program and Young Readers Matching Grant Program - Alterations (Young Readers Program Act of 2023)**

This bill alters the Baltimore City Young Readers Program by expanding its focus to a statewide program. The Maryland State Library Agency (MSLA), rather than the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCOPYVS) will administer the program along with the Young Readers Matching Grant Program. The bill requires the Governor to include \$500,000 (rather than \$250,000) in the annual budget bill for the Young Readers Matching Grant Program. Additionally, the bill authorizes public libraries to apply for program grants under the Young Readers Matching Grant Program and requires all grant applicants to prioritize the distribution of books to children in low-income zip codes within the applicant's area of service. By December 1, 2024, and every other year thereafter, the Maryland State Library Board must report to the General Assembly on the effectiveness of the Young Readers Matching Grant Program and collect statistics and other information necessary for this purpose.

- PSSAM's Position: [Supportive](#) - PSSAM supported this legislation in its goal to expand the Baltimore City Young Readers program, which equitably aids in early childhood literacy and development for students statewide.

*Both of these bills passed and the Governor usually vetos one of the bills as "duplicative" but showing both bills as "passed" allows for the recognition of the work of both House and Senate sponsors.

[HB 770](#): Education - Community Eligibility Provision Schools and Prekindergarten

Enrollment and Funding - Alterations (crossfile [SB 913](#) - final action - In the House - Third Reading Passed with Amendments (124-11))

This emergency bill alters the definition of "Tier I child" within the Publicly Funded Full-Day Prekindergarten aid program to include additional categories of children in fiscal 2023 and 2024, and correspondingly, provide funding for these additional children in fiscal 2023 and 2024. The

bill alters requirements for assistant principals within the Career Ladder for Educators program, and adds a school counselor to the Maryland Consortium on Coordinated Community Supports (MCCCS).

- PSSAM's Position: [Supportive](#) - PSSAM supported this bill's initiative to expand the definition of Tier I Child and believes this was the intention of the Kirwan Commission, but was omitted in the final legislation. This small, but meaningful, change is tremendously important as districts are implementing new and expanding public and private prekindergarten programs. PSSAM did not comment on the bill's other provisions related to changes for the Career Ladder or membership on the MCCCS.
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Career & Technical Education

[SB 551](#): Department of Service and Civic Innovation and Maryland Corps Program Service Year Option Pathways - Established (Serving Every Region Through Vocational Exploration Act of 2023) (crossfile [HB 546](#) - final action - In the Senate - Third Reading Passed with Amendments (39-7))

This Moore Administration bill repeals and reestablishes the Department of Service and Civic Innovation (DSCI) and statutorily transfers both the Governor's Office on Service and Volunteerism and the Maryland Corps Program to DSCI. Within the Maryland Corps Program, the bill creates two pathways, and related special funds, for service placements for eligible youth and young adults. The bill makes a number of technical and conforming changes reflecting DSCI's governance of the Maryland Corps Program and the establishment of the two distinct pathways.

- PSSAM's Position: [Supportive](#) - PSSAM supported this priority bill for the Governor for its goal to establish a service program for Maryland's graduates, which would enhance the symbiotic relationship between Maryland students and communities. Similar programs have been shown to have a positive impact on students and produce a wide range of beneficial outcomes, including improved academic performance in higher education, increased civic engagement, and improved job prospects.
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Athletics & Extracurriculars

[SB 841](#): Local School Systems - Student Field Trips - Funding (crossfile [HB 1242](#) - final action - In the House - First Reading House Rules and Executive Nominations)

This bill requires the Governor to include \$500,000 in the annual budget bill for the Maryland State Department of Education (MSDE) to provide grants to local school systems for expenses related to student field trips to museums of cultural import, including but not limited to (1) the United States Holocaust Memorial Museum; (2) the National Museum of African American

History and Culture; (3) the Jewish Museum of Maryland; and (4) the Reginald F. Lewis Museum of Maryland African American History and Culture. By October 1 of each year, MSDE must submit a report to the General Assembly for the previous fiscal year on the distribution and use of grant funding.

Health & Mental Wellness

[HB 78: Public Schools - Anaphylactic Food Allergies - Guidelines](#) (crossfile [SB 120](#) - final action - In the House - Hearing 3/29 at 1:00 p.m.)

This bill requires the Maryland State Department of Education (MSDE) and the Maryland Department of Health (MDH) to jointly update, by August 1, 2023, the Maryland State School Health Services guidelines to reduce the risk of exposure to anaphylactic causative agents (specifically, major food allergens) in classrooms and common areas. Each local board of education must make a good faith effort to adopt and implement the updated guidelines before the 2023-2024 school year but must do so before the 2024-2025 school year. Each public school must develop a system to disclose, within a reasonable time before service, the foods served in the school and the major food allergens contained in them. The principal of a public school that has a child attending with an anaphylactic allergy must implement, as necessary, the strategies developed in accordance with the Maryland State School Health Service guidelines and monitor and implement the guidelines ultimately adopted and implemented by the local board.

- PSSAM's Position: **Opposed** - PSSAM opposed this bill on the grounds of personnel and student safety issues.
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Transportation

[HB 486: Task Force to Study Nonpublic Student Bus Transportation](#) (crossfile [SB 324](#) - In the House - First Reading House Rules and Executive Nominations)

This bill establishes a Task Force to Study Nonpublic Student Bus Transportation, to be staffed by the Maryland State Department of Education (MSDE). The task force must collect specified information from each local board of education and any other relevant county department regarding nonpublic school student busing programs in the county, other than programs for the transportation of students in special education placements. In addition, the task force must evaluate the impact on State revenues and expenditures, traffic congestion, and environmental and safety goals of the adoption of programs used in other states to provide transportation to nonpublic school students or otherwise reduce the use of passenger vehicles for the

transportation of nonpublic school students. The task force must submit its findings and recommendations to specified committees of the General Assembly by December 15, 2023.

Local Bills

PSSAM's policy is not to take positions on local bills unless we are asked to provide assistance or the legislation would have statewide implications.

[HB 153](#) / [SB 31](#): Baltimore City Board of School Commissioners - Student Members and Task Force to Study Compensation and Student Members

This bill expands the voting rights of the student member of the Baltimore City Board of School Commissioners. The bill also alters the selection process for the student member by requiring that the student member be elected by the high school students of Baltimore City Public Schools (BCPS), in accordance with procedures established by the board in collaboration with the Associated Student Congress of Baltimore City. Finally, the bill establishes a task force to study board member compensation and additional student membership.

[HB 175](#): Baltimore County Board of Education - Student Member - Voting and Training

This bill authorizes the student member of the Baltimore County Board of Education to vote on matters relating to capital and operating budgets provided the student member completes specified budget training within two months of the individual's election. A workgroup composed of several members of the board and the executive leadership of the Baltimore County Public School System (BCPS) must develop a draft curriculum for budget training for student members of the board and submit the draft curriculum to the county board for review by December 31, 2023. The training must focus on the operating and capital budget process of the board and be facilitated by representatives of the Baltimore County Public School System's Division of Business Services.

[HB 210](#): Baltimore County - Board of Education - Member Elections and Appointments

This bill staggers the election and appointment of members of the Baltimore County Board of Education such that (1) the four appointed members must be appointed by the Governor in presidential election years from a list of nominees submitted by the Baltimore County School Board Nominating Commission and (2) the seven elected members of the county board must continue to be elected in gubernatorial election years. To achieve the staggering, the bill requires that the terms of the four appointed members of the county board that are scheduled to expire on December 1, 2026, must instead terminate at the end of December 1, 2024. The Governor must then appoint new members to serve a full term of four years beginning December 2, 2024, until a successor is appointed and qualifies.

[HB 348](#): Baltimore County - School Board Nominating Commission - Vacancy Procedures

This bill reduces the number of (and alters the required venue for) public hearings the Baltimore County School Board Nominating Commission must hold on single nominees to the Baltimore County Board of Education. The bill specifies that the commission must make live video streams and a complete and unedited archived video recording of each public meeting available on its website. Finally, the bill authorizes the commission to retain and reactivate the application of a candidate for a vacancy on the county board for up to two years from the date the commission previously submitted a list of nominees to the Governor.

[HB 402](#) / [SB 402](#): Kent County - Board of Education - Student Member

This bill codifies a nonvoting student member of the Kent County Board of Education into statute and specifies the selection method and responsibilities of the student member. The bill makes other conforming changes to distinguish between provisions relating to regular voting members and the nonvoting student member. The student member serves a one-year term and the initial term of the student member must begin on July 1, 2024.

[HB 492](#): Anne Arundel County - School Vehicles - Duration of Operation

This bill allows a school vehicle to be operated for 15 years, rather than 12 years, in Anne Arundel County.

[HB 656](#) / [SB 302](#): Talbot County - Board of Education - Election of Officers

This bill requires the Talbot County Board of Education to elect a president and vice president from among its members at the last meeting at the end of each calendar year or at the meeting in December each year.

[HB 1079](#): Prince George's County - Board of Education and School System Revisions PG 502-23

This bill makes various changes to State law relating to the Prince George's County Board of Education, the county superintendent, and Prince George's County Public Schools (PGCPS), including (1) adding to the board's and superintendent's responsibilities; (2) altering/establishing eligibility, removal, and term limit provisions applicable to nonstudent board members; (3) expanding the voting rights of and altering the election procedures for the student member of the board; and (4) increasing nonstudent board member compensation beginning December 7, 2026. The bill takes effect July 1, 2023, contingent on the taking effect of House Bill 432 of 2023 (if enacted); however, certain provisions (identified below), also contingent on the taking effect of House Bill 432 of 2023 (if enacted), take effect upon the effective date of Chapter 217 of 2022 (July 1, 2024).

SB 491: Charles County - Task Force to Study School Bus Operator Contracts and Wages

This bill establishes the Task Force to Study School Bus Operator Contracts and Wages in Charles County. The Maryland Department of Labor (MDL) must provide staff for the task force. A member of the task force may not receive compensation but is entitled to reimbursement for expenses under the Standard State Travel Regulations. The task force must (1) study issues related to student transportation, bus driver wages, and multi-year contracts for bus contractors in Charles County and (2) research best practices in surrounding jurisdictions related to the facilitation of student transportation. The task force must report its findings and recommendations to the Charles County Delegation to the General Assembly by September 1, 2023.

Education Bills that *Did Not* Pass in 2023

The following bills failed to pass both chambers of the Maryland legislature before the conclusion of the 2023 legislative session.

Curriculum

[HB 119](#): County Boards of Education - Curriculum Guides and Courses of Study - Requirements

This bill was heavily amended when it moved from the House Ways and Means Committee to the Senate. As introduced it was to put into statute, regulations regarding Health education to ensure that the curriculum was implemented with fidelity. However, in its final form, the bill requires that all of the curriculum guides, courses of study, resource material, and other teaching aids prepared by local school systems must be in accordance with the policy and guidelines for the program of instruction in public schools adopted by the State Board of Education (SBE). If the State Superintendent of Schools determines that a local board of education is not following every element of the policy and guidelines established by SBE or is authorizing a student to opt-out of a course of instruction in a manner that is not approved by SBE, the State Superintendent must notify the local board of education. If the local board does not resolve the discrepancy within 30 days, as specified, 10% of the funds budgeted by the State for the current fiscal year must be withheld. If the discrepancy is not resolved within 90 days, an additional 10% must be withheld. The State Comptroller must release the funds if the State Superintendent determines that the local board has resolved the discrepancy.

- PSSAM's Position: [Opposed](#) - PSSAM strongly opposed this bill - in writing, in oral testimony, and in outreach to members of the Senate committee. The bill as amended would have significantly undermined local board authority on matters related to curriculum and instruction. This bill would have significantly altered the current status quo regarding curriculum implementation and the long standing partnership between MSDE and the local school systems. PSSAM made clear that while the State Superintendent currently has some authority to withhold funds from local education agencies for major infractions, this power has never been used to mandate standardized implementation of curriculum. In addition to PSSAM, other stakeholders such as MABE and the Maryland State Board of Education submitted opposition testimony to the Legislature on House Bill 119; the bill never moved out of the Senate.

[HB 1202](#): Public Schools - Curriculum and Instructional Materials

This bill requires a public school to prominently post on its website (1) all curriculum, including specified instructional materials, that was used at the school during the immediately preceding

school year; (2) each gradewide or schoolwide presentation, assembly, lecture, or other activity or event facilitated by the school during instructional hours; (3) information on how the school documents, reviews, and approves curriculum; and (4) the rules established by the local board of education for the production and inspection of instructional materials that are not publicly available on the Internet. No funding was identified to help LEAs implement this potentially-costly legislation.

- PSSAM's Position: **Opposed** - While it's worth noting that many local systems already provide in-depth overviews of K-12 curriculum on their websites that outline curriculum and content standards of core and elective courses, PSSAM firmly believes that the local policy-making authority in providing this information should remain within the purview of each local system in line with their budgetary resources and local curriculum control.
-

Other Curriculum Mandate Bills (*all failed*):

- **HB 99: Education – Public High Schools – Financial Literacy Curriculum** (crossfile [SB 316](#) - final action - In the Senate - Hearing 3/01 at 1:00 p.m.)
- **HB 254: Consumer Protection – Social Media Regulation and Safety for Children**
- **SB 149: Education - Curriculum - Unit of Instruction on September 11, 2001, Terrorist Attacks**
- **HB 461: Education - Sexual Abuse and Assault Awareness and Prevention Program - Human and Sex Trafficking**
- **HB 880: Education - Public Middle Schools - Course on Collateral Consequences of a Criminal Conviction**
- **HB 960: Education - Public Schools - Asian American History Curriculum Requirement**
- **HB 1105: Public Schools – Water Safety and Swimming Course – Established**
- **HB 1110: Education - Peace and Conflict Studies - High School Course**
- **HB 1164: Public Schools - Expanded American History - Development of Content Standards and Implementation**
- **SB 199: Primary and Secondary Education - Comprehensive Health Education Framework - Established**
- **SB 238: Public High Schools – Financial Literacy – Curriculum, Graduation Requirement, and Professional Development**
- **SB 837: Education - Curriculum - Study of the Holocaust (Educate to Stop the Hate Act)** (crossfile [HB 1241](#) - final action - In the House - First Reading House Rules and Executive Nominations)

PSSAM has a longstanding policy of opposing efforts by the General Assembly to codify curriculum standards, assessments, or graduation requirements. PSSAM strongly believes that the role of curriculum development and implementation belongs solely to local boards of education in conjunction with MSDE. Legislation that seeks to interject or extract piecemeal segments of the curriculum only serves to weaken the effectiveness of the overall educational curriculum.

School Safety

HB 515: Public Schools - Active Shooter Safety Drills or Trainings - Requirements

This bill would have prohibited active shooter drills or trainings in schools from including specified activities that may be traumatic for students or school personnel. It also required local school systems to (1) notify parents in advance of active shooter drills or trainings in schools; (2) provide mental health follow-up to students and school personnel after an active shooter drill or training; and (3) collect data on the effectiveness and psychological impact of the drills or trainings and report the data to the Maryland Center for School Safety (MCSS) for further analysis. Finally, the bill requires MCSS to develop and distribute model content regarding the State's firearm storage laws, as specified.

- PSSAM did not officially present any testimony for or against this bill. Most often all school systems find agreement on proposed legislation, but there are some bills where our members are split in their support or opposition; HB 515 was one of these bills. Over the interim PSSAM hopes to work with the sponsor of the legislation about potential amendments to find common ground that would be acceptable to all stakeholders.

HB 576: Primary and Secondary Education - Policies on Bullying, Harassment, or Intimidation - Revisions *(crossfile [SB 629](#) - final action - In the Senate - Hearing 2/24 at 1:00 p.m.)*

This bill would have required a qualified school staff member (assigned by the school administration) to report an incident of bullying, harassment, or intimidation against a public school student if a student, parent, guardian, or close adult relative of a student does not report an incident within a reasonable period of time. By September 1, 2023, the State Board of Education (SBE) and each nonpublic school must update their policies prohibiting bullying, harassment, and intimidation to require a parent or guardian of an alleged victim to be notified within 12 hours (current regulations require notification within 3 days) of an act being reported, unless the act is determined to be motivated by the victim's actual or perceived sex, sexual orientation, or gender identity. Under these circumstances, the parent or guardian would be notified at the discretion of the victim. Finally, the protection against civil liability for employees for following the reporting policy is changed to conform with the requirements of the bill.

- PSSAM's Position: Opposed - PSSAM recognizes the importance of maintaining an inclusive environment for students' expression of sexual orientation and gender identity; however, this bill could have severe consequences resulting in physical and emotional "harm" to the victim may not receive the services he or she needs due to the lack of parental involvement. This also would have created a potential for serious liability and legal ramifications. PSSAM supports the current statute and model policies developed by MSDE that require school systems to notify the parent or guardian of a student who is a victim of bullying, harassment, or intimidation within three

business days of an alleged incident, regardless of the motivation of the perpetrator to inflict harm. This bill removes the requirement for schools to notify a parent or guardian if the incident was motivated by the victim's actual or perceived sex, sexual orientation, or gender identity. Instead, notification would only occur at the student's discretion. Maryland superintendents promote the utilization of a range of integrated tiered supports for both victims and students exhibiting bullying behaviors, as well as individualized, intensive supports when necessary. Parents and guardians across the state place the utmost trust in local school systems in providing a safe learning environment for all students, a duty that cannot be accomplished without active parental participation. Removing current language that requires parental notification opens could prevent the bullied student from receiving appropriate attention at home and school.

HB 137: Civil Actions - Civil Immunity - Educator Intervention

This bill establishes that a member of the administrative, educational, or support staff of any public, private, or parochial school acting in an official capacity is immune from civil liability for any personal injury or property damage resulting from an intervention in an altercation between students or other student disturbance if (1) the member intervened in a reasonably prudent manner and (2) the member's actions do not constitute grossly negligent, willful, wanton, or intentionally tortious conduct.

School Construction & Facilities

HB 383: Interagency Commission on School Construction – Systemic Renovation Projects – Eligibility *(crossfile [SB 109](#) - final action - In the Senate - Withdrawn by Sponsor)*

This bill would have required the Interagency Commission on School Construction (IAC), in fiscal 2024 through 2026, to consider a systemic renovation project as eligible for funding under the Built to Learn Act if the construction cost of the project is at least \$100,000.

- PSSAM's Position: [Supportive](#) - PSSAM supported this legislation to allow equitable access to Built to Learn funding for smaller school systems.
-

Maryland State Board of Education

SB 394: State Board of Education - Membership - School Principal

This bill adds one member to the State Board of Education who must be a certified principal actively leading a school. The Governor must appoint the principal member with the advice and consent of the Senate. The principal member who received the highest number of votes after an election by principals in the State conducted under regulations adopted by the Maryland State

Department of Education (MSDE) must be appointed by the Governor. The principal member may attend and participate in an executive session of the board and the principal may not vote on any matter that relates to the appointment, suspension, or dismissal of personnel. MSDE must provide notice of a principal member vacancy to all certified principals in the State. The Governor must appoint the initial principal member to serve for a term of 2 years and 6 months beginning January 1, 2024, and terminating at the end of June 30, 2026, or until a successor is appointed and qualifies.

- PSSAM's Position: [Supportive](#) - PSSAM sees the language of this legislation as a natural extension of Board membership, as well as ensuring adequate representation of school leadership on the Board, which is essential for equitable outcomes in education.

Early Childhood Education

[SB 814](#): Promise Schools - Establishment (crossfile [HB 1267](#) - final action - In the House - Hearing 3/14 at 1:00 p.m.)

This bill requires the Maryland State Department of Education (MSDE) to annually identify at least 10 schools that are eligible for per pupil concentration of poverty grants (CPGs) as promise schools. MSDE may designate a school as a promise school if it is a low-performing school or if the school has been identified for comprehensive support and improvement (CSI). The local board of education that has a promise school must perform a specified comprehensive analysis and establish a specified three-year promise school plan designed to improve outcomes for students in the school. MSDE may modify and must approve promise school plans and must create a promise budget plan. The State Superintendent of Schools must designate a Director of Promise Schools in MSDE. Promise schools receive enhanced CPG funding, and the Governor must include an appropriation in the annual budget bill for the promise budget plan as well as \$2.0 million for MSDE to support local boards. A child may attend a school anywhere in the State if the promise school in the child's county has not improved student outcomes. Every three years a community schools coordinator must review and update the school's implementation plan and wraparound services. MSDE may modify community school needs assessments and implementation plans before granting approval.

[HB 1196](#): Blueprint for Maryland's Future Implementation - Funding and Independent Evaluation - Alterations

This bill requires each county board of education to provide, in each of fiscal years 2025 and 2026, \$150,000 for the salary of the Blueprint for Maryland's Future (Blueprint) implementation coordinator jointly appointed by the county government (including Baltimore City) and the local school system. The State and county governments must pay for coordinator salaries in the same

proportion as the foundation program. For fiscal 2024, the Governor may include in the annual budget bill \$250,000 to a local school system in a county meeting certain population and student enrollment criteria. Due dates associated with a certain independent evaluation of the State's progress in implementing the Blueprint are postponed. The fiscal 2024 local share of major education aid is reduced by \$10.0 million for a local school system meeting certain criteria.

- PSSAM's Position: [Supportive](#) - PSSAM supported this legislation's initiative to provide grants to provide equitable salary allotments for all 24 school systems to hire a Blueprint Implementation Coordinator. While this legislation failed, the State budget includes \$2 million for LEAs to hire or contribute to the salary and benefits of a Blueprint Coordinator.

[HB 888](#): Education - Prekindergarten Alternative Teacher Preparation Program - Authorization and Reporting

This bill authorizes prekindergarten alternative teacher preparation programs. Further, the bill expands the entities that may establish an alternative teacher preparation program to include an institution of higher education. The bill also expands a "partner school" for a teacher preparation program to include an eligible prekindergarten provider. The Accountability and Implementation Board (AIB) and the Maryland Longitudinal Data System (MLDS) Center must monitor and report on the prekindergarten alternative teacher preparation programs as specified. Finally, the bill specifies that individuals pursuing State certification through a Maryland Approved Prekindergarten Alternative Teacher Preparation Program may teach prekindergarten at an eligible school, when high staff qualifications come into effect in the 2025-2026 school year.

Alternatives to Traditional Learning Models

[HB 510](#): Public Schools - Length of School Year and Innovative School Scheduling Models - Revisions *(crossfile [SB 321](#) - final action - In the Senate - Hearing 2/22 at 1:00 p.m.)*

This bill would have repealed the requirements that public schools be open for pupil attendance for at least 180 days and a 10-month school year. It would have also repealed the process for local boards to apply to the State Board of Education for adjustments to these requirements, under certain conditions. This bill would have allowed a local board to explore the use of innovative school scheduling models, including extended year, year-round schooling, 4-day school week, or other models that would not allow prolonged lapses in instructional time.

- PSSAM's Position: [Supportive](#) - PSSAM supported this legislation and its goal to allow the implementation of flexible scheduling models at the discretion of local systems. PSSAM sees the importance of providing additional creative options that allow for the delivery of a free and appropriate public education that best meets the needs of all Maryland students.
-

SB 338: Primary and Secondary Education - Extended School Year Innovation Grant

This bill would have established an Extended School Year Innovation Grant program administered by the Maryland State Department of Education (MSDE). Grants would be used to fund development and implementation of an extended school year scheduling model in public primary and secondary schools and prioritizing grants to schools with documented learning loss. A participating school would use grant funds to support the additional personnel and operational expenses associated with an extended school year model. The Governor would be mandated through FY 2035, to include \$25.0 million in the annual budget for this program.

- PSSAM's Position: Supportive - PSSAM supported this legislation and its goal to allow the implementation of flexible scheduling models at the discretion of local systems. PSSAM sees the importance of providing additional creative options for student learning based on research and implementation of best practices around the country for alternative teaching models.

SB 820: Primary and Secondary Education - Virtual Education (crossfile HB 1297 - final action - In the House - First Reading House Rules and Executive Nominations)

This bill would have established requirements related to virtual education, including directives for (1) virtual schools; (2) teacher preparation programs; (3) addressing and mitigating the effects of learning loss; and (4) expanding computer and Internet security infrastructure for virtual education. The bill also authorized virtual education days for severe weather conditions, as well as prohibited virtual schools/programming for prekindergarten or kindergarten students. The bill also required the Maryland State Department of Education (MSDE) to establish a universal learning management system (LMS) by September 1, 2023, that could be adopted by a local board. A virtual school established prior to the bill's effective date may continue to operate through the 2024-2025 school year, as specified.

- PSSAM Position: Support with Amendments - PSSAM supported multiple aspects of this bill, but the Legislature made it clear it was going to work on SB 610 as "the virtual school bill" for this year so PSSAM's comments and support were in line with the discussion of SB 610 above.

SB 829: Primary and Secondary Education - Virtual Education - Requirements

This bill included many provisions in SB 820 described above. This bill would have established requirements related to virtual education (1) virtual schools; (2) teacher preparation programs; (3) addressing and mitigating the effects of learning loss; and (4) expanding computer and Internet security infrastructure for virtual education. The bill also authorized virtual education days for severe weather conditions. Differing from the other virtual education bills, this would

have allowed for prekindergarten or kindergarten students at the discretion of the State Superintendent of Schools.

- PSSAM Position: [Support with Amendments](#) - PSSAM supported multiple aspects of this bill, but the Legislature made it clear it was going to work on SB 610 as "the virtual school bill" for this year so PSSAM's comments and support were in line with the discussion of SB 610 above.
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Student Wellness & Mental Health

[HB 878](#): Public Schools - Student Telehealth Appointments - Policy and Access

This bill would have required each local board of education to establish a policy to accommodate students who need to participate in telehealth appointments scheduled during the school day. Each local board must ensure that the local school system publishes the student telehealth policy in the student handbook and makes school personnel aware of student telehealth policy objectives and requirements.

- PSSAM's Position: [Opposed](#) - PSSAM opposed this bill and expressed concerns about student safety and system liability by allowing students to conduct telehealth appointments without the supervision of school personnel. However, telehealth is becoming increasingly prevalent since the pandemic, and school systems should start to consider circumstances as to when telehealth would be important and appropriate in school buildings.
-

[HB 82](#): Maryland Medical Assistance and Children's Health Insurance Programs - School-Based Behavioral Health Services - Reimbursement *(crossfile [SB 201](#) - final action - In the Senate - Hearing 2/07 at 1:00 p.m.)*

This bill would have required the Maryland Department of Health (MDH), by December 1, 2023, to apply for a Medicaid State Plan Amendment (SPA) that authorizes the State to provide for (1) reimbursement for medically necessary behavioral health services provided in a school setting to all individuals enrolled in Medicaid or the Maryland Children's Health Program (MCHP) regardless of whether services are provided under an Individualized Educational Program (IEP) or Individualized Family Service Plan (IFSP) and (2) Medicaid and MCHP administrative claiming. MDH would have led the implementation with regular training and technical assistance to LEAs and mental health professionals working in a school setting on Medicaid enrollment, billing, documentation, and other topics.

- PSSAM's Position: [Supportive with Amendments](#) - PSSAM supported the initiative described in this bill with amendments to (1) extend the same request to the Centers for Medicaid and Medicare for somatic health services, which would create a singular process for both

treatment needs; and, (2) be less prescriptive in the bill and allow the Department to work with stakeholders before making the final request to the Centers.

[HB 266](#): Public and Nonpublic Schools - Bronchodilator Availability and Use - Policies

This bill would have required the Maryland State Department of Education (MSDE) and the Maryland Department of Health (MDH) to jointly update, by August 1, 2023, the Maryland State School Health Services guidelines for the management of students with asthma. Each local board of education would make a good faith effort to adopt and implement bronchodilator policies that follow the updated guidelines for the management of students with asthma before the 2023-2024 school year. Further, each local board of education would have had to establish a policy before the 2024-2025 school year for public schools to authorize a school nurse or other school personnel designated by the school nurse to administer a bronchodilator to a student who is experiencing asthma, reactive airway disease, or asthma-related symptoms. The policy would have limited the administration of a bronchodilator to cases in which a student has been prescribed a bronchodilator by an authorized, licensed health care practitioner.

[HB 1054](#): School Health and Vision Services – Screenings and Eye Examinations *(crossfile [SB 573](#) - final action - In the Senate - Hearing canceled)*

This bill would have required a public school to refer certain students for a comprehensive eye examination and the local board of education to determine whether students who fail a vision screening should receive an eye examination and, if recommended, eyeglasses. The bill would have established a required additional screening – in third or fourth grade. A local board would have to provide specified information to the parents or guardians of a new student. Before the student can enroll, a completed eye examination must be completed. The bill would have established the Pediatric Vision Program (PVP) and the Vision for Maryland Program (VMP) with the Governor providing at least \$500,000 for the PVP beginning in fiscal 2025 and \$2.5 million for the Vision for Maryland Program (VMP) beginning in fiscal 2026.

- PSSAM's Position: **Opposed** - PSSAM's primary concern with this bill was the significantly expanded scope of mandated school-based vision screenings, as well as prescriptive procedures and vision services. This bill would have created a large, unfunded mandate on all twenty-four local systems with no meaningful state funding to ease the burden.
-

Employment & Collective Bargaining

[SB 791](#): Primary and Secondary Education - Public School Employees - Job Duties *(crossfile [HB 883](#) - final action - In the House - Hearing 3/01 at 1:00 p.m.)*

This bill would have modified Blueprint requirements related to the career ladder, first, by altering the classroom duty and teacher activity requirements for an assistant principal. Second, delaying, until after the Accountability and Implementation Board (AIB) has determined that the career ladder is well established throughout the State, the requirement that a local board of education select a teacher from the distinguished teacher and professor distinguished teacher tiers of the career ladder to write curriculum and assessment items and develop model lessons. Third, clarifies that the requirement that a mentor teacher for induction programs and teacher training practicums be selected from the teacher leadership track also applies only after AIB has determined that the career ladder is well established.

[SB 735](#): Workgroup to Study the Wages of Education Support Professionals (crossfile [HB 1234](#) - final action - In the House - Hearing 3/14 at 1:00 p.m.)

This bill would have established the Workgroup to Study the Wages of Education Support Professionals (ESPs). The charge of the Workgroup was to determine what percentage of ESPs earn a living wage, and to study increasing the wages of ESPs to attract and retain skilled workers.

- PSSAM's Position: [Supportive with Amendments](#) - PSSAM supported the creation of a workgroup to study the wages of education support professionals, and requested an amendment to add PSSAM to the list of representatives in the Workgroup.

[HB 85](#): Education - Collective Bargaining - Certificated Employees - Class Size (crossfile [SB 206](#) - final action - In the Senate - Hearing 2/09 at 1:00 p.m.)

This bill would have repealed the prohibition against a public school employer and employee organization negotiating the maximum number of students assigned to a class during collective bargaining.

- PSSAM's Position: [Opposed](#) - PSSAM opposed this legislation for a multitude of reasons, including Blueprint implementation concerns, school facility challenges, collective bargaining complications, and lengthy contract disputes.

Athletics & Extracurriculars

[HB 343](#): Education - Public School Athletics - Basketball Schedule

This bill would have established statutory requirements for public school athletic schedules for boys basketball. The bill directed that a basketball team may not play more than 2 games per week, but a team may elect to play 3 games per week twice during the season. The basketball season must consist of 22 regular season games, or 20 regular season games for a team that

elects to play in a tournament; tournament games are not counted as regular season games. Each county board of education must decide whether to authorize a team to play in a tournament or showcase game. Authorization may be given to play in an already scheduled tournament or showcase game or one scheduled by the county. Subject to this authorization, a team may play in up to 4 tournament games and a number of showcase games determined by the county board per year, including during a National Collegiate Athletic Association Evaluation Period. A tournament or showcase may be scheduled outside the normal basketball season. A team in the State may play in a tournament or showcase game against a team from outside the State if the out-of-state team has equivalent qualifications to those required of the in-state team. A student may not be disciplined in any manner for not participating in a game or practice that occurs outside of the school year.

- PSSAM's Position: **Opposed** - PSSAM opposed this bill because most of the bill's directives are already in regulations promulgated by the Maryland Public Secondary School Athletic Association (MPSSAA) last year. In fact, the MPSSAA regulations are more flexible and include all high school sports, not just boys basketball.

School Meals

HB 628: Primary and Secondary Education – Breakfast and Lunch Programs – Universal Expansion *(crossfile [SB 557](#) - final action - In the Senate - Hearing 2/22 at 1:00 p.m.)*

This bill requires the State Board of Education to ensure that by fiscal 2025 schools that participate, respectively, in the federal School Breakfast Program must offer a free breakfast to all students and in the National School Lunch Program must offer a free lunch to all students. Beginning in fiscal 2025, the State is responsible for reimbursing a local board of education or a participating nonpublic school for the cost of offering free breakfasts and lunches meeting U.S. Department of Agriculture (USDA) guidelines. The State must (1) for schools participating in the federal Community Eligibility Provision (CEP) pay the difference between the federal funds allocated to those schools and the cost of offering each student a meal, and (2) for other eligible schools, pay the difference for each student between the USDA free meal rate and paid meal rate. Some provisions exempting elementary schools from the requirement to provide a free breakfast are repealed.

- PSSAM's Position: **Supportive** - PSSAM strongly supported this legislation and the State's generous participation in a universal meal expansion program.
-

Legislative Lingo

Attorney General's Bill Letters: The letters that examine the legal sufficiency of the bills passed by the General Assembly. The Attorney General's Office prepares the letters and submits them to the Governor before the approval or veto of bills.

Chapter Number: The number the Secretary of State assigns to a bill after the Governor signs the bill. Chapter numbers are issued in the numerical order in which the bills are signed.

Committee Report: The report a committee submits to the chambers listing actions taken on bills (i.e., favorable, favorable with amendments, unfavorable, re-referred, or referred for interim study).

Concur: One chamber approves an action taken by the other chamber.

Conference Committee: Three members from each chamber, five in the case of the budget conference committee (appointed by the presiding officers) who work to resolve the differences in a bill passed by both chambers. A bill does not pass the General Assembly unless each chamber passes the bill in identical form.

Conference Committee Report: The report the Conference Committee submits to the chambers for final passage of a bill. The report may consist of adopting, rejecting, or adding amendments. Each chamber must adopt the report and then vote for final passage of the bill.

Crossover Date: Each chamber sends to the other chamber those bills it passes favorably by this date. These bills are guaranteed a hearing in the opposite chamber, but a committee vote is not guaranteed.

Enacted: A bill is enacted when the bill becomes a law, i.e., is signed by the Governor and takes effect.

Enrolled (Passed Enrolled): A bill is an enrolled bill if it was amended in the opposite chamber but the original chamber agrees with the changes.

First Reader: A bill as printed for the first time with its assigned bill number.

First Reading: A bill is introduced in a chamber, "read across the desk" for the first time, and assigned to a standing committee.

Fiscal and Policy Note: An analysis prepared by the Department of Legislative Services of a bill's impact on State and local revenues and expenditures. It also identifies any mandated appropriations in the State budget and any mandates on local governments; describes the impact on small businesses; describes current law; and, if relevant, outlines the background relating to the proposal. Beginning with the 2017 session, a fiscal and policy note is "revised" when an adopted amendment necessitates a change; a fiscal and policy note is also "revised" if it is changed for any other reason.

Green Bag: Proposed gubernatorial appointments, requiring legislative approval, are submitted to the General Assembly by the 40th day of the session (Art. II, Sec. 13, MD Constitution). The appointments are delivered to the floor of the chambers in a green bag. Appointments that are not presented to the Senate (the approving Chamber) become "interim" appointments for one year only until the next legislative session.

Joint Resolution: A resolution both chambers pass making a statement on a public issue, a request of the Governor or a government office, or establishes a task force. With certain exceptions, Joint Resolutions do not have the effect of law.

Laid Over: Floor action on an amended bill is postponed for one legislative day.

Legislative Day: Length of time from convening a session in the chamber until adjournment; may be longer or shorter than a calendar day i.e., a session that continues into a second calendar day without adjourning is one legislative day. If a chamber adjourns and reconvenes on the same day, that constitutes two legislative days.

(MP Note: legislative days are “banked” so that at the end of session bills can move more quickly by having two legislative actions in the same “calendar” day, but different legislative days (i.e., moving from Second reader to third reader in the same calendar day, but a new Legislative Day was used).

Returned Passed: A bill passed in its chamber of origin is returned by the opposite chamber without amendments.

Second Reading: When a bill is reported out of committee and brought to the chamber floor for preliminary approval, or second reading. Committee and floor amendments may be added to the bill at this time. (The bill is not reprinted for second reading – meaning you will not “see” the amendments incorporated into the bill until it’s printed for third reading and moved to the opposite chamber).

Third Reader: A bill that is printed after second reading in the chamber of origin, including adopted amendments.

Third Reading: A bill is voted on for the final time in each chamber.

Cross-filed Bill: An identical bill that is introduced in both chambers.

Emergency Bill: A bill that takes effect immediately upon the Governor’s approval. A bill marked as “emergency bill” must pass third reading with a 3/5 vote in each chamber.

Sources:

Library and Information Services Office of Policy Analysis

Department of Legislative Services, General Assembly of Maryland

This document was written by Mary Pat Fannon and Alexa Thomas (writer and designer). Narrative was liberally used from the General Assembly's fiscal notes and [90-day Report](#).

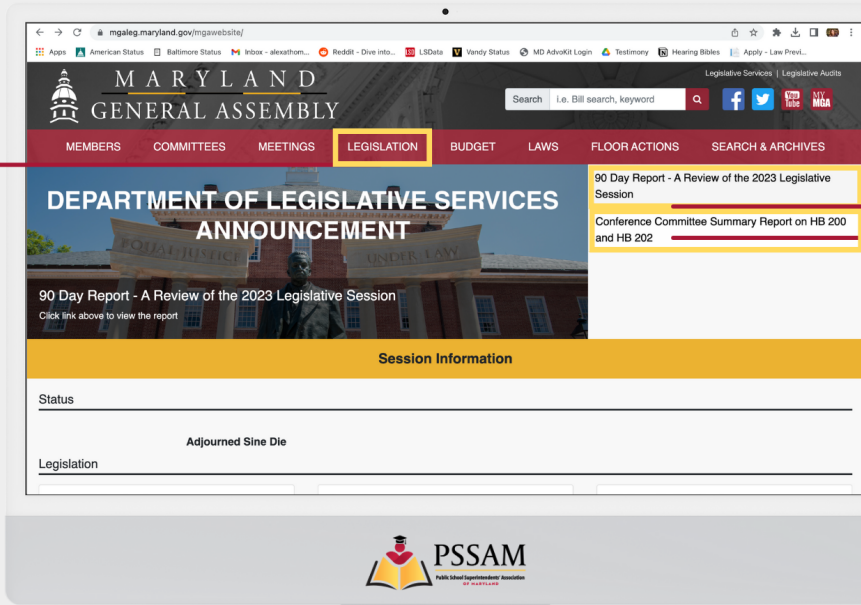
Updated as of April 24th, 2023

Where to Find More Information

Maryland General Assembly Guide: Homepage

Legislation

This link provides a search query for legislation introduced in 2023



DLS 90 Day Report

This report provides a comprehensive overview of important legislation at budgetary matters

Budget Conference Committee Report

This report provides in depth information about the State's FY 24 operating and capital budgets

NEXT

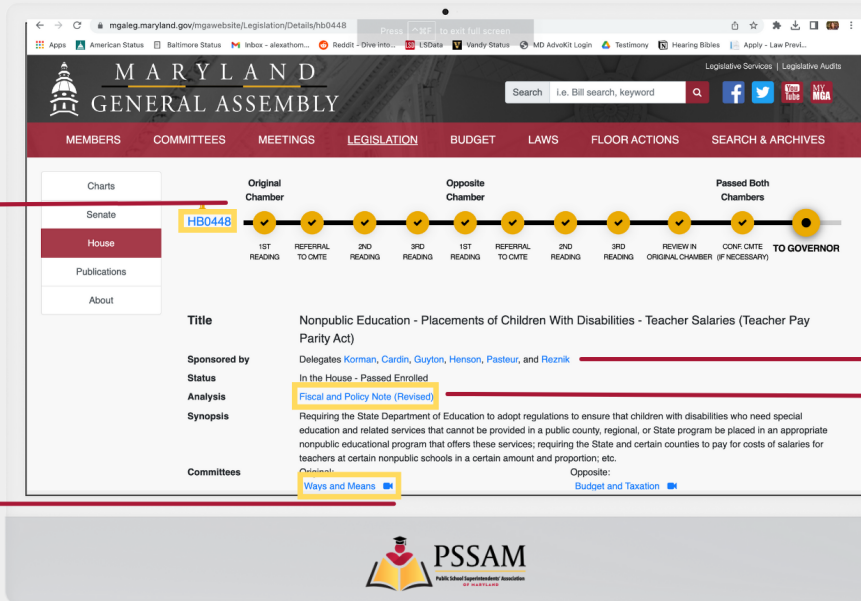
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Bill Text

Click the blue bill number to view the full bill text

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Fiscal Policy Note

Provides a fiscal impact analysis of each piece of legislation.

NEXT



Nonpublic Education - Placements of Children With Disabilities - Teacher Salaries (Teacher Pay Parity Act)

Delegates [Korman](#), [Cardin](#), [Guyton](#), [Henson](#), [Pasteur](#), and [Reznik](#)
In the House - Passed Enrolled

[Fiscal and Policy Note \(Revised\)](#)

Requiring the State Department of Education to adopt regulations to ensure that children with disabilities who need special



Follow The Bill

First Reading: Bill is introduced in its chamber of origin.

Referral to Committee: Bill is scheduled and receives a hearing in a committee.

Second Reading: The entire chamber considers the committee's report on a bill and amendments are adopted.

Third Reading: A recorded vote is taken to pass or reject the bill.

First Reading: Bill is introduced in the opposite chamber.

Referral to Committee: Bill is scheduled and receives a hearing in a committee.

Second Reading: The entire chamber considers the committee's report on a bill and amendments are adopted.

Third Reading: A recorded vote is taken to pass or reject the bill.

Conference Committee: Appointed to sort out any differences between the chambers' versions.

Bill is sent to the Governor's desk

CHAPTER _____

1 AN ACT concerning

2 Nonpublic Education – ~~Special Education~~ Placements – ~~Renaming and of~~

3 ~~Children With Disabilities~~ – Teacher Salaries

4 (Teacher Pay Parity Act)

5 FOR the purpose of ~~renaming the nonpublic educational program to be the special~~

6 ~~education placement program~~; requiring the State and certain counties to pay for

7 costs of salaries ~~and bonuses~~ for teachers at ~~special education placements~~ certain

8 nonpublic schools in a certain amount and proportion; and generally relating to

9 ~~special education~~ nonpublic school placements for children with disabilities and

10 salaries for teachers at ~~special education placements~~ nonpublic schools.

11 ~~By repealing and reenacting, with amendments,~~

12 Article – Education

13 Section 8-106, 8-110(d) and (e), and 8-115(d)

14 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
Underline indicates amendments to bill.



How to Read Legislation

[Brackets] indicate matter deleted from existing law.

Underline indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments

NEXT

Fiscal Notes

The Department of Legislative Services (DLS) is required by law to provide a written estimate of the fiscal impact on State and local government finances for all proposed legislation. A small business impact assessment is also required.

These documents include a plain English summary of the bill and current law, plus relevant background information. Nonpartisan analysts use their professional judgment and data from databases, affected State and local government agencies, and other interested parties in estimating the fiscal impact of the proposed legislation.

NEXT

mgaleg.maryland.gov/2023RS/notes/bil_0008/hb0448.pdf

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2023 Regular Session - Fiscal and Policy Note for House Bill 448

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HB 448

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised
(Delegate Korman, et al.)

House Bill 448
Ways and Means and Appropriations Budget and Taxation

Nonpublic Education - Placements of Children With Disabilities - Teacher Salaries (Teacher Pay Parity Act)

This bill requires a nonpublic school in which a child receiving special education services is placed to pay its teachers a salary that is equivalent to the local school salaries, phased in as specified over three years, beginning in fiscal 2025. If the costs to do so are not met by the existing State and local cost sharing mechanism for nonpublic placements, the local school board must include additional funding in its budget; the amounts are phased-in until they are sufficient to pay teachers comparable salaries by fiscal 2027. The additional funding is to be paid for by the State and the local school system in the same proportion as other costs paid for nonpublic placements. Funding for other components of the nonpublic school may not be reduced to provide the required teacher salaries. The Maryland State Department of Education (MSDE) must adopt regulations related to nonpublic placements. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: General fund expenditures increase by \$3.5 million in FY 2025 and increase

