



MEMORANDUM: April 24, 2017

MEMORANDUM VIA ELECTRONIC MAIL

To: Members, Board of Education for Prince George's County

Dr. Kevin M. Maxwell, Chief Executive Officer

From: Demetria Tobias, Esquire, Associate Counsel – Legislative Programs

Re: 2017 Legislative Session – Summary

The General Assembly's 90 day session adjourned *sine die* on Monday, April 10, 2017. Of the more than 2,860 bills introduced, approximately 935 bills passed both chambers, many of which related directly to k-12 education or could potentially impact the operation of public schools. During the session, we worked closely with MABE, PSSAM, the Green Street Coalition and other education advocates to articulate the Board's and CEO's position on numerous education and governmental issues pending before the Legislature.

The following summary contains key session highlights and a list of bills that passed which may impact k-12 education and have been or are expected to be signed into law by the Governor. A majority of these bills were provided to you in early memoranda, but some additional bills have been included which may be of interest to you.

In the coming months, I look forward to working closely with you to update Board policies and administrative procedures in response to new legislation, as well as to review and revise your **2018 Legislative Platform**.

2017 Session Highlights:

State Budget

The Governor submitted two supplemental budgets on March 24 and March 27, 2017. Combined with actions from the legislature's budget conference committee, the final fiscal 2018 State budget is \$43.5 billion. Highlights are provided below on the public education changes in the supplemental budget, the conference committee decisions on the operating budget and BRFA, and highlights from the capital budget.

Approved Fiscal 2018 Operating Budget – Highlights:

- Following the Conference Committee decisions, State support for public schools will be almost \$6.4 billion. Direct aid to local school systems will increase an estimated \$96.4 million, or 1.7%. The Legislature's actions leave a fund balance of \$100.2 million and reduce the structural deficit from nearly \$400 million to \$38 million.
- The spending plan fully funds Thornton formulas and provides \$28.2 million of new funding for grants to school systems experiencing declining enrollment and/or providing full-day pre-kindergarten to all four-year olds.
- PGCPS will receive approximately \$1.2 billion in State aid, a 1.3% increase from FY 17. In addition, PGCPS will be eligible for grant funding for school systems that use a large number of relocatable classrooms due to enrollment growth; an additional \$4.24 million in disparity grant funding; and grant funds to participate in the Teacher Induction, Retention and Advancement Pilot Program. The legislature restored \$2.1 million for the pilot program, which requires a local board contribution for participating school systems. PGCPS plans to participate in the program, but it's unclear at this time how much funding will be required.

Approved Fiscal 2018 Capital Budget – Highlights:

- Total budget is \$1.1 billion, including \$285 million for public school construction.
- Legislators added a provision that eliminates the role of the Board of Public Works in reviewing plans approved by the Interagency Committee on School Construction (IAC), also known as the annual “beg-a-thon”.
- Supplemental Capital Grant Program – provides \$60 million in funding for local school systems with enrollment growth that over the last five years exceeds 150% of the statewide

average or with 300 or more relocatable classrooms. The grants to be awarded by the IAC require a local match.

Local Bills

Of the primary and secondary education related local bills that were introduced, the following bills passed both chambers. All others were either withdrawn or did not pass this legislative session:

Passed local bills:

- **HB 1568/PG 415-17 - Workgroup on Transportation For Middle and High School Students (Del. Angel)**

The bill would establish a workgroup to identify intersections between PGCPS buildings and county and WMATA bus routes; evaluate software systems currently in place by each agency to operate and monitor bus systems; estimate costs savings if PGCPS students were transported by county or WMATA buses; etc. The final report is due by August 31, 2017.

- **HB 1636/PG 430-17 - Prince George's County - School Facilities and Public Safety Surcharges - Maryland Transit Administration Station**

Establishing reductions from the school facilities surcharge and the public safety surcharge in Prince George's County for specified residential construction that abuts an existing or planned mass transit rail station site operated by the Maryland Transit Administration; establishing a 50% reduction and an exemption from the school facilities surcharge for specified dwelling units that are located within one-quarter mile of a Metro station or a Purple Line station under specified circumstances; etc.

These remaining local bills were either **withdrawn or failed to advance** in both chambers:

Bill – Title (Lead Sponsor); Summary
PG 402-17 -- Board of Education - Election of Vice Chair, Voting Procedures, and Final Report (Del. Howard) As amended, the bill changed the election of the Vice-Chair, supermajority vote to overturn CEO recommendations, and the final due date for the report on the new governance structure.
PG 403-17 - Prince George's County – Education – Bicycle Safety Classes (Del. D Barnes) The bill would require the Board to add bicycle safety classes to the curriculum.
PG 410-17 - School Facility Surcharge Exemption-Veteran Housing (Del. A. Washington)

As amended, the bill would exempt school facilities surcharge fees for seven properties in the Riverdale Park community, which are being built to provide transitional housing for seven combat wounded veterans and their families. If the property reverts to non-veteran occupants, new owners will resume paying the surcharge

PG 414-17 - Equality in Education Act (Del. Angel)

The bill would require a charter school in our county to indicate on their application whether they plan to provide transportation or be located near public transportation; allow the Board to condition an approval on the location of the school's facility; prohibit a charter school from requiring uniforms, equipment or supplies that can only be supplied from one vendor; add a reporting requirement on students with disabilities; and require the CEO to approve a charter school's plan to make equipment and supplies available and affordable to students.

PG 416-17 - Prince George's County School System Academic Revitalization and Management Effectiveness Task Force (Del. Valentino-Smith)

The bill would establish a task force to evaluate and make recommendations regarding the Board's compensation, selection, etc.; criteria for improving system accountability, oversight, outcomes; protocols for Board audits; best practices for Board operations, school safety measures, etc. The final report would be due by October 1, 2018.

PG 420-17 - Individualized Counseling Services for Students - School Based Personnel Requirements (Del. Angel)

The bill would enable school based personnel to make recommendations and assist a student in receiving a behavioral health assessment; allow staff to help arrange individualized counseling services with a health care provider through the school; and require the school to provide space for counseling during the school day; etc.

Passed Statewide Education-related Bills

Personnel

House Bill 1 - (Enrolled) - Labor and Employment - Maryland Healthy Working Families Act - Requires employers that employ 15 or more employees to provide employees with earned sick and safe leave that is paid at the same wage rate as the employee normally earns; requiring employers with 14 or fewer employees to provide an employee with unpaid earned sick and safe leave; providing for the manner in which earned sick and safe leave is accrued; authorizing an employee to work additional hours or trade shifts with another employee under specified circumstances; applying the Act prospectively; etc.

PGCPS Impact: *Significant financial impact. Beginning January 1, 2018, PGCPS would have to provide paid sick leave for temporary and sub employees at the rate of at least 1 hour of paid leave for every 30 hours worked. There are multiple limitations or exemptions in the bill for when employees are eligible to use the leave, how much leave can accrue and carry over year to year, as well as categories of employees who are exempt (e.g., construction workers, restaurant workers, on-call employees in the health or human services industry, employees at temp staff agencies, etc.).*

Based on earlier estimates for a similar county bill in 2015, the estimated fiscal impact is at least \$650,000. However, that amount may be less in FY18 since the bill is only effective half of the fiscal year.

Public school systems raised concerns about the fiscal impact due to the large number of temporary employees (e.g., teachers, bus drivers, food services personnel, etc.). Attempts will be made to amend the bill at the start of the 2018 legislative session to exempt daily or short-term substitutes, which could minimize the impact on school systems.

House Bill 920 - (Enrolled) – Primary and Secondary Education – Certificated School Personnel - Training Requirement - Requires the State Board of Education to require, beginning on or before July 1, 2018, certificated school personnel who have direct contact with students on a regular basis to complete training, by a method determined by each county board of education, in specified knowledge and skills required to understand and respond to youth suicide risk, and identify professional resources to help students in crisis.

PGCPS Impact: *Human Resources will need to develop an annual training for certificated school personnel by December 1, 2018 on youth suicide risk and professional resources to help students in crisis.*

House Bill 1109/ Senate Bill 1001 - (HB 1109 Signed by Governor, Ch. 5; SB 1001 passed) –

Teachers' Retirement and Pension Systems - County Boards of Education Payments -

Provides that, for fiscal year 2017, county boards of education shall be relieved of a specified portion of a contribution for specified local employees of the Teachers' Retirement and Pension Systems; providing for a specified allocation of payment relief; requiring the Governor to provide a specified amount in fiscal year 2018 to be paid into specified accumulation funds of the State Retirement and Pension System if a specified condition is not met; etc.

PGCPS Impact: *PGCPS would receive payment relief of \$2.9 million for retirement related costs.*

House Bill 1145 - (Passed) –Public School Employee Whistleblower Protection Act -

Prohibits a public school employer from taking or refusing to take specified personnel actions as a reprisal against public school employees who disclose specified behavior or refuse to participate in specified behavior; providing that specified protections under the Act apply only if specified employees have a good faith belief that the employer is engaged or has engaged in unlawful activity and that the unlawful activity poses a substantial and specific danger to public health or safety; etc.

PGCPS Impact: *The bill requires an employee to exhaust all administrative remedies prior to filing a whistleblower claim. We will work with staff to determine whether the administrative remedies are sufficiently outlined or need to be added to current policy or procedure.*

Transportation

House Bill 23/Senate Bill 341 - (Enrolled) - Vehicle Laws - School Vehicles – Definition -

Alters the definition of "school vehicle" to include specified vehicles that meet or comply with specified standards and requirements, were originally titled and used to transport children, students, and teachers in another state, comply with the regulations on transporting children enrolled in the federally funded Head Start Program, and are used only for transporting children to and from a Head Start program.

PGCPS Impact: *No direct impact at this time.*

House Bill 1301/Senate Bill 78 - (Passed) – Vehicle Laws - School Crossing Guards -

Authority to Direct Traffic - Expands the authority of school crossing guards to direct traffic by authorizing a school crossing guard who meets specified qualifications to direct vehicles and pedestrians on a highway or on school grounds in order to assist nonschool vehicles in entering and leaving school grounds.

PGCPS Impact: *Expands the authority of school crossing guards to direct traffic entering and leaving school property.*

House Bill 1568 - (Enrolled) – Workgroup on Transportation for Middle and High School

Students in Prince George's County PG 415-17 - Establishes the Workgroup on Transportation for Middle and High School Students in Prince George's County to identify a range of options for transporting Prince George's County Public Schools middle and high school students and estimating the cost of specified options; requiring the Workgroup to study and make recommendations to the Prince George's County House and Senate Delegations by August 31, 2017; etc.

PGCPS Impact: *Requires Transportation Department staff to meet with representatives from WMATA and the County Department of Transportation and report by August 31, 2017 on options for cost savings on bus routes for middle and high schools students.*

Senate Bill 154 - (Enrolled) – Vehicle Laws - School Bus Monitoring Cameras - Civil

Penalty - Altering the civil penalty to require up to \$500 for a violation recorded by a school bus monitoring camera for failure to stop for a school vehicle operating alternately flashing red lights.

PGCPS Impact: *No direct impact at this time.*

Special Education

House Bill 174 /Senate Bill 710 - (Enrolled) - Education - Children With Disabilities -

Individualized Education Program Process - Parental Consent - Requires an individualized education program team to obtain written consent from a parent of a child with a disability if the team proposes specified actions; requiring an individualized education program team, in specified circumstances, to send a parent written notice no later than 5 business days after the individualized education program team meeting that informs the parents of specified rights to consent or refuse to consent; authorizing the use of specified dispute resolution options; etc.

PGCPS Impact: *Significantly, the bill requires a parent's written consent prior to the IEP team decision to enroll the child in an alternative education program that does not lead to a high school diploma; identify the child for an alternative assessment; or include restraint or seclusion in the IEP to address the child's behavior as permitted by COMAR. The bill will change the process and time by which certain IEP team decisions are made, and could result in increased litigation costs if the parent refuses to consent to a change that the school system believes is in the best interest of the child.*

House Bill 1061 - (Passed) – Education - Emergency and Evacuation Plans - Individuals

With Disabilities - Requires the State Department of Education, on or before December 1, 2017, in consultation with disability advocacy groups, to update specified guidelines to accommodate, safeguard, and evacuate students, staff, and visitors with disabilities on public school grounds; requiring each local school system, on or before July, 2018, to update the local school system's emergency plan based on a specified update of the Department's guidelines and regulations; etc.

PGCPS Impact: Once MSDE updates the State guidelines, we will be required to update our emergency plans to comply with the new guidelines and regulations.

House Bill 1240 / - (*Enrolled*) – **Individualized Education Programs – Studies** - Requiring the State Department of Education, in consultation with each local school system, to review and assess specified staff allocations related to the participation of children with disabilities in the individualized education program process, the geographic population density of specified children and special education teachers, and recommend resource allocation to effectively assist the parents and guardians of children with disabilities; requiring the Department to report to the General Assembly by July 1, 2019; etc.

PGCPS Impact: MSDE's study will require a large amount of data from school system staff, but the bill does not require any substantive procedural changes at this time.

Senate Bill 1 - (*Passed*) – **Education - Specialized Intervention Services – Reports** - Requires county boards of education, beginning in the 2018-2019 school year, to report specified information relating to the provision of specialized intervention services to the State Department of Education and the General Assembly on or before December 1 each year; requiring county boards and the Department to publish annually this same information on their Web sites; etc.

PGCPS Impact: The new reporting requirement will require a substantial amount of data from school system staff, but the bill does not require any substantive procedural changes at this time.

Senate Bill 786 - (*Passed*) – **Education - Restraint and Seclusion - Consideration and Reporting** - Requires the State Superintendent of Schools to convene a task force to consider the circumstances under which, and the schools or types of schools in which, restraint and seclusion shall be prohibited and to consider contraindications for restraint and seclusion and who may authorize restraint and seclusion; providing for the composition of the task force; requiring the task force to review existing regulations concerning seclusion and to make specified recommendations to the State Board and the General Assembly by October 1, 2017; etc.

PGCPS Impact: No direct impact at this time.

Accountability

House Bill 978 - (*Gubernatorial Veto Override (Legislative date: 4/5/2017) - Chapter 29*) – **Education - Accountability - Consolidated State Plan and Support and Improvement Plans (Protect Our Schools Act of 2017)** - Requires an educational accountability program to include at least three school quality indicators; prohibiting the school quality indicators from being based on student testing; requiring academic and school quality indicators to be given equal weight; requiring a county board of education to develop and implement a Comprehensive Support and Improvement Plan for specified schools under specified circumstances; etc.

PGCPS Impact: *The bill outlines requirements for the State's consolidated state plan to improve student outcomes, which will be submitted by MSDE to the U.S. Department of Education under the federal Every Student Succeeds Act (ESSA). The Governor vetoed the bill, but the Legislature had sufficient votes for an override.*

As amended, the bill sets parameters for school quality indicators, comprehensive support and improvement plans, and targeted support and improvement plans. The bill caps the academic indicator at 65% of composite score.

The bill further prohibits specified interventions by the State for persistently low performing schools, including: creating a State-run school district; use of direct vouchers, tax credits or education savings accounts for private schools; or contracting with a for-profit corporation.

Instruction; Assessments

House Bill 197/ Senate Bill 485 - (Passed) - Education - Remote Classroom Technology

Grant Program - Establishment (Peyton's Bill) - Establishes the Remote Classroom Technology Grant Program to provide grants to public schools to purchase technology to allow students with medical conditions to participate in classrooms remotely if in-person attendance is not possible; requiring the State Department of Education to implement and administer the Program; authorizing the Governor to include in the State budget an appropriation of at least \$500,000 to the Program; and authorizing the Department to adopt specified regulations.

PGCPS Impact: *No direct impact at this time, but if funded by the Governor in future budgets, the grant program could help us purchase the technology needed to expand home and hospital services for students with medical conditions that prevent them from attending class in person.*

House Bill 461/Senate Bill 452 - (Enrolled) – Education - Accountability Program -

Assessments (More Learning, Less Testing Act of 2017) - Requiring the State Board of Education to develop, in collaboration with specified entities and individuals, a specified middle school level social studies assessment for implementation in the 2019-2020 school year; requiring the State Board, in collaboration with specified entities and individuals, to redesign the high school level social studies assessment for implementation in the 2018-2019 school year; requiring specified county boards to establish on or before specified dates a District Committee on Assessments; etc.

PGCPS Impact: *Significantly, the bill requires the school system and the exclusive employee representative to meet in odd numbered years beginning December 2017 and mutually agree to the amount of time in the aggregate that shall be devoted to federal, state or locally mandated assessments, on a grade-by-grade basis for the following year.*

If the school system and union fail to mutually agree, the amount of time devoted to assessments shall be capped at 2.2% (23.8 hours), or 2.3% (24.8 hours) for 8th grade, of the minimum required annual instructional hours by law. Based on feedback from staff, the majority of our assessments fall under this cap.

In the even numbered years beginning January 1, 2018, the county board will be required to establish a District Committee on Assessments to make recommendations on several aspects of the assessments program. PGCPS already has a committee established, but we will need to re-evaluate the representatives on the committee and their charge to comply with the new law.

House Bill 516 /Senate Bill 581 - (HB 516 signed by Governor, Ch. 25; SB 581 passed) – Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4-Year-Olds- Establishes the Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4-Year-Olds; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving specified compensation, but authorizing the reimbursement of specified expenses; requiring the Workgroup to study and make recommendations regarding specified matters and to report its findings to the Commission on Innovation and Excellence in Education by September 1, 2017; etc.

PGCPS Impact: *No direct impact at this time, but the recommendations from this workgroup could ultimately impact the Kirwan Commission's recommendations on resources needed for universal, full-day prekindergarten.*

House Bill 548 /Senate Bill 667 - (Passed) – Education - Prekindergarten Student

Assessment -Authorizes a county board of education to administer the early learning assessment to enrolled prekindergarten students in the county; authorizing the assessment to be administered to a specified student for the purpose of identifying a disability; and requiring a county board to consult with prekindergarten teachers, including teachers nominated by the exclusive bargaining representative, in determining how to implement the assessment.

PGCPS Impact: *The bill requires the county board to consult with prekindergarten teachers, including those nominated by the exclusive bargaining representative, in determining how to implement the prekindergarten student assessment.*

House Bill 654/ Senate Bill 145 - (Passed) – Education - Statewide Kindergarten Assessment – Completion - Alters the date by which a statewide kindergarten assessment that has the purpose of measuring school readiness must be completed from October 1 to October 10.

PGCPS Impact: *The bill provides more time for school systems to complete kindergarten assessments in light of the Governor's executive order mandating a post-labor day start to the school year.*

P-Tech Schools

Senate Bill 319- (Enrolled) – Pathways in Technology Early College High (P-TECH) School Act of 2017- Establishes the Pathways in Technology Early College High (P-TECH) School Program; requiring the State Department of Education, in consultation with the Maryland Higher Education Commission, to administer and develop the Program; requiring P-TECH students to

be included in the full-time equivalent enrollment calculation for primary and secondary education; prohibiting a P-TECH student from being considered a dually enrolled student under specified circumstances; etc.

PGCPS Impact: *The bill establishes, among other things, a P-TECH supplemental school grant. The State share of a P-TECH supplemental school grant is not less than \$750 per P-TECH student per school year and must be used for P-TECH school costs. A local board of education that receives a P-TECH supplemental school grant must match 100% of the State share. PGCPS is scheduled to have 2 P-TECH schools operating in FY18 with 25 students in each cohort (50 students total).*

School Discipline; Security

House Bill 425/Senate Bill 651 (Enrolled) – Public Schools - Suspensions and Expulsions - Prohibits the suspension or expulsion of prekindergarten, kindergarten, first grade, or second grade students from public schools except if required by federal law; prohibiting the suspension of specified students for a specified time period except under specified circumstances; requiring the principal or school administration to contact a student's parent or guardian; etc.

PGCPS Impact: *Significantly, the bill prohibits the suspension or expulsion of students in prekindergarten to second grade unless: (1) the expulsion is required by federal law (i.e., weapons offenses); or (2) the suspension is 5 days or less and made in consultation with a school psychologist or mental health professional based on an imminent threat of serious harm to other students or staff. The bill requires additional intervention, supports and restorative practices to help remedy the impact of a student's misbehavior.*

House Bill 1287- (Enrolled) – Commission on the School-to-Prison Pipeline and Restorative Practices - Establishes the Commission on the School-to-Prison Pipeline and Restorative Practices; providing that the purpose of the Commission is to study current disciplinary practices in Maryland public schools and examine national best practices for training teachers and principals in restorative practices and eliminating the school-to-prison pipeline; requiring the Commission to report its final findings and recommendations to the Governor and the General Assembly on or before January 1, 2019; etc.

PGCPS Impact: *No direct impact at this time, but the final recommendations from the Commission may result in statutory or regulatory changes that will impact school disciplinary procedures.*

House Bill 1661/Senate Bill 1191 - (Passed) – Schools and Child Care Centers - State Grant Program - Security Upgrades for Facilities at Risk of Hate Crimes or Attacks - Authorizes the Maryland Center for School Safety to make grants for specified security-related projects to schools and child care centers determined to be at risk of specified crimes or attacks; authorizing specified schools or child care centers to apply to the Center for a specified State grant; establishing the terms and conditions for the use of specified State grant funds by specified recipients; etc.

PGCPS Impact: No direct impact at this time.

School Health; Food and Nutrition

House Bill 221 /Senate Bill 233 - (Passed) – Maryland Council on Advancement of School-Based Health Centers - Transferring the Maryland Council on Advancement of School-Based Health Centers from the State Department of Education to the Department of Health and Mental Hygiene; requiring the Maryland Community Health Resources Commission to provide staff support for the Council; authorizing the Commission to seek the assistance of organizations with expertise in school-based health care or specified other matters to provide additional staffing resources to the Commission and the Council; etc.

PGCPS Impact: No direct impact at this time.

House Bill 257 /Senate Bill 359 - (Passed) – Education - Maryland Meals for Achievement In-Classroom Breakfast Program - Administration (Maryland Meals for Achievement for Teens Act of 2017) - Authorizes participating secondary schools to serve breakfast in any part of the school, including from "Grab and Go" carts; and clarifying when breakfast in the classroom should be served.

PGCPS Impact: *Currently, students at 111 schools in PGCPS benefit from the state sponsored Maryland Meals for Achievement, and district sponsored Breakfast in the Classroom Programs offering free breakfast to all students. This bill would allow us to offer more secondary students breakfast after they arrive at school.*

House Bill 287/Senate Bill 361- (Passed) – Hunger-Free Schools Act of 2017- Alters a specified definition for fiscal years 2017 through 2022 to determine the number of students used to calculate a specified grant for schools that participate in a specified federal program.

PGCPS Impact: *We currently have nine schools participating in community eligibility provision, which allows eligible participating schools to serve free meals to all of its students. Eligible schools are those where 40 percent or more of its students have been identified as being vulnerable to hunger. A benefit of the CEP is that it reduces reporting burdens on participating schools, which are prohibited from collecting application forms for the federal free and reduced-price lunch program during the four-year CEP eligibility period. This can result, however, in an undercount of low-income students, which directly impacts the level of compensatory education funding the school system will receive. House Bill 287 would help to minimize some of the effect of undercount for local school systems by making the CEP count in addition to, not in lieu of, counts of students on free and reduced price meals.*

Student Services

House Bill 616 /Senate Bill 232 - (Passed) – Education - Pregnant and Parenting Students -

Attendance Policy - Specifies that a student's absence from school due to the student's pregnancy or parenting needs is a lawful absence; requiring each county board of education to develop a written attendance policy for pregnant and parenting students that meets specified requirements; etc.

PGCPS Impact: *Significantly, the bill outlines several requirements to be included in a county board's policy on pregnant and parenting students, including excused absences due to medical appointments and at least 10 days for post-labor recovery; absences due to legal appointments relating to family law proceedings, including adoption, custody and visitation; and options for a student to make up work missed on the days of excused absences.*

PGCPS will need to revise and post an attendance policy for pregnant and parenting students on the website.

House Bill 669 - (Passed) – Public Schools - Boards of Education - Anonymous Two-Way

Electronic Tip Programs – Authorizing a county board of education to establish an anonymous two-way electronic tip program; providing that the purpose of the program is for a student, a parent, guardian, or close adult relative of a student, or a school staff member to report acts of bullying, harassment, or intimidation; requiring each county board of education that establishes an anonymous two-way electronic tip program to publicize the program in specified locations; authorizing the Governor to include funding in the State budget for the program; etc.

PGCPS Impact: *No direct impact at this time. PGCPS has completed a pilot program for a similar text messaging tip program and will consider options for continuing the program in the future.*

House Bill 786- (Enrolled) – Education – Individualized or Group Behavioral Counseling

Services – Establishment - Requires the State Department of Education, in conjunction with the Department of Health and Mental Hygiene, to recommend best practices for county boards of education to provide to students specified needs assessments and specified behavioral health counseling services; and prohibiting specified insurance policies or contracts issued or delivered in the State from denying a covered medically necessary behavioral health care service to a student under specified circumstances.

PGCPS Impact: *No direct impact at this time.*

House Bill 1082 / Senate Bill 1060 - (Enrolled) – Heroin and Opioid Education and

Community Action Act of 2017 (Start Talking Maryland Act) - Requires a county superintendent of schools to approve or disapprove any proposed change in the hiring or termination of personnel in connection with the school health services program; requiring specified programs established by the State Board of Education to include instruction on heroin and opioid addiction and prevention, including information on the lethal effect of fentanyl; requiring each county board to establish a specified policy related to the administration of naloxone; etc.

PGCPS Impact: Potential significant increase in expenditures for PGCPS to provide naloxone and any associated training and to hire community action officials and implement program requirements under the bill. School health staff estimated \$30,000 to provide one naloxone kit at each school and athletic event. Local boards may receive grant funding to mitigate a portion of these costs in FY 2019.

The bill requires the State Board to update its program of drug addiction and prevention education in public schools, including instruction related to heroin and opioid addiction, prevention, and the lethal effect of fentanyl. The instruction required will be a stand-alone unit in the program, delivered in grades 3-5, 6-8 and 9-12.

The bill further requires the county board to develop a policy which: authorizes the school nurse, school health services staff and other school personnel to administer naloxone or other overdose-reversing medication to students or people on school property; and notifies parents or guardians of the policy at the beginning of each school year.

House Bill 1522 - (Enrolled) – Needs Assessment for Student School-Based Behavioral Health Services - Requires the Department of Health and Mental Hygiene and the State Department of Education to conduct a needs assessment for student school-based behavioral health services; and requiring the assessment to contain specified matters.

PGCPS Impact: No direct impact at this time.

Senate Bill 625 - (Enrolled) – Public Schools and Shelters - Homeless Girls and Women - Feminine Hygiene Products - Requires the Department of Human Resources to make available to specified service providers, local administering agencies for specified service providers and county boards of education specified supplies of feminine hygiene products for female residents in shelters and specified homeless female students; requiring specified feminine hygiene products to be made available free; requiring each county board of education to make available, in a specified manner, feminine hygiene products to homeless female students; etc.

PGCPS Impact: Under the bill, DHR will provide to county boards of education a sufficient supply of feminine hygiene products during the normal school year to meet the needs of female students who are determined to be homeless children or youth under federal law. The products will be available from the school nurses.

Grant funding

House Bill 684 - (Signed by Governor, Ch. 6) – Education - Grant for Declining Education Aid - Establishes the criteria for a county board of education to be eligible to receive a specified State grant in a specified fiscal year; and specifying the calculation of a specified amount in a specified year for a specified purpose.

PGCPS Impact: No direct impact. The prekindergarten grant funding is only provided to school systems with universal prekindergarten programs.

House Bill 967/Senate Bill 424 - (Enrolled) – The Textbook Cost Savings Act of 2017 -

Requires the Governor to include \$100,000 in the State budget for fiscal year 2019 for the purpose of providing a grant to the William E. Kirwan Center for Academic Innovation at the University System of Maryland for the Maryland Open Source Textbook Initiative; requiring the Center and the State Department of Education to explore jointly the possibility of providing access to these types of learning materials and resources to students in primary and secondary education; etc.

PGCPS Impact: No direct impact at this time.

School Facilities; Environmental, etc.

House Bill 270 - (Passed) – Environment - Testing for Lead in Drinking Water - Public and Nonpublic Schools - Requires the Department of the Environment, in consultation with the State Department of Education, the Department of General Services, and Maryland Occupational Safety and Health, to adopt regulations, under specified circumstances, to require periodic testing for the presence of lead in drinking water outlets in occupied public or nonpublic school buildings; requiring the Department of the Environment, before adopting regulations, to gather specified information regarding the establishment of lead-free school environments; etc.

PGCPS Impact: The bill mandates the development of regulations to require periodic testing for the presence of lead in each drinking water outlet in an occupied public or nonpublic school building. Prior to adopting regulations, the Department of Environment must gather information about the testing processes, protocols, testing plans and remedial measures already undertaken by school systems.

The new testing will be phased in starting with school buildings constructed before 1988 and those serving students from prekindergarten to grade 5. The bill outlines steps that must be taken if elevated lead levels are detected in the drinking water. The bill further provides waivers from testing under several circumstances, including: students in the building do not have access to any drinking water outlet and bottled water is the only source of water drinking or food preparation; or the school system has a plan in place to complete a comprehensive lead testing program in a manner that substantially complies with the new regulations.

Local expenditures increase, potentially significantly, beginning in FY 2019 to the extent PGCPS is responsible for paying for the required sampling and testing. Additionally, costs likely increase for public schools that test positive for an elevated level of lead to conduct required follow-up actions. The exact amount of the fiscal impact is undetermined at this time.

House Bill 1066/Senate Bill 201 - (Passed) – Education - Fire Drill Requirements - State Fire Prevention Code - Requires the State Superintendent of Schools to require each county

superintendent of schools to hold fire drills in each public school in accordance with the State Fire Prevention Code.

PGCPS Impact: *Instead of requiring school systems to hold fire drills at least 10 times per school year and at least once every 60 days, this bill would follow requirements from the State Fire Prevention Code, which only requires a minimum five drills per year in educational facilities with automatic sprinkler systems, and eight drills per year in those without sprinkler systems. Both facilities must hold the first drill within the first 30 days of the school year.*

Other; Misc.

House Bill 383 - (Passed) –Public Information Act - Denials of Inspection - Explanation Regarding Redaction - Requires, under specified circumstances, a custodian of a public record to include in a specified written statement an explanation of why redacting information would not address the reasons for denying inspection of a public record.

PGCPS Impact: *The bill will require all public agencies to include an explanation when a Public Information Act request is denied as to why redacting information would not address the reasons for the denial.*

House Bill 530 / Senate Bill 622- (Enrolled) – Sales and Use Tax - Tax-Free Period for Back-to-School Shopping - Sale of Backpacks and Bookbags - Alters a specified sales and use tax exemption to include the first \$50 of the taxable price of any backpack or book bag during a designated sales tax-free period for back-to-school shopping, subject to specified limitations.

PGCPS Impact: *No direct impact.*

House Bill 680/ Senate Bill 1165 - (Enrolled) – Maryland Longitudinal Data System - Student and Workforce Data Linkage - Extension of Time Limit - Extends from 5 years to 20 years the length of time that student data and workforce data used by the Maryland Longitudinal Data System is limited to being linked beyond the date of latest attendance in any educational institution in the State; prohibiting the Maryland Longitudinal Data System Center from selling specified protected information; and prohibiting the Center from charging specified fees.

PGCPS Impact: *No direct impact.*

House Bill 880/Senate Bill 450- (Enrolled) –Open Meetings Act - Annual Reporting Requirement, Web Site Postings, and Training - Requires the Open Meetings Compliance Board, in conjunction with the Office of the Attorney General, to conduct educational programs and distribute specified educational materials to the staff and attorneys of specified entities including the Maryland Association of Boards of Education; requiring the Board to report specified information on specified violations; prohibiting a public body from meeting in a closed

session except under specified conditions; outlining the Board's annual reporting requirements; etc.

PGCPS Impact: *The bill expands ways to complete a class on the open meetings law, including classes offered by MABE through the Boardsmanship Academy Program. The bill further expands reporting requirements by the Open Meetings Compliance Board when a public body is found to have violated provisions of the open meetings law.*

House Bill 1381/Senate Bill 866 - (Enrolled) – Adult High School Pilot Program - Establishes an Adult High School Pilot Program; providing for the purpose of the Program; providing that the Program is under the authority and supervision of the State Department of Education and the Department of Labor, Licensing, and Regulation; authorizing the Department, in consultation with the Department of Labor, Licensing, and Regulation, to approve up to six pilots; establishing requirements for a pilot under the Program; etc.

PGCPS Impact: *No direct impact at this time. A provider approved to establish a pilot program under the bill may, but is not required to, partner with a county board of education. Among other things, the State will give priority to a pilot located in an area that has a high school graduation rate lower than the State's average, and approve one pilot in a rural area for each two pilots approved in urban areas.*

House Bill 1475/Senate Bill 595 - Residential Boarding Education Programs for At-Risk Youth – Eligibility - Establishes a residential boarding education program for students enrolled in grade 7 or higher; providing that specified students shall be eligible to participate in the program if the students are disadvantaged children, at-risk youth, and residents of the State and if an operator files a specified plan; requiring operators of the program to meet specified qualifications, adopt specified standards, conduct specified outreach programs, provide specified information, and encourage student participation; etc.

PGCPS Impact: *No direct impact.*

House Bill 1576 - (Passed) – Prince George's County - Student Loan Refinancing Authority PG 419-17 - Expresses the intent of the General Assembly for Prince George's County to study whether a higher education financial assistance program should be offered in the county; requiring Prince George's County, on or before December 1, 2018, to perform specified actions related to a study of a student loan refinancing program in Prince George's County, including reviewing the Prince George's County Supplemental Higher Educational Loan Authority and performing a specified feasibility and demand study; etc.

PGCPS Impact: *No direct impact at this time.*

House Bill 1636 - (Enrolled) – Prince George's County - School Facilities and Public Safety Surcharges - Maryland Transit Administration Station PG 430-17 - Establishes reductions from the school facilities surcharge and the public safety surcharge in Prince George's County for specified residential construction that abuts an existing or planned mass transit rail station site

operated by the Maryland Transit Administration; establishing a 50% reduction and an exemption from the school facilities surcharge for specified dwelling units that are located within one-quarter mile of a Metro station or a Purple Line station under specified circumstances; etc.

PGCPS Impact: *The fiscal impact is undetermined at this time, but Prince George's County revenues from the school facilities surcharge and public safety surcharge would decrease beginning in FY 2018. The actual amount of the revenue decrease depends on the number of exemptions granted and the amount of the surcharge imposed. This will result in less revenue dedicated to public school construction and public safety related projects.*