

SENATE BILL 910

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4r1816
CF 4r2498

By: **Senators Madaleno, Benson, Colburn, Currie, Feldman, Forehand,
Kasemeyer, King, Klausmeier, Manno, Mathias, McFadden,
Montgomery, Pinsky, and Young**

Introduced and read first time: January 31, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Federal Elementary and Secondary Education Act – Waivers**

3 FOR the purpose of requiring certain waivers from the federal Elementary and
4 Secondary Education Act requested by the State Department of Education to
5 the United States Department of Education to be consistent with State law and
6 regulations; requiring the Department to adopt certain regulations before
7 requesting certain waivers; requiring the State Superintendent of Schools to
8 submit a certain description of how certain waivers are consistent with State
9 law and regulations, including certain references to certain statutes and
10 regulations, to the Governor and the General Assembly at least a certain
11 number of days before requesting certain waivers; and generally relating to the
12 request for waivers to the United States Department of Education from the
13 federal Elementary and Secondary Education Act.

14 BY adding to

15 Article – Education

16 Section 2–107

17 Annotated Code of Maryland

18 (2008 Replacement Volume and 2013 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Education**

22 **2–107.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **IF THE DEPARTMENT REQUESTS A WAIVER FROM THE UNITED STATES**
2 **DEPARTMENT OF EDUCATION FROM SPECIFIC PROVISIONS OF THE FEDERAL**
3 **ELEMENTARY AND SECONDARY EDUCATION ACT:**

4 **(1) THE DEPARTMENT SHALL ADOPT REGULATIONS**
5 **ESTABLISHING THE PROVISIONS OF THE WAIVER BEFORE REQUESTING THE**
6 **WAIVER;**

7 **(2) THE WAIVER SHALL BE CONSISTENT WITH STATE LAW AND**
8 **REGULATIONS; AND**

9 **(3) AT LEAST 60 DAYS BEFORE REQUESTING THE WAIVER, THE**
10 **STATE SUPERINTENDENT SHALL SUBMIT TO THE GOVERNOR AND, IN**
11 **ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE**
12 **GENERAL ASSEMBLY A DETAILED DESCRIPTION OF HOW THE WAIVER IS**
13 **CONSISTENT WITH STATE LAW AND REGULATIONS, INCLUDING REFERENCES TO**
14 **RELEVANT STATUTES AND REGULATIONS.**

15 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
16 **June 1, 2014.**