HOUSE BILL 1001

F1 4lr2498
CF SB 910

By: **Delegates Hixson, Anderson, Barkley, Barve, Bates, Beitzel, Branch, Cane, Conway, Cullison, DeBoy, Frick, Frush, Gaines, George, Glenn, Gutierrez, Guzzone, Haynes, Holmes, Howard, Hubbard, Ivey, Jones, Kaiser, Lafferty, Luedtke, A. Miller, Mitchell, Mizeur, Myers, Olszewski, Proctor, S. Robinson, Schulz, Serafini, Simmons, Sophocleus, Stukes, Summers, Swain, F. Turner, Vaughn, Walker, A. Washington, M. Washington, and Zucker**

Introduced and read first time: February 6, 2014
Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Education – Federal Elementary and Secondary Education Act – Waivers

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

BY adding to
Article – Education
Section 2–107
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

Article – Education

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

2–107.

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

(1) THE DEPARTMENT SHALL ADOPT REGULATIONS ESTABLISHING THE PROVISIONS OF THE WAIVER BEFORE REQUESTING THE WAIVER;

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

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

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