

HOUSE BILL 356

F1, F5

9lr1485

By: **Delegates Patterson, Luedtke, D. Barnes, Ebersole, Fennell, Ivey, Kelly, Proctor, Smith, Washington, and Wilkins**

Introduced and read first time: January 28, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Primary and Secondary Education – Nonpublic Schools – Required Information**

3 FOR the purpose of requiring certain nonpublic schools to submit to the Maryland State
4 Department of Education certain information regarding the use and occupancy of
5 school facilities, accreditation, curricula, and courses of study on or before a certain
6 date each year; requiring certain nonpublic schools to submit certain information to
7 the Department within a certain time period after a certain initial approval or
8 registration and before staff or students occupy a school facility; authorizing the
9 State Board of Education to revoke a certain approval or registration of a certain
10 nonpublic school that fails to submit certain information within a certain time
11 period; requiring certain nonpublic schools to provide the State Board with certain
12 information related to the use and occupancy of a school facility on request at any
13 time; requiring certain local officials to notify the Department if a certain permit is
14 revoked or a certain school facility is closed under certain circumstances; requiring
15 the Department to publish certain information on its website; requiring the State
16 Board to adopt certain regulations; defining certain terms; and generally relating to
17 the operation of nonpublic schools in the State.

18 BY adding to

19 Article – Education

20 Section 2–206.2

21 Annotated Code of Maryland

22 (2018 Replacement Volume and 2018 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

24 That the Laws of Maryland read as follows:

25 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **2-206.2.**

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "NONCOLLEGIATE EDUCATIONAL INSTITUTION" HAS THE
5 MEANING STATED IN § 2-206 OF THIS SUBTITLE.

6 (3) "NONPUBLIC SCHOOL" INCLUDES:

7 (I) A NONCOLLEGIATE EDUCATIONAL INSTITUTION
8 OPERATING IN THE STATE IN ACCORDANCE WITH A CERTIFICATE OF APPROVAL
9 ISSUED BY THE STATE BOARD UNDER § 2-206 OF THIS SUBTITLE; AND

10 (II) AN INSTITUTION OPERATED BY A BONA FIDE CHURCH
11 ORGANIZATION THAT HAS PROVIDED TO THE DEPARTMENT A COMPLETED
12 CHURCH-EXEMPT REGISTRATION FORM AND OTHER REQUIRED DOCUMENTATION
13 IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE STATE BOARD.

14 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, ON OR
15 BEFORE SEPTEMBER 1 EACH YEAR, BEGINNING IN 2019, EACH NONPUBLIC SCHOOL
16 IN THE STATE SHALL SUBMIT THE FOLLOWING INFORMATION TO THE DEPARTMENT:

17 (1) A COPY OF THE USE AND OCCUPANCY PERMIT FOR EACH FACILITY
18 USED BY THE SCHOOL;

19 (2) A COPY OF THE APPROVAL BY THE LOCAL FIRE MARSHAL FOR
20 OCCUPANCY OF EACH FACILITY USED BY THE SCHOOL;

21 (3) A STATEMENT INDICATING WHETHER THE SCHOOL IS
22 ACCREDITED OR SEEKING ACCREDITATION; AND

23 (4) BASIC INFORMATION ABOUT THE SCHOOL'S CURRICULA AND
24 COURSES OF STUDY.

25 (C) (1) A NONPUBLIC SCHOOL SHALL SUBMIT THE INFORMATION
26 REQUIRED UNDER SUBSECTION (B)(1) AND (2) OF THIS SECTION TO THE
27 DEPARTMENT:

28 (I) WITHIN 6 MONTHS AFTER THE INITIAL ISSUANCE OF A
29 CERTIFICATE OF APPROVAL, OR THE INITIAL COMPLETION OF A CHURCH-EXEMPT
30 REGISTRATION, FOR THE SCHOOL; AND

1 **(II) BEFORE STAFF OR STUDENTS OCCUPY A FACILITY USED BY**
2 **THE SCHOOL.**

3 **(2) THE STATE BOARD MAY REVOKE THE CERTIFICATE OF APPROVAL**
4 **OR CHURCH-EXEMPT REGISTRATION OF A NONPUBLIC SCHOOL THAT FAILS TO**
5 **SUBMIT THE REQUIRED INFORMATION IN ACCORDANCE WITH PARAGRAPH (1) OF**
6 **THIS SUBSECTION.**

7 **(D) ON REQUEST OF THE STATE BOARD AT ANY TIME, A NONPUBLIC**
8 **SCHOOL SHALL SUBMIT THE INFORMATION REQUIRED UNDER SUBSECTION (B)(1)**
9 **AND (2) OF THIS SECTION.**

10 **(E) THE APPROPRIATE LOCAL OFFICIALS SHALL NOTIFY THE DEPARTMENT**
11 **IF:**

12 **(1) A USE AND OCCUPANCY PERMIT FOR A FACILITY IN WHICH A**
13 **NONPUBLIC SCHOOL IS OPERATING IS REVOKED; OR**

14 **(2) A LOCAL FIRE MARSHAL CLOSES A FACILITY USED BY A**
15 **NONPUBLIC SCHOOL DUE TO VIOLATIONS.**

16 **(F) THE DEPARTMENT SHALL PUBLISH THE ACCREDITATION, CURRICULA,**
17 **AND COURSES OF STUDY INFORMATION PROVIDED FOR EACH SCHOOL UNDER**
18 **SUBSECTION (B) OF THIS SECTION ON THE DEPARTMENT'S WEBSITE.**

19 **(G) THE STATE BOARD SHALL ADOPT REGULATIONS SPECIFYING THE**
20 **INFORMATION THAT A NONPUBLIC SCHOOL SHALL SUBMIT TO THE DEPARTMENT**
21 **REGARDING THE SCHOOL'S CURRICULA AND COURSES OF STUDY.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2019.