

SENATE BILL 653

F1

(9lr2058)

ENROLLED BILL

— Education, Health, and Environmental Affairs/Ways and Means —

Introduced by **Senators Hester and Ready**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 ***Carroll and Howard* County Boards of Education – Establishing Innovative**
3 **Regional Schools – Authority**
4 **(Cross-County Attendance to Achieve Efficiency Act of 2019)**

5 FOR the purpose of authorizing the county boards of education of Carroll County and
6 Howard County to establish innovative regional schools subject to certain
7 requirements and approval; ~~providing that innovative regional schools are eligible~~
8 ~~for certain public school construction funding; requiring the Interagency Commission~~
9 ~~on School Construction to adopt certain regulations; requiring a certain~~
10 memorandum of understanding to include certain provisions; authorizing the
11 memorandum of understanding to establish a geographic area of attendance;
12 specifying a process for the admission of certain students under certain
13 circumstances; exempting innovative regional schools from certain provisions of law;
14 requiring a certain collective bargaining agreement to govern working conditions in
15 innovative regional schools, subject to a certain exception; requiring innovative

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining 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.



1 regional schools to comply with certain regulations and provisions of law; *limiting*
 2 *the source of funds for certain payments to innovative regional schools; requiring the*
 3 *Interagency Commission on School Construction to study and develop a certain*
 4 *cost-share formula for certain county boards of education; requiring the Commission*
 5 *to submit a report with its findings and recommendations to the Governor and the*
 6 *General Assembly on or before a certain date; providing for the application of this Act;*
 7 defining a certain term; and generally relating to establishing innovative regional
 8 schools *in Carroll County and Howard County.*

9 BY adding to

10 Article – Education

11 Section 4–110

12 Annotated Code of Maryland

13 (2018 Replacement Volume and 2018 Supplement)

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

15 That the Laws of Maryland read as follows:

16 **Article – Education**

17 **4–110.**

18 (A) IN THIS SECTION, “INNOVATIVE REGIONAL SCHOOL” MEANS A PUBLIC
 19 SCHOOL THAT:

20 (1) ADMITS STUDENTS FROM ~~ONE OR MORE LOCAL SCHOOL SYSTEMS~~
 21 ~~THAT ARE A PARTY TO~~ THE CARROLL COUNTY OR HOWARD COUNTY PUBLIC SCHOOL
 22 SYSTEMS UNDER A MEMORANDUM OF UNDERSTANDING AGREED TO UNDER
 23 SUBSECTION ~~(C)~~ (D) OF THIS SECTION; AND

24 (2) OFFERS SPECIAL COURSES OR CURRICULA FOR AN INNOVATIVE
 25 EDUCATION PROGRAM.

26 (B) THIS SECTION APPLIES ONLY IN CARROLL COUNTY AND HOWARD
 27 COUNTY.

28 ~~(B)~~ (C) THROUGH A MEMORANDUM OF UNDERSTANDING AGREED TO
 29 UNDER SUBSECTION ~~(C)~~ (D) OF THIS SECTION, THE COUNTY BOARDS OF CARROLL
 30 COUNTY AND HOWARD COUNTY MAY ESTABLISH INNOVATIVE REGIONAL SCHOOLS.

31 ~~(C)~~ (D) (1) (i) BEFORE ESTABLISHING AN INNOVATIVE REGIONAL
 32 SCHOOL, ~~EACH COUNTY BOARD~~ BOTH COUNTY BOARDS SHALL ENTER INTO A
 33 BINDING MEMORANDUM OF UNDERSTANDING OUTLINING EACH COUNTY BOARD’S
 34 RESPONSIBILITIES IN ~~GOVERNING AND FINANCING~~ THE GOVERNANCE,

1 OPERATIONS, MAINTENANCE, AND FINANCING OF THE INNOVATIVE REGIONAL
2 SCHOOL.

3 (II) THE MEMORANDUM OF UNDERSTANDING ~~AND ANY~~
4 ~~AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT THAT IS NEGOTIATED~~
5 ~~UNDER SUBSECTION (D)(2) OF THIS SECTION SHALL BE SUBJECT TO THE APPROVAL~~
6 ~~OF THE COUNTY GOVERNING BODY OF EACH COUNTY WHOSE COUNTY BOARD IS A~~
7 ~~PARTY TO THE MEMORANDUM OF UNDERSTANDING~~ CARROLL COUNTY AND
8 HOWARD COUNTY.

9 (2) THE PARTIES TO THE MEMORANDUM OF UNDERSTANDING SHALL
10 IDENTIFY ONE OF THE COUNTY BOARDS TO GOVERN THE INNOVATIVE REGIONAL
11 SCHOOL.

12 ~~(2)~~ (3) THE MEMORANDUM OF UNDERSTANDING BETWEEN THE
13 COUNTY BOARDS OF CARROLL COUNTY AND HOWARD COUNTY SHALL INCLUDE
14 PROVISIONS FOR:

15 (I) EQUITABLE ACCESS TO THE INNOVATIVE REGIONAL
16 SCHOOL FOR STUDENTS WITH DISABILITIES AND STUDENTS WHO ARE ELIGIBLE FOR
17 FREE AND REDUCED PRICE MEALS;

18 (II) TRANSPORTATION TO ENSURE STUDENTS WITHOUT ACCESS
19 TO A VEHICLE ARE ABLE TO ATTEND THE INNOVATIVE REGIONAL SCHOOL; AND

20 (III) COST SHARING RESPONSIBILITIES BETWEEN THE TWO
21 COUNTY BOARDS RELATED TO MAINTENANCE OF THE SCHOOL BUILDING.

22 (4) (I) THE MEMORANDUM OF UNDERSTANDING MAY ESTABLISH A
23 GEOGRAPHIC AREA OF ATTENDANCE FOR THE INNOVATIVE REGIONAL SCHOOL.

24 (II) IF MORE STUDENTS APPLY FOR ATTENDANCE AT THE
25 INNOVATIVE REGIONAL SCHOOL THAN CAN BE ACCOMMODATED, THE INNOVATIVE
26 REGIONAL SCHOOL SHALL ADMIT STUDENTS ON A LOTTERY BASIS.

27 (5) (I) NOTWITHSTANDING § 4-121 OF THIS SUBTITLE, AND
28 SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE MEMORANDUM OF
29 UNDERSTANDING MAY ESTABLISH REQUIRED PAYMENTS OF EACH COUNTY SERVED
30 BY THE INNOVATIVE REGIONAL SCHOOL.

31 (II) THE SOURCE OF FUNDS FOR ANY PAYMENTS MADE BY EACH
32 COUNTY SERVED BY THE INNOVATIVE REGIONAL SCHOOL SHALL BE LIMITED TO
33 COUNTY APPROPRIATIONS ONLY.

1 ~~(3)~~ ~~(4)~~ ~~(6)~~ THE MEMORANDUM OF UNDERSTANDING MAY CONTAIN
2 ANY OTHER AGREEMENTS EACH COUNTY BOARD CONSIDERS NECESSARY.

3 ~~(D)~~ ~~(E)~~ (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
4 SUBSECTION, THE COLLECTIVE BARGAINING AGREEMENT ESTABLISHED UNDER
5 TITLE 6, SUBTITLE 4 OR SUBTITLE 5 OF THIS ARTICLE IN THE COUNTY THAT IS
6 IDENTIFIED UNDER SUBSECTION ~~(C)~~~~(2)~~ (D)(2) OF THIS SECTION SHALL GOVERN
7 WORKING CONDITIONS AT THE INNOVATIVE REGIONAL SCHOOL.

8 (2) THE EMPLOYEE ORGANIZATION AND THE PUBLIC SCHOOL
9 EMPLOYER IN THE COUNTY THAT IS IDENTIFIED UNDER SUBSECTION ~~(C)~~~~(2)~~ (D)(2)
10 OF THIS SECTION MAY MUTUALLY AGREE TO NEGOTIATE AMENDMENTS TO THE
11 EXISTING BARGAINING AGREEMENT TO ADDRESS THE NEEDS OF THE INNOVATIVE
12 REGIONAL SCHOOL.

13 ~~(D)~~ ~~(E)~~ (1) ~~INNOVATIVE REGIONAL SCHOOLS SHALL BE ELIGIBLE FOR~~
14 ~~FUNDING UNDER THE PUBLIC SCHOOL CONSTRUCTION PROGRAM IN ACCORDANCE~~
15 ~~WITH TITLE 5, SUBTITLE 3 OF THIS ARTICLE.~~

16 ~~(2) THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION~~
17 ~~SHALL ADOPT REGULATIONS FOR FUNDING SCHOOL CONSTRUCTION AND SCHOOL~~
18 ~~CAPITAL IMPROVEMENTS AT AN INNOVATIVE REGIONAL SCHOOL IN ACCORDANCE~~
19 ~~WITH THE REQUIREMENTS SET FORTH IN TITLE 5, SUBTITLE 3 OF THIS ARTICLE~~
20 ~~THAT APPLY TO SCHOOL CONSTRUCTION AND SCHOOL CAPITAL IMPROVEMENT~~
21 ~~PROJECTS FUNDED FOR COUNTY BOARDS.~~

22 ~~(E)~~ (F) INNOVATIVE REGIONAL SCHOOLS ESTABLISHED UNDER THIS
23 SECTION ARE NOT SUBJECT TO THE APPROVAL OF THE STATE BOARD OR THE STATE
24 SUPERINTENDENT UNDER § 4-109 OF THIS SUBTITLE.

25 ~~(F)~~ (G) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, INNOVATIVE
26 REGIONAL SCHOOLS SHALL COMPLY WITH THE REGULATIONS AND PROVISIONS OF
27 LAW GOVERNING OTHER PUBLIC SCHOOLS.

28 SECTION 2. AND BE IT FURTHER ENACTED, That:

29 (a) The Interagency Commission on School Construction shall study and develop
30 a State and local cost-share formula for county boards of education that choose to
31 collaborate and operate a regional school involving more than one county board.

32 (b) On or before January 1, 2020, the Interagency Commission on School
33 Construction shall submit a report with its findings and recommendations to the Governor
34 and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.