

SENATE BILL 653

F1

9lr2058

By: **Senators Hester and Ready**

Introduced and read first time: February 4, 2019

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2019

CHAPTER _____

1 AN ACT concerning

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

5 FOR the purpose of authorizing county boards to establish innovative regional schools
6 subject to certain requirements and approval; providing that innovative regional
7 schools are eligible for certain public school construction funding; requiring the
8 Interagency Commission on School Construction to adopt certain regulations;
9 exempting innovative regional schools from certain provisions of law; requiring a
10 certain collective bargaining agreement to govern working conditions in innovative
11 regional schools, subject to a certain exception; requiring innovative regional schools
12 to comply with certain regulations and provisions of law; defining a certain term;
13 and generally relating to establishing innovative regional schools.

14 BY adding to
15 Article – Education
16 Section 4–110
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2018 Supplement)

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

21 **Article – Education**

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.



1 4-110.

2 (A) IN THIS SECTION, "INNOVATIVE REGIONAL SCHOOL" MEANS A PUBLIC
3 SCHOOL THAT:

4 (1) ADMITS STUDENTS FROM ONE OR MORE LOCAL SCHOOL SYSTEMS
5 THAT ARE A PARTY TO A MEMORANDUM OF UNDERSTANDING AGREED TO UNDER
6 SUBSECTION (C) OF THIS SECTION; AND

7 (2) OFFERS SPECIAL COURSES OR CURRICULA FOR AN INNOVATIVE
8 EDUCATION PROGRAM.

9 (B) THROUGH A MEMORANDUM OF UNDERSTANDING AGREED TO UNDER
10 SUBSECTION (C) OF THIS SECTION, COUNTY BOARDS MAY ESTABLISH INNOVATIVE
11 REGIONAL SCHOOLS.

12 (C) (1) (I) BEFORE ESTABLISHING AN INNOVATIVE REGIONAL
13 SCHOOL, EACH COUNTY BOARD SHALL ENTER INTO A BINDING MEMORANDUM OF
14 UNDERSTANDING OUTLINING EACH COUNTY BOARD'S RESPONSIBILITIES IN
15 GOVERNING AND FINANCING THE INNOVATIVE REGIONAL SCHOOL.

16 (II) THE MEMORANDUM OF UNDERSTANDING AND ANY
17 AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT THAT IS NEGOTIATED
18 UNDER SUBSECTION (D)(2) OF THIS SECTION SHALL BE SUBJECT TO THE APPROVAL
19 OF THE COUNTY GOVERNING BODY OF EACH COUNTY WHOSE COUNTY BOARD IS A
20 PARTY TO THE MEMORANDUM OF UNDERSTANDING.

21 (2) THE PARTIES TO THE MEMORANDUM OF UNDERSTANDING SHALL
22 IDENTIFY ONE OF THE COUNTY BOARDS TO GOVERN THE INNOVATIVE REGIONAL
23 SCHOOL.

24 ~~(2)~~ (3) NOTWITHSTANDING § 4-121 OF THIS SUBTITLE, THE
25 MEMORANDUM OF UNDERSTANDING MAY ESTABLISH REQUIRED PAYMENTS OF
26 EACH COUNTY SERVED BY THE INNOVATIVE REGIONAL SCHOOL.

27 ~~(3)~~ (4) THE MEMORANDUM OF UNDERSTANDING MAY CONTAIN
28 ANY OTHER AGREEMENTS EACH COUNTY BOARD CONSIDERS NECESSARY.

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

1 **(2) THE EMPLOYEE ORGANIZATION AND THE PUBLIC SCHOOL**
2 **EMPLOYER IN THE COUNTY THAT IS IDENTIFIED UNDER SUBSECTION (C)(2) OF THIS**
3 **SECTION MAY MUTUALLY AGREE TO NEGOTIATE AMENDMENTS TO THE EXISTING**
4 **BARGAINING AGREEMENT TO ADDRESS THE NEEDS OF THE INNOVATIVE REGIONAL**
5 **SCHOOL.**

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

9 **(2) THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION**
10 **SHALL ADOPT REGULATIONS FOR FUNDING SCHOOL CONSTRUCTION AND SCHOOL**
11 **CAPITAL IMPROVEMENTS AT AN INNOVATIVE REGIONAL SCHOOL IN ACCORDANCE**
12 **WITH THE REQUIREMENTS SET FORTH IN TITLE 5, SUBTITLE 3 OF THIS ARTICLE**
13 **THAT APPLY TO SCHOOL CONSTRUCTION AND SCHOOL CAPITAL IMPROVEMENT**
14 **PROJECTS FUNDED FOR COUNTY BOARDS.**

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.