A BILL ENTITLED

AN ACT concerning

Education – Alternative Schools – Reporting Requirements

FOR the purpose of requiring each county board of education, beginning in a certain school year, to report certain data and information for certain alternative schools within its jurisdiction to the State Department of Education; requiring the Department, on or before a certain date each year, beginning in a certain year, to report certain data and information to the Governor and the General Assembly; defining a certain term; and generally relating to reports on alternative schools in the State.

BY adding to

Article – Education
Section 7–125
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

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

Article – Education

7–125.

(A) IN THIS SECTION, “ALTERNATIVE SCHOOL” MEANS:

(1) ANY PROGRAM, INCLUDING ONLINE AND HOME–BASED INSTRUCTION, OR SCHOOL ESTABLISHED FOR STUDENTS WHO:
(I) Exhibit disruptive classroom behavior as referenced in § 7–304 of this title;

(II) Have been suspended or expelled in accordance with § 7–305 of this title;

(III) Have been arrested for a reportable offense in accordance with § 7–303 of this title; or

(IV) Have been removed to an interim alternative educational setting in accordance with federal and state laws and regulations; and

(2) Any other program, including online and home–based instruction, or school established to educate students exhibiting challenging behaviors and operated by or in accordance with a contract with a county board or county superintendent, regardless of whether the program or school is located within a public school or a separate facility.

(B) Beginning in the 2020–2021 school year, a county board shall report the following data and information for each alternative school within its jurisdiction to the Department:

(1) Name and address of the school or program;

(2) Whether the school or program is operated by a county board, county superintendent, or another entity;

(3) Student enrollment, disaggregated by:

   (I) Grade;

   (II) Race;

   (III) Ethnicity;

   (IV) Gender;

   (V) Disability status;

   (VI) English language learner or limited English proficiency status;
(VII) Pregnant or Parenting Status;

(VIII) Number of Days of Enrollment; and

(IX) Reason for Enrollment;

(4) Policies and Guidance Concerning:

(I) The process for placing and enrolling students at the school or program;

(II) The process or criteria for determining when students are eligible to return to their regular education program; and

(III) Discipline of students enrolled at the school or program;

(5) Complete documentation of each instance of restraint and each instance of seclusion at the school or program, in accordance with COMAR 13A.08.04.05 and with identifying student information redacted;

(6) Any contract between the county board or county superintendent and another entity concerning the operation of the school or program;

(7) A description of all courses offered at the school or program, and whether the courses allow students to earn credits toward a Maryland high school diploma;

(8) A description of all mental health services, counseling, social–emotional learning curricula and services, and behavioral support services offered by the school or program;

(9) A list of all instructional and behavioral support staff who worked at the school or program within the reporting period, including the titles and educational certifications of each staff member;

(10) Average student–teacher ratio for classrooms within the school or program;
(11) Weekly instructional hours offered by the school or program;

(12) Total number of school days in the year offered by the school or program;

(13) A description of how the school or program meets the needs of students:

   (I) With individualized education programs or 504 plans in accordance with federal and state laws and regulations, including provisions related to:

       1. Special education;

       2. Related services; and

       3. Supplementary aids, services, program modifications, and supports;

   (II) Who are English language learners or students with limited English proficiency; or

   (III) Who are pregnant or parenting;

(14) A description of all extracurricular programs offered at the school or program, including whether enrolled students can access extracurricular programs otherwise offered by the county board or county superintendent; and

(15) Achievement data, with identifying student information redacted, for all students enrolled in the school or program, including:

   (I) Standardized test scores;

   (II) Grade promotion rates; and

   (III) Graduation rates.

(C) On or before October 1 each year, beginning in 2021, the Department shall report the data and information required under
SUBSECTION (B) OF THIS SECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.