

Chapter 565

(Senate Bill 564)

AN ACT concerning

Education – High School Graduation Requirements – Students in Foster Care or Homeless Youth

FOR the purpose of requiring a county board of education to waive high school graduation requirements established by the county board that are in addition to high school graduation requirements established by the State Board of Education for a student in foster care or who is a homeless youth under certain circumstances; prohibiting a county board from waiving certain requirements if the county board makes a finding that a certain student is reasonably able to complete certain requirements in time to graduate from high school; defining a certain term; and generally relating to graduation requirements for students in foster care or homeless youth.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–205
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

Preamble

WHEREAS, The State of Maryland has a duty to care for and protect the children the State places in foster care, and as a matter of public policy, the State assumes an obligation to ensure the health, safety, and education of children in foster care; and

WHEREAS, According to the Department of Human Services, children in Maryland’s foster care system are regularly moved through multiple placements and schools, including across county lines; and

WHEREAS, According to the National Foster Care Institute, a child who has frequent transitions often has education–related problems, including a loss of school credits, academic problems, and a delay in earning a high school diploma; and

WHEREAS, According to the American Bar Association’s Legal Center for Foster Care and Education, youth in out–of–home care lost approximately 4 to 6 months of academic progress with each change in school placement; and

WHEREAS, A high school student in foster care who has taken the courses required for graduation in one county school system who is required to relocate to another county school system in their junior or senior year may be faced with additional graduation requirements at their new school with little time to complete those requirements in order to graduate with the rest of their class or cohort; now, therefore,

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

Article – Education

7–205.

(a) **IN THIS SECTION, “HOMELESS YOUTH” HAS THE MEANING STATED IN THE MCKINNEY–VENTO HOMELESS ASSISTANCE ACT.**

(B) The promotion of students in a public school and graduation from a public high school shall be in accordance with:

(1) [Policies] **EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, POLICIES** established by the county board; and

(2) The rules and regulations of the State Board.

~~[(b)]~~ (C) (1) Each student who graduates from a public high school shall receive the same type of diploma or certificate, regardless of the high school attended or the course taken.

(2) The diploma or certificate shall state that the student has completed a program of studies satisfactorily in accordance with the requirements of the State Board.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A COUNTY BOARD SHALL WAIVE ALL HIGH SCHOOL GRADUATION REQUIREMENTS, INCLUDING REQUIRED COURSEWORK, ESTABLISHED BY THE COUNTY BOARD THAT ARE IN ADDITION TO THE HIGH SCHOOL GRADUATION REQUIREMENTS ESTABLISHED BY THE STATE BOARD FOR A STUDENT IN FOSTER CARE OR WHO IS A HOMELESS YOUTH, IF THE STUDENT WHILE IN GRADE 11 OR 12:

~~(i) TRANSFERS~~ **TRANSFERS INTO THE LOCAL SCHOOL SYSTEM FROM A DIFFERENT LOCAL SCHOOL SYSTEM IN THE STATE;** ~~OR~~

~~(ii) TRANSFERS BETWEEN HIGH SCHOOLS IN THE LOCAL SCHOOL SYSTEM.~~

(2) A COUNTY BOARD MAY NOT WAIVE THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION IF THE COUNTY BOARD MAKES A FINDING THAT THE STUDENT IS REASONABLY ABLE TO COMPLETE THE COUNTY HIGH SCHOOL GRADUATION REQUIREMENTS IN TIME TO GRADUATE FROM HIGH SCHOOL WHILE THE STUDENT REMAINS ELIGIBLE FOR FOSTER CARE BENEFITS.

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.