

HB1372/413726/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1372
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “local” and substitute “county”; in line 8, after “devices;” insert “specifying that certain funds are intended to be supplemental to certain existing funding; requiring each county board to submit to the State Department of Education certain reports on information technology and requiring the State Department of Education to submit to the General Assembly a certain report on information technology on or before certain dates each year; requiring the State Department of Education to establish certain reporting requirements on or before a certain date;”; in line 10, after “grant;” insert “authorizing certain eligible schools to use excess funds from a certain personnel grant for certain purposes under certain circumstances;”; and in line 18, after “purpose;” insert “providing that a certain requirement may be satisfied by conducting a certain screening;”.

On page 2, in line 3, after “circumstances;” insert “providing that a certain provision of law is no longer applicable if a certain individual who is required to appoint certain members to the Nominating Committee fails to make certain appointments within a certain period of time;”; in line 9, after “training;” insert “requiring each county to ensure a certain percentage of certain prekindergarten slots in the county rather than certain providers;”; in line 15, after “needs;” insert “requiring the State Department of Education to consult with the Accountability and Implementation Board to contract with a certain entity to conduct a certain study;”; in line 17, after “through” insert “a certain course or”; in line 18, after “sponsor;” insert “requiring a virtual school to follow certain standards; requiring the Governor to include in the annual budget bill a certain appropriation to the State Department of Education for the Director of Community Schools to provide certain training, assistance, and additional staff; requiring the CTE Committee or the State Board of Education, as appropriate, to include in a certain State plan certain goals and programs, to the extent authorized by federal law;”; in line 19,

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after “date;” insert “requiring the Workgroup on English Language Learners in Public Schools to measure and make recommendations regarding certain learning loss for English language learners;”; in line 39, after “purpose;” insert “requiring each local school system, on or before a certain date, to complete a certain assessment and report on the findings to the Accountability and Implementation Board, the State Department of Education, and the State Board of Education; requiring the State Department of Education, on or before a certain date, to conduct a certain evaluation and report on the evaluation to the General Assembly; authorizing county governing bodies to use certain funds to meet certain maintenance of effort requirements, to the extent authorized by federal law; defining a certain term;”; and in line 46, after “(c)(1)(i)1.” insert “and (4)”.

On page 3, in line 3, strike “(2)(i)” and substitute “(2)”; in the same line, after “5-403(b)(2)” insert “and (d)”; in line 9, after “7-210(a),” insert “7-1401, 7-1403,”; in the same line, after “9.5-1002(d),” insert “9.9-103(c),”; in line 17, strike “5-404(b)(3)” and substitute “5-404(a)(3)”; in the same line, strike the second “and”; and in line 18, after “7-205.1(c)(3)” insert “, and 21-202(d)(3)”.

AMENDMENT NO. 2

On page 6, in line 4, after “(C)” insert “(1)”; in the same line, strike “LOCAL” and substitute “COUNTY”; and after line 6, insert:

“(2) ADDITIONAL FUNDS PROVIDED IN THE TARGET PER PUPIL FOUNDATION AMOUNT FOR EDUCATIONAL TECHNOLOGY ARE INTENDED TO SUPPLEMENT AND NOT SUPPLANT EXISTING FUNDING PROVIDED FOR EDUCATIONAL TECHNOLOGY.

(3) (1) ON OR BEFORE NOVEMBER 15 EACH YEAR, EACH COUNTY BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT DETAILING, FOR THE PREVIOUS FISCAL YEAR:

1. THE AMOUNT SPENT BY THE LOCAL SCHOOL SYSTEM ON TECHNOLOGY DISAGGREGATED BY DIGITAL DEVICES, CONNECTIVITY, AND INFORMATION TECHNOLOGY STAFF; AND

2. THE PERCENTAGE OF STUDENTS, TEACHERS, AND STAFF WITH DIGITAL DEVICES AND ADEQUATE CONNECTIVITY IN THEIR HOMES IN ACCORDANCE WITH THE FEDERAL COMMUNICATIONS COMMISSION STANDARDS FOR BROADBAND.

(II) ON OR BEFORE DECEMBER 15 EACH YEAR, THE DEPARTMENT SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, A COMPILATION OF THE REPORTS SUBMITTED TO THE DEPARTMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III) ON OR BEFORE SEPTEMBER 1, 2021, THE DEPARTMENT SHALL ESTABLISH UNIFORM REPORTING REQUIREMENTS, INCLUDING DEFINITIONS TO ENSURE THAT CONSISTENT AND COMPARABLE REPORTS ARE SUBMITTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”.

On page 9, after line 23, insert:

“(4) If the personnel grant provided to an eligible school exceeds the cost to employ the positions and provide the coverage required under paragraph (2) of this subsection, the eligible school may only use the excess funds to[:

(i) Provide wraparound services to the students enrolled in the eligible school;

(ii) Complete the needs assessment; and

(iii) In fiscal years 2021 and 2022, provide the requirements under COMAR 13A.04.16.01] PROVIDE HEALTH CARE SERVICES VIA A SCHOOL HEALTH SERVICES PROGRAM, A COUNTY HEALTH DEPARTMENT, OR A SCHOOL-BASED HEALTH CENTER.”.

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On page 13, in line 2, after “(5)” insert “(I)”; and after line 5, insert:

“(II) THE REQUIREMENT THAT A STUDENT RECEIVE A PRE-STANDARDIZED ASSESSMENT FOR LITERACY IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE SATISFIED BY CONDUCTING THE READING SCREENING ESTABLISHED IN § 4-136 OF THIS ARTICLE.”

On page 15, in line 25, strike “AND (III)” and substitute “, (III), AND (IV)”; after line 28, insert:

“(ii) Except as provided in subsection (c)(2) of this section, in fiscal years 2022 and 2023, if a county’s education effort, as defined in subsection (j) of this section, is below 100% of the statewide 5-year moving average of education effort, the required maintenance of effort amount for the county shall be adjusted by increasing the per pupil amount by the lesser of:

- 1. The county’s increase in the local wealth per pupil USING THE SEPTEMBER 2019 FULL-TIME EQUIVALENT ENROLLMENT;**
- 2. The statewide average increase in local wealth per pupil USING THE SEPTEMBER 2019 FULL-TIME EQUIVALENT ENROLLMENT; or**
- 3. 2.5%.”;**

and in line 29, strike “FOR” and substitute “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH, FOR**”.

On page 16, after line 7, insert:

“(IV) IF A COUNTY IS REQUIRED TO MAKE AN ADJUSTMENT UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IN FISCAL YEAR 2022, FOR FISCAL YEAR 2023, THE COUNTY GOVERNING BODY SHALL APPROPRIATE LOCAL FUNDS TO THE SCHOOL OPERATING BUDGET IN AN AMOUNT NOT LESS THAN:

1. THE FISCAL YEAR 2022 LOCAL APPROPRIATION
DIVIDED BY THE GREATER OF:

A. THE FULL-TIME EQUIVALENT ENROLLMENT IN
SEPTEMBER 2019; OR

B. THE 3-YEAR AVERAGE OF THE FULL-TIME
EQUIVALENT ENROLLMENT FOR SEPTEMBER 2017, 2018, AND 2019; MULTIPLIED
BY

2. THE GREATER OF:

A. THE FULL-TIME EQUIVALENT ENROLLMENT IN
SEPTEMBER 2021; OR

B. THE 3-YEAR AVERAGE OF THE FULL-TIME
EQUIVALENT ENROLLMENT FOR SEPTEMBER 2018, 2019, AND 2021; MULTIPLIED
BY

3. THE PER PUPIL INCREASE REQUIRED UNDER
SUBPARAGRAPH (II) OF THIS PARAGRAPH IN FISCAL YEAR 2023.”.

On page 17, after line 24, insert:

“(III) IF THE THIRD INDIVIDUAL REQUIRED TO APPOINT
MEMBERS TO THE NOMINATING COMMITTEE DOES NOT APPOINT THE
REMAINING TWO MEMBERS TO THE NOMINATING COMMITTEE WITHIN THE TIME
PERIOD REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH,
SUBSECTION (D) OF THIS SECTION NO LONGER APPLIES.

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(d) [Nominations] EXCEPT AS PROVIDED IN SUBSECTION (B)(2)(III) OF THIS SECTION, NOMINATIONS for the Board made by the Nominating Committee shall be decided by a majority vote, provided that at least one vote cast in the majority is a vote cast by each of a member appointed by the Governor, the President of the Senate, and the Speaker of the House.”;

in line 26, after “(3)” insert “THE COMPREHENSIVE IMPLEMENTATION PLAN SHALL INCLUDE THE INTENDED OUTCOMES THAT THE BLUEPRINT FOR MARYLAND’S FUTURE WILL ACHIEVE.”

(4)”;

and strike beginning with “THE” in line 28 down through “(4)” in line 31.

On page 20, in line 16, strike “2021,” and substitute “2022,”.

On page 23, in line 25, after “year,” insert “PREKINDERGARTEN SLOTS PROVIDED BY”; in line 26, after “of” insert “THE TOTAL PREKINDERGARTEN SLOTS PROVIDED BY”; and in lines 28, 30, 33, and 34, in each instance, strike “providers” and substitute “PROVIDER PREKINDERGARTEN SLOTS”.

On page 26, in line 14, after “Department” insert “, IN CONSULTATION WITH THE ACCOUNTABILITY AND IMPLEMENTATION BOARD,”.

On page 27, in line 7, after “institution” insert “, THROUGH AN ADVANCED PLACEMENT COURSE AT A SECONDARY INSTITUTION,”; and after line 21, insert:

“7-1401.

(a) In this subtitle the following words have the meanings indicated.

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(b) “QUALITY ONLINE EDUCATION STANDARDS” MEANS THE NATIONAL STANDARDS FOR QUALITY ONLINE PROGRAMS: SECOND EDITION (2019).

(c) “Sponsor” means the Department or a county school board, having a fiduciary responsibility for the operation of the virtual school.

[(c)] (D) “Virtual school” means a public school established by the Department or by a county board under § 4–109 of this article in which the school uses technology to deliver a significant portion of instruction to its students via the Internet in a virtual or remote setting.

7–1403.

(a) A virtual school shall provide each enrolled student:

(1) Access to a sequential curriculum approved by the State Board that meets or exceeds the standards adopted by the county board in the county of the virtual school’s principal place of business;

(2) The same length of time for learning opportunities per academic year that is required for public school students, unless the virtual school can show that a student has demonstrated mastery or completion of the subject area; and

(3) Regular assessment in the core areas of instruction as required by regulations adopted by the State Board under § 7–1408 of this subtitle.

(b) A curriculum adopted under subsection (a) of this section shall have an interactive program with significant online components.

(c) BEGINNING IN THE 2021–2022 SCHOOL YEAR, A VIRTUAL SCHOOL SHALL FOLLOW THE QUALITY ONLINE EDUCATION STANDARDS.”.

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On page 28, after line 6, insert:

“9.9–103.

(c) (1) There shall be a Director of Community Schools in the Department.

(2) The Director of Community Schools in the Department shall coordinate professional development for community school coordinators at each community school.

(3) IN ADDITION TO THE FUNDING PROVIDED FOR THE DIRECTOR OF COMMUNITY SCHOOLS POSITION IN THE DEPARTMENT, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$100,000 TO THE DEPARTMENT FOR THE DIRECTOR OF COMMUNITY SCHOOLS TO PROVIDE TRAINING AND TECHNICAL ASSISTANCE TO COMMUNITY SCHOOLS AND FOR ADDITIONAL STAFF.”;

and after line 20, insert:

“(3) THE CTE COMMITTEE OR THE STATE BOARD OF EDUCATION, AS APPROPRIATE, SHALL INCLUDE IN THE STATE PLAN REQUIRED UNDER THE CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT GOALS AND PROGRAMS THAT ARE CONSISTENT WITH THE BLUEPRINT FOR MARYLAND’S FUTURE, AS DEFINED IN § 5–401 OF THIS ARTICLE, TO THE EXTENT CONSISTENT WITH FEDERAL LAW.”.

On page 32, in line 16, strike “and”; and in line 19, after “provided” insert “**;** AND

(4) MEASURE AND MAKE RECOMMENDATIONS TO ADDRESS LEARNING LOSS AS A RESULT OF THE COVID–19 PANDEMIC FOR ENGLISH LANGUAGE LEARNERS”.

On page 34, in line 2, strike the second “and”; after line 2, insert:

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“(2) provide education technology, including digital devices, broadband connectivity, and information technology staff; and”;

in line 3, strike “(2)” and substitute “(3)”; in line 26, after “students” insert “, including students who will be in kindergarten in the upcoming school year and were eligible to attend a publicly funded prekindergarten program,”; in line 34, strike “may” and substitute “in 2021, shall”; and in lines 34 and 35, strike “and reduced price”.

On page 34 in line 28, and on page 35 in line 26, in each instance, after “county board’s” insert “or public school’s”.

On page 35, in line 1, strike “may provide” and substitute “shall offer”; and in the same line, after “services” insert “to students who need transportation to participate in the program”.

On page 36, in line 1, after “for” insert “middle school and”.

On page 37, in line 8, after “students” insert “, including pupil-to-tutor ratio or group size, the frequency of sessions, the amount of time per session, and the number of sessions”; in line 15, strike “due to the effects of” and substitute “exacerbated by”; in line 25, strike “due to the effects of” and substitute “exacerbated by”; in the same line, strike the second “and”; and in line 27, after “students” insert “; and”

(iv) develop key metrics and procedures, consistent with State and federal guidance, to evaluate the effectiveness and impact of behavioral health services provided to students under this section”.

On page 38, in line 6, strike “due to the effects of” and substitute “exacerbated by”; in the same line, strike the second “and”; in line 8, after “students” insert “; and”

(iv) measured the effectiveness and impact of behavioral health

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services provided to students using key metrics and procedures developed under this section”;

after line 22, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2021, each local school system shall:

(1) complete a virtual learning self–assessment using a research–based framework recommended by the State Board of Education; and

(2) report on the findings of the assessment under item (1) of this subsection to the Accountability and Implementation Board established under § 5–402 of the Education Article, the State Department of Education, and the State Board of Education.

(b) On or before December 1, 2023, the State Department of Education shall:

(1) conduct an evaluation of each virtual school; and

(2) report, in accordance with § 2–1257 of the State Government Article, to the General Assembly on the findings of the evaluation under item (1) of this subsection.

SECTION 8. AND BE IT FURTHER ENACTED, That county governing bodies may, to the extent authorized under federal law, use federal funds to meet the maintenance of effort requirement under § 5–235 of the Education Article.”;

and in line 23, strike “7.” and substitute “9.”.