

# HOUSE BILL 998

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By: **Delegate Griffith**

Introduced and read first time: February 5, 2021

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **County Boards of Education – In–Person Instruction and Related**  
3 **Services – Requirement**

4 FOR the purpose of, notwithstanding any law, regulation, or executive order to the  
5 contrary, requiring each county board, for a certain school year, to require school  
6 buildings to be open each school day to provide certain students with in–person  
7 instruction and related services, including specified services; requiring each county  
8 board to provide instruction and related services to certain students in person except  
9 under certain circumstances; requiring each county board to provide special  
10 education and related services in accordance with a student’s individualized  
11 education program or 504 plan and in consultation with the student’s parent or  
12 guardian and individualized education program team; requiring each county board  
13 to provide in–person instruction and related services in a manner that adheres to  
14 certain health and safety standards and protocols; providing for the termination of  
15 this Act; and generally relating to county boards of education providing in–person  
16 instruction and related services.

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
18 That:

19 (a) Notwithstanding any law, regulation, or executive order to the contrary, for  
20 the 2021–2022 school year, each county board of education shall require school buildings to  
21 be open each school day to provide in–person instruction and related services to:

22 (1) English language learners;

23 (2) homeless youth, as defined under the federal McKinney–Vento  
24 Homeless Assistance Act;

25 (3) students in foster care;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (4) students who are eligible for free or reduced price meals;
- 2 (5) students who attend a Title I school;
- 3 (6) students with a parent or legal guardian who is active duty military;
- 4 (7) students with a parent or legal guardian working under a temporary  
5 worker visa issued by the U.S. Citizenship and Immigration Services; and
- 6 (8) students with disabilities.

7 (b) The related services required under subsection (a) of this section shall include:

- 8 (1) speech–language pathology services;
- 9 (2) counseling services;
- 10 (3) physical therapy;
- 11 (4) occupational therapy;
- 12 (5) behavioral health services; and
- 13 (6) nutrition services.

14 (c) Each county board shall provide instruction and related services to a student  
15 under subsection (a) of this section, unless the parent or guardian of the student requests  
16 that the instruction and related services be provided through:

- 17 (1) a full–time program of virtual or remote instruction; or
- 18 (2) a combination of virtual or remote instruction and in–person  
19 instruction.

20 (d) Each county board shall provide special education and related services:

- 21 (1) in accordance with a student’s individualized education program or 504  
22 plan; and
- 23 (2) in consultation with the parent or guardian of the student and the  
24 student’s individualized education program team.

25 (e) Each county board shall provide in–person instruction and related services in  
26 a manner that adheres to health and safety standards and protocols established by the  
27 State Department of Education and the Maryland Department of Health to limit the  
28 transmission of COVID–19.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
2 1, 2021. It shall remain effective for a period of 1 year and, at the end of June 30, 2022, this  
3 Act, with no further action required by the General Assembly, shall be abrogated and of no  
4 further force and effect.