



Bill: HB 1008

**Title: Education - Child Abuse and Sexual Misconduct Prevention –
Hiring Emergent Employees**

Date: February 26, 2020

Position: Support with amendments

Position: Dorie Flynn, Executive Director at 410-938-4413

The Maryland Association of Nonpublic Special Education Facilities (MANSEF) representing 75 nonpublic special education schools across Maryland supports House Bill 1008 with amendments. MANSEF members currently serve approximately 3800 publicly funded school children and employs over 2500 teachers, clinicians and administrators.

Education Article 8-404 section (c) states that “The standards for the education of a child with a disability who is enrolled in a school that is operated by an agency other than a local school system may not be lower than the standards for the education of a child with a disability who is enrolled in a school that is operated by a local school system.” This requirement puts the nonpublic schools on equal footing with the local public schools.

MANSEF believes that safety is paramount for the students we serve. We are appreciative of the new language that has been proposed this year and would like to provide the following additional technical amendments:

Page 5 – Line 8 after county board insert ***“or a nonpublic school”***

Page 5 – Line 15 (F) after county board insert ***“or nonpublic school”***

Page 5 – Line 17 after county boards insert ***“and including nonpublic schools.”***

Page 5 – Line 18 after county board insert ***“or nonpublic school”***

Page 5 - Line 20 after county board insert ***“or nonpublic school”***

Adding this language will provide clarity and consistency throughout the bill and corresponding regulations and eliminates any ambiguity. Lastly, the oversight and monitoring by MSDE – Division of Educator Certification and Program Approval – is very stringent. Some members have already been monitored with MSDE asking to see resumes of new hires to ensure their work history matches the employment history check.

Maryland Education Section 8-404

Article - Education

§ 8-404.

(a) The State Board shall adopt, as regulations, standards for the identification, evaluation, educational placement, and the provision of a free appropriate public education of each child in this State who has begun the school year under the age of 21 and is found to need special education and related services, whether or not the child is receiving nonduplicative services from another governmental agency.

(b) Before these standards are adopted, the State Board shall consult with public and private agencies and persons who are concerned with and knowledgeable about the educational needs of children with disabilities who require special education and related services.

(c) The standards for the education of a child with a disability who is enrolled in a school that is operated by an agency other than a local school system may not be lower than the standards for the education of a child with a disability who is enrolled in a school that is operated by a local school system. The standards for the approval of schools located in jurisdictions outside Maryland shall be the same as standards applicable to the approval of schools within Maryland. However, no school located in a jurisdiction outside Maryland shall be approved if the charges for pupils approved by the Department are higher than charges for pupils from any other state for the same services, unless waived by the State Superintendent.

(d) The standards shall include:

(1) The required qualifications for teachers, administrators, and other professionals serving a child with a disability;

(2) Procedures for the identification, evaluation, educational placement, and provision of a free appropriate public education for a child with a disability who requires

the provision of special education and related services;

(3) Guidelines for curricula, instructional materials, equipment, and the organization, administration, and supervision of the program, including accounting, auditing, and reporting procedures;

(4) Provisions for local, regional, and State day and residential centers for children with disabilities who cannot be served appropriately in the public schools;

(5) Coordination of these special education services with services given by any other government agency; and

(6) Guidelines for approval of placement in nonpublic schools or facilities if appropriate public services are not available.

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