

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	02/22/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. **Desired date of publication in Maryland Register:** 4/1/2016

2. **COMAR Codification**

Title Subtitle Chapter Regulation

13A 10 01 01, .03 and .05

3. **Name of Promulgating Authority**

Maryland State Department of Education

4. **Name of Regulations Coordinator**

Charlene L Necessary

Telephone Number

410-767-0467

Mailing Address

200 W. Baltimore Street

City State Zip Code

Baltimore MD 21201

Email

charlene.necessary@maryland.gov

5. **Name of Person to Call About this Document**

Michael Linkins

Telephone No.

410-767-0769

Email Address

michael.linkins@maryland.gov

6. Check applicable items:

- New Regulations
- Amendments to Existing Regulations
 - Date when existing text was downloaded from COMAR online: October 1, 2015.
- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval

X- Reproposal of Substantively Different Text:

42: 23 Md. R 1461-1462 11/13/15
 (vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: 15-352-P.

7. Is there emergency text which is identical to this proposal:

- Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

X- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

X- OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Alan J. Dunklow, Assistant Attorney General, (telephone #410-576-6465) on February 19, 2016. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Jack R. Smith, Ph.D.

Title

Interim State Superintendent of Schools

Telephone No.

410-767-0467

Date

February 22, 2016

Title 13A
A STATE BOARD OF EDUCATION
Subtitle 10 HOME INSTRUCTION

13A.10.01 General Regulations

Authority: Education Article, §7-301, Annotated Code of Maryland

Notice of Proposed Action

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The Maryland State Board of Education proposes to repropose amendments to Regulations .01, .03 and .05 under COMAR 13A.10.01 General Regulations. This action was considered at the February 12, 2016 meeting of the State Board of Education.

Statement of Purpose

The purpose of this action is to provide flexibility in instructor and location of instruction for home schooled students. This is a reproposal of substantively different text as printed in the Md. Register, Volume 42, Issue 23, November 13, 2015.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michael Linkins, School Counseling Specialist, Division of Student, Family and School Support, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0769 TTY:410-333-6442, or email to michael.linkins@maryland.gov, or fax to 410-333-8148. Comments will be accepted through May 2, 2016. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on May 24, 2016, 9:00 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2016

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

N/A

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly: The changes provide flexibility in instructor and location of instruction for home schooled students and do not have an economic impact.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

G. Small Business Worksheet:

Attached Document:

.01 Home Instruction Program.

A. — C. (originally proposed text unchanged)

D. Educational Materials.

(1) (originally proposed text unchanged)

(2) *A parent or guardian who chooses to enroll his or her child under §C(2) of this regulation **may elect to** provide to the local superintendent or the superintendent's designee a copy of a report card or transcript from the accredited or unaccredited college at the conclusion of each semester of the accredited or unaccredited college in lieu of a portfolio of materials for the courses in which the child is enrolled under §C(2) of this regulation.*

E. — F. (originally proposed text unchanged)

.03 Noncompliance with Requirements.

A. — B. (originally proposed text unchanged)

.05 Home Instruction Under Supervision of Nonpublic School or Institution.

A. (originally proposed text unchanged)

*B. The home instruction program may include enrollment on a part-time or full-time basis in courses offered by accredited or unaccredited colleges **with the approval of the supervising nonpublic school or institution described in §A of this regulation**.*

C. — D. (originally proposed text unchanged)

JACK R. SMITH, Ph.D.
Interim State Superintendent of Schools

