
By: Chairman, Ways and Means Committee (Departmental - Education)

Introduced and read first time: February 14, 1996

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Career and Technology Programs**

3 FOR the purpose of altering the name of vocational-technical and vocational education
4 programs to be career and technology education programs; requiring certain criteria
5 and setting certain goals for career and technology education programs; making
6 certain technical changes; and generally relating to career and technology
7 education.

8 BY repealing and reenacting, with amendments,

9 Article - Education
10 Section 2-205(h) and (q), 4-109(b), 5-201(c), 5-202(f), 7-405(b), and 7-601(c); and
11 21-101 to be under the amended subtitle "Subtitle 1. County Advisory Council
12 on Career and Technology Education" and 21-201 to be under the amended
13 subtitle "Subtitle 2. Career and Technology Education" and the amended title
14 "Title 21. Career and Technology Education Programs"
15 Annotated Code of Maryland
16 (1992 Replacement Volume and 1995 Supplement)

17 BY adding to

18 Article - Education
19 Section 21-203
20 Annotated Code of Maryland
21 (1992 Replacement Volume and 1995 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article - Labor and Employment
24 Section 11-506
25 Annotated Code of Maryland
26 (1991 Volume and 1995 Supplement)

27 BY repealing and reenacting, with amendments,

28 Article - Natural Resources
29 Section 4-703
30 Annotated Code of Maryland

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1 (1989 Replacement Volume and 1995 Supplement)
2 (As enacted by Chapter 184 of the Acts of the General Assembly of 1994)

3 BY repealing and reenacting, with amendments,
4 Article - State Government
5 Section 9-1107
6 Annotated Code of Maryland
7 (1995 Replacement Volume)

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

10 **Article - Education**

11 2-205.

12 (h) (1) With the advice of the State Superintendent, the State Board shall
13 establish basic policy and guidelines for the program of instruction for the public schools.

14 (2) The policy and guidelines shall be printed in sufficient quantities to
15 provide copies to:

16 (i) Public school officials and teachers;

17 (ii) Private schools; and

18 (iii) Interested citizens of this State.

19 (3) The State Board of Education shall require the establishment of criteria
20 in each county for the selection of applicants for enrollment in publicsecondary school
21 [vocational-technical] CAREER AND TECHNOLOGY education programs. Enrollment
22 criteria developed for this purpose shall ensure equal access to programs.

23 (q) (1) The State Board shall coordinate the overall growth and development of
24 elementary and secondary education in this State.

25 (2) In consultation with the superintendent of schools, the State Board shall
26 develop and periodically update an overall plan consistent with the bylaws that shall
27 identify:

28 (i) The present and future needs of elementary and secondary
29 education throughout the State, including a discussion of the demographic composition of
30 the elementary and secondary population;

31 (ii) The present and future capabilities of the public elementary and
32 secondary education system in this State;

33 (iii) The short-range and long-range objectives and priorities for
34 elementary and secondary education and methods and timelines for achieving and
35 maintaining them;

36 (iv) Whether current programs adequately prepare graduatesfor
37 employment opportunities in this State, or postsecondary education opportunities;

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1 (v) The status and needs of the [vocational technical] CAREER AND
2 TECHNOLOGY education program, the vocational rehabilitation program, and the library
3 system of these programs;

4 (vi) The technological advancements that would enhance elementary
5 and secondary education throughout the State;

6 (vii) Methods to upgrade and improve teacher education and teacher
7 certification programs;

8 (viii) The school systems that have dropped below the statewide test
9 averages and shall assess the options available to improve the test averages of these
10 school systems;

11 (ix) The methods to improve the diagnosis of basic reading skill
12 deficiencies of elementary and secondary school students and to improve the literacy
13 rates of these students;

14 (x) The methods to increase the rate of retention and graduation of
15 secondary school students;

16 (xi) The short-range and long-range objectives for the resolution of
17 the problem of substance abuse by elementary and secondary school students; and

18 (xii) The short-range and long-range objectives for the resolution of
19 the problems of youth and teenage pregnancy.

20 4-109.

21 (b) The purpose of these schools for adults is to:

22 (1) Provide a general program of continuing education for the improvement
23 of the civic, [vocational] OCCUPATIONAL, and general intelligence of adults; and

24 (2) Enable adults to make a wise use of their leisure time.

25 5-201.

26 (c) The State Comptroller shall charge against and, as provided in this section,
27 pay from the General State School Fund the following annual appropriations for:

28 (1) The support of the Department, including the expenses of the State
29 Board and the support and expenses of the office of the State Superintendent;

30 (2) The Maryland Teachers' Retirement System;

31 (3) The education of handicapped children;

32 (4) Subsidized or free feeding programs;

33 (5) The administration and supervision of [vocational] CAREER AND
34 TECHNOLOGY education in public high [and vocational] schools AND CAREER AND
35 TECHNOLOGY CENTERS;

36 (6) Physical education and recreation;

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1 (7) Case and guidance service for handicapped individuals who need
2 vocational rehabilitation;

3 (8) Equivalence examinations;

4 (9) Public libraries;

5 (10) Adult education;

6 (11) The State share of basic current expenses as provided in §5-202 of this
7 subtitle;

8 (12) Student transportation, as provided in § 5-203 of this subtitle; and

9 (13) The school building construction aid as provided in § 5-301(c) of this
10 title.

11 5-202.

12 (f) (1) An amount as determined in paragraph (2) of this subsection shall
13 annually be set aside from the State shares of basic current expense aid to each county;
14 these amounts are to be utilized for [vocational-technical] CAREER AND TECHNOLOGY
15 education programs in accordance with guidelines adopted by the State Board of
16 Education. These funds shall not be used to supplant local contributions for
17 [vocational-technical] CAREER AND TECHNOLOGY EDUCATION programs. A county
18 board of education shall maintain its fiscal effort on either a per student basis or on an
19 aggregate basis for [vocational] CAREER AND TECHNOLOGY education, compared with
20 the amount expended in the previous fiscal year, to be eligible to receive its
21 [vocational-technical] CAREER AND TECHNOLOGY set-aside from basic current
22 expense aid.

23 (2) The [vocational-technical] CAREER AND TECHNOLOGY set-asides
24 from basic current expense aid for each subdivision are calculated as follows for each
25 county:

26 (i) The number of full-time equivalent students in grades 10 through
27 12 enrolled in [vocational-technical] CAREER AND TECHNOLOGY EDUCATION
28 programs in each county on September 30 of the previous year is divided by the statewide
29 number of full-time equivalent students in grades 10 through 12 enrolled in
30 [vocational-technical] CAREER AND TECHNOLOGY EDUCATION programs on
31 September 30 of the previous school year.

32 (ii) The quotient derived in (i) is multiplied by \$3.9 million.

33 (iii) As determined under subsection (b) of this section, the State per
34 pupil current expense aid in each county is divided by the statewide average per pupil
35 basic current expense aid to determine an equalizing factor. The equalizing factor for
36 each county is multiplied by the product derived in (ii) to determine the unadjusted
37 set-aside for [vocational-technical] CAREER AND TECHNOLOGY education.

38 (iv) \$3.9 million is divided by the sum of the unadjusted set-asides for
39 all counties derived in (iii) and this quotient is rounded to 7 decimal places to determine
40 the adjustment factor.

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1 (v) Each county's unadjusted set-aside for [vocational-technical]
2 CAREER AND TECHNOLOGY education as derived in (iii) is multiplied by the adjustment
3 factor derived in (iv). The resulting product is the set-aside from basic current expense
4 aid for [vocational-technical] CAREER AND TECHNOLOGY education for the county.

5 7-405.

6 (b) Each student and teacher in a school or other educational institution shall be
7 required to wear an industrial quality eye protective device at all times while working in:

8 (1) A [vocational or industrial art shop] CAREER AND TECHNOLOGY
9 CLASSROOM or laboratory that involves the use of or exposure to:

10 (i) Hot molten metal;

11 (ii) Milling, sawing, turning, shaping, cutting, or stamping of any solid
12 material;

13 (iii) Heat treatment, tempering, or kiln firing of any metal or other
14 material;

15 (iv) Gas or electric arc welding;

16 (v) Repair or servicing of any vehicle;

17 (vi) Any caustic or explosive material; or

18 (2) A chemical or combined chemical-physical laboratory that involves any
19 caustic or explosive chemical or hot liquid or solid.

20 7-601.

21 (c) (1) Except as otherwise provided in this subsection and subject to federal
22 law, in Allegany County, school buses may not be used to transport students to or from
23 school for longer than 1 hour or over a distance of more than 45 miles, whichever takes a
24 shorter period of time.

25 (2) In Allegany County, school buses may be used to transport students to or
26 from school for longer than 1 hour or over a distance of more than 45 miles if the student
27 participates in:

28 (i) [Vocational-technical] CAREER AND TECHNOLOGY
29 EDUCATION programs;

30 (ii) Education of handicapped children programs under the federal
31 Individuals with Disabilities Act; or

32 (iii) Education of the blind and deaf programs.

33 Title 21. [Vocational] CAREER AND TECHNOLOGY EDUCATION Programs.

34 Subtitle 1. County Advisory Council on [Vocational-Technical] CAREER AND

35 TECHNOLOGY Education.

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1 21-101.

2 (a) There is a county advisory council on [vocational-technical] CAREER AND
3 TECHNOLOGY education in each county.

4 (b) (1) The county board shall determine the number of members on the
5 council.

6 (2) The councils may include educators and administrators in the field of
7 education as ex officio, nonvoting members of the councils.

8 (c) (1) The county board of education shall appoint the council in any county
9 that does not have an institution of postsecondary education that receives federal support
10 for [vocational-technical] CAREER AND TECHNOLOGY education programs.

11 (2) In any other county, the county school board and the governing bodies of
12 the institutions of postsecondary education that receive federal support for a
13 [vocational-technical] CAREER AND TECHNOLOGY education program shall agree on
14 the procedure for appointment of the council.

15 (d) The members of the council shall be members of the general public, especially
16 representatives of:

17 (1) Business;

18 (2) Industry;

19 (3) Organized labor;

20 (4) Each sex;

21 (5) Racial and ethnic minorities; and

22 (6) The geographic regions of the county.

23 (e) Each county advisory council shall advise the county board of education and
24 each institution of postsecondary education in the county that receives federal support for
25 a [vocational-technical] CAREER AND TECHNOLOGY education program on:

26 (1) The distribution of [vocational-technical] CAREER AND
27 TECHNOLOGY education funds;

28 (2) County [vocational-technical] CAREER AND TECHNOLOGY education
29 program accountability reports;

30 (3) County job needs; and

31 (4) The adequacy of [vocational-technical] CAREER AND TECHNOLOGY
32 EDUCATION programs being offered.

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1 Subtitle 2. [Vocational] CAREER AND TECHNOLOGY Education.

2 21-201.

3 In this subtitle "federal acts" means:

4 (1) The Smith-Hughes Act;

5 (2) The George-Barden Act;

6 (3) The Vocational Education Act of 1963;

7 (4) Any other [vocational] CAREER AND TECHNOLOGY education act of
8 the United States Congress; and

9 (5) Any amendments to any of these acts.

10 21-203.

11 CAREER AND TECHNOLOGY PROGRAMS IN THE PUBLIC SCHOOLS SHALL:

12 (1) OFFER A SEQUENCE OF ACADEMIC AND OCCUPATIONAL COURSES,
13 CAREER DEVELOPMENT, AND WORK EXPERIENCE TO PREPARE STUDENTS TO BEGIN
14 CAREERS AND TO PURSUE LIFELONG LEARNING; AND

15 (2) INTEGRATE ACADEMIC KNOWLEDGE AND OCCUPATIONAL
16 COMPETENCE TO ENABLE STUDENTS TO DEVELOP THE CRITICAL THINKING,
17 PROBLEM SOLVING, EMPLOYABILITY, AND TECHNICAL SKILLS REQUIRED TO MEET
18 THE WORKFORCE PREPARATION AND ECONOMIC DEVELOPMENT NEEDS OF THE
19 21ST CENTURY.

20 **Article - Labor and Employment**

21 11-506.

22 The Governor's plan shall include but not be limited to:

23 (1) an annual statement of goals and objectives for job training and
24 placement programs within the State in order to provide planning guidance in the
25 preparation of service delivery area job training plans and to satisfy the requirements of
26 § 7(a) of the Act of June 6, 1933 (Wagner-Peyser Act);

27 (2) a plan describing the use of all resources provided to the State and its
28 service delivery areas and evaluating the experience over the preceding plan period;

29 (3) criteria for coordinating activities under the federal act, including Title
30 III, with programs and services provided by State and local education and training
31 agencies, the Department of Labor, Licensing, and Regulation, public assistance
32 agencies, rehabilitation agencies, postsecondary institutions, the State Occupational
33 Information Coordinating Committee, economic development agencies, the private
34 sector, and such other agencies as the Governor determines to have a direct interest in
35 employment and training and human resource utilization within the State (such criteria
36 may not affect local discretion concerning the selection of eligible participants or service
37 providers in accordance with the provisions of §§ 107 and 203 of the federal act);

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1 (4) a description of the projected use of resources, including oversight and
2 support activities, priorities and criteria for State incentive grants, and performance goals
3 for State supported programs;

4 (5) identification of adjustments made in the performance standards and
5 the factors that are used in making the adjustments;

6 (6) provisions for the design, development, and operation of a statewide
7 uniform labor market information system to facilitate the timely availability of
8 employment and training information throughout the State;

9 (7) provisions for the design and use of a statewide management
10 information system that produces, at a minimum on a quarterly basis, financial reports,
11 participant characteristics, and program performance statistics; and

12 (8) provisions to maximize the utilization of existing State, local, and private
13 institutions and organizations which have demonstrated effectiveness in the provision of
14 employment and training programs (which include but are not limited to public schools,
15 including [vocational-technical schools] CAREER AND TECHNOLOGY EDUCATION
16 CENTERS, community colleges, State approved proprietary schools, State colleges and
17 universities, the University of Maryland System, and business and industry).

18 **Article - Natural Resources**

19 4-703.

20 (a) (1) This section applies to any person who applies for a new tidal fish
21 license under § 4-701 of this subtitle:

22 (i) After September 1, 1988, to catch crabs for sale, finfish, oysters, or
23 clams;

24 (ii) After September 1, 1992, to provide services as a fishing guide
25 under § 4-210 of this title in the tidal waters of the Chesapeake Bay or its tributaries; or

26 (iii) After September 1, 1993, to provide services as a fishing guide
27 under § 4-210 of this title in the Atlantic Ocean, its seaside bays, and their tidal
28 tributaries.

29 (2) This section does not apply to any person who:

30 (i) Applies to renew a tidal fish license to catch crabs for sale, finfish,
31 oysters, or clams, including a license on inactive status that was valid on September 1,
32 1988;

33 (ii) Applies to renew a tidal fish license to provide services as a fishing
34 guide under § 4-210 of this title in the tidal waters of the Chesapeake Bay and its
35 tributaries, including a license on inactive status that was valid on September 1, 1992;

36 (iii) Has successfully completed a 2-year course of study in commercial
37 fisheries which includes instruction on fisheries conservation and regulation and is
38 offered in a [vocational-technical] CAREER AND TECHNOLOGY EDUCATION program
39 approved by the State Board of Education;

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1 (iv) Applies to obtain a tidal fish license before September 1, 1991 to
2 use pots or other devices to catch eels;

3 (v) Applies for a new tidal fish license under § 4-701 of this subtitle to
4 use nets, seines, trawls, and pots in the ocean but including not more than 200 yards of gill
5 nets;

6 (vi) Applies to exchange a current license issued under §
7 4-701(d)(1)(iv) of this subtitle to catch crabs for sale with more than 50 crab pots for a
8 limited license to catch crabs for sale;

9 (vii) Applies for a new tidal fish license under § 4-701 of this subtitle
10 within 1 year of completion of active military service; or

11 (viii) Applies to renew a tidal fish license to provide services as a
12 fishing guide under § 4-210 of this title in the Atlantic Ocean, its seaside bays, and their
13 tidal tributaries, including a license on inactive status that was valid on September 1,
14 1993.

15 (b) Unless an applicant complies with the provisions of this section, the
16 Department may not issue a new fishing license:

17 (1) After September 1, 1988, to catch crabs for sale, finfish, oysters, or
18 clams;

19 (2) After September 1, 1992, to provide services as a fishing guide under §
20 4-210 of this title in the tidal waters of the Chesapeake Bay and its tributaries; or

21 (3) After September 1, 1993 to provide services as a fishing guide under §
22 4-210 of this title in the Atlantic Ocean, its seaside bays, and their tributaries.

23 (c) Before the Department may issue to a person a new tidal fish license, the
24 person must:

25 (1) Register with the Department on a form provided by the Department at
26 least 2 years before the year of license issuance;

27 (2) Supply verifiable evidence of any federal license that is issued in the
28 applicant's name by the U.S. Coast Guard to operate a vessel carrying passengers for hire;
29 and

30 (3) Pay all applicable tidal fish license fees set under § 4-701 of this subtitle
31 at the time of registration.

32 (d) An applicant is not required to pass a test to obtain a new tidal fish license
33 under this section.

34 **Article - State Government**

35 9-1107.

36 (a) (1) The Council consists of 28 members appointed by the Governor.

37 (2) Of the 28 members, 15 of the members shall be individuals with
38 disabilities.

10

1 (b) Of the 28 Council members:

2 (1) 1 shall be a member of the State Senate;

3 (2) 1 shall be a member of the House of Delegates;

4 (3) 1 shall be the Secretary or a designee from the Department of Budget
5 and Fiscal Planning;

6 (4) 3 shall be from the State Department of Education;

7 (5) 1 shall be from the Department of Health and Mental Hygiene;

8 (6) 1 shall be the Secretary or a designee from the Department of Human
9 Resources;

10 (7) 1 shall be the Secretary or a designee from the Department of
11 Transportation;

12 (8) 1 shall be from the Human Relations Commission;

13 (9) 1 shall be the Secretary or a designee from the Department of Business
14 and Economic Development;

15 (10) 1 shall be from the Department of Juvenile Justice;

16 (11) 1 shall represent local government; and

17 (12) 15 shall be from the general public.

18 (c) Of the 3 members from the State Department of Education:

19 (1) 1 shall be the Assistant State Superintendent or a designee from the
20 Division of Special Education;

21 (2) 1 shall be the Assistant State Superintendent or a designee from the
22 Division of Vocational Rehabilitation; and

23 (3) 1 shall be the Assistant State Superintendent or a designee from the
24 Division of [Vocational-Technical Education] CAREER TECHNOLOGY AND ADULT
25 LEARNING.

26 (d) The member from the Department of Health and Mental Hygiene shall be a
27 deputy secretary from a pertinent area, such as:

28 (1) health, retardation, addictions, and developmental disabilities;

29 (2) medical care programs;

30 (3) health regulatory services; or

31 (4) administration.

32 (e) (1) The 15 members from the general public shall be chosen from different
33 geographical areas of the State.

34 (2) Of the 15 members from the general public:

11

- 1 (i) 12 shall be individuals with disabilities;
- 2 (ii) 1 shall be a private citizen with special knowledge or expertise
- 3 relating to services to individuals with disabilities;
- 4 (iii) 1 shall be from the business community;
- 5 (iv) 2 shall be parents of children with disabilities; and
- 6 (v) 2 shall be from private agencies providing services to individuals
- 7 with disabilities.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 1996.