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

Introduced and read first time: February 14, 1996

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: March 19, 1996

CHAPTER ____

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

2

1 Annotated Code of Maryland
2 (1991 Volume and 1995 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article - Natural Resources
5 Section 4-703
6 Annotated Code of Maryland
7 (1989 Replacement Volume and 1995 Supplement)
8 (As enacted by Chapter 184 of the Acts of the General Assembly of 1994)

9 BY repealing and reenacting, with amendments,
10 Article - State Government
11 Section 9-1107
12 Annotated Code of Maryland
13 (1995 Replacement Volume)

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

16 **Article - Education**

17 2-205.

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

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

22 (i) Public school officials and teachers;

23 (ii) Private schools; and

24 (iii) Interested citizens of this State.

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

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

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

34 (i) The present and future needs of elementary and secondary
35 education throughout the State, including a discussion of the demographic composition of
36 the elementary and secondary population;

3

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

3 (iii) The short-range and long-range objectives and priorities for
4 elementary and secondary education and methods and timelines for achieving and
5 maintaining them;

6 (iv) Whether current programs adequately prepare graduates for
7 employment opportunities in this State, or postsecondary education opportunities;

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

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

13 (vii) Methods to upgrade and improve teacher education and teacher
14 certification programs;

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

18 (ix) The methods to improve the diagnosis of basic reading skill
19 deficiencies of elementary and secondary school students and to improve the literacy
20 rates of these students;

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

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

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

27 4-109.

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

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

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

32 5-201.

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

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

37 (2) The Maryland Teachers' Retirement System;

4

1 (3) The education of handicapped children;

2 (4) Subsidized or free feeding programs;

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

6 (6) Physical education and recreation;

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

9 (8) Equivalence examinations;

10 (9) Public libraries;

11 (10) Adult education;

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

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

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

17 5-202.

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

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

32 (i) The number of full-time equivalent students in grades 10 through
33 12 enrolled in [vocational-technical] CAREER AND TECHNOLOGY EDUCATION
34 programs in each county on September 30 of the previous year is divided by the statewide
35 number of full-time equivalent students in grades 10 through 12 enrolled in
36 [vocational-technical] CAREER AND TECHNOLOGY EDUCATION programs on
37 September 30 of the previous school year.

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

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

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

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

13 7-405.

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

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

18 (i) Hot molten metal;

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

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

23 (iv) Gas or electric arc welding;

24 (v) Repair or servicing of any vehicle;

25 (vi) Any caustic or explosive material; or

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

28 7-601.

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

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

36 (i) [Vocational-technical] CAREER AND TECHNOLOGY
37 EDUCATION programs;

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

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

4 Title 21. [Vocational] CAREER AND TECHNOLOGY EDUCATION Programs.
5 Subtitle 1. County Advisory Council on [Vocational-Technical] CAREER AND
6 TECHNOLOGY Education.

7 21-101.

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

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

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

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

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

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

23 (1) Business;

24 (2) Industry;

25 (3) Organized labor;

26 (4) Each sex;

27 (5) Racial and ethnic minorities; and

28 (6) The geographic regions of the county.

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

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

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

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1 (3) County job needs; and

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

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

5 21-201.

6 In this subtitle "federal acts" means:

7 (1) The Smith-Hughes Act;

8 (2) The George-Barden Act;

9 (3) The Vocational Education Act of 1963;

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

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

13 21-203.

14 CAREER AND TECHNOLOGY PROGRAMS IN THE PUBLIC SCHOOLS SHALL:

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

18 (2) INTEGRATE ACADEMIC KNOWLEDGE AND OCCUPATIONAL
19 COMPETENCE TO ENABLE STUDENTS TO DEVELOP THE CRITICAL THINKING,
20 PROBLEM SOLVING, EMPLOYABILITY, AND TECHNICAL SKILLS REQUIRED TO MEET
21 THE WORKFORCE PREPARATION AND ECONOMIC DEVELOPMENT NEEDS OF THE
22 21ST CENTURY.

23 **Article - Labor and Employment**

24 11-506.

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

26 (1) an annual statement of goals and objectives for job training and
27 placement programs within the State in order to provide planning guidance in the
28 preparation of service delivery area job training plans and to satisfy the requirements of
29 § 7(a) of the Act of June 6, 1933 (Wagner-Peyser Act);

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

32 (3) criteria for coordinating activities under the federal act, including Title
33 III, with programs and services provided by State and local education and training
34 agencies, the Department of Labor, Licensing, and Regulation, public assistance
35 agencies, rehabilitation agencies, postsecondary institutions, the State Occupational
36 Information Coordinating Committee, economic development agencies, the private

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1 sector, and such other agencies as the Governor determines to have a direct interest in
2 employment and training and human resource utilization within the State (such criteria
3 may not affect local discretion concerning the selection of eligible participants or service
4 providers in accordance with the provisions of §§ 107 and 203 of the federal act);

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

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

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

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

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

22 **Article - Natural Resources**

23 4-703.

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

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

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

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

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

34 (i) Applies to renew a tidal fish license to catch crabs for sale, finfish,
35 oysters, or clams, including a license on inactive status that was valid on September 1,
36 1988;

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

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

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

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

10 (vi) Applies to exchange a current license issued under §
11 4-701(d)(1)(iv) of this subtitle to catch crabs for sale with more than 50 crab pots for a
12 limited license to catch crabs for sale;

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

15 (viii) Applies to renew a tidal fish license to provide services as a
16 fishing guide under § 4-210 of this title in the Atlantic Ocean, its seaside bays, and their
17 tidal tributaries, including a license on inactive status that was valid on September 1,
18 1993.

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

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

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

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

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

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

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

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

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

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1 **Article - State Government**

2 9-1107.

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

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

6 (b) Of the 28 Council members:

7 (1) 1 shall be a member of the State Senate;

8 (2) 1 shall be a member of the House of Delegates;

9 (3) 1 shall be the Secretary or a designee from the Department of Budget
10 and Fiscal Planning;

11 (4) 3 shall be from the State Department of Education;

12 (5) 1 shall be from the Department of Health and Mental Hygiene;

13 (6) 1 shall be the Secretary or a designee from the Department of Human
14 Resources;

15 (7) 1 shall be the Secretary or a designee from the Department of
16 Transportation;

17 (8) 1 shall be from the Human Relations Commission;

18 (9) 1 shall be the Secretary or a designee from the Department of Business
19 and Economic Development;

20 (10) 1 shall be from the Department of Juvenile Justice;

21 (11) 1 shall represent local government; and

22 (12) 15 shall be from the general public.

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

24 (1) 1 shall be the Assistant State Superintendent or a designee from the
25 Division of Special Education;

26 (2) 1 shall be the Assistant State Superintendent or a designee from the
27 Division of Vocational Rehabilitation; and

28 (3) 1 shall be the Assistant State Superintendent or a designee from the
29 Division of [Vocational-Technical Education] CAREER TECHNOLOGY AND ADULT
30 LEARNING.

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

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

34 (2) medical care programs;

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1 (3) health regulatory services; or

2 (4) administration.

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

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

6 (i) 12 shall be individuals with disabilities;

7 (ii) 1 shall be a private citizen with special knowledge or expertise
8 relating to services to individuals with disabilities;

9 (iii) 1 shall be from the business community;

10 (iv) 2 shall be parents of children with disabilities; and

11 (v) 2 shall be from private agencies providing services to individuals
12 with disabilities.

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