

# HOUSE BILL 837

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8lr1870

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By: **Delegates King, Costa, Kipke, Miller, and Schuh**

Introduced and read first time: February 6, 2008

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Classroom Placement - Multiple Birth Children - Parental Discretion**

3 FOR the purpose of authorizing the parent or guardian of multiple birth children to  
4 request the classroom placement of their children under certain circumstances;  
5 requiring a parent or guardian to make a certain request in a certain manner  
6 within a certain period of time; requiring a school to provide the classroom  
7 placement requested by certain parents or guardians; authorizing a principal to  
8 determine a certain classroom placement for certain children if a certain  
9 determination is made by the principal in consultation with certain classroom  
10 teachers after a certain period of time; providing that certain parents or  
11 guardians may appeal a certain classroom placement decision of a principal to  
12 the county board of education; requiring that certain children remain in a  
13 certain classroom placement during a certain appeal; authorizing a school to  
14 recommend a certain classroom placement to certain parents or guardians or  
15 provide certain professional advice to assist certain parents or guardians  
16 regarding classroom placement for multiple birth children; prohibiting a county  
17 board from adopting a certain policy; defining a certain term; and generally  
18 relating to parental discretion for the classroom placement of multiple birth  
19 children.

20 BY adding to

21 Article - Education

22 Section 7-119

23 Annotated Code of Maryland

24 (2006 Replacement Volume and 2007 Supplement)

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

27 **Article - Education**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **7-119.**

2 (A) IN THIS SECTION, "MULTIPLE BIRTH CHILDREN" MEANS TWINS,  
3 TRIPLETS, QUADRUPLETS, QUINTUPLETS, OR MORE.

4 (B) (1) THE PARENT OR GUARDIAN OF MULTIPLE BIRTH CHILDREN  
5 MAY REQUEST THAT THEIR MULTIPLE BIRTH CHILDREN OR CERTAIN GROUPS  
6 OF THEIR MULTIPLE BIRTH CHILDREN BE PLACED IN THE SAME CLASSROOM OR  
7 SEPARATE CLASSROOMS IF THE CHILDREN ARE IN THE SAME GRADE LEVEL AT  
8 THE SAME SCHOOL.

9 (2) THE PARENT OR GUARDIAN SHALL MAKE THE REQUEST IN  
10 WRITING TO THE SCHOOL PRINCIPAL WITHIN 14 DAYS AFTER:

11 (I) THE FIRST DAY OF SCHOOL; OR

12 (II) IF THE CHILDREN WERE ENROLLED IN THE SCHOOL  
13 AFTER THE SCHOOL YEAR HAS COMMENCED, THE FIRST DAY OF ATTENDANCE  
14 OF THE CHILDREN.

15 (C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A  
16 SCHOOL SHALL PROVIDE THE CLASSROOM PLACEMENT REQUESTED BY THE  
17 PARENT OR GUARDIAN UNDER SUBSECTION (B) OF THIS SECTION.

18 (D) (1) AT THE END OF THE LATER OF FIRST GRADING PERIOD  
19 FOLLOWING THE CHILDREN'S ENROLLMENT OR 60 DAYS, IF THE PRINCIPAL OF  
20 THE SCHOOL, IN CONSULTATION WITH THE TEACHER OF EACH CLASSROOM IN  
21 WHICH THE CHILDREN ARE PLACED, DETERMINES THAT THE REQUESTED  
22 CLASSROOM PLACEMENT IS DISRUPTIVE TO THE SCHOOL, THE PRINCIPAL MAY  
23 DETERMINE THE APPROPRIATE CLASSROOM PLACEMENT FOR THE CHILDREN.

24 (2) (I) A PARENT OR GUARDIAN MAY APPEAL A DECISION OF  
25 THE PRINCIPAL UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE COUNTY  
26 BOARD.

27 (II) DURING AN APPEAL TAKEN UNDER SUBPARAGRAPH (I)  
28 OF THIS PARAGRAPH, THE CHILDREN SHALL REMAIN IN THE CLASSROOM  
29 CHOSEN BY THE PARENT OR GUARDIAN.

30 (E) THE SCHOOL MAY:

31 (1) RECOMMEND TO A PARENT OR GUARDIAN THE APPROPRIATE  
32 CLASSROOM PLACEMENT FOR THE MULTIPLE BIRTH CHILDREN; OR

1                   **(2) PROVIDE PROFESSIONAL EDUCATIONAL ADVICE TO ASSIST A**  
2 **PARENT OR GUARDIAN REGARDING CLASSROOM PLACEMENT FOR THEIR**  
3 **MULTIPLE BIRTH CHILDREN.**

4                   **(F) A COUNTY BOARD MAY NOT ADOPT A CLASSROOM PLACEMENT**  
5 **POLICY OF AUTOMATICALLY SEPARATING OR PLACING TOGETHER MULTIPLE**  
6 **BIRTH CHILDREN.**

7                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 July 1, 2008.