

HOUSE BILL 257

F1
HB 837/08 – W&M

9lr0795

By: **Delegates King and Rice**
Introduced and read first time: January 29, 2009
Assigned to: Ways and Means

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 (2008 Replacement Volume)

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

27 **Article – Education**

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, 2009.