

HOUSE BILL 272

F1
HB 257/09 – W&M

0lr0981

By: **Delegate King**
Introduced and read first time: January 25, 2010
Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 24, 2010

CHAPTER _____

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

20 BY adding to
21 Article – Education
22 Section 7–120
23 Annotated Code of Maryland
24 (2008 Replacement Volume and 2009 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Education**

4 **7-120.**

5 (A) IN THIS SECTION, “MULTIPLE-BIRTH CHILDREN” MEANS TWINS,
6 TRIPLETS, QUADRUPLETS, QUINTUPLETS, OR MORE.

7 (B) THIS SECTION APPLIES ONLY TO CHILDREN ENTERING
8 KINDERGARTEN THROUGH SECOND GRADE.

9 ~~(B)~~ (C) (1) THE PARENT OR GUARDIAN OF MULTIPLE-BIRTH
10 CHILDREN MAY REQUEST THAT THE MULTIPLE-BIRTH CHILDREN OR CERTAIN
11 GROUPS OF THE MULTIPLE-BIRTH CHILDREN BE PLACED IN THE SAME
12 CLASSROOM OR SEPARATE CLASSROOMS IF THE CHILDREN ARE IN THE SAME
13 GRADE LEVEL AT THE SAME SCHOOL.

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

16 (I) THE FIRST DAY OF SCHOOL; OR

17 (II) IF THE CHILDREN WERE ENROLLED IN THE SCHOOL
18 AFTER THE SCHOOL YEAR HAS COMMENCED, THE FIRST DAY OF ATTENDANCE
19 OF THE CHILDREN.

20 ~~(C)~~ (D) EXCEPT AS PROVIDED IN SUBSECTION ~~(D)~~ (E) OF THIS
21 SECTION, A SCHOOL SHALL PROVIDE THE CLASSROOM PLACEMENT REQUESTED
22 BY THE PARENT OR GUARDIAN UNDER SUBSECTION ~~(B)~~ (C) OF THIS SECTION.

23 ~~(D)~~ (E) ~~(1)~~ AT THE END OF ~~THE LATER OF THE FIRST GRADING~~
24 ~~PERIOD FOLLOWING THE CHILDREN’S ENROLLMENT OR 60~~ 30 DAYS, IF THE
25 PRINCIPAL OF THE SCHOOL, IN CONSULTATION WITH THE TEACHER OF EACH
26 CLASSROOM IN WHICH THE CHILDREN ARE PLACED, DETERMINES THAT THE
27 REQUESTED CLASSROOM PLACEMENT IS DISRUPTIVE TO THE SCHOOL, THE
28 PRINCIPAL MAY DETERMINE THE APPROPRIATE CLASSROOM PLACEMENT FOR
29 THE CHILDREN.

30 ~~(2)~~ (1) ~~A PARENT OR GUARDIAN MAY APPEAL A DECISION OF~~
31 ~~THE PRINCIPAL UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE COUNTY~~
32 ~~BOARD.~~

1 ~~(H) DURING AN APPEAL TAKEN UNDER SUBPARAGRAPH (I)~~
2 ~~OF THIS PARAGRAPH, THE CHILDREN SHALL REMAIN IN THE CLASSROOM~~
3 ~~CHOSEN BY THE PARENT OR GUARDIAN.~~

4 ~~(E)~~ (F) THE SCHOOL MAY:

5 (1) RECOMMEND TO A PARENT OR GUARDIAN THE APPROPRIATE
6 CLASSROOM PLACEMENT FOR THE MULTIPLE-BIRTH CHILDREN; OR

7 (2) PROVIDE PROFESSIONAL EDUCATIONAL ADVICE TO ASSIST A
8 PARENT OR GUARDIAN REGARDING CLASSROOM PLACEMENT FOR THE
9 MULTIPLE-BIRTH CHILDREN.

10 ~~(F)~~ (G) A COUNTY BOARD MAY NOT ADOPT A CLASSROOM PLACEMENT
11 POLICY OF AUTOMATICALLY SEPARATING OR PLACING TOGETHER
12 MULTIPLE-BIRTH CHILDREN.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.