

HOUSE BILL 893

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4lr2628

By: **Delegates George, Cluster, Eckardt, Elliott, Fisher, Frank, Glass, Kipke, Krebs, McComas, McConkey, McDermott, A. Miller, Ready, Schuh, Schulz, Serafini, Stocksdale, Szeliga, Vitale, and Wood**

Introduced and read first time: February 5, 2014

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Local School System Autonomy**

3 FOR the purpose of providing that certain bylaws, rules, and regulations of the State
4 Board of Education do not apply to a county board of education under certain
5 circumstances; requiring a county board to provide a certain notice to the public
6 concerning certain grant applications; requiring a county board to establish
7 certain policies for the county school system; and generally relating to local
8 school system autonomy.

9 BY repealing and reenacting, without amendments,
10 Article – Education
11 Section 2–205(a) and (b) and 4–101
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2013 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 2–205(c) and 4–108
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2013 Supplement)

19 BY adding to
20 Article – Education
21 Section 4–108.1
22 Annotated Code of Maryland
23 (2008 Replacement Volume and 2013 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Education**

2 2–205.

3 (a) In addition to the other powers granted and duties imposed under this
4 article, the State Board has the powers and duties set forth in this section.

5 (b) The State Board shall:

6 (1) Determine the elementary and secondary educational policies of
7 this State; and8 (2) Cause to be carried out those provisions of this article that are
9 within its jurisdiction.10 (c) (1) The State Board shall adopt bylaws, rules, and regulations for the
11 administration of the public schools.12 (2) These bylaws, rules, and regulations have the force of law when
13 adopted and published.14 (3) The bylaws, rules, and regulations apply to each county. However,
15 they do not apply [to]:16 (I) TO Baltimore City to the extent that they relate to matters
17 that are the subject of other provisions of this article that do not apply to Baltimore
18 City; OR19 (II) TO A COUNTY BOARD TO THE EXTENT THAT THEY ARE
20 INCONSISTENT WITH THE BYLAWS, RULES, AND REGULATIONS ESTABLISHED BY
21 A COUNTY BOARD UNDER § 4–108 OF THIS ARTICLE.

22 4–101.

23 (a) Subject to the provisions of Subtitle 4 of this title, educational matters
24 that affect the counties shall be under the control of a county board of education in
25 each county.26 (b) Each county board shall seek in every way to promote the interests of the
27 schools under its jurisdiction.

28 4–108.

29 Each county board shall:

1 (1) To the best of its ability carry out the applicable provisions of this
2 article and the bylaws, rules, regulations, and policies of the State Board **TO THE**
3 **EXTENT THAT THEY ARE NOT INCONSISTENT WITH THE BYLAWS, RULES,**
4 **REGULATIONS, AND POLICIES OF THE COUNTY BOARD;**

5 (2) Maintain throughout its county a reasonably uniform system of
6 public schools that is designed to provide quality education and equal educational
7 opportunity for all children;

8 (3) Subject to this article and to the applicable bylaws, rules, and
9 regulations of the State Board, **AND TO THE EXTENT THAT THEY ARE RELEVANT TO**
10 **THE COUNTY SCHOOL SYSTEM** determine, with the advice of the county
11 superintendent, the educational policies, **INSTRUCTIONAL POLICIES, AND**
12 **CURRICULUM POLICIES** of the county school system; and

13 (4) Adopt, codify, and make available to the public bylaws, rules, and
14 regulations not inconsistent with State law, for the conduct and management of the
15 county public schools.

16 **4-108.1.**

17 **(A) EACH COUNTY BOARD SHALL PROVIDE NOTICE TO THE PUBLIC ON**
18 **THE COUNTY BOARD'S WEB SITE AND ALLOW FOR PUBLIC COMMENT AT LEAST 3**
19 **MONTHS BEFORE THE COUNTY BOARD SUBMITS A GRANT APPLICATION TO SEEK**
20 **FUNDS TO SUPPORT THE COUNTY PUBLIC SCHOOL SYSTEM.**

21 **(B) THE NOTICE SHALL INCLUDE:**

22 **(1) A COPY OF THE GRANT PROPOSAL OR INSTRUCTIONS**
23 **CONCERNING HOW THE PUBLIC MAY OBTAIN A COPY OF THE GRANT PROPOSAL;**

24 **(2) THE NAME OF EACH INDIVIDUAL WHO WAS INVOLVED IN THE**
25 **PREPARATION OF THE GRANT PROPOSAL; AND**

26 **(3) A COPY OF ANY MEMORANDUM OF UNDERSTANDING**
27 **BETWEEN THE COUNTY SCHOOL SYSTEM AND THE PROSPECTIVE GRANTOR**
28 **REGARDING THE GRANT PROPOSAL.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2014.