

# HOUSE BILL 1001

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4r2498  
CF SB 910

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By: Delegates Hixson, Anderson, Barkley, Barve, Bates, Beitzel, Branch, Cane, Conway, Cullison, DeBoy, Frick, Frush, Gaines, George, Glenn, Gutierrez, Guzzone, Haynes, Holmes, Howard, Hubbard, Ivey, Jones, Kaiser, Lafferty, Luedtke, A. Miller, Mitchell, Mizeur, Myers, Olszewski, Proctor, S. Robinson, Schulz, Serafini, Simmons, Sophocleus, Stukes, Summers, Swain, F. Turner, Vaughn, Walker, A. Washington, M. Washington, and Zucker

Introduced and read first time: February 6, 2014

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2014

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Education – Federal Elementary and Secondary Education Act – ~~Waivers~~**  
3 **Waiver Requests**

4 FOR the purpose of requiring ~~certain waivers from the federal Elementary and~~  
5 ~~Secondary Education Act requested by the State Department of Education to~~  
6 ~~the United States Department of Education to be consistent with State law and~~  
7 ~~regulations; requiring the Department to adopt certain regulations before~~  
8 ~~requesting certain waivers; requiring the State Superintendent of Schools to~~  
9 ~~submit a certain description of how certain waivers are consistent with State~~  
10 ~~law and regulations, including certain references to certain statutes and~~  
11 ~~regulations, to the Governor and the General Assembly at least a certain~~  
12 ~~number of days before requesting certain waivers; the State Department of~~  
13 Education to submit a certain request for a waiver from the federal Elementary  
14 and Secondary Education Act to the Legislative Policy Committee before the  
15 Department submits the proposed waiver request to the United States  
16 Department of Education; requiring the State Department of Education to give  
17 the Legislative Policy Committee a certain amount of time to review and  
18 comment on a certain proposed waiver request; and generally relating to ~~the~~

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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 ~~request~~ requests for waivers to the United States Department of Education from  
2 the federal Elementary and Secondary Education Act.

3 BY adding to  
4 Article – Education  
5 Section 2–107  
6 Annotated Code of Maryland  
7 (2008 Replacement Volume and 2013 Supplement)

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

10 **Article – Education**

11 **2–107.**

12 **(A) IF THE DEPARTMENT ~~REQUESTS~~ INTENDS TO REQUEST A WAIVER**  
13 **FROM THE UNITED STATES DEPARTMENT OF EDUCATION FROM SPECIFIC**  
14 **PROVISIONS OF THE FEDERAL ELEMENTARY AND SECONDARY EDUCATION ACT**  
15 **, BEFORE SUBMITTING THE REQUEST TO THE UNITED STATES DEPARTMENT OF**  
16 **EDUCATION,;**

17 **(1) ~~THE~~ THE DEPARTMENT ~~SHALL~~ SHALL:**

18 **(1) SUBMIT THE PROPOSED WAIVER REQUEST TO THE**  
19 **LEGISLATIVE POLICY COMMITTEE; AND**

20 **(2) ALLOW THE LEGISLATIVE POLICY COMMITTEE AT LEAST 30**  
21 **DAYS AFTER THE COMMITTEE RECEIVES THE PROPOSED WAIVER REQUEST TO**  
22 **REVIEW AND COMMENT ON THE PROPOSED WAIVER REQUEST.**

23 **(B) THE DEPARTMENT SHALL PROVIDE ANY ADDITIONAL INFORMATION**  
24 **REGARDING THE PROPOSED WAIVER REQUEST IF REQUESTED BY THE**  
25 **LEGISLATIVE POLICY COMMITTEE. ~~ADOPT REGULATIONS ESTABLISHING THE~~**  
26 **~~PROVISIONS OF THE WAIVER BEFORE REQUESTING THE WAIVER;~~**

27 **(2) ~~THE WAIVER SHALL BE CONSISTENT WITH STATE LAW AND~~**  
28 **~~REGULATIONS; AND~~**

29 **(3) ~~AT LEAST 60 DAYS BEFORE REQUESTING THE WAIVER, THE~~**  
30 **~~STATE SUPERINTENDENT SHALL SUBMIT TO THE GOVERNOR AND, IN~~**  
31 **~~ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE~~**  
32 **~~GENERAL ASSEMBLY A DETAILED DESCRIPTION OF HOW THE WAIVER IS~~**  
33 **~~CONSISTENT WITH STATE LAW AND REGULATIONS, INCLUDING REFERENCES TO~~**  
34 **~~RELEVANT STATUTES AND REGULATIONS.~~**

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.