

SENATE BILL 910

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4r1816
CF HB 1001

By: Senators Madaleno, Benson, Colburn, Currie, Feldman, Forehand,
Kasemeyer, King, Klausmeier, Manno, Mathias, McFadden,
Montgomery, Pinsky, and Young

Introduced and read first time: January 31, 2014

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2014

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

21 BY adding to
22 Article – Education

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 2-107
 2 Annotated Code of Maryland
 3 (2008 Replacement Volume and 2013 Supplement)

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

6 **Article – Education**

7 **2-107.**

8 **(A) IF THE DEPARTMENT ~~REQUESTS~~ INTENDS TO REQUEST A WAIVER**
 9 **FROM THE UNITED STATES DEPARTMENT OF EDUCATION FROM SPECIFIC**
 10 **PROVISIONS OF THE FEDERAL ELEMENTARY AND SECONDARY EDUCATION**
 11 **ACT, BEFORE SUBMITTING THE REQUEST TO THE UNITED STATES**
 12 **DEPARTMENT OF EDUCATION,;**

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

14 **(1) SUBMIT THE PROPOSED WAIVER REQUEST TO THE**
 15 **LEGISLATIVE POLICY COMMITTEE; AND**

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

19 **(B) THE DEPARTMENT SHALL PROVIDE ANY ADDITIONAL INFORMATION**
 20 **REGARDING THE PROPOSED WAIVER REQUEST IF REQUESTED BY THE**
 21 **LEGISLATIVE POLICY COMMITTEE. ~~ADOPT REGULATIONS ESTABLISHING THE~~**
 22 **~~PROVISIONS OF THE WAIVER BEFORE REQUESTING THE WAIVER;~~**

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

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

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