

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 356
Ways and Means

(Delegate Patterson, *et al.*)

Education, Health, and Environmental Affairs

Primary and Secondary Education - Nonpublic Schools - Required Information

This bill requires the Maryland State Department of Education (MSDE) to provide, by September 1 of each year, each county agency responsible for permitting and each county fire marshal (1) a list of nonpublic schools in the county that have been issued a certificate of approval by the State Board of Education and (2) a list of nonpublic schools in the county that have provided MSDE with a church-exempt registration form and other related documentation. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: MSDE can carry out the bill’s reporting requirement with existing budgeted resources. No effect on revenues.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: “Nonpublic school” includes a (1) noncollegiate educational institution operating with a certificate of approval issued by the State Board of Education and (2) an institution operated by a bona fide church organization that has provided MSDE with specified documentation required by regulations.

Current Law/Background: A “noncollegiate educational institution” is a school or other institution that offers an educational program but is not an institution of postsecondary education, as defined in State law. A noncollegiate educational institution may not operate

in the State without a certificate of approval from the State Board of Education, except that an institution operated by a bona fide church organization does not require a certificate. Instead, they must submit to MSDE a completed church-exempt registration form and documentation that establishes the legal existence of the bona fide church organization. Exempt institutions that register with the State may not receive State funds, except for food service programs.

MSDE advises that there are 965 nonpublic schools in the State, including exempt institutions.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Anne Arundel, Charles, and Montgomery counties; Maryland State Department of Education; Montgomery County Public Schools; Prince George's County Public Schools; Department of Legislative Services

Fiscal Note History: First Reader - February 12, 2019
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