HOUSE BILL 603

F5, J1 SB 827/21 – EHE 3lr1596 CF SB 419

By: **Delegates Stein, Attar, and Metzgar** Introduced and read first time: February 3, 2023 Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 Nonpublic Schools – School Health Services Program – Eligibility for 3 Participation

4 FOR the purpose of altering the requirements of the school health services program to $\mathbf{5}$ authorize certain nonpublic schools to participate in the program in the county in 6 which the nonpublic school is located; prohibiting a county board of education from 7 expending more than a certain amount of money per student to provide certain school 8 health services to students in certain nonpublic schools; prohibiting a county board 9 from providing certain school health services in nonpublic schools that discriminate in certain ways; and generally relating to nonpublic schools and school health 10 11 services programs.

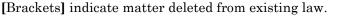
- 12 BY repealing and reenacting, with amendments,
- 13 Article Education
- 14 Section 7–401
- 15 Annotated Code of Maryland
- 16 (2022 Replacement Volume)

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

- 19
 Article Education

 20
 7–401.
 - (a) With the assistance of the county health department, each county board shallprovide:
 - 23
- (1) Adequate school health services;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.





2 HOUSE BILL 603 1 Instruction in health education, including the importance of physical (2) $\mathbf{2}$ activity in maintaining good health; and 3 (3)A healthful school environment. 4 (b) The Department of Education and the Maryland Department of Health jointly $\mathbf{5}$ shall: 6 Develop public standards and guidelines for school health programs (1)7 THAT ENSURE ADEQUATE AND EQUITABLE HEALTH SERVICES FOR PUBLIC AND NONPUBLIC SCHOOL STUDENTS; [and] 8 9 (2)Offer assistance to the county boards and county health departments 10 in their implementation; AND 11 (3) DEVELOP A PROCESS FOR A NONPUBLIC SCHOOL TO APPLY TO 12PARTICIPATE IN THE SCHOOL HEALTH SERVICES PROGRAM IN THE COUNTY IN 13WHICH THE NONPUBLIC SCHOOL IS LOCATED. 14TO PARTICIPATE IN A SCHOOL HEALTH SERVICES PROGRAM, A **(C)** NONPUBLIC SCHOOL MUST BE ELIGIBLE FOR THE NONPUBLIC SCHOOLS TEXTBOOK 15AND TECHNOLOGY GRANTS PROGRAM. 16 17[(c)] **(**D**)** (i) Each county board shall designate a school health services (1)program coordinator. 18 19 (ii) A county board may authorize the county health department to 20designate the school health services program coordinator. 21(2)The school health services program coordinator shall: 22(i) Implement State and local health policies in the public AND **PARTICIPATING NONPUBLIC** schools: 2324(ii) Ensure that public AND PARTICIPATING NONPUBLIC schools 25adhere to local health services guidelines; and 26Communicate State and local health policies to the parents and (iii) 27guardians of [public school] students ATTENDING A PUBLIC OR NONPUBLIC SCHOOL PARTICIPATING IN THE SCHOOL HEALTH SERVICES PROGRAM. 2829(3)Except as provided in subparagraph (ii) of this paragraph, the (i) county board shall grant the school health services program coordinator the authority to 30

31 carry out the provisions of this subsection.

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1 (ii) The county board shall consult with a county superintendent 2 before any change in the hiring or termination of personnel in connection with a school 3 health services program.

4 (4) The Department of Education shall conduct at least two meetings 5 annually with all school health services program coordinators in the State.

6 (E) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A COUNTY BOARD 7 MAY NOT:

8 BE REQUIRED TO EXPEND MORE THAN \$40 PER STUDENT, (1) 9 ADJUSTED ANNUALLY FOR INFLATION IN ACCORDANCE WITH THE CONSUMER INDEX FOR ALL Urban CONSUMERS FOR THE WASHINGTON 10 PRICE 11 METROPOLITAN AREA, IN PROVIDING ADEQUATE HEALTH SERVICES TO A 12NONPUBLIC SCHOOL; AND

(2) PROVIDE ADEQUATE HEALTH SERVICES IN NONPUBLIC SCHOOLS
 THAT DISCRIMINATE IN STUDENT ADMISSIONS, RETENTION, OR EXPULSION OR
 AGAINST ANY STUDENT ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEXUAL
 ORIENTATION, OR GENDER IDENTITY OR EXPRESSION.

17 (F) A NONPUBLIC SCHOOL OR A NONPUBLIC SCHOOL STUDENT MAY NOT BE 18 COMPELLED OR REQUIRED TO PARTICIPATE IN A SCHOOL HEALTH SERVICES 19 PROGRAM.

20(G) FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF 21\$4,000,000, ADJUSTED FOR INFLATION IN ACCORDANCE WITH THE CONSUMER 22PRICE INDEX FOR ALL URBAN CONSUMERS 23FOR THE WASHINGTON 24METROPOLITAN AREA, TO THE DEPARTMENT FOR DISBURSEMENT TO THE COUNTIES FOR PURPOSES OF FUNDING ADEQUATE HEALTH SERVICES UNDER THIS 2526SECTION.

[(d)] (H) On or before December 1, 2015, and every 5 years thereafter, the Department shall report to the Governor and, subject to § 2–1257 of the State Government Article, to the General Assembly a summary of the information reported to the State Superintendent during the COMAR certification process.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 1, 2023.