

**BILL:** Senate Bill 362  
**TITLE:** Primary and Secondary Education - Virtual Schools - Revisions  
**POSITION:** SUPPORT WITH AMENDMENTS  
**DATE:** March 31, 2022  
**COMMITTEE:** Ways and Means  
**CONTACT:** John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports the intent of Senate Bill 362 to build a framework for a robust statewide approach to ensuring access for students to options for high quality virtual learning.

The COVID-19 pandemic resulted in statewide school facility closures and necessitated the immediate transition to distance learning through access to online platforms and other instructional materials from mid-March through the end of the school year. The demands on local school systems to provide almost exclusively online instruction to Maryland's nearly 900,000 students, including the provision of tens of thousands of digital devices, highlighted the significant and inequitable gaps in student, family, and community access to the broadband services needed to access online instruction. Thankfully, enormous investments of federal funding are already being made and the availability of high-speed access is expanding dramatically.

Long before the pandemic, MABE advocated for funding and policies at the State and federal levels to enhance the ability of local school systems to utilize and make available educational technology that is essential to our students' college and career readiness and success. Again, before school closures mandated the shift to digital and distance learning, local boards recognized that virtual and distance learning programs and strategies are effective adjuncts to traditional classroom instruction.

MABE continues to support state and local efforts to pursue the effective use of virtual learning initiatives and will continue to support programs to optimize the use of technology in improving student instruction. MABE recognizes the value and need to continuously improve student access to high quality virtual learning programs, including through stand-alone virtual schools. However, given the breadth and scope of the many complex provisions of this legislation, and the stakeholder input being provided on closely related Senate legislation, MABE requests amendments aligned with the concerns raised last session on this House legislation, and to reflect the need for alignment with the currently pending House Bill 1163.

In particular, MABE recognizes that House Bill 1163 would prohibit the role for for-profit entities in being responsible for the day-to-day education of students in virtual schools. Similarly, Senate Bill 362 would prohibit contracts with for-profit entities to operate or administer a virtual school. MABE supports the approach taken in House Bill 1163. MABE also supports the more flexible approach taken in House Bill 1163 to the respective to the role of synchronous learning.

Clearly, this is a comprehensive and therefore complex piece of legislation; a bill proposing major modifications to the existing law which local boards generally believe provides significant authority, flexibility, and state oversight for local school systems to establish high quality virtual schools in the best interests of students and families.

For these reasons, MABE requests a favorable report on Senate Bill 362 in the context of aligning it with House Bill 1163 and the issues outlined above.