

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
State Board of Education**
(DLS Control No. 20-011)

Overview and Legal and Fiscal Impact

These regulations update and rename the State's Environmental Education Instructional Programs for Grades Prekindergarten through 12.

The regulations present no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulations of COMAR Affected

State Board of Education:

Specific Subjects: Environmental Education: COMAR 13A.04.17.01 and .02

Legal Analysis

Summary of Regulations

The regulations rename the Maryland Environmental Education Program to be the Maryland Environmental Literacy Program and replace the Maryland Environmental Literacy Curriculum with the Maryland Environmental Literacy Standards. The regulations also specify that the Environmental Literacy Program shall provide opportunities for outdoor learning experiences.

The regulations alter the subcategories of the existing curriculum to create a revised set of standards that describe the skills that environmentally literate students obtain through the environmental literacy instructional program. Specifically, the regulations change:

- the Environmental Issues subcategory to the Environmental Issue Investigation and Action standard;
- the Interactions of Earth's Systems subcategory to the Human Dependence on Earth Systems and Natural Resources standard;
- the Flow of Matter and Energy subcategory to the Environmental Impact of Human Activity standard;

- the Populations, Communities, and Ecosystems subcategory to the Consequences of Environmental Change on Human Health and Well-Being standard; and
- the Humans and Natural Resources subcategory to the Individual and Collective Responses to Environmental Change standard.

Finally, the regulations repeal the Environment and Health, Environment and Society, and Sustainability subcategories of the curriculum and subsume these concepts into the new standards.

Legal Issues

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The State Department of Education cites § 2–205(h) of the Education Article as statutory authority for the regulations. Section 2–205(h) requires the State Board of Education, with the advice of the State Superintendent of Schools, to establish basic policy and guidelines for the program of instruction for the public schools.

Although not cited by the department, § 2–205(c) of the Education Article requires the State board to adopt bylaws, rules, and regulations for the administration of the public schools.

With the addition of § 2–205(c), this authority is correct and complete. The regulations comply with the legislative intent of the law.

Technical Corrections and Special Notes

In response to suggestions from the Department of Legislative Services, staff for the State board has agreed to make the following changes to the regulations:

- adding § 2–205(c) of the Education Article to the cited statutory authority for the regulations; and
- revising the Statement of Purpose to more adequately reflect the substance of the regulations.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The department advises that the regulations have no fiscal impact. However, the Department of Legislative Services advises that local school systems need to revise curricular resources to align with the regulations. Under current regulations, each local superintendent must certify to the State Superintendent that its environmental program is in compliance with the regulations every five years beginning September 1, 2015; the next certification deadline is September 1, 2020. Local school systems have already begun revising their curricula to align with the new standards and requirements of the regulations. The department provides regional workshops to train teachers and technical assistance to local school systems as part of its regular outreach. Thus, the Department of Legislative Services advises that any fiscal impact can be handled with existing resources.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

Legal Analysis: Jeremy D. Baker – (410) 946/(301) 970-5350

Fiscal Analysis: Caroline L. Boice – (410) 946/(301) 970-5510