

Legislative Update
March 10, 2008

Major educational issues remaining in the 2008 General Assembly Session:

Labor Relations

SB 850/HB 1518 - Education - Collective Bargaining - Public School Labor Relations Board - the bill establishes a Public School Labor Relations Board. The bill(s) provide for the appointment, membership, duties, responsibilities and staff of the Board. On the request a public school employer or at least two of its designated representatives shall meet and negotiate with at least two representatives of the employee organization that is designed as the exclusive negotiating agent for the public school employees in a unit of the county on various issues.

The decision of the Public School Labor Relations Board is final. On petition by either party to the Board, the Board shall determine is a matter is a mandatory subject, a permissive subject, or an illegal subject for bargaining. On petition by either party, the Board shall determine issues concerning bad faith bargaining and unfair labor practices. The measure provides for the appointment, membership, duties, responsibilities, and staff of the Board. The Board shall consist of five members:

- (1) one member appointed by the Governor, with the advice and consent of the Senate, representing the public and who has experience in labor relations, is not an officer or employee of a board of education or employee organization representing public school system employees; and is not an elected official of the State or a county.
- (2) two members chosen from a list of candidates submitted by each designated exclusive representative organization representing certificated and noncertificated employees appointed by the Governor with the advice and consent of the Senate who: (1) are not officers or employees of the State, a county, a county board, or a public school employee organization; are known for objective and independent judgment; and two members of the education or business community, appointed by the Governor with the advice and consent of the Senate who: (1) are not officers or employees of the State or a county, the State Board or a local board, or an employee organization representing employees of public school systems in the State; and (2) are known for objective and independent judgment.

Jointly with the State Labor Relations Board and the State Higher Education Labor Relations Board, the Board shall appoint an executive director to act for the Labor Relations Boards and the Board. The Board may adopt and enforce regulations, guidelines, and policies to carry out its rights and responsibilities. If a person or a governmental unit fails to comply with an order issued by the Board, a member of the board may petition the circuit court to order the person or governmental unit to comply with the Board's order. Both the House and Senate Bill remains in their respective Rules Committee for consideration as of February 24, 2008.

High School Assessment

HB 520 would prohibit the State Board of Education from including the passing of statewide, mandatory, curriculum-based examinations in public high school graduation requirements. HB 519 requires the Sate Board of Education to establish a weighted numerical assessment system to calculate a total score that students are required to achieve to graduate from a public high school in the state. HB 49 requires the State Board of Education to report to each county board on or before July 1 each year on the performance of each student in the local school system on the Maryland High School Assessment.

Student Safety

A number of bills were regarding school harassment to include bullying and cyber-bullying had hearings held this past week. These bills seek to protect students and ensure a safe school environment. The legislation is designed to create an anonymous avenue for reporting infractions, and set disciplinary standards. **HB 199 - “Public Schools - Bullying and Cyber-Bullying - Policy and Disciplinary Standards”** requires the State Board of Education to develop policy standards for the investigation and discipline of bullying with local boards creating their own standards to conform to the State Board standards. A similar measure, **HB 732 – “Bullying, Harassment, and Intimidation - School Policy”** also requires the State Board of Education to develop a model bullying, harassment, and intimidation policy by October 1, 2008 with local boards establishing policies by December first as well as developing educational materials to prevent bullying in schools. **HB 546 – “Local Boards of Education - Harassment and Intimidation in Schools”** calls for the creation of an Ombudsman position within the Maryland State Department of Education and the Prevention of Harassment and Intimidation in Public Schools Advisory Council. **HB 206 - Education - Student Bullying - State and School Policy** - This bill requires each local board of education to adopt a policy by September 1, 2009 declaring that bullying in schools, on school property, and at school functions is against State and school policy. The policies must include the consequences for individuals who violate the policy and procedures for reporting an act of bullying and investigating complaints of bullying. Copies of the policies must be available to students, parents, school employees, and school volunteers. An individual who promptly, reasonably, and in good faith reports an act of bullying in accordance with the local policies is immune from civil or criminal liability relating to the report. Each local board of education must develop and maintain a system to collect data on the incidence of bullying. **HB 920/519 - Education - Student Who Is a Victim of Violent Crime - Option to Require Offender to Change Schools** – requires a local superintendent of education to provide notice to a victim or their representative of their rights and as determined by the victim or the victim’s representative transfer to another safe public elementary, secondary, or charter school within the county school system. Unless the offender is expelled, transfer the offender to another public elementary, secondary, or charter school within the county school system.

Attendance

SB 436 - Education - Age of Compulsory Attendance - Exemptions – This bill requires a child under the age of 18 to attend a public school regularly during the entire school year, subject to certain exceptions. The measure does not apply to a child under the age of 18 years who has obtained a Maryland High School Diploma, an equivalent out-of-state high school diploma, or a GED. Exemptions also include a student:

- with disabilities who has completed the requirements for a Maryland high school certificate of completion;
- receiving regular, thorough instruction during the school year in the studies usually taught in the public schools to children of the same age including home schooling;
- severely ill and requires home or hospital instruction;
- married;
- in military service;
- committed by court order to an institution without an educational program;
- who provides financial support to the child’s family as documented by a local department of social services;
- expelled;
- pregnant; or
- enrolled in an alternative educational program.

Legislative Update
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Listing of Bills that Have Been Withdrawn or Have Received an
Unfavorable Report in Committee

House Bills

HB 23 – Maryland Green Buildings Standards Act of 2008

HB 185 – Parental Choice Scholarship Program

HB 186 – Great Schools Tax Credit Program

HB 188 – Smart Start Scholarship Program

HB 291/HB345 – Sales and Use Tax – Tax-Free Period for Back-to-School Shopping

HB 702 – Education – Baltimore County-Public Schools Employee Units

Senate Bills

SB 229 – Education-Classroom Instruction Expenditures-Required Funding

SB 230 – Public School Collective Bargaining Sunshine Act

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Listing of Bills That Have Passed the Senate or House

Senate Bills

SB 50 – Education-Special Education Services-Children in a Home-School Setting

SB 77 – Education-Children in Informal Kinship Care Relationships

SB 96 – Education-Truancy Rates-Positive Behavioral Interventions and Support Programs and Behavior Modification Programs

House Bills

HB 169 – Education-Children in Informal Kinship Care Relationships

HB 230 – Vehicle Laws-School Crossing guards-Authority to Direct Traffic

HB 407 – Commissioner of Labor and Industry – Boiler and Pressure Vessel Safety- Authorized Inspection Agencies