

Board of Education Legislative Exhibit
January 19, 2022

SECTION 1: BOE VOTE REQUESTED

NO BILLS

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SECTION 2: BOE VOTE NOT RECOMMENDED AT THIS TIME

HB0056

Commission on Student Behavioral Health and Mental Health Treatment

Delegate Bagnall

This bill establishes the Commission on Student Behavioral Health and Mental Health Treatment to study, evaluate, update, and revise guidelines for student behavioral health and mental health treatment and practices, including school-based health centers. The Behavioral Health Administration must provide staff for the Commission. Members of the Commission may not receive compensation but may be reimbursed for expenses. The Commission must report its findings and recommendations to the Governor, State Board of Education, and the General Assembly in two reports.

NO POSITION

HB0095

Anne Arundel County - Board of Education - Meeting Requirements and Officers

Delegate Bagnall

This bill alters the requirements for public business meetings of the Anne Arundel County Board of Education. It also requires the county board to elect a parliamentarian.

NO POSITION

HB0150/SB0124

Public Schools - Grant Program to Reduce and Compost School Waste

Delegate Charkondian and Senator Hettleman

This bill establishes a grant program for school districts to apply for compensation to set up processes to measure and reduce food waste. This bill also includes processes for surplus food to be served to students for after school activities or to take home. It also establishes multiple reporting requirements to calculate the amount of food waste prevented, diverted, and composted.

NO POSITION

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SECTION 3: BOE VOTE NOT REQUIRED – ESTABLISHED POSITION IN 2021 LEGISLATIVE PROGRAM

HB0019

Education – School Construction – Pedestrian Safety Plans (School Pedestrian Safety Act)

Delegate Solomon

This bill requires a local board of education that is seeking State funds for the construction of a new public school or for the renovation or addition to an existing school, under specified circumstances, to submit a pedestrian safety plan to the Interagency Commission on School Construction (IAC). It also requires pedestrian safety plans to be developed in collaboration with the State Highway Administration (SHA) and county departments of transportation and, requiring IAC to review submitted pedestrian safety plans in consultation with SHA.

OPPOSE

While AACPS clearly supports the concept of safe and appropriate walking and biking routes to schools, the creation of a detailed pedestrian safety plan appears to be unwarranted. As AACPS does not have any control over sidewalks or bike paths that extend beyond the edge of our public school property lines, any identified gaps would be outside the school district's ability to remedy. As most county departments of public works and transportation already produce transportation functional master plans and routinely undertake walk-shed/bike-shed studies, such activities would appear to be more suitably placed in those departments. This is supported by the fact that county government, not the local board of education, has jurisdiction to acquire rights of way and make infrastructure improvements within communities.

The State will not participate in the cost of the study, so this bill is also an unfunded mandate for AACPS. The unfunded mandate would have an estimated fiscal impact of approximately \$30,000 per public school construction project site in order to have a transportation engineering consulting company undertake the requisite study, hold the public hearings, and produce the finished pedestrian safety plan report. Given that AACPS could potentially undertake five qualifying projects per year, it could amount to at least \$150,000 in unfunded expenditures per fiscal year.

HB0023

School Discipline - Data Collection and School Resource Officers

Delegate Washington

This bill requires the Maryland State Department of Education (MSDE) to disaggregate discipline-related data in an electronic spreadsheet format for the Maryland Report Card and provide the discipline-related data to the public in an accessible electronic spreadsheet format. The bill would also require MSDE to lower the risk ratio used to identify a school as high suspending from 3.0 to 2.0. It prohibits a school resource officer (SRO) from unilaterally enforcing discipline-related school policies, rules, regulations, or procedures.

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SUPPORT WITH AMENDMENTS

The AACPS Instructional Data Division collects, analyzes, and applies instructional data to assist students, teachers, instructional leaders, parents, and the public. The goal is to enhance learning and positively impact student achievement. At AACPS, student achievement data is analyzed to identify relationships between different types of student achievement measures and to predict student performance in order to better identify appropriate instructional strategies to address the needs of our students.

Disaggregated student discipline data is currently posted on the MSDE website. State regulations require MSDE to develop a method to analyze local school system discipline data to determine whether there is a disproportionate impact on minority students. MSDE may use the discrepancy model to assess the impact of discipline on special education students. If MSDE identifies a school's discipline process as having a disproportionate impact on minority students or a discrepant impact on special education students, the local school system must prepare and present to the Maryland State Board of Education a plan to reduce the impact within one year and eliminate it within three years. A local school system must report its progress annually to the State Board. When presented to the State Board of Education in January 2017, the State Board determined that 3.0 would be the threshold for disproportionality in Maryland. Accordingly, we have concerns that this bill would lower the ratio to 2.0.

In addition, we have concerns with the definition of "high-suspending schools." As with disproportionality, it is important to be very careful with small student groups. According to this bill, an elementary school with 1 student suspended out of 10 would be labeled "high-suspending."

It is important to note that alternative schools and special programs work with unique students by design and should never be compared to comprehensive schools. These schools face challenges and have needs that far exceed any comprehensive school. As such, taking students who are struggling behaviorally and putting them in the same school or program will inherently result in disproportionate data because there is a disproportionate population. Alternative schools and special programs do such wonderful work for students and families and including them in this legislation would have such a negative impact on the hard work that these schools and their staff do every single day.

This bill also prohibits a School Resource Officer (SRO) from unilaterally enforcing discipline-related school policies, rules, regulations, or procedures. AACPS agrees that including this prohibition explicitly in State law is necessary as the role of an SRO does not involve disciplining students. Currently, SROs do not make determinations regarding student discipline and AACPS has policies and procedures in place regarding such interactions with SROs and law enforcement. If there has been a criminal law violated, adjudication is referred to law enforcement to address the criminal aspect of the behavior and a school administrator makes a disciplinary determination in pursuant to AACPS' policies, procedures, and the Code of Student Conduct. In accordance with a student's due process rights and current policies and procedures, it is the school administrator who makes the final school determination regarding student discipline. Once such a determination is made, AACPS policy affords a student appeal rights.

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Regular conversation and rapport among students, administrators, staff, SROs, and other law enforcement officials is essential to ensure a more holistic, contextual view of student behavior. These interactions help to facilitate ongoing relationships that create safer school climates among student, administrators, staff, SROs, and law enforcement.

HB0047

Public Schools – Expanded American History – Development of Content Standards and Implementation

Delegate Wilson

This bill requires the State Board of Education to, by December 1, 2022, develop content standards for expanded American history. It also requires each county board of education, in collaboration with the local school system, to develop and implement certain curriculum guides for expanded American history; each public school, by the 2023-2024 school year, to include expanded American history in the social studies curriculum; and requiring the State Department of Education and the State Board of Education to jointly analyze certain content standards.

SUPPORT WITH AMENDMENTS

AACPS generally opposes efforts by the General Assembly to legislate local public school curriculum or assessments. The authority to establish curriculum and assessments is the domain of the Maryland State Board of Education and the local boards of education, the same entities charged with the responsibility to research, investigate, and evaluate both curriculum and assessments. Maintaining this authority with the State Board and local boards allows local boards of education to collaborate with the State and stakeholders to ensure that all students, schools, and school systems are held accountable.

We appreciate that the legislation places the responsibility for the development of content standards for a more inclusive and comprehensive American history where it belongs – with the Maryland State Board of Education. It is time for Maryland to ensure that every public school student in the State receive accurate and thorough education about the extraordinary contributions that diverse groups of Americans have made in Maryland and across the nation. Failure to require the State Board of Education to develop such content standards has resulted in local school systems not educating Maryland students on comprehensive and inclusive American history. *All* children from *all* walks of life should have access to a rich social studies education history as it is the fabric of who we are as a nation. It *is* American history.

Currently, AACPS students in grades 4, 5, 8, and 9 study American History aligned to the MSDE Standards and Frameworks. Over the course of the last 5 years, each of these frameworks has been rewritten by committees of teachers, administrators and other stakeholders in a process overseen by MSDE and voted on by the Maryland State Board of Education. The introduction and components of the AACPS frameworks explicitly address the contents of the proposed bill. For example, special attention has been placed on local and State level African American History. The AACPS Social Studies Office is currently engaged in a local history project with the Office of Equity and Accelerated Student Achievement to establish connections and provide materials to integrate into K-12 curriculum related to local African American History.

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While AACPS supports the goal and the spirit of the bill, we ask that the Committee identify potential funding sources for implementation. We also respectfully request that the Committee consider delaying the implementation date to ensure proper and meaningful implementation.

[HB0068/SB0040](#)

Interagency Commission on School Construction – Systemic Renovation Projects – Eligibility

Delegate Watson and Senator Hester

This legislation includes systemic projects to the eligibility list of project types/categories that may be funded by the State’s Supplemental Public School Construction Financing Fund and the State’s Supplemental Public School Construction Facilities Fund, regardless of the cost of the project.

SUPPORT WITH AMENDMENTS

AACPS endeavors to provide students with high-performing school facilities conducive to learning. AACPS strongly supports adequate funding and the development of adequate and equitable State and federal programs to assist localities with public school construction, renovation, and major maintenance projects.

Systemic projects are typically component level replacements with in-kind features such as a roof, boiler, and chiller. These projects differ from a comprehensive building-wide renovation, school replacement, school addition, or new school construction projects that are currently eligible for funding from the State’s Supplemental Public School Construction Financing Fund and the State’s Supplemental Public School Construction Facilities Fund.

This legislation would provide local school systems with added flexibility in terms of the types or mix of projects that can be submitted for State funding consideration from the specified State funds. While we support the inclusion of systemic projects, we recommend that the legislation be amended to strike the “**REGARDLESS OF THE COST OF THE PROJECT**” language. We recommend this amendment to ensure alignment with the Administrative Procedures Guide published by the Interagency Commission on School Construction which governs the public school construction program. The Administrative Procedures Guide establishes a minimum \$100,000 project cost threshold for systemic projects that are funded via traditional IAC general obligation bond funding. In order to remain consistent, and to reduce the burden of administering small projects that can be handled via local pay-go funding, the same fiscal threshold should be imposed on projects funded by the State’s Supplemental Public School Construction Financing Fund and the State’s Supplemental Public School Construction Facilities Fund.

[HB0084/SB0119](#)

Education – Crimes on School Grounds – Application

Delegate Ruth and Senator Washington

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This bill repeals a provision of law prohibiting a person from willfully disturbing or otherwise willfully preventing the orderly conduct of activities, administration, or classes of any institution of elementary, secondary, or higher education.

LETTER OF INFORMATION

Safety in public schools remains increasingly important to local boards of education as school-related security incidents and threats in Maryland and throughout the nation have increased over the years. Accordingly, AACPS supports legislation and program initiatives that contribute to the safety and well-being of students in school and in the community. Unfortunately, schools face potential security threats from trespassers, unruly individuals, and other potential situations that can cause disruption to the normal and orderly operations of a school.

We appreciate the sponsors amending the bill this year to specifically exclude students. By clarifying the application of this section of Education Article, a person who is not a student and enters a school and willfully disturbs the ongoing education being conducted would still be subject to a charge and penalty under the law. While this new language is incredibly helpful, we find the provision in the legislation which would include students who are “**CURRENTLY ON EXCLUSIONARY DISCIPLINE**” troublesome as we believe that this language creates safety concerns. As such, we urge the Committee to strike this language from the proposed legislation.

[HB0118](#)

Public Schools - Student Attendance - Excused Absences for Mental Health Needs

Delegate Washington

This bill establishes that a student’s absence due to mental health needs is a lawful absence from public school attendance. A local board of education must excuse an absence due to a student’s mental health needs, provided that a student who is a minor has permission from the student’s parent/guardian for the absence. A local board may not require a note from a physician to excuse such an absence. A student who is absent due to mental health needs must meet with a school mental health specialist within an appropriate period of time, as determined by the local board, to discuss the student’s mental health needs

SUPPORT WITH AMENDMENTS

AACPS recognizes the importance of promoting the positive mental health of all students through the development of impactful relationships and by teaching resilience. Student mental health is of particular importance during this time when AACPS students are faced with a global health pandemic and other challenges. School counselors, school psychologists, school social workers, pupil personnel workers, and school nurses collaborate with staff, parents/guardians, and the community to overcome barriers to learning.

In 2019, AACPS, in collaboration with the Anne Arundel County Government, created the Anne Arundel Mental Health Task Force to examine, through a countywide lens, ways to address the increased mental health needs of children and adolescents in Anne Arundel County. In 2020, the Task Force issued a report with recommendations addressing several key areas, including discrimination, bias, and cultural barriers; lack of access to resources and mental health providers;

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mental health stigma; poverty; social media; and trauma. AACPS is committed to continued collaboration with the County and stakeholders to continue to help address the mental health needs of our County's youth.

While AACPS supports the intent of this legislation, a student's absence due to mental health needs is already covered under Maryland's compulsory attendance law. However, under current law, the principal or pupil personnel worker must require a physician's certificate from the parent/guardian of a student who is reported continuously absent for illness. We respectfully request that this proposed legislation be amended to align with the standards and requirements set forth in existing law and regulations pertaining to lawful absences for student illness by striking the following language:

A COUNTY BOARD MAY NOT REQUIRE A NOTE FROM A PHYSICIAN TO EXCUSE AN ABSENCE UNDER THIS SUBSECTION.

We also request that the bill be amended to further clarify what aspects of a diagnosis allow for absenteeism due to mental health needs.

In addition, it is important to note that the provision in the bill requiring a student to meet with a school mental health specialist within an appropriate period of time creates an employee workload issue. AACPS opposes legislation and mandates that will result in increased teacher and staff workloads.

[HB0126](#)

General Provisions – Standard Time – Year–Round Daylight Saving Time

Delegate Crosby

This bill requires the standard time in the State to be Eastern Daylight Time year round, which would establish year-round daylight saving time (DST) in the State. This change is contingent on (1) similar legislation being enacted by Delaware, the District of Columbia, Pennsylvania, Virginia, and West Virginia and (2) the appropriate federal law being amended to allow the states or a state, individually, to observe a year-round standard time that is consistent with Eastern Daylight Time. The Secretary of State is required to (1) monitor which states enact similar legislation and any related changes to federal law and (2) notify the Department of Legislative Services (DLS) when the contingencies are met. If DLS receives such notice by December 31, 2026, this change will take effect the second Sunday in March or the first Sunday in November after the change takes effect, whichever occurs first. If DLS does not receive notice of the contingencies being met by December 31, 2026, the bill terminates.

OPPOSE

The Board of Education of Anne Arundel County supports school start times that are consistent with student health, safety, and student developmental needs. Many school systems are working to address this issue, which has gained attention after decades of scientific research. AACPS recognizes the importance of developing a healthy school environment which promotes student health, well-being, and the ability to learn. Accordingly, AACPS is moving to align school start times with

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recommendations by national health and educational organizations for student well-being and academic success. Those organizations include the American Academy of Pediatrics, American Academy of Sleep Medicine, American Medical Association, American Psychological Association, Centers for Disease Control and Prevention, National Association of School Nurses, Society of Pediatric Nurses, National Education Association, and National Parent Teacher Association.

Existing school start time recommendations are based on current practices of alternating between standard time and Eastern Daylight Time. If Maryland were to permanently shift to Eastern Daylight Time, the sun would not rise until approximately 8:30 a.m. during the shortest days of winter. As a result, AACPS students would be walking to school or bus stops in the dark for many more winter mornings during the school year. Student safety is of utmost importance to AACPS and requiring students to walk to school and bus stops in the dark creates a genuine safety concern. If this bill were to become law, AACPS would be required to adjust high school start time two hours later than the current start time in order to meet recommended health guidelines. In addition, many elementary and middle schools would need adjust start times by an hour. Such significant adjustments would greatly disrupt the lives of students and families throughout the State with respect to both in-school and out-of-school obligations and activities, forcing many school systems to impose school hours that could be detrimental to student health, well-being, and academics.

[HB0136](#)

Education - Public and Nonpublic Schools - Seizure Action Plans (Brynleigh's Act)

Delegate Kerr and Senator

This bill requires a county board of education and authorizes a nonpublic school, beginning in the 2023-2024 school year, to require two school personnel at a school to be trained in certain seizure recognition and response methods. It also requires a public school, beginning in a certain school year, to provide training to all school personnel with direct contact and supervision of students on seizure recognition and response methods. The Maryland State Department of Education (MSDE) and the Maryland Department of Health (MDH), in consultation with the Epilepsy Foundation of America and stakeholders, are required to develop guidelines and a training program for school personnel on the health care needs of a student diagnosed with a seizure disorder. The parent/guardian of a student diagnosed with a seizure disorder must collaborate with school personnel to create a seizure action plan.

SUPPORT WITH AMENDMENTS

AACPS recognizes the importance of developing a healthy school environment which promotes student health, well-being, and the ability to learn. However, AACPS generally opposes legislation or efforts to limit the authority of the local school board to set policy related to school nutrition and health.

We have concerns with the training requirements in the legislation. A seizure education course would need to be fully consistent with the guidelines published by the American Epilepsy Foundation and it will be extremely difficult to train all AACPS staff – administration, teachers, therapists, counselors, classroom aids, bus drivers, all contracted employees, and any other personnel in contact with students as required under the bill. This provision creates an employee workload

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issue. Accordingly, AACPS recommends that the bill be amended to strike this requirement to train all staff and only require school nurses or health room staff to receive the training. It is important to note that seizures take on varying characteristics and that school nurses and health room staff are the best equipped staff to address a situation where a seizure is taking place.

[HB0146](#)

Education – Reportable Offenses and Student Discipline – Alterations

Delegate Moon

This bill alters the definition of "reportable offense" to involve only offenses that occurred off school premises, that did not occur at events sponsored by the school, and that involved certain crimes of violence. The bill also repeals a requirement that a law enforcement agency notify certain individuals if a student was arrested for a reportable offense and authorizes the State's Attorney to notify certain individuals about a reportable offense only if a student is adjudicated delinquent or convicted of the offense.

OPPOSE

The single most important strategic goal of the Board of Education of Anne Arundel County is to ensure that every student meets or exceeds standards as achievement gaps are eliminated. As such, AACPS believes that specific emphasis should be on increasing the participation of underrepresented student groups, including our students who have been charged with reportable offenses. At the same time, safety in public schools remains increasingly important to local boards of education as the number of school-related security incidents and threats in Maryland and throughout the nation have risen over the years. Ultimately, school systems must strike a balance between the educational rights of all students, including students charged with a reportable offense, and the school system's responsibility to educate all students in a safe environment that is conducive to learning.

A fundamental requirement for openness and responsiveness is an ability to effectively communicate with stakeholders in a comprehensive and holistic fashion. This legislation is a dramatic step back from the 2010 revisions made in Maryland law that were specifically designed to facilitate increased stakeholder collaboration and allow for enhanced educational programming for students charged with a reportable offense.

Safety in public schools is increasingly important to local boards of education as school-related security incidents and threats in Maryland and throughout the nation have increased over the years. As a result, it is essential for educational leaders to be included in the continued development of a comprehensive security plan. AACPS believes that the pursuit of a safe school environment must be tempered by a balanced emphasis on the protection of individual student rights.

There is concern with amending the entire reportable offense statute to trigger certain reporting requirements only if a student is "**ADJUDICATED DELINQUENT OR CONVICTED OF**" a reportable offense. Such a significant change regarding when and for what information may be shared amongst law enforcement, the state's attorney and a school system raises serious school safety concerns.

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We also have concerns with references to discipline throughout the bill. It is important to understand that a removal for a reportable offense is a non-disciplinary removal and should remain as such. Accordingly, references to discipline should be stricken from the bill. There are also several references to a student's attorney. Such references in the legislation limit an administrator's ability to meet with a student or a student's parent(s)/guardian(s) unless an attorney is present. It is important to understand that schools do not receive attorney information and this requirement can become time consuming and impact school operations.

Further, we have concerns with the limitations placed on when a student may be removed from a school even if an alleged victim is in the school. This could be problematic and create safety issues for the alleged victim.

In sum, HB146 would significantly and unacceptably reduce the communications abilities between allied stakeholders when events occur outside of the school but have the potential to catastrophically impact school operations. Specifications in the bill that impose administrative hurdles to implementation of the safety strategies necessary create an onerous and unsafe burden upon local school systems.

[HB0154/SB0095](#)

Public Schools - Anaphylactic Food Allergies - Guidelines and Requirements

Delegate Palakovich Carr and Senator Lam

This bill requires local school systems to develop, implement, and publish guidelines regarding students with anaphylactic food allergies.

SUPPORT WITH AMENDMENTS

AACPS has a policy and regulation that support students with a known anaphylactic allergy or who are exhibiting symptoms of an anaphylactic allergy. AACPS also complies with the Maryland State School Health Service Guidelines issued jointly by the Maryland State Department of Education and the Maryland Department of Health and Mental Hygiene to reduce the risk of exposure to anaphylactic causative agents in classrooms and common areas. The school system continues to work with school nurses, parents/guardians, and students with food allergies. We post all nutrition information including allergy information on the AACPS website and in the lunch serving line. Additionally, AACPS coordinates with our county Department of Health regarding school meals and students with allergies. The communication is open and robust, both with staff and students.

While we support the intent of the legislation, we do have concerns with some of the requirements set forth in the bill. For example, we have concerns with the language in the bill requiring school systems to **“ENSURE THAT STUDENTS ARE ABLE TO FULLY PARTICIPATE IN ALL SCHOOL SPONSORED EVENTS, AFTER SCHOOL ACTIVITIES AND FIELD TRIPS.”** This would be difficult to ensure given the varying impact food allergies have on different students. In fact, it is at times best practice to actually limit activities to minimize the risk of anaphylaxis. We respectfully request that this provision be stricken from the bill. In addition, AACPS does not currently require private groups holding functions in our schools to announce or make attendees

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aware of allergens. We have concerns with the ability to implement this provision and respectfully request that this language also be stricken from the bill.

HB0165

Education - Sexual Abuse and Assault Awareness and Prevention Program - Human and Sex Trafficking

Delegate Johnson

The bill requires that the age-appropriate education program on the awareness and prevention of sexual abuse and assault developed and implemented by the State Board of Education and each nonpublic school include, for students in grades 6 through 8, material promoting the awareness and prevention of human and sex trafficking.

OPPOSE

Maryland schools provide their students with a comprehensive Pre-K –12 health education curriculum that focuses on a student’s development of protective life skills and promotes health and well-being. As part of this comprehensive health education curriculum, AACPS students are educated in Family Life and Human Sexuality as well as Safety and Violence Prevention. Students participate in age-appropriate instruction on the awareness and prevention of sexual abuse and assault. This instruction includes age-appropriate instruction on the meaning of “consent” and respect for personal boundaries.

While this legislation is well-intentioned, AACPS opposes efforts by the General Assembly to legislate local public school curriculum or assessments. The authority to establish curriculum and assessments is the domain of the Maryland State Board of Education and the local boards of education, the same entities charged with the responsibility to research, investigate, and evaluate both curriculum and assessments. Maintaining this authority with the State Board and local boards allows local boards of education to collaborate with the State and stakeholders to ensure that all students, schools, and school systems are held accountable.

HB0194

Education - Family Life and Human Sexuality Curriculum – Sexting

Delegate Shetty

This bill requires a county board of education to provide age–appropriate instruction on the risks of sexting as part of the Family Life and Human Sexuality curriculum in every grade in which the curriculum is taught in public schools in the county beginning in 2022-2023 school year.

OPPOSE

Maryland schools provide their students with a comprehensive Pre-K –12 health education curriculum that focuses on a student’s development of protective life skills and promotes health and well-being. As part of this comprehensive health education curriculum, AACPS students are educated in Family Life and Human Sexuality as well as Safety and Violence Prevention. Students participate in age-appropriate instruction on the awareness and prevention of sexual abuse and

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assault. This instruction includes age-appropriate instruction on the meaning of “consent” and respect for personal boundaries.

AACPS currently addresses sexting in middle school and high school. However, this legislation would require additional funding to create curriculum and assessments in grades 6 and 7 and, thus, create an unfunded mandate. While this legislation is well-intentioned, AACPS opposes unfunded mandates as well as efforts by the General Assembly to legislate local public school curriculum or assessments. The authority to establish curriculum and assessments is the domain of the Maryland State Board of Education and the local boards of education, the same entities charged with the responsibility to research, investigate, and evaluate both curriculum and assessments. Maintaining this authority with the State Board and local boards allows local boards of education to collaborate with the State and stakeholders to ensure that all students, schools, and school systems are held accountable.

[HB0200](#)

Education - Public Middle and High Schools - Financial Literacy Curriculum and Graduation Requirement

Delegate Amprey

This bill requires MSDE to update the Maryland State Curriculum for Personal Financial Literacy Education and financial literacy standards to include content related to student loans and taxes. It requires the State Board of Education to develop curriculum content for middle and high school courses in financial literacy. The bill also requires students to complete a financial literacy course in order to graduate from a public middle or high school.

OPPOSE

While this legislation is well-intentioned, we oppose efforts by the General Assembly to legislate public school curriculum. The authority to establish curriculum and assessments is the domain of the Maryland State Board of Education and the local boards of education, the same entities charged with the responsibility to research, investigate, and evaluate both curriculum and assessments. This allows local boards of education to collaborate with the State and stakeholders to ensure that all students, schools, and school systems are held accountable.

Maryland has already taken proactive steps to ensure that all of our students are financially literate by implementing Personal Financial Literacy Education Standards in grades 3–12 in every public school. The State has established a Financial Literacy Education Council to support local school system implementation activities and has partnered with financial institutions and other organizations to provide ongoing professional development for teachers. In addition, public and private partnerships help fund financial literacy initiatives in local schools.

AACPS strongly supports financial literacy and has also taken steps to ensure that all students have a strong foundation in financial education to make informed decisions and accomplish their educational goals. In 2007, we approved a one-semester Financial Literacy course for high school students as an elective. Since then, AACPS has developed additional elective courses in financial literacy. Additionally, AACPS has integrated financial literacy standards into multiple content areas,

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including math, social studies, family and consumer science, and language arts. As such, the current efforts by the State and local boards of education is the preferred approach rather than a State legislative mandate that such a course be a graduation requirement, which may not ensure that students are financially literate.

SB0049

Criminal Law – Person in a Position of Authority – Sexual Offenses With a Minor

Senator West

This bill expands the definition of a “person in a position of authority” under the fourth-degree sexual offense statute. The bill also expands the application of the fourth-degree sexual offense statute to include specified individuals. Finally, the bill establishes that unless specifically charged by the State, a violation of the fourth-degree sexual offense statute cannot be a lesser included offense of any other crime.

SUPPORT

Safety in public schools is increasingly important to local boards of education. AACPS supports legislation and program initiatives that contribute to the safety and well-being of students in school and in the community Accordingly, AACPS supports the expansion of the definition of “person in position of authority” in Maryland law to encompass part-time, temporary, and contract employees of public and private schools as it relates to prosecution for sex offenses against minors.

SB0116

Public Schools - Inclusive and Diverse English Language Arts - Development of Content Standards and Implementation

Senator Ellis

This bill requires the State Board of Education, by December 1, 2022, to develop content standards for inclusive and diverse English language arts to be included in the State Standards and Frameworks for English Language Arts. Each county board of education is required to develop and implement age-appropriate curriculum guides for inclusive and diverse English language arts. Each public school is required to include inclusive and diverse English language arts in the English language arts curriculum beginning in the 2023–2024 school year.

LETTER OF INFORMATION

AACPS acknowledges the historical, generational, and compounding reality of the systems, structures, and practices that have intentionally and unintentionally created and continued to afford advantages to some student groups while perpetuating inequities for others. AACPS must take responsibility and action for dismantling, and actively repairing these inequities to ensure positive educational outcomes for all AACPS students. The goal of the AACPS strategic plan is to ensure that every student meets or exceeds standards as achievement gaps are eliminated. Accordingly, AACPS aims to elevate all students while eliminating all gaps. To that end, AACPS students, schools, and families are supported in a manner that is positive, purposeful, and proactive. Achievement for all AACPS students is promoted using a three-tiered approach:

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- Schools are supported in developing and maintaining a responsive, equitable school culture;
- Engaging, relevant, research-based, differentiated instruction is implemented; and
- Enrichment opportunities are provided for all students.

Implementation of the inclusive and diverse English language arts standards outlined in SB116 will support the AACPS commitment to fostering a standards-based learning environment where inclusion and diversity are encouraged. We are, however, concerned about the funding implications and timeline impacts of the legislation. AACPS has an educational equity policy and regulation which align with Maryland State Department of Education regulations. As part of its commitment to educational equity, all AACPS district level offices individually and collectively work to require that an equity lens be used in reviews of staff, curriculum, pedagogy, professional development, instructional materials, and assessment design. The district has been working to implement the State regulations over the last few years and such an adjustment in the curricular requirements will take time and funding to accomplish. The development and implementation of curriculum standards takes more than a year as school districts must obtain materials, train teachers and properly prepare for implementation. Additionally, school systems require funding for teacher and staff stipends for the revisions of curricula and assessments, teacher and staff stipends for participation in professional development, the purchase of new resources and materials of instruction as well as the review of new resources and materials of instruction.

While AACPS supports the goal and the spirit of the bill, we ask that the Committee identify potential funding sources for implementation. We also respectfully request that the Committee consider delaying the implementation date to ensure proper and meaningful implementation.

SB0162

Public Schools – Cyber Safety Guide and Training Course – Development, Implementation, and Reporting

Senator Hester

This bill requires the Maryland State Department of Education (MSDE), the Behavioral Health Administration within the Maryland Department of Health, the Maryland Center for School Safety (Center), and the Department of Information Technology, by July 1, 2022, to jointly develop and publish a cyber safety guide and self-guided training course for specified students, parents, and employees to be implemented in public schools beginning in the 2022-2023 school year. The guide must be posted on the websites of MSDE and the Center and distributed to each local board of education. The course must be updated annually, available on MSDE's website, and meet other specifications. Each year MSDE must compile data on the number of staff and students who have received certification or credit for completing the course. By July 1, 2022, specified agencies must report on the development of the guide and training course.

OPPOSE

While this legislation is well-intentioned, AACPS opposes unfunded mandates as well as efforts by the General Assembly to legislate local public school curriculum or assessments. AACPS

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understands that technology education is critical part of a comprehensive educational program. Students must be prepared to responsibly create, use, and interact with technology. Technology education fosters the development of technological literacy and exposes students to the work performed by science, technology, engineering, and mathematics professionals. However, this legislation is unnecessary. In 2000, The International Technology and Engineering Education Educators Association (ITEEA) published Standards for Technological Literacy: Content for the Study of Technology. The Maryland State Department of Education (MSDE) used ITEEA's standards as the foundation for Maryland Technology Education Standards. In 2005, MSDE published the Maryland Technology Education State Curriculum which defined what students must know and do to be technologically literate. Most recently in 2015, a team of stakeholders representing business, higher education, governmental agencies, non-profits, and local school systems collaborated to revise Maryland Technology Education Standards. The redesign team focused on essential skills and knowledge that are necessary to compete in the global workforce and will provide a strong foundation for technological literacy. AACPS follows digital citizenship guidelines as presented in the Maryland Technology Literacy Standards and published by the AACPS Office of Instructional Technology – the current standards meet or exceed the emphasis noted in the language of the bill. Lessons are delivered beginning in elementary school and have become an integral part of both the social studies, library media services, and health education curricula. While the bill addresses the importance of ensuring students are aware of and follow safe cyber security measures, it fails to adequately address the need for a standalone course to deliver this information to students.

In addition, the training requirements in the bill also create an employee workload issue. AACPS opposes legislation and mandates that will result in increased teacher and staff workloads.