

**Board of Education Legislative Exhibit**  
March 16, 2022

**SECTION 1: BOE VOTE REQUESTED**

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**NO BILLS**

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### SECTION 2: BOE VOTE NOT RECOMMENDED AT THIS TIME

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#### [SB941](#)

#### **State Superintendent of Schools - Authority for Investigations - Local School Systems**

*Senator Hough*

This bill authorizes the State Superintendent of Schools to investigate a local school system if 1) the State Superintendent of Schools determines that a local school system is using physical restraint and seclusion on an excessive number of students in special education programs; or 2) in response to a complaint submitted to MSDE concerning an alleged violation of civil rights, federal or State law, or a court order. The bill also authorizes the State Superintendent of Schools to take certain actions relating to an investigation of a local school system.

**NO POSITION**

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### SECTION 3: BOE VOTE NOT REQUIRED – ESTABLISHED POSITION IN 2022 LEGISLATIVE PROGRAM

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#### [HB1431](#)

#### **Public High Schools - Student Athletes - Compensation for Name, Image, and Likeness**

*Delegate Walker*

This bill provides that the State Superintendent of Schools, a county board of education, or a public high school may not establish rules or other limitations to prevent a public high school student athlete from earning compensation for the use of the student athlete's name, image, or likeness or prevent public high schools from participating in interscholastic athletics under certain circumstances. It also authorizes a public high school student athlete to enter into a contract providing compensation for the use of the student athlete's name, image, or likeness if certain conditions are met.

#### **LETTER OF INFORMATION**

Well-designed athletic programs are an essential part of the total school program. Accordingly, AACPS athletic programs provide educationally based environments for student-athletes to grow and develop as young adults. These programs aim to teach student-athletes life lessons taught through sports.

AACPS appreciates the language in the legislation which seeks to address the interests of a public school system. However, the district recommends that this provision in the bill be further supplemented by including the following amendments, “**NOTHING IN THIS SECTION MAY BE CONSTRUED TO GRANT A STUDENT ATHLETE A RIGHT TO MAKE COMMERCIAL USE OF NAMES, IMAGES, LIKENESS, TRADEMARKS, LOGOS, OR OTHER INTELLECTUAL PROPERTY OWNED OR CONTROLLED BY A PUBLIC HIGH SCHOOL OR A LOCAL SCHOOL SYSTEM.**”

#### [HB1441](#)

#### **Anne Arundel County – School Vehicles – Duration of Operation**

*Delegate Saab*

This bill alters the number of years that a school vehicle may be operated in Anne Arundel County from 12 years to 15 years.

#### **SUPPORT**

Local boards of education are responsible for providing funding for transportation to students within their school systems. Over the years, local school systems' responsibilities for transporting students have significantly increased due to additional costs associated with the transporting of special education, nonpublic placement, and homeless students as well as those students enrolled in magnet programs outside their designated school attendance area. Operational expenses associated with fuel costs and labor shortages have also contributed to increased expenditures.

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The school vehicles owned and operated by AACPS and its independent contractors are exceptionally well built, maintained, and operated. These school vehicles are subject to regular inspections pursuant to rigorous industry standards to ensure their operational readiness and to ensure compliance with applicable safety standards in accordance with federal and State laws and regulations. Given this, there is no rationale for artificially limiting the service life of a modern day school vehicle to only 12 years of operation. In addition, this bill would align AACPS with 14 other school systems in Maryland which already operate school vehicles for 15 years as allowed under current law.

AACPS estimates that a new conventional school bus costs approximately \$130,000 to purchase. Spreading that fixed cost across 15 years in lieu of only 12 years yields 20% more value out of each school vehicle and this will ultimately result in considerable cost savings to the school system. AACPS supports consideration of all available revenue options to support Maryland's public schools.

### [HB1450](#)

#### **Blueprint for Maryland's Future - Implementation Plans and Fund – Alterations**

*Delegate McIntosh*

This bill alters certain dates for the development, adoption, and submission of plans to implement the Blueprint for Maryland's Future (Blueprint). It also alters the date by which criteria to evaluate school system implementation plans must be developed. It further alters the distribution of sales and use tax revenues to the Blueprint for Maryland's Future Fund and authorizes certain entities or programs to retain the unspent portion of a certain appropriation for FY 2022.

#### **SUPPORT WITH AMENDMENTS**

AACPS supports the extension of deadlines for the comprehensive implementation plans required by the Blueprint. Such an extension is timely given the new administration at the Maryland State Department of Education (MSDE) and the fact that the Accountability Implementation Board (AIB) has yet to be fully staffed. Given the current funding stream, the AIB will not be fully staffed until FY 2023.

While supportive, we do recommend amendments that are necessary for the State and school systems to implement the Blueprint. Specifically, AACPS requests that the bill include the recommendations outlined by MSDE regarding the college and career readiness requirements (CCR) and related timelines. For example, existing timelines call for the creation of CCR support pathways – for those students who have not demonstrated college and career readiness – to begin in FY 2023 and the post-CCR pathways to begin in FY 2024. The new timelines outlined by MSDE call for both pathways to begin in FY 2025. This will allow for ample feedback from stakeholders and provide local school systems with sufficient time to adequately plan and implement the Blueprint. AACPS is concerned that failure to provide for these extensions in the existing timelines will result in a lack of data and information necessary to fulfill the requirements established under the law. School districts will, therefore, not have the data necessary to implement the CCR support pathways in FY 2023. This requirement involves the development of new courses, changes to schedules and staffing structures, professional development for teachers, development of new individualized

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support plans for a large number of students, development of articulation agreements with local institutions of higher education and employers, amongst other things.

AACPS also requests that the timeline regarding the automatic withholding of funds language in the law be delayed as school districts are in critical need of these implementation funds. More specifically, the district requests that the timeline in Sections 5-405(b) and (c) are amended to FY 2024.

### [SB940](#)

#### **County Superintendents of Schools - Powers - Approval of Legal Settlements**

*Senator Hough*

This bill provides that a legal settlement agreement made by a county board of education must be approved in writing by the county superintendent of schools to be valid.

#### **LETTER OF INFORMATION**

Under current Maryland education law, a contract made by a county board of education is not valid without the written approval of the county superintendent. This bill would add to the existing law by providing that a legal settlement made by a county board of education requires the written approval of the county superintendent. Currently, it is the county superintendent of schools who is responsible for implementing and effectuating any settlement into which the county board of education may enter.

AACPS recommends that the bill be amended to clarify that the county superintendent of schools would not be authorized to approve a legal settlement in any matter in which the county superintendent and the county board of education are adverse parties.