

MONTGOMERY COUNTY BOARD OF EDUCATION
Rockville, Maryland

The Montgomery County Board of Education held a business meeting on February 22, 2024. At the time, the Board took the following positions on the proposed legislation contained herein.

BILLS COVERED UNDER THE BOARD'S ADOPTED PLATFORM

[HB 284/SB 122](#) – Education – Provision of Maryland Youth Crisis Hotline Telephone Number – Alteration - ***Support***

Applicable Board Priority: *Supporting the physical, social, and psychological well-being of all students, including the availability of mental health professionals in schools, and creating a safe and secure learning environment for all*

[HB 414/SB 414](#) – Education – Maryland Council on Economic Education – Funding - ***Support***

Applicable Board Priority: *Funding to provide equitable access to programs of academic rigor and to support social and emotional well-being of students*

[HB 450/SB 433](#) – State Department of Education – Soccer Opportunities Program – Establishment – ***Support***

Applicable Board Priority: *Funding to support the physical, social, and psychological well-being of all students*

[HB 532](#) – Education – Driver's Education Assistance Grant Program – Established – ***Support***

Applicable Board Priority: *Funding to provide equitable access to programs of academic rigor and to support social and emotional well-being of students*

[HB 545](#) – Janet L. Hoffman Loan Assistance Repayment Program - Nancy Grasmick Public School Professional Award - Public School Nurses – ***Support***

Applicable Board Priority: *Support for recruitment of a high-quality and diverse workforce, including alternative pathways to teacher certification and increased salaries*

[HB 558](#) – Primary and Secondary Education - Comprehensive Health Education Framework – Established – ***Oppose***

Applicable Board Priority: *Preserving local autonomy over education – including school calendars, curriculum, testing, procurement issues, and operational decision-making*

[HB 620](#) – Education - Sexual Abuse and Assault Awareness and Prevention Program - Human and Sex Trafficking – **Oppose**

Applicable Board Priority: *Preserving local autonomy over education – including school calendars, curriculum, testing, procurement issues, and operational decision-making*

[HB 649/SB 482](#) - Governor's Office for Children - Engaging Neighborhoods, Organizations, Unions, Governments, and Households (ENOUGH) Grant Program (ENOUGH Act of 2024) – **Support**

Applicable Board Priority: *Funding to support the physical, social, and psychological well-being of all students and funding for programs and resources to assist with meeting the needs of English Language Learners and their families*

[HB 696/SB 579](#) - Primary and Secondary Education - Breakfast and Lunch Programs - Universal Expansion – **Support**

Applicable Board Priority: *Funding for National School Breakfast and Lunch Program, universal school meals, and other nutritional programs*

[HB 728](#) - Health Insurance - Qualified Resident Enrollment Program (Access to Care Act) – **Support**

Applicable Board Priority: *Funding to support the physical, social, and psychological well-being of all students and funding for programs and resources to assist with meeting the needs of English Language Learners and their families*

[HB 730](#) - Education - Public Middle Schools - Course on Collateral Consequences of a Criminal Conviction – **Oppose**

Applicable Board Priority: *Preserving local autonomy over education – including school calendars, curriculum, testing, procurement issues, and operational decision-making*

[HB 795](#) - Education – Curriculum Content Standards – Peace and Conflict Studies (Peace and Conflict Studies Education Act) – **Oppose**

Applicable Board Priority: *Preserving local autonomy over education – including school calendars, curriculum, testing, procurement issues, and operational decision-making*

[HB 945/SB 771](#) - Education - Initial Teacher Certification – Requirements – **Support**

Applicable Board Priority: *Support for recruitment of a high-quality and diverse workforce, including alternative pathways to teacher certification and increased salaries*

[HB 1140/SB 883](#) - Education – Virtual Tutoring Services – Applicant Review – **Support**

Applicable Board Priority: *Creating a safe and secure learning and working environment for all*

[HB 1157/SB 937](#) - Grow Your Own Educators Grant Program – Established – **Support**

Applicable Board Priority: *Support for recruitment of a high-quality and diverse workforce, including alternative pathways to teacher certification and increased salaries*

[HB 1175/SB 1043](#) - Education – Public School Employers and Employees – Subcontracting for Services – **Oppose**

Applicable Board Priority: *Preserving local autonomy over education – including school calendars, curriculum, testing, procurement issues, and operational decision-making*

[HB 1181/SB 1058](#) - Education – Curriculum Standards – Antihate and Holocaust Education (Educate to Stop the Hate Act) – **Oppose**

Applicable Board Priority: *Preserving local autonomy over education – including school calendars, curriculum, testing, procurement issues, and operational decision-making*

[HB 1191](#) - Interstate Teacher Mobility Compact – **Support**

Applicable Board Priority: *Support for recruitment of a high-quality and diverse workforce, including alternative pathways to teacher certification and increased salaries*

[HB 1317](#) - Maryland Medical Assistance Program - Use of Reimbursement Funds by Schools – **Oppose**

Applicable Board Priority: *Preserving local autonomy over education – including school calendars, curriculum, testing, procurement issues, and operational decision-making*

[HB 1326](#) - Primary and Secondary Education - Teachers - Retention and Support Policies, Guidelines, and Training – **Oppose**

Applicable Board Priority: *Preserving local autonomy over education – including school calendars, curriculum, testing, procurement issues, and operational decision-making*

[HB 1336/SB 1077](#) - Public Schools - Appropriations for School Safety Expenditures - School Security Employees - **Support**

Applicable Board Priority: *Creating a safe and secure learning and working environment for all*

[HB 1363](#) - Education - Public Schools - Asian American History Curriculum Requirement – **Oppose**

Applicable Board Priority: *Preserving local autonomy over education – including school calendars, curriculum, testing, procurement issues, and operational decision-making*

[HB 1386](#) - Education - Employee Training and Holocaust Education Study – Requirements – **Oppose**

Applicable Board Priority: *Preserving local autonomy over education – including school calendars, curriculum, testing, procurement issues, and operational decision-making*

[HB 1397/SB 590](#) - Human Relations - Discrimination - Protected Characteristics – **Support**

Applicable Board Priority: *Creating a safe and secure learning and working environment for all and continued promotion of an atmosphere of respect and nondiscrimination for all students and staff*

[HB 1400/SB 1032](#) - Public Schools - Student Use of Force – Authorization – **Oppose**

Applicable Board Priority: *Creating a safe and secure learning and working environment for all*

[SB 819](#) - Public Schools - School Resource Officers - Firearms Required – **Oppose**

Applicable Board Priority: *Creating a safe and secure learning and working environment for all*

[SB 865](#) - Juveniles - Truancy Reduction Pilot Program – Expansion - **Support**

Applicable Board Priority: *Preparing all students to be college, career and community ready*

BILLS ON WHICH THE BOARD TOOK A POSITION

[HB 137](#) – Civil Actions – Civil Immunity – Educator Intervention

Board Position: **Support**

Rationale: The Board supports the legislation’s attempt to provide further legal protections to our staff members who intervene in altercations in an attempt to keep students and staff safe. Although current law provides indemnification from damages potentially awarded in lawsuits stemming from injuries obtained during altercations, this bill would provide legal immunity from suit. This would result in the staff member not having to engage in the legal process at all, rather than just being protected from any outcome of the litigation.

[HB 791/SB 552](#) - Operating Budget - Funding - Scholarships for Nonpublic School Students

Board position: **Oppose**

Rationale: The Board opposes the use of public funds for private education, which would be the result if this bill passes. If enacted, the Board is at risk of losing \$18,279 per student in combined state and local revenue (FY24) for every Free and Reduced-Price Meals (FARMS) eligible student in MCPS who chooses to attend a non-public school and receives this scholarship.

[HB 1084/SB 1061](#) - Employee Autoimmune Disorder Protection Act

Board Position: **Oppose**

Rationale: This bill would cause major operational impacts on MCPS's ability to provide instruction to students and central office support to schools. Employees who have medical conditions that impact their ability to perform the essential functions of their positions can request accommodations under the Americans with Disabilities Act.

[HB 1432/SB 1062](#) - Education - Prekindergarten and Withholding of County Board Funding (Blueprint Accountability and Flexibility Act of 2024)

Board Position: **Oppose**

Rationale: Although this bill may provide some benefits with regard to Blueprint deadlines, it would create a system whereby the state could withhold county board funds if an LEA has low MCAP scores and/or negative OIG audit findings regarding use of funds. Any loss or reduction of state funding would negatively impact an LEA's ability to implement the Blueprint with fidelity, harming students and staff.

[HB 1426/SB 1102](#) - Education - Blueprint for Maryland's Future – Alterations

Board Position: **Support**

Rationale: This bill could pose a financial burden for MCPS; however, the Board prioritizes extending the benefits of earning National Board Certification to school-based staff other than just teachers-of-record and, as a result, incentivizing the career ladder and a career in education. Given this position, the benefits of this bill outweigh the anticipated cost.

[HB 522/SB 492](#) - Public Schools - Student Telehealth Appointments - Policy and Access

Board Position: **Support with Amendment**

Rationale: The Board supports the goal of the bill – making telehealth more available to students throughout the school day. However, there are a couple issues that need to be addressed with amendments. Specifically, the Board is concerned about: 1. the absence of funding which would preclude equitable expansion of telehealth services to all schools and students, 2. safety concerns as adequate staffing may not be available and the bill's requirement that schools provide safe supervision is not well defined, and 3. implementation challenges related to parental support and consent issues related to the health care of minors. As a result, the Board requests that the sponsor consider amending the bill to:

1. Eliminate the requirement for a dedicated telehealth space in middle and high schools unless financial support is provided for

schools unable to accommodate with current space and staffing resources;

2. Require state agencies (MSDE and MHD) to provide technical guidance on safe supervision standards during private telehealth visits and potential liability concerns; HIPAA/FERPA considerations as school personnel may have access to protected health information or be required to document such in non-HIPAA compliant educational record systems when coordinating appointments; and, school personnel's role, if any, in confirming or obtaining consent for care, and obligation to provide information to caregivers about students' telehealth appointments or care, for both general health services and confidential care protected by minor consent law; and,
3. Provide standard requirements for providers wishing to offer school-based telehealth services that incentivize equitable access for all students. Facilitating access for providers who do not accept health insurance or participate in Medicaid, and have no mechanism to offer services equitably to the entire student population, may increase existing health disparities.

[HB 760](#) - County Boards of Education - Annual Financial Audits – Alterations

Board position: **Support with Amendment**

Rationale: This legislation requires LEAs to address repeat audit findings with a public report detailing actions the LEA has taken to address the findings. The amendment, already agreed to by the sponsor, provides clarity regarding the type of report needed, the timing of issuing the report, and permits LEAs to keep certain information, that could present a security risk, confidential.

[HB 988](#) - Montgomery County Board of Education - Vacancy Procedures - Alterations MC 5-24

Board Position: **Support**

Rationale: Bill will change the way Board vacancies are filled, in certain situations. This change brings the Board's procedure in line with County Council and the County Executive, as well as some of our larger jurisdictions, including Germantown, Gaithersburg, and Rockville.

[HB 206](#) – Parent and Guardian Notice and Required Counseling

Board Position: **Oppose**

Rationale: The Board opposes this bill as it could have a negative impact on the relationship between the school administration and families and the bill does not contain clear direction about when the counseling would be

necessary, nor how families without financial means to afford counseling could comply with the requirements of the bill.

[HB 704](#) - Primary and Secondary Education – Education Savings Account Program – Established

Board Position: **Oppose**

Rationale: The Board opposes using public funds for private school. This bill would have a negative fiscal impact on MCPS.

[HB 675](#) - Primary and Secondary Education - Education Savings Account Program - Established (Maryland Universal School Choice Act)

Board Position: **Oppose**

Rationale: The Board opposes using public funds for private school. This bill would have a negative fiscal impact on MCPS.