

## Article - Education

### §1–301.

(a) The General Assembly finds and declares that the Blueprint for Maryland's Future based on the recommendations of the Maryland Commission on Innovation and Excellence in Education established by Chapters 701 and 702 of the Acts of the General Assembly of 2016 is necessary to transform Maryland's education system to world-class student achievement levels.

(b) This subtitle constitutes the public policy of the State.

### §1–302.

(a) The following principles of The Blueprint for Maryland's Future are intended to transform Maryland's early childhood, primary, and secondary education system to the levels of high-performing systems around the world so that Maryland's education system:

(1) Provides its students with instruction and skills set to international standards that will enable them to be successful in the 21st-century economy and productive citizens of the State;

(2) Gives its children access to educational experiences and opportunities beginning in early childhood that enable them to reach their full promise and potential and be ready for success in college and a rewarding career by the end of high school; and

(3) Elevates overall student performance to be among the world's best and eliminates achievement and opportunity gaps between students from different family incomes, races, ethnicities, abilities and disabilities, and other defining characteristics.

(b) Achieving the principles of The Blueprint for Maryland's Future will require a sustained and coordinated statewide effort and a strong accountability system that will hold all entities accountable for implementing the policies effectively so that the public and especially parents will have confidence that the investment in the policies outlined in § 1–303 of this subtitle will achieve the desired outcomes.

### §1–303.

The foundation of a world-class education system in Maryland under The Blueprint for Maryland's Future for education will require:

(1) Early support and interventions for young children and their families, including:

(i) Coordinating and providing services for children and families with the greatest need through centers located in the neediest communities; and

(ii) Expanding access to high-quality, full-day prekindergarten programs for 3-year-olds and 4-year-olds through a mixed delivery system;

(2) High-quality diverse teachers and school leaders in every school, requiring:

(i) Elevation of the teaching profession to a profession comparable to other fields, with comparable compensation, that require a similar amount of education and credentialing with career ladders that allow the advancement of teachers and principals based on knowledge, skills, performance, and responsibilities;

(ii) Teacher preparation programs in the State's postsecondary institutions that are rigorous and prepare teacher candidates to have the knowledge, skills, and competencies needed to improve student performance and to teach all students successfully regardless of the student's economic background, race, ethnicity, and learning ability or disability; and

(iii) State exit standards from teacher preparation programs and State standards for teacher licensure that require prospective teachers to demonstrate that they have the knowledge, skills, and competencies to successfully teach students from all backgrounds;

(3) An instructional system that is benchmarked to world-class standards and fully aligned from prekindergarten through 12th grade to a college and career readiness standard, including:

(i) A college and career readiness standard set to world-class standards that certifies that by the end of 10th grade, and not later than the end of 12th grade, a student has the requisite literacy in English and mathematics to be successful in first-year, credit-bearing coursework at a Maryland community college or open enrollment postsecondary institution;

(ii) Pathways for students who achieve college and career readiness by the end of 10th grade to choose to pursue:

1. Highly competitive college preparatory programs;

2. Early college programs that:

A. Provide college credit and allow a student to earn an associate degree in high school at no cost to the student; and

B. Determine eligibility through other factors including assessments, academic performance reviews, and guidance counselor recommendations; and

3. Career and technology education programs, including expanded opportunities for science-based, certified agriculture education, that:

A. Are developed in partnership with the private sector;

B. Include an apprenticeship or other workplace experience; and

C. Lead to an industry-recognized credential by the end of high school; and

(iii) Pathways for those students who have not achieved the college and career readiness standard by the end of 10th grade that enable them to achieve the standard by the end of 12th grade;

(4) A system designed to meet the needs of all students so they can be successful, including the capability to:

(i) Quickly identify students who are falling behind grade level; and

(ii) Provide the appropriate, individualized instruction and supports needed to get the student back on track for college and career readiness;

(5) Additional supports and services for students who need them to stay on track for college and career readiness, including:

(i) Students from low-income families as a proxy for the number of students who may need additional supports to perform at grade level and stay on track for college and career readiness;

(ii) Students from families where English is not the primary language; and

(iii) Students with disabilities;

(6) Equitable learning outcomes regardless of a student's family income, race, ethnicity, disability, or other characteristics;

(7) Additional resources, supports, and services for children in Maryland who are living in communities with great needs, including high poverty rates, high crime rates, and lack of access to adequate health care and social services, with resources provided at the school level and in the community;

(8) Funding that is sufficient to enable students to achieve the State's performance standards and that is distributed equitably to school systems and schools across the State; and

(9) A strong system of accountability with the authority to hold all of the entities that are an integral part of the education system accountable for implementing The Blueprint for Maryland's Future and ensuring that funds are being spent effectively consistent with the policy framework to ensure that all students are successful.

§4-138.

(a) (1) Before releasing to the public any data received from a county board that the Department has synthesized or compiled, the Department shall send the synthesized or compiled data back to the county board for verification.

(2) The county board shall:

(i) Verify any data for the local school system that will be released to the public; and

(ii) Send any school-level data to the appropriate school for verification.

(3) Within 7 business days after data is returned to a school for verification:

(i) A school administrator shall verify any data for the school that will be released to the public; and

(ii) The school principal shall certify the school administrator's verification.

(4) If a school or county board discovers a suspected error during the data verification process, the county board shall verify the data for each school in the county.

(b) The Department shall develop and maintain a secure online platform for school administrators to use in analyzing and verifying data in accordance with subsection (a) of this section.

(c) (1) A school shall notify a county board of any suspected error in data released to the public.

(2) A county board shall notify the Office of Education Accountability within the Department of any suspected error in data for:

(i) The local school system; or

(ii) A school in the local school system.

(3) (i) The Office of Education Accountability shall review the data for errors and, if necessary, withdraw the publication to the extent possible.

(ii) Before the Department or a county board releases to the public any corrected data that was the subject of a review under subparagraph (i) of this paragraph, the school or county board shall repeat the verification process under subsection (a) of this section.

§5–201.

(a) In this subtitle, except as otherwise provided, the following words have the meanings indicated.

(b) “Assessable base” has the meaning stated in:

(1) § 12–201 of the Economic Development Article; or

(2) For Baltimore City, Article II, § 62 of the Charter of Baltimore City.

(c) “Assessed value of personal property” means the most recent estimate by the State Department of Assessments and Taxation before the annual State budget is submitted to the General Assembly of the assessed value for county purposes of personal property as of July 1 of the first completed fiscal year before the school year for which the calculation is made under this section.

(d) (1) Subject to paragraph (2) of this subsection, “assessed value of real property” means the most recent estimate made by the State Department of Assessments and Taxation before the annual State budget is submitted to the General Assembly of the assessed value of real property for State purposes as of July 1 of the first completed fiscal year before the school year for which the calculation of State aid is made under this section.

(2) (i) Subject to subparagraphs (ii), (iii), and (iv) of this paragraph, for counties that qualify for a disparity grant under § 16–501 of the Local Government Article and that established a development district under Title 12, Subtitle 2 of the Economic Development Article or Article II, § 62 of the Charter of

Baltimore City after May 1, 2016, and is still in effect, using the assessed value of real property as of July 1 of the second completed fiscal year before the school year for which the calculation of State aid is made under this section, “assessed value of real property” does not include the lesser of:

1. The difference between the original base and the assessable base of all real property in a development district that is subject to tax increment financing under Title 12, Subtitle 2 of the Economic Development Article or Article II, § 62 of the Charter of Baltimore City as certified by the State Department of Assessments and Taxation; or

2. The quotient of the annual debt service for a tax increment financing bond in a development district divided by the county’s real property tax rate pledged to the tax increment financing bond multiplied by 100.

(ii) If the result of item 1 or 2 of subparagraph (i) of this paragraph is a negative number, then the result shall be \$0.

(iii) The calculations under this paragraph shall be made separately for each development district in a county.

(iv) For Baltimore City, if the result of item 1 or 2 of subparagraph (i) of this paragraph is a positive number, then the amount is required to be appropriated by the Mayor and City Council of Baltimore City to the Baltimore City Board of School Commissioners.

(e) “Enrollment count” means the greater of:

- (1) The full-time equivalent enrollment; or
- (2) The 3-year moving average enrollment.

(f) “Foundation program” means the product of the annual per pupil foundation amount and a county’s enrollment count.

(g) “Full-time equivalent enrollment” means the sum of:

(1) The number of students enrolled in kindergarten through grade 12 or their equivalent in regular day school programs on September 30 of the prior school year;

(2) The number of full-time equivalent students, as determined by a regulation of the Department, enrolled in evening high school programs during the prior school year; and

(3) The number of P-TECH students, as provided in § 7-1804(b) of this article.

(h) (1) Subject to paragraph (2) of this subsection, “inflation adjustment” means a percentage, rounded to the nearest two decimal places, that is the lesser of:

(i) The increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year;

(ii) The Consumer Price Index for All Urban Consumers for the Washington Metropolitan Area, or any successor index, for the second prior fiscal year; or

(iii) 5%.

(2) If there is no increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year or in the Consumer Price Index for All Urban Consumers for the Washington Metropolitan Area, or any successor index, for the second prior fiscal year, then “inflation adjustment” means 0%.

(i) “Local contribution rate” means the figure that is calculated as follows:

(1) Multiply the statewide full-time equivalent enrollment by the target per pupil amount and by 0.50; divided by

(2) The sum of the wealth of all of the counties in this State; and

(3) Round the result obtained in paragraph (2) of this subsection to seven decimal places and express as a percent with five decimal places.

(j) “Local share of the foundation program” means the product of the local contribution rate and a county’s wealth rounded to the nearest whole dollar.

(k) “Local wealth per pupil” means a county’s wealth divided by the county’s full-time equivalent enrollment.

(l) “Major education aid” means the sum of the State and local share of the following:

(1) Foundation program under § 5–213 of this subtitle;

(2) Transportation aid under § 5–218 of this subtitle;

(3) Compensatory education under § 5–222 of this subtitle;

(4) English learner program under § 5–224 of this subtitle;

- (5) Special education under § 5–225 of this subtitle;
- (6) Guaranteed tax base program under § 5–214 of this subtitle; (7) Comparable wage index grant under § 5–216 of this subtitle;
- (8) Post college and career readiness pathways under § 5–217 of this subtitle;
- (9) Concentration of poverty under § 5–223 of this subtitle;
- (10) Transitional supplemental instruction under § 5–226 of this subtitle;
- (11) Publicly funded prekindergarten under § 5–229 of this subtitle;
- and
- (12) Career ladder for educators under § 6–1009 of this article.

(m) “Net taxable income” means the amount certified by the State Comptroller for the second completed calendar year before the school year for which the calculation of State aid under this section is made, based on tax returns filed on or before November 1 after the current calendar year.

(n) “Original base”:

(1) Has the meaning stated in § 12–201 of the Economic Development Article; or

(2) For Baltimore City, means “original assessable base” as defined in Article II, § 62 of the Charter of Baltimore City.

(o) “Personal property” means all property classified as personal property under § 8–101(c) of the Tax – Property Article.

(p) “Real property” means all property classified as real property under § 8–101(b) of the Tax – Property Article.

(q) “State share of the foundation program” means, rounded to the nearest whole dollar, the greater of:

(1) The difference between the foundation program and the local share of the foundation program; and

(2) The result obtained by multiplying the target per pupil foundation



amount by the county's enrollment count, and multiplying this product by 0.15 in fiscal year 2008 and each fiscal year thereafter.

(r) "Statewide wealth per pupil" means the sum of the wealth of all counties divided by the statewide full-time equivalent enrollment.

(s) "Target per pupil foundation amount" means:

- (1) For fiscal year 2022, \$7,991;
- (2) For fiscal year 2023, \$8,310;
- (3) For fiscal year 2024, \$8,642;
- (4) For fiscal year 2025, \$8,789;
- (5) For fiscal year 2026, \$9,226;
- (6) For fiscal year 2027, \$9,732;
- (7) For fiscal year 2028, \$10,138;
- (8) For fiscal year 2029, \$10,564;
- (9) For fiscal year 2030, \$11,004;
- (10) For fiscal year 2031, \$11,442;
- (11) For fiscal year 2032, \$11,898;
- (12) For fiscal year 2033, \$12,365; and

(13) For subsequent fiscal years, the target per pupil foundation amount for the prior fiscal year increased by the inflation adjustment rounded to the nearest whole dollar.

(t) (1) Except as provided in paragraph (2) of this subsection, "3-year moving average enrollment" means the average of the full-time equivalent enrollment in the 3 prior school years.

(2) If the 3 prior school years includes the 2020–2021 school year, "3-year moving average enrollment" means:

(i) The sum of the full-time equivalent enrollment for the 4 prior school years minus the 2020–2021 school year full-time equivalent enrollment; divided by

(ii) Three.

(u) “Wealth” means the sum of:

- (1) Net taxable income;
- (2) 100 percent of the assessed value of the operating real property of public utilities;
- (3) 40 percent of the assessed value of all other real property; and
- (4) 50 percent of assessed value of personal property.

§5–202.

On or before December 1, 2021, and each December 1 thereafter, the Department shall submit to the Department of Budget and Management and the Department of Legislative Services the enrollment counts and other data necessary to calculate the funding formulas to implement the Blueprint for Maryland’s Future for the upcoming fiscal year.

§5–203.

(a) (1) In this section the following words have the meanings indicated.

(2) “Community school” means a public school that establishes a set of strategic partnerships between the school and other community resources that promote student achievement, positive learning conditions, and the well-being of students by providing wraparound services.

(3) “Eligible for free or reduced price meals” means eligible for free or reduced price meals based on eligibility requirements established by the United States Department of Agriculture.

(4) (i) “Eligible school” means a public school in which at least 80% of the students were eligible:

1. For fiscal year 2020, for free or reduced price meals in the 2017–2018 school year; and

2. For fiscal year 2021, for free or reduced price meals in the:

A. 2017–2018 school year; or

B. 2018–2019 school year.

(ii) “Eligible school” does not include a school that is eligible to receive funding under this section but has closed.

(5) “Program” means the Concentration of Poverty School Grant Program established under this section.

(6) “Trauma–informed intervention” means a method for understanding and responding to an individual with symptoms of chronic interpersonal trauma or traumatic stress.

(7) “Wraparound services” includes:

(i) Extended learning time, including before and after school, weekends, summer school, and an extended school year;

(ii) Safe transportation to school;

(iii) Vision and dental care services;

(iv) Establishing or expanding school–based health center services;

(v) Additional social workers, mentors, counselors, psychologists, and restorative practice coaches;

(vi) Enhancing physical wellness, including providing healthy food for in–school and out–of–school time and linkages to community providers;

(vii) Enhancing behavioral health services, including access to mental health practitioners and providing professional development to school staff to provide trauma–informed interventions;

(viii) Providing family and community engagement and supports, including informing parents of academic course offerings, language classes, workforce development training, opportunities for children, and available social services as well as educating families on how to monitor a child’s learning;

(ix) Establishing and enhancing linkages to Judy Centers and other early education programs that feed into the school;

(x) Enhancing student enrichment experiences;

(xi) Improving student attendance;

(xii) Improving the learning environment at the school; and

(xiii) Any other professional development for teachers and school staff to quickly identify students who are in need of these resources.

(b) (1) There is a Concentration of Poverty School Grant Program in the State.

(2) The purpose of the Program is to provide grants to eligible schools with a high concentration of students who are eligible for free or reduced price meals.

(c) (1) (i) For each of fiscal years 2020 and 2021, the State shall distribute a grant to each county board equal to \$248,833 for each eligible school in the county.

(ii) Except as provided in subparagraph (iii) of this paragraph, each county board shall distribute directly to each eligible school an amount equal to \$248,833.

(iii) If a local school system has at least 40 eligible schools, the county board may, on behalf of eligible schools, expend the funds distributed by the State under this paragraph, provided that a plan is developed in consultation with the eligible schools that ensures that the requirements of subsection (d) of this section are met.

(2) For each of fiscal years 2020 and 2021, the State shall distribute to the Department an amount equal to \$126,170 to fund one director of community schools in the Department.

(d) (1) (i) Each eligible school shall employ one community school coordinator staff position in the eligible school.

(ii) 1. Each eligible school shall provide full-time coverage by at least one professional health care practitioner during school hours, including any extended learning time, who is a licensed physician, a licensed physician's assistant, or a licensed registered nurse, practicing within the scope of the health care practitioner's license.

2. A health care practitioner providing coverage under this subparagraph may work under a school health services program, a county health department, or a school-based health center.

3. This subparagraph may not be construed to:

A. Require that an eligible school hire a full-time health care practitioner staff position; or

B. Preclude the hiring of any other health care practitioners that meet the needs of the students.

(2) Each eligible school shall use the grant to fund the requirements under paragraph (1) of this subsection.

(3) If the grant provided to an eligible school exceeds the cost to employ the positions and provide the coverage required under paragraph (1) of this subsection, the eligible school may only use the excess funds to provide:

(i) Wraparound services to the students enrolled in the eligible school; and

(ii) The assessment required under subsection (e) of this section.

(4) If an eligible school, as of June 30, 2019, employs an individual in a position or has the coverage required under paragraph (1) of this subsection, at least the same amount of funds shall be provided to the eligible school to be used for those positions or coverage in fiscal years 2020 and 2021.

(e) (1) The community school coordinator shall be responsible for establishing a community school, including completing an assessment by July 1, 2020, of the needs of the students in the school for appropriate wraparound services to enhance the success of all students in the school.

(2) The assessment performed under this subsection shall:

(i) Be done in collaboration with:

1. The principal;

2. A school health care practitioner; and

3. A parent teacher organization or a school family council;

and

(ii) Include an assessment of the physical, behavioral, and emotional health needs of students, their families, and their communities.

(f) A county that provides a school nurse, school health services, or community school services from funds outside of those made in the fiscal year 2019 local appropriation to the county board shall continue to provide at least the same

resources to an eligible school in fiscal years 2020 and 2021.

§5–204.

(a) (1) Except for money appropriated for the purposes of § 5–301(b) through (j) of this title, all money appropriated by the General Assembly to aid in support of public schools constitutes the General State School Fund.

(2) Money in the General State School Fund may only be spent only as appropriated in the annual budget bill.

(3) (i) The Department shall notify the Senate Budget and Taxation Committee and the House Committee on Appropriations of any intent to transfer funds from budget program R00A02, Aid to Education, to any other budgetary unit.

(ii) The Senate Budget and Taxation Committee and the House Committee on Appropriations shall have 45 days to review and comment on the planned transfer prior to its effect.

(b) Money in the General State School Fund may be appropriated by the General Assembly to the Annuity Bond Fund, as provided in the State budget, and shall be used for principal and interest payments on State debt incurred for public school construction or public school capital improvements.

§5–205.

(a) Except as provided in subsections (e) and (f) of this section, 10 days before the end of July, September, November, January, March, and May, the State Superintendent shall certify to the State Comptroller the amount due at the end of each of these months to each county board for the annual State share of major education aid.

(b) Amounts due shall be made in equal payments once every 2 months.

(c) Within 5 days before the end of each of these months, the State Comptroller shall draw the Comptroller's warrant on the State Treasurer for the amount due to the treasurer of each county board.

(d) On receipt of the warrant of the State Comptroller, the State Treasurer immediately shall pay the amount due to the treasurer of each county board.

(e) After notification from the State Superintendent that a county board is not complying with the provisions of the State program of public education, the State Comptroller shall withhold any installment due the county board from the General State School Fund.

(f) After notification is received under § 5–405 of this title, the State

Superintendent shall certify to the Comptroller the amount to be released or withheld.

§5–206.

(a) In this section, “Fund” means the Blueprint for Maryland’s Future Fund.

(b) There is the Blueprint for Maryland’s Future Fund.

(c) The purpose of the Fund is to assist in providing adequate funding for early childhood education and primary and secondary education to provide a world–class education to students so they are prepared for college and a career in the global economy of the 21st century, based on the recommendations of the Commission on Innovation and Excellence in Education.

(d) The Department shall administer the Fund.

(e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(f) The Fund consists of:

(1) Revenue distributed to the Fund under Title 9, Subtitles 1D and 1E of the State Government Article and §§ 2–4A–02, 2–605.1, 2–1302.1, and 2–1303 of the Tax – General Article;

(2) Money appropriated in the State budget for the Fund; and

(3) Any other money from any other source accepted for the benefit of the Fund.

(g) (1) The Fund may be used only to assist in providing adequate funding for:

(i) Early childhood education, primary and secondary education, and other programs, based on the recommendations of the Commission on Innovation and Excellence in Education, including revised education funding formulas;

(ii) Maryland prekindergarten expansion grants; and

(iii) Early childhood education, primary and secondary education, and other programs for costs associated with the Coronavirus Disease 2019 (COVID–19), including:

1. One-time primary and secondary education aid grants provided in fiscal year 2022 to:

A. Address enrollment declines related to the COVID-19 pandemic; and

B. Ensure that every county board receives an increase in State education aid over the amount of State education aid the county board received in fiscal year 2021; and

2. Grants provided in fiscal years 2021 and 2022 for:

A. Summer school programs, tutoring, and other supplemental instruction programs to address student learning loss;

B. Identification of and support for students dealing with trauma or behavioral health issues; and

C. Schools to safely reopen for in-person instruction.

(2) The Fund may not be used for school construction under Subtitle 3 of this title.

(h) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any interest earnings of the Fund shall be credited to the Fund.

(i) Expenditures from the Fund may be made only in accordance with the State budget.

§5-210.

(a) (1) In this section the following terms have the meanings indicated.

(2) “Additional education appropriation” means the difference between a county’s education appropriation for the prior fiscal year and the county’s local share of the foundation program calculated under § 5-202 of this subtitle.

(3) “Additional education effort” means a county’s additional education appropriation divided by the county’s wealth, rounded to seven decimal places.



(4) "Full-time equivalent enrollment" has the meaning stated in § 5-202 of this subtitle.

(5) "Guaranteed tax base program per pupil amount" means the lesser of:

(i) 20% of the annual per pupil foundation amount calculated under § 5-202 of this subtitle; and

(ii) The product of a county's additional education effort and the difference between guaranteed wealth per pupil and local wealth per pupil.

(6) "Guaranteed wealth per pupil" means 80% of the statewide wealth per pupil.

(7) "Local wealth per pupil" means a county's wealth divided by the county's full-time equivalent enrollment.

(8) "Statewide wealth per pupil" means the sum of the wealth of all counties divided by the statewide full-time equivalent enrollment.

(9) "Wealth" has the meaning stated in § 5-202 of this subtitle.

(b) For fiscal year 2005 and each fiscal year thereafter, the State shall distribute guaranteed tax base grants to county boards as provided in this section.

(c) A county board is eligible to receive a guaranteed tax base grant if the county's:

(1) Additional education effort is greater than zero; and

(2) Local wealth per pupil is less than the guaranteed wealth per pupil.

(d) The amount of the guaranteed tax base grant shall be equal to the product of the county's guaranteed tax base program per pupil amount and the county's full-time equivalent enrollment multiplied by:

(1) 0.25 in fiscal year 2005;

(2) 0.50 in fiscal year 2006;

(3) 0.75 in fiscal year 2007; and

(4) 1.00 in fiscal year 2008 and each fiscal year thereafter.

§5-212.

(a) The target per pupil foundation amount includes costs associated with implementing the Blueprint for Maryland's Future including:

- (1) Increasing salaries;
- (2) Additional teachers to provide professional learning and collaborative time for teachers;
- (3) Career counseling;
- (4) Behavioral health;
- (5) Instructional opportunities for students who are college and career ready and those who are not;
- (6) Maintenance and operation of schools;
- (7) Supplies and materials for teachers; and
- (8) Educational technology including digital devices, broadband connectivity, and information technology staff.

(b) Schools may use funds provided under this section to provide the programs required under COMAR 13A.04.16.01.

(c) (1) County boards of education and schools shall prioritize the purchase of digital devices for using funds under subsection (a)(8) of this section.

(2) Additional funds provided in the target per pupil foundation amount for educational technology are intended to supplement and not supplant existing funding provided for educational technology.

(3) (i) On or before November 15 each year, each county board shall submit a report to the Department detailing, for the previous fiscal year:

1. The amount spent by the local school system on technology disaggregated by digital devices, connectivity, and information technology staff; and

2. The percentage of students, teachers, and staff with digital devices and adequate connectivity in their homes in accordance with the Federal Communications Commission standards for broadband.

(ii) On or before December 15 each year, the Department shall submit to the General Assembly, in accordance with § 2–1257 of the State Government Article, a compilation of the reports submitted to the Department under subparagraph (i) of this paragraph.

(iii) On or before September 1, 2021, the Department shall establish uniform reporting requirements, including definitions to ensure that consistent and comparable reports are submitted under subparagraph (i) of this paragraph.

§5–213.

(a) Each fiscal year, the State shall distribute the State share of the foundation program to each county board.

(b) Except as provided in subsections (c) and (d) of this section, each fiscal year, the county board shall distribute to each school the minimum school funding amount for the foundation program calculated under § 5–234 of this subtitle.

(c) (1) Each county board shall distribute to the local workforce development board for the county the following amount multiplied by the enrollment count in the county:

(i) For fiscal year 2024, \$62; and

(ii) For each of fiscal years 2025 and 2026, the prior fiscal year amount increased by the inflation adjustment.

(2) The funds distributed under paragraph (1) of this subsection shall be used to support the Career Counseling Program for Middle and High School Students established under § 7–126 of this article that is provided collaboratively by the workforce development board, the school, any other relevant State or local agencies, and employers.

(3) On or before June 30, 2024, and in each of the next 2 fiscal years, the local workforce development board, in collaboration with the county board and any other relevant State or local agencies, shall report to the Accountability and Implementation Board established under Subtitle 4 of this title on the use of the funds and the impact of the funds on providing career counseling.

(d) (1) In this section the following words have the meanings indicated.

(2) “Collaborative time per pupil amount” means:

(i) For fiscal year 2026, \$163;

- (ii) For fiscal year 2027, \$334;
- (iii) For fiscal year 2028, \$512;
- (iv) For fiscal year 2029, \$698;
- (v) For fiscal year 2030, \$891;
- (vi) For fiscal year 2031, \$1,093;
- (vii) For fiscal year 2032, \$1,306;
- (viii) For fiscal year 2033, \$1,527; and

(ix) For each fiscal year thereafter, the collaborative time per pupil amount in the prior fiscal year increased by the inflation adjustment.

(3) The collaborative time per pupil amount multiplied by the enrollment count in each county shall be distributed to and expended by schools in each county in accordance with Title 6, Subtitle 10 of this article and the county's collaborative time implementation plan approved by the Accountability and Implementation Board.

#### §5–214.

(a) (1) In this section the following terms have the meanings indicated.

(2) “Additional education appropriation” means the difference between a county's education appropriation for the prior fiscal year and the county's local share of the foundation program calculated under § 5–201 of this subtitle.

(3) “Additional education effort” means a county's additional education appropriation divided by the county's wealth, rounded to seven decimal places.

(4) “Guaranteed tax base program per pupil amount” means the lesser of:

(i) 20% of the annual per pupil foundation amount; and

(ii) The product of a county's additional education effort and the difference between guaranteed wealth per pupil and local wealth per pupil.

(5) “Guaranteed wealth per pupil” means 80% of the statewide wealth per pupil.

(b) For fiscal year 2005 and each fiscal year thereafter, the State shall distribute guaranteed tax base grants to county boards as provided in this section.

(c) A county board is eligible to receive a guaranteed tax base grant if the county’s:

(1) Additional education effort is greater than zero; and

(2) Local wealth per pupil is less than the guaranteed wealth per pupil.

(d) The amount of the guaranteed tax base grant shall be equal to the product of the county’s guaranteed tax base program per pupil amount and the county’s enrollment count.

§5–215.

(a) Subject to subsection (b) of this section, for each of fiscal years 2022 through 2029, the State shall distribute to each county board the following Blueprint Transition Grant amounts:

- (1) Allegany County \$10,348
- (2) Baltimore City \$18,669,201
- (3) Baltimore County \$2,953,950
- (4) Caroline County \$966,820
- (5) Cecil County \$49,060
- (6) Dorchester County \$1,321,515
- (7) Garrett County \$1,201,160
- (8) Howard County \$41,743
- (9) Kent County \$1,005,090
- (10) Montgomery County \$7,712,745
- (11) Prince George’s County \$20,505,652; and
- (12) St. Mary’s County \$3,251,181.

(b) For fiscal years 2025 through 2030, the State shall distribute the following proportion of the Blueprint Transition Grant amount under subsection (a) of this section to each county board:

- (1) For fiscal year 2025, 85%;
- (2) For fiscal year 2026, 65%;
- (3) For fiscal year 2027, 50%;
- (4) For fiscal year 2028, 35%;
- (5) For fiscal year 2029, 20%; and
- (6) For fiscal year 2030 and each fiscal year thereafter, 0%.

§5–216.

(a) In this subsection, “comparable wage index (CWI) adjustment” means, for each county, the foundation program multiplied by:

- (1) 0.000 in Allegany;
- (2) 0.109 in Anne Arundel;
- (3) 0.066 in Baltimore City;
- (4) 0.065 in Baltimore;
- (5) 0.079 in Calvert;
- (6) 0.000 in Caroline;
- (7) 0.000 in Carroll;
- (8) 0.000 in Cecil;
- (9) 0.055 in Charles;
- (10) 0.000 in Dorchester;
- (11) 0.047 in Frederick;
- (12) 0.000 in Garrett;
- (13) 0.073 in Harford;
- (14) 0.131 in Howard;
- (15) 0.000 in Kent;
- (16) 0.166 in Montgomery;
- (17) 0.129 in Prince George’s;
- (18) 0.000 in Queen Anne’s;
- (19) 0.079 in St. Mary’s;
- (20) 0.000 in Somerset;
- (21) 0.000 in Talbot;

(22) 0.000 in Washington;

(23) 0.000 in Wicomico; and

(24) 0.000 in Worcester.

(b) (1) For fiscal year 2024 and each fiscal year thereafter, in addition to the foundation program each county shall receive a grant to reflect the regional differences of the cost to hire personnel that are due to factors outside of the control of the local jurisdiction.

(2) The amount of the grant under this section shall equal, for each county, the product of the CWI adjustment and:

(i) 49% in fiscal year 2024;

(ii) 49% in fiscal year 2025;

(iii) 47% in fiscal year 2026;

(iv) 46% in fiscal year 2027;

(v) 45% in fiscal year 2028;

(vi) 44% in fiscal year 2029;

(vii) 43% in fiscal year 2030;

(viii) 42% in fiscal year 2031;

(ix) 42% in fiscal year 2032; and

(x) 41% in fiscal year 2033 and each fiscal year thereafter.

(3) Subject to subsection (c) of this section, the State share and local share of the grant calculated under paragraph (2) of this subsection shall be calculated in the same manner as the State share and local share of the foundation program.

(c) Each fiscal year the county board shall distribute to each school the minimum school funding amount for the grant calculated under § 5–234 of this subtitle.

(a) (1) In this section the following words have the meanings indicated.

(2) “CCR per pupil amount” means:

(i) For fiscal year 2022, \$517; and

(ii) For each fiscal year thereafter, the CCR per pupil amount in the prior fiscal year increased by the inflation adjustment.

(3) “CCR program amount” means, for each county, the product of the total number of CCR students in the prior school year and the CCR per pupil amount.

(4) “CCR student” means a student who is college and career ready, as demonstrated by having met the college and career readiness standard adopted by the State Board under § 7–205.1 of this article.

(5) “Local share” means, for each county, the result of the CCR program amount minus the State share rounded to the nearest whole dollar.

(6) “State share” means, for each county, the result, rounded to the nearest whole dollar, of the following calculation multiplied by 0.5:

(i) Multiply the CCR per pupil amount by the number of CCR students;

(ii) Divide the result calculated under item (i) of this paragraph by the ratio, rounded to seven decimal places, of local wealth per pupil to statewide wealth per pupil; and

(iii) Multiply the result calculated under item (ii) of this paragraph by the result, rounded to seven decimal places, that results from dividing the total program amount by the sum of all of the results calculated under item (ii) of this paragraph for all counties.

(7) “Total program amount” means the product of the CCR per pupil amount and the number of CCR students in the State.

(b) (1) Each fiscal year, the State shall distribute the State share of the CCR program amount to each county board.

(2) Each fiscal year, the county board shall distribute to each school the minimum school funding amount for college and career readiness calculated under § 5–234 of this subtitle.



For the regional cost differences of providing education services, the State shall distribute in fiscal year 2022 and 2023 the following amounts to the following county boards:

County Board	Fiscal Year 2022	Fiscal Year 2023
Anne Arundel	\$11,279,907	\$11,648,498
Baltimore City	\$23,001,580	\$23,399,130
Baltimore	\$6,714,151	\$6,903,262
Calvert	\$2,441,896	\$2,468,678
Carroll	\$2,581,183	\$2,626,795
Charles	\$4,008,206	\$4,119,541
Frederick	\$7,629,055	\$7,829,066
Howard	\$6,541,811	\$6,781,197
Kent	\$136,228	\$137,449
Montgomery	\$41,131,349	\$42,290,391
Prince George's	\$47,196,798	\$48,807,990
Queen Anne's	\$615,392	\$630,307
St. Mary's	\$259,366	\$267,347

§5–221.

(a) In this part the following words have the meanings indicated.

(b) “Local share” means the county program amount for each county minus the result calculated under subsection (c)(1) of this section for each county rounded to the nearest whole dollar.

(c) (1) Except as provided in paragraph (2) of this subsection, “State share” means, for each county, rounded to the nearest whole dollar, the greater of the following calculations multiplied by 0.5:

(i) 1. Multiply the per pupil amount by the county's

enrollment applicable under § 5–222, § 5–223, § 5–224, § 5–225, or § 5–226 of this subtitle;

2. Divide the result calculated under item 1 of this item by the ratio, rounded to seven decimal places, of local wealth per pupil to statewide wealth per pupil; and

3. Multiply the result calculated under item 2 of this item by the result, rounded to seven decimal places, that results from dividing the total program amount by the sum of all of the results calculated under item 2 of this item for all counties; or

(ii) The result obtained by multiplying the per pupil amount by the county’s enrollment applicable under § 5–222, § 5–224, or § 5–225 of this subtitle and by 0.8.

(2) For the concentration of poverty per pupil grant under § 5–223 of this subtitle and for transitional supplemental instruction under § 5–226 of this subtitle, “State share” means the calculation under paragraph (1)(i) of this subsection.

(d) (1) Except as provided in paragraph (2) of this subsection, “county program amount” means, for each county, the product of the per pupil amount and the county enrollment applicable under § 5–222, § 5–223, § 5–224, § 5–225, or § 5–226 of this subtitle.

(2) For the per pupil grant in the concentration of poverty program, “county program amount” has the same meaning as “per pupil grant amount” defined under § 5–223 of this subtitle.

(e) “Total program amount” means the sum of the county program amount for each county applicable under § 5–222, § 5–223, § 5–224, § 5–225, or § 5–226 of this subtitle.

§5–222.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) “Compensatory education enrollment” means:

1. Except as provided in subparagraph (iii) of this paragraph, for fiscal years 2017 through 2026, the greater of:

A. The number of students eligible for free or reduced price meals for the prior fiscal year;

B. For county boards that participate, in whole or in

part, in the United States Department of Agriculture community eligibility provision, the number of students equal to the greater of:

I. The sum of the number of students in participating schools identified by direct certification for the prior fiscal year, plus the number of students identified by the income information provided by the family to the school system on an alternative form developed by the Department for the prior fiscal year, plus the number of students eligible for free and reduced price meals from any schools not participating in the community eligibility provision for the prior fiscal year; or

II. Subject to paragraph (3) of this subsection, the number of students eligible for free and reduced price meals at schools not participating in the community eligibility provision for the prior fiscal year, plus the product of the percentage of students eligible for free and reduced price meals at participating schools for the fiscal year prior to opting into the community eligibility provision multiplied by the prior fiscal year enrollment; or

C. The number of students directly certified and who are enrolled in a public school in the county in the prior fiscal year; and

2. For fiscal year 2027 and each fiscal year thereafter, the greater of:

A. The number of students eligible for free or reduced price meals using the United States Department of Agriculture count or the alternative State form for the prior fiscal year; or

B. The number of direct certification students who are enrolled in a public school in the county in the prior fiscal year.

(ii) For the purpose of the calculation under subparagraph (i)1BII of this paragraph, the schools participating in the community eligibility provision during the pilot year may use the percentage of students identified for free and reduced price meals during the pilot year.

(iii) For the purpose of the calculation under subparagraph (i)1 of this paragraph, direct certification multiplied by the multiplier may be used only for schools that did not exist prior to the year the school system opted into the United States Department of Agriculture community eligibility provision.

(3) “Compensatory education per pupil amount” means the following proportions of the target per pupil foundation amount:

- (i) For fiscal year 2022, 91%;
- (ii) For fiscal year 2023, 89%;
- (iii) For fiscal year 2024, 87%;
- (iv) For fiscal year 2025, 86%;
- (v) For fiscal year 2026, 85%;
- (vi) For fiscal year 2027, 80%;
- (vii) For fiscal year 2028, 78%;
- (viii) For fiscal year 2029, 76%;
- (ix) For fiscal year 2030, 76%;
- (x) For fiscal year 2031, 75%;
- (xi) For fiscal year 2032, 71%; and
- (xii) For fiscal year 2033 and each fiscal year thereafter, 73%.

(4) “Direct certification” means the certification of the income eligibility of a child under the following programs:

- (i) Supplemental Nutrition Assistance Program;
- (ii) Temporary Assistance for Needy Families;
- (iii) Foster care;
- (iv) Head Start;
- (v) Even Start;

(vi) Migrant students;

(vii) Homeless students; and

(viii) Medicaid and the Maryland Children's Health Program, up to 189% of the federal poverty level.

(5) "Eligible for free or reduced price meals" means eligible for free or reduced price meals based on eligibility requirements established by the United States Department of Agriculture.

(b) (1) Each fiscal year, the State shall distribute the State share for compensatory education to each county board.

(2) Each fiscal year, the county board shall distribute to each school the minimum school funding amount for compensatory education calculated under § 5–234 of this subtitle.

(c) (1) By school year 2022–2023, the State alternative income eligibility form shall be collected by each school that is participating in the United States Department of Agriculture community eligibility provision and may be collected by all other schools.

(2) The State alternative income eligibility form shall be developed by the Department and shall include a statement indicating that the income information requested on the form is used to determine local and State funding for education.

#### §5–223.

(a) (1) In this section the following words have the meanings indicated.

(2) "Community school" means a community school under Title 9.9 of this article.

(3) (i) Except as provided in subparagraph (ii) of this paragraph, "concentration of poverty level" means the average percentage of eligible students of the school's enrollment for the 3 prior school years rounded to the nearest whole percent.

(ii) If the 3 prior school years includes the 2020–2021 school year, "concentration of poverty level" means:

1. The sum of the percentage of eligible students of the school's enrollment for the 4 prior school years minus the 2020–2021 school year percentage of eligible students; divided by

2. Three; and

3. Rounded to the nearest whole percent.

(4) (i) “Eligible school” means:

1. For the personnel grant, a public school, including a public charter school, with a concentration of poverty level of:

A. For fiscal year 2020, at least 80%;

B. For fiscal year 2021, at least 75%;

C. For fiscal year 2022, at least 70%;

D. For fiscal year 2023, at least 65%;

E. For fiscal year 2024, at least 60%; and

F. For fiscal year 2025, and each fiscal year thereafter, at least 55%; and

2. For the per pupil grant, a public school, including a public charter school, with a concentration of poverty level of:

A. For fiscal year 2022, at least 80%;

B. For fiscal year 2023, at least 75%;

C. For fiscal year 2024, at least 70%;

D. For fiscal year 2025, at least 65%;

E. For fiscal year 2026, at least 60%; and

F. For fiscal year 2027, and each fiscal year thereafter, at least 55%.

(ii) “Eligible school” includes an alternative option program in the local school system if the students in the program are not included in the count of eligible students for another program or school to determine eligibility for the concentration of poverty grant.

(iii) “Eligible school” does not include a school that is eligible to receive funding under this section but has closed.

(5) “Eligible student” means the compensatory education enrollment as defined in § 5–222 of this subtitle in the second prior fiscal year rounded to the nearest whole number.

(6) “Locally funded county” means a county board that receives a compensatory education State share under § 5–221(c)(2) of this subtitle.

(7) “Needs assessment” means the assessment completed under § 9.5–104 of this article.

(8) “Per pupil grant amount” means, for all eligible schools in the county, the per pupil amount for each eligible school calculated under subsection (d) of this section multiplied by the number of eligible students in the school.

(9) “Per pupil maximum amount” means:

(i) For fiscal year 2022, \$3,374.48; and

(ii) For each subsequent fiscal year, the prior fiscal year amount increased by the inflation adjustment.

(10) “Program” means the Concentration of Poverty School Grant Program established under this section.

(11) “Sliding scale adjustment factor” means:

(i) For fiscal year 2022, \$7,422.33; and

(ii) For each subsequent fiscal year, the prior fiscal year amount increased by the inflation adjustment.

(12) “Sliding scale upper limit” means:

(i) For fiscal year 2022, \$13,495.15; and

(ii) For each subsequent fiscal year, the prior fiscal year amount increased by the inflation adjustment.

(13) “State funded county” means a county that is not a locally funded county.

(14) “Wraparound services” includes the wraparound services defined under § 9.9–101 of this article.

(b) (1) There is a Concentration of Poverty School Grant Program in the State.

(2) The purpose of the Program is to provide grants to eligible schools with a high concentration of eligible students.

(3) The Program consists of the:

(i) Personnel grant; and

(ii) Per pupil grant.

(c) (1) (i) 1. For fiscal year 2022, the State shall distribute a personnel grant to each county board equal to \$248,833 for each eligible school in the county.

2. In each subsequent fiscal year, the personnel grant equals the personnel grant in the prior fiscal year increased by the inflation adjustment.

(ii) Except as provided in subparagraph (iii) of this paragraph, each county board shall distribute directly to each eligible school the amount provided under paragraph (1)(i) of this subsection.

(iii) 1. Except as provided in subparagraph 2 of this subparagraph, if a local school system has at least 40 eligible schools, the county board may, on behalf of eligible schools, expend no more than 50% of the funds distributed by the State under this paragraph, provided that a plan is developed in consultation with the eligible schools that ensures that the requirements of paragraphs (2) through (8) of this subsection are met and the plan is submitted to the Accountability and Implementation Board in accordance with § 5-402 of this title.

2. Subsubparagraph 1 of this subparagraph does not apply to a public charter school unless the public charter school chooses to participate in the plan.

(2) (i) Each eligible school shall employ one community school coordinator staff position in the eligible school.

(ii) 1. Each eligible school shall provide full-time coverage by at least one professional health care practitioner during school hours, including any extended learning time, who is a licensed physician, a licensed physician's assistant, or a licensed registered nurse, practicing within the scope of the health care practitioner's license.



2. A health care practitioner providing coverage under this subparagraph may work under a school health services program, a county health department, or a school-based health center.

3. This subparagraph may not be construed to:

A. Require that an eligible school hire a full-time health care practitioner staff position; or

B. Preclude the hiring of any other health care practitioners that meet the needs of the students.

(3) Each eligible school shall use the personnel grant to fund the requirements under paragraph (2) of this subsection.

(4) If the personnel grant provided to an eligible school exceeds the cost to employ the positions and provide the coverage required under paragraph (2) of this subsection, the eligible school may only use the excess funds to:

(i) Provide wraparound services to the students enrolled in the eligible school;

(ii) Complete the needs assessment; and

(iii) In fiscal years 2021 and 2022, provide the requirements under COMAR 13A.04.16.01.

(5) (i) If an eligible school, prior to receiving a personnel grant, employs an individual in a position or has the coverage required under paragraph (2) of this subsection, at least the same amount of funds shall be provided to the eligible school to be used for those positions or coverage after receiving a personnel grant.

(ii) If an eligible school satisfies subparagraph (i) of this paragraph, then the school shall use the personnel grant in accordance with paragraph (4) of this subsection.

(6) The community school coordinator shall be subject to the requirements under § 9.9–104 of this article.

(7) A county that provides a school nurse, school health services, or community school services from funds outside of those made in the fiscal year 2019 local appropriation to the county board shall continue to provide at least the same resources to an eligible school through fiscal year 2030.

(8) If an eligible school becomes ineligible, the school shall remain

entitled to the personnel grant for two school years after the school loses eligibility but may not receive the per pupil grant.

(9) The personnel and per pupil grant may be used through fiscal year 2025 to provide the programs required under COMAR 13A.04.16.01.

(d) (1) (i) 1. Eligible schools with a concentration of poverty level of at least 80% shall receive a per pupil grant beginning in fiscal year 2022.

2. All other eligible schools shall receive the per pupil grant 1 year after becoming eligible and on completion of the needs assessment required under § 9.9–104 of this article.

(ii) Except as provided in paragraph (3) of this subsection, each eligible school shall receive a per pupil grant each fiscal year equal to the product of the total number of eligible students in the school and the per pupil amount based on the sliding scale under paragraph (2) of this subsection.

(2) (i) The sliding scale per pupil amount shall be calculated as provided in this paragraph.

(ii) For schools with a concentration of poverty level less than or equal to 55%, the per pupil amount is \$0.

(iii) For schools with a concentration of poverty level greater than 55% but less than 80%, the per pupil amount is equal to the product of the concentration of poverty level and the sliding scale upper limit minus the sliding scale adjustment factor.

(iv) For schools with a concentration of poverty level equal to or greater than 80% the per pupil amount is the maximum per pupil amount.

(3) Except as provided in paragraph (4) of this subsection, each eligible school shall receive the following proportion of the per pupil grant calculated under paragraph (2) of this subsection rounded to the nearest whole dollar:

(i) For the 1st year of eligibility, 16%;

(ii) For the 2nd year of eligibility, 32%;

(iii) For the 3rd year of eligibility, 37%;

(iv) For the 4th year of eligibility, 55%;

(v) For the 5th year of eligibility, 66%;

(vi) For the 6th year of eligibility, 75%; and

(vii) For the 7th year of eligibility and each year of eligibility thereafter, 100%.

(4) Beginning in fiscal year 2030, each eligible school shall receive 100% of the per pupil grant calculated under paragraph (2) of this subsection rounded to the nearest whole dollar.

(e) (1) For a locally funded county each fiscal year, the State shall distribute the State share of the per pupil grant amount to each county board.

(2) For a State funded county:

(i) The State shall distribute 100% of the per pupil grant amount to each county board; and

(ii) There is no local share of the per pupil grant amount.

(3) Each fiscal year, the county board shall distribute to each school the minimum school funding amount for the per pupil grant amount calculated under § 5–234 of this subtitle.

(f) (1) Each eligible school shall use the per pupil grant to provide wraparound services and other programs and services identified in the eligible school's needs assessment plan.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, if a local school system has at least 40 eligible schools, the county board may, on behalf of the eligible schools, expend no more than 50% of the funds distributed for the per pupil grant, provided that a plan is developed in consultation with the eligible schools that ensures that the requirements of paragraph (1) of this subsection are met and the plan is submitted to the Accountability and Implementation Board under § 5–402 of this article.

(ii) Subparagraph (i) of this paragraph does not apply to a public charter school unless the public charter school chooses to participate in the plan.

(3) A local school system may request flexibility in distributing funds through the Accountability and Implementation Board appeal process under § 5–406 of this title.

(g) (1) On or before November 1, 2021, the Department shall submit an interim report to the General Assembly, in accordance with § 2–1257 of the State Government Article, and the Accountability and Implementation Board on:

(i) The progress on analyzing neighborhood indicators of poverty under paragraph (2) of this subsection;

(ii) The fiscal year for which Medicaid data can be incorporated into the direct certification of students eligible for the compensatory education program under § 5–222 of this subtitle and under this section; and

(iii) The plan for developing and using the State alternative income eligibility form to determine eligibility for the compensatory education program under § 5–222 of this subtitle.

(2) (i) On or before October 1, 2022, the Department shall submit a report to the Accountability and Implementation Board on incorporating neighborhood indicators of poverty to determine a school’s eligibility for the compensatory education program and the concentration of poverty grant based on the study required under this subsection.

(ii) The study shall evaluate:

1. The American Community Survey data available across geographic areas in the Small Area Income and Poverty Estimates Program to provide school district poverty estimates; and

2. The Area Deprivation Index developed by the University of Wisconsin – Madison to rank neighborhoods by socioeconomic status disadvantage.

(h) On or before October 1, 2021, and each October 1 thereafter, the Department shall submit to the Department of Budget and Management and the Department of Legislative Services the percentage and number of students at each school eligible for free or reduced price meals in the prior school year and each public school’s eligibility for a grant under this program in the upcoming fiscal year.

§5–224.

(a) (1) In this section the following words have the meanings indicated.

(2) “English learner enrollment” means the number of students with limited English proficiency in the prior fiscal year.

(3) “English learner per pupil amount” means the following proportions of the target per pupil foundation amount:

(i) For fiscal year 2022, 100%;

- (ii) For fiscal year 2023, 100%;
- (iii) For fiscal year 2024, 100%;
- (iv) For fiscal year 2025, 102%;
- (v) For fiscal year 2026, 98%;
- (vi) For fiscal year 2027, 94%;
- (vii) For fiscal year 2028, 92%;
- (viii) For fiscal year 2029, 91%;
- (ix) For fiscal year 2030, 89%;
- (x) For fiscal year 2031, 88%;
- (xi) For fiscal year 2032, 86%; and
- (xii) For fiscal year 2033 and each fiscal year thereafter, 85%.

(4) “Limited English proficiency” means non–English or limited English proficiency under the reporting requirements established by the Department for the Maryland Comprehensive Assessment Program (MCAP).

(b) (1) Each fiscal year, the State shall distribute the State share for English learner education to each county board.

(2) Each fiscal year, the county board shall distribute to each school the minimum school funding amount for English learners calculated under § 5–234 of this subtitle.

§5–225.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) “Special education enrollment” means the number of students enrolled in a public school in the prior fiscal year who required special education services as defined in the federal Individuals with Disabilities Education Act.

(ii) “Special education enrollment” includes special education students enrolled in a publicly funded prekindergarten program under Title 7, Subtitle 1A of this article.

(iii) “Special education enrollment” does not include students who are enrolled in or attend:

1. The Maryland School for the Blind;
2. The Maryland School for the Deaf; or
3. An educational program operated by the State.

(3) “Special education per pupil amount” means the following proportions of the target per pupil foundation amount:

- (i) For fiscal year 2022, 86%;
- (ii) For fiscal year 2023, 86%;
- (iii) For fiscal year 2024, 92%;
- (iv) For fiscal year 2025, 99%;
- (v) For fiscal year 2026, 103%;
- (vi) For fiscal year 2027, 112%;
- (vii) For fiscal year 2028, 122%;
- (viii) For fiscal year 2029, 136%;
- (ix) For fiscal year 2030, 153%;
- (x) For fiscal year 2031, 151%;
- (xi) For fiscal year 2032, 148%; and
- (xii) For fiscal year 2033 and each fiscal year thereafter, 146%.

(b) Each school shall use the funds provided under this section to provide the services required by each student’s individualized education program or 504 plans.

(c) (1) Each fiscal year, the State shall distribute the State share for special education to each county board.

(2) Each fiscal year, the county board shall distribute to each school or publicly funded prekindergarten program the minimum school funding amount for special education calculated under § 5–234 of this subtitle.

§5–226.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) “Struggling learner” means a kindergarten through grade 3 student who, on the Maryland Comprehensive Assessment Program (MCAP) or on any successor assessment, in the prior fiscal year, scores the equivalent of a 1, 2, or 3 in English language arts or reading on the PARCC assessment.

(ii) The number of grade 3 struggling learners shall be used as a proxy for the number of struggling learners in each of kindergarten, grade 1, and grade 2.

(3) (i) “Transitional supplemental instruction” means additional academic support for struggling learners using evidence–based programs and strategies that meet the expectations of strong or moderate evidence as defined in the federal Every Student Succeeds Act.

(ii) “Transitional supplemental instruction” includes:

1. One–on–one and small–group tutoring of not more than four students with a certified teacher, a teaching assistant, or any other trained professional;

2. Cross–age peer tutoring; and

3. Screening, identifying, and addressing literacy deficits.

(4) “Transitional supplemental instruction per pupil amount” means:

(i) For fiscal year 2022, \$476;

(ii) For fiscal year 2023, \$665;

(iii) For fiscal year 2024, \$680;

(iv) For fiscal year 2025, \$522;

(v) For fiscal year 2026, \$356; and

(vi) For fiscal year 2027 and each fiscal year thereafter, \$0.

(b) (1) Each school shall use the funds provided under this section to provide transitional supplemental instruction to struggling learners in kindergarten through grade 3.

(2) (i) Subject to subparagraph (ii) of this paragraph, priority in providing transitional supplemental instruction shall be given to literacy.

(ii) A school district or school may use the funds for additional

mathematics instruction if it is determined that this is a priority for the students in the district or school.

(3) A school district or school is encouraged to, on a pilot basis, experiment with new evidence-based means of screening, identifying, and addressing literacy deficits.

(4) An individual who provides transitional supplemental instruction may be employed by the school district.

(5) (i) Each student who receives transitional supplemental instruction shall receive a pre- and post-standardized assessment to evaluate the student's progress before and after receiving transitional supplemental instruction under this section.

(ii) The requirement that a student receive a pre-standardized assessment for literacy in accordance with subparagraph (i) of this paragraph may be satisfied by conducting the reading screening established in § 4-136 of this article.

(c) (1) Each fiscal year, the State shall distribute the State share for transitional supplemental instruction to each county board.

(2) Each fiscal year, the county board shall distribute to each school the minimum school funding amount for transitional supplemental instruction calculated under § 5-234 of this subtitle.

§5-229.

(a) (1) In this section the following words have the meanings indicated.

(2) "County program amount" means, for each county, the product of the per pupil amount and the prekindergarten enrollment.

(3) "Family share" means the amount calculated under subsection (e) of this section rounded to the nearest whole dollar.

(4) "Local share" means, for each county, the result of the county program amount minus the State share rounded to the nearest whole dollar.

(5) "Per pupil amount" means:

(i) In fiscal year 2023, \$10,094;

(ii) In fiscal year 2024, \$11,594;

(iii) In fiscal year 2025, \$13,003;



(iv) In fiscal year 2026, \$14,473;

(v) In fiscal year 2027, \$15,598;

(vi) In fiscal year 2028, \$16,811;

(vii) In fiscal year 2029, \$18,118;

(viii) In fiscal year 2030, \$19,526; and

(ix) In subsequent fiscal years, the per pupil amount for the prior fiscal year increased by the inflation adjustment rounded to the nearest whole dollar.

(6) “Prekindergarten enrollment” means:

(i) Beginning in fiscal year 2023, the number of Tier I children enrolled with an eligible prekindergarten provider; and

(ii) Beginning in fiscal year 2025, the number of Tier I and Tier II children enrolled with an eligible prekindergarten provider.

(7) “State share” means, for each county, rounded to the nearest whole dollar, the following calculations multiplied by 0.5:

(i) Multiply the per pupil amount by the county’s prekindergarten enrollment;

(ii) Divide the result calculated under item (i) of this paragraph by the ratio, rounded to seven decimal places, of local wealth per pupil to statewide wealth per pupil; and

(iii) Multiply the result calculated under item (ii) of this paragraph by the result, rounded to seven decimal places, that results from dividing the total program amount by the sum of all of the results calculated under item (i) of this paragraph for all counties.

(8) “Tier I child” has the meaning stated in § 7–1A–01 of this article.

(9) “Tier II child” has the meaning stated in § 7–1A–01 of this article.

(10) “Tier III child” has the meaning stated in § 7–1A–01 of this article.

(11) “Total program amount” means the product of the per pupil amount and the statewide prekindergarten enrollment.

(b) To be eligible for public funding, a prekindergarten provider shall comply with Title 7, Subtitle 1A of this article.

(c) (1) (i) As calculated under subsection (d) of this section, there is a State share and local share of the per pupil amount for Tier I children.

(ii) There is no family share for Tier I children.

(2) As calculated under subsection (e) of this section and beginning in fiscal year 2025, there is a State share, local share, and family share of the per pupil amount for Tier II children.

(3) Tier III children are not eligible for funding under this section.

(d) (1) For public providers, each fiscal year:

(i) The State shall distribute the State share to each county board; and

(ii) The county board shall distribute to each public provider the minimum school funding amount for prekindergarten calculated under § 5–234 of this subtitle.

(2) For private providers, each fiscal year:

(i) The State shall distribute the State share for private providers to the Department;

(ii) The county shall distribute the local share for private providers to the Department; and

(iii) The Department shall distribute the State and local share to the private providers.

(e) (1) On or before July 1, 2022, the Department shall establish a sliding scale to calculate the family share required for Tier II children.

(2) The sliding scale developed by the Department shall be increased on a linear basis with:

(i) A lower limit of \$0 per pupil for a family with an income that is 300% of the federal poverty level; and

(ii) An upper limit of the per pupil amount for a family with an income that is more than 300% but less than 600% of the federal

poverty level.

(3) (i) Beginning in fiscal year 2025, the family shall pay the family share to the publicly funded prekindergarten provider.

(ii) A county board may provide up to 100% of the family share on behalf of the family.

(f) Income-eligible families shall have access to extended day services through the Child Care Scholarship Program under Title 9.5, Subtitle 9 of this article.

(g) The Department, county boards, and eligible prekindergarten providers shall work together to address the transportation needs of children enrolled in eligible prekindergarten providers.

(h) On or before November 1, 2021, the Department shall report to the Accountability and Implementation Board and, in accordance with § 2-1257 of the State Government Article, the General Assembly on:

(1) Plans for an income verification process to determine eligibility for Tier I, Tier II, or Tier III status of a child;

(2) Administrative procedures for distributing the funds required under subsection (d) of this section;

(3) (i) Providing families with the ability to indicate a preference for the public or private prekindergarten program in which to enroll the child; and

(ii) Communicating with families that the ability to choose to enroll a child in a public provider outside the family's attendance area is available only for prekindergarten;

(4) Recommendations for the methodology the Department will use to calculate the State, local, and family share for Tier II children under the sliding scale developed under subsection (e) of this section; and

(5) Recommendations on whether to extend the prekindergarten supplemental grant provided under § 5-232 of this subtitle.

§5-230.

(a) (1) In this section the following words have the meanings indicated.

(2) "Accreditation" means the determination that a program meets quality standards defined by the accrediting agency beyond State child care regulations.

(3) “Accrediting agency” means a State agency or national organization that has developed a recognized accrediting process.

(4) “Credentialing” means the process through which an individual is awarded a professional certificate based on education and experience.

(5) “Early Childhood Education Enhancement Grant” means a grant that is distributed under subsection (f) of this section.

(6) “Full day” means a period of time during the day that:

(i) Meets the needs of families; and

(ii) Is not less than 7 hours or more than 12 hours per day.

(7) “Judy Center” means a site where comprehensive early childhood education services are provided to young children and their families for the purpose of promoting school readiness through collaboration with participating agencies and programs.

(8) “Judy Center Grant” means a grant that is distributed under subsection (d) of this section.

(9) “Local management board” means a local management board as defined under § 8–101(l) of the Human Services Article.

(10) “Participating agencies and programs” includes:

(i) Public prekindergarten and kindergarten programs;

(ii) Head Start programs;

(iii) Family literacy programs and services;

(iv) Local infants and toddlers programs;

(v) Child care centers and family child care homes;

(vi) Family support centers;

(vii) Healthy family sites;

(viii) Parent involvement programs;

(ix) Early childhood programs affiliated with institutions of

higher education; and

(x) Other home visiting, community health, family support services, and child care resource and referral agencies.

(11) “Preschool Services Grant” means a grant that is distributed under subsection (e) of this section.

(12) “Program” means the Judith P. Hoyer Early Childhood Education Enhancement Program established under this section.

(b) (1) There is a Judith P. Hoyer Early Childhood Education Enhancement Program in the Department.

(2) The purpose of the Program is to promote school readiness through the development and expansion of collaborative approaches to the delivery of high quality, comprehensive, full-day early childhood education programs and family support services.

(c) (1) The Program shall be funded as provided in the State budget.

(2) Funds that are allocated to the Program in the State budget may be used:

(i) To cover the costs incurred by the Department in implementing and administering the Program;

(ii) For Judy Center Grants, as provided under subsection (d) of this section;

(iii) For Preschool Services Grants, as provided under subsection (e) of this section;

(iv) For Early Childhood Education Enhancement Grants, as provided under subsection (f) of this section; and

(v) To fund the statewide implementation of the Department’s Early Childhood Assessment System, as provided under subsection (g) of this section.

(3) (i) For each of fiscal years 2021 through 2025, the State shall provide funding for 9 additional Judy Centers per year.

(ii) For each of fiscal years 2026 through 2030, the State shall provide funding for 18 additional Judy Centers per year.

(iii) The Governor shall appropriate, in each of fiscal years 2021

through 2030, \$330,000 for each additional Judy Center required under this paragraph.

(iv) The State shall prioritize increasing the number of Judy Centers in communities with Title I schools.

(d) The Department may distribute a Judy Center Grant to a county board if the county board submits an application to the Department that includes:

(1) A memorandum of understanding between the county board, the participating agencies and programs, and, in the discretion of the county board, the local management board that includes:

(i) The terms of the collaboration to be undertaken by the county board, the participating agencies and programs, and, if applicable, the local management board, including the roles and responsibilities of each of these entities; and

(ii) A plan for establishing ongoing communication between private service providers and public school early education programs; and

(2) Documentation that shows that:

(i) The Department's Early Childhood Assessment System will be implemented at the Center;

(ii) All participating agencies and programs that provide early childhood education services through the Center have voluntarily obtained accreditation or, by the date of the Grant application, have voluntarily initiated and are actively pursuing the process of obtaining accreditation; and

(iii) The Center will provide comprehensive, full-day early childhood education services and family support services.

(e) (1) The Department may distribute a Preschool Services Grant to be used to provide prekindergarten services for 4-year-old children whose birthdays fall on or before September 1 of the school year during which services will be provided and whose family income is below a level set by the Department.

(2) Private providers that have voluntarily obtained accreditation or have voluntarily initiated and are actively pursuing accreditation by the date of the grant application must obtain accreditation before receiving a grant award.

(f) The Department may distribute an Early Childhood Education

Enhancement Grant to a private provider of early childhood education services to be used:

(1) To assist the provider in voluntarily obtaining accreditation; or

(2) For professional development activities leading to increased competency and appropriate credentialing that is related to early childhood education services.

(g) The Department may distribute funds to a county board for the purpose of implementing the Department's Early Childhood Assessment System in the county's public schools.

(h) (1) The Department shall:

(i) Establish application procedures for obtaining Judy Center Grants, Preschool Services Grants, and Early Childhood Education Enhancement Grants as provided under this section;

(ii) Supervise and monitor the use of Grant funds distributed under this section; and

(iii) Evaluate whether Grant recipients are meeting annual benchmarks established by the Department.

(2) For Judy Center Grants, the Department may award multiyear funding.

(i) A county board that is selected to receive a Judy Center Grant or a private provider that has been selected for a Preschool Services Grant or an Early Childhood Education Enhancement Grant shall:

(1) Administer the Grant award;

(2) Submit fiscal and program reports as required by the Department;  
and

(3) Coordinate the involvement of participating agencies and programs in any evaluation process conducted by the Department.

(j) Grants awarded under this section may not be used:

(1) To supplant existing funding for any services provided by participating agencies and programs; or

(2) For capital improvements.

(k) The Department shall conduct an evaluation process to measure the effectiveness of:

(1) The Judy Centers; and

(2) Early childhood education services and family support services that are purchased with funds from Preschool Services Grants and Early Childhood Education Enhancement Grants.

(l) On or before November 1 each year, the Department shall submit to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly a report on the implementation of the Program and the participating agencies and programs, including a description of the Program’s and the participating agencies’ and programs’ expenditures, enrollment, and statewide performance data, including school readiness data disaggregated by program and by jurisdiction.

(m) The Department may adopt regulations as necessary to implement the Program.

§5–232.

(a) (1) In this section the following words have the meanings indicated.

(2) “Eligible child” means a child:

(i) Whose parent or guardian enrolls the child in a public prekindergarten program; and

(ii) Who is 4 years old on September 1 of the school year in which the parent or legal guardian enrolls the child in a public prekindergarten program.

(3) “Eligible county board” means a county board that makes a full–day public prekindergarten program available for eligible children.

(4) “State share of the per pupil foundation amount” means the quotient of the State share of the foundation program for a county divided by the full–time equivalent enrollment of the county.

(b) For each of fiscal years 2018 through 2022, the State shall provide a supplemental prekindergarten grant to an eligible county board that equals the percentage of the State share of the per pupil foundation amount multiplied by the number of full–time equivalent eligible children enrolled in a public full–day prekindergarten program on September 30 of the previous school year:



- (1) For fiscal year 2018, 50%;
- (2) For fiscal year 2019, 75%;
- (3) For fiscal year 2020, 100%; and
- (4) For each of fiscal years 2021 and 2022, 100%.

(c) The State shall distribute the supplemental prekindergarten grant at the same time the State distributes funds to county boards under this subtitle.

§5–234.

(a) (1) Except as provided by paragraph (2) of this subsection and subsections (e) and (f) of this section, for each of the following programs, “minimum school funding” means at least 75% of the per pupil amount applicable to each of the following programs:

(i) The foundation program under § 5–213 of this subtitle;

(ii) The compensatory education program under § 5–222 of this subtitle;

(iii) The English learner education program under § 5–224 of this subtitle;

(iv) The special education program under § 5–225 of this subtitle;

(v) Public providers of prekindergarten under § 5–229 of this subtitle;

(vi) Transitional supplemental instruction under § 5–226 of this subtitle;

(vii) The comparable wage index grant under § 5–216 of this subtitle; and

(viii) The college and career readiness program under § 5–217 of this subtitle.

(2) Except as provided by subsection (e) of this section, for each of the following programs, “minimum school funding” means 100% of the per pupil amount applicable to each of the following programs:

(i) Private providers of prekindergarten under § 5–229 of this

subtitle; and

(ii) The per pupil grant under the concentration of poverty program under § 5–223 of this subtitle.

(b) (1) For each school, the county board shall distribute the minimum school funding amount for the applicable program multiplied by the school enrollment for the applicable program.

(2) On or before July 1, 2024, for fiscal year 2025, and each July 1 thereafter, each county board shall report on the county board's compliance with this section to the Department and the Accountability and Implementation Board established under Subtitle 4 of this title.

(3) A county board may request a waiver under § 5–406 of this title from this provision for reasons including:

(i) A significant shift in total school-level enrollment between the prior year and the current year;

(ii) A significant shift in school-level enrollment of at-promise students between the prior year and the current year; and

(iii) A significant difference in the amount of funding provided through the formula and the amount of expenditures necessary for a category of at-promise students.

(c) On or before July 1, 2023, the Department shall, in collaboration with the Accountability and Implementation Board established under Subtitle 4 of this title:

(1) Implement a financial management system and student data system capable of tracking and analyzing the requirements under this section and integrating local school system data; and

(2) Update the “Financial Reporting Manual for Maryland Public Schools” to ensure uniformity in reporting expenditures for each school.

(d) For fiscal years 2023 and 2024, each county board and the Department shall report to the Accountability and Implementation Board established under Subtitle 4 of this title expenditures for each school in accordance with the federal Every Student Succeeds Act requirements for reporting expenditures.

(e) (1) A county board may exclude from the requirements of this section, countywide obligations and contracts for goods and services that cannot be allocated at the school level.

(2) If a county board makes the exclusion under paragraph (1) of this

subsection, the county board shall report the reason for the exclusion to the Department.

(f) For the purposes of this section, subsection (a)(1)(iv) of this section may be reported in the aggregate for each county.

§5–235.

(a) (1) (i) Subject to subsection (o) of this section and beginning in fiscal year 2023, the county governing body shall levy and appropriate an annual tax sufficient to provide an amount of revenue for elementary and secondary public education purposes equal to the local share of major education aid as adjusted under § 5–239 of this subtitle.

(ii) For the purposes of calculating the local share of major education aid and regardless of the source of the funds, all funds that a county board, including the Baltimore City Board of School Commissioners, is authorized to expend for schools may be considered as levied by the county council, board of county commissioners, or the Mayor and City Council of Baltimore except for:

1. State appropriations;
2. Federal education aid payments; and
3. The amount of the expenditure authorized for debt service and capital outlay.

(2) (i) Subject to subsection (o) of this section and except as provided in subparagraphs (ii), (iii), and (iv) of this paragraph, the county governing body shall appropriate local funds to the school operating budget in an amount no less than the product of the county's enrollment count for the current fiscal year and the local appropriation on a per pupil basis for the prior fiscal year using enrollment count.

(ii) Except as provided in subsection (c)(2) of this section, in fiscal years 2022 and 2023, if a county's education effort, as defined in subsection (j) of this section, is below 100% of the statewide 5-year moving average of education effort, the required maintenance of effort amount for the county shall be adjusted by increasing the per pupil amount by the lesser of:

1. The county's increase in the local wealth per pupil using the September 2019 full-time equivalent enrollment;
2. The statewide average increase in local wealth per pupil using the September 2019 full-time equivalent enrollment; or

3. 2.5%.

(iii) Except as provided in subparagraph (iv) of this paragraph, for fiscal year 2023, the county governing body shall appropriate local funds to the school operating budget in an amount not less than:

1. The fiscal year 2021 local appropriation divided by the greater of:

A. The full-time equivalent enrollment in September 2019; or

B. The 3-year average of the full-time equivalent enrollment for September 2017, 2018, and 2019; multiplied by

2. The greater of:

A. The full-time equivalent enrollment in September 2021; or

B. The 3-year average of the full-time equivalent enrollment for September 2018, 2019, and 2021.

(iv) If a county is required to make an adjustment under subparagraph (ii) of this paragraph in fiscal year 2022, for fiscal year 2023, the county governing body shall appropriate local funds to the school operating budget in an amount not less than:

1. The fiscal year 2022 local appropriation divided by the greater of:

A. The full-time equivalent enrollment in September 2019; or

B. The 3-year average of the full-time equivalent enrollment for September 2017, 2018, and 2019; multiplied by

2. The greater of:

A. The full-time equivalent enrollment in September 2021; or

B. The 3-year average of the full-time equivalent enrollment for September 2018, 2019, and 2021;

multiplied by

3. The per pupil increase required under subparagraph (ii) of this paragraph in fiscal year 2023.

(b) Except as provided in subsection (c) of this section, for purposes of this section, the local appropriation on a per pupil basis for the prior fiscal year for a county is derived by dividing the county's highest local appropriation to its school operating budget for the prior fiscal year by the county's enrollment count for the prior fiscal year. For example, the calculation of the foundation aid for fiscal year 2003 shall be based on the highest local appropriation for the school operating budget for a county for fiscal year 2002. Program shifts between a county operating budget and a county school operating budget may not be used to artificially satisfy the requirements of this paragraph.

(c) (1) For purposes of this subsection, the calculation of the county's highest local appropriation to its school operating budget for the prior fiscal year shall exclude:

(i) A nonrecurring cost that is supplemental to the regular school operating budget, if the exclusion qualifies under regulations adopted by the State Board;

(ii) A cost of a program that has been shifted from the county school operating budget to the county operating budget;

(iii) The cost of debt service incurred for school construction projects; and

(iv) For a county that shifts the recurring costs associated with providing retiree health benefits for current retirees to the county board, any reduction in those retiree health costs from the amount the county was required to appropriate in the previous year.

(2) For purposes of the adjustment required under subsection (a)(2)(ii) of this section, a county that dedicates to public school construction any additional State funds received from recurring retiree health costs shifted to the county board may exclude those retiree health costs from the highest local appropriation on a per pupil basis.

(d) The county board must present satisfactory evidence to the county government that any appropriation under subsection (c)(1) of this section is used only for the purpose designated by the county government in its request for approval.

(e) Any appropriation that is not excluded under subsection (c)(1) of this section as a qualifying nonrecurring cost shall be included in calculating the county's

highest local appropriation to its school operating budget.

(f) Qualifying nonrecurring costs, as defined in regulations adopted by the State Board, shall include but are not limited to:

- (1) Computer laboratories;
- (2) Technology enhancement;
- (3) New instructional program start-up costs; and
- (4) Books other than classroom textbooks.

(g) (1) Subject to paragraph (2) of this subsection, if a county's ability to fund the maintenance of effort requirement in subsection (a) of this section is impeded, the county shall apply under subsection (h) of this section to the State Board for a waiver.

(2) If a county fails to apply to the State Board for a waiver from the maintenance of effort requirement and fails to meet the maintenance of effort requirement:

(i) The county shall be assessed in accordance with subsection (o) of this section; and

(ii) The minimum appropriation of local funds required under this section for the next fiscal year shall be calculated based on the per pupil local appropriation for the prior fiscal year in which the county met the maintenance of effort requirement under subsection (a) of this section.

(h) (1) The maintenance of effort requirement in subsection (a) of this section does not apply to a county if the county requests and is granted a waiver from the requirement by the State Board based on:

(i) A determination under this subsection that the county's fiscal condition significantly impedes the county's ability to fund the maintenance of effort requirement;

(ii) Subject to subsection (i) of this section, an agreement between the county and the county board to reduce recurring costs;

(iii) Subject to subsection (j) of this section, a determination that a county's ability to meet the maintenance of effort requirement is permanently impeded; or

(iv) Subject to subsection (k) of this section, a determination that

lease payments were made by the county board to a county revenue authority or private entity holding title to property used as a public school by a county board in accordance with § 4-114(c)(1) or (d) of this article.

(2) In order to qualify for a waiver for a fiscal year, a county shall make a request for a waiver to the State Board by the earlier of the seventh day following the end of the legislative regular session or April 20 of the prior fiscal year.

(3) The State Superintendent shall provide a preliminary assessment of a waiver request to the State Board before a public hearing held in accordance with paragraph (4) of this subsection.

(4) Before acting on a request for a waiver, the State Board shall hold a public hearing in accordance with regulations adopted by the State Board.

(5) Except as provided in subsection (i) of this section, when considering whether to grant a county's waiver request, the State Board shall consider the following factors:

(i) External environmental factors such as a loss of a major employer or industry affecting a county or a broad economic downturn affecting more than one county;

(ii) A county's tax base;

(iii) Rate of inflation relative to growth of student population in a county;

(iv) Maintenance of effort requirement relative to a county's statutory ability to raise revenues;

(v) A county's history of exceeding the required maintenance of effort amount under subsection (a)(2) of this section;

(vi) An agreement between a county and a county board that a waiver should be granted;

(vii) Significant reductions in State aid to a county and municipalities of the county for the fiscal year for which a waiver is requested;

(viii) The number of waivers a county has received in the past 5 years; and

(ix) The history of compensation adjustments for employees of

the county board and county government.

(6) The State Board shall inform the county whether the waiver for a fiscal year is approved or denied in whole or in part no later than 30 days after receipt of an application or May 20 of the prior fiscal year, whichever is earlier.

(7) Except as provided in subsections (i) and (j) of this section, if a county is granted a waiver from the provisions of this section by either the State Board or the General Assembly for any fiscal year, the minimum appropriation of local funds required under this section for the next fiscal year shall be calculated based on the per pupil local appropriation for the prior fiscal year in which the county met the maintenance of effort requirement under subsection (a) of this section.

(i) (1) This subsection applies to a county that requests a waiver under subsection (h)(1)(ii) of this section.

(2) (i) The State Board shall grant a waiver request in the amount that has been agreed on by the county and county board that is attributable to reductions in recurring costs.

(ii) If the reduction in recurring costs includes reductions in personnel or personnel costs, then the State Board shall grant a waiver request in the amount that has been mutually agreed on by the county, county board, and exclusive employee representative.

(3) The amount of the agreed on waiver may be less than the entire amount of the reduction in recurring costs.

(4) The amount of the agreed on waiver may not:

(i) Exceed the entire amount of the reduction in recurring costs;  
or

(ii) Reduce a county's education appropriation below the amount required in subsection (a)(1) of this section.

(5) The minimum appropriation of local funds required under this section for the next fiscal year shall be calculated based on the per pupil local appropriation for the current fiscal year approved by the State Board under this subsection.

(j) (1) In this subsection the following terms have the meanings indicated.

(i) "Education appropriation" includes any money redirected to a county board under subsection (o) of this section.



(ii) “Education effort” means a county’s education appropriation divided by the county’s wealth.

(iii) “5–year moving average” means the average of the 5 years before the waiver year.

(iv) “Waiver year” means the fiscal year for which a waiver from the maintenance of effort requirement in subsection (a) of this section is requested.

(2) This subsection applies to a county that has:

(i) Received a waiver under subsection (h)(1)(i) of this section from the maintenance of effort requirement; and

(ii) A required county education appropriation under subsection (a) of this section for the waiver year that exceeds 100% of the statewide 5–year moving average of education effort times a county’s local wealth.

(3) A county that satisfies the requirements under paragraph (2) of this subsection may request a rebasing waiver from the State Board.

(4) When considering whether to grant a county’s waiver request under this subsection, the State Board shall consider the following factors:

(i) Whether a county has submitted sufficient evidence that the factors in subsection (h)(5) of this section will affect a county’s ongoing ability to meet the maintenance of effort requirement;

(ii) Whether a county is at its maximum taxing authority under the law;

(iii) Whether a county’s education appropriation is commensurate with a county’s wealth;

(iv) Whether a county’s history of exceeding the required maintenance of effort has made meeting the maintenance of effort requirement in future years unsustainable; and

(v) Whether a county has received a rebasing waiver in the past 5 years.

(5) If the State Board grants a rebasing waiver under this subsection, the amount of the waiver for any fiscal year is limited to the lesser of:

(i) An amount that would result in a county's education effort for the waiver year falling below the level established in paragraph (2)(ii) of this subsection; or

(ii) 1. For a county with a 5-year moving average for education effort that is less than or equal to 110% of the statewide 5-year moving average of education effort, 1% of the county's required maintenance of effort requirement;

2. For a county with a 5-year moving average for education effort that is more than 110% and less than or equal to 120% of the statewide 5-year moving average of education effort, 2% of the county's required maintenance of effort requirement; or

3. For a county with a 5-year moving average for education effort that is more than 120% of the 5-year moving statewide average of education effort, 3% of the county's required maintenance of effort requirement.

(6) (i) If the State Board grants a rebasing waiver under this subsection, the minimum appropriation of local funds required under this section for the next fiscal year shall be calculated based on the per pupil local appropriation for the current fiscal year approved by the State Board under this subsection.

(ii) If the State Board grants a rebasing waiver to be implemented over a multiyear period, which may not exceed 3 years, in each year the minimum appropriation of local funds required under this section for the next fiscal year shall be calculated based on the per pupil local appropriation for the current fiscal year approved by the State Board under this subsection.

(7) If the State Board does not grant a waiver under this subsection, the minimum appropriation of local funds required under this section for the next fiscal year shall be calculated based on the per pupil local appropriation for the prior fiscal year in which the county met the maintenance of effort requirement under subsection (a) of this section.

(8) Nothing in this subsection precludes a county from also requesting a waiver from the maintenance of effort requirement under subsection (i) of this section for the same fiscal year as the waiver requested under this subsection.

(k) (1) This subsection applies to a county that requests a waiver under subsection (h)(1)(iv) of this section.

(2) (i) The State Board shall grant a waiver request in the amount

that has been agreed on by the county and the county board that is attributable to the amount of the lease payment.

(ii) The amount of the agreed-on waiver may be less than the entire amount of the lease payment.

(iii) The amount of the agreed-on waiver may not:

1. Exceed the entire amount of the lease payment; or

2. Reduce a county's education appropriation below the amount required in subsection (a)(1) of this section.

(3) If the county and county board have not agreed on an amount, the State Board may grant a waiver on a determination that the lease payments are comparable to the amount of debt service that would otherwise be required if the alternative financing had not been used.

(4) If the State Board grants a waiver under this subsection, the State Board shall determine the number of fiscal years for which the waiver is applicable and the minimum appropriation of local funds required under this section for the fiscal year after the expiration of the waiver.

(l) In making the calculations required under this section, the Department shall consult with the Department of Budget and Management and the Department of Legislative Services.

(m) (1) A county shall submit to the Superintendent the county's approved budget no later than 7 days after approval of the budget or June 30, whichever is earlier.

(2) No later than 15 days after receipt of the county's approved budget the Superintendent shall certify whether the county has met the funding requirements established under this section and shall notify the county and county board of that certification.

(n) On or before December 31 of each year the Department shall report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly, on all waiver requests, maintenance of effort calculations made by the Department and the county, the Department's decisions regarding waiver requests, the Department's certification of whether a county has met the requirement, and any other information relating to a county's request for a waiver and the Department's maintenance of effort decisions.

(o) (1) If the Superintendent finds that a county is not complying with the provisions of subsection (a) of this section, the Superintendent shall notify the county of such noncompliance.

(2) If a county disputes the finding within 15 days after the issuance of a notice under paragraph (1) of this subsection, the dispute shall be referred promptly to the State Board for a final determination.

(3) (i) Within 15 days of receipt of certification of noncompliance by the Superintendent or the State Board and subject to subparagraph (ii) of this paragraph, the Comptroller shall, under § 2–608 of the Tax – General Article, withhold income tax revenue from the county so that the total amount withheld is equal to the amount by which a county failed to meet the requirements in subsection (a) of this section.

(ii) The Comptroller shall distribute the amount withheld under subparagraph (i) of this paragraph directly to the county board.

#### §5–239.

(a) (1) Under this section a county may be eligible for a reduction in the local share of major education aid required under § 5–235(a)(1) of this subtitle.

(2) A reduction in the local share of major education aid under this section may not reduce the local share below the per pupil appropriation required under § 5–235(a)(2) of this subtitle.

(3) If a reduction in the local share of major education aid under this section would result in a local share that is less than the requirement under § 5–235(a)(2) of this subtitle, the State distributions required under this section shall be reduced.

(4) For the purposes of § 5–205 of this subtitle, State distributions required under this section shall be included in the State share of major education aid.

(b) (1) (i) In this subsection the following words have the meanings indicated.

(ii) “Education effort adjustment” equals the local share of major education aid minus the maximum local share.

(iii) “Education effort index” means local education effort divided by the State average education effort.

(iv) “Local education effort” means, for each county, the county’s local share of major education aid divided by the county’s wealth and rounded to the nearest seven decimal places.

(v) “Major education aid” has the meaning stated in § 5–201(l) of

this subtitle minus item (9) of § 5–201(l) of this subtitle.

(vi) “Maximum local share” equals the local wealth multiplied by the State average education effort.

(vii) “State average education effort” equals the local share of major education aid for all counties divided by the wealth of all counties and rounded to the nearest seven decimal places.

(2) (i) A county is eligible for the education effort adjustment if the education effort index is greater than 1 for 2 consecutive fiscal years.

(ii) Subject to subsection (a) of this section, the required local share of major education aid is reduced by the amount provided by the State under this subsection.

(3) For each county, if the education effort index is greater than 1 but less than 1.15, the State shall distribute to the county board the following proportion of the education effort adjustment and the county shall provide the remainder:

(i) For fiscal year 2022, 10%;

(ii) For fiscal year 2023, 15%;

(iii) For fiscal year 2024, 20%;

(iv) For fiscal year 2025, 25%;

(v) For fiscal year 2026, 30%;

(vi) For fiscal year 2027, 35%;

(vii) For fiscal year 2028, 40%;

(viii) For fiscal year 2029, 45%; and

(ix) For fiscal year 2030 and each fiscal year thereafter, 50%.

(4) For each county, if the education effort index is at least 1.15 but less than 1.27, the State shall distribute to the county board the following proportion of the education effort adjustment and the county shall provide the remainder:

(i) For fiscal year 2022, 20%;

- (ii) For fiscal year 2023, 20%;
- (iii) For fiscal year 2024, 35%;
- (iv) For fiscal year 2025, 45%;
- (v) For fiscal year 2026, 55%;
- (vi) For fiscal year 2027, 65%;
- (vii) For fiscal year 2028, 75%;
- (viii) For fiscal year 2029, 85%; and
- (ix) For fiscal year 2030 and each fiscal year thereafter, 100%.

(5) For each county, if the education effort index is at least 1.27, for fiscal year 2022 and each fiscal year thereafter, the State shall distribute to the county board 100% of the education effort adjustment.

(c) (1) Except as provided in paragraph (2) of this subsection and subject to the limitation in subsection (a) of this section, the local share of major education aid shall be reduced by the amount of State funds provided to a county board under § 5–214 of this subtitle.

(2) For Baltimore City, the local share of major education aid may be reduced only by the amount by which the State funds provided under § 5–214 of this subtitle exceed \$10,000,000.

(d) Subject to the limitation in subsection (a) of this section, the local share of major education aid shall be reduced by:

(1) The sum of the amount of State funds provided to a county board in a county that is eligible for the minimum State funding under the foundation program as defined in § 5–201(q)(2) of this subtitle and the difference between the local share of the foundation program and the foundation program; and

(2) The amount by which the sum of the State share and local share of the at–promise programs as defined in § 5–221(c)(2) of this subtitle exceeds the total program amount as defined in § 5–221(e) of this subtitle for each program.

(e) Subject to the limitation in subsection (a) of this section, the local share of major education aid for counties with an index of at least 0.130 under § 5–216 of this subtitle shall be reduced by the amount equal to 50% of the local share calculated under § 5–216 of this subtitle.

§5-240.

(a) (1) Beginning in fiscal year 2021, the Governor shall appropriate in the annual budget bill \$6,500,000 to the Department for the purpose of providing grants to maintain or establish school-based health centers.

(2) (i) 1. The Department shall designate a primary contact employee for school-based health centers.

2. The Department's primary contact employee shall:

A. Assist individuals involved in school-based health centers who interact with the Department;

B. Provide technical assistance to support the establishment and expansion of school-based health centers; and

C. Coordinate the Department's efforts with those of the Maryland Department of Health and other government agencies to build a robust network of school-based health centers in the State.

(ii) 1. The Maryland Department of Health shall designate a primary contact employee for school-based health centers.

2. The Maryland Department of Health's primary contact employee shall:

A. Assist individuals involved in school-based health centers who interact with the Maryland Department of Health;

B. Provide technical assistance to support the establishment and expansion of school-based health centers; and

C. Coordinate the Maryland Department of Health's efforts with those of the Department and other government agencies to build a robust network of school-based health centers in the State.

(b) The amount appropriated under subsection (a) of this section shall be in addition to the amount appropriated in fiscal year 2020.

§5-241.

The Governor shall include in the annual budget bill funding sufficient to carry out the Blueprint for Maryland's Future in accordance with the following sections:

- (1) §§ 5–411 and 5–412 of this title;
- (2) §§ 6–122, 6–124, 6–1008, and 6–1011 of this article;
- (3) §§ 7–202.1, 7–205.1, and 7–447 of this article; and
- (4) § 21–207 of this article.

§5–401.

(a) In this subtitle the following words have the meanings indicated.

(b) “Board” means the Accountability and Implementation Board.

(c) (1) “Blueprint for Maryland's Future” means the plan recommended by the Commission on Innovation and Excellence in Education and enacted by Chapter 361 of the Acts of the General Assembly of 2018, Chapter 771 of the Acts of the General Assembly of 2019, and Chapter 36 of the Acts of the General Assembly of 2021.

(2) “Blueprint for Maryland's Future” includes, unless the context provides otherwise, the recommendations made by the Commission on Innovation and Excellence in Education.

(d) “Commission” means the Commission on Innovation and Excellence in Education.

(e) “Comprehensive Implementation Plan” means the plan adopted by the Board under § 5–404 of this subtitle.

(f) “Nominating Committee” means the Accountability and Implementation Board Nominating Committee.

§5–402.

(a) Beginning on July 1, 2020, and continuing until June 30, 2032, there is an Accountability and Implementation Board.

(b) The Board is an independent unit of State government.

(c) (1) (i) The purpose of the Board is to hold State and local



governments, including county boards, accountable for implementing the Blueprint for Maryland's Future and evaluating the outcomes achieved against the goals of the Blueprint for Maryland's Future and the Commission during the implementation period.

(ii) The Board shall strive to provide equal access to a high-quality education with equitable outcomes for each Maryland student regardless of the student's race, ethnicity, gender, address, disability status, socioeconomic status, or the language spoken in the student's home.

(2) To achieve its purpose, the Board shall:

(i) Develop a Comprehensive Implementation Plan for the Blueprint for Maryland's Future that all units of State and local government responsible for implementing the Blueprint for Maryland's Future will follow;

(ii) Hold State and local governments accountable for implementing the Comprehensive Implementation Plan;

(iii) Monitor implementation of the Comprehensive Implementation Plan during the implementation period; and

(iv) Evaluate the outcomes achieved during implementation of the Blueprint for Maryland's Future.

(d) (1) (i) The Board is composed of seven members appointed by the Governor, with the advice and consent of the Senate, chosen from a slate prepared by the Nominating Committee established under § 5-403 of this subtitle.

(ii) When appointing members of the Board, the Governor shall select from the slate of nominees nominated in accordance with § 5-403(c) of this subtitle.

(iii) The Governor shall appoint members to the Board within 30 days after the date on which the Governor receives the slate of nominees nominated in accordance with § 5-403(c) of this subtitle.

(2) The Board shall consist of individuals who collectively:

(i) Reflect, to the extent practicable, the geographic, racial, ethnic, cultural, and gender diversity of the State; and

(ii) Have a high level of knowledge and expertise in:

1. Early education through secondary education policy;

2. Postsecondary education policy;
3. Teaching in public schools;
4. Strategies used by top-performing state and national education systems in the world;
5. Leading and implementing systemic change in complex organizations; and
6. Financial auditing and accounting.

(3) The Governor, the President of the Senate, and the Speaker of the House of Delegates jointly shall appoint a chair of the Board from among the Board's members.

(4) A member of the Board:

(i) May not receive compensation as a member of the Board; but

(ii) Is entitled to reimbursement for expenses under the Standard State Travel Regulations for duties performed under this subtitle.

(5) (i) The term of a member is 6 years.

(ii) The terms of the members are staggered as follows:

1. The terms of three initial members shall terminate on July 1, 2024;

2. The terms of two initial members shall terminate on July 1, 2025; and

3. The terms of two initial members shall terminate on July 1, 2026.

(iii) A member may be renominated by the Nominating Committee.

(6) A majority of Board members constitutes a quorum.

(7) Action by the Board requires the affirmative vote of a majority of the appointed members.

(e) (1) The Board shall appoint an executive director and hire staff

sufficient to carry out its powers and duties under this subtitle.

(2) The Board may retain any necessary accountants, financial advisers, or other consultants.

(3) (i) For fiscal year 2021, the Governor shall include an appropriation of at least \$1,500,000 in the annual budget bill for the establishment of the Board.

(ii) For fiscal years 2022 through 2032, the Governor shall include in the annual budget bill an appropriation of at least \$1,800,000 for the Board, which includes funds to support 15 professional staff.

(iii) 1. For each of fiscal years 2022 through 2024, the Governor shall include an appropriation of at least \$3,000,000 in the annual budget bill for the Board to be used in accordance with this subparagraph.

2. The Board shall use the funds provided under this subparagraph to provide technical assistance to county boards to develop and implement the plan required under § 5–404 of this subtitle.

3. The Board may allocate a portion of the funds provided under this subparagraph to the CTE Committee to provide technical assistance to county boards to meet the requirements under § 21–207 of this article.

(f) The Board may:

(1) Adopt regulations to carry out the provisions of this subtitle;

(2) Adopt bylaws for the conduct of its business;

(3) Maintain offices at a place the Board designates in the State;

(4) Accept loans, grants, or assistance of any kind from any entity of federal, State, or local government, an institution of higher education, or a private source;

(5) Enter into contracts or other legal instruments, including, as necessary, contracts with independent experts to fulfill any of its duties under this subtitle;

(6) Sue or be sued; and

(7) Subpoena data needed to complete its functions and duties under this subtitle.

(g) (1) Except as provided in this subsection, the Board is exempt from:

(i) Title 10 and Division II of the State Finance and Procurement Article; and

(ii) The provisions of Division I of the State Personnel and Pensions Article that govern the State Personnel Management System.

(2) The Board is subject to the Public Information Act.

(3) (i) The Board is subject to the Open Meetings Act.

(ii) 1. Each open Board meeting shall be made available to the public through live video streaming.

2. The Board shall make publicly available on the Internet a complete, unedited archived video recording of each open meeting for a minimum of 5 years after the date of the meeting.

(4) The Board and its officers and employees are subject to the Maryland Public Ethics Law.

(5) The Board and its employees are subject to Title 12, Subtitle 4 of the State Finance and Procurement Article.

(h) (1) The Board is not intended to usurp or abrogate:

(i) The operational authority of the Department, the Governor's Workforce Development Board, the Maryland Higher Education Commission, the Department of Commerce, or the Maryland Department of Labor; or

(ii) The day-to-day decision making of county boards, local superintendents, institutions of higher education, or other stakeholders with a role to play in the implementation of the Blueprint for Maryland's Future.

(2) The Board may not usurp or abrogate the lawful collective bargaining process due educators and others in the State.

(3) (i) The Board shall have plenary authority over all matters within its jurisdiction under this subtitle, including the intended outcomes of the Blueprint for Maryland's Future.

(ii) In the event of a conflict between a decision or policy of the Board and the decision or policy of another entity on a matter within the Board's jurisdiction, the Board's decision or policy shall control.

§5-403.

(a) There is an Accountability and Implementation Board Nominating Committee.

(b) (1) The Nominating Committee is composed of six members.

(2) (i) The Governor, the President of the Senate, and the Speaker of the House of Delegates each shall appoint two members to the Nominating Committee.

(ii) If two of the three individuals required to appoint members to the Nominating Committee under subparagraph (i) of this paragraph have each appointed two members, the remaining individual shall appoint two members to the Nominating Committee within 30 days after the date on which the most recent appointment of a member to the Nominating Committee was made.

(iii) If the third individual required to appoint members to the Nominating Committee does not appoint the remaining two members to the Nominating Committee within the time period required under subparagraph (ii) of this paragraph, subsection (d) of this section no longer applies.

(3) The term of a member is 5 years.

(4) The Nominating Committee shall consist of individuals who:

(i) Collectively reflect, to the extent practicable, the geographic, racial, ethnic, cultural, and gender diversity of the State; and

(ii) Have collective knowledge of:

1. Education policy for early childhood education through postsecondary education;

2. Education strategies used by top-performing state and national systems in the world;

3. Systemic changes in complex organizations; and

4. Financial auditing and accounting.

(c) (1) On initial establishment and when there is a vacancy on the Board, the Nominating Committee shall nominate a slate of nominees to fill the vacancy.

(2) (i) For the initial establishment of the Board, the slate of nominees shall contain at least nine individuals to meet the Board qualifications listed in § 5–402(d) of this subtitle.

(ii) For a vacancy, the slate of nominees shall contain at least two individuals for each vacant position on the Board.

(d) Except as provided in subsection (b)(2)(iii) of this section, nominations for the Board made by the Nominating Committee shall be decided by a majority vote, provided that at least one vote cast in the majority is a vote cast by each of a member appointed by the Governor, the President of the Senate, and the Speaker of the House.

§5–404.

(a) (1) The Board shall develop a Comprehensive Implementation Plan to implement the Blueprint for Maryland’s Future, considering any input provided by interested stakeholders in the State.

(2) The Comprehensive Implementation Plan shall include a timeline for implementation of the Blueprint for Maryland’s Future with key milestones to be achieved by each State or local government unit required to implement an element of the Blueprint for Maryland’s Future for each year of the implementation period.

(3) The Comprehensive Implementation Plan shall include the intended outcomes that the Blueprint for Maryland’s Future will achieve.

(4) (i) The Comprehensive Implementation Plan shall be adopted by the Board no later than February 15, 2022.

(ii) Any changes to the Comprehensive Implementation Plan shall be adopted by the Board no later than August 1 of each year.

(b) (1) The Board shall adopt guidelines for entities required to submit and carry out implementation plans under this section that include establishing a maximum page length, including appendices, for implementation plans.

(2) State and local government units responsible for implementing an element of the Blueprint for Maryland’s Future shall develop implementation plans consistent with the Comprehensive Implementation Plan that describe the goals, objectives, and strategies that will be used to improve student achievement and meet the Blueprint for Maryland’s Future recommendations

for each segment of the student population.

(3) (i) After February 15, 2022, and no later than April 1, 2022, the Department shall develop criteria to be used to recommend approval or disapproval of local school system implementation plans and release of funds under this subtitle.

(ii) The criteria shall be submitted for approval to the Board.

(c) (1) (i) 1. Except as provided in subsubparagraph 2 of this subparagraph, each unit responsible for developing an implementation plan under this section shall submit the plan to the Board for approval on or before June 15, 2022.

2. The Juvenile Services Education Program Superintendent shall submit the plan to the Board for approval on or before June 15, 2023.

(ii) Each local school system shall submit a copy of its plan to the Department for review and a recommendation of approval or disapproval.

(2) Governmental units shall submit implementation plans on elements of the Blueprint for Maryland's Future under this subsection, including:

(i) Plans from each local school system to implement each element of the Blueprint for Maryland's Future, including how to:

1. Adapt curriculum, instruction, and the organization of the school day to enable more students to achieve college and career readiness by the end of 10th grade, to provide students with needed services including community-partnered behavioral health services if appropriate, and to identify students who are falling behind and develop a plan to get them back on track;

2. Close student achievement gaps listed under § 5-408(a)(2)(i) of this subtitle within the local school system;

3. Avoid the disproportionate placement of students with particular racial, ethnic, linguistic, economic, or disability status characteristics with novice teachers or teachers providing instruction in fields in which they lack expertise; and

4. Use additional funds for teacher collaborative time in accordance with Title 6, Subtitle 10 of this article prioritized based on availability of a sufficient number of high-quality teachers;

(ii) The joint plan of the Department and the Maryland Higher Education Commission for teacher preparation and training that meets the requirements under Title 6 of this article;

(iii) A plan from the Department for the expansion and coordination of Judy Centers under § 5–230 of this title and a plan for the expansion of community–based family support centers under Title 9.5, Subtitle 10 of this article;

(iv) The Department’s plan for selection, assembly, and deployment of expert review teams under § 5–411 of this subtitle;

(v) The Department’s plan for implementing the teacher career ladder and training Maryland teachers, school leaders, and administrators under Title 6, Subtitle 10 of this article;

(vi) The Career and Technical Education Committee plan for developing rigorous CTE pathways under § 21–207 of this article;

(vii) Plans from each local school system on proposed memoranda of understanding for prekindergarten in accordance with § 7–1A–05 of this article;

(viii) A plan from the Juvenile Services Education Program Superintendent on the proposed education of juveniles under Title 9, Subtitle 6 of the Human Services Article; and

(ix) Any other implementation plans the Board determines are necessary.

(3) An implementation plan submitted to the Board for approval under this section shall be:

(i) Consistent with the developed guidelines and, if applicable, the approved criteria under subsection (b) of this section; and

(ii) Concise and focused on the measures taken and the measures to be taken to implement and achieve the Blueprint’s goals.

(4) A responsible government unit shall amend the implementation plan until it is approved by the Board.

(d) The Board shall:

(1) Review and approve implementation plans submitted under subsection (c) of this section;



(2) Monitor the implementation of approved plans and work in partnership with the relevant agencies to:

(i) Disseminate information on best practices, programs, and resources;

(ii) Provide technical assistance and training;

(iii) Resolve implementation issues as they arise; and

(iv) Promote interagency efforts to:

1. Achieve the purposes of the Blueprint for Maryland's Future; and

2. Reduce the effects of societal and economic isolation on student achievement and opportunity by promoting socioeconomic diversity in communities and schools;

(3) Receive periodic updates, in accordance with the Board's guidelines, on progress responsible entities are making towards reaching the implementation plan goals; and

(4) Request any information the Board determines is necessary to carry out its obligations from an entity responsible for carrying out the implementation plans under this section.

(e) A governmental unit responsible for developing and carrying out an implementation plan shall provide:

(1) Periodic updates, when requested by the Board, on its progress towards meeting the implementation plan goals; and

(2) Any information the Board requests.

(f) The Board shall maintain a public website on which is published:

(1) The Comprehensive Implementation Plan;

(2) The Department's criteria, developed under subsection (b)(3) of this section;

(3) Proposed implementation plans, submitted under subsection (c) of this section; and

(4) Implementation plans approved by the Board under subsection (d) of this section.

(g) A unit of State government required to implement an element of the Blueprint for Maryland's Future shall, before adopting regulations relating to the Blueprint, consult with the Board.

(h) For each of fiscal years 2022 through 2026, the governing body of a county and the local school system jointly shall appoint a single implementation coordinator responsible for the implementation of the Blueprint for Maryland's Future by all government units operating in the county.

§5-405.

(a) Subject to the judgment of the Board and in accordance with this section, each fiscal year a portion of the increase in the State share of major education aid, as defined in § 5-201 of this title, over the amount provided in the prior fiscal year shall be withheld from public schools and local school systems.

(b) Except as otherwise provided in this section, beginning in fiscal year 2023, 25% of the increase in the State share of major education aid over the amount provided in the current fiscal year shall be automatically withheld from a local school system for the next fiscal year.

(c) Beginning in fiscal year 2023 and ending in fiscal year 2025, the Board shall release funds withheld under this section each year if the Board finds that a local school system or public school:

(1) Has developed an initial implementation plan under § 5-404 of this subtitle; and

(2) Has received approval for its initial implementation plan and for any subsequent modifications.

(d) Beginning in fiscal year 2026, the Board shall consider releasing funds withheld under this section to a public school or local school system if:

(1) The Board receives a recommendation to release funds from:

(i) The Department;

(ii) The Career and Technical Education Committee established under § 21-209 of this article; or

(iii) An Expert Review Team established under § 5-411 of this subtitle; or

(2) The Board determines that a public school or local school system has made sufficient progress on an implementation plan or taken appropriate steps to improve student performance.

(e) The Board may withhold more than 25% of the increase in the State share of major education aid over the amount provided in the current fiscal year from a public school or local school system, if, in the judgment of the Board:

(1) A local school system has not made satisfactory efforts to develop or revise the implementation plan required to be approved by the Board under § 5-404 of this subtitle;

(2) A public school or local school system has not made sufficient progress on its implementation plan; or

(3) A public school or local school system has not taken appropriate steps to improve student performance.

(f) In determining whether to release or withhold additional funds under this section, the Board shall consider whether a public school or local school system has been responsive to the recommendations of the Department, the Career and Technical Education Committee, an Expert Review Team, and the Board's staff.

(g) The Board shall notify the Governor, the President of the Senate, and the Speaker of the House of Delegates of a decision not to release funds or to withhold additional funds.

(h) (1) If the Board finds that funding should not be released under subsection (c) or subsection (d) of this section, the Board shall, on or before December 1, issue an initial warning to the public school principal or county superintendent that funds may not be released in the next fiscal year.

(2) A warning issued under paragraph (1) of this subsection shall inform the local principal or county superintendent of:

(i) The findings by the Board and the reasoning for the findings;  
and

(ii) Any steps that may be undertaken to remedy the finding.

(3) On or before February 1, the Board shall make a final determination on whether to release funds under this section for the next fiscal year.

(4) If a public school or local school system makes progress in some areas but not in others, the Board may determine that a portion of the funds may be released while a portion may be withheld.

(i) The Board shall notify the State Superintendent and the Comptroller for purposes of § 5–205 of this title by June 1 of each year of the Board’s final decision to release, not release, or withhold additional funds under this section in the next fiscal year.

(j) (1) The Board may determine it is necessary to release or withhold funds for the current fiscal year.

(2) The Board shall notify the State Superintendent and the Comptroller as soon as practicable for purposes of § 5–205 of this title if it decides to release or withhold additional funds during the current fiscal year.

(k) The Board shall develop an appeals process through which a public school or local school system may contest the withholding of funds under this section.

§5–406.

(a) The Board shall review the use of funds provided under Subtitle 2 of this title by the State and local government agencies responsible for implementing the Blueprint for Maryland’s Future.

(b) (1) On or before January 1 each year in 2022 through 2032, the Department shall submit to the Board information on the use of school–level expenditures in the current fiscal year to aid the Board in fulfilling its responsibilities under this subtitle.

(2) (i) Subject to subparagraph (ii) of this paragraph, each local school system shall report to the Department, in a manner determined by the Department, on school–level spending to aid the Department in fulfilling its obligations under this subtitle.

(ii) Each local school system that includes public charter schools shall account in the report required under this subsection for the distribution of school–level funding to public charter schools to demonstrate compliance with § 5–234 of this title.

(c) The Board shall monitor the expenditures of local school systems to ensure that minimum school–level funding requirements under § 5–234 of this title are met.

(d) The Board shall monitor the expenditures of funding provided to local school systems under § 5–223 of this title to ensure that public schools are providing the necessary services.

(e) (1) The Board shall monitor how additional special education funding provided under § 5–225 of this title is being used, including:

(i) The aggregate number of children in special education services by school; and

(ii) The special education services that have been provided through funding under § 5–225 of this title.

(2) If a local school system is not spending funding allocated under § 5–225 of this title in addition to special education spending levels provided by State and local funds on June 30, 2020, the local school system shall provide a written response to the Board explaining why additional spending on special education is not necessary.

(f) The Board shall develop an appeals process through which local school systems may request greater flexibility in meeting this requirement for reasons including a significant shift in total enrollment or at–promise enrollment between schools from the prior school year to the current school year.

#### §5–407.

(a) Beginning in fiscal year 2022, the Board may determine to withhold appropriated funds from the Department, the Maryland Higher Education Commission, the Career and Technical Education Committee, or any other entity of State or local government responsible for developing an implementation plan under § 5–404 of this subtitle if the entity:

(1) Has not developed an initial implementation plan, or has not had its implementation plan approved; or

(2) Has not implemented its implementation plan appropriately.

(b) The Board shall notify the Comptroller, the Governor, the President of the Senate, and the Speaker of the House of Delegates regarding the intent to withhold appropriated funds under this section.

(c) After receiving notification from the Board under subsection (b) of this section, the Comptroller shall withhold the amount of funding that the Board determines is necessary to be withheld.

#### §5–408.

(a) In order to meet its obligation to track whether the Blueprint for Maryland’s Future is progressing according to plan, the Board shall:

(1) Develop guidelines for the submission of reports by:

(i) The Department;

(ii) Local school systems; and

(iii) Public schools;

(2) Using reports submitted in accordance with item (1) of this subsection and the Board's ongoing monitoring as a guide, gather and analyze disaggregated data, in accordance with subsection (c) of this section, to measure progress made on the implementation of the Blueprint for Maryland's Future by examining:

(i) The effects on student performance over time, with specific emphasis on closing achievement gaps between student groups of different:

1. Race;

2. Ethnicity;

3. Disability status;

4. Household income;

5. Linguistic status; and

6. Any other student group characteristics that feature achievement gaps as determined by the Board; and

(ii) Student outcomes, such as:

1. Absenteeism;

2. Disciplinary action;

3. Enrichment opportunities; and

4. Meaningful family involvement;

(3) Monitor and review the performance of each teacher preparation program at an institution of higher education and alternative teacher preparation program;

(4) Monitor changes in the concentration of students eligible for free and reduced price meals within public schools and local school systems;

(5) Examine the school-level diversity of public school staff and student

bodies;

(6) Monitor and review the placement and concentration of students in particular racial, ethnic, linguistic, economic, and disability status groups assigned to:

(i) Novice teachers;

(ii) Teachers providing instruction in fields in which they lack expertise;

(iii) Substitute teachers who teach the same class for more than 1 week; and

(iv) Effective teachers, including teachers at levels three and four of the career ladder established under Title 6, Subtitle 10 of this article;

(7) Monitor and review the progress of community schools receiving grants under § 5–223 of this article;

(8) Monitor public schools and local school systems to ensure that sufficient numbers of teachers are participating in the career ladder and achieving National Board Certification, as provided in Title 6, Subtitle 10 of this article;

(9) Examine the racial, ethnic, disability–status, and income makeup of full–day prekindergarten students, disaggregated by providers, and monitor whether the mix of public and private prekindergarten providers is effectively meeting the needs of families; and

(10) Approve the plans for deployment of Expert Review Teams submitted by the Department and the Career and Technical Education Committee under §§ 5–411 and 5–412 of this subtitle.

(b) (1) In gathering and analyzing data to complete its duties under this subtitle, the Board may collect data from any relevant entities.

(2) If additional data is needed for the Board to complete its duties, the Board may request that other appropriate government agencies aid in the collection of data.

(3) Unless otherwise prohibited by law, a government agency shall provide the Board with any requested data.

(4) Unless otherwise prohibited by law, a government agency whose aid the Board has requested under this subsection shall regularly collect the requested data and provide it to the Board.

(c) The Board shall work with the Maryland Longitudinal Data System Center to collect and analyze data necessary to carry out the Board's responsibilities under this subtitle and may direct the Center to provide:

(1) A researcher designated by the Board access to the data in the Maryland Longitudinal Data System in accordance with the procedures for staff authorization and data access established by the Maryland Longitudinal Data System governing board;

(2) Aggregate data tables; or

(3) Research or evaluation.

(d) Any student-level information reported to or by the Board shall be disaggregated by race, ethnicity, gender, family income level, linguistic status, and disability status.

§5-409.

(a) In addition to any other duties assigned or duties granted to the Board under this subtitle, the Board has the power to perform the duties described in this section.

(b) The Board shall:

(1) Oversee the work of the Career and Technical Education Committee established under § 21-209 of this article;

(2) Coordinate through the Department the State's participation in the Organization for Economic Cooperation and Development's Program for International Student Assessment survey program;

(3) In accordance with § 5-408(c) of this subtitle, report on or before November 1 each year for calendar years 2021 through 2031 to the Governor, the public, and, in accordance with § 2-1257 of the State Government Article, the General Assembly on:

(i) Progress made on the implementation of the Blueprint for Maryland's Future;

(ii) Recommended legislative changes, including any changes necessary to ensure that the implementations have adequate resources and measurements;

(iii) The degree to which State and local agencies, as applicable, are carrying out their assigned roles in implementing the Blueprint for Maryland's



Future; and

(iv) Whether the funds provided by the State and local governments are consistent with the Board's estimate of what is necessary to fully implement the Blueprint for Maryland's Future;

(4) Provide training to Expert Review Teams established under § 5–411 of this subtitle; and

(5) Provide outreach and educational materials to parents, students, and members of the public on the Blueprint for Maryland's Future.

(c) The Board may:

(1) Recommend that the Department and the Maryland Higher Education Commission review the accreditation of a program reviewed under § 5–408(a)(3) of this subtitle that was found to be ineffective;

(2) Determine that the career ladder system under Title 6, Subtitle 10 of this article has been well established throughout the State for the purposes of implementing the Blueprint for Maryland's Future;

(3) Make grants to innovative programs developed by public schools, institutions of postsecondary education, nonprofit organizations, and other persons that help further the Board's purpose; and

(4) Perform any other duties necessary to carry out the powers granted under this subtitle.

§5–410.

(a) In addition to its own assessments and tracking of progress, required under § 5–406 of this subtitle, the Board shall contract with a public or private entity to conduct an independent evaluation of the State's progress in implementing the Blueprint for Maryland's Future and achieving the expected outcomes during the implementation period.

(b) The independent evaluation shall include an assessment of:

(1) The use of additional funding to meet the goals of the Blueprint for Maryland's Future;

(2) Progress toward the goals of the Blueprint for Maryland's Future and whether the goals have been achieved; and

(3) Any recommendations to alter the goals or strategies employed to reach the goals, including new uses for existing funds or additional funding.

(c) (1) An entity with which the Board contracts for an independent evaluation shall report its results to the Board on or before:

(i) October 1, 2024; and

(ii) October 1, 2030.

(2) The Board shall contract for each independent evaluation as soon as practicable.

(d) (1) (i) On or before December 1, 2024, the Board shall, using the first independent evaluation and its own judgment, report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on whether the Blueprint for Maryland’s Future is being implemented as intended and achieving the expected outcomes.

(ii) The Board’s report shall include an assessment of the State’s progress towards:

1. Increasing the number of teachers achieving National Board Certification;

2. Providing full–day prekindergarten programs for 3– and 4–year olds in accordance with Title 7, Subtitle 1A of this article;

3. Improving behavioral health services in accordance with § 7–447 of this article;

4. Ensuring that students enrolled in public schools meet college and career standards in accordance with § 7–205.1 of this article.

(iii) The Board’s report shall include any legislative or structural corrections necessary to fully implement the Blueprint.

(2) On or before December 1, 2030, the Board shall report on the results of the final independent evaluation to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

(3) The Board’s reports under this subsection shall include:

(i) Practices being used to close achievement gaps between students of different groups listed in § 5–408(a)(2)(i) of this subtitle;

(ii) Progress made in closing the achievement gaps listed under item (i) of this paragraph; and

(iii) Assessments of student outcomes listed under § 5–408(a)(2)(ii) of this subtitle, disaggregated by race, income, ethnicity, and gender.

(e) (1) The Board shall determine:

(i) Whether the Blueprint for Maryland’s Future is working as intended;

(ii) What steps are necessary to continue providing a globally competitive education to the children of the State;

(iii) If any changes to the structure, functioning, and authority of State and local agencies responsible for education are necessary; and

(iv) Whether the Board should continue to monitor implementation of the Blueprint for Maryland’s Future after June 30, 2032.

(2) In making its determination, the Board shall examine the manner in which State and local government entities responsible for implementing the Blueprint for Maryland’s Future have contributed to educating, training, providing learning opportunities for, and developing the careers of students and young people in the State.

(3) The Board shall identify ways to foster partnerships between local school systems, public schools, and institutions of higher education, and develop collaborative relationships among the entities examined under paragraph (2) of this subsection to create a world-class 21st-century education system in the State.

(4) The Board shall report its findings under this subsection in the report required under subsection (d)(2) of this section.

§5–411.

(a) In this section, “Program” means the Expert Review Team Program.

(b) The Department shall establish, administer, and supervise an Expert Review Team Program.

(c) The purpose of the Program is for teams of expert educators to:

(1) Conduct interviews, observe classes, and use other data to analyze the extent to which the Blueprint for Maryland’s Future is being implemented; and

(2) Collaborate with school-based faculty and staff and local school system staff to:

(i) Determine reasons why student progress is insufficient; and

(ii) Develop recommendations, measures, and strategies to address the issues identified by the Expert Review Team.

(d) (1) The Department shall select highly regarded Expert Review Team members for the Program, who reflect, to the extent practicable, the geographic, racial, ethnic, linguistic, and gender diversity of the population of public school students, from the following groups:

(i) Teachers who are represented by teachers' organizations that, for purposes of collective bargaining, represent a majority of teachers in the State or in a local school system;

(ii) School leaders; and

(iii) Other individuals who have expertise directly relevant to the purpose and duties of the Program.

(2) After the career ladder under Title 6, Subtitle 10 of this article is well established throughout the State, the Department shall select Expert Review Team members from expert teachers and principals who are in senior positions on the career ladder.

(3) To the extent practicable, a teacher who visits an elementary, middle, or high school as a member of an Expert Review Team shall have experience working in or knowledge of the type of school being visited.

(e) Each member of an Expert Review Team shall be thoroughly trained by the Board on the Blueprint for Maryland's Future and its rationale, including detailed information on the way similar systems work in top-performing school systems in the world.

(f) (1) During a school visit, an Expert Review Team shall:

(i) Conduct comprehensive in-school investigations of the causes of poor student performance; and

(ii) Make recommendations to the following entities on the measures needed to improve the performance of low-performing schools and correct identified problems:

1. Principal and county superintendent;

2. School faculty;

3. County boards of education; and

4. The community.

(2) An Expert Review Team may, in the course of its work under paragraph (1) of this subsection:

(i) Perform evaluations of behavioral health services provided in a school; and

(ii) If the Team determines that poor student performance is due, in part, to missing or inadequate behavioral health services, make recommendations to the appropriate entities to correct the identified problems.

(3) After a school visit, an Expert Review Team shall submit a report to the Department within the time period, in the manner, and including the information required by the Department.

(g) (1) Beginning on or before July 1, 2021, and each July 1 through 2030, the Department shall develop and submit to the Board for approval a plan to deploy the Expert Review Teams in the following school year.

(2) (i) Beginning on July 1, 2023, the Department shall send Expert Review Teams to at least 10% of public schools in at least three different local school systems each year.

(ii) An Expert Review Team shall be sent to every residential facility in which juveniles are educated in accordance with Title 9, Subtitle 6 of the Human Services Article by the end of the 2025–2026 school year.

(iii) An Expert Review Team shall be sent at least once to every public school in the State by the end of the 2030–2031 school year.

(3) (i) The Department shall, in accordance with an approved deployment plan and subject to the provisions of this subsection, send an Expert Review Team to:

1. Each school determined to be one of the lowest performing schools in the State once each year;

2. Schools determined to be lower performing schools in the State on a regular schedule but not every year;

3. Schools determined to be the highest performing in the State; and

4. All other schools at intervals determined by a randomized selection process.

(ii) The lowest and highest performing schools shall be determined by:

1. A. The overall performance on State assessments; and

B. The performance of subgroups of students on State assessments; or

2. Based on data produced by the data monitoring system established under the federal Every Student Succeeds Act.

(4) Beginning on July 1, 2025, a school that has not been selected for review by an Expert Review Team may submit a request to the Department for a review.

(5) The Board may request that the Department send an Expert Review Team to a particular school.

(6) Beginning in the 2022–2023 school year, the Department shall send an Expert Review Team to a school or a group of schools in the same immediate area in which students continue to demonstrate learning loss that began in relation to the COVID–19 pandemic for the purpose of determining the reason that the learning loss continues.

(h) During the period from July 1, 2023, through June 30, 2025, the report and recommendations of an Expert Review Team shall be advisory only and may be used by a school and local school system to strengthen the school program and the management of the school and local school system.

(i) (1) (i) Beginning on July 1, 2025, the report and recommendations of an Expert Review Team shall be used by the Department as the basis for a recommendation to the Board under § 5–405 of this subtitle as to whether to release a portion of the annual increase in funding for the upcoming school year because the school and the local school system have developed a satisfactory plan for the use of the funds consistent with Expert Review Team’s recommendations.

(ii) In fulfilling its duties under this subsection, an Expert Review Team in the Program may make recommendations on:

1. Requiring State action in accordance with § 7–203.4 of this article; or

2. Pairing the school with a higher performing school with similar demographics from which the school leadership collaborates and shares expertise for the benefit of faculty and staff.

(2) If the Board determines that all or a portion of a school's annual increase in funding should not be released due to an unsatisfactory plan, the Department shall work with the school and local school system to develop a satisfactory plan to allow release of the withheld funds.

§5-412.

(a) (1) In this section the following words have the meanings indicated.

(2) "CTE Committee" means the Career and Technical Education Committee established under § 21-207 of this article.

(3) "Program" means the CTE Expert Review Team Program.

(b) (1) The CTE Committee shall establish, administer, and supervise a CTE Expert Review Team Program for schools with career and technical education programs and pathways.

(2) Subject to the provisions of this subsection, the program will have the same purpose, structure, training, and reporting requirements as the Expert Review Team Program established by the Department under § 5-411 of this subtitle.

(3) (i) The CTE Committee shall select the members of CTE Expert Review Teams in the Program.

(ii) The CTE Committee shall select CTE Expert Review Team members who, to the extent practicable, reflect the geographic, racial, ethnic, linguistic, and gender diversity of the population of the public school students, from the following groups:

1. Highly regarded career and technical education teachers who are represented by teachers' organizations that, for purposes of collective bargaining, represent a majority of teachers in the State or in a local school system;

2. School leaders;

3. Employers;

4. Trade unions; and

5. Apprenticeship and internship sponsors.

(4) During a school visit, a CTE Expert Review Team shall conduct interviews, observe classes, and use other data to:

(i) Determine whether student progress is insufficient toward successful completion of the CTE pathway; and

(ii) Develop recommendations, measures, and strategies to address the issues identified by the CTE Expert Review Team.

(5) After a CTE Expert Review Team issues a report, the school, the county board, the employers, and apprenticeship or internship sponsors shall:

(i) Review the report and recommendations; and

(ii) If necessary, submit a plan to the CTE Committee addressing the recommendations in the report.

(6) (i) Beginning on July 1, 2022, and ending July 1, 2031, the CTE Committee shall develop and submit to the Board, for approval, a plan to deploy the CTE Expert Review Teams in the following school year.

(ii) Subject to the Board's approval, the CTE Committee shall schedule CTE Expert Review Team school visits in a manner designed to provide the CTE Committee and the Department with sufficient information to make informed decisions on the release of school funds conditioned on student performance, including adequate time for a school to respond to an Expert Review Team's report and recommendations before decisions are made regarding the retaining of school funds.

§5-413.

(a) On or before July 1 each year, beginning in 2022 and ending in 2031, the Maryland Longitudinal Data System Center, in consultation with the Department and the Maryland Higher Education Commission, shall submit a report to the Board, the Governor, and in accordance with § 2-1257 of the State Government Article, the General Assembly on the progress made in increasing the preparation and diversity of teacher candidates and new teachers in the State as required by the Blueprint for Maryland's Future.

(b) The report required under subsection (a) of this section shall include:

(1) Data trends in:

(i) The number of applications to and acceptance by Maryland teacher education institutions and alternative programs that prepare educators, as a whole and disaggregated by gender, racial, and ethnic background;



(ii) Teacher quality as measured by the grades, class standing, and accountability test performance of students applying to and admitted to institutions and alternative programs;

(iii) The proportion of graduates of teacher education programs, including those graduates expecting to teach at the elementary school level, who have majored as undergraduates in the subjects they plan to teach to the total number of graduates of teacher education programs;

(iv) The proportion of new teachers hired in the State who were trained out of State to those trained in the State;

(v) The satisfaction of school district officials with newly hired teachers who have just graduated from Maryland institutions as determined by the school district officials' responses to questions on a form the officials helped develop; and

(vi) The proportion of graduates of teacher education programs who pass required tests for licensure on the first attempt and after subsequent attempts;

(2) Measures taken to increase the proportion of highly qualified individuals from groups historically underrepresented in the teaching profession who apply to teacher education institutions;

(3) Measures taken to increase the number of high school graduates with very strong academic backgrounds who select teaching as a career;

(4) Measures taken to make teacher education in the underlying disciplines more rigorous;

(5) Measures taken to better align the programs of the teacher education institutions with State curriculum frameworks;

(6) Measures taken to improve the background of beginning teachers in research and research techniques;

(7) Implementation of more rigorous licensing standards and measures for new teachers in both mastery of the subject being taught and the methods for teaching it;

(8) Implementation of incentives to attract high-quality high school graduates into careers in teaching;

(9) Trends in the rates at which teachers are acquiring the credentials needed to advance up the career ladder, established under Title 6, Subtitle 10 of this

article, including National Board Certification and higher steps on the ladder;

(10) Trends in the distribution of teachers along the steps of the career ladder;

(11) Trends in longevity in teaching in Maryland schools and, in particular, schools serving high proportions of historically underserved students;

(12) Trends in the number of teacher candidates of color hired by local school systems disaggregated by higher education institution and alternative teacher preparation program and the systems in which those new teachers were hired; and

(13) Trends in the number of teachers certified through alternative preparation programs that meet the requirements of the Blueprint for Maryland's Future related to a longer practicum by school system.

§5–414.

(a) On or after July 1, 2026, the Board, in consultation with the Maryland Longitudinal Data System Center, shall perform an evaluation that measures the effectiveness of efforts to increase diversity in:

(1) Enrollment in teacher preparation programs;

(2) Teacher candidates who successfully graduate from teacher preparation programs and subsequently enter the teaching profession; and

(3) Teachers and school leaders in primary and secondary schools in the State.

(b) The evaluation required under subsection (a) of this section shall be conducted in consultation with at least one institution of higher education in the State.

(c) On or before December 31, 2026, the Board shall submit a report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on the results of the evaluation performed under subsection (a) of this section, including any recommendations for alterations in State programs and policies as needed to ensure diversity in the areas described under subsection (a) of this section.

§6–117.

(a) (1)The Department shall develop guidelines for the establishment of

comprehensive induction programs for new teachers.

(2) In developing the guidelines under paragraph (1) of this subsection, the Department shall consult with local school systems and the Maryland Education Deans and Directors Council.-423 -

(b) The guidelines shall:

(1) Include provisions concerning the following:

(i) Mentoring; and

(ii) Professional development training and support; and

(2) Incorporate the framework of the Teacher Induction, Retention, and Advancement Pilot Program.

(c) (1) Subject to paragraph (2) of this subsection, a mentor teacher for a teacher in an induction program shall be a highly competent teacher selected by the local school system who will work to instill in the teacher the skills and knowledge for the next generation of teachers.

(2) After the career ladder system established under Subtitle 10 of this title is well established, mentor teachers will be selected using criteria from the career ladder system

.§6-117.1.IN EFFECT// EFFECTIVE UNTIL JUNE 30, 2022 PER CHAPTER 740 OF 2016 //

(a) (1) In this section the following words have the meanings indicated.

(2) “First year teacher” means a public school teacher who has not previously had any full-time teaching experience.

(3) “Pilot Program” means the Teacher Induction, Retention, and Advancement Pilot Program.

(b) (1) There is a Teacher Induction, Retention, and Advancement Pilot Program in the State.

(2) (i) Each county board may choose to participate in the Pilot Program.

(ii) A county board shall select the first year teachers to participate in the Pilot Program.-424 -

(iii) A county board is encouraged to give priority to teachers who teach in a school that is part of a cluster of schools in which the majority of the elementary and middle schools that feed into one high school are Title I schools.

(c) (1) Under the Pilot Program, each participating first year teacher shall be afforded at least 20% more time than teachers who are not first year teachers during the academic week to be spent on mentoring, peer observation, assistance with planning, or other preparation activities.

(2) The additional time afforded under paragraph (1) of this subsection may not include student supervision or administrative responsibilities.

(3) At the request of a first year teacher made to the principal of a school, the additional time afforded under paragraph (1) of this subsection may include support from a veteran teacher.

(4) A county board shall provide each first year teacher participating in the Pilot Program from that county with information regarding resources available to the first year teacher that may be used during the additional time that include:

- (i) Mentoring;
- (ii) Peer observation; and
- (iii) Assistance with planning.

(d) Any costs incurred under the Pilot Program shall be borne 80% by the State and 20% by the county board.

(e) (1) (i) For fiscal year 2018, the Governor shall include in the annual budget bill an appropriation of \$2,100,000 to the Pilot Program.

(ii) For fiscal year 2019, the Governor shall include in the annual budget bill an appropriation of \$3,000,000 for the Pilot Program.

(iii) For fiscal year 2020 and each fiscal year thereafter, the Governor shall include in the annual budget bill an appropriation of \$1,000,000 for the Pilot Program.

(2) The Department shall develop criteria by which funds shall be allocated to county boards to allow first year teachers to participate in the Pilot Program.-425 -

(3) (i) In accordance with subsection (d) of this section, and subject to subparagraph (ii) of this paragraph, the Department shall disburse funds to each county board that has first year teachers participating in the Pilot Program.

(ii) The Department shall include any costs incurred by a county board in meeting the requirements of subsection (c)(3) and (4) of this section when disbursing funds to a county board.

(4) It is not the intent of the General Assembly that enough funds be provided to ensure that every first year teacher in the State be able to participate in the Pilot Program.

§6-120.

(a) (1) In this section the following words have the meanings indicated.

(2) “Alternative teacher preparation program” means a program established by a county board and approved by the State Superintendent that:

(i) Leads to a participant receiving a Resident Teacher Certificate issued by the Department; and

(ii) Includes teaching assignments with supervision and mentoring by a qualified teacher.

(3) “Partner school” means a local school system, nonpublic school, or nonpublic special education school that has a written partnership agreement with an institution of higher education or alternative teacher preparation program to provide a teacher training practicum for participants enrolled in a teacher preparation program at the institution of higher education or alternative teacher preparation program.

(b) (1) Each participant in an undergraduate and a graduate teacher preparation program shall complete a teacher training practicum as a requirement for graduation.

(2) An alternative teacher preparation program shall require each participant to successfully complete a teacher training practicum.

(c) (1) A teacher training practicum for a participant in:

(i) An undergraduate teacher preparation program shall be:

1. A minimum of 100 days; and

2. Beginning on or before July 1, 2025, equivalent to

one full school year; and

(ii) A graduate teacher preparation program:

1. Shall be for a minimum of 100 days; or

2. May be up to the equivalent of one full school year, at the discretion of the institution of higher education.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, a teacher training practicum in an alternative teacher preparation program shall have a duration of:

1. Beginning on or before July 1, 2022, a minimum of 100 days; and

2. Beginning July 1, 2025, a minimum of the equivalent of one full school year.

(ii) 1. This subparagraph applies only to an alternative teacher preparation program operating in the State on or before July 1, 2020, that provides effective and diverse teachers in schools and local school systems, as approved by the State Superintendent, that have high rates, relative to other public schools in the State, of:

A. Teacher vacancies;

B. Teacher turnover; and

C. New teachers.

2. Beginning July 1, 2025, the duration of a teacher training practicum in an alternative teacher preparation program shall be a minimum of 100 days.

(3) The minimum duration of a teacher training practicum may be completed consecutively or over the course of the teacher preparation program.

(d) A teacher training practicum in an alternative teacher preparation program shall include, at minimum, the following content:

(1) Preparing lesson plans;

(2) Teaching;

(3) Debriefing;

(4) Observation of a class of students to which the participant is assigned as a student teacher; and

(5) 40 hours of teaching during class periods.

(e) (1) (i) Subject to subparagraph (ii) of this paragraph, a teacher training practicum shall be established through a written partnership agreement between a partner school and an institution of higher education or alternative teacher preparation program.

(ii) In establishing a teacher training practicum, an institution of higher education or alternative teacher preparation program shall prioritize selecting partner schools in the same community as the institution of higher education or alternative teacher preparation program.

(2) The instructional program and work organization of a partner school shall be designed to reflect the career ladder developed under Subtitle 10 of this title.

(3) An institution of higher education or alternative teacher preparation program and a partner school shall seek to provide teacher training practicum placements in a variety of school environments with diverse student populations that provide participants with the same kind of experiences as teachers employed in the State.

(4) (i) Subject to subparagraph (ii) of this paragraph, a mentor teacher for a participant in a teacher training practicum shall be a highly competent teacher, trained and selected by the partner school, who will work to instill in the participant the skills, attitudes, values, and knowledge necessary for the next generation of teachers.

(ii) When the Accountability and Implementation Board established under § 5–402 of this article determines that the career ladder system under Subtitle 10 of this title is well established throughout the State, mentor teachers will be selected using criteria from the career ladder system.

(5) A partner school shall:

(i) Assist an institution of higher education or alternative teacher preparation program in finding teacher training practicum placements for participants; and

(ii) 1. Subject to item 2 of this item, compensate mentor teachers who supervise participants in a teacher training practicum; and

2. When the Accountability and Implementation Board established under § 5–402 of this article determines that the career ladder system under Subtitle 10 of this title is well established throughout the State, compensate mentor teachers according to the career ladder system.

(6) An institution of higher education or alternative teacher preparation program shall collaborate with mentor teachers of a partner school to evaluate participants in a teacher training practicum to ensure each participant demonstrates the competencies required of certified teachers.

(7) A partner school or a teacher preparation program may apply to the Department for a grant from the Teacher Collaborative Grant Program under § 6–123 of this subtitle for development of a teacher training practicum.

(f) The Department and the Maryland Higher Education Commission may authorize a teacher preparation program or an alternative teacher preparation program to establish an apprenticeship program registered with the Maryland Department of Labor.

(g) The State Board and the Professional Standards and Teacher Education Board shall, in consultation with the Accountability and Implementation Board established under § 5–402 of this article, adopt regulations to implement the provisions of this subsection.

§6–121.

(a) A teacher preparation program shall:

(1) Include the following components of instruction:

(i) Basic research skills and methods and training on the routine evaluation and use of research and data to improve student performance;

(ii) Differentiation of instruction and demonstration of cultural competence for students of diverse racial, ethnic, linguistic, and economic backgrounds with different learning abilities;

(iii) Implementation of restorative approaches for student behaviors;

(iv) Identifying and assessing, in the context of the classroom, typical student learning deficits and techniques to remedy learning deficits;

(v) Recognizing and effectively using high quality instructional



materials, including digital resources and computer technology;

(vi) Core academic subjects that teachers will be teaching;

(vii) Methods and techniques for identifying and addressing the social and emotional needs of students, including trauma-informed approaches to pedagogy; and

(viii) Skills and techniques for effective classroom management;

(2) Require program participants to demonstrate competency in each of the components required under paragraph (1) of this subsection;

(3) Provide training in the knowledge and skills required to understand and teach the Maryland curriculum frameworks; and

(4) On or after July 1, 2025, require passing a nationally recognized, portfolio-based assessment of teaching ability as a requirement for graduation.

(b) Each teacher preparation program shall incorporate classroom observations in which the program participant is observed in different school settings at the beginning of the teacher preparation program to assist a program participant in determining if the program participant has the aptitude and temperament for teaching.

(c) A teacher preparation program shall develop a method for regularly communicating and collaborating with local school systems, including, if necessary, through financial memoranda of understanding, to strengthen teacher preparation, induction, and professional development programs.

(d) (1) An institution of higher education that offers graduate level courses in school administration shall develop:

(i) A method for evaluating the potential of program participants to be effective school leaders; and

(ii) A curriculum to enable school leaders to organize and manage schools to achieve the effectiveness of top-performing schools or school systems, including:

1. Management of highly skilled professionals in a professional work environment; and

2. Effective peer observations and effective evaluations of other personnel.

(2) These courses shall include clinical experience and assessments to determine whether participants demonstrate competency in these areas.

(e) An institution of higher education:

(1) May, if the institution of higher education shows cause, expand the total number of credit hours required to graduate from an undergraduate teacher preparation program by up to 12 credits; and

(2) May not require a number of credit hours in excess of 132 total credit hours to graduate from an undergraduate teacher preparation program.

(f) To further support and strengthen the profession of teaching in the State, the Department shall:

(1) Provide technical assistance and other supports to teacher preparation programs at institutions of higher education in the State;

(2) Develop a systemic method of providing feedback to teacher preparation programs to ensure that institutions of higher education have the most current information about the content, composition, and expectations for teachers of prekindergarten through 12th grade classes; and

(3) Assist teacher preparation programs in seeking and retaining highly qualified individuals, including individuals from groups historically underrepresented in the teaching profession.

(g) The State Board and the Professional Standards and Teacher Education Board shall, in consultation with the Accountability and Implementation Board established under § 5–402 of this article, adopt regulations to carry out the provisions of this section.

§6–122.

(a) Except as provided in § 6–704.1 of this title and beginning on or before July 1, 2018, the State Board shall require all certificated school personnel who have direct contact with students on a regular basis to complete training on or before December 1 each year, by a method determined by each county board, in the skills required to:

(1) Understand and respond to youth suicide risk;

(2) Identify professional resources to help students in crisis;

(3) Recognize student behavioral health issues;

(4) Recognize students experiencing trauma or violence out of school and refer students to behavioral health services; and

(5) If the school is a community school, support any students needing the services at a community school.

(b) The training required under subsection (a) of this section shall be:

(1) Provided to certificated school personnel during an in-service program; or

(2) A professional development requirement that may be met during time designated for professional development.

(c) The State Board shall adopt regulations to implement this section.

(d) (1) This section may not be construed to impose a duty of care on certificated school personnel who complete training under subsection (a) of this section.

(2) Unless the acts or omissions of a certificated school employee who completed training under subsection (a) of this section are willful, wanton, or grossly negligent, a person may not bring an action against the county board for personal injury or wrongful death caused by any act or omission resulting from:

(i) Any training or lack of training of certificated school personnel under subsection (a) of this section; or

(ii) The implementation of the training required under subsection (a) of this section.

§6–123.

(a) (1) In this section the following words have the meanings indicated.

(2) “Collaborative” means a signed agreement outlining commitments of a partnership among at least one county board, one teacher preparation program, and one exclusive employee representative to improve teacher education to prepare teachers for higher teacher standards and integrate teacher induction, professional development, and advancement to meet the goals of the January 2019 Interim Report of the Commission on Innovation and Excellence in Education established under Chapters 701 and 702 of the Acts of the General Assembly of 2016.

(3) “Exclusive employee representative” means an employee

organization designated as the exclusive representative of all public school employees in a county.

(4) “Program” means the Teacher Collaborative Grant Program.

(5) “Public school employee” has the meaning stated in § 6–401 of this title.

(6) “Teacher preparation program” means a program of undergraduate or graduate studies that:

(i) Prepares an individual to teach; and

(ii) Is offered at an institution of higher education in the State that is accredited or approved to operate under this article.

(b) (1) There is a Teacher Collaborative Grant Program.

(2) The purpose of the Program is to:

(i) Provide funds for collaboratives to develop state-of-the-art professional education for prospective and current teachers that reflects international and national best practices; and

(ii) Award grants to multiple collaboratives in various regions of the State that will develop model professional development programs that can be replicated in local school systems throughout the State.

(3) The Department shall administer the Program in consultation with the Maryland Higher Education Commission.

(c) (1) A county board or teacher preparation program may submit an application to the Department to receive a grant to form a teacher collaborative that is in furtherance of the purpose of the Program.

(2) To be eligible for a grant, an application shall identify a signed partnership agreement among at least one county board, one teacher preparation program, and one exclusive employee representative to form a teacher collaborative to design and implement at least two of the following:

(i) A 21st-century practicum for teacher candidates to gain teaching experience in the classroom;

(ii) A professional development program for existing teachers;  
and

(iii) A peer assistance and review program to support:

1. Induction and mentoring programs for new teachers and struggling teachers; and

2. Effective teacher evaluation systems.

(3) A practicum design developed under the Program shall require:

- (i) Prospective teachers to complete a full school year of practical teaching experience before completing a teacher preparation program that:

1. Shall be completed within the existing degree requirements to graduate from the teacher preparation program, if possible; and

2. May be completed at any time during the teacher preparation program as determined by the collaborative;

- (ii) A county board and teacher preparation program jointly to identify a placement for a teacher candidate and compensate a mentor teacher to supervise and coach the teacher candidate;

- (iii) Public schools offering the practicum to:

1. Be organized in a career ladder system; and

2. Consist of diverse student bodies that reflect the diversity of public schools in the State or the geographic area where the school is located;

- (iv) Members of the public school faculty who are professor master teachers on the career ladder to hold appointments to teach as clinical or adjunct faculty at the teacher preparation program;

- (v) Members of the public school faculty who are lead teachers or master teachers on the career ladder to be responsible for designing the public school's induction and mentoring program for new teachers and struggling teachers; and

- (vi) Members of the public school faculty and the teacher preparation program faculty to be fully trained to understand and implement international and national best practices for teacher preparation and professional development.

(4) A professional development program developed under the Program shall provide training and education in one or more of the following:

(i) Culturally responsive pedagogy, content knowledge, and best practices in teaching diverse students and communicating with diverse student families, including individuals of all races, religions, sexual orientations, and gender identities;

(ii) Evaluation and effective use of research, data, and high-quality instructional materials, including digital resources and technology, to improve student performance;

(iii) Effective management of student behavior, including training in the use of restorative practices and trauma-informed approaches to meet student needs;

(iv) Conducting assessments of typical learning challenges for a student and methods to help the student overcome those challenges, including effective tools and strategies to meet the needs of students with disabilities and implement individualized education programs and 504 plans; and

(v) Recognition of student mental health disorders.

(5) (i) A peer assistance and review program developed under the Program shall use:

1. Lead teachers or master teachers on the career ladder to mentor new teachers and support existing teachers who are struggling or low performing; and

2. An effective teacher evaluation system to provide rigorous, reliable, and relevant feedback for educators.

(ii) A teacher evaluation system developed under this paragraph shall:

1. Define the knowledge and skills expected of a teacher;

2. Utilize documented performance measures to provide personalized feedback that is aligned with the teacher's strengths, needs, and professional learning context; and

3. Use a peer observation-based process to evaluate a teacher that:

A. Can be linked to student learning outcomes;

B. Requires the competency of the evaluator to be

assessed;

C. Requires stakeholders, teachers and teacher candidates, and evaluators to be fully trained to understand the evaluation process; and

D. Includes postobservation conferences between the teacher and evaluator to encourage reflection of the teacher's teaching practice.

(6) An application shall include:

(i) A description of at least two of the proposed:

1. Practicum design for teacher candidates;

2. Professional development program for existing teachers;

or

3. Peer assistance and review program;

(ii) Evidence that the teacher preparation program in the collaborative submitted a grant application to a national program, if applicable, to increase the quality and diversity of the teacher candidate population; and

(iii) Any other information required by the Department.

(d) (1) The Department shall establish processes and procedures for accepting and evaluating applications.

(2) Grants shall be awarded on a competitive basis.

(3) The Department shall make awards in a timely fashion.

(4) The Department shall ensure to the extent practicable geographic diversity among the grantees.

(5) A grant made under this section may be renewed by the Department after a 3-year period unless performance criteria indicate that the teacher collaborative has not made sufficient progress in implementing the programs specified in the application.

(e) (1) The Department shall conduct an evaluation at least once during each grant period of the practicum designs, professional development programs, and peer assistance and review programs in the Program to determine whether to recommend that one or multiple programs should be replicated throughout the

State.

(2) The Department shall establish criteria for the evaluation, including the type and format of data to be collected by a teacher collaborative.

(f) (1) For each of fiscal years 2020 through 2024, the State shall distribute at least \$2,500,000 to the Department for the Teacher Collaborative Grant Program.

(2) The Department may retain up to 3% of the appropriation required under this subsection to hire staff necessary to administer the Program.

(g) On or before December 1, 2019, and annually through December 1, 2024, the Department shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, to the General Assembly on:

(1) The number of grant applications received under the Program;

(2) The number of grants awarded under the Program; and

(3) The current status of each grantee and the grantee's activities funded under the Program.

§6–124.

(a) The Department shall establish, in collaboration with the Accountability and Implementation Board established under § 5–402 of this article, separate school leadership training programs for:

(1) The State Superintendent, local school superintendents, and senior instruction–related staff; and

(2) Members of the State Board, members of county boards, and school principals.

(b) Both programs shall:

(1) Be:

(i) For a duration of 12 to 24 months;

(ii) Cohort–based to encourage collaboration and shared learning;

(iii) Job–embedded to allow for application of knowledge and techniques;

(iv) Tailored to program participants using self–diagnostics and



school-level diagnostics; and

(v) Evidence-based in accordance with the guidelines for the federal Every Student Succeeds Act; and

(2) Include training on the Blueprint for Maryland's Future, as defined in § 5-401 of this article.

(c) A program for school superintendents and senior, instruction-related staff shall include:

(1) A review of education in the United States relative to countries with top performing education systems and the implications of high performance for students, the economic security of the United States, and quality of life;

(2) A model for strategic thinking that will assist education leaders to transform districts under their leadership;

(3) Training to provide a working knowledge of research on how students learn and the implications for instructional redesign, curriculum plans, and professional learning;

(4) A research-based model for coaching school leaders; and

(5) Lessons in transformational leadership.

(d) A program for board of education members and school principals shall include:

(1) A method for organizing schools to achieve high performance, including:

(i) Building instructional leadership teams;

(ii) Implementing career ladders for teachers;

(iii) Overseeing teacher induction and mentoring systems; and

(iv) Identifying, recruiting, and retaining high-quality school leaders;

(2) A model for strategic thinking that will assist school leaders in driving redesign efforts in their schools;

(3) Training to provide a deep understanding of standards-aligned instructional systems;

(4) Training to provide a working knowledge of the research on how students learn and the implications of this research for instructional redesign, curriculum, and professional learning;

(5) A research-based model for instructional coaching;

(6) An overview of ethical leadership directly tied to the school leaders' responsibility to drive equitable learning in their schools; and

(7) Lessons in transformational leadership.

§6-125.

(a) (1) The Department shall determine whether the Basic Literacy Skills test required for initial teacher certification is at least as rigorous as the similar examination administered by the Commonwealth of Massachusetts.

(2) If the Department determines the Basic Literacy Skills test is insufficient under paragraph (1) of this subsection, the Department shall develop a new literacy examination of sufficient rigor.

(3) The Department may not limit the number of times an individual may take the literacy examination developed under this subsection in order to pass.

(b) (1) (i) Beginning after the implementation of the literacy examination under subsection (a) of this section, the Department shall develop and administer challenging, subject-specific examinations tailored to the subjects and grade level at which teachers will teach.

(ii) Subject-specific examinations shall be at least as rigorous as similar examinations administered in the Commonwealth of Massachusetts.

(iii) The Department may not limit the number of times an individual may take a subject-specific examination to pass the examination.

(2) Before a subject-specific examination developed under paragraph (1) of this subsection is administered, the Department shall develop standards for the subject-specific examination and submit the standards to each Department-approved teacher preparation program 1 year before the first year in which the examination is expected to be administered.

(3) A teacher preparation program with standards for a subject-specific examination developed by the Department under paragraph (2) of this

subsection shall incorporate the standards into the curriculum of the teacher preparation program in a timely manner.

§6–126.

(a) (1) This subsection applies to individuals who have graduated from a teacher preparation program approved by the Department or an alternative teacher preparation program.

(2) Beginning on July 1, 2025, to qualify for an initial certificate an individual shall:

(i) Subject to paragraph (3) of this subsection, pass a nationally recognized, portfolio–based assessment of teaching ability;

(ii) Pass a rigorous State–specific examination of mastery of reading instruction and content for the grade level the individual will be teaching; and

(iii) Satisfactorily complete any other requirements established by the State Board.

(3) An individual who graduates from a teacher preparation program in the State who passed a nationally recognized, portfolio–based assessment as a requirement to graduate under § 6–121 of this subtitle may not be required to take the assessment more than one time.

(b) In addition to any other requirements established by the State Board, to qualify for a certificate in the State, a teacher who graduated from an institution of higher education in another state or holds a professional license or certificate from another state shall:

(1) Pass an examination of teaching ability within 18 months of being hired by a local school system; or

(2) Hold an active National Board Certification from the National Board for Professional Teaching Standards.

(c) (1) The Department, after a reasonable period of review and assessment, shall determine whether one of the assessments of teaching skill required for initial teacher certification under this section more adequately measures the skills and knowledge required of a highly qualified teacher.

(2) If the Department makes a determination under paragraph (1) of this subsection that requires a revision to the statutory requirements for initial teacher certification, the Department shall, in accordance with § 2–1257 of the State Government Article, submit a report to the General

Assembly on or before the next September 1 on its recommendations for revising the qualifications for initial teacher licensure.

(d) (1) The Department shall actively monitor and assess, during their implementation and development, new teacher standards and assessments produced under this section for any negative impact on the diversity of teacher candidates passing the initial teacher certification assessments.

(2) The Department shall report the results of its monitoring and assessment to the Accountability and Implementation Board established under § 5–402 of this article.

§6–201.

(a) (1) Subject to paragraph (2) of this subsection, the county board shall employ individuals in the positions that the county board considers necessary for the operation of the public schools in the county.

(2) In Prince George’s County, the Chief Executive Officer of the Prince George’s County public school system shall hire and set the salaries of a chief operating officer, a chief financial officer, a chief academic officer, a chief of staff, a board liaison, and any other necessary executive staff in the office of the Chief Executive Officer.

(b) (1) Except as provided in subsection (a) of this section and Subtitle 10 of this title, the county superintendent shall nominate for appointment by the county board:

(i) All professional assistants of the office of county superintendent; and

(ii) All principals, teachers, and other certificated personnel.

(2) As to these personnel, the county superintendent shall:

(i) Assign them to their positions in the schools;

(ii) Transfer them as the needs of the schools require;

(iii) Recommend them for promotion; and

(iv) Suspend them for cause and recommend them for dismissal in accordance with § 6–202 of this subtitle.

(c) (1) Except in Worcester County and Baltimore City, the county superintendent shall appoint clerical and other nonprofessional personnel.

(2) In Worcester County, the County Superintendent shall appoint clerical and other nonprofessional personnel with the advice and consent of the county board.

(3) Notwithstanding any provision of local law, in Baltimore City, the appointment, tenure, and compensation of clerical and other nonprofessional personnel shall be determined in accordance with the personnel system established by the Baltimore City Board of School Commissioners under § 4-311 of this article.

(d) (1) Supervisory and administrative personnel shall be appointed in each county in accordance with ratios established by the rules and regulations of the State Board and within the ratio established under § 2-205(m) of this article.

(2) These personnel shall include:

- (i) Supervising or helping teachers;
- (ii) Supervisors of pupil personnel I;
- (iii) Supervisors of pupil personnel II; and
- (iv) Visiting teachers.

(e) An individual may not be appointed as a professional assistant or to any position listed in subsection (d) of this section unless he holds the appropriate certificate from the State Superintendent issued in accordance with the rules and regulations of the State Board.

(f) Subject to the provisions of this article, the qualifications, tenure, and compensation of each appointee shall be determined by the county board.

(g) The county superintendent shall see that each regular appointee of the county board devotes his entire time to his duties.

§6-201.1.

The Department shall:

(1) Develop an informational form that lists and explains the various paths that can be taken in order to obtain certification and tenure in the State; and

(2) Post the form on its website.

§6–408.

(a) When a public school employer and an employee organization negotiate under this section, the public school employer and the employee organization shall:

(1) Confer in good faith, at all reasonable times;

(2) Honor and administer existing agreements;

(3) Make every reasonable effort to conclude negotiations with a final written agreement in a timely manner; and

(4) Reduce to writing the matters agreed on as a result of the negotiations.

(b) The agreements may provide for binding arbitration of the grievances arising under the agreement that the parties have agreed to be subject to arbitration.

(c) (1) On 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 designated as the exclusive negotiating agent for the public school employees in a unit of the county on all matters that relate to:

(i) Salaries, wages, hours, and other working conditions, including procedures regarding employee transfers and assignments;

(ii) The structure, time, and manner of the access of the exclusive representative to a public school employer's new employee processing as required under § 6–407.1 of this subtitle; and

(iii) A career ladder for educators established under Subtitle 10 of this title.

(2) Except as provided in paragraph (3) of this subsection, a public school employer or at least two of its designated representatives may negotiate with at least two representatives of the employee organization that is designated as the exclusive negotiating agent for the public school employees in a unit of the county on other matters that are mutually agreed to by the employer and the employee organization.

(3) A public school employer may not negotiate the school calendar, the maximum number of students assigned to a class, or any matter that is precluded by applicable statutory law.

(4) A matter that is not subject to negotiation under paragraph (2) of

this subsection because it has not been mutually agreed to by the employer and the employee organization may not be raised in any action taken to resolve an impasse under subsection (e) of this section.

(5) (i) If a public school employer and an employee organization dispute whether a proposed topic for negotiation is a mandatory, a permissive, or an illegal topic of bargaining, either party may submit a request for a decision in writing to the Board for final resolution of the dispute.

(ii) A request for a decision shall:

1. Clearly identify each topic of bargaining for which the party is requesting a decision; and

2. Be made before the Board determines that an impasse has been reached.

(iii) If the Board receives a request for a decision, within 7 days after receipt of the request, the Board shall issue a letter to the public school employer and the employee organization that requests written briefs in support of their respective positions.

(iv) Within 7 days after receipt of a request from the Board for written briefs, the public school employer and the employee organization shall deliver to the Board a written brief on the issue of whether the topic is mandatory, permissive, or illegal in nature.

(v) After receipt of written briefs from the public school employer and the employee organization, the Board shall:

1. Consider the merits of each party's arguments;

2. Render a decision determining whether the topic of negotiation is mandatory, permissive, or illegal; and

3. Issue the written decision to the parties within 14 days after receiving the written briefs.

(vi) 1. The Board may adopt regulations, guidelines, and policies to carry out its rights and responsibilities under this section.

2. To resolve disputes under this section, the Board shall develop a balancing test to determine whether the impact of the matter on the school system as a whole outweighs the direct impact on the teachers or employees.

(6) In Montgomery County, the exclusive negotiating agent for the

public school employees in a unit and the public school employer shall meet and negotiate under this section the salaries, wages, hours, and other working conditions of all persons actually employed as substitute teachers or home and hospital teachers.

(d) The designation of representatives by the employer under this section does not prevent the designated employee organization from appearing before or making proposals to the public school employer at a public meeting or hearing.

(e) (1) If, on the request of either party, the Board determines from the facts that an impasse is reached in negotiations between a public school employer and an employee organization that is designated as an exclusive negotiating agent, the Board shall within 10 calendar days:

(i) Request last and best offers from the public school employer and the employee organization, which may not include items or topics not previously raised in the bargaining process; and

(ii) Order the public school employer and the employee organization to commence mediation within 14 days after the Board's determination that an impasse has been reached.

(2) The last and best offers shall list separately every term or condition of employment in dispute and the demand of the party making the last and best offer.

(3) Within 5 calendar days after an order to mediate, the parties shall select a mediator by:

(i) Agreement; or

(ii) Alternate striking from a list of seven neutral parties furnished by:

1. The Federal Mediation and Conciliation Service; or

2. The American Arbitration Association.

(4) The mediator shall conclude the mediation within 25 days after convening the first mediation session.

(5) If the public school employer and the employee organization do not reach agreement before concluding the mediation, the mediator shall issue a written offer to both parties and the Board of settlement of all matters raised.

(6) Within 5 days after receiving the proposed settlement, the public school employer and the employee organization each shall notify the mediator



of its intent to:

(i) Accept the written proposed settlement;

(ii) Accept the written proposed settlement in part, as mutually agreed on by the public school employer and the employee organization;  
or

(iii) Decline the proposed settlement and request arbitration before the Board.

(7) The public school employer and the employee organization shall share the costs of the mediator equally.

(8) If either party declines the proposed settlement and requests arbitration, the Board shall, within 5 calendar days, set a date for an arbitration hearing before the Board.

(9) The Board shall:

(i) Open the arbitration record within 20 days after receiving either party's decision to decline the mediator's proposal;

(ii) Convene a hearing;

(iii) Hear testimony from and receive supporting written evidence, as provided in an order of the Board, from the public school employer, the employee organization, and the mediator;

(iv) Administer oaths to witnesses deemed relevant and called by the Board;

(v) Issue subpoenas to compel the production of relevant and non-privileged documents and other tangible evidence that would also be subject to production before a hearing or at a hearing under Title 4 of the General Provisions Article; and

(vi) Receive, hear, and consider all evidence considered relevant by the Board, whether or not offered through an attorney, including:

1. The wages, hours, working conditions, or other terms and conditions of employment of similar public employees in comparable surrounding jurisdictions and comparable jurisdictions outside the State; and

2. The ability of the public school employer and the county served by the public school employer to pay, considering their

existing resources, the costs of the final offers proposed and other personnel costs.

(10) The Board shall conclude the hearing by issuing a written order within 20 days after the arbitration record is opened.

(11) The Board shall issue the written award that selects and adopts:

(i) The complete final offer of the public school employer;

(ii) The complete final offer of the employee organization; or

(iii) The mediator's complete offer of settlement.

(12) The Board's written award is final and binding on the public school employer and the employee organization.

(13) The public school employer and the employee organization shall share the costs of the hearing equally.

(14) Any negotiated provision or decision of the Board is subject to the other provisions of this article concerning the fiscal relationship between the public school employer and the county commissioners, county council, and Mayor and City Council of Baltimore City.

#### §6-408.1.

If a fiscal authority does not approve enough funds to implement the negotiated agreement, the public school employer shall renegotiate the funds allocated for these purposes by the fiscal authority with the employee organization before the public school employer makes a final determination in accordance with a timetable and procedure established by the Board.

#### §6-411.

(a) This subtitle does not supersede:

(1) Any other provision of the Code or the rules and regulations of public school employers that establish and regulate tenure; or

(2) The career ladder established under Subtitle 10 of this title.

(b) This subtitle does not make the State labor laws in Titles 3 and 7 of the Labor and Employment Article apply to public school employment.

#### §6-704.

(a) (1) In accordance with Title 10, Subtitle 1 of the State Government Article, both the State Board and the Board shall develop for consideration rules and regulations for:

(i) Except as provided in item (iii) of this paragraph, the certification of teachers and other professional personnel in accordance with this article;

(ii) Requirements for preparation of teachers and other education personnel; and

(iii) The certification of social workers employed by a local school employer as professional personnel.

(2) Rules and regulations developed by the State Board shall be reviewed by the Board.

(3) Rules and regulations developed by the Board shall be reviewed by the State Board.

(4) Rules and regulations that are initiated by either the State Board or the Board and submitted for review to each other shall be acted upon within 60 days of their receipt by the other party.

(5) Recommendations on rules and regulations shall be implemented if both the Board and the State Board approve them.

(6) An individual who is otherwise qualified may not be denied the right to receive credentials from the Board, to receive training to become a teacher, or to practice teaching in any school because that individual is totally or partially blind.

(7) A county board may not refuse to contract with or engage a teacher because of blindness if the blind teacher is capable of performing the duties of the position for which he has applied.

(8) The right of a school psychologist, who is certified by the Board to practice school psychology consistent with the provisions of that certification, may not be limited by Title 18 of the Health Occupations Article with respect to the practice of school psychology in an educational institution.

(b) (1) The Board may establish a fee, not to exceed \$10, for issuance or renewal of a teacher certificate.

(2) The Board may not require a fee:

(i) For the addition of any new area of certification to a currently valid certificate; or

(ii) Except for the fee authorized under this subsection, for the evaluation of credentials for the certification of teachers.

§6–704.1.

(a) On or before July 1, 2016, the Board shall require a certificate holder applying for renewal of a certificate as a school counselor to have obtained training in, by a method determined by the Board, the knowledge and skills required to understand and respond to the social, emotional, and personal development of students, including knowledge and skills relating to:

(1) The recognition of indicators of mental illness and behavioral distress, including depression, trauma, violence, youth suicide, and substance abuse; and

(2) The identification of professional resources to help students in crisis.

(b) The training required under subsection (a) of this section shall be commensurate with the duties of a school counselor and may exceed the training required of other school personnel under § 6–122 of this title.

(c) The Board shall adopt regulations to implement the provisions of this section.

§6–1001.

(a) In this subtitle the following words have the meanings indicated.

(b) “Career ladder” means the career ladder for public prekindergarten, primary, or secondary school teachers in the State implemented by county boards that meets the standards set forth under this subtitle and the standards adopted by the Department.

(c) “NBC” means National Board Certification issued by the National Board for Professional Teaching Standards.

(d) “NBC teacher” means a teacher who holds an active National Board Certification.

(e) (1) “Teacher” means a certified public school employee who is primarily responsible and accountable for teaching the students in the class.

(2) “Teacher” does not include, unless otherwise provided:

- (i) Curriculum specialists;
- (ii) Instructional aides;
- (iii) Attendance personnel;
- (iv) Psychologists;
- (v) Social workers;
- (vi) Clerical personnel;
- (vii) An individual with a Resident Teacher Certificate; or
- (viii) An individual with a certification for career professionals.

§6–1002.

(a) (1) On or before July 1, 2024, each county board shall implement a career ladder that meets the requirements of this subtitle.

(2) Except as otherwise provided in this subtitle, the requirements of this subtitle shall become effective in a county on the date the county board adopts a career ladder under paragraph (1) of this subsection.

(b) (1) There is a career ladder for educators in the State.

(2) The purpose of the career ladder is to:

(i) Transform teaching into a high–status profession in the State;

(ii) Attract high–performing students to pursue the high–status teaching profession;

(iii) Retain high–quality teachers who gain additional responsibility, authority, status, and compensation as they gain additional expertise;

(iv) Transform the education system in the State into a top–performing system in the world;

(v) Support the re–organization of schools to provide teachers with professional learning and peer collaboration time during the school day by having more teachers in each school, including time primarily:

1. To work in teams of teachers by subject and grade;
2. To work together with other teachers to continuously improve instruction;
3. To review together with other teachers individual student needs, including needs related to behavioral issues, and develop plans to address those needs; and
4. For professional learning for teachers pursuing NBC;

(vi) Develop and support highly competent school leaders that are able to lead high performing schools due to their:

1. Knowledge of teaching and learning;
2. Experience as teachers, leaders, and mentors of teachers; and
3. Knowledge of and experience with organizing schools so that all students are successful in the global economy; and

(vii) Above all, inspire teachers and school leaders to instill in their students a passion for learning and a mastery of the skills necessary to succeed in the global economy.

(c) Except as provided in this subtitle, the career ladder is subject to collective bargaining in accordance with § 6–408 of this title.

(d) The career ladder shall:

- (1) Adequately compensate professional teachers for their work;
- (2) Support and encourage teachers working in teams to systematically improve schools and curricula;
- (3) Provide teachers with the opportunity to identify and work with students who need extra help, including by providing teachers time during the school day to take on those pursuits; and
- (4) Provide teachers with the opportunity to develop their skills and knowledge by participating in job–embedded professional development.

(e) The guiding principles for development of the career ladder are:

(1) Progression of teachers in a manner that incentivizes teachers to stay on the teacher track rather than moving to the administrator track;

(2) A teacher salary that attracts new teachers to the profession;

(3) A teacher salary that incentivizes existing teachers to opt in to the career ladder;

(4) Teacher salary progression as performance increases as demonstrated by a teacher achieving NBC; and

(5) Incentives that are successful in all local school systems.

(f) The levels of the career ladder are as follows:

(1) Level one is a State certified teacher;

(2) Level two is a teacher pursuing:

(i) A master's degree;

(ii) 30 credits of a program of study approved by the State Board, in consultation with the Professional Standards and Teacher Education Board; or

(iii) NBC;

(3) Level three is:

(i) An NBC teacher;

(ii) If there is no assessment comparable to NBC for the teacher's subject area, a teacher with a master's degree in the teacher's subject area; or

(iii) An assistant principal; and

(4) Level four is:

(i) A teacher on the teacher leadership track, in the following tiers:

1. Lead Teacher;

2. Distinguished Teacher; or

3. Professor Distinguished Teacher; or

(ii) A teacher on the administrator track, in the following tiers:

1. Licensed Principal; or

2. Distinguished Principal.

(g) If a teacher achieves level three or four of the career ladder by being an NBC teacher, the teacher shall maintain an active National Board Certification in order to remain on level three or four of the career ladder, as applicable.

(h) (1) Subject to paragraph (2) of this subsection, teachers at each level or tier of the career ladder shall teach in the classroom for a minimum percentage of their total working time, as specified in this subtitle.

(2) The percentages referenced in paragraph (1) of this subsection shall become effective in phases over an 8-year period beginning July 1, 2025, as specified by a county board on approval of the Accountability and Implementation Board.

(3) The following teachers shall be given priority for working time outside the classroom as the percentages referenced in paragraph (1) of this subsection are phased in:

(i) Newly licensed teachers, particularly new teachers in low-performing schools or schools that have a high concentration of students living in poverty; and

(ii) Teachers in schools that:

1. Are low-performing;

2. Have a high concentration of students living in poverty;

or

3. Have large achievement gaps between subpopulations of students.

(i) The percentage of teachers who are professor distinguished teachers or distinguished principals may not be more than 1% of the total number of all teachers.

(j) Teachers in the upper levels of the career ladder shall mentor teachers in the lower levels of the ladder, especially those teachers who teach in schools with high proportions of low-performing students.



(k) Each county board shall strive to place NBC teachers in schools throughout the county and in a manner that supports equity and prioritizes low-performing schools.

(l) A county board may not receive funding from the State for the implementation of the career ladder under § 6–1009 of this subtitle unless the county board implements a career ladder that meets the requirements of this subtitle.

§6–1003.

(a) Beginning with teachers listed under § 6–1002(f)(3) of this subtitle, as specified by the State Board, a teacher on level one, two, or three of the career ladder shall:

(1) Teach in the classroom on average 60% of the teacher’s working time; and

(2) Spend the remaining time on other teacher activities, including:

(i) Improving instruction;

(ii) Identifying, working with, and tutoring students who need additional help;

(iii) Working with the most challenging students;

(iv) Working with students living in concentrated poverty; and

(v) Leading or participating in professional learning.

(b) (1) An assistant principal is on level three of the career ladder and shall:

(i) Be an NBC teacher; or

(ii) Have an advanced professional certificate for administration.

(2) Beginning with teachers listed under § 6–1002(f)(3) of this subtitle, as specified by the State Board, an assistant principal shall:

(i) Teach in the classroom for at least 20% of their working hours; and

(ii) Spend the remaining time on other teacher activities,

including:

1. Setting priorities for the subject level departments of the school; and
2. Fulfilling specialized roles, such as head of professional development.

§6–1004.

- (a)
  - (1) There is a teacher leadership track on level four of the career ladder.
  - (2) A teacher on the teacher leadership track:
    - (i) Shall:
      1. Be an NBC teacher; or
      2. If there is no assessment comparable to NBC for the teacher's subject area, have a master's degree in the teacher's subject area; and
    - (ii) Is responsible for mentoring peers and serving as an expert resource on content and pedagogy for their school, their district, and the State.
- (b)
  - (1) The first tier of the teacher leadership track is a lead teacher.
  - (2) A lead teacher shall:
    - (i) Meet all skill and credential requirements for levels one through three on the career ladder;
    - (ii) Be able to lead, in an effective and disciplined way, teams of teachers working to improve the curriculum, instruction, and assessment in the school;
    - (iii) Have the skills and knowledge to mentor new teachers or less skilled teachers to enable them to develop their skills, including mentoring teachers who are pursuing NBC;
    - (iv) Have sufficient research expertise, including expertise in action research, in order to lead teams of teachers that will use research to develop programs, curriculum, teaching techniques, and other interventions;

(v) Be able to conduct formal evaluations of the interventions developed under item (iv) of this paragraph to determine the extent to which the interventions are successful and to alter the interventions as necessary to improve outcomes for students; and

(vi) Teach students using culturally responsive and trauma-informed pedagogy.

(3) (i) When a lead teacher position becomes available in a county, a lead teacher shall be selected in accordance with this paragraph.

(ii) Throughout the process of selecting a lead teacher under this paragraph, priority shall be given to teachers who have experience teaching in schools that:

1. Reflect the racial and ethnic diversity of the State; or
2. Have received a grant under § 5–223 of this article.

(iii) Distinguished teachers, professor distinguished teachers, and, if necessary because of a limited number of distinguished and professor distinguished teachers, lead teachers who teach in the county shall provide a list of qualified candidates to:

1. The principal of the school in which the position is available; and
2. The local superintendent.

(iv) The principal of the school in which the position is available and the local superintendent shall appoint a candidate from the list provided under subparagraph (ii) of this paragraph.

(4) Beginning with teachers listed under § 6–1002(f)(3) of this subtitle as specified by the State Board, a lead teacher shall:

(i) Teach in the classroom on average 50% of the teacher's working time; and

(ii) Spend the remaining time on other teacher activities, including:

1. Mentoring newer and struggling teachers and teachers who are pursuing NBC; and
2. Leading workshops and demonstrations at the school

level.

(c) (1) The second tier of the teacher leadership track is a distinguished teacher.

(2) A distinguished teacher shall have demonstrated exceptional skills in all the requirements for a lead teacher, which may be determined through an evaluation of:

(i) The teaching capability of the teacher's mentees;

(ii) Whether the teams the teacher led resulted in effective improvements in curriculum, instruction, and assessment;

(iii) The quality of the teacher's published work, including publication in refereed journals;

(iv) The demand for the teacher's counsel and guidance, both inside and outside of the teacher's school;

(v) The teacher's ethical standards and ability to promote a school culture in which all students are expected to achieve at high levels and all professionals are expected to work to help students achieve at high levels; and

(vi) The teacher's ability to inspire, guide, and develop teachers to achieve a high level of competence.

(3) (i) When a distinguished teacher position becomes available in a county, a distinguished teacher shall be selected in accordance with this paragraph.

(ii) Throughout the process of selecting a distinguished teacher under this paragraph, priority shall be given to lead teachers who have experience teaching in classrooms and leading teams of teachers in schools that:

1. Reflect the racial and ethnic diversity of the State; or

2. Have received a grant under § 5-223 of this article.

(iii) Professor distinguished teachers and, if necessary because of a limited number of professor distinguished teachers, distinguished teachers who teach in the county shall provide a list of qualified candidates to:

1. The principal of the school in which the position is

available; and

2. The local superintendent.

(iv) The principal of the school in which the position is available and the local superintendent shall appoint a candidate from the list provided in subparagraph (ii) of this paragraph.

(4) Beginning with teachers listed under § 6–1002(f)(3) of this subtitle as specified by the State Board, a distinguished teacher shall:

(i) Teach in the classroom on average 40% of the teacher's working time; and

(ii) Spend the remaining time on other teacher activities, including:

1. Mentoring lead teachers; and

2. Leading workshops and demonstrations at the school and district level.

(d) (1) The third tier of the teacher leadership track is a professor distinguished teacher.

(2) A professor distinguished teacher is a distinguished teacher with exceptional accomplishments, which may be demonstrated by:

(i) The publication of research papers as a university professor;  
or

(ii) Being qualified to teach and be a leader in both an institution of higher education and an elementary or secondary school.

(3) Candidates to be a professor distinguished teacher include:

(i) A senior faculty member in a professional development school who holds a doctorate and is qualified to serve as a clinical professor; and

(ii) A teacher who:

1. Is based at an institution of higher education;

2. Serves as a mentor and instructor of teachers in training;

3. Mentors new teachers during induction; and

4. Designs and leads professional development across the State.

(4) (i) A county board shall appoint a professor distinguished teacher in consultation with the appropriate institution of higher education.

(ii) Throughout the process of selecting a professor distinguished teacher under this paragraph, priority shall be given to distinguished teachers who have experience teaching, leading teachers, and developing teachers in schools that:

1. Reflect the racial and ethnic diversity of the State; or

2. Have received a grant under § 5–223 of this article.

(5) Beginning with teachers listed under § 6–1002(f)(3) of this subtitle as specified by the State Board, a professor distinguished teacher shall teach in a classroom on average 20% of the teacher's working time.

(e) A county board shall select:

(1) A mentor teacher for induction programs and teacher training practicums from the teacher leadership track; and

(2) An expert to write curriculum and assessment items and develop model lessons from the distinguished teacher and professor distinguished teacher tiers of the teacher leadership track.

(f) (1) Except as provided in paragraph (2) of this subsection, a teacher in the teacher leadership track shall spend a portion of their working time teaching in the classroom.

(2) A teacher in the teacher leadership track may be assigned non-teaching duties for a period of time, but shall return to teaching in the classroom after a certain period of time, as determined by the county board.

§6–1005.

(a) Each county board may convene a local career ladder development board.

(b) The membership of the local career ladder development board shall include advanced teachers and stakeholders.

(c) The local career ladder development board shall set standards for teachers to achieve each tier in the teacher leadership track in the county.

§6–1006.

(a) (1) There is an administrator track on level four of the career ladder.

(2) The primary purpose of the administrator track is to develop teachers into principals.

(3) A teacher on the administrator track is responsible for managing administrative functions in the school.

(b) (1) The first tier of the administrator track is a licensed principal.

(2) (i) The State Board, in consultation with the Professional Standards and Teacher Education Board, shall establish the criteria that a teacher shall meet to achieve the licensed principal tier.

(ii) The criteria under subparagraph (i) of this paragraph:

1. Except as provided in subparagraph (iii) of this paragraph and beginning on July 1, 2029, shall include a requirement that a teacher be an NBC teacher before the teacher may be a licensed principal; and

2. May include a requirement that a teacher shall complete an induction or training program for new principals.

(iii) The State Board, in consultation with the Professional Standards and Teacher Education Board, shall establish a process through which an individual may receive a waiver to serve as a licensed principal if the individual:

1. Is not an NBC teacher; but

2. Meets other qualifying criteria, as determined by the State Board, in consultation with the Professional Standards and Education Board.

(3) Beginning with teachers listed under § 6–1002(f)(3) of this subtitle as specified by the State Board, a licensed principal is encouraged to teach in the classroom for at least 10% of the principal's working hours.

(4) (i) When a licensed principal position becomes available in the county, a licensed principal shall be selected in accordance with this

paragraph.

(ii) Throughout the process of selecting a licensed principal under this paragraph, priority shall be given to teachers who have experience teaching in schools that:

1. Reflect the racial and ethnic diversity of the State; or
2. Have received a grant under § 5–223 of this article.

(iii) Teacher leaders, other licensed principals, and distinguished principals in the county shall provide a list of qualified candidates to the local superintendent.

(iv) The local superintendent shall appoint a candidate from the list provided under subparagraph (ii) of this paragraph.

(c) (1) The second tier of the administrator track is distinguished principal.

(2) To be a distinguished principal, a teacher shall demonstrate the ability to:

(i) Effectively identify, attract, lead, and retain highly professional teachers;

(ii) Organize and manage a school in a way that incentivizes and supports teachers to do their best work;

(iii) Set high standards for faculty and students and achieve the standards set by others;

(iv) Work with stakeholders on the teacher's vision;

(v) Identify and help cultivate a teacher's potential for growth;

(vi) Help students, parents, and teachers embrace the goal for all students to achieve internationally competitive standards;

(vii) Mentor and support other principals; and

(viii) Help other principals achieve higher levels of performance.

(3) Beginning with teachers listed under § 6–1002(f)(3) of this subtitle as specified by the State Board, a distinguished principal is encouraged to teach in a classroom for at least 10% of the principal's working hours.



(4) (i) When a distinguished principal position becomes available in the county, a distinguished principal shall be selected in accordance with this paragraph.

(ii) Throughout the process of selecting a distinguished principal under this paragraph, priority shall be given to licensed principals who have experience teaching and serving as principals in schools that:

1. Reflect the racial and ethnic diversity of the State; or
2. Have received a grant under § 5–223 of this article.

(iii) Teacher leaders and other distinguished principals in the county shall provide a list of qualified candidates to the local superintendent.

(iv) The local superintendent shall appoint a candidate from the list provided under subparagraph (ii) of this paragraph.

(d) All licensed and distinguished principals shall:

(1) Be trained in and demonstrate capability with racial awareness and cultural competence, including:

(i) Teaching students and managing teaching faculty from different racial, ethnic, and socioeconomic backgrounds; and

(ii) Implementing restorative practices;

(2) Cultivate a school environment in which teachers:

(i) Develop cultural competence;

(ii) Enhance empathy and respect for students;

(iii) Work to eliminate biases and stereotypes; and

(iv) Provide instruction in a manner that assumes that all students regardless of their race, ethnicity, gender, or other characteristics are capable of the highest levels of academic achievement; and

(3) Be evaluated on their success in fostering the school environment in item (2) of this subsection.

(e) A county board may add a tier to the administrator track for district office directors.

§6–1007.

(a) (1) In addition to the other requirements of this subtitle, movement up the career ladder shall depend on:

- (i) The teacher's performance;
- (ii) The teacher's experience; and
- (iii) The availability of positions.

(2) A teacher may not be promoted to the next level or tier on the career ladder unless:

- (i) The most recent evaluation of the teacher's instruction by the principal or other individual, as determined by the county board, is effective;
- (ii) The teacher, principal or supervisor, or any other individual, as determined by the county board, agree that the teacher is ready to take on the additional responsibilities required by the position at the next level; and
- (iii) There is an open position at the next level.

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(3) Promotion up the career ladder is not guaranteed.

(b) In choosing a candidate for an open position in the career ladder, consideration shall be given to the candidate's experience in schools that represent the demographic and economic diversity of the school system.

(c) As a teacher moves up the career ladder and receives effective evaluations, the teacher shall be given increased authority, responsibility, and autonomy for making school-level decisions.

(d) Movement from one level or tier to a higher level or tier shall result in a salary increase consistent with § 6–1009 of this subtitle.

(e) A teacher may move from one track of the career ladder to a different track with the approval of the principal of the school in which they teach.

§6–1008.

(a) Teachers are encouraged to obtain an NBC and participate in the career ladder.

(b) (1) In this subsection, "Program" means the program established under paragraph (2) of this subsection.

(2) (i) There is a Program to:

1. Encourage and support teachers in the State in obtaining and maintaining an NBC, including teachers from groups historically underrepresented in the teaching profession; and

2. Develop a culture of collaborative support for accomplished teaching.

(ii) The Program shall include:

1. A virtual course for teachers interested in pursuing an NBC;

2. Virtual and in-person support to teachers pursuing an NBC; and

3. Training and support for National Board Facilitators.

(3) The Department shall establish a National Board Coordinator to direct the Program, including by coordinating with the Local National Board Coordinators and the National Board Facilitators in each school system or region.

(4) Each local superintendent shall select a Local National Board Coordinator to:

(i) Organize the delivery of the Program in each local school system by collaborating with:

1. Local teacher preparation programs and nonprofit organizations that have a record of success in helping teachers obtain NBC;

2. The National Board for Professional Teaching Standards, which has established resources and tools for teachers seeking NBC; and

3. Representatives of employee organizations designated

as the exclusive negotiating agent for the public school employees in a unit of the county;

(ii) Recruit, train, and support National Board Facilitators in the region; and

(iii) Collaborate with the National Board Coordinator.

(5) A local superintendent may choose to enter into a regional agreement to implement the Program with one or more local school systems.

(6) (i) National Board Facilitators shall provide teachers in the local school system or in the region with virtual and in-person support and coaching in obtaining and maintaining an NBC.

(ii) National Board Facilitators shall be selected:

1. By the local superintendent; or

2. If the local superintendent entered into a regional agreement under paragraph (5) of this subsection, in a manner as specified under the agreement.

(c) County boards shall encourage teachers to obtain master's degrees in fields that require special expertise, have shortage areas, and enhance the teacher's professional skills and qualifications so that teachers are able to teach dual-enrollment courses as adjunct faculty at institutions of higher education including by providing additional compensation as appropriate and through collective bargaining.

§6-1009.

(a) (1) Subject to paragraph (2) of this subsection, beginning on July 1, 2022, teacher salary increases associated with the career ladder shall at a minimum include the following:

(i) Becoming an NBC teacher – \$10,000 salary increase;

(ii) An NBC teacher teaching at a low-performing school as identified by the county board – \$7,000 salary increase;

(iii) Becoming lead teacher – \$5,000 salary increase;

(iv) Becoming distinguished teacher – \$10,000 salary increase;

(v) Becoming professor distinguished teacher – \$15,000 salary increase; and

(vi) Becoming a distinguished principal – \$15,000 salary increase.

(2) The teacher salary increases under paragraph (1) of this subsection do not apply to paragraph (1)(iii) through (vi) of this subsection until § 6–1002(a) of this subtitle becomes effective as recommended by the Department and approved by the Accountability and Implementation Board.

(b) (1) Salary increases associated with maintenance of an NBC are subject to collective bargaining in accordance with § 6–408 of this title.

(2) The State share for the following salary increases provided under paragraph (1) of this subsection shall not exceed the following amounts:

(i) Earning a first maintenance of NBC – \$8,000 salary increase;

(ii) Earning a second maintenance of NBC – \$7,000 salary increase; and

(iii) Earning a third maintenance of NBC – \$6,000 salary increase.

(c) (1) If a teacher is eligible for more than one salary increase under subsections (a) and (b) of this section, the teacher shall receive all salary increases that apply.

(2) A teacher that receives a salary increase under subsection (a)(2) of this section for teaching at a low-performing school may not lose that salary increase while teaching at the school even if the school ceases to be low-performing.

(d) On or before July 1, 2024, each county shall demonstrate to the Accountability and Implementation Board established under § 5–402 of this article that, during the period between July 1, 2019, and June 30, 2024, teachers in the county received a 10% salary increase above the negotiated schedule of salary increases between the public school employer and exclusive representative for the employee organization.

(e) Beginning on July 1, 2026, the minimum teacher salary for all teachers shall be \$60,000.

(f) (1) In this subsection, “total program amount” means the sum of, for each item under subsections (a) and (b)(2) of this section:

(i) The teacher salary increase multiplied by the number of teachers receiving the salary increase; and

(ii) Rounded to the nearest whole dollar.

(2) The increase in the salary required under subsections (a) and (b)(2) of this section shall be a shared cost between the State and the county in accordance with this subsection.

(3) The required State share for each county is the result of the following calculation multiplied by 0.5 and rounded to the nearest whole dollar:

(i) The salary increase multiplied by the number of teachers eligible to receive the salary increase in the prior fiscal year;

(ii) Divide the result calculated under subparagraph (i) of this paragraph by the ratio, rounded to seven decimal places, of local wealth per pupil to statewide wealth per pupil as defined in § 5–201 of this article; and

(iii) Multiply the result calculated under subparagraph (ii) of this paragraph by the result, rounded to seven decimal places, that results from dividing the total program amount by the sum of all of the results calculated under subparagraph (i) of this paragraph for all counties.

(4) The required local share is equal to the total program amount for each county minus the State share calculated under paragraph (3) of this subsection and rounded to the nearest whole dollar.

(g) (1) Beginning in fiscal year 2023, the State shall distribute the State share of the teacher salary increases as calculated under subsection (f) of this section to each county board.

(2) Beginning in fiscal year 2023, the county shall distribute the local share of the teacher salary increases as calculated under subsection (f) of this section to each county board.

(3) Beginning in fiscal year 2023, the county board shall distribute the State and the local share of the teacher salary increase to the school in which the teacher works.

§6–1010.

(a) Teacher evaluation systems used in connection with the career ladder shall:

(1) Be aligned with the five core propositions of the National Board for Professional Teaching Standards;

(2) Include a peer assistance and review model;

(3) Define the system's expectations for an evaluator's level of skill and knowledge; and

(4) Include a calibrated method to measure performance and to provide personalized feedback that is aligned with the teacher's strengths, needs, and professional learning context.

(b) An evaluation system used in connection with a career ladder shall use observations to evaluate a teacher that:

(1) Include documented observable evidence;

(2) Are linked to student learning and not solely consist of simple checklists;

(3) Include post observation conferences between the teacher and evaluator to encourage reflection on the teacher's teaching practice;

(4) Require an assessment of the competency of the evaluator;

(5) Are developed with stakeholders; and

(6) Require teachers and evaluators to be fully trained to understand the evaluation process.

§6–1011.

(a) (1) On or before July 1, 2024, the Department shall develop and design a new system of professional development that is tied to the career ladder.

(2) The new system of professional development shall include:

(i) Training on how to lead and mentor teams of professionals to promote professional learning among colleagues;

(ii) Training on how to collaborate with colleagues to improve student performance;

(iii) Training on how to design and support collaborative professional learning for teachers pursuing an NBC;

(iv) A train-the-trainer model; and

(v) Advanced training on the science of learning specific to individual disciplines.

(b) On or before June 30, 2026, each county board shall provide the system of professional development designed by the Department under subsection (a) of this section to each teacher who teaches in the county.

(c) Beginning on July 1, 2026, each county board shall provide the system of professional development designed by the Department under subsection (a) of this section to each teacher teaching in the county no later than 1 year after the teacher begins teaching in the State.

#### §6–1012.

(a) (1) Except as provided under paragraph (2) of this subsection, each teacher who pursues NBC shall receive from the State an amount equal to the National Board for Professional Teaching Standards fees associated with the initial completion and renewal of NBC.

(2) Each teacher may only receive payment under this subsection for one retake of each assessment on the National Board for Professional Teaching Standards.

(b) Each county shall pay to the State one-third of the cost for each teacher who receives funds under subsection (a) of this section to pursue NBC.

(c) (1) A teacher who does not complete all the requirements for assessment by the National Board for Professional Teaching Standards shall reimburse the State the full amount of the funds received under subsection (a) of this section.

(2) The State shall reimburse the county the amount received under subsection (b) of this section on receipt of the reimbursement from a teacher under paragraph (1) of this subsection.

(3) The provisions of paragraph (1) of this subsection do not apply to a teacher who completes all the requirements for assessment by the National Board of Professional Teaching Standards but does not obtain NBC.

#### §6–1013.

The State Board, in consultation with the Professional Standards and Teacher Education Board and the Accountability and Implementation Board established under § 5–402 of this article, shall adopt regulations to implement the provisions of this subtitle.



§7-101.2.

(a) (1) In this section the following terms have the meanings indicated.

(2) “Economically disadvantaged background” means a family whose income is no more than 300% of the federal poverty guidelines.

(3) “Eligible young child” means a child:

(i) Who is from an economically disadvantaged background;

(ii) Whose parent or legal guardian seeks to enroll the child in a publicly funded prekindergarten program established under this section; and

(iii) Who is 3 or 4 years old on September 1 of the school year in which the parent or legal guardian seeks to enroll the child in a publicly funded prekindergarten program established under this section.

(4) “Fund” means the Prekindergarten Expansion Fund.

(5) “Program” means the Prekindergarten Expansion Grant Program.

(6) “Qualified provider” means:

(i) If partnering with a county board under a memorandum of understanding, a State accredited or nationally accredited child care program or a nonpublic school approved by the Department to provide prekindergarten services; and

(ii) A county board.

(b) (1) There is a grant program known as the Prekindergarten Expansion Grant Program in the State.

(2) The purpose of the Program is to broaden the availability of high-quality prekindergarten and school readiness services throughout the State for children and their families in coordination with the expansion of publicly funded full-day prekindergarten under The Blueprint for Maryland’s Future established under Subtitle 1A of this title.

(3) The Department shall administer the Program.

(4) (i) The Program shall be a competitive grant program to provide funds to qualified providers.

(ii) The Department shall take measures to achieve geographic diversity among participating qualified providers.

(iii) Priority for participation in the Program shall be given to qualified providers:

1. That are located in areas of the State that have an unmet need for prekindergarten or comprehensive early childhood education services;

2. That include a plan for long-term sustainability, including community and business partnerships and matching funds to the extent possible; and

3. That incorporate parental engagement and the benefits of educational activities beyond the classroom into the providers' programs.

(iv) Prekindergarten Expansion Grants may be used to expand prekindergarten services, including:

1. Establishing or expanding full-day prekindergarten for eligible young children; and

2. Expanding existing half-day prekindergarten programs into full-day prekindergarten programs for eligible young children.

(v) The Department may establish:

1. Additional eligibility criteria for the selection of qualified providers;

2. Application and award processes including the submission date for applications, renewal procedures, and application review processes for making awards under the Program; and

3. Any other policies and procedures necessary to implement the Program.

(c) Before approving qualified providers for prekindergarten services to receive a grant under this section, a qualified provider shall certify to the Department that for each classroom funded under this section the provider will:

(1) Maintain a student-to-classroom personnel ratio of no more than 10

to 1 with a maximum of 20 children per classroom;

(2) Provide in each classroom at least one teacher certified in early childhood education by the State and at least one teacher's aide who has at least a high school degree;

(3) Operate an educational program for:

(i) 5 days per week;

(ii) 180 days per year, in accordance with the public school calendar established by the local school board; and

(iii) 1. For half-day programs, at least 2.5 hours per day; or

2. For full-day programs, at least 6.5 hours per day; and

(4) To receive a grant under this section, meet the requirements of § 7-1A-04 of this title.

(d) (1) (i) Beginning in fiscal year 2020 through fiscal year 2025, the Governor shall annually appropriate to the Fund an amount that is at least equal to the total amount of all funds received by the Program in the prior fiscal year.

(ii) Beginning in fiscal year 2026, the funds appropriated to the Fund shall be consolidated into the publicly funded full-day prekindergarten program established in Subtitle 1A of this title.

(2) The Governor may provide funds to the Department to administer the Program.

(e) Grants awarded under this section may not be used:

(1) To supplant existing funding for prekindergarten services;

(2) For capital improvements; or

(3) To fund the same full-day prekindergarten slot that is funded under Subtitle 1A of this title.

§7-103.

(a) Except as provided in subsections (b), (e), and (f) of this section, each public school under the jurisdiction of a county board:

(1) (i) Shall be open for pupil attendance for at least 180 actual

school days and a minimum of 1,080 school hours during a 10-month period in each school year; or

(ii) If normal school attendance is prevented because of conditions described in subsection (b) of this section, shall be open for at least 1,080 hours during a 10-month period;

(2) Shall be open for pupil attendance a minimum of 3 hours during each school day; and

(3) May not be open on Saturdays, Sundays, or holidays in order to meet the 180-day or 1,080-hour requirement of this subsection.

(b) (1) If a county board submits a written application to the State Board that describes a demonstrated effort by the county board to comply with subsection (a) of this section, the State Board may permit:

(i) The following adjustments:

1. An increase in the length of the school year; or

2. A decrease in the length of the school year;

(ii) Exceptions from the requirement that the school year be completed within a 10-month period;

(iii) Adjustments in the length of the school day; and

(iv) Schools to be open on holidays.

(2) These adjustments may be granted only if normal school attendance is prevented because of:

(i) Natural disaster;

(ii) Civil disaster; or

(iii) Severe weather conditions.

(3) Education funding from State or local sources may not be reduced if there are less than 180 school days in any year because of an approved application under paragraph (1)(i)2 of this subsection.

(4) In case of emergency, the State Board may open schools on holidays.

(c) (1) The following days are public school holidays:

- (i) Thanksgiving Day and the day after;
- (ii) Christmas Eve and from then through January 1;
- (iii) Martin Luther King, Jr. Day;
- (iv) Presidents' Day;
- (v) The Friday before Easter and from then through the Monday after Easter;
- (vi) Memorial Day; and
- (vii) Primary and general election days.

(2) If the federal and State observances of a holiday are on different days, the board of education of each county shall determine which date shall be the date of observance for the public schools within the county.

(3) The public schools shall devote a part of at least one day to appropriate exercises for each of the following:

- (i) Washington's Birthday;
- (ii) Lincoln's Birthday;
- (iii) Veterans' Day;
- (iv) Columbus Day;
- (v) Arbor Day;
- (vi) Black History Month, with an emphasis on Harriet Tubman and Frederick Douglass and the contributions they made in the fight against slavery; and
- (vii) Any other day of national significance.

(4) Notwithstanding any other provisions of this article, the public schools, in the following counties, may remain open and in session on primary and general election days:

- (i) Calvert;
- (ii) Caroline;

(iii) Dorchester;

(iv) Kent;

(v) Talbot; and

(vi) Worcester.

(d) Except as provided in subsection (e) of this section, the State Board shall divide the school year into the terms it considers appropriate.

(e) (1) The county boards of Allegany, Anne Arundel, Calvert, Howard, Montgomery, and Prince George's counties, and the Board of School Commissioners of Baltimore City, may elect to operate one or more schools within the county or Baltimore City on a year-round basis, provided that the 180-day and the minimum hour requirements under this section are met.

(2) Nothing in this section precludes a county board from conducting a year-round pilot study or program that is funded by the county board.

(f) Publicly funded half-day prekindergarten programs are not subject to the requirements of subsection (a) of this section.

(g) Notwithstanding any other law and subject only to this section, each county board annually shall set the start and end dates of the school year for schools in the county.

#### §7-103.1.

(a) The State Board shall explore the use of innovative school scheduling models, including extended year, year-round schooling, or other school scheduling models that do not allow for prolonged lapses in instructional time, in low-performing or at-risk public schools.

(b) The State Board shall encourage county boards to use the school scheduling models that are determined to be most effective in enhancing student achievement in low-performing or at-risk public schools.

#### §7-126.

All public schools in the State are encouraged to develop introductory career and technical education courses with the goal of making career and technical education a part of all elementary, middle school, and high school curricula.

#### §7-127.

(a) (1) In this section the following words have the meanings indicated.

(2) “CTE Committee” means the Career and Technical Education Committee established under § 21–207 of this article.

(3) “Local career counseling agreement” means a memorandum of understanding between a county board, a local workforce development board, a community college, and, if appropriate, an American Job Center to provide career counseling services.

(4) “Program” means the Career Counseling Program for Middle and High School Students.

(b) (1) There is a Career Counseling Program for Middle and High School Students.

(2) The purpose of the Program is to provide each middle school and high school student in the county with individualized career counseling services.

(c) (1) Each county board shall enter into a local career counseling agreement with the local workforce development board, the community college that serves the county, and, if appropriate, an American Job Center.

(2) Counseling provided under the local career counseling agreement shall help each student choose one or more post-college and career readiness pathways under § 7–205.1 of this title.

(d) Funding received by the county board for career counseling under Subtitle 2 of this title shall be spent in accordance with the agreement.

(e) The CTE Committee shall conduct an evaluation of each local career counseling agreement for best practices and disseminate its findings to all county boards, local workforce development boards, community colleges, and if appropriate, American Job Centers in the State.

§7–128.

(a) In this section, “next most rigorous subject matter course” includes an honor course, an Advanced Placement course offered by the College Board, an International Baccalaureate course, and a gifted and talented course.

(b) Each middle and high school shall, after a student has demonstrated readiness in a subject matter, encourage enrollment in the next most rigorous subject matter course available in the school, and, to the extent practicable, enroll the student in the next most rigorous subject matter course.

(c) Each middle and high school shall seek to enroll each student in the next most rigorous subject matter course in accordance with subsection (b) of this section without regard to the student's race, ethnicity, gender, address, disability status, socioeconomic status, or the language spoken in the student's home.

§7-1A-01.

(a) In this subtitle the following words have the meanings indicated.

(b) "Cost of quality" means the per-pupil amount provided under § 5-229 of this article.

(c) "Eligible prekindergarten provider" includes an:

(1) Eligible public provider; and

(2) Eligible private provider.

(d) "Eligible public provider" means an early learning program that:

(1) Is provided by a county board at a public school; and

(2) Meets the requirements under § 7-1A-04 of this subtitle.

(e) (1) "Eligible private provider" means a community based early learning program that:

(i) Is licensed in the State;

(ii) Does not charge more tuition for full-day prekindergarten than the cost of quality; and

(iii) Meets the requirements under § 7-1A-04 of this subtitle.

(2) "Eligible private provider" includes the Ulysses Currie Head Start Program under § 5-231 of this article.

(f) "Full-day prekindergarten" means an early learning program with a six and one-half hour school day.

(g) "Prekindergarten program" means an early learning program at an eligible prekindergarten provider.

(h) "Prekindergarten slot" means the available space for a child to attend a prekindergarten program.



(i) “Tier I child” means a child:

(1) Who is 3 or 4 years old;

(2) Whose family income is less than or equal to 300% of the federal poverty level; and

(3) Whose family chooses to enroll the child in full-day prekindergarten.

(j) “Tier II child” means a child:

(1) Who is 4 years old;

(2) Whose family income is more than 300% but not more than 600% of the federal poverty level; and

(3) Whose family chooses to enroll the child in full-day prekindergarten.

(k) “Tier III child” means a child:

(1) Who is 4 years old;

(2) Whose family income is more than 600% of the federal poverty level; and

(3) Whose family chooses to enroll the child in full-day prekindergarten.

§7-1A-02.

(a) (1) A local department of social services or a local health department shall provide a parent or guardian with oral and written notice that their child may be eligible for publicly funded prekindergarten programs if the parent or guardian:

(i) Applied for economic services with the local department of social services or the local health department; and

(ii) Has a child who will be 3 or 4 years old by September 1 of the next academic year.

(2) The notice required under paragraph (1) of this subsection shall include:

(i) Contact information for the enrollment office of the local school system and the Division of Early Childhood Development in the Department; and

(ii) Information on the existence of the child care scholarship for before and after full-day prekindergarten programming and the possibility of eligibility for State aid.

(3) On or before December 1 of each year, each local department of social services and each local health department shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on the number of parents who were given a notification and subsequently enrolled their child in a publicly funded prekindergarten program.

(b) The requirements set forth in § 7–101(b) of this title regarding the domicile of a child and the residency of the child’s parent or guardian shall apply to prekindergarten programs established by county boards as required by this subtitle.

§7–1A–03.

(a) Except as provided under subsection (b) of this section, a county board shall ensure that:

(1) Beginning in the 2022–2023 school year, prekindergarten slots provided by eligible private providers shall account for at least 30% of the total prekindergarten slots provided by eligible prekindergarten providers in each county;

(2) The proportion of eligible private provider prekindergarten slots in each county increases by 5 percentage points every school year, until, in the 2026–2027 school year, eligible private provider prekindergarten slots account for at least 50% of eligible prekindergarten provider prekindergarten slots in each county; and

(3) In each year after the 2026–2027 school year, the proportion of eligible private provider prekindergarten slots in each county shall continue to constitute at least 50% of eligible prekindergarten provider prekindergarten slots in each county.

(b) (1) The Department shall issue a waiver from the requirements of this section to a county board if:

(i) All families in the county who desire to enroll their eligible children with eligible prekindergarten providers are able to do so; or

(ii) After reasonable cross-jurisdictional or regional efforts, there

are too few eligible private providers to meet the minimum requirements of this section.

(2) The Department may exclude by annual waiver Tier I children who are 3 years old in a county from the calculation under subsection (a) of this section until the 2029–2030 school year.

(3) The Department may exclude by annual waiver Tier I children who are 4 years old in a county from the calculation under subsection (a) of this section until the 2026–2027 school year.

(4) The Department shall establish waiver application procedures to carry out the provisions of this subsection.

§7–1A–04.

(a) All eligible prekindergarten providers shall include structural elements that are evidence-based and nationally recognized as important for ensuring program quality, including:

(1) Beginning in the 2025–2026 school year:

(i) High staff qualifications, including teachers who, at a minimum, hold:

1. State certification for teaching in early childhood education; or

2. A bachelor's degree in any field and are pursuing residency through the Maryland Approved Alternative Preparation Program, which includes early childhood coursework, clinical practice, and evidence of pedagogical content knowledge; and

(ii) Teaching assistants who have at least:

1. A Child Development Associate (CDA) certificate; or

2. An associate's degree;

(2) Professional development for all staff;

(3) A student-to-classroom personnel ratio of no more than 10 to 1 in each class;

(4) Class sizes of no more than 20 students per classroom;

(5) A full-day prekindergarten program;

(6) Inclusion of students with disabilities to ensure access to and full participation in all program opportunities;

(7) For at least 1 year before a student's enrollment in kindergarten, learning environments that:

(i) Are aligned with State Early Learning and Development Standards;

(ii) Use evidence-based curricula; and

(iii) Use instruction methods that are:

1. Developmentally appropriate; and

2. Culturally and linguistically responsive;

(8) Individualized accommodations and supports for all students;

(9) Instructional staff salaries and benefits that are comparable to the salaries and benefits of instructional staff employed by the county board of the county in which the early learning program is located;

(10) Program evaluation to ensure continuous program improvement;

(11) On-site or accessible comprehensive services for students;

(12) Community partnerships that promote access to comprehensive services for families of students; and

(13) Evidence-based health and safety standards.

(b) In addition to the requirements listed in subsection (a) of this section, an eligible prekindergarten provider shall:

(1) If the provider is an eligible private provider, achieve a quality rating level of 3 in the Maryland EXCELS program and publish that quality rating in a publicly available manner, determined by the Department;

(2) If the provider is an eligible public provider, achieve a quality rating level of 4 in the Maryland EXCELS program and publish that quality rating in a publicly available manner, determined by the Department;

(3) Submit to the Department a plan to achieve a quality rating level 5 in the Maryland EXCELS program within 5 years after becoming an eligible prekindergarten provider;

(4) Achieve in accordance with the plan a quality rating level 5 in the Maryland EXCELS program within 5 years after becoming an eligible prekindergarten provider and publish that quality rating in a publicly available manner, determined by the Department; and

(5) Except as otherwise provided in § 7-1A-07 of this subtitle, be open for pupil attendance in accordance with § 7-103 of this title.

(c) (1) An eligible prekindergarten provider may not engage in explicitly religious activities during school hours.

(2) If an eligible prekindergarten provider engages in an explicitly religious activity, the activity shall be:

(i) Separate in time and location from any instruction offered by the eligible prekindergarten provider; and

(ii) Voluntary.

(3) (i) An eligible prekindergarten provider shall make reasonable efforts to make the areas where prekindergarten children spend time during school hours as nonsectarian as possible.

(ii) An eligible prekindergarten provider may not be required to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings.

(4) (i) An eligible prekindergarten provider shall comply with Title VI of the Civil Rights Act of 1964, as amended, Title 20, Subtitle 6 of the State Government Article, and not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student or parent of a student on the basis of race, color, national origin, disability, sexual orientation, or gender identity or expression.

(ii) If a student has a disability, placement of the student shall be based on where the student will be best served.

(iii) An eligible prekindergarten provider found to have violated the nondiscrimination requirements under this section:

1. May not continue to be an eligible prekindergarten provider; and

2. Shall reimburse the Department all public funds provided under this subtitle minus any amount received from the child care scholarship program.

(5) Except as provided in § 7–305.1 of this title, an eligible prekindergarten provider may not suspend or expel a child who is enrolled in a prekindergarten program.

§7–1A–05.

(a) (1) Each county board shall enter into a memorandum of understanding with the Department, each eligible private provider participating in publicly funded prekindergarten in the county, and other applicable government agencies.

(2) Before executing a memorandum of understanding under this section, each county board shall submit an implementation plan of the proposed memorandum of understanding to the Accountability and Implementation Board in accordance with § 5–404 of this article.

(b) The memorandum of understanding shall provide for:

(1) Services for children with disabilities;

(2) A process by which a parent is able to indicate a preference for eligible prekindergarten providers;

(3) The manner for processing the payment of the State share, local share, and family share for each child who is enrolled with an eligible prekindergarten provider;

(4) Any agreed upon administrative costs to be retained by an agency that is party to the agreement;

(5) The manner in which the parties will meet the requirements of this subtitle;

(6) A plan to address racial and socioeconomic integration in prekindergarten classrooms; and

(7) Any other provisions necessary to carry out this subtitle.

(c) A memorandum of understanding under this section shall seek to avoid, to the extent practicable, a disproportionate concentration of students of the same race, ethnicity, disability status, and income within an eligible provider.

§7–1A–06.

(a) Beginning in the 2022–2023 school year, Tier I children who are 3 or 4 years old may be enrolled in a full–day prekindergarten program under this subtitle.

(b) (1) The proportion of enrolled Tier I children who are 3 years old shall increase annually until all Tier I children who are 3 years old are enrolled in a full–day prekindergarten program.

(2) The proportion of enrolled Tier I children who are 4 years old shall increase annually so that all Tier I children who are 4 years old shall be enrolled in a full–day prekindergarten program.

(c) Beginning in the 2024–2025 school year, Tier II children may be enrolled in a full–day prekindergarten program if space is available to encourage socioeconomic diversity in prekindergarten classrooms.

(d) Priority in expanding prekindergarten slots shall be provided to 3– and 4–year olds who are:

(1) Tier I children;

(2) Children with disabilities, regardless of income;

(3) Homeless youth; and

(4) Children from homes in which English is not the primary spoken language.

(e) The ability of a family to choose the prekindergarten provider in which to enroll their child does not supersede local authority to set school attendance boundaries.

§7–1A–07.

(a) (1) The Interagency Commission on School Construction shall prioritize public school construction funding requests for high quality prekindergarten classrooms.

(2) The Interagency Commission on School Construction shall consider the availability of private eligible prekindergarten providers when determining priorities under paragraph (1) of this subsection.

(b) A county board may partner with the State or the county government to address physical space constraints for eligible prekindergarten providers by utilizing existing available space at a location that is not an eligible prekindergarten provider including:

- (1) Senior care facilities; or
- (2) Community centers.

§7-1A-08.

On or before December 1, 2021, and each December 1 thereafter, each county board shall submit the following information, disaggregated by eligible private and eligible public providers, to the Department and the Accountability and Implementation Board established under Title 5, Subtitle 4 of this article:

- (1) The number of eligible prekindergarten providers in the county;
- (2) The number of eligible prekindergarten providers in the county that, in the immediately preceding calendar year, expanded to offer prekindergarten programs that are open for pupil attendance a minimum of 6.5 hours during each school day;
- (3) The Maryland EXCELS program quality rating level of each eligible prekindergarten provider in the county;
- (4) The participation rate of all county 3- and 4-year olds in eligible prekindergarten providers established or expanded in accordance with this subtitle, disaggregated by age and tier, if applicable;
- (5) The number and proportion of eligible prekindergarten providers in the county that are eligible private providers;
- (6) A measure of school readiness in accordance with § 7-210 of this title; and
- (7) A demonstration that the expansion of prekindergarten programs in the county gave priority to:
  - (i) Children in areas with limited or no access to quality child care, regardless of family income;
  - (ii) Tier I children; and
  - (iii) Students with disabilities, regardless of family income.

§7-1A-09.

The Department shall adopt regulations to carry out the provisions of this subtitle.



§7–202.1.

(a) The Department shall, in consultation with experienced and highly effective teachers, including teachers on the career ladder under Title 6, Subtitle 10 of this article, develop curriculum standards and curriculum resources for each subject at each grade level, that build on one another in logical sequence, in core subjects that may be used by local school systems and public school teachers.

(b) (1) The purpose of the curriculum standards and curriculum resources developed under this section is to provide county boards with technical assistance to inform high-quality instruction that will ultimately result in students meeting the college and career readiness standards in the manner described under § 7–205.1 of this subtitle.

(2) The curriculum resources developed under this section shall include, for each core subject at each grade level:

(i) Course syllabi;

(ii) Sample lessons for teachers to use as models;

(iii) Examples of student work that meet standards for proficiency;

(iv) Explanations of why student work examples meet proficiency standards so that teachers know what student knowledge is required; and

(v) Curriculum units aligned with the course syllabi.

(3) In developing the curriculum resources under this subsection, the Department:

(i) May use as a model a course or unit developed by a teacher in or out of the State; but

(ii) Shall review each model course and unit for quality, using accepted benchmarks such as approval by EdReports or Tier 1 and Tier 2 evidence-based standards established by the federal Every Student Succeeds Act.

(4) The Department shall compile curriculum units in such a manner that:

(i) Complete courses are formed; and

(ii) When taken by a student in sequence, the student can achieve the college and career readiness standard adopted under § 7–205.1 of this subtitle by the end of grade 10.

(c) The Department shall submit curriculum resources and curriculum standards developed under this section to the State Board for adoption.

(d) The State Board shall establish a system of assessments to ensure that students are acquiring the knowledge contained in the curriculum standards in English, Mathematics, Science, and History or Social Studies.

(e) (1) Using the assessments established under subsection (d) of this section, the Department shall identify low–performing schools.

(2) An Expert Review Team established under § 5–411 of this article, under the supervision of the Department, shall visit schools identified under paragraph (1) of this subsection according to the criteria established under § 5–411 of this article.

(3) If the Department, based on a recommendation of an Expert Review Team, determines that a school’s low performance on assessments is, largely, due to curricular problems, the school shall adopt the curriculum resources developed under this section.

(4) Except as provided in paragraph (3) of this subsection, this section does not require a public school or county board to adopt the Department’s curriculum standards and curriculum resources and may not be construed to restrict a county board’s authority to adopt curricula under § 4–111 of this article.

#### §7–203.5.

(a) Beginning with students in the 9th grade in the 2021–2022 school year, each school system shall implement a 9th grade tracker system to measure each student’s progress toward graduating on time, including credit accumulation and the number of semester core course failures during the first year of high school for students completing the 9th grade year.

(b) Each county board periodically shall provide a report to the school where the student is enrolled for further academic intervention to allow the student to graduate on time.

(c) On or before September 1, 2022, and each September 1 thereafter, each county board shall report to the Department the data collected under subsection (a) of this section on students in the 9th grade in the immediately preceding school year.

(d) On or before December 1, 2022, and each December 1 thereafter, the Department shall compile and submit a statewide report on information reported under subsection (c) of this section to the Accountability and Implementation Board and the Maryland Longitudinal Data System Center.

§7–205.1.

(a) In this section, “CCR standard” means the college and career readiness standards established under this section.

(b) (1) The State Board shall establish high school curriculum, college and career readiness standards, and graduation requirements for all public schools in accordance with this section.

(2) The State Board shall coordinate and consult with the Maryland Higher Education Commission, the Governor’s Workforce Development Board, the Maryland Association of Community Colleges, and the Accountability and Implementation Board in performing its duties under this subsection.

(c) (1) (i) It is the goal of the State that students enrolled in public school shall meet the CCR standard before the end of the 10th grade and no later than the time the student graduates from high school.

(ii) It is the goal of the State that each student enrolled in public school, regardless of the student’s race, ethnicity, gender, address, socioeconomic status, or the language spoken in the student’s home, shall have equitable access to college and career readiness and shall meet the CCR standard at an equal rate.

(2) A student shall meet the CCR standard when the student meets a standard in English language arts, mathematics, and, when practicable, science that enables the student to be successful in entry level credit bearing courses or postsecondary education training at a State community college.

(3) The Blueprint for Maryland’s Future and the CCR standard established under this section are not intended to alter the need for high quality programs and content in fine arts, civics, physical education, and other areas that are necessary to provide a holistic education and enable every student to be well–rounded and meet the CCR standard.

(4) On or before January 1, 2022, the Department shall develop and begin to implement a communication strategy to inform parents, students, educators, and the wider public about the CCR standard developed under this section.

(d) (1) Beginning with the 2021–2022 school year, each student shall be

assessed no later than the 10th grade by a method adopted by the State Board to determine whether the student meets the CCR standard required under subsection (c) of this section.

(2) (i) Meeting the CCR standard shall initially require a student to achieve the equivalent of a score of 4 or 5 in the mathematics and English portions of the Partnership for Assessment of Readiness for College and Career grade 10 assessments or the Maryland Comprehensive Assessment Program grade 10 assessments or any successor assessments.

(ii) After the empirical study required under paragraph (3) of this subsection is complete, the CCR standard shall reflect the results of that study.

(3) (i) On or before July 1, 2022, the Department, in consultation with the Accountability and Implementation Board, shall contract with a public or private entity to conduct an empirical study of the CCR standard required under this subsection to determine whether that standard adequately meets the CCR standard required under subsection (c) of this section.

(ii) 1. An entity with whom the Department contracts under this paragraph shall determine the levels and types of literacy in reading, writing, mathematics, and, when practicable, science, that are needed to succeed in entry-level courses and postsecondary training offered at community colleges in the State.

2. In performing the study required under this subparagraph, the entity shall:

A. Examine top-performing educational systems throughout the world, comparing these systems to the education offered in the State; and

B. Consider potential sources of bias in any proposed assessment and strive to eliminate any potential bias in a proposed CCR modification.

(iii) An entity responsible for conducting the study under this paragraph may not be reimbursed for international travel but may be reimbursed for reasonable domestic travel.

(iv) On or before September 1, 2023, the entity shall report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly, and the Accountability and Implementation Board on the results of its study and recommendations to modify the CCR standard to align with the literacy standards

necessary to be successful in State community colleges and, to the extent applicable, comparable postsecondary institutions in top performing systems.

(4) After the study conducted under paragraph (3) of this subsection is complete, and periodically thereafter, the State Board shall:

(i) Adopt a new CCR standard as required by paragraph (2) of this subsection;

(ii) Determine whether the assessments required under subsection (3) of this section are sufficient to determine whether high school students meet the CCR standard, including whether the assessments contain any potential bias; and

(iii) If the assessments are not sufficient, adjust the assessments accordingly.

(e) (1) (i) Each county board, in collaboration with the community colleges, shall develop and implement by the 2022–2023 school year a program of study for students who have not met the CCR standard by the end of the 10th grade.

(ii) Courses developed under this paragraph shall include applied experiential courses that are highly engaging and focus on the completion of projects and solution of problems as core course components.

(2) Courses under this subsection shall be delivered:

(i) In the 11th and 12th grades to students who have not achieved the CCR standard by the end of the 10th grade; and

(ii) Subject to the requirements under paragraph (4) of this subsection, before the 10th grade for a student who is not on track to meet the CCR standard by the end of the 10th grade.

(3) (i) The implementation of the courses required under this subsection:

1. Shall include an assessment or reassessment of the student after completion of the course;

2. May not preclude or replace enrollment in a course otherwise required for graduation from high school; and

3. Subject to subparagraph (ii) of this paragraph, beginning with the 2022–2023 school year, may not preclude

enrollment in the initial stages of one or more post-CCR pathways established under subsection (i) of this section, including the opportunity to make progress towards a CTE credential.

(ii) When the Accountability and Implementation Board determines that the Blueprint for Maryland's Future has been fully implemented, post-CCR pathways shall be available only to students who have met the CCR standard, except under limited circumstances determined by the Board.

(4) (i) A middle school or high school student who is not progressing in a manner that would predictably result in the student meeting the CCR standard by the end of the 10th grade shall be enrolled in an extended curriculum with alternative approaches that are tailored to the student's specific circumstances and needs.

(ii) The extended curriculum may include culturally responsive lessons, adjustment in pedagogy, with an emphasis on project-based and problem-based applied learning, and varied instructional timing.

(iii) A student may be placed in the extended curriculum for specific subjects.

(iv) A student who is close to meeting the CCR standard by the end of the 10th grade may be enrolled in an extended summer curriculum.

(v) A student who is placed in the extended curriculum and makes more progress than expected may be returned to other courses.

(f) (1) Each student who has not met the CCR standard by the end of the 10th grade shall receive an individualized plan designed to prepare the student for success in meeting the CCR standard.

(2) A teacher working with a student under this subsection shall:

(i) Assemble a team of other teachers to monitor the student's progress;

(ii) Meet with the student's parents or guardians to help plan for the student's success; and

(iii) Work with public and private agencies to provide the student and the student's family with support necessary to foster the student's success.

(g) (1) Beginning in the 2023–2024 school year, each county board shall provide all students who meet the CCR standard required under subsection (c) of this section with access to the following post college and career readiness (post–CCR) pathways, at no cost to the student or the student’s parents, including the cost of any fees:

(i) A competitive entry college preparatory program, chosen by the county board, consisting of:

1. The International Baccalaureate Diploma Program;
2. The Cambridge AICE Diploma Program; or
3. A comparable program consisting of Advanced Placement courses specified by the College Board;

(ii) A program that allows a student, through an early college program or dual enrollment at a student’s high school and an institution of higher education to earn:

1. An associate degree; or
2. At least 60 credits toward a bachelor’s degree; and

(iii) A robust set of career and technology education programs that are recommended by the CTE Skills Standards Advisory Committee and approved by the CTE Committee and that allow students to complete:

1. A credit or noncredit certificate or license program, course, or sequence of courses, including a program, course, or courses taken through dual enrollment under § 15–127 of this article, at a secondary or postsecondary institution, through an Advanced Placement course at a secondary institution, or through an apprenticeship sponsor that leads to an industry recognized occupational–credential or postsecondary certificate;
2. A registered apprenticeship program approved by the Division of Workforce Development and Adult Learning within the Maryland Department of Labor; or
3. A youth apprenticeship program, under Title 18, Subtitle 18 of this article.

(2) Each public high school shall provide access to the programs described under paragraph (1) of this subsection through that public school or

through another public school in the county.

(3) (i) Each student who meets the CCR standard required under subsection (c) of this section shall be enrolled in at least one post-CCR pathway described in paragraph (1) of this subsection.

(ii) Each student who enrolls in a post-CCR pathway shall remain enrolled in the student's public high school.

(iii) Each public high school shall provide to every student, regardless of whether the student is enrolled in a post-CCR pathway, the full range of services to which the student is entitled, including:

1. Personal, career, and academic advising; and

2. Counseling, in accordance with § 7-126 of this title, to help the student choose one or more post-CCR pathways, or courses within a post-CCR pathway, that fits with the student's educational and career goals.

(iv) Priority for counseling and advising services described under subparagraph (iii) of this paragraph shall be given to students who have not met the CCR standard by the end of 10th grade.

(v) Any high school graduation requirements that a student does not meet by the time the student has completed the assessment required under subsection (d) of this section shall be provided within the post-CCR pathway the student chooses.

(4) (i) The State Board shall adopt regulations to carry out this subsection.

(ii) The regulations shall include standards that:

1. Guarantee, to the extent practicable, statewide uniformity in the quality of the post-CCR pathways;

2. Meet the requirements of paragraph (1) of this subsection; and

3. Require high school graduation credit to be awarded for any programs administered in accordance with this subsection.

(h) (1) (i) Beginning with the 9th grade class of 2014, and subject to paragraph (2) of this subsection and subsection (j) of this section, each student shall enroll in a mathematics course in each year that the student attends high school.



(ii) The requirements of this subsection may be achieved under post-CCR pathways.

(2) The Department shall adopt regulations that establish the mathematics and math-related courses that fulfill the requirements of this subsection, which may include math-related career and technical program courses.

(i) It is the goal of the State that:

(1) Subject to item (2) of this subsection, all students achieve mathematics competency in Algebra II; and

(2) After the completion of the study required under subsection (d) of this section, all students achieve mathematics competency in the standard the State Board adopts in response to the study.

(j) A student who is enrolled in a credit-bearing mathematics transition course under subsection (e) of this section:

(1) Subject to item (2) of this subsection, shall be considered to meet the requirements of subsection (h) of this section; and

(2) May not be considered to meet the requirements of subsection (h) of this section if other credit-bearing courses required for graduation have not been met.

(k) The State Board may only require a passing score on a standardized assessment to evaluate a student for graduation from high school after the assessment has been field-tested and piloted for at least 1 year.

(l) (1) The Department shall adopt regulations to require the award of credit toward high school graduation requirements for the time students spend participating in post-CCR pathways under subsection (h) of this section.

(2) The Department's regulations shall include high school credit towards the high school graduation requirements for any college courses that are approved by the Department.

§7-210.

(a) Beginning in the 2022-2023 school year, a racially and culturally unbiased statewide kindergarten assessment that is administered with the purpose of measuring school readiness to be used for diagnostic purposes, curriculum development, and early detection of learning challenges shall be given to all

incoming kindergarten students in the State and:

(1) May include an evaluation of:

(i) Language and literacy skills;

(ii) Academic knowledge in mathematics, science, and social studies;

(iii) Physical development; and

(iv) Social development; and

(2) Shall be completed on or before October 10 with the aggregate results returned within 45 days after administration of the assessment.

(b) (1) Except as provided in paragraph (2) of this subsection, a statewide kindergarten assessment may not be administered to an enrolled prekindergarten student.

(2) A statewide kindergarten assessment or early learning assessment may be administered to an enrolled prekindergarten student by a school psychologist or other school-based professional who intends to use the results in order to identify a disability.

(c) Subject to subsection (d) of this section, a county board:

(1) Is encouraged to administer a portion of the assessment to students in the county during the summer months before kindergarten begins; and

(2) May administer the remaining portion of the assessment during the school year.

(d) Before administering the early learning assessment, a county board shall consult with kindergarten teachers, including teachers nominated by the exclusive bargaining representative, in determining how to implement the assessment.

(e) The assessment in this section shall be the sole diagnostic assessment for measuring school readiness.

(f) The Department shall adopt regulations to implement the requirements of this section.

§7-305.1.

(a) (1) In this section the following words have the meanings indicated.

(2) “Prekindergarten program” means:

(i) Any qualified vendor of prekindergarten services as defined in § 7–101.2(a)(7) of this title; or

(ii) A prekindergarten program as defined in § 7–1A–01 of this title.

(3) “Restorative practices” means practices conducted in a whole–school ethos or culture that supports peacemaking and solves conflict by building a community and addressing harm in a school setting and that:

(i) Are conducted by trained staff;

(ii) Focus on repairing the harm to the community through dialogue that emphasizes individual accountability; and

(iii) Help build a sense of belonging, safety, and social responsibility in the school community.

(b) (1) Except as provided in paragraph (2) of this subsection, a student enrolled in a prekindergarten program, kindergarten, first grade, or second grade may not be suspended or expelled from school.

(2) A student described under paragraph (1) of this subsection may only be:

(i) Expelled from school if required by federal law; or

(ii) Suspended for not more than 5 school days if the school administration, in consultation with a school psychologist or other mental health professional, determines that there is an imminent threat of serious harm to other students or staff that cannot be reduced or eliminated through interventions and supports.

(3) The principal or school administration shall promptly contact the parent or guardian of a student suspended or expelled under paragraph (2) of this subsection.

(c) (1) The school shall provide intervention and support to address the student’s behavior if the student is:

(i) Suspended under subsection (b) of this section; or

(ii) Enrolled in prekindergarten, kindergarten, first grade, or second grade and:

1. Is disruptive to the school environment; or

2. Commits an act that would be considered an offense subject to suspension but for the student's grade.

(2) Intervention and support provided under paragraph (1) of this subsection includes:

(i) Positive behavior interventions and supports;

(ii) A behavior intervention plan;

(iii) A referral to a student support team;

(iv) A referral to an individualized education program team; and

(v) A referral for appropriate community-based services.

(d) The school system shall remedy the impact of a student's behavior through appropriate intervention methods that may include restorative practices.

(e) On or before May 1, 2018, the Department shall adopt regulations to carry out the requirements of this section.

§7-446.1.

(a) (1) In this section the following words have the meanings indicated.

(2) "Behavioral health services" means trauma-informed prevention, intervention, and treatment services for the social-emotional, psychological, and behavioral health of students, including mental health and substance use disorders.

(3) "Coordinated community supports partnership" has the meaning stated in § 7-446.2 of this subtitle.

(b) Each local school system shall appoint a behavioral health services coordinator.

(c) In addition to the requirements under Subtitle 15 of this title, each behavioral health services coordinator shall:

(1) Coordinate existing behavioral health services and referral procedures for behavioral health services within the local school system, including through a coordinated community supports partnership;

(2) Working in collaboration with the local health department, the local department of social services, and other local entities that provide behavioral health services, including a community supports partnership, ensure that a student who is referred for behavioral health services obtains the necessary services in a timely manner;

(3) Maximize external funding for behavioral health and wraparound services;

(4) Have at a minimum a master's degree and behavioral health training experience in schools;

(5) Provide the required behavioral health training under § 6–122 of this article; and

(6) Develop and implement a standardized screening to identify students with behavioral health services needs using an evidence-based measurement approach.

(d) (1) The Department shall dedicate staff to coordinate with behavioral health services coordinators and staff in local education agencies.

(2) The Department shall designate an employee to be the primary contact for school behavioral health services to work with school-based behavioral health providers and to assist in expanding services through coordinated community supports partnerships.

(3) The Maryland Department of Health shall designate an employee to be the primary contact for school behavioral health services to work with school-based behavioral health providers and to assist in expanding services through coordinated community supports partnerships.

(4) The staff in the Department will be responsible for close collaboration with other youth-serving agencies, the Maryland Consortium of Coordinated Community Supports, and the Maryland Longitudinal Data System Center to establish:

(i) Shared goals;

(ii) Processes to collect and share data; and

(iii) Ways to leverage and blend funding to support behavioral health in schools and community-based settings.

(a) (1) In this section the following words have the meanings indicated.

(2) “Behavioral health services” has the meaning stated in § 7–446.1 of this subtitle.

(3) “Commission” means the Maryland Community Health Resources Commission.

(4) “Consortium” means the Maryland Consortium on Coordinated Community Supports established under subsection (b) of this section.

(5) “Coordinated community supports” means a holistic, non-stigmatized, and coordinated approach, including among the following persons, to meeting students’ behavioral health needs, addressing related challenges, and providing community services and supports to the students:

(i) Teachers, school leadership, and student instructional support personnel;

(ii) Local school systems;

(iii) Local community schools;

(iv) Behavioral health coordinators appointed under § 7–446.1 of this subtitle;

(v) Local health departments;

(vi) Nonprofit hospitals;

(vii) Other youth–serving governmental entities;

(viii) Other local youth–serving community entities;

(ix) Community behavioral health providers;

(x) Telemedicine providers;

(xi) Federally qualified health centers; and

(xii) Students, parents, and guardians.

(6) “Coordinated community supports partnership” means an entity formed to deliver coordinated community supports.

(7) “National Center for School Mental Health” means the National Center for School Mental Health at the University of Maryland, Baltimore Campus.

(b) (1) There is a Maryland Consortium on Coordinated Community Supports in the Commission.

(2) The Commission shall provide staff to the Consortium.

(3) Two additional staff shall be added to the Commission to staff the Consortium.

(c) The purposes of the Consortium are to:

(1) Support the development of coordinated community supports partnerships to meet student behavioral health needs and other related challenges in a holistic, non-stigmatized, and coordinated manner;

(2) Provide expertise for the development of best practices in the delivery of student behavioral health services, supports, and wraparound services; and

(3) Provide technical assistance to local school systems to support positive classroom environments and the closing of achievement gaps so that all students can succeed.

(d) The Consortium consists of the following members:

(1) The Secretary of Health, or the Secretary’s designee;

(2) The Secretary of Human Services, or the Secretary’s designee;

(3) The Secretary of Juvenile Services, or the Secretary’s designee;

(4) The State Superintendent of Schools, or the State Superintendent’s designee;

(5) The Chair of the Commission, or the Chair’s designee;

(6) The Director of Community Schools in the State Department of Education, or the Director’s designee;

(7) One member of the Maryland Council on Advancement of School-Based Health Centers, appointed by the Chair of the Council;

(8) One county superintendent of schools, designated by the Public School Superintendents Association of Maryland;

(9) One member of a county board of education, designated by the Maryland Association of Boards of Education;

(10) One teacher who is teaching in the State, designated by the Maryland State Education Association;

(11) One social worker practicing at a school in the State, designated by the Maryland Chapter of the National Association of Social Workers;

(12) One psychologist practicing in a school in the State, designated by the Maryland School Psychologists Association;

(13) One representative of nonprofit hospitals, designated by the Maryland Hospital Association;

(14) The following members appointed by the Governor:

(i) One representative of the community behavioral health community with expertise in telehealth;

(ii) One representative of local departments of social services; and

(iii) One representative of local departments of health; and

(15) The following members appointed jointly by the President of the Senate and the Speaker of the House:

(i) One individual with expertise in creating a positive classroom environment;

(ii) One individual with expertise in equity in education; and

(iii) Two members of the public, appointed by the President of the Senate.

(e) (1) The members of the Consortium shall select a chair from among the members.

(2) (i) The National Center for School Mental Health shall provide technical assistance.



(ii) The assistance provided under subparagraph (i) of this paragraph may include the creation of partnership coordinators to support the work of local behavioral health services coordinators appointed under § 7–446.1 of this subtitle.

(f) A member of the Consortium:

(1) May not receive compensation as a member of the Consortium; but

(2) Is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(g) The Consortium may use subcommittees, including subcommittees that include nonmember experts, as necessary, to meet the requirements of this section.

(h) The Consortium shall:

(1) Develop a statewide framework for the creation of coordinated community supports partnerships;

(2) Ensure that community supports partnerships are structured in a manner that provides community services and supports in a holistic and non-stigmatized manner that meets behavioral health and other wraparound needs of students and is coordinated with any other youth-serving government agencies interacting with the students;

(3) Develop a model for expanding available behavioral health services and supports to all students in each local school system through:

(i) The maximization of public funding through the Maryland Medical Assistance Program, including billing for Program administrative costs, or other public sources;

(ii) Commercial insurance participation;

(iii) The implementation of a sliding scale for services based on family income; and

(iv) The participation of nonprofit hospitals through community benefit requirements;

(4) Develop and implement a grant program to award grants to coordinated community supports partnerships with funding necessary to deliver services and supports to meet the holistic behavioral health needs and other related challenges facing the students proposed to be served by the coordinated community supports partnership and that sets reasonable

administrative costs for the coordinated community supports partnership;

(5) Evaluate how a reimbursement system could be developed through the Maryland Department of Health or a private contractor to reimburse providers participating in a coordinated community supports partnership and providing services and supports to students who are uninsured and for the difference in commercial insurance payments and Maryland Medical Assistance Program fee-for-service payments;

(6) In consultation with the Department, develop best practices for the implementation of and related to the creation of a positive classroom environment for all students using evidence-based methods that recognize the disproportionality of classroom management referrals, including by:

(i) Creating a list of programs and classroom management practices that are evidence-based best practices to address student behavioral health issues in a classroom environment;

(ii) Evaluating relevant regulations and making recommendations for any necessary clarifications, as well as developing a plan to provide technical assistance in the implementation of the regulations by local school systems to create a positive classroom environment; and

(iii) Developing a mechanism to ensure that all local school systems implement relevant regulations in a consistent manner; and

(7) Develop a geographically diverse plan that uses both school-based behavioral health services and coordinated community supports partnerships to ensure that each student in each local school system has access to services and supports that meet the student's behavioral health needs and related challenges within a 1-hour drive of a student's residence.

(i) A coordinated community supports partnership shall provide systemic services to students in a manner that is:

(1) Community-based;

(2) Family-driven and youth-guided; and

(3) Culturally competent and that provides access to high-quality, acceptable services for culturally diverse populations.

(j) (1) The Consortium, in consultation with the National Center on School Mental Health, shall develop accountability metrics that may be used to demonstrate whether the services and supports provided through a coordinated community supports partnership that receives a grant from the Consortium are

positively impacting the students served by the coordinated community supports partnership, their families, and the community, including metrics that would measure:

(i) Whether there have been any:

1. Increase in services provided;
2. Reductions in absenteeism;
3. Repeat referrals to the coordinated community supports partnership;
4. Reduction in interactions of the students with youth-serving agencies; and
5. Increase in funding through federal, local, and private sources; and

(ii) Any other identifiable data sets that would demonstrate whether a coordinated community supports partnership is successfully meeting the behavioral health needs of students.

(2) The development of the metrics under paragraph (1) of this subsection shall be coordinated with the Maryland Longitudinal Data System Center and the Accountability and Implementation Board, established under § 5-402 of this article, to ensure consistency with other data collection efforts.

(k) Beginning in fiscal year 2025 and each fiscal year thereafter, the Consortium shall use the accountability metrics developed under subsection (j) of this section to develop best practices to be used by a coordinated community supports partnership in the delivery of supports and services and the maximization of federal, local, and private funding.

(l) Notwithstanding any other provision of law, a nonprofit hospital that receives funding for coordinating or participating in a coordinated community supports partnership may include the value of services provided through the coordinated community supports partnership towards meeting community benefit requirements under § 19-303 of the Health – General Article.

(m) (1) In this subsection, “Fund” means the Coordinated Community Supports Partnership Fund.

(2) There is a Coordinated Community Supports Partnership Fund.

(3) The purpose of the Fund is to support the delivery of services and supports provided to students to meet their holistic behavioral health needs

and address other related challenges.

(4) The Department shall administer the Fund.

(5) (i) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(ii) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(6) The Fund consists of:

(i) Money appropriated in the State budget to the Fund;

(ii) Interest earnings; and

(iii) Any other money from any other source accepted for the benefit of the Fund.

(7) The Fund may be used only by the Consortium for:

(i) Providing reimbursement, under a memorandum of understanding, to the National Center for School Mental Health and other technical assistance providers to support the work of the Consortium;

(ii) Providing grants to coordinated community supports partnerships to deliver services and supports to meet students' holistic behavioral health needs and to address other related challenges; and

(iii) Paying any associated administrative costs.

(8) The Governor shall include in the annual budget bill the following appropriations for the Fund:

(i) \$25,000,000 in fiscal year 2022;

(ii) \$50,000,000 in fiscal year 2023;

(iii) \$75,000,000 in fiscal year 2024;

(iv) \$100,000,000 in fiscal year 2025; and

(v) \$125,000,000 in fiscal year 2026 and each fiscal year thereafter.

(9) (i) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(ii) Any interest earnings of the Fund shall be credited to the Fund.

(10) Expenditures from the Fund may be made only in accordance with the State budget.

(n) Any grant funding or local school system implementation assistance provided under this section through the Consortium and coordinated community supports partnerships shall be supplemental to, and may not supplant, existing funding provided as of fiscal year 2022 to local school systems through local government expenditures or local school system expenditures, or other funding sources, for school-based behavioral health personnel, services, supports, or other school-based behavioral health purposes.

(o) Beginning on July 1, 2022, and each July 1 thereafter, the Consortium shall submit to the Accountability and Implementation Board, the Governor, and, in accordance with § 2-1257 of the State Government Article, the General Assembly, a report on:

(1) The activities of the Consortium;

(2) The creation of coordinated community supports partnerships and the area served by each partnership;

(3) Grants awarded to coordinated community supports partnerships;  
and

(4) All other activities of the Consortium to carry out the requirements of this section.

§7-1511.

(a) Each behavioral health services coordinator under § 7-447 of this title shall develop plans for delivering behavioral health and wraparound services to students who exhibit behaviors of concern.

(b) (1) The Subcabinet may provide grants from the Fund to local school systems to develop plans for delivering behavioral health and wraparound services to students who exhibit behaviors of concern.

(2) In applying for a grant under this subsection, a local school system shall provide evidence of how external funding will be maximized to provide students with behavioral health and wraparound services, including through

the submission of claims to health insurance plans, if applicable, for any covered health services.

(c) The Subcabinet shall adopt regulations to carry out this section.

§8–201.

(a) In this subtitle, “gifted and talented student” means an elementary or secondary student who is identified by professionally qualified individuals as:

(1) Having outstanding talent and performing, or showing the potential for performing, at remarkably high levels of accomplishment when compared with other students of a similar age, experience, or environment;

(2) Exhibiting high performance capability in intellectual, creative, or artistic areas;

(3) Possessing an unusual leadership capacity; or

(4) Excelling in specific academic fields.

(b) (1) Beginning with the 2022–2023 school year, a gifted and talented student in middle school, 9th grade, or 10th grade may meet the college and career readiness standard under § 7–205.1 of this article.

(2) Each local school system shall develop accelerated pathways and enrichment programs for gifted and talented students to achieve college and career readiness before the end of the 10th grade.

§8–416.

(a) (1) There is a Maryland Infants and Toddlers Program in the Department.

(2) The purpose of the Program is to provide a statewide, community–based interagency system of comprehensive early intervention services to eligible infants and toddlers, from birth until the beginning of the school year following a child’s 4th birthday, and their families.

(b) The Department shall be the lead agency for supervising and monitoring the Program.

(c) The Program shall include the early intervention services provided or supervised by the Department, the Maryland Department of Health, including the Early Hearing Detection and Intervention Program established under Title 13, Subtitle 6 of the Health – General Article, and the Department of Human Services.

(d) The Program shall be administered in accord with the applicable requirements of Part C of the Individuals with Disabilities Education Act and other applicable federal and State laws.

(e) An interagency coordinating council shall be appointed by the Governor, with the advice and consent of the Senate, and shall:

(1) Advise and assist the Department in the supervision and monitoring of the Program; and

(2) Submit an annual report to the Governor and the federal government.

(f) Local lead agencies shall be established or designated in each county and Baltimore City to administer the Program in their subdivision, under the direction of the Department.

(g) (1) In each county, the county executive or county commissioners, as appropriate, or in Baltimore City, the Mayor, shall establish a local interagency coordinating council to advise and assist the local lead agency in the development and implementation of policies that constitute the local Program.

(2) (i) In each county, the county executive or county commissioners, as appropriate, or in Baltimore City, the Mayor, may designate the local management board to serve as the local interagency coordinating council or establish the local interagency coordinating council as a part of that board.

(ii) Where a local management board and a local interagency coordinating council coexist, they shall work cooperatively.

(h) Beginning in fiscal year 2021, the Governor shall provide the following amounts for the Program:

(1) For fiscal year 2021, \$12,389,104;

(2) For fiscal year 2022, \$13,531,267;

(3) For fiscal year 2023, \$14,673,430;

(4) For fiscal year 2024, \$15,815,593;

(5) For fiscal year 2025, \$16,957,756;

(6) For fiscal year 2026, \$18,099,919;

(7) For fiscal year 2027, \$19,242,082;

(8) For fiscal year 2028, \$20,384,245;

(9) For fiscal year 2029, \$21,526,408;

(10) For fiscal year 2030, \$22,668,571; and

(11) For fiscal year 2031 and each fiscal year thereafter, the prior fiscal year amount increased by the inflation adjustment as defined in § 5–201 of this article.

(i) The Department shall adopt regulations necessary to carry out the provisions of this section.

§9.5–113.

(a) In this section, “Program” means the Child Care Scholarship Program.

(b) The Department shall administer the Program in accordance with federal law.

(c) An individual is eligible to continue to receive a subsidy under the Program:

(1) For at least 90 days in a year if the individual is unemployed and seeking employment; and

(2) If the individual meets any other eligibility criteria determined by the Department.

(d) The Department shall adopt regulations to implement the provisions of this section.

§9.5–901.

In this subtitle, “Office” means the Office of Child Care within the Department.

§9.5–902.

(a) There is a Child Care Accreditation Support Fund.

(b) The Fund may only be used by the Office to:



(1) Pay for the actual expense of an application fee for an approved accrediting organization on behalf of a provider; or

(2) Reimburse a child care provider for a program improvement cost.

(c) The Governor shall appropriate in the annual budget at least \$1,000,000 for the Fund beginning in fiscal year 2021.

§9.5–903.

(a) There is a Child Care Incentive Grant Program.

(b) The Office may award funding to a child care provider through the program for the purpose of improving the child care provider's quality of care through the purchase of Office approved:

(1) Materials;

(2) Equipment; or

(3) Supplies.

(c) For each of fiscal years 2022 through 2030, funding for the program shall increase by 10% over the prior fiscal year.

§9.5–904.

(a) There is a Maryland Child Care Credential Program.

(b) An individual may apply to the Office for a staff credential, including a child development associate credential, or an administrator credential under this subsection.

(c) If a person pursues, obtains, or already holds an Office approved credential, the Office may award to the individual:

(1) An achievement bonus;

(2) A training reimbursement; or

(3) A training voucher.

(d) (1) The Governor shall appropriate \$4,000,000 for the program for fiscal year 2021.

(2) For each of fiscal years 2022 through 2024, funding for the program shall increase by 10% over the prior fiscal year.

§9.5–905.

(a) There is a Child Care Career and Professional Development Fund.

(b) The Office may award funding from the Fund to an individual who has:

(1) Obtained at least a level 2 in the Maryland Child Care Credential Program under § 9.5–904 of this subtitle;

(2) Documented at least 1 year of experience working with groups of children in an approved setting; and

(3) Been accepted by an accredited college or university for enrollment in at least one course for credit toward a degree in early childhood education or related field.

(c) An award under this section may only be:

(1) Applied toward the cost of:

(i) Tuition and fees; or

(ii) Textbooks required by a course in which the awardee is enrolled; and

(2) Used by the awardee for the actual expense of college coursework incurred subsequent to an award toward the completion of:

(i) A college degree in early childhood education or related field;  
or

(ii) Developmental coursework required to meet prerequisites for a degree program in early childhood education or related field.

§9.5–906.

(a) The Office shall award a program that participates in the Maryland EXCELS Program a bonus:

(1) On initial publication of a quality rating level 1, 2, 3, or 4;

(2) On each publication of a higher quality rating level after the initial

publication;

(3) On initial publication of a quality rating level 5; and

(4) Annually on renewal and republication of a quality rating level 5.

(b) (1) The Governor shall appropriate in fiscal year 2023 \$5,000,000.

(2) For each of fiscal years 2024 through 2028, funding for the program shall increase by 10% over the prior fiscal year.

#### §9.5–907.

Priority in providing awards under this subtitle shall be given to child care providers or programs that published a quality rating level of 2 in the Maryland EXCELS Program on or before June 30, 2022.

#### §9.5–908.

(a) The Department shall designate a primary contact employee for early child care in the Office.

(b) The Department's primary contact employee shall be appointed by the Director of the Office.

(c) The Department's primary contact employee shall:

(1) Assist child care providers and individuals to understand the process for publishing in EXCELS and improving quality rating; and

(2) Actively assist child care providers and individuals to apply for accreditation and funds provided by this subtitle. §9.5–901.

#### §9.5–1001.

(a) In this section the following words have the meanings indicated.

(b) "Applicant" means a parent who has applied to receive services from a family support center in the network of community-based family support centers.

(c) "Center" means a family support center operated by a provider under a contract with the Intermediary.

(d) "Intermediary" means the Department or a designee of the Department that provides management for the operation of the State's network of community-based family support centers.

(e) (1) “Parent” means the biological or adoptive parent of a child.

(2) “Parent” includes a legal guardian of a child.

(f) “Provider” means an agency or individual who contracts with the Intermediary to operate a center.

§9.5–1002.

(a) A family support center shall be known as a “Patty Center”.

(b) A family support center shall provide parents and their children with a hospitable and constructive environment and services that:

(1) Improve parenting skills;

(2) Develop the family as a functioning unit; and

(3) Promote the growth and development of their children.

(c) (1) (i) For fiscal year 2021, the State shall provide funding for six additional centers.

(ii) For each of fiscal years 2022 through 2029, the State shall provide funding for three additional centers per fiscal year.

(2) The Governor shall appropriate in each of fiscal years 2021 through 2030, \$330,000 for each additional center required under this subsection.

(d) The Department shall select the location for the centers funded under subsection (c) of this section.

§9.5–1003.

(a) A center shall provide services including:

(1) Parental skills training, parent education classes, and other related activities;

(2) Health care counseling;

(3) Diagnostic and assessment services to identify a child’s potential developmental disabilities;

(4) Child care for parents while parents are participating in

center-based services;

(5) Peer support activities, including recreational and social activities;

(6) Educational services such as GED and postsecondary credentials;  
and

(7) Pre-employment counseling and skill development to assist the parent in securing and maintaining employment.

(b) A center shall provide services to a child and the child's parents, grandparents, and other family members to the extent possible.

(c) A center may provide other services if approved by the Intermediary.

§9.5-1004.

(a) Before operating a center, the provider shall submit to the Intermediary a plan that describes the:

(1) Services to be provided;

(2) Manner in which the services are provided; and

(3) Staff who will provide services at the center and training for other staff.

(b) The provider, in accordance with the plan:

(1) Shall employ staff;

(2) May recruit, train, and supervise volunteers; and

(3) Shall operate the center during periods of time, including, if necessary, weekends and nights, to accommodate parents' needs.

(c) The plan shall describe the methods to be used to refer parents to other entities that provide services not available at the center.

§9.9-101.

(a) In this title the following words have the meanings indicated.

(b) "Community school" means a public school that establishes a set of strategic partnerships between the school and other community resources that promote student achievement, positive learning conditions, and the well-being of

students, families, and the community by providing wraparound services.

(c) “School–community partnership” means a partnership between a local school system or an existing public school and a community–based organization or agency for the purpose of planning and implementing a community school.

(d) “Trauma–informed intervention” means a method for understanding and responding to an individual with symptoms of chronic interpersonal trauma or traumatic stress.

(e) “Wraparound services” means:

(1) Extended learning time, including before and after school, weekends, summer school, and an extended school year;

(2) Safe transportation to and from school and off–site apprenticeship programs;

(3) Vision and dental care services;

(4) Establishing or expanding school–based health center services;

(5) Additional social workers, mentors, counselors, psychologists, and restorative practice coaches;

(6) Enhancing physical wellness, including providing healthy food for in–school and out–of–school time and linkages to community providers;

(7) Enhancing behavioral health services, including access to mental health practitioners and providing professional development to school staff to provide trauma–informed interventions;

(8) Providing family and community engagement and supports, including informing parents of academic course offerings, language classes, workforce development training, opportunities for children, and available social services as well as educating families on how to monitor a child’s learning;

(9) Establishing and enhancing linkages to Judy Centers and other early education programs that feed into the school;

(10) Enhancing student enrichment experiences, including educational field trips, partnerships, and programs with museums, arts organizations, and cultural institutions;

(11) Improving student attendance;

(12) Improving the learning environment at the school; and

(13) Any professional development for teachers and school staff to quickly identify students who are in need of these resources.

§9.9–102.

The purpose of a community school is to help students and families overcome the in–school and out–of–school barriers that prevent children from learning and succeeding over the course of their lives by having an integrated focus on academics, health and social services, youth and community development, and family and community engagement.

§9.9–103.

(a) There are community schools in the State.

(b) A community school shall:

(1) Promote active family and community engagement, including educational opportunities for adults and family members of students at the school who live in the neighborhood of the school;

(2) Have a community school coordinator, as described under § 9.9–104 of this title;

(3) Promote expanded and enriched learning time and opportunities provided after school, during weekends, and in the summer that emphasize mastering 21st–century skills through practical learning opportunities and community problem–solving;

(4) Promote collaborative leadership and practices that empower parents, students, teachers, principals, and community partners to build a culture of professional learning, collective trust, and shared responsibility using strategies such as site–based leadership teams and teacher learning communities;

(5) Have a parent teacher organization or a school family council; and

(6) Have a community school leadership team.

(c) (1) There shall be a Director of Community Schools in the Department.

(2) The Director of Community Schools in the Department shall coordinate professional development for community school coordinators at each community school.

(3) In addition to the funding provided for the Director of Community Schools position in the Department, the Governor may include in the annual budget bill an appropriation of at least \$100,000 to the Department for the Director of Community Schools to provide training and technical assistance to community schools and for additional staff.

§9.9–104.

(a) (1) A community school shall have an experienced and qualified community school coordinator who:

(i) Is hired at the appropriate administrative level;

(ii) Understands, respects, and demonstrates a high degree of cultural awareness of and competency in the diversity in the community and in cross-cultural practice with stakeholders; and

(iii) May be employed by the school district.

(2) A community school coordinator may be a social worker.

(b) (1) A community school coordinator shall be responsible for:

(i) Establishing a community school;

(ii) Completing an assessment of the needs of the students in the school for appropriate wraparound services to enhance the success of all students in the school;

(iii) Developing an implementation plan based on the assessment of needs for the community school, in cooperation with other interested stakeholders; and

(iv) Coordinating support programs that address out-of-school learning barriers for students and families, including:

1. Wraparound services; and

2. As appropriate:

A. Tutoring;

B. English language learner courses;

C. Early childhood development and parenting



classes;

D. College and career advising;

E. Employment opportunities;

F. Citizenship education;

G. Food pantries; and

H. School-based behavioral and physical health services.

(2) The needs assessment completed under this subsection shall:

(i) Be completed in collaboration with:

1. The principal;

2. A school health care practitioner; and

3. A parent teacher organization or a school council;

(ii) Include an assessment of the physical, behavioral, and mental health needs and wraparound service needs of students, their families, and their communities; and

(iii) Be submitted to the Department and the local school system within 1 year of receiving a personnel grant under § 5-223 of this article or within 1 year of becoming a community school.

(3) The implementation plan completed under this subsection shall include:

(i) A strategy for providing wraparound services to address the needs of the students, their families, and their communities, building on and strengthening community resources near the school;

(ii) Inclusion, if possible and practicable, of community partners in geographic proximity to the school that can assist in meeting the needs identified in the assessment;

(iii) Ensure that time is made available to train staff on the supports available, the need for the supports, and how to engage with the community schools coordinator to access these supports; and

(iv) Develop strategies to maximize external non-State or non-local education funding.

(4) (i) The implementation plan shall be submitted to the local school system for approval within 1 year of completion of the needs assessment.

(ii) After the implementation plan is approved by the local school system it shall be submitted to the Department.

#### §9.9–105.

(a) Subject to the approval required under § 9.9–106 of this title, a local school system or an existing public school may form a school–community partnership for the planning and implementation of a community school.

(b) A community school or the school’s community school coordinator may solicit the assistance and support of community partners when fulfilling the requirements of the subtitle, including local management boards created under Title 8, Subtitle 3 of the Human Services Article.

#### §9.9–106.

(a) This section does not apply to a community school that receives funding under § 5–223 of this article.

(b) A local school system shall review and approve a community school.

(c) A community school may not be implemented without the approval of a local school system.

(d) Local governments are expected to demonstrate support for a community school through meaningful partnerships and support that is supplemental to and does not supplant existing efforts.

#### §9.9–107.

(a) This section does not apply to a community school that receives funding under § 5–223 of this article.

(b) A local school system shall make public school funding available to a community school.

(c) Eligible interventions for which a community school may receive funding include academic services, parental involvement programs, physical and behavioral health services, and community involvement programs.

(d) (1) Academic services include:

(i) Academic support and enrichment activities;

(ii) Counseling;

(iii) Job training, internship opportunities, higher education advising, and career, apprenticeship, and employment opportunities;

(iv) Programs that provide assistance to students who are chronically absent, tardy, suspended, or expelled;

(v) Specialized instructional support services; and

(vi) Early childhood education, including Head Start or Early Head Start.

(2) Parental involvement programs include:

(i) Programs that promote and encourage parental involvement and family literacy;

(ii) Parent leadership development and advocacy activities; and

(iii) Parenting education activities.

(3) Physical and mental health services include:

(i) Mentoring and other youth development services, including after school and summer learning opportunities and services;

(ii) Juvenile justice system involvement prevention, reentry, rehabilitation, and restorative practices;

(iii) Home visitation services;

(iv) Developmentally appropriate physical education;

(v) Nutrition services;

(vi) Primary health and dental care; and

(vii) Mental health and counseling services.

(4) Community involvement programs include:

(i) Service and service–learning opportunities;

(ii) Adult education, including English as a second language classes;

(iii) Homelessness prevention and permanent housing services;  
and

(iv) Other services designed to meet the needs of the community school and the community as identified by the community school leadership team and in accordance with the plan developed under § 9.9–104(b) of this title.

(e) A community school or the community school coordinator may solicit the assistance and support of community partners when fulfilling the requirements of this section.

### §11–206.3.

(a) (1) An institution of higher education may request to establish a program that leads to certification or licensure in school leadership, including to be an assistant principal, licensed principal, or distinguished principal.

(2) The institution of higher education making a request under this subsection shall present evidence to the Commission that the program will evaluate candidates based on their potential to be effective school leaders, including by reviewing evidence that the candidate:

(i) Has a record of successful teaching; and

(ii) Has performed well in teacher leadership roles.

(b) (1) An institution of higher education may request to establish a program that offers graduate level courses in school administration for continuing certification.

(2) The institution of higher education making the request under this subsection shall present evidence to the Commission that the program’s curriculum will enable graduates to:

(i) Successfully organize and manage schools and school systems;

(ii) Manage highly skilled professionals working in a modern professional work environment; and

(iii) Effectively conduct peer observation and evaluation of other

school personnel.

§11–701.

In cooperation with the State’s public and private nonprofit institutions of postsecondary education, the Maryland State Department of Education, and the local school systems, the Commission shall establish and administer a College Preparation Intervention Program.

§15–126.

(a) This section applies if, after empirical review, the State Board determines that the college and career readiness assessment required under § 7–205.1 of this article aligns with global standards.

(b) Notwithstanding any other provision of law, each community college and other open–enrollment public institution of higher education shall accept for enrollment in credit–bearing courses any individual who has achieved college and career readiness according to the standard adopted by the State Board under § 7–205.1 of this article.

§15–127.

(a) (1) In this section, “dually enrolled student” means a student who is dually enrolled in:

(i) A secondary school in the State; and

(ii) An institution of higher education in the State.

(2) “Dually enrolled student” includes a student enrolled in a credit or noncredit certificate or license program, course, or sequence of courses that leads to certification or licensure at an institution of higher education in the State.

(b) A public institution of higher education may not charge tuition to a dually enrolled student.

(c) Subject to subsection (d) of this section, for each dually enrolled student who is enrolled in a public school in the county, the county board shall pay 75% of the cost of tuition for a public institution of higher education in the State.

(d) (1) If there is an agreement before July 1, 2020, between a public school and a public institution of higher education in which the public institution of higher education charges less than 75% of the cost of tuition to a dually enrolled student, the county board shall pay the cost of tuition under the existing agreement.

(2) Every 2 years, a public school and a public institution of higher

education may evaluate and modify an agreement made under paragraph (1) of this subsection.

§17-401.

(a) There is a Teacher Quality and Diversity Program to assist institutions of higher education in:

(1) Taking advantage of national foundation efforts to develop highly qualified teachers and leaders from diverse backgrounds; and

(2) Aiding students from groups historically underrepresented in the teaching profession in achieving teacher preparation and certification requirements.

(b) The Maryland Higher Education Commission shall implement and administer the Teacher Quality and Diversity Program under this subtitle.

(c) The Commission shall give priority to historically black colleges and universities and Hispanic-serving institutions with a track record of preparing diverse and high-quality teachers in making grants under this subtitle.

§17-402.

(a) If an institution of higher education receives grant funding from a non-State source to increase the quality and diversity of applicants for the institution's teacher training program, the institution may receive additional grant funding from the State, as needed, in an amount equal to or less than the non-State grant received by the institution.

(b) In each fiscal year, the amount of grant funding provided by the State to institutions of higher education in accordance with subsection (a) of this section may not exceed \$500,000.

§17-403.

The Commission shall provide assistance with applying for grants under this subtitle to institutions of higher education that are required under § 6-123 of this article to seek grant funding to increase the quality and diversity of applicants for the institution's teacher training program.

§17-404.

(a) There is a Teacher Quality and Diversity Grant Program within the Teacher Quality and Diversity Program.

(b) The purpose of the Teacher Quality and Diversity Grant Program is to

provide grants to teacher preparation programs at institutions of higher education to assist students from groups historically underrepresented in the teaching profession in achieving teacher preparation and certification requirements.

(c) The Maryland Higher Education Commission shall administer the Teacher Quality and Diversity Grant Program by awarding grants totaling at least \$500,000 each year:

(1) To applicants on a competitive basis; and

(2) In a manner that serves the purpose of the Grant Program.

(d) The Maryland Higher Education Commission may adopt regulations to carry out this section.

#### §17–405.

(a) The Governor shall include in the annual budget bill an appropriation of at least \$1,000,000 to the Teacher Quality and Diversity Program.

(b) Subject to the provisions of this subtitle, the Maryland Higher Education Commission may use the funds appropriated under subsection (a) of this section to award funding to institutions of higher education under § 17–402 or § 17–404 of this subtitle.

#### §18–1502.

(a) There is a program of loan assistance repayment known as the Janet L. Hoffman Loan Assistance Repayment Program in the State.

(b) The Office of Student Financial Assistance shall assist in the repayment of the amount of any higher education loan owed by an individual who:

(1) (i) Receives a graduate, professional, or undergraduate degree from:

1. A college or university in the State of Maryland; or

2. A school of law; or

(ii) Receives a Resident Teacher Certificate (RTC) from the Department after completing an alternative teaching preparation program approved by the State Superintendent;

(2) Obtains eligible employment;

(3) Receives an income that is less than the maximum eligible total income levels established by the Office, including any additional sources of income; and

(4) Satisfies any other criteria established by the Office.

(c) Subject to the provisions of subsection (b) of this section, the Office shall assist in the repayment of the amount of any higher education loan owed by a public school teacher in the State who:

(1) Has taught in Maryland for at least 2 years:

(i) In science, technology, engineering, fine arts, or math subjects;  
or

(ii) In a school in which at least the following percentages of the students are enrolled in the free and reduced price lunch program in the State:

1. 75% through June 30, 2025; and

2. 55% beginning July 1, 2025; or

(iii) In a school that:

1. Had Title I status during the 2018–2019 school year;

2. Lost Title I status after the 2018–2019 school year; and

3. Participates in the United States Department of Agriculture Community Eligibility Provision; and

(2) Has received the highest performance evaluation rating for the most recent year available in the county in which the teacher taught.

(d) (1) A grant awarded under subsection (c) of this section shall be known as the Nancy Grasmick Teacher Award.

(2) A recipient of a Nancy Grasmick Teacher Award shall be known as a Nancy Grasmick Teacher Scholar.

(e) An applicant for assistance in the repayment of a commercial loan shall demonstrate to the Office that the commercial loan was used for tuition, educational expenses, or living expenses for graduate or undergraduate study.



(f) Assistance in the repayment of a loan from an entity set forth in § 18–1501(c)(2) of this subtitle shall require the approval of the Office.

(g) Subject to the provisions of subsection (b) of this section, the Office shall assist in the repayment of the amount of any higher education loan owed by a licensed clinical alcohol and drug counselor, a licensed clinical marriage and family therapy counselor, or a licensed clinical professional counselor whose practice is located in a high–need geographic area of the State as determined by the Maryland Department of Health.

#### §18–1506.

The Office shall publicize the availability of the Program, including by publicizing the Program:

(1) At historically black colleges and universities; and

(2) In a manner that focuses on students who are historically underrepresented in the teaching field.

#### §18–2203.

(a) The Office shall annually select eligible students and offer a scholarship to each student selected to be used at an eligible institution of their choice.

(b) (1) Subject to paragraph (2) of this subsection, a recipient of the Teaching Fellows for Maryland scholarship shall:

(i) Be a Maryland resident or have graduated from a Maryland high school;

(ii) Except as provided in subsection (c) of this section, be accepted for admission or currently enrolled at an eligible institution as a full–time or part–time undergraduate or graduate student pursuing a course of study or program in an academic discipline leading to a Maryland professional teacher’s certificate;

(iii) 1. Have achieved at least:

A. For a student currently enrolled in high school, an overall grade point average of 3.3 on a 4.0 scale or its equivalent, or an overall grade point average in the top 15% of the student’s grade, after completion of the first semester of the senior year;

B. For a student currently enrolled as a full–time

undergraduate student, a cumulative grade point average of 3.3 on a 4.0 scale and satisfactory progress toward a degree in an academic discipline leading to a Maryland professional teacher's certificate;

C. A score of 500 on the reading and math portions of the SAT, with a combined score of at least 1100 on the reading and math portions of the SAT;

D. A composite ACT score of 25; or

E. A score of 50% on the GRE; and

2. Have demonstrated an exceptional dedication to or aptitude for teaching;

(iv) Sign a letter of intent to perform the service obligation upon completion of the recipient's required studies;

(v) Accept any other conditions attached to the award; and

(vi) Satisfy any additional criteria the Commission may establish.

(c) A recipient of the Teaching Fellows for Maryland scholarship may not hold a Maryland professional teacher's certificate.

(d) (1) Applicants who are secondary school students shall provide a high school transcript after completion of the first semester of their senior year.

(2) Applicants who are currently enrolled in an eligible institution shall provide the most recent college transcript, or if not applicable, the applicant may submit a final high school transcript.

(3) Applicants who are not currently enrolled in an eligible institution, but who are high school graduates, shall provide a final high school transcript.

(4) Applicants who are high school graduates and are not currently enrolled in an eligible institution, but have completed some courses at an eligible institution, shall provide the most recent college transcript.

(5) Applicants who are not currently enrolled in an eligible institution, but who are college graduates, shall provide a final college transcript.

§18–2209.

The Governor annually shall include at least the following amounts in the

State budget for the Commission to award scholarships under this subtitle:

- (1) For fiscal year 2022, \$4,000,000;
- (2) For fiscal year 2023, \$8,000,000;
- (3) For fiscal year 2024, \$12,000,000; and
- (4) For fiscal year 2025 and each fiscal year thereafter, \$18,000,000

§21–201.

(a) In this subtitle the following words have the meanings indicated.

(b) (1) “CTE” means Career and Technical Education.

(2) “CTE” includes:

(i) A a high school level and postsecondary registered apprenticeship program approved by the Division of Workforce Development and Adult Learning within the Maryland Department of Labor; or

(ii) A youth apprenticeship program under Title 18, Subtitle 18 of this article.

(c) “CTE Committee” means the Career and Technical Education Committee established under § 21–207 of this subtitle.

(d) “Federal acts” means:

(1) The Smith–Hughes Act;

(2) The George–Barden Act;

(3) The Carl D. Perkins Career and Technical Education Act;

(4) The Vocational Education Act of 1963;

(5) Any other career and technology education act of the United States Congress; and

(6) Any amendments to any of these acts.

§21–202.

(a) The State of Maryland assents to the federal acts.

(b) The State Treasurer shall:

(1) Be the custodian of any money received under the federal acts; and

(2) Disburse this money in accordance with the federal acts.

(c) The State Board of Education shall:

(1) Cooperate with the appropriate federal agencies in administering the federal acts;

(2) Do anything necessary to secure the benefits of the federal acts;

(3) Facilitate the transfer of federal funds to the appropriate operational entity including the Maryland Department of Labor; and

(4) Represent this State in all matters relating to the administration of the federal acts.

(d) (1) The State Board of Education shall be the sole State agency responsible for the administration of the Carl D. Perkins Career and Technical Education Act.

(2) (i) On or before October 1, 2021, the State Board of Education shall request a waiver from the U.S. Department of Education to transfer to the CTE Committee responsibility for the administration of the Carl D. Perkins Career and Technical Education Act.

(ii) If the waiver in this paragraph is granted, the CTE Committee shall be responsible for the administration of the Carl D. Perkins Career and Technical Education Act.

(3) The CTE Committee or the State Board of Education, as appropriate, shall include in the State plan required under the Carl D. Perkins Career and Technical Education Act goals and programs that are consistent with the Blueprint for Maryland's Future, as defined in § 5–401 of this article, to the extent consistent with federal law.

§21–203.

(a) Career and technical education programs in the public schools shall:

(1) Offer a sequence of academic and occupational courses, career

development, and work experience to prepare students to begin careers and to pursue lifelong learning; and

(2) Integrate academic knowledge and occupational competence to enable students to develop the critical thinking, problem solving, employability, and technical skills required to meet the workforce preparation and economic development needs of the 21st century.

(b) (1) Beginning with the 2023–2024 school year, career and technical education programs shall be aligned with the requirements of this section and the system implemented by the CTE Committee established under § 21–207 of this subtitle.

(2) Beginning in fiscal year 2024, the adoption of programs relating to, and the provision of, career and technical education by county boards, the State Board, and community colleges shall be consistent with the system implemented by the CTE Committee.

#### §21–204.

(a) (1) On or before December 1, 2022, the CTE Committee shall establish, for each school year between the 2023–2024 school year and the 2030–2031 school year, inclusive, statewide goals that reach 45% by the 2030–2031 school year, for the percentage of high school students who, prior to graduation, complete the high school level of a registered apprenticeship or an industry–recognized occupational credential.

(2) To the extent practicable, the CTE Committee shall ensure that the largest number of students achieve the requirement of this subsection by completing a high school level of a registered apprenticeship program approved by the Division of Workforce Development and Adult Learning within the Maryland Department of Labor.

(b) On or before December 1 each year, beginning in 2022, the CTE Committee shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly, and the Accountability and Implementation Board on the progress, by high school, toward attaining the goals established by the CTE Committee in accordance with subsection (a) of this section.

#### §21–205.

(a) In this section, “Grant” means the Career and Technical Education Innovation Grant.

(b) (1) There is a Career and Technical Education Innovation Grant.

(2) The purpose of the Grant is to provide funds to develop and

implement a CTE curriculum framework and pathway that is innovative and includes best practices that are used by the best CTE programs around the world.

(3) The Department shall administer the Grant.

(c) (1) (i) A county board or a community college may submit a proposal to the Department to receive a grant for a CTE pathway that is in furtherance of the purpose of the Grant.

(ii) To be eligible for a grant, an application shall identify a partnership with at least one county board, one community college, and one industry partner to develop an innovative CTE pathway that:

1. Is of high quality;
2. Is aligned with the skills needed by employers;
3. Will lead to an industry-recognized license or certificate;
4. Creates internship or apprenticeship opportunities; and
5. Prepares students to successfully compete in a global economy.

(2) An application shall include:

(i) A description of the proposed curriculum framework and pathway that is articulated between secondary and postsecondary education or training;

(ii) A business plan that includes the estimated total cost, including any one-time or capital equipping costs, of implementing the proposed curriculum framework and pathway; and

(iii) Any other information required by the Department.

(3) The Department shall establish processes and procedures for accepting and evaluating applications.

(4) The Department shall make awards in a timely fashion.

(d) (1) For each fiscal year through fiscal year 2024, the Governor shall annually appropriate at least \$2,000,000 in the operating budget of the Department for the grant program.

(2) The Department may retain up to 3% of the appropriation required under this subsection to hire staff necessary to administer the grant program.

§21–209.

(a) There is a Career and Technical Education (CTE) Committee.

(b) (1) The CTE Committee is a unit within the Governor’s Workforce Development Board.

(2) The CTE Committee shall operate under the oversight of the Accountability and Implementation Board, established under Title 5, Subtitle 4 of this article.

(c) (1) The purpose of the CTE Committee is to build an integrated, globally competitive framework for providing CTE to Maryland students in public schools, institutions of postsecondary education, and the workforce.

(2) The CTE Committee shall strive to integrate CTE in secondary and postsecondary institutions in the State.

(3) The CTE Committee shall consist of individuals who collectively reflect, to the extent practicable, the geographical, racial, ethnic, cultural, and gender diversity of the State.

(d) The CTE Committee is composed of the following members of the Governor’s Workforce Development Board:

(1) The State Superintendent;

(2) The Secretary of Higher Education;

(3) The Secretary of Labor;

(4) The Secretary of Commerce;

(5) The chair of the Skills Standards Advisory Committee, established under § 21–208 of this subtitle; and

(6) The following six members, jointly selected by the Governor, the President of the Senate, and the Speaker of the House of Delegates, who collectively represent:

(i) Employers;

- (ii) Industry or trade associations;
- (iii) Labor organizations;
- (iv) Community colleges;
- (v) The agricultural community; and
- (vi) Experts in CTE programming.

(e) The Governor, the President of the Senate, and the Speaker of the House of Delegates jointly shall appoint a chair of the CTE Committee from among the committee's members.

(f) A member of the CTE Committee:

(1) May not receive compensation as a member of the CTE Committee; and

(2) Is not entitled to reimbursement for expenses under the Standard State Travel Regulations for duties performed under this section.

(g) The CTE Committee may employ additional staff necessary to carry out the committee's functions as provided in the State budget.

(h) The CTE Committee shall perform the following duties:

(1) Develop a statewide framework for CTE that prepares students for employment in a diverse, modern economy;

(2) Allocate roles and responsibilities to State agencies for the credentialing of students engaged in CTE programs;

(3) Adopt and, where appropriate, develop and regularly update a comprehensive and cohesive system of occupational skills standards to drive the State's CTE system;

(4) Work with the business community, including nonprofit entities and apprenticeship sponsors, to develop CTE learning opportunities;

(5) Bring together representatives from public schools, institutions of postsecondary education, and the business community, including nonprofit entities and apprenticeship sponsors, to ensure that CTE programs are aligned with the State's economic development and workforce goals and operate with best global practices;



(6) Set content qualification and recruitment standards for CTE instructors;

(7) Determine which programs should be approved for credit towards high school graduation requirements;

(8) Approve, reject, or modify the proposals made by the CTE Skills Standards Advisory Committee established under § 21–208 of this subtitle to establish CTE programs for public school students;

(9) Address operational issues associated with delivering CTE programs to students, including transportation to and from job sites;

(10) Review agency budget proposals involving CTE and make recommendations to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on or before December 15 each year;

(11) Monitor the progress of CTE in the State, including progress on implementing the CTE goals in The Blueprint for Maryland’s Future;

(12) Develop yearly goals for each county board to reach the statewide goal under § 21–204 of this subtitle that 45% of public school students achieve an industry–recognized occupational credential before they graduate;

(13) Track progress toward and perform any tasks necessary to achieve the statewide goal under § 21–204 of this subtitle that 45% of public high school students achieve a youth apprenticeship or any other industry–recognized occupational credential before they graduate;

(14) Establish, administer, and supervise the CTE Expert Review Teams established under § 5–412 of this article;

(15) Using State accountability data, identify schools to be investigated by CTE Expert Review Teams in which sufficient numbers of students or groups of demographically distinct students are not making adequate progress towards the completion of the CTE pathway;

(16) Submit to the Accountability and Implementation Board plans for deploying CTE Expert Review Teams, and deploy the teams in accordance with approved plans;

(17) Share information on CTE education with the Accountability and Implementation Board; and

(18) Perform any other duties assigned by the Governor’s Workforce

Development Board.

(i) The CTE Committee may:

(1) Make grants to innovative programs developed by public schools, institutions of postsecondary education, apprenticeship sponsors, nonprofits, and other persons that help further the CTE Committee's purpose;

(2) Contract with a public or private entity to research and analyze the provision of CTE to students;

(3) Create advisory structures necessary to ensure essential input from educators, parents, unions, employers, apprenticeship sponsors, community organizers, local workforce boards, and other key stakeholders; and

(4) Adopt any regulations necessary to carry out the committee's duties and administer CTE in the State.

(j) (1) A majority of CTE Committee members constitutes a quorum.

(2) Action by the CTE Committee requires the affirmative vote of a majority of the committee members present.

(k) (1) Each year, the CTE Committee shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly, and the Accountability and Implementation Board.

(2) The CTE Committee's report shall include:

(i) An annual assessment of the state of CTE within the State; and

(ii) Statutory, regulatory, budgetary, and structural changes needed to address the challenges of the evolving CTE system.

(3) Any student-level information in the CTE Committee's report shall be disaggregated by race, ethnicity, gender, family income level, linguistic status, and disability status.

§21–210.

(a) In this section, "Advisory Committee" means the CTE Skills Standards Advisory Committee.

(b) The CTE Committee shall create a CTE Skills Standards Advisory Committee.

(c) (1) The purpose of the Advisory Committee is to make recommendations and provide advice to the CTE Committee on setting the occupational standards necessary for a strong CTE system.

(2) The recommendations made by the Advisory Committee shall form the basis for the post-CCR CTE pathway required under § 7-205.1 of this article.

(d) (1) The Advisory Committee shall be composed of members appointed by the chair of the CTE Committee that include employers, unions, apprenticeship sponsors, and other experts on occupational skills, including agricultural skills.

(2) To the extent practicable, the Advisory Committee shall be composed of members of the Governor's Workforce Development Board who do not serve on the CTE Committee.

(e) A member of the Advisory Committee:

(1) May not receive compensation as a member of the Advisory Committee; and

(2) Is not entitled to reimbursement for expenses under the Standard State Travel Regulations for duties performed under this section.

(f) (1) The Advisory Committee shall make recommendations to the CTE Committee concerning:

(i) A comprehensive array of career advancement guidelines, including standards for each occupation in a profession and concrete steps and accomplishments needed to progress to a greater skilled occupation in a given field;

(ii) Credentials to be issued at each stage of advancement and criteria necessary to be awarded a particular credential; and

(iii) Necessary adjustments to ensure that the State's CTE system remains globally competitive and administered according to best global practices.

(2) In making recommendations under this subsection, the Advisory Committee shall strive to create a comprehensive, unified system of career progression that:

(i) Is attuned to the State's workforce needs;

(ii) Features integration among as many industries as possible;

(iii) Features performance assessments administered by industry practitioners whenever possible;

(iv) Allows a student trained in one career to seamlessly transfer the student's skills and education to a new career in a different field;

(v) Seeks to incorporate as much education in a job setting as is practicable;

(vi) Incorporates professional workplace soft skills, including interpersonal and communication skills, time management, business etiquette, and use of common business tools; and

(vii) Incorporates education in high school, community college, and other postsecondary occupation programs into a seamless whole that will provide students with credentials at various points that build on previous credentials.

(g) The terms, meeting times, procedures, and policies guiding removal of members for the Advisory Committee shall be determined by the CTE Committee.

§24-703.

(a) There is a Maryland Longitudinal Data System Center.

(b) The Center is an independent unit within State government.

(c) The organizational placement and location of the Center shall be determined by the Governing Board.

(d) (1) The head of the Center is the Executive Director, who shall be appointed by the Governing Board.

(2) The Center may employ the additional staff necessary to carry out the Center's functions as provided in the State budget.

(e) The Center shall be considered an authorized representative of the State Department of Education and the Maryland Higher Education Commission under applicable federal and State statutes for purposes of accessing and compiling student record data for research purposes.

(f) The Center shall perform the following functions and duties:

(1) Serve as a central repository of student data and workforce data in the Maryland Longitudinal Data System, including data sets provided by:

- (i) The State Department of Education;
- (ii) Local education agencies;
- (iii) The Maryland Higher Education Commission;
- (iv) Institutions of higher education;
- (v) The Maryland Department of Labor;
- (vi) The Department of Juvenile Services; and

(vii) The Social Services Administration within the Department of Human Services;

(2) Oversee and maintain the warehouse of the Maryland Longitudinal Data System data sets;

(3) Ensure routine and ongoing compliance with the federal Family Educational Rights and Privacy Act and other relevant privacy laws and policies, including:

(i) The required use of de-identified data in data research and reporting;

(ii) The required disposition of information that is no longer needed;

(iii) Providing data security, including the capacity for audit trails;

(iv) Providing for performance of regular audits for compliance with data privacy and security standards; and

(v) Implementing guidelines and policies that prevent the reporting of other potentially identifying data;

(4) Conduct research using timely and accurate student data and workforce data to improve the State's education system and guide decision making by State and local governments, educational agencies, institutions, teachers, and other education professionals;

(5) Conduct research relating to:

- (i) The impact of State and federal education programs;

(ii) The performance of educator preparation programs;

(iii) Best practices regarding classroom instruction, education programs and curriculum, and segment alignment; and

(iv) The impact child welfare programs have on the educational and economic outcomes of students;

(6) At the direction of the Accountability and Implementation Board established in Title 5, Subtitle 4 of this article provide:

(i) A researcher designated by the Board access to the data in the Maryland Longitudinal Data System in accordance with the procedures for staff authorization and data access established by the Maryland Longitudinal Data System governing board;

(ii) Aggregate data tables; or

(iii) Research or evaluation;

(7) Analyze social determinants from the following State agencies and appropriate local agencies that impact the education performance of students and indicate the need for wraparound services of students:

(i) The Maryland Department of Health;

(ii) The Department of Juvenile Services; and

(iii) The Department of Human Services;

(8) To the extent practicable, conduct longitudinal studies of the items under this section to evaluate the impact of The Blueprint for Maryland's Future on the State;

(9) Fulfill information and data requests to facilitate State and federal education reporting with existing State agencies as appropriate; and

(10) Fulfill approved public information requests.

(g) The Center shall submit a report to the Accountability and Implementation Board on the information determined under subsection (f)(7) and (8) of this section.

(h) (1) Direct access to data in the Maryland Longitudinal Data System shall be restricted to authorized staff of the Center.

(2) The Center may only use de-identified data in the analysis, research, and reporting conducted by the Center.

(3) The Center may only use aggregate data in the release of data in reports and in response to data requests.

(4) Data that may be identifiable based on the size or uniqueness of the population under consideration may not be reported in any form by the Center.

(5) The Center may not release or sell information that may not be disclosed under the federal Family Educational Rights and Privacy Act and other relevant privacy laws and policies.

(i) The Center may receive funding from the following sources:

(1) State appropriations;

(2) Grants or other assistance from local education agencies and institutions of higher education;

(3) Federal grants; and

(4) Any other grants or contributions from public or private entities received by the Center.

### **Title 11 - Division of Employment and Training**

§11-105.

(a) In this section, "Accountability and Implementation Board" means the Accountability and Implementation Board established under § 5-402 of the Education Article.

(b) For fiscal years 2022 through 2031, the Division shall pursue federal grant money for apprenticeship programs to be used:(1) for grants to apprentice sponsors to create, expand, and improve registered apprenticeship programs; and(2) to cover the cost of the State apprenticeship tax credit under § 10-742 of the Tax - General Article.

(c) On or before December 31, 2021, the Division shall present a 10-year plan to pursue federal grant money under subsection (b) of this section to the Governor's Workforce Development Board, the Accountability and Implementation Board, and, in accordance with § 2-1257 of the State Government Article, the Senate Budget and Taxation Committee and the House Committee on Ways and Means.

§11-702

(a) In this section, "CTE Committee" means the Career and Technical Education Committee established under § 21-207 of the Education Article.

(b) There is a Maryland Employment Advancement Right Now (EARN) Program in the Department.

(c) The purpose of the Maryland EARN Program is to create industry-led partnerships to advance the skills of the State's workforce, grow the State's economy, and increase sustainable employment for working families.

(d) The Department, in consultation with the Department of Commerce, the CTE Committee, and the Governor's Workforce Development Board, shall establish and administer the Maryland EARN Program to provide grants on a competitive basis for:

(1) an approved strategic industry partnership for development of a plan consistent with the purpose of the Maryland EARN Program;

(2) workforce training programs and other qualified programs that provide industry valued skills training to individuals that result in a credential or identifiable skill consistent with an approved strategic industry partnership plan;

(3) job readiness training and skills training that results in a credential or an identifiable skill; and

(4) collectively bargained, registered apprenticeships that:

(i) are working to incorporate the apprenticeship's curriculum into high school career and technical education programs;

(ii) are working to ensure that community college credits are available for instruction provided by an apprenticeship sponsor; or

(iii) offer apprenticeships to high school students.

§11-703

(a) An application for a strategic industry partnership grant under § 11-702(d) of this subtitle shall:

(1) include:



(i) evidence of shortages in skilled employment within the target industry over a sustained period of time;

(ii) a description of specific high-demand occupations or sets of occupations within the target industry; and

(iii) the specifics of training programs that would result in individuals obtaining credentials or identifiable skills to facilitate their employment or advancement in the targeted industry; and

(2) identify members participating in the strategic industry partnership and include identification of the target industry and the participating local board.

(b) Grants may be awarded for skills training consistent with an approved strategic industry partnership plan developed under § 11-702(c) of this subtitle to:

(1) industries with identified positions and a demonstrated need for incumbent worker training that can be accessed by employees at their place of employment or other location;

(2) industries with an identified workforce shortage that will be seeking to hire individuals to train to meet a specific skill need;

(3) a member of a strategic industry partnership that can provide job readiness training to qualified individuals directly or through accounts held at local boards on behalf of the individual; and

(4) educational providers that offer training consistent with the goals of the plan.

(c) The competitive grant process shall give priority to strategic industry partnerships that maximize the potential of the collaboration through direct financial or in-kind contributions by members of the target industry.

### **Article - Tax - Property**

#### §2-218.1

(a) The Department shall provide the data required to make any calculations related to real property and personal property under Title 5, Subtitle 2 of the Education Article to the Department of Budget and Management, the State Department of Education, and the Department of Legislative Services by December 1 and May 1 of each year.

(b) The County governing body shall provide the Department the information required for the calculations under §5-201(d) of the Education Article by

November 1 each year.

**Chapter 36 of the Acts of 2021**

SECTION 5. AND BE IT FURTHER ENACTED, That:

On or before July 1, 2022, each county board of education shall evaluate its hiring practices to determine if those practices are contributing to a lack of diversity in Maryland's teaching staff, make changes as appropriate, and report its findings and proposed changes to the Governor and, in accordance with §2-1257 of the State Government Article, the General Assembly, and the Accountability and Implementation Board established under Section 3 of this Act.

SECTION 6. AND BE IT FURTHER ENACTED, That on or before September 30, 2022:

(a) The State Department of Education, the Maryland Higher Education Commission, and each institution of higher education that offers a teacher preparation program jointly shall review State requirements for teacher preparation programs to determine whether the requirements align with the recommendations of the Commission on Innovation and Excellence in Education established under Chapters 701 and 702 of the Acts of the General Assembly of 2016.

(b) If a requirement of a teacher preparation program is determined to be unaligned with the recommendations under subsection (a) of this section and are also extraneous, redundant, or unnecessary, the requirement shall be eliminated to allow for completion of the teacher training practicum required under §6-704.2 of the Education Article as enacted by Section 3 of this Act within the 120 credit hours requirement.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) Each local school system shall develop a plan to:

(1) enhance and expand school behavioral health service availability to ensure that all students have some exposure and access to behavioral health programming and services, taking into account the needs assessment in §9.9-104 of the Education Article, as enacted by Section 3 of this Act; and

(2) ensure that schools without a school based health center will organize response plans to connect all students to community-based behavioral health and other services, as needed.

(b) On or before November 1, 2022, each school system shall report their plan under subsection (a) of this section to the Accountability and Implementation Board, Governor, and, in accordance with §2-1257 of the State Government Article, the General Assembly.

SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup on English Language Learners in Public Schools.

(b) The Workgroup consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the State Superintendent of Schools, or the State Superintendent's designee; and

(4) the following members, appointed by the State Superintendent:

(i) at least one advocate for English language learners;

(ii) at least one multilingual leader in the education field;

(iii) at least one expert in education from a diverse area of the State;

(iv) any other member that the State Superintendent determines is necessary.

(c) The State Superintendent shall designate the chair of the Workgroup.

(d) The State Department of Education shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall:

(1) collect data on:

(i) the number of English language learners at each public early childhood, primary, and secondary school in the State;

(ii) the percent of English language learners in the total student population at each public early childhood, primary, and secondary school in the State;

(iii) the services available to English language learners in public early childhood, primary, and secondary schools throughout the State and the effectiveness of those services; and

(iv) the accessibility of public early childhood, primary, and secondary school teachers, administrators, and staff to English language learners and their families, including whether:

1. bilingual front office staff are available to assist parents;

2. security personnel at the school are able to assist English language learners, especially in the event of a safety concern;

3. guidance counselors at the school are able to work effectively with English language learners; and

4. teachers and classroom aides at the school are able to effectively teach and work with English language learners;

(2) review methods of teaching and providing other services to English language learners in public early childhood, primary, or secondary schools, including methods used:

(i) in the State, other states, and other countries;

(ii) for recruiting and retaining bilingual teachers and staff, including security and administrative staff who speak Spanish; and

(iii) for recruiting teachers from other countries who speak Spanish or other languages and only need to obtain a Maryland teaching certificate to teach in the State; and

(3) make recommendations on improving the education of English language learners in public early childhood, primary, or secondary schools in the State, including whether additional funding should be provided; AND

(4) MEASURE AND MAKE RECOMMENDATIONS TO ADDRESS LEARNING LOSS AS A RESULT OF THE COVID-19 PANDEMIC FOR ENGLISH LANGUAGE LEARNERS.

(g) (1) On or before December 1, 2021, the Workgroup shall submit an

interim report of its findings and recommendations to the Governor and, in accordance with §2–1257 of the State Government Article, the General Assembly.

(2) On or before December 1, 2022, the Workgroup shall submit a final report of any additional findings and recommendations to the Governor and, in accordance with §2–1257 of the State Government Article, the General Assembly.

SECTION 9. AND BE IT FURTHER ENACTED, That the Governor shall appropriate from The Blueprint for Maryland’s Future Fund under §5–206 of the Education Article, as enacted by Section 3 of this Act, to the State Department of Education for the purpose of developing and implementing a modern financial management system and student data system to carry out the Department’s responsibilities under The Blueprint for Maryland’s Future as 1 enacted by this Act THE FOLLOWING:

(1) \$2,500,000 IN EACH OF FISCAL YEARS 2022 AND 2023; OR

(2) IF \$2,500,000 WAS NOT APPROPRIATED TO THE DEPARTMENT IN FISCAL YEAR 2022 IN ACCORDANCE WITH ITEM (1) OF THIS SECTION, \$5,000,000 IN FISCAL YEAR 2023.

SECTION 10. AND BE IT FURTHER ENACTED, That, on or before November 1, 2022, the State Department of Education shall submit to the Governor, and in accordance with §2–1257 of the State Government Article, the General Assembly, a report on the impact on school funding if §5–235(a)(2)(ii) of Article – Education was repealed.

SECTION 14. AND BE IT FURTHER ENACTED, That, on or before July 1, 2023, the State Department of Education shall review and revise COMAR 13A.08.01.11 as necessary after considering the recommendations created in coordination with the Maryland Consortium on Coordinated Community Supports established under §7–446.2 of the Education Article, as enacted under Section 3 of this Act.

SECTION 19. AND BE IT FURTHER ENACTED, That:

(a) (1) In this section the following words have the meanings indicated.

(2) “General Fund estimate” means the estimate of General Fund revenues by the Board of Revenue Estimates as required under §6–106 of the State Finance and Procurement Article.

(3) “Major education aid” has the meaning stated in §5–201(l) of the Education Article as enacted by this Act.

(b) Beginning December 1, 2021, and each December 1 thereafter FOR FISCAL YEAR 2023 AND FOR EACH FISCAL YEAR THEREAFTER, if the

December General Fund estimate in the December Board of Revenue Estimates report FOR THAT FISCAL YEAR is more than 7.5% below the March General Fund estimate in the March Board of Revenue Estimates report FOR THAT FISCAL YEAR:

(1) notwithstanding any other provision of law, per pupil FORMULA increases in major education aid required under this Act shall be limited to the rate of inflation, as defined in §5–201(h) of the Education Article as enacted by this Act; and

(2) notwithstanding any other provision of law, any additional funding increases required under this Act shall be limited to the rate of inflation, as defined in §5–201(h) of the Education Article as enacted by this Act.

SECTION 2. AND BE IT FURTHER ENACTED, That a county board of education, including Baltimore City, shall, to the extent authorized under federal law, use federal funding that the county board receives to address the effects of the COVID–19 pandemic on education to:

(1) mitigate learning loss as a result of the pandemic, including academic, social, and emotional learning; and

(2) provide education technology, including digital devices, broadband connectivity, and information technology staff; and

(3) support the goals of the Blueprint for Maryland’s Future, as defined in § 5–401 of the Education Article, and implement the programs enacted by 10 Chapter 771 of the Acts of 2019, Chapter 36 of the Acts of 2021, and Sections 1, 4, and 5 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) A county board of education, including Baltimore City, may retain any special funds received for the implementation of the Blueprint for Maryland’s Future, as defined in §5–401 of the Education Article, that were not spent in fiscal year 2021.

(b) On or before July 1, 2021, each county board of education, including Baltimore City, shall report to the Accountability and Implementation Board, established under §5–402 of the Education Article, the State Department of Education, and in accordance with §2–1257 of the State Government Article, the Department of Legislative Services, on how the county board will spend any funding retained under subsection (a) of this section in fiscal year 2022.

(c) On or before December 1 each year in 2021 through 2023, each county board of education, including Baltimore City, shall report to the Governor and, in accordance with §2–1257 of the State Government Article, the General Assembly,

and the Accountability and Implementation Board on the county board's use of federal funding that was received to address the effects of the COVID-19 pandemic on education and State funding received to implement the Blueprint for Maryland's Future, including a description of the amount of funding spent on student instruction.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) (1) In calendar years 2021 and 2022, each county board of education, including Baltimore City, shall establish and implement a summer school program for public school students, including students who will be in kindergarten in the upcoming school year and were eligible to attend a publicly funded prekindergarten program, to address the effects of the COVID-19 pandemic on education that:

(i) includes daily academic instruction in reading or math that is aligned with the county board's or public school's curriculum;

(ii) limits the number of students assigned to each teacher in the program;

(iii) establishes partnerships with local government, which may include the local parks and recreation agency and library system, or community and nonprofit organizations to provide student experiences other than academic instruction;

(iv) in 2021, shall incorporate the county's program for providing free and reduced price meals in the summer;

(v) shall offer student transportation services to students who need transportation to participate in the program;

(vi) may offer incentive pay for teachers and other school employees, including higher compensation, loan forgiveness, or tuition assistance, subject to collective bargaining, as applicable;

(vii) may offer incentive pay for students participating in the program who are employed or participating in career training through the partnership;

(viii) prioritizes enrollment for students with the greatest learning loss from the effects of the COVID-19 pandemic on education;

(ix) administers an educational assessment to each student in the program prior to beginning the program and on completion of the program; and

(x) evaluates the effectiveness of the summer school program at

the conclusion of each year.

(2) In establishing the summer school program under paragraph (1) of this subsection, a county board of education:

(i) is encouraged to include project-based learning, hands-on learning, individualized instruction, and group or leadership activities; and

(ii) may not charge a fee to a student who is enrolled in the program to recover credits; and

(iii) shall use State and federal funding provided for COVID-19 relief in the State budget to expand existing summer school programs in 2021 and 2022 at no additional cost to public schools for the programs provided under this section.

(3) It is the intent of the General Assembly that summer school programs be provided in-person to the extent feasible if the public health metrics and guidance allow for in-person instruction.

(b) In each of the 2021-2022 and 2022-2023 school years, each county board of education, including Baltimore City, shall provide tutoring and supplemental instruction for public school students in grades 4 through 12 to address learning loss from the effects of the COVID-19 pandemic on education that:

(1) aligns with the county board's or public school's curriculum by grade and subject;

(2) limits the number of students to which a teacher may provide tutoring or instruction in a single session to not more than four students;

(3) uses evidence-based programs and strategies that meet the expectations of strong or moderate evidence as defined in the federal Every Student Succeeds Act;

(4) may include peer-to-peer tutoring for middle or high school students;

(5) may include science or social studies tutoring for middle school and high school students;

(6) occurs during the school day, to the extent practicable;

(7) may occur outside of the school day, including on a weekend;

(8) may provide transportation to students;



(9) uses a pre- and post-assessment to evaluate a student's progress before and after completing tutoring under this subsection that:

(i) accurately measures literacy, mathematical competency, and any other academic competency;

(ii) is aligned with the content area in which the tutoring is provided; and

(iii) may be selected by the school or county board; and

(10) uses State and federal funding provided for COVID-19 relief in the State budget to expand existing tutoring programs as provided under this section; and

(11) evaluates the effectiveness of the tutoring program at the conclusion of each school year.

(c) On or before October 1, 2021 January 1, 2022, and October 1, 2022 January 1, 2023, each county board of education, including Baltimore City, shall report, in accordance with §2-1257 of the State Government Article, to the Legislative Policy Committee of the General Assembly on the county board's implementation of the summer school program in that year, including:

(1) how many students the county board served through the program;

(2) the structure of the program, including the number of hours of instruction provided each day, how instruction was delivered to students, and the partnerships established to enhance the summer school program;

(3) the method the county board used to identify students with the greatest learning loss;

(4) the budget and expenditures for the program; and

(5) the outcomes of the program for students, including academic progress and other outcomes.

(d) On or before September 1, 2022, and September 1, 2023, each county board of education, including Baltimore City, shall report to the Accountability and Implementation Board and, in accordance with §2-1257 of the State Government Article, to the Legislative Policy Committee of the General Assembly on tutoring provided under subsection (b) of this section in the immediately preceding school year, including:

(1) how many students the county board served through the program by

grade and the subject areas in which tutoring was provided;

(2) the method the county board used to identify students for tutoring;

(3) the budget and expenditures for the program;

(4) the models of tutoring provided to students, including pupil-to-tutor ratio or group size, the frequency of sessions, the amount of time per session, and the number of sessions; and

(5) data on student outcomes, disaggregated by the type of model used to provide the tutoring and by race, ethnicity, gender, disability status, English language learner status, and socioeconomic status.

**SECTION 5. AND BE IT FURTHER ENACTED, That:**

(a) (1) Each county board of education, including Baltimore City, shall use State and federal funds provided in for COVID–19 relief in the State budget for fiscal years 2021 and 2022 to address trauma and behavioral health issues due to the effects of exacerbated by the COVID–19 pandemic on students and their families and to identify and provide necessary supports and services for students.

(2) On or before September 1, 2021, each county board of education, including Baltimore City, shall submit to the Accountability and Implementation Board, the Governor, and, in accordance with §2–1257 of the State Government Article, the Legislative Policy Committee of the General Assembly a plan for spending the fiscal year 2022 funds under paragraph (1) of this subsection, including how the county board will:

(i) provide behavioral health services to students;

(ii) ensure that services provided to students address the trauma and behavioral health issues due to the effects of exacerbated by the COVID–19 pandemic; and

(iii) monitor students experiencing more trauma and behavioral health issues than other students; and

(iv) develop key metrics and procedures, consistent with State and federal guidance, to evaluate the effectiveness and impact of behavioral health services provided to students under this section.

(3) Funding may not be provided to a county board under paragraph (1) of this subsection for fiscal year 2022 until the county board submits a plan in accordance with paragraph (2) of this subsection.

(4) On or before January 1, 2022, each county board of education,

including Baltimore City, shall submit to the Accountability and Implementation Board, the Governor, and, in accordance with §2–1257 of the State Government Article, the Legislative Policy Committee of the General Assembly a report on how the county board spent funds provided in fiscal year 2021 under paragraph (1) of this subsection to address trauma and behavioral health issues through summer school programs, including how the county board:

(i) provided behavioral health services to students;

(ii) ensured that services provided to students addressed the trauma and behavioral health issues due to the effects of exacerbated by the COVID–19 pandemic; and

(iii) monitored students experiencing more trauma and behavioral health issues than other students; and

(iv) measured the effectiveness and impact of behavioral health services provided to students using key metrics and procedures developed under this section.

(b) To the extent practicable, county boards are encouraged to utilize school–based health centers to coordinate and deliver services to students.

(c) Funds may be used under this section to train teachers and school staff to recognize signs of student trauma or behavioral health concerns.

#### SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The Department of Legislative Services shall conduct a study of the impact of the implementation of the Blueprint for Maryland’s Future on county governments, including Baltimore City, and the capacity of counties to meet the local maintenance of effort requirements as the annual amounts increase in future years.

(b) The Department may hire outside experts or consultants as necessary to complete the study.

(c) On or before January 1, 2022, the Department shall report its findings under subsection (a) of this section to the President of the Senate and the Speaker of the House in accordance with §2–1257 of the State Government Article.

#### SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2021, each local school system shall:

(1) complete a virtual learning self–assessment using a research–based framework recommended by the State Board of Education; and

(2) report on the findings of the assessment under item (1) of this subsection to the Accountability and Implementation Board established under §5–402 of the Education Article, the State Department of Education, and the State Board of Education.

(b) On or before December 1, 2023, the State Department of Education shall:

(1) conduct an evaluation of each virtual school; and

(2) report, in accordance with §2–1257 of the State Government Article, to the General Assembly on the findings of the evaluation under item (1) of this subsection. That, for the calculation of the required local appropriation under §5–235(a)(2)(i) of the Education Article for fiscal year 2022, “enrollment count” means the greater of:

(1) the full–time equivalent enrollment in September 2019; or

(2) the 3–year moving average enrollment defined under §5–201(t)(2) of the Education Article, as enacted by Section 1 of this Act.

SECTION 8. AND BE IT FURTHER ENACTED, That county governing bodies may, to the extent authorized under federal law, use federal funds that the counties received for COVID–19 relief to meet the maintenance of effort requirement under §5–235 of the Education Article.

SECTION 6. 7. 9. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.