

HOUSE BILL 1022

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CF SB 830

By: **Delegates D.M. Davis, Barron, Boyce, Cain, Charkoudian, Crutchfield, Dumais, Feldmark, W. Fisher, Harrison, Ivey, R. Lewis, Lierman, Mosby, Patterson, Proctor, Queen, Smith, Solomon, Stewart, Washington, and Wilkins**

Introduced and read first time: February 5, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Alternative Schools – Reporting Requirements**

3 FOR the purpose of requiring each county board of education, beginning in a certain school
4 year, to report certain data and information for certain alternative schools within its
5 jurisdiction to the State Department of Education; requiring the Department, on or
6 before a certain date each year, beginning in a certain year, to report certain data
7 and information to the Governor and the General Assembly; defining a certain term;
8 and generally relating to reports on alternative schools in the State.

9 BY adding to
10 Article – Education
11 Section 7–125
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2019 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Education**

17 **7–125.**

18 **(A) IN THIS SECTION, “ALTERNATIVE SCHOOL” MEANS:**

19 **(1) ANY PROGRAM, INCLUDING ONLINE AND HOME–BASED**
20 **INSTRUCTION, OR SCHOOL ESTABLISHED FOR STUDENTS WHO:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(I) EXHIBIT DISRUPTIVE CLASSROOM BEHAVIOR AS
REFERENCED IN § 7-304 OF THIS TITLE;

(II) HAVE BEEN SUSPENDED OR EXPELLED IN ACCORDANCE
WITH § 7-305 OF THIS TITLE;

(III) HAVE BEEN ARRESTED FOR A REPORTABLE OFFENSE IN
ACCORDANCE WITH § 7-303 OF THIS TITLE; OR

(IV) HAVE BEEN REMOVED TO AN INTERIM ALTERNATIVE
EDUCATIONAL SETTING IN ACCORDANCE WITH FEDERAL AND STATE LAWS AND
REGULATIONS; AND

(2) ANY OTHER PROGRAM, INCLUDING ONLINE AND HOME-BASED
INSTRUCTION, OR SCHOOL ESTABLISHED TO EDUCATE STUDENTS EXHIBITING
CHALLENGING BEHAVIORS AND OPERATED BY OR IN ACCORDANCE WITH A
CONTRACT WITH A COUNTY BOARD OR COUNTY SUPERINTENDENT, REGARDLESS OF
WHETHER THE PROGRAM OR SCHOOL IS LOCATED WITHIN A PUBLIC SCHOOL OR A
SEPARATE FACILITY.

(B) BEGINNING IN THE 2020-2021 SCHOOL YEAR, A COUNTY BOARD SHALL
REPORT THE FOLLOWING DATA AND INFORMATION FOR EACH ALTERNATIVE
SCHOOL WITHIN ITS JURISDICTION TO THE DEPARTMENT:

(1) NAME AND ADDRESS OF THE SCHOOL OR PROGRAM;

(2) WHETHER THE SCHOOL OR PROGRAM IS OPERATED BY A COUNTY
BOARD, COUNTY SUPERINTENDENT, OR ANOTHER ENTITY;

(3) STUDENT ENROLLMENT, DISAGGREGATED BY:

(I) GRADE;

(II) RACE;

(III) ETHNICITY;

(IV) GENDER;

(V) DISABILITY STATUS;

(VI) ENGLISH LANGUAGE LEARNER OR LIMITED ENGLISH
PROFICIENCY STATUS;

1 (VII) PREGNANT OR PARENTING STATUS;

2 (VIII) NUMBER OF DAYS OF ENROLLMENT; AND

3 (IX) REASON FOR ENROLLMENT;

4 (4) POLICIES AND GUIDANCE CONCERNING:

5 (I) THE PROCESS FOR PLACING AND ENROLLING STUDENTS AT
6 THE SCHOOL OR PROGRAM;

7 (II) THE PROCESS OR CRITERIA FOR DETERMINING WHEN
8 STUDENTS ARE ELIGIBLE TO RETURN TO THEIR REGULAR EDUCATION PROGRAM;
9 AND

10 (III) DISCIPLINE OF STUDENTS ENROLLED AT THE SCHOOL OR
11 PROGRAM;

12 (5) COMPLETE DOCUMENTATION OF EACH INSTANCE OF RESTRAINT
13 AND EACH INSTANCE OF SECLUSION AT THE SCHOOL OR PROGRAM, IN ACCORDANCE
14 WITH COMAR 13A.08.04.05 AND WITH IDENTIFYING STUDENT INFORMATION
15 REDACTED;

16 (6) ANY CONTRACT BETWEEN THE COUNTY BOARD OR COUNTY
17 SUPERINTENDENT AND ANOTHER ENTITY CONCERNING THE OPERATION OF THE
18 SCHOOL OR PROGRAM;

19 (7) A DESCRIPTION OF ALL COURSES OFFERED AT THE SCHOOL OR
20 PROGRAM, AND WHETHER THE COURSES ALLOW STUDENTS TO EARN CREDITS
21 TOWARD A MARYLAND HIGH SCHOOL DIPLOMA;

22 (8) A DESCRIPTION OF ALL MENTAL HEALTH SERVICES,
23 COUNSELING, SOCIAL-EMOTIONAL LEARNING CURRICULA AND SERVICES, AND
24 BEHAVIORAL SUPPORT SERVICES OFFERED BY THE SCHOOL OR PROGRAM;

25 (9) A LIST OF ALL INSTRUCTIONAL AND BEHAVIORAL SUPPORT STAFF
26 WHO WORKED AT THE SCHOOL OR PROGRAM WITHIN THE REPORTING PERIOD,
27 INCLUDING THE TITLES AND EDUCATIONAL CERTIFICATIONS OF EACH STAFF
28 MEMBER;

29 (10) AVERAGE STUDENT-TEACHER RATIO FOR CLASSROOMS WITHIN
30 THE SCHOOL OR PROGRAM;

(11) WEEKLY INSTRUCTIONAL HOURS OFFERED BY THE SCHOOL OR PROGRAM;

(12) TOTAL NUMBER OF SCHOOL DAYS IN THE YEAR OFFERED BY THE SCHOOL OR PROGRAM;

(13) A DESCRIPTION OF HOW THE SCHOOL OR PROGRAM MEETS THE NEEDS OF STUDENTS:

(I) WITH INDIVIDUALIZED EDUCATION PROGRAMS OR 504 PLANS IN ACCORDANCE WITH FEDERAL AND STATE LAWS AND REGULATIONS, INCLUDING PROVISIONS RELATED TO:

1. SPECIAL EDUCATION;

2. RELATED SERVICES; AND

3. SUPPLEMENTARY AIDS, SERVICES, PROGRAM MODIFICATIONS, AND SUPPORTS;

(II) WHO ARE ENGLISH LANGUAGE LEARNERS OR STUDENTS WITH LIMITED ENGLISH PROFICIENCY; OR

(III) WHO ARE PREGNANT OR PARENTING;

(14) A DESCRIPTION OF ALL EXTRACURRICULAR PROGRAMS OFFERED AT THE SCHOOL OR PROGRAM, INCLUDING WHETHER ENROLLED STUDENTS CAN ACCESS EXTRACURRICULAR PROGRAMS OTHERWISE OFFERED BY THE COUNTY BOARD OR COUNTY SUPERINTENDENT; AND

(15) ACHIEVEMENT DATA, WITH IDENTIFYING STUDENT INFORMATION REDACTED, FOR ALL STUDENTS ENROLLED IN THE SCHOOL OR PROGRAM, INCLUDING:

(I) STANDARDIZED TEST SCORES;

(II) GRADE PROMOTION RATES; AND

(III) GRADUATION RATES.

(C) ON OR BEFORE OCTOBER 1 EACH YEAR, BEGINNING IN 2021, THE DEPARTMENT SHALL REPORT THE DATA AND INFORMATION REQUIRED UNDER

1 SUBSECTION (B) OF THIS SECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH
2 § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2020.