

HOUSE BILL 356

F1, F5

9lr1485

By: **Delegates Patterson, Luedtke, D. Barnes, Ebersole, Fennell, Ivey, Kelly, Proctor, Smith, Washington, and Wilkins**

Introduced and read first time: January 28, 2019

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2019

CHAPTER _____

1 AN ACT concerning

2 **Primary and Secondary Education – Nonpublic Schools – Required Information**

3 FOR the purpose of requiring ~~certain nonpublic schools to submit to the Maryland State~~
4 ~~Department of Education certain information regarding the use and occupancy of~~
5 ~~school facilities, accreditation, curricula, and courses of study on or before a certain~~
6 ~~date each year; requiring certain nonpublic schools to submit certain information to~~
7 ~~the Department within a certain time period after a certain initial approval or~~
8 ~~registration and before staff or students occupy a school facility; authorizing the~~
9 ~~State Board of Education to revoke a certain approval or registration of a certain~~
10 ~~nonpublic school that fails to submit certain information within a certain time~~
11 ~~period; requiring certain nonpublic schools to provide the State Board with certain~~
12 ~~information related to the use and occupancy of a school facility on request at any~~
13 ~~time; requiring certain local officials to notify the Department if a certain permit is~~
14 ~~revoked or a certain school facility is closed under certain circumstances; requiring~~
15 ~~the Department to publish certain information on its website; requiring the State~~
16 ~~Board to adopt certain regulations; the State Department of Education annually to~~
17 provide certain nonpublic information to certain county entities beginning on a
18 certain date; defining certain terms; and generally relating to the operation of
19 nonpublic schools in the State.

20 BY adding to

21 Article – Education

22 Section 2–206.2

23 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2018 Replacement Volume and 2018 Supplement)

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

Article – Education

2-206.2.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.

(2) “NONCOLLEGIATE EDUCATIONAL INSTITUTION” HAS THE
MEANING STATED IN § 2-206 OF THIS SUBTITLE.

(3) “NONPUBLIC SCHOOL” INCLUDES:

(I) A NONCOLLEGIATE EDUCATIONAL INSTITUTION
OPERATING IN THE STATE IN ACCORDANCE WITH A CERTIFICATE OF APPROVAL
ISSUED BY THE STATE BOARD UNDER § 2-206 OF THIS SUBTITLE; AND

(II) AN INSTITUTION OPERATED BY A BONA FIDE CHURCH
ORGANIZATION THAT HAS PROVIDED TO THE DEPARTMENT A COMPLETED
CHURCH-EXEMPT REGISTRATION FORM AND OTHER REQUIRED DOCUMENTATION
IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE STATE BOARD.

~~(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, ON OR
BEFORE SEPTEMBER 1 EACH YEAR, BEGINNING IN 2019, EACH NONPUBLIC SCHOOL
IN THE STATE SHALL SUBMIT THE FOLLOWING INFORMATION TO THE DEPARTMENT:~~

~~(1) A COPY OF THE USE AND OCCUPANCY PERMIT FOR EACH FACILITY
USED BY THE SCHOOL;~~

~~(2) A COPY OF THE APPROVAL BY THE LOCAL FIRE MARSHAL FOR
OCCUPANCY OF EACH FACILITY USED BY THE SCHOOL;~~

~~(3) A STATEMENT INDICATING WHETHER THE SCHOOL IS
ACCREDITED OR SEEKING ACCREDITATION; AND~~

~~(4) BASIC INFORMATION ABOUT THE SCHOOL’S CURRICULA AND
COURSES OF STUDY.~~

~~(C) (1) A NONPUBLIC SCHOOL SHALL SUBMIT THE INFORMATION
REQUIRED UNDER SUBSECTION (B)(1) AND (2) OF THIS SECTION TO THE
DEPARTMENT;~~

~~(I) WITHIN 6 MONTHS AFTER THE INITIAL ISSUANCE OF A CERTIFICATE OF APPROVAL, OR THE INITIAL COMPLETION OF A CHURCH-EXEMPT REGISTRATION, FOR THE SCHOOL; AND~~

~~(II) BEFORE STAFF OR STUDENTS OCCUPY A FACILITY USED BY THE SCHOOL.~~

~~(2) THE STATE BOARD MAY REVOKE THE CERTIFICATE OF APPROVAL OR CHURCH-EXEMPT REGISTRATION OF A NONPUBLIC SCHOOL THAT FAILS TO SUBMIT THE REQUIRED INFORMATION IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.~~

~~(D) ON REQUEST OF THE STATE BOARD AT ANY TIME, A NONPUBLIC SCHOOL SHALL SUBMIT THE INFORMATION REQUIRED UNDER SUBSECTION (B)(1) AND (2) OF THIS SECTION.~~

~~(E) THE APPROPRIATE LOCAL OFFICIALS SHALL NOTIFY THE DEPARTMENT IF:~~

~~(1) A USE AND OCCUPANCY PERMIT FOR A FACILITY IN WHICH A NONPUBLIC SCHOOL IS OPERATING IS REVOKED; OR~~

~~(2) A LOCAL FIRE MARSHAL CLOSES A FACILITY USED BY A NONPUBLIC SCHOOL DUE TO VIOLATIONS.~~

~~(F) THE DEPARTMENT SHALL PUBLISH THE ACCREDITATION, CURRICULA, AND COURSES OF STUDY INFORMATION PROVIDED FOR EACH SCHOOL UNDER SUBSECTION (B) OF THIS SECTION ON THE DEPARTMENT'S WEBSITE.~~

~~(G) THE STATE BOARD SHALL ADOPT REGULATIONS SPECIFYING THE INFORMATION THAT A NONPUBLIC SCHOOL SHALL SUBMIT TO THE DEPARTMENT REGARDING THE SCHOOL'S CURRICULA AND COURSES OF STUDY.~~

(B) BEGINNING SEPTEMBER 1, 2019, AND EACH SEPTEMBER 1 THEREAFTER, THE DEPARTMENT SHALL PROVIDE TO THE COUNTY AGENCY RESPONSIBLE FOR PERMITTING AND THE LOCAL FIRE MARSHAL IN THE COUNTY:

(1) A LIST OF NONPUBLIC SCHOOLS IN THE COUNTY THAT HAVE BEEN ISSUED A CERTIFICATE OF APPROVAL BY THE STATE BOARD UNDER § 2-206 OF THIS SUBTITLE; AND

(2) A LIST OF NONPUBLIC SCHOOLS IN THE COUNTY THAT HAVE PROVIDED THE DEPARTMENT WITH A CHURCH-EXEMPT REGISTRATION FORM AND

1 OTHER DOCUMENTATION REQUIRED UNDER REGULATIONS ADOPTED BY THE STATE
2 BOARD.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.