

# HOUSE BILL 789

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By: Delegates Howard, Walker, Carter, Hucker, Stein, Cane, G. Clagett, DeBoy, Glenn, Harrison, Haynes, Kirk, Proctor, Robinson, Sophocleus, Stukes, and F. Turner F. Turner, Krebs, Bartlett, Doory, Frick, Gutierrez, Hixson, Ivey, Kaiser, Montgomery, Murphy, Myers, Olszewski, Rice, Ross, V. Turner, Anderson, Carr, Dumais, Love, McComas, Oaks, Pena-Melnyk, Shank, Simmons, Taylor, and Cardin

Introduced and read first time: February 9, 2010

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 25, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Elementary and Secondary Education – Health Curriculum – Diabetes~~  
3 ~~Education~~  
4 Education – Children and Youth – Implementation of Programs and  
5 Reporting of Information Concerning Student Health, Well-Being, and  
6 Growth

7 FOR the purpose of requiring each county ~~board of education, with the assistance of~~  
8 ~~the county health department, to include instruction in diabetes education in~~  
9 ~~the health education curriculum that county boards are to provide in the public~~  
10 ~~schools; and generally relating to diabetes education in the health curriculum of~~  
11 public schools superintendent of schools to report certain information  
12 concerning certain matters relating to student growth, health, and well-being to  
13 the State Superintendent of Schools on or before a certain date each year;  
14 requiring the State Department of Education to report certain information to  
15 the Governor and General Assembly concerning certain matters relating to  
16 student growth, health, and well-being on or before a certain date each year;  
17 requiring the Department to report certain information to the Governor and the  
18 General Assembly concerning a certain program for early child care and  
19 education, including information about participating agencies' and other  
20 entities' involvement in the implementation of the program; and generally

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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.



1 relating to the implementation of programs and the reporting of information  
 2 relating to children and youth in educational programs and schools in the State.

3 BY adding to

4 Article – Education

5 Section 4–111.1

6 Annotated Code of Maryland

7 (2008 Replacement Volume and 2009 Supplement)

8 BY repealing and reenacting, without amendments,

9 Article – Education

10 Section 5–217(b)

11 Annotated Code of Maryland

12 (2008 Replacement Volume and 2009 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Education

15 Section ~~7–401~~ 5–217(k), 7–401, and 7–411.1

16 Annotated Code of Maryland

17 (2008 Replacement Volume and 2009 Supplement)

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

20 **Article – Education**

21 **4–111.1.**

22 **(A) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, EACH COUNTY**  
 23 **SUPERINTENDENT SHALL REPORT TO THE STATE SUPERINTENDENT ON THE**  
 24 **IMPLEMENTATION OF THE PERSONAL FINANCIAL LITERACY STATE**  
 25 **CURRICULUM IN THE COUNTY.**

26 **(B) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE DEPARTMENT**  
 27 **SHALL REPORT TO THE GOVERNOR AND, SUBJECT TO § 2–1246 OF THE STATE**  
 28 **GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY A SUMMARY OF THE**  
 29 **INFORMATION REPORTED TO THE STATE SUPERINTENDENT UNDER**  
 30 **SUBSECTION (A) OF THIS SECTION.**

31 **5–217.**

32 **(b) (1) There is a Judith P. Hoyer Early Child Care and Education**  
 33 **Enhancement Program in the Department.**

34 **(2) The purpose of the Program is to promote school readiness through**  
 35 **the development and expansion of collaborative approaches to the delivery of high**

1 quality, comprehensive, full-day early child care and education programs and family  
2 support services.

3 (k) The Department shall submit to the Governor and, subject to § 2-1246 of  
4 the State Government Article, the General Assembly:

5 (1) On or before January 1 of each year, a report on the  
6 implementation of the Program AND THE PARTICIPATING AGENCIES AND  
7 PROGRAMS, including a description of the Program's AND PARTICIPATING  
8 AGENCIES' AND PROGRAMS' expenditures, ENROLLMENT, AND STATEWIDE  
9 PERFORMANCE DATA, INCLUDING SCHOOL READINESS DATA DISAGGREGATED  
10 BY PROGRAM AND BY JURISDICTION; and

11 (2) On or before January 1, 2004, a separate report that includes an  
12 evaluation, based on objective performance criteria established by the Department, of  
13 the effectiveness of:

14 (i) The Judy Centers; and

15 (ii) Early child care and education services and family support  
16 services that are purchased with funds from Early Child Care and Education  
17 Enhancement Grants.

18 7-401.

19 (a) With the assistance of the county health department, each county board  
20 shall provide:

21 (1) Adequate school health services;

22 (2) Instruction in health education, including INFORMATION  
23 CONCERNING:

24 (I) DIABETES AND ITS TREATMENT AND PREVENTION; AND

25 (II) ~~the~~ THE importance of physical activity in maintaining good  
26 health ~~AND DIABETES EDUCATION, INCLUDING THWARTING AND CONTROLLING~~  
27 DIABETES; and

28 (3) A healthful school environment.

29 (b) The Department of Education and the Department of Health and Mental  
30 Hygiene jointly shall:

31 (1) Develop public standards and guidelines for school health  
32 programs; and

1 (2) Offer assistance to the county boards and county health  
2 departments in their implementation.

3 (c) (1) (i) Each county board shall designate a school health services  
4 program coordinator.

5 (ii) A county board may authorize the county health department  
6 to designate the school health services program coordinator.

7 (2) The school health services program coordinator shall:

8 (i) Implement State and local health policies in the public  
9 schools;

10 (ii) Ensure that public schools adhere to local health services  
11 guidelines; and

12 (iii) Communicate State and local health policies to the parents  
13 and guardians of public school students.

14 (3) The county board shall grant the school health services program  
15 coordinator the authority to carry out the provisions of this subsection.

16 (4) The Department of Education shall conduct at least two meetings  
17 annually with all school health services program coordinators in the State.

18 **(D) (1) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, EACH COUNTY**  
19 **SUPERINTENDENT SHALL REPORT TO THE STATE SUPERINTENDENT ON THE**  
20 **IMPLEMENTATION OF THE HEALTH EDUCATION REQUIREMENTS UNDER**  
21 **SUBSECTION (A) OF THIS SECTION.**

22 **(2) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE**  
23 **DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1246**  
24 **OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY A**  
25 **SUMMARY OF THE INFORMATION REPORTED TO THE STATE SUPERINTENDENT**  
26 **UNDER SUBSECTION (A) OF THIS SECTION.**

27 7-411.1.

28 **(A) The State Board shall encourage the county boards to incorporate**  
29 **age-appropriate lessons on dating violence into the county boards' health education**  
30 **curriculum.**

31 **(B) (1) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, EACH COUNTY**  
32 **SUPERINTENDENT SHALL REPORT TO THE STATE SUPERINTENDENT ON THE**

1 IMPLEMENTATION OF AGE-APPROPRIATE LESSONS ON DATING VIOLENCE IN  
2 THE HEALTH EDUCATION CURRICULUM IN THE COUNTY.

3 (2) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE  
4 DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1246  
5 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY A  
6 SUMMARY OF THE INFORMATION REPORTED TO THE STATE SUPERINTENDENT  
7 UNDER PARAGRAPH (1) OF THIS SUBSECTION.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 July 1, 2010.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.