

# SENATE BILL 329

F1, K3, P4

2lr0434  
CF 2lr0435

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By: **Senators Ferguson, Gladden, Jones–Rodwell, Madaleno, Montgomery,  
Ramirez, and Rosapepe**

Introduced and read first time: January 27, 2012

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Parent–Teacher Meetings – Unpaid Leave**

3 FOR the purpose of authorizing an employee to use unpaid leave to attend a  
4 parent–teacher meeting; requiring an employee to notify the employer a certain  
5 number of days before the employee will use unpaid leave to attend a  
6 parent–teacher meeting; prohibiting an employee who uses unpaid leave under  
7 this Act from using more than a certain number of hours per parent–teacher  
8 meeting and using unpaid leave more than a certain number of times per each  
9 half of an academic year; authorizing an employer to require certain evidence  
10 under certain circumstances; providing for the construction of this Act; defining  
11 certain terms; and generally relating to parent–teacher meetings.

12 BY adding to

13 Article – Education

14 Section 1–301 to be under the new subtitle “Subtitle 3. Parent–Teacher  
15 Meetings”

16 Annotated Code of Maryland

17 (2008 Replacement Volume and 2011 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 **SUBTITLE 3. PARENT–TEACHER MEETINGS.**

22 **1–301.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3                   **(2) “EMPLOYEE” INCLUDES FULL-TIME AND PART-TIME**  
4 **EMPLOYEES.**

5                   **(3) “EMPLOYER” MEANS:**

6                           **(I) A PERSON ENGAGED IN A BUSINESS, AN INDUSTRY, A**  
7 **PROFESSION, A TRADE, OR OTHER ENTERPRISE IN THE STATE;**

8                           **(II) THE STATE AND ITS UNITS;**

9                           **(III) A COUNTY AND ITS UNITS; OR**

10                           **(IV) A MUNICIPAL GOVERNMENT IN THE STATE.**

11                   **(4) “INDIVIDUALIZED EDUCATION PROGRAM” MEANS THE**  
12 **PROGRAM THAT A STUDENT WHO RECEIVES SPECIAL EDUCATION AND RELATED**  
13 **SERVICES IS REQUIRED TO HAVE UNDER THE FEDERAL INDIVIDUALS WITH**  
14 **DISABILITIES EDUCATION ACT.**

15                   **(5) “INDIVIDUALIZED FAMILY SERVICE PLAN” MEANS A WRITTEN**  
16 **PLAN FOR PROVIDING EARLY INTERVENTION AND OTHER SERVICES TO A CHILD**  
17 **AND THE CHILD’S FAMILY THAT IS CONSISTENT WITH 34 C.F.R. § 303.344.**

18                   **(6) “PARENT-TEACHER MEETING” MEANS:**

19                           **(I) A PARENT-TEACHER CONFERENCE;**

20                           **(II) AN INDIVIDUALIZED EDUCATION PROGRAM MEETING;**

21                           **(III) AN INDIVIDUALIZED FAMILY SERVICE PLAN MEETING;**

22 **OR**

23                           **(IV) A SECTION 504 PLAN MEETING.**

24                   **(7) “SECTION 504 PLAN” MEANS THE PLAN FOR**  
25 **ACCOMMODATIONS PROVIDED BY A SCHOOL TO A STUDENT WITH A DISABILITY**  
26 **IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION 504 OF THE FEDERAL**  
27 **REHABILITATION ACT OF 1973.**

1           **(B) SUBJECT TO SUBSECTIONS (C), (D), AND (E) OF THIS SECTION, AN**  
2 **EMPLOYEE OF AN EMPLOYER MAY USE UNPAID LEAVE TO ATTEND A**  
3 **PARENT-TEACHER MEETING.**

4           **(C) AN EMPLOYEE WHO USES UNPAID LEAVE UNDER THIS SECTION**  
5 **SHALL NOTIFY THE EMPLOYER AT LEAST 3 DAYS BEFORE THE EMPLOYEE WILL**  
6 **USE THE UNPAID LEAVE.**

7           **(D) AN EMPLOYEE WHO USES UNPAID LEAVE UNDER THIS SECTION MAY**  
8 **NOT:**

9                   **(1) USE MORE THAN 4 HOURS OF UNPAID LEAVE PER**  
10 **PARENT-TEACHER MEETING; AND**

11                   **(2) USE UNPAID LEAVE MORE THAN TWICE PER EACH HALF OF AN**  
12 **ACADEMIC YEAR.**

13           **(E) AN EMPLOYER MAY REQUIRE AN EMPLOYEE TO PROVIDE EVIDENCE**  
14 **THAT THE EMPLOYEE ATTENDED THE PARENT-TEACHER MEETING AFTER THE**  
15 **EMPLOYEE USES LEAVE UNDER SUBSECTION (B) OF THIS SECTION.**

16           SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be  
17 construed to affect:

18                   (1) a collective bargaining agreement that provides a leave benefit for  
19 parent-teacher meetings and was entered into before the effective date of this Act; or

20                   (2) a collective bargaining agreement entered into on or after the  
21 effective date of this Act, or an employment policy of an employer, that provides a  
22 leave benefit for parent-teacher meetings that is greater than the benefit provided  
23 under Section 1 of this Act.

24           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2012.