

# SENATE BILL 461

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3lr2127  
CF HB 1176

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By: **Senators Conway, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Gladden, Glassman, Jacobs, Jones–Rodwell, Kasemeyer, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Peters, Pinsky, Pipkin, Pugh, Raskin, Reilly, Robey, Rosapepe, Stone, Young, and Zirkin**

Introduced and read first time: January 30, 2013

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2013

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

1 AN ACT concerning

2 **Primary and Secondary Education – Online Courses and Services –**  
3 **Accessibility**

4 FOR the purpose of requiring the development, review, and approval of certain online  
5 courses and services to include an assessment regarding the accessibility of the  
6 online course or service to certain individuals with disabilities; authorizing the  
7 State Department of Education ~~or a county board of education~~ to contract with a  
8 third party ~~for the development of a certain assessment or a certain method by~~  
9 ~~which certain online courses or services will be made available to certain~~  
10 ~~individuals~~ to develop and conduct certain assessments; authorizing the State  
11 Board of Education to set certain fees for ~~the development of a certain~~  
12 ~~assessment and a certain method~~ certain assessments; and generally relating to  
13 the accessibility of online courses and services to individuals with disabilities,  
14 including the blind.

15 BY adding to

16 Article – Education

17 Section 7–1002(b)(3)

18 Annotated Code of Maryland

19 (2008 Replacement Volume and 2012 Supplement)

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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 BY repealing and reenacting, without amendments,  
 2 Article – Education  
 3 Section 7–1002(c)(1)  
 4 Annotated Code of Maryland  
 5 (2008 Replacement Volume and 2012 Supplement)

6 BY repealing and reenacting, with amendments,  
 7 Article – Education  
 8 Section 7–1002(c)(2)  
 9 Annotated Code of Maryland  
 10 (2008 Replacement Volume and 2012 Supplement)

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

13 **Article – Education**

14 7–1002.

15 (b) (3) (i) **THE DEVELOPMENT, REVIEW, AND APPROVAL OF AN**  
 16 **ONLINE COURSE OR SERVICE CONDUCTED UNDER THIS SUBSECTION SHALL**  
 17 **INCLUDE AN ASSESSMENT REGARDING THE ACCESSIBILITY OF THE ONLINE**  
 18 **COURSE OR SERVICE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE**  
 19 **BLIND.**

20 (ii) **THE DEPARTMENT ~~OR A COUNTY BOARD~~ MAY**  
 21 **CONTRACT WITH A THIRD PARTY ~~FOR~~ TO:**

22 1. ~~THE DEVELOPMENT OF THE~~ DEVELOP AN  
 23 **ASSESSMENT REGARDING ACCESSIBILITY REQUIRED UNDER SUBPARAGRAPH (I)**  
 24 **OF THIS PARAGRAPH; OR**

25 2. CONDUCT AN ASSESSMENT OF COURSE  
 26 ACCESSIBILITY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH  
 27 THAT WILL DETERMINE THE APPROVAL OR DENIAL STATUS OF THE COURSE AND  
 28 PROVIDE FEEDBACK TO THE COURSE PROVIDER.

29 ~~2. IF THE ASSESSMENT DETERMINES THAT THE~~  
 30 ~~ONLINE COURSE OR SERVICE IS NOT ACCESSIBLE TO INDIVIDUALS WITH~~  
 31 ~~DISABILITIES, INCLUDING THE BLIND, THE DEVELOPMENT OF A METHOD BY~~  
 32 ~~WHICH THE ONLINE COURSE OR SERVICE WILL BE MADE ACCESSIBLE TO~~  
 33 ~~INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND.~~

34 (c) (1) There is a Maryland Virtual Learning Opportunities Fund.

1 (2) The State Board may set reasonable fees for:

2 (i) Developing or reviewing online courses and services; [and]

3 (ii) Processing approvals for online courses and services;

4 (III) DEVELOPING AN ASSESSMENT REGARDING THE  
5 ACCESSIBILITY OF AN ONLINE COURSE OR SERVICE TO INDIVIDUALS WITH  
6 DISABILITIES, INCLUDING THE BLIND; AND

7 (IV) ~~DEVELOPING A METHOD BY WHICH~~ ASSESSING AN  
8 ONLINE COURSE OR SERVICE WILL BE MADE ACCESSIBLE FOR ITS  
9 ACCESSIBILITY TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE BLIND.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2013.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.