

MONTGOMERY COUNTY BOARD OF EDUCATION
Rockville, Maryland

February 8, 2022

MEMORANDUM

To: Members of the Board of Education
From: Danielle M. Susskind, Coordinator, Legislative Affairs
Subject: Recommended Positions on Education Legislation

This memorandum provides information regarding proposed legislation that could impact Montgomery County Public Schools (MCPS). The listed bills have been analyzed to determine any impact on MCPS, as well as whether or not they are consistent with the legislative annual priorities (hereafter platform) adopted by the Board of Education (Board) on November 9, 2021.

The attached document provides the recommended positions on bills not directly covered by the platform that may require a position from the Board.

Each bill is listed below with a hyperlink to the bill text. To access the text online, right click each hyperlink (bill number).

Bills with Recommended Positions (Attachment A)

MC 24-22	Montgomery County - Board of Education - Data Disaggregation Policy and Racial Disparity Comparisons
HB0118	Public Schools - Student Attendance - Excused Absences for Mental Health Needs
HB0313	Election Law- Recall Elections
HB0425/SB0387	Public Safety- Untraceable Firearms

I will continue to monitor the proposed legislation and bring you recommended positions on additional bills that will impact MCPS.

Attachment

DMS:rlg

MC 24-22 Montgomery County - Board of Education - Data Disaggregation Policy and Racial Disparity Comparisons

Sponsors Delegates Qi, Barve, and Moon

Synopsis

For the purpose of requiring the Montgomery County Board of Education to adopt a certain data disaggregation policy; requiring the county board to include a certain impact in any racial disparity comparisons completed by the county board; and generally relating to Montgomery County Board of Education policies on data disaggregation and racial disparity comparisons.

Analysis

This bill came out of our Delegation meeting on November 18, 2021, where we shared demographic and achievement data in the Equity Accountability Framework (EAF). The EAF specifically looks at focus groups to determine subgroup achievement. In that framework, Asian and White students are combined into one group based on the trends within Montgomery County Public Schools (MCPS) for achievement. Delegation members felt that combining these groups did not accurately portray data. I have explained that we actually already do what this bill requests, we disaggregate data by each of the federally recognized race/ethnicity categories. This bill does not change how we currently do work, but codifies that we will always share achievement data disaggregated by all race/ethnic categories.

Position: Support

HB0118 Public Schools - Student Attendance - Excused Absences for Mental Health Needs

Sponsor Delegate Washington

Committee *Ways and Means*

Synopsis

For the purpose of providing that absences from school for mental health needs are lawful absences under certain circumstances; providing for the circumstances under which an absence for a student's mental health needs shall be excused; requiring a student who is absent for a certain reason to meet with a school mental health specialist within a certain period of time to discuss a certain topic; and generally relating to student attendance in public schools and excused absences.

Analysis

- On May 21, 2021, the Board of Education Policy Management Committee passed a resolution that it “supports students’ holistic well-being and suggests that all permissible absences be delineated in MCPS Regulation JEA-RS, guided by an overall policy on student absences ...”
- MCPS believes in the importance of social emotional well-being and positive mental health. Community and school-based stressors impact the mental health of students, and students should be permitted the opportunity to request absences to support their mental health and well-being, and should expect to have those absences excused.
- MCPS does not agree with the stipulation that a student who requests this type of absence be required to “meet with a mental health specialist within an appropriate period of time after

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returning to school.” Students out on medical absences are not required to meet with the school nurse upon their return. This further stigmatizes the concept of mental health and well-being, assuming that something is “wrong” with the student who makes this request.

Position: Support

HB0425 Public Safety – Untraceable Firearms
SB0387

Sponsors The President and Senator Lee
 The Speaker and Delegate Lopez

Committees *Judicial Proceedings*
 Judiciary

Synopsis

Altering a certain definition of “firearm” to include a certain unfinished frame or receiver; prohibiting a person from purchasing, receiving, selling, offering to sell, or transferring an unfinished frame or receiver, or possessing a firearm on or after January 1, 2023, unless it is required by federal law to be, and has been, imprinted with a certain number in a certain manner; and requiring the Secretary of State Police to suspend or revoke a certain dealer's license if the dealer is charged with or convicted of a certain crime.

Analysis

Although the Board does not normally weigh in on gun legislation, the recent events and increase in students purchasing and using “ghost guns” has brought this bill to our attention. This bill would prohibit all aspects of guns with no serial number that are made in parts and put together by the final consumer. This bill aligns with our platform in terms of keeping students safe, but as a bill outside of our general topics, it is coming forward for your vote.

Position: Strongly Support

HB0313 Election Law- Recall Elections

Sponsor Delegate Novotny

Committee *Ways and Means*

Synopsis

Proposing an amendment to the Maryland Constitution to provide that certain officials are subject to a recall election; requiring the recall of certain officials to be proposed by the filing of a petition for recall with the Secretary of State which may not be filed during the first 120 days of the term of office of an official subject to recall; establishing recall election procedures; and submitting the amendment to the qualified voters of the State at the next general election to be held in November 2022.

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Analysis

Board of Education members are among those listed as public officials who can be recalled under this legislation. This is new legislation, as the Maryland Constitution (Article XIV) currently does not include recall options. Because this is a constitutional amendment, passage of the legislation would place this on the ballot as a referendum in November 2022.

Position: Oppose