

Chapter 630

(House Bill 1001)

AN ACT concerning

Education – Federal Elementary and Secondary Education Act – ~~Waivers~~ Waiver Requests

FOR the purpose of requiring ~~certain waivers from the federal Elementary and Secondary Education Act requested by the State Department of Education to the United States Department of Education to be consistent with State law and regulations; requiring the Department to adopt certain regulations before requesting certain waivers; requiring the State Superintendent of Schools to submit a certain description of how certain waivers are consistent with State law and regulations, including certain references to certain statutes and regulations, to the Governor and the General Assembly at least a certain number of days before requesting certain waivers;~~ the State Department of Education to submit a certain request for a waiver from the federal Elementary and Secondary Education Act to the Legislative Policy Committee before the Department submits the proposed waiver request to the United States Department of Education; requiring the State Department of Education to give the Legislative Policy Committee a certain amount of time to review and comment on a certain proposed waiver request; and generally relating to the request requests for waivers to the United States Department of Education from the federal Elementary and Secondary Education Act.

BY adding to

Article – Education

Section 2–107

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

Article – Education

2–107.

(A) IF THE DEPARTMENT REQUESTS INTENDS TO REQUEST A WAIVER FROM THE UNITED STATES DEPARTMENT OF EDUCATION FROM SPECIFIC PROVISIONS OF THE FEDERAL ELEMENTARY AND SECONDARY EDUCATION ACT , BEFORE SUBMITTING THE REQUEST TO THE UNITED STATES DEPARTMENT OF EDUCATION,‡

~~(1) THE THE DEPARTMENT SHALL SHALL:~~

~~(1) SUBMIT THE PROPOSED WAIVER REQUEST TO THE LEGISLATIVE POLICY COMMITTEE; AND~~

~~(2) ALLOW THE LEGISLATIVE POLICY COMMITTEE AT LEAST 30 DAYS AFTER THE COMMITTEE RECEIVES THE PROPOSED WAIVER REQUEST TO REVIEW AND COMMENT ON THE PROPOSED WAIVER REQUEST.~~

~~(B) THE DEPARTMENT SHALL PROVIDE ANY ADDITIONAL INFORMATION REGARDING THE PROPOSED WAIVER REQUEST IF REQUESTED BY THE LEGISLATIVE POLICY COMMITTEE. ADOPT REGULATIONS ESTABLISHING THE PROVISIONS OF THE WAIVER BEFORE REQUESTING THE WAIVER;~~

~~(2) THE WAIVER SHALL BE CONSISTENT WITH STATE LAW AND REGULATIONS; AND~~

~~(3) AT LEAST 60 DAYS BEFORE REQUESTING THE WAIVER, THE STATE SUPERINTENDENT SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A DETAILED DESCRIPTION OF HOW THE WAIVER IS CONSISTENT WITH STATE LAW AND REGULATIONS, INCLUDING REFERENCES TO RELEVANT STATUTES AND REGULATIONS.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2014.

Approved by the Governor, May 15, 2014.