

HOUSE BILL 117

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EMERGENCY BILL

4r1052

CF 4r1038

By: **Delegates Luedtke, Afzali, Barkley, Cullison, Elliott, Fraser-Hidalgo, Kach, A. Kelly, Krebs, Ready, S. Robinson, and A. Washington**

Introduced and read first time: January 9, 2014

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Maryland School Assessment – Request for Waiver**

3 FOR the purpose of requiring the State Department of Education to request a certain
4 waiver from the U.S. Department of Education within a certain period of time;
5 prohibiting the State Department of Education from administering a certain
6 assessment in the spring of 2014 under certain circumstances; requiring the
7 Department to administer a certain assessment under certain circumstances;
8 making this Act an emergency measure; and generally relating to the Maryland
9 School Assessment.

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the State Department of Education shall request a waiver from the
12 U.S. Department of Education from specific provisions of the Elementary and
13 Secondary Education Act that require the Department to administer the Maryland
14 School Assessment in the spring of 2014. The waiver shall be requested within 15 days
15 of enactment of this Act.

16 SECTION 2. AND BE IT FURTHER ENACTED, That if the State Department
17 of Education has not received a waiver or a response from the U.S. Department of
18 Education (USDE) 2 weeks before the Maryland School Assessment (MSA) is
19 scheduled to be administered, the Department may not administer the MSA unless
20 the Department determines that the penalty the Department would receive from
21 USDE for not administering the MSA is more than the savings or benefits the
22 Department would receive from not administering the MSA.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
24 measure, is necessary for the immediate preservation of the public health or safety,
25 has been passed by a yea and nay vote supported by three-fifths of all the members
26 elected to each of the two Houses of the General Assembly, and shall take effect from
27 the date it is enacted.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

