

SENATE BILL 1126

F1, F3

6lr3500
CF HB 1615

By: **Senators Pugh and Young**

Introduced and read first time: February 26, 2016

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 2, 2016

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2016

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – Linking Youth to New Experiences (LYNX) High School –**
3 **Pilot Program**

4 FOR the purpose of establishing the Linking Youth to New Experiences (LYNX) High
5 School ~~pilot program~~ at a certain high school in Frederick County; providing that the
6 LYNX High School ~~pilot program~~ is a public school under the authority and
7 supervision of the Frederick County Board of Education and the Frederick County
8 Superintendent of Schools; providing for the purpose of the LYNX High School ~~pilot~~
9 ~~program~~; requiring the County Superintendent, on or before a certain date, to
10 develop and submit to the ~~State Board of Education for review~~ county board of
11 education for approval a certain plan that describes certain items; requiring the
12 county board to approve the plan on or before a certain date; requiring the County
13 Superintendent to submit a certain plan to the State Board of Education for review;
14 requiring the State Board county board to consult with the County Superintendent
15 after a certain plan is received to ensure that the plan meets certain requirements;
16 requiring the State Board to grant the LYNX High School ~~pilot program~~ a waiver
17 from certain regulations within a certain period of time in accordance with certain
18 provisions of law and regulation subject to certain exceptions; exempting the LYNX
19 High School pilot program from certain provisions of law relating to student
20 assessments prohibiting the State Board from granting certain waivers; requiring
21 certain elements of certain waivers to be subject to certain provisions of law;
22 requiring, after the granting of certain waivers, the State Board and the County
23 Superintendent to meet with representatives of the Apprenticeship and Training
24 Council and the Division of Labor and Industry in the Department of Labor,

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 Licensing, and Regulation regarding certain items; authorizing the LYNX High
 2 School ~~pilot program~~ to apply for and accept donations, grants, or other financial
 3 assistance from certain entities; requiring the County Superintendent to conduct an
 4 evaluation of the LYNX High School ~~pilot program~~ each year; requiring the County
 5 Superintendent to submit to the State Board a certain fiscal year evaluation report
 6 on or before a certain date each year; authorizing the LYNX High School ~~pilot~~
 7 ~~program~~ to continue to operate until the County Superintendent sends the State
 8 Board a certain notice; requiring the County Superintendent to submit a certain plan
 9 and a certain report to certain committees of the General Assembly on or before
 10 certain dates; defining certain terms; and generally relating to the LYNX High
 11 School ~~pilot program~~ in Frederick County.

12 BY adding to
 13 Article – Education
 14 Section 7–1701 through 7–1705 to be under the new subtitle “Subtitle 17. LYNX
 15 High School ~~Pilot Program~~”
 16 Annotated Code of Maryland
 17 (2014 Replacement Volume and 2015 Supplement)

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

20 **Article – Education**

21 **SUBTITLE 17. LYNX HIGH SCHOOL ~~PILOT PROGRAM~~.**

22 **7–1701.**

23 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
 24 INDICATED.

25 (B) “COUNTY SUPERINTENDENT” MEANS THE FREDERICK COUNTY
 26 SUPERINTENDENT OF SCHOOLS.

27 (C) “LYNX HIGH SCHOOL” MEANS A LINKING YOUTH TO NEW
 28 EXPERIENCES HIGH SCHOOL.

29 **7–1702.**

30 (A) (1) THERE IS A LYNX HIGH SCHOOL ~~PILOT PROGRAM~~ AT FREDERICK
 31 HIGH SCHOOL IN FREDERICK COUNTY.

32 (2) THE LYNX HIGH SCHOOL ~~PILOT PROGRAM~~ IS A PUBLIC SCHOOL
 33 UNDER THE AUTHORITY AND SUPERVISION OF THE FREDERICK COUNTY BOARD OF
 34 EDUCATION AND THE FREDERICK COUNTY SUPERINTENDENT OF SCHOOLS.

1 (B) THE PURPOSES OF THE LYNX HIGH SCHOOL ~~PILOT PROGRAM~~ ARE TO:

2 (1) PROVIDE INDIVIDUALIZED, SELF-DIRECTED LEARNING
3 OPPORTUNITIES FOR EVERY STUDENT IN ACCORDANCE WITH A PERSONAL PLAN
4 FOR SUCCESS THAT IS DEVELOPED BY EACH STUDENT WITH THE ASSISTANCE OF
5 EDUCATION AND BUSINESS ADVOCATES AND PARENTS OR GUARDIANS AND IS
6 APPROVED BY THE COUNTY SUPERINTENDENT;

7 (2) IN ACCORDANCE WITH A STUDENT'S PERSONAL PLAN FOR
8 SUCCESS, ALLOW THE STUDENT TO SELECT ACADEMIC COURSE WORK, THE METHOD
9 OF INSTRUCTION, AND THE PACE OF LEARNING THAT WORKS BEST FOR THE
10 INDIVIDUAL STUDENT; AND

11 (3) ALLOW THE STUDENT TO PARTICIPATE IN AND MOVE BETWEEN
12 PROJECT-BASED LEARNING EXPERIENCES AT THE HIGH SCHOOL AND COLLEGE
13 LEVELS AND WORK, INTERNSHIP, OR APPRENTICESHIP EXPERIENCES FOCUSED ON
14 COLLEGE AND CAREER READINESS COMPETENCIES AS AN INTEGRAL PART OF THE
15 STUDENT'S CURRICULUM.

16 7-1703.

17 (A) (1) ON OR BEFORE SEPTEMBER 30, 2016, THE COUNTY
18 SUPERINTENDENT SHALL DEVELOP, IN CONSULTATION AND COLLABORATION WITH
19 TEACHERS, ADMINISTRATORS, AND NONCERTIFICATED PERSONNEL IN THE SCHOOL
20 AND THE EXCLUSIVE REPRESENTATIVES FOR TEACHERS, PRINCIPALS, AND
21 NONCERTIFICATED PERSONNEL, AND SUBMIT TO THE ~~STATE BOARD~~ COUNTY
22 BOARD FOR REVIEW APPROVAL A PLAN THAT DESCRIBES IN DETAIL THE PROGRAM
23 DESCRIPTION, PROPOSED CURRICULUM, EVALUATION PROCEDURES,
24 PERFORMANCE STANDARDS, AND STANDARDS FOR GRADUATION FOR STUDENTS TO
25 BE ENROLLED IN THE LYNX HIGH SCHOOL ~~PILOT PROGRAM~~.

26 (2) THE PLAN UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL
27 DESCRIBE:

28 (i) HOW COURSE CREDITS WILL BE ASSIGNED TO CLASSROOM
29 ACADEMIC COURSE WORK AND OTHER LEARNING OPPORTUNITIES;

30 (ii) HOW STUDENTS MAY EARN CREDITS OTHER THAN
31 THROUGH CLASSROOM ACADEMIC COURSE WORK;

32 (iii) HOW THE CURRICULUM WILL HOLD EACH STUDENT
33 ACCOUNTABLE FOR MEETING THE REQUIREMENTS OF THE MARYLAND COLLEGE
34 AND CAREER-READY STANDARDS;

1 (IV) HOW STUDENTS WILL BE ASSESSED ON THE MARYLAND
2 COLLEGE AND CAREER-READY STANDARDS;

3 (V) THE HOURS AND DAYS OF OPERATION OF THE LYNX HIGH
4 SCHOOL ~~PILOT PROGRAM~~;

5 ~~(VI) PERSONNEL REQUIREMENTS, INCLUDING THE USE OF~~
6 ~~INSTRUCTORS FROM INSTITUTIONS OF POSTSECONDARY EDUCATION AND~~
7 ~~INSTRUCTORS FROM THE BUSINESS SECTOR;~~

8 ~~(VII) (VI)~~ THE USE OF ONLINE COURSES AND OTHER LEARNING
9 OPPORTUNITIES AND A PROPOSED METHOD OF APPROVING ONLINE COURSES THAT
10 MEETS THE REQUIREMENTS AND PACE OF THE CURRICULUM; AND

11 ~~(VIII) (VII)~~ ANY OTHER RELEVANT INFORMATION AS
12 DETERMINED BY THE COUNTY SUPERINTENDENT.

13 (3) ON OR BEFORE DECEMBER 1, 2016, THE COUNTY BOARD SHALL
14 APPROVE THE PLAN SUBMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

15 (4) AFTER THE COUNTY BOARD HAS APPROVED THE PLAN
16 SUBMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY
17 SUPERINTENDENT SHALL SUBMIT THE PLAN TO THE STATE BOARD FOR REVIEW.

18 (B) ON RECEIPT OF THE PLAN SUBMITTED UNDER SUBSECTION (A) OF THIS
19 SECTION, THE ~~STATE BOARD~~ COUNTY BOARD SHALL CONSULT WITH THE COUNTY
20 SUPERINTENDENT TO ENSURE THAT THE PLAN IS ~~IN~~:

21 (1) IN THE BEST INTERESTS OF THE STUDENTS OF THE LYNX HIGH
22 SCHOOL ~~PILOT PROGRAM~~; AND

23 (2) AS IT RELATES TO WORKING CONDITIONS, COMPLIANT WITH
24 COLLECTIVE BARGAINING AGREEMENTS AND ANY REQUIREMENTS OF SUBTITLES 4
25 AND 5 OF TITLE 6 OF THIS ARTICLE.

26 (C) (1) ~~WITHIN~~ EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS
27 SUBSECTION, WITHIN 45 DAYS AFTER THE DAY OF RECEIPT OF THE PLAN
28 SUBMITTED UNDER SUBSECTION ~~(A)~~ (A)(4) OF THIS SECTION AND IN ACCORDANCE
29 WITH THE AUTHORITY OF THE STATE BOARD UNDER § 2-205 OF THIS ARTICLE ~~AND~~
30 REGULATION TO GRANT WAIVERS FROM REGULATIONS ADOPTED BY THE STATE
31 BOARD, THE STATE BOARD SHALL GRANT THE LYNX HIGH SCHOOL ~~PILOT~~
32 PROGRAM A WAIVER FROM THE FOLLOWING REGULATIONS:

1 ~~(1) ENROLLMENT AND CREDIT REQUIREMENTS IN COMAR~~
2 ~~13A.03.02.03;~~

3 ~~(2) OTHER PROVISIONS FOR EARNING CREDIT IN COMAR~~
4 ~~13A.03.02.04;~~

5 ~~(3) PROCEDURES FOR IMPLEMENTING ALTERNATIVE PROGRAMS~~
6 ~~LEADING TO A HIGH SCHOOL DIPLOMA IN COMAR 13A.03.02.11;~~

7 ~~(4) PERSONNEL REQUIREMENTS IN COMAR 13A.12.01 AND~~
8 ~~13A.12.02;~~

9 ~~(5) MANDATED SCHOOL DAYS AND SCHOOL YEAR REQUIREMENTS IN~~
10 ~~COMAR 13A.03.02.12;~~

11 ~~(6) ONLINE COURSE APPROVAL REQUIREMENTS IN COMAR~~
12 ~~13A.04.15.04; AND~~

13 ~~(7) ANY OTHER ANY REGULATION THAT CONFLICTS WITH THE PLAN~~
14 ~~APPROVED BY THE STATE BOARD COUNTY BOARD.~~

15 (2) A WAIVER REQUIRED UNDER PARAGRAPH (1) OF THIS
16 SUBSECTION MAY NOT BE GRANTED RELATED TO:

17 (I) PERSONNEL REQUIREMENTS IN COMAR 13A.12.01 OR
18 13A.12.02;

19 (II) MANDATORY SCHOOL DAYS AND SCHOOL YEAR
20 REQUIREMENTS IN COMAR 13A.03.02.12; OR

21 (III) ASSESSMENT REQUIREMENTS IN COMAR 13A.03.02.06.

22 (3) A WAIVER GRANTED UNDER PARAGRAPH (1) OF THIS SUBSECTION
23 THAT RELATES TO WORKING CONDITIONS SHALL BE SUBJECT TO SUBTITLES 4 AND
24 5 OF TITLE 6 OF THIS ARTICLE.

25 ~~(D) FOR THE DURATION OF THE OPERATION OF THE LYNX HIGH SCHOOL~~
26 ~~PILOT PROGRAM, THE LYNX HIGH SCHOOL PILOT PROGRAM SHALL BE EXEMPT~~
27 ~~FROM THE PROVISIONS OF § 7-205.1(B) OF THIS TITLE.~~

28 ~~(E) (D)~~ AFTER THE GRANTING OF WAIVERS FROM ITS REGULATIONS
29 UNDER SUBSECTION (C) OF THIS SECTION, THE STATE BOARD AND THE COUNTY
30 SUPERINTENDENT SHALL MEET WITH REPRESENTATIVES OF THE APPRENTICESHIP

1 AND TRAINING COUNCIL AND THE DIVISION OF LABOR AND INDUSTRY WITHIN THE
2 DEPARTMENT OF LABOR, LICENSING, AND REGULATION REGARDING:

3 (1) THE DEVELOPMENT AND IMPLEMENTATION OF APPRENTICESHIP
4 EXPERIENCES FOR STUDENTS TO BE ENROLLED IN THE LYNX HIGH SCHOOL ~~PILOT~~
5 ~~PROGRAM~~; AND

6 (2) THE WAIVER OF REGULATIONS UNDER COMAR 09.12.43.
7 7-1704.

8 THE LYNX HIGH SCHOOL ~~PILOT PROGRAM~~ MAY APPLY FOR AND ACCEPT
9 DONATIONS, GRANTS, OR OTHER FINANCIAL ASSISTANCE FROM A GOVERNMENT
10 ENTITY OR ANY NONPROFIT OR OTHER PRIVATE ORGANIZATION.

11 7-1705.

12 (A) THE COUNTY SUPERINTENDENT SHALL CONDUCT AN EVALUATION OF
13 THE LYNX HIGH SCHOOL ~~PILOT PROGRAM~~ EACH YEAR.

14 (B) ON OR BEFORE SEPTEMBER 30 EACH YEAR, THE COUNTY
15 SUPERINTENDENT SHALL SUBMIT TO THE STATE BOARD AN EVALUATION REPORT
16 FOR THE PRIOR FISCAL YEAR THAT INCLUDES:

17 (1) THE ACADEMIC AND CAREER PROGRESS OF EACH STUDENT
18 ENROLLED IN THE LYNX HIGH SCHOOL ~~PILOT PROGRAM~~;

19 (2) THE LEVEL OF SATISFACTION OF THE STUDENTS, TEACHERS,
20 PARENTS OR GUARDIANS, AND ADVOCATES WITH THE LYNX HIGH SCHOOL ~~PILOT~~
21 ~~PROGRAM~~; AND

22 (3) THE LYNX HIGH ~~SCHOOL PILOT PROGRAM'S~~ SCHOOL'S FISCAL
23 YEAR FINANCIAL REPORT.

24 (C) THE LYNX HIGH SCHOOL ~~PILOT PROGRAM~~ MAY CONTINUE TO
25 OPERATE UNTIL THE COUNTY SUPERINTENDENT SENDS TO THE STATE BOARD A
26 WRITTEN NOTICE THAT THE LYNX HIGH SCHOOL ~~PILOT PROGRAM~~ HAS BEEN
27 DISCONTINUED.

28 SECTION 2. AND BE IT FURTHER ENACTED, That on or before September 30,
29 2016, the Frederick County Superintendent of Schools shall submit the plan required under
30 this Act, in accordance with § 2-1246 of the State Government Article, to the Senate
31 Education, Health, and Environmental Affairs Committee and the House Committee on
32 Ways and Means.

1 SECTION 3. AND BE IT FURTHER ENACTED, That on or before June 30, 2019,
2 the Frederick County Superintendent of Schools shall submit, in accordance with § 2-1246
3 of the State Government Article, to the Senate Education, Health, and Environmental
4 Affairs Committee and the House Committee on Ways and Means a report that includes:

5 (1) the academic and career progress of each student enrolled in the LYNX
6 High School as compared to other students in Frederick County including assessment
7 results;

8 (2) the level of satisfaction of the students, teachers, parents or guardians,
9 and advocates with the LYNX High School; and

10 (3) the LYNX High School’s fiscal year financial report for each of the
11 preceding years.

12 SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.