

SENATE BILL 964

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9lr3127
CF HB 1144

By: **Senator Rosapepe**

Introduced and read first time: February 18, 2019

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 22, 2019

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 26, 2019

CHAPTER _____

1 AN ACT concerning

2 **County Boards of Education – Equal Access to Public Services for Individuals**
3 **With Limited English Proficiency**

4 FOR the purpose of ~~requiring certain county boards of education to fully implement a~~
5 ~~certain requirement to provide equal access to public services for individuals with~~
6 ~~limited English proficiency on or before a certain date; making conforming changes~~
7 requiring county boards to take certain reasonable steps to provide equal access to
8 public services for certain individuals with limited English proficiency; and generally
9 relating to county boards of education and equal access to public services for
10 individuals with limited English proficiency.

11 BY adding to
12 Article – Education
13 Section 4–135
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2018 Supplement)

16 ~~BY repealing and reenacting, without amendments,~~
17 ~~Article – State Government~~
18 ~~Section 10–1103(a)~~
19 ~~Annotated Code of Maryland~~
20 ~~(2014 Replacement Volume and 2018 Supplement)~~

21 ~~BY repealing and reenacting, with amendments,~~

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 ~~Article – State Government~~
 2 ~~Section 10-1103(b)~~
 3 ~~Annotated Code of Maryland~~
 4 ~~(2014 Replacement Volume and 2018 Supplement)~~

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

7 **Article – Education**

8 **4-135.**

9 ~~ON OR BEFORE JULY 1, 2022, EACH COUNTY BOARD SHALL FULLY IMPLEMENT~~
 10 ~~THE REQUIREMENTS OF § 10-1103 OF THE STATE GOVERNMENT ARTICLE TO~~
 11 ~~PROVIDE EQUAL ACCESS TO PUBLIC SERVICES FOR INDIVIDUALS WITH LIMITED~~
 12 ~~ENGLISH PROFICIENCY.~~

13 (A) EACH COUNTY BOARD SHALL TAKE REASONABLE STEPS TO PROVIDE
 14 EQUAL ACCESS TO PUBLIC SERVICES FOR INDIVIDUALS WITH LIMITED ENGLISH
 15 PROFICIENCY.

16 (B) REASONABLE STEPS TO PROVIDE EQUAL ACCESS TO PUBLIC SERVICES
 17 UNDER SUBSECTION (A) OF THIS SECTION INCLUDE:

18 (1) THE PROVISION OF ORAL LANGUAGE SERVICES FOR PARENTS
 19 AND GUARDIANS WITH LIMITED ENGLISH PROFICIENCY, WHICH MUST BE THROUGH
 20 FACE-TO-FACE, IN-HOUSE ORAL LANGUAGE SERVICES IF IN-PERSON CONTACT IS
 21 ON A WEEKLY OR MORE FREQUENT BASIS; AND

22 (2) THE TRANSLATION OF VITAL DOCUMENTS ORDINARILY
 23 PROVIDED TO THE PUBLIC INTO ANY LANGUAGE SPOKEN BY ANY LIMITED ENGLISH
 24 PROFICIENT POPULATION THAT CONSTITUTES AT LEAST 3% OF THE OVERALL
 25 POPULATION WITHIN THE COUNTY AS MEASURED BY THE UNITED STATES CENSUS.

26 ~~Article – State Government~~

27 ~~10-1103.~~

28 ~~(a) Each State department, agency, or program listed or identified under~~
 29 ~~subsection (c) of this section shall take reasonable steps to provide equal access to public~~
 30 ~~services for individuals with limited English proficiency.~~

31 ~~(b) Reasonable steps to provide equal access to public services include:~~

~~(1) the provision of oral language services for individuals with limited English proficiency, which must be through face to face, in-house oral language services if contact between the agency and individuals with limited English proficiency is on a weekly or more frequent basis;~~

~~(2) (i) the translation of vital documents ordinarily provided to the public into any language spoken by any limited English proficient population that constitutes 3% of the overall population within the geographic area served by a local office of a State program OR A COUNTY BOARD, AS DEFINED IN § 1-101 OF THE EDUCATION ARTICLE, as measured by the United States Census; and~~

~~(ii) the provision of vital documents translated under item (i) of this item on a statewide basis to any local office OR A COUNTY BOARD, AS DEFINED IN § 1-101 OF THE EDUCATION ARTICLE, as necessary; and~~

~~(3) any additional methods or means necessary to achieve equal access to public services.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.