

# **HB1142\_HoCoDelegation\_FAV.pdf**

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SENATOR CLARENCE K. LAM  
SENATE CHAIR

MILLER SENATE OFFICE BUILDING  
11 BLADEN STREET, ROOM 420  
ANNAPOLIS, MARYLAND 21401

SENATOR GUY GUZZONE  
SENATOR KATIE FRY HESTER



DELEGATE JESSICA FELDMARK  
HOUSE CHAIR

THE MARYLAND HOUSE OF DELEGATES  
6 BLADEN STREET, ROOM 216  
ANNAPOLIS, MARYLAND 21401

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THE MARYLAND GENERAL ASSEMBLY  
ANNAPOLIS, MARYLAND 21401  
HOWARD COUNTY DELEGATION

March 30, 2021

The Honorable Paul G. Pinsky  
Chair, Education, Health, and Environmental Affairs  
The Maryland Senate  
11 Bladen Street, 2 West  
Annapolis, Maryland 21401

Dear Chairman Pinsky,

The Howard County House and Senate Delegation has voted in favor of the following bill that will appear before your committee:

**HB1142** – *Howard County – School Redistricting – Public Testimony Ho. Co. 07-21*

A copy of the Delegation vote sheet in favor of this bill is attached and we request a favorable committee report. Please contact the Howard County Delegation office at 240-459-8956 or [hoc1@mlis.state.md.us](mailto:hoc1@mlis.state.md.us) if you require any additional information.

Sincerely,

Handwritten signature of Senator Clarence Lam in black ink.

Senator Clarence Lam  
Senate Chair  
Howard County Delegation

Handwritten signature of Delegate Jessica Feldmark in blue ink.

Delegate Jessica Feldmark  
House Chair  
Howard County Delegation

# Howard County

Bill/Resolution Number: HB1142

## Delegation

LR Number: 1lr0661

Voting Record – 2021 Session

HoCo Bill Number: 7-21

Vote Date: 2/3/21

Final Action: Passed

### Motion:

Favorable

Favorable with Amendment

Withdrawn

Name	Yea	Nay	Abstain	Excused
Lam, Clarence, Chair, Sen.	✓			
Feldmark, Jessica, Chair, Del.	✓			
Guzzone, Guy, Sen.	✓			
Hester, Katie Fry, Sen.	✓			
Atterbeary, Vanessa, Del.	✓			
Ebersole, Eric, Del.	✓			
Hill, Terri, Del.	✓			
Kittleman, Trent, Del.	✓			
Novotny, Reid Del.	✓			
Pendergrass, Shane, Del.	✓			
Terrasa, Jen, Del.	✓			
Watson, Courtney, Del.		✓		

Committee Reporter Abbey Rubeling

**HB1142 Howard Co BOE Testimony 033021 for EHEA - H**

Uploaded by: Howard County, BOE

Position: FWA



**Board of Education of Howard County  
Testimony Submitted to the Maryland Senate,  
Education, Health, and Environmental Affairs Committee  
March 30, 2021**

**Board of Education  
of Howard County**

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Jennifer Swickard Mallo  
*Vice Chair*

Vicky Cutroneo

Christina Delmont-Small

Yun Lu, Ph.D.

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Antonia Watts

Zachary F. Koung  
*Student Member*

Michael J. Martirano, Ed.D.  
*Superintendent  
Secretary/Treasurer*

**HB1142: FAVORABLE W/AMENDMENTS**

**Howard County – School Redistricting – Public Testimony Ho. Co. 07-21**

The Board of Education of Howard County (the Board) supports **HB1142 Howard County – School Redistricting – Public Testimony Ho. Co. 07-21** with amendments to address ambiguous language that has the potential to impose significant logistical and financial burdens on the Howard County Public School System (HCPSS).

The school boundary review process, as last completed in Howard County in November 2019, included multiple opportunities for public discussion and stakeholder input, including an online survey, community meetings and seven public hearings following the presentation of the Superintendent’s recommendation to the Board. Extensive consideration by the Board throughout the process included nine public work sessions and the receipt of approximately 8,500 pieces of testimony.

HB1142 would require the Board to allow one or more members of a household whose school assignment is changed in a plan proposed by the Board, which differs from the proposal of the Superintendent, to provide public testimony prior to a final vote. While supporting the sponsor and Howard County Delegation’s intent to provide for ample public input in a difficult process that has far reaching implications for students, parents, and the community at large, the Board has critical apprehensions regarding the implementation of the bill language as written.

Logistically, HB1142 has the potential to result in a never-ending cycle of public hearings as the Board makes adjustments and proposals throughout fluid work sessions. While the Board understands this is not the intent, even where a single public hearing is scheduled at a final stage prior to the adoption of a plan, if testimony at this hearing results in an additional school assignment change by the Board, the scenario of continuous hearings and delayed action may become a reality. This becomes disruptive as timelines for conclusion of the boundary review process are planned well in advance to ensure schools have sufficient time to prepare for student moves.

More concerning, however, is the potential for HB1142 to be used in legal challenges where litigants will argue that the Board had a duty to allow for additional public testimony, and thus its redistricting decision is invalid. Following the most recent comprehensive redistricting process, which resulted in over 5,000 student moves to address capacity as well as advance socioeconomic equity, community responses were understandably passionate. Legal challenges arising out of redistricting impose

significant legal costs on the Board, ultimately taking away from school system resources.

In an effort to provide amendments to HB1142 that would meet the sponsor and Delegation’s intent without the unintended consequences noted above, the Board recommends striking line 21 on page 1 through line 4 on page 2 and substituting:

(B) DURING A SCHOOL REDISTRICTING PROCESS, THE COUNTY BOARD SHALL, WHEN POSSIBLE, PROVIDE PUBLIC NOTICE OF GEOGRAPHIC AREAS THAT ARE UNDER CONSIDERATION FOR BOUNDARY LINE ADJUSTMENTS NOT PREVIOUSLY IDENTIFIED IN A SUPERINTENDENT’S PROPOSED REDISTRICTING PLAN PRIOR TO ADOPTING A REDISTRICTING PLAN.

(C) THE COUNTY BOARD SHALL PROVIDE AN OPPORTUNITY FOR PUBLIC INPUT, INCLUDING AT LEAST 1 PUBLIC HEARING, PRIOR TO ADOPTING A REDISTRICTING PLAN.

(D) A VIOLATION OF THIS SECTION MAY NOT BE USED TO REVERSE OR MODIFY A REDISTRICTING PLAN ADOPTED BY THE COUNTY BOARD.

The Board implores our elected officials to ensure this legislation cannot be used to overturn a redistricting decision, or become an impractical, costly burden on the school system. For these reasons, we urge a FAVORABLE report of HB1142 from this Committee with the inclusion of the suggested amendments.