

MONTGOMERY COUNTY BOARD OF EDUCATION  
Rockville, Maryland

February 24, 2022

MEMORANDUM

To: Members of the Board of Education  
From: Danielle M. Susskind, Coordinator, Legislative Affairs  
Subject: Recommended Positions on Education Legislation

This memorandum provides information regarding proposed legislation that could impact Montgomery County Public Schools (MCPS). The listed bills have been analyzed to determine any impact on MCPS, as well as whether or not they are consistent with the legislative annual priorities (hereafter platform) adopted by the Board of Education (Board) on November 9, 2021. The attached document provides the recommended positions on the bills not directly covered by the platform that may require a position from the Board.

Each bill is listed below with a hyperlink to the bill text. To access the text online, right click each hyperlink (bill number).

***Bills with Recommended Positions*** (Attachment)

[HB0314](#) County Board of Education – Voting Members – Requirements  
[HB0573](#) School Wellness and Recess Grant Program – Establishment (Support with Amendment)  
[HB0659/SB0676](#) Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)

I will continue to monitor the proposed legislation and bring you recommended positions on additional bills that will impact MCPS.

Attachment

DMS:dms

Recommended Positions on Proposed Legislation  
2-24-22

**HB0314 County Boards of Education - Voting Members - Requirements**

**Sponsor** Delegate Novotny

**Committee** *Ways and Means*

**Synopsis**

Requiring, beginning January 1, 2025, that a county board of education have an odd number of members who are eligible to vote on each matter before the county board; and authorizing a county board, if it does not have an odd number of members and a vote coming to the board cannot be postponed or rescheduled, to select a certain individual in a certain manner to vote on a matter before the county board in order to comply with the requirement to have an odd number of voting members.

**Analysis**

This bill is an overreach of the legislature by trying to determine how each Board functions internally, which is a local responsibility. This bill would require each county Board to have an odd number of voting members or select an individual to act as the tie-breaker in voting matters. This is unnecessary, as the Montgomery County Board of Education votes by a majority. Furthermore, it is an encroachment on local control.

**Position: Oppose**

**HB0573 School Wellness and Recess Grant Program - Establishment**

**Sponsor** Delegate Belcastro

**Committee** *Ways and Means*

**Synopsis**

Establishing the School Wellness and Recess Grant Program to ensure that public schools, nonpublic schools, and Judy Centers have strong, comprehensive, and written wellness policies that address the whole school, whole community, whole child (WSCC) model, and encourage students of all ages to participate fully in recess and physical activity; requiring that grants be awarded on the basis of quantifiable need and other factors; requiring the Governor to include \$500,000 in the annual budget bill for the Program; etc.

**Analysis**

- The Centers for Disease Control Whole School, Whole Community, Whole Child (WSCC) Model is the core resource Montgomery County Public School (MCPS) uses to guide MCPS wellness work including Be Well 365.
- MCPS has developed and revised local school wellness policy and regulation—Board Policy JPG and MCPS Regulation JPG-RA, *Wellness: Physical and Nutritional Health*, to align with the United States Department of Agriculture Final Rule including the development of local school wellness councils.

Recommended Positions on Proposed Legislation  
2-24-22

- MCPS has recess structures in place for Grades Pre-K–5.
- MCPS current regulation reads that secondary schools should consider physical activities during lunch, such as open gymnasium or blacktop activities, as space and supervision are available.
- The State Department will award grants to support existing school wellness and recess programs.
- The MCPS Judith P. Hoyer Early Child Care and Family Education Centers provide numerous wellness programs for families of children aged birth-5 years old through state and local funding. They collaborate with multiple community-based agencies and organizations and connect children and their families with these services to support early learning and school success. The proposed grant funding would supplement existing Judy Center programs and goals to further support families.

**Position: Support with Amendment**

Recommended Amendment: MCPS respectfully requests an amendment to match language that middle and high school principals should consider physical activities during lunch, such as open gymnasium or blacktop activities, as space and supervision are available.

**HB0659      Firearm Safety - Storage Requirements and Youth Suicide Prevention**  
**SB0676      (Jaelynn's Law)**

**Sponsors**      Senators Smith and Beidle  
                         Delegates Stein, Bartlett, and Pena-Melnyk

**Committees**    *Judicial Proceedings*  
                         *Judiciary*

**Synopsis**

Altering a certain provision relating to the storage of firearms and ammunition in a location that can be accessed by an unsupervised minor; and requiring the Deputy Secretary for Public Health Services to develop a youth suicide prevention and firearm safe storage guide, with recommendations from a stakeholder committee.

**Analysis**

Similar to HB 0425- Untraceable Firearms, this bill comes before you for your consideration even though the Board does not normally weigh in on gun legislation. The recent events and increase in students bringing guns to school buildings has brought this bill to our attention. This bill would require gun owners to safely store guns and ammunition in a location that cannot be accessed by an unsupervised minor. This bill aligns with our platform in terms of keeping students safe, but as a bill outside of our general topics, it is coming forward for your vote.

**Position: Support**